

## Short justification

The amendment concerns the transfer of the project to a new beneficiary (LiU, Sweden). The transfer is justified by political reasons that threaten the successful accomplishment of project goals in Hungary. These political threats and institutional uncertainties have been detailed in the Justification Letter under the following headers:

1. Concerns about academic freedom
2. Uncertainty about the functioning of academic institutions
3. Direct intimidation of social scientists in government propaganda newspapers
4. Threats to fundamental research
5. Political take-over of research funds
6. Political censorship of academic publications
7. Poisoned atmosphere
8. Unfavorable political adjustments

While the new Host Institution will offer a better working climate for the continuation of the work, the primary reasons for the request of transfer are political and could be grouped as:

1. Concerns about academic freedom
2. Uncertainty about the functioning of academic institutions
3. Direct intimidation of social scientists in government propaganda newspapers
4. Threats to fundamental research
5. Political take-over of research funds
6. Political censorship of academic publications
7. Poisoned atmosphere
8. Unfavorable political adjustments

The Justification Letter provides detailed information about these reasons.

## *1. Concerns about academic freedom*

First, let me summarize events that pose a political risk to academic life, and can be considered as systemic attacks on academic freedom in the country.

In April 2017, the Hungarian government amended higher education legislation in a way that impacted exclusively the operation of the Central European University (CEU) in Budapest. CEU has received an unprecedented support of solidarity from the international scientific community and from academic institutions in Hungary, including the Hungarian Academy of Sciences (MTA). CEU worked to comply with the additional regulations set out in the legislation, and established educational activities in the institution's country of origin at New York State. Despite the full compliance to the new regulations, the CEU has been forced to leave Hungary. After the last chances have disappeared, in December 2017 the CEU has announced that it will relocate all US-credited study programs to Vienna from September 2019. This constitutes 90% of the teaching activities of the university.

On 11 April 2018, Rapporteur Judith Sargentini has prepared a report calling on the Council to determine, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded (2017/2131(INL)). This report has been accepted by a clear two third majority of the European Parliament on 12 September 2018. The report expressed concerns about academic freedom in Hungary, as:

### *Academic freedom*

*(28) On 6 October 2017, the Venice Commission adopted its Opinion on Act XXV of 4 April 2017 on the Amendment of Act CCIV of 2011 on National Tertiary Education. It concluded that introducing more stringent rules without very strong reasons, coupled with strict deadlines and severe legal consequences, for foreign universities which are already established in Hungary and have been lawfully operating there for many years, appears highly problematic from the standpoint of the rule of law and fundamental rights principles and guarantees. Those universities and their students are protected by domestic and international rules on academic freedom, the freedom of expression and assembly and the right to, and freedom of, education. The Venice Commission recommended that the Hungarian authorities, in particular, ensure that new rules on requirement to have a work permit do not disproportionately affect academic freedom and are applied in a nondiscriminatory and flexible manner, without jeopardising the quality and international character of education already provided by existing universities. The concerns about the Amendment of Act CCIV of 2011 on National Tertiary Education have also been shared by the UN Special Rapporteurs on the freedom of opinion and expression, on the rights to freedom of peaceful assembly and association and on cultural rights in their statement of 11 April 2017. In the concluding observations of 5 April 2018, the UN Human Rights Committee noted the lack of a sufficient justification for the imposition of such constraints on the freedom of thought, expression and association, as well as academic freedom.*

*(29) On 17 October 2017, the Hungarian Parliament extended the deadline for foreign universities operating in the country to meet the new criteria to 1 January 2019. Negotiations*

*between the Hungarian Government and foreign higher education institutions affected, in particular, the Central European University, are still ongoing, while the legal limbo for foreign universities remains.*

