After Collapse

Rebuilding Higher Education After Illiberal Transformation

Andrea Pető

10.04.2026 doi: 10.59704/3eeef46c339e98c5

Ten years ago, the illiberal Hungarian government began its campaign against the Central European University (CEU). Back then, I was asked at a conference in Budapest: "Andrea, what will happen to you now?" The colleague who asked the question did not have me in mind, but CEU. He was a well-paid, enthusiastically loyal Fidesz apparatchik. Later, as FIDESZ moved further to the far right, he became a so-called "Fidesz orphan", and now, in 2026, he is an advisor to the Respect and Freedom Party (TISZA), a typical example of pragmatic careerism. I replied at the time: "We'll leave Budapest, we'll live splendidly in Vienna, the world's most livable city, and when everything here collapses, we'll come back and rebuild what can be rebuilt." I already knew back then that the System of National Cooperation, as the illiberal state built by FIDESZ is called, would eventually collapse, since no country can be run for long without professional expertise.

And here we are now: the Hungarian elections are only a couple of hours away. Péter Magyar, the leader of the opposition, is leading the polls with a serious advantage. My 2017 forecast is becoming a reality.

In the case of the collapse, I was right: other public institutions, including those in higher education and research, have indeed collapsed. However, doubts remain regarding another question: how this system is to be rebuilt. These doubts are well-grounded with respect to Magyar's program. So far, his stated goal is to restore the autonomy of both the Hungarian Academy of Sciences and the universities, that is, to restore the pre-Fidesz status quo.

But is it possible – and, more importantly, is it necessary – to restore what has been destroyed in the past 16 years?

If a two-thirds constitutional majority for TISZA does indeed come about, Hungarian academia and higher education will still stand before a historic opportunity to build a new system more appropriate for the 21st century rather than restore the old one. This rethinking is important, as restoring what – and more importantly: those who ran these institutions – proved so vulnerable to illiberal attacks, makes little sense. As illiberal politicians and voters, and, more importantly, the business and geopolitical interests attached to them, will not disappear after the election, neither will the illiberal desire to control higher education, resources, knowledge production, authorization, and dissemination suddenly evaporate. Higher education and research should therefore be better prepared this time.

++++++++++*Advertisement*++++++++++++



Transform your career with Loyola Chicago's top-ranked LLM for International Lawyers, *built on the core principles of academic excellence, affordability, and flexibility. Choose from 160+ courses taught by* ***distinguished and engaged faculty****, access tailored* ***career support****, and gain* ***hands-on experience*** *in the heart of*

vibrant Chicago, a major legal and financial hub. Loyola's LLM empowers ambitious lawyers from diverse backgrounds to excel as ethical global leaders. Further information.

We are currently accepting application for the fall 26 (start in August) and spring 27 (start in January) semesters.

Curious? Reach out to Insa Blanke, Executive Director of International LLM Programs.

Start your Free Application now!

++++++++++++++++++++++++++++

What has collapsed over the past 16 years?

Over the past decade and a half, Hungarian higher education has undergone a profound illiberal transformation. These changes have affected not only the operation of universities but also students' life trajectories, the freedom of research, academic authorization, and the social prestige of knowledge. Although these changes were often bold and unprofessional solutions to real, existing structural problems and were communicated as "reforms to increase competitiveness," on closer inspection, what emerges instead is the conscious impoverishment of public higher education and the building up of a parallel, centralized, well-funded, politically controlled system.

The most visible institutional change has been the transfer of universities into foundation-based management. A significant share of state-funded, public universities was placed under the control of asset-management foundations. These foundations are formally "private" actors, and their boards of trustees are often populated by active or former political figures with long-term, entrenched mandates. In theory, this model promised greater flexibility; in practice, however, it blurred the boundary between the public and private character of universities, while control over public funds did not diminish but was instead shifted to a less transparent level.

Consequently, Hungary was excluded from the Horizon programs, and the illiberal government launched its own so-called HU-rizont program, which failed miserably in terms of professional autonomy, as the ministry overruled the jury's decisions.

Illiberal Hungary became a key factor in building up an alternative model for internationalization. The founding of the Mathias Corvinus Collegium opened a new era. The institution gained access to an extraordinary volume of state and private foundation resources, together with "dark money", both domestically and internationally. Its educational and research activities have created a parallel system that does not fit within traditional higher education structures yet has a significant impact on them.

Trust in higher education has eroded as, over the past 16 years, key decisions on leadership, strategy, and budgets have increasingly required external political or trustee approval. As a result, self-censorship has become a dominant survival strategy within institutions.

Autonomy has not vanished entirely, but it has become conditional: it is tolerated only when it does not conflict with political or ideological priorities. Competitive, professionally reviewed grant funding has largely been replaced by centralized decisions, targeted subsidies, and designated "national priority institutions," weakening both academic competition, trust, and, more importantly, excellence. Funding decisions are now often driven more by connections than by scholarly merit, contributing to the declining competitiveness of Hungarian science.

At the same time, Hungarian higher education faces a self-reinforcing spiral of emigration: talented students leave early to study abroad, while young researchers see no predictable academic future at home. These dynamics are compounded by demographic decline. Fewer university-age students, combined with an oversized institutional network, have pushed universities to lower admission standards to maintain enrollment. The social value of a university degree for social mobility has declined, both because it no longer reliably leads to secure careers and because intellectual work