*(30) On 7 December 2017, the Commission decided to refer Hungary to the Court of Justice of the European Union on the grounds that the Amendment of Act CCIV of 2011 on National Tertiary Education disproportionately restricts Union and non-Union universities in their operations and that the Act needs to be brought back in line with Union law. The Commission found that the new legislation runs counter to the right of academic freedom, the right to education and the freedom to conduct a business as provided by the Charter of Fundamental Rights of the European Union (the “Charter”) and the Union’s legal obligations under international trade law.*

After the report has been drafted, in June 2018, the government launched an attack on the academic integrity of the Hungarian Academy of Sciences (MTA). In an email sent on 12 June, the Ministry of Innovation and Technology informed the MTA about the proposed amendment of the XL 1994 Law on MTA and requested its opinion within an hour. The proposal suggested redirecting the control over all research institutions of the MTA to the Ministry of Innovation and Technology. In addition, the control over all research funds (including the prestigious Lendület grant) in Hungary has been suggested to be relocated from scientists to the Ministry.

The following news items summarize these and the reactions from the Hungarian Academy of Sciences:

<http://mta.hu/english/the-academy-stands-by-its-independence-and-the-freedom-of-research-108816>

<http://mta.hu/english/joint-statement-of-hungarian-erc-grant-winners-regarding-government-plans-concerning-the-budgetary-funding-and-operation-of-the-hungarian-academy-of-sciences-108866>

Worrying changes in Hungary. *Nature*, **558**, 485 (2018), doi: 10.1038/d41586-018-05526-x

Despite the unanimous complaint of the Presidium of the MTA, the amendment was sent to the Parliament on 19 June and was accepted in July. The amendment of the law abolished the budgetary independence of the Hungarian Academy of Sciences.

Further background and reactions from the MTA can be found here:

<http://mta.hu/english/interview-with-adam-torok-in-hvg-on-20-july-2018-a-summary-108994>

<http://www.sciencemag.org/news/2018/07/hungarian-academy-president-vows-keep-fighting-independence-government-takes-control>

In the meantime, the government has started preparatory work of takeover of the institutes of the MTA, including the Centre for Social Sciences, where our project is hosted. On 22 June, the Minister of Innovation and Technology issued a communication that confirmed the

relevance of “compromising” plans. The communication emphasizes that the priorities of research have to be chosen in a centrally coordinated manner.

In August, the government has introduced a ban on issuing diplomas in gender studies.

As another example, on 10 September, without consulting even the Senate or the Dean of the Faculties, the Rector and the Chancellor of Corvinus University of Budapest has announced their agreement with the Ministry of Innovation and Technology that the university will be taken out from the Law on Higher Education and will continue to operate as an institution in a private institution established on a governmental foundation. The government has discussed and already accepted the initiative on 12 September.

As an overall assessment, recent political developments in Hungary constitute substantial risk for academic freedom in the country’s private (Central European University, CEU) and public institutions (Hungarian Academy of Sciences, MTA and at Corvinus University of Budapest).

## *2. Uncertainty about the functioning of academic institutions*

A fundamental requirement for conducting research is institutional stability. Since the government attack of the Hungarian Academy of Sciences has been launched, this has been seriously undermined. There is a complete lack of predictability how and when the “new order” as the Minister of Innovation and Technology calls it will be set up.

The Minister of Innovation and Technology has announced his most recent plans to the President of the Hungarian Academy of Sciences Prof. László Lovász on 10 September. The presentation contained radically new elements that have not been part of the draft presented to the MTA by the Minister in June. As part of the reorganization, one third of the institutes of the MTA will be taken over by the Ministry. Some others will be closed down completely, others will be merged with universities or “other institutions”, and the remaining ones would need to “clear their profile”. This is going to be controlled deep down to the level of research group activities. The Minister has not provided any substantial reasons why.

Details of this meeting have become public in an interview with Prof. László Lovász on 15 September.

[https://index.hu/techtud/2018/09/15/lovasz\\_laszlo\\_mta\\_palkovics\\_kutatointezetek\\_fel\\_darabolasa/](https://index.hu/techtud/2018/09/15/lovasz_laszlo_mta_palkovics_kutatointezetek_fel_darabolasa/)

As a reaction, the Presidium of the Hungarian Academy of Sciences issued a communication on 11 September that they find the attack on the integrity on the Hungarian Academy of Sciences and the slicing up of its research institutions unacceptable. For this reason, the Presidium ceased all negotiations with the Ministry, but expressed its willingness to negotiate with the government directly.

<http://mta.hu/english/the-academy-regards-the-negotiations-with-the-itm-as-stalled-but-wishes-to-continue-them-with-the-government-109000>

Maybe because of this sharp standpoint, it was communicated that the reorganization of the institutes of the MTA will not take place immediately. The financial contribution to the functioning of the institutes will be provided unaltered for 2019. In exchange, the Ministry expects from the MTA to conduct an audit of its own institutional network as soon as possible.

Note that the prolongation of the “new order” by one year does not mean that the Minister has changed his mind or will not come up with other ideas soon. In any case, the new legislation allows him to perform any reorganization. This has been made clear with an interview with the Minister on 20 September in *Magyar Narancs*.

In this interview, the Minister has also attacked a researcher in economics of education personally because her results did not favor the educational reform that was introduced by the government and criticized the Hungarian Academy of Sciences for “allowing the publication” of these results. The Minister considers this as political opinion formation that should not take place within the institutes of the Hungarian Academy of Sciences.

<https://magyarnarancs.hu/belpol/palkovics-az-mta-rol-szechenyi-sem-beszelt-kutatointezetekrol-113720>

Afterwards, it has become clear that the Hungarian Academy of Sciences lost control over its institutes to the Ministry. A committee has been established that started to organize a screening of the research activities at the institutes of the Hungarian Academy of Sciences. The President of MTA and the Minister agreed to the composition of the committee. They also agreed that the screening will be completed by March 2019.

Probably due to the expected favorable result of the screening procedure, the Minister has changed his mind and initiated the reorganization of the entire academic sector earlier. He blackmails the Hungarian Academy of Sciences by not transferring any utility and other material costs to the institutes.

While the screening is going on, behind the back of the President of MTA, the Minister initiated a meeting with the General Directors of the institutes. He announced that all fundamental funding for the research institutes of MTA is stopped and the institutes of MTA need to compete for funding that covers all their research activities and costs. In this competition, universities and newly established governmental institutes can also participate. Topics in the calls are decided by the Minister. Winning institutes will be allowed to pay for their current utility bills from the new funding.

### *3. Direct intimidation of social scientists in government propaganda newspapers*

In the meantime, the Hungarian government started to intimidate academics in its propaganda media. In April 2018, the pro-government magazine Figyelő listed the names of more than 200 people, calling them “mercenaries” of George Soros, a Hungarian-American entrepreneur

and philanthropist who founded CEU. The list included current and former CEU staff members, as well as employees of NGOs.

Not unrelated to the governmental attack on the integrity of MTA, on 19 June, the pro-government magazine *Figyelő* justified the plans of the government by listing social scientists working at the Centre for Social Sciences with a clear intent of intimidation. The anonymously published article depicted the work of social scientists on topics of gender, sexual minorities, and ethnic integration as not tolerable. Others were accused of direct falsehoods of lack of publications (based on a source that was not up-to-date at all). The list included also researchers with their affiliation at our research group who are at the beginning of their career.

<https://sciencebusiness.net/news/orban-allies-target-hungarian-social-scientists-battle-academy-sciences>

<https://www.figyelo.hu/v/bevandozlas-homoszexualisok-jogai-es-gendertudomany--ezek-foglalkoztatjak-leginkabb-az-mta-munkatarsait--/>

Later, the intimidation has continued in a sarcastic style with a quiz in *Figyelő*. Readers had to guess based on the title of scientific publications on topics of gender, sexual minorities, and migration if they were from “Soros-henchmen” CEU researchers or from researchers from the Hungarian Academy of Sciences.

Similar propaganda attacks have been launched against researchers of legal studies and against researchers who study migration.

#### 4. *Threats to fundamental research*

The Minister of Innovation and Technology has expressed repeatedly that the operation of the academic institutions should better meet “governmental demand”, innovation, and needs of the industry. While applied research is highly important, it seems that there is no understanding from the Ministry why fundamental research is needed.

#### 5. *Political takeover of research funds*

The Hungarian Scientific Research Fund (OTKA) was established in 1986 and was the main agency that supported fundamental research in Hungary. Similarly to the ERC, OTKA has selected proposals and financed projects on a competitive ground, based on scientific merit and excellence applying peer review evaluations. OTKA has been merged to the National Innovation Agency (NIH), forming the National Research, Development, and Innovation Office (NKFIH). The NKFIH under the leadership of Prof. József Pálincás, former President of the Hungarian Academy of Sciences continued to support fundamental research on a meritocratic basis. At the end of June 2018, Prof. József Pálincás has been dismissed from his

position and NKFIH fell under the direct control of the Ministry of Innovation and Technology.

#### *6. Political censorship of academic publications*

Direct political censorship has been introduced to control academic publications in a form that has not been seen in Hungary since the eighties. On 24 September, due to political reasons, the latest special issue of the social science journal *Századvég* with accepted and copy-edited publications on rent-seeking has been removed from the internet shortly after publication. The entire editorial board has been sacked.

#### *7. Poisoned atmosphere*

Concerns about academic freedom, institutional insecurity, the direct intimidation of social scientists, the threats to fundamental research, and to funding opportunities have created a poisoned atmosphere among the researchers. It has become increasingly difficult to appropriately focus on research activities.

In addition to concerns about academic freedom, social scientists also worry about the shape of democracy in general, the hate speech campaigns supported from tax payers money, and threats to freedom of expression. Since 17 September 2018, cultural events can only be open to the press and interviews can only be given to the press if they have been approved by the Ministry of Human Capacities 48 hours in advance.

[http://hvg.hu/itthon/20180917\\_Szigorubban\\_ellenorzott\\_kultura](http://hvg.hu/itthon/20180917_Szigorubban_ellenorzott_kultura)

Based on these concerns and after consultations with core researchers in the team, family members, and researchers outside Hungary, I came to the conclusion that the project has to be moved outside of the country in order to successfully accomplish its objectives.

We carry out our work without any political aim, not driven by any political interest. Still, the political situation endangers the successful accomplishment of our project. An ERC grant is a life-time opportunity to achieve a breakthrough and accomplish major results in science; and I do not want to risk this opportunity.

#### *Added value for the scientific output of the project*

The results of the conducted research up to the time of the transfer of the project have been summarized in the half-time scientific report. Most of the planned field work that has been planned specifically for Hungary has already been completed and the remaining ones will be

conducted in Hungary. The transfer of the project does not mean the termination of planned scientific work. Just the opposite, it ensures its continuation and facilitates the successful accomplishment of the research goals. An evident added value of project relocation to another country is the improvement of the general atmosphere in the team. By getting rid of direct political threats, we could focus on scientific research, increase our enthusiasm, and we can reach a major breakthrough in our project.

The new Host Institution of The Institute for Analytical Sociology at the University of Linköping will also be superior in other aspects. It will offer an international and interdisciplinary environment that better facilitates collaborations with other scientists. Many researchers at the Host Institution are experts in various areas of the project. The new Host Institution will offer a more inspiring environment with regular academic debates, workshops, and conferences. The new Host Institution has an experience in hosting ERC grants and large research projects. It is able to support administrative, financial, and legal support to the project.

Károly Takács

Principal Investigator

ERC Consolidator Grant “EVILTONGUE”, Project number 648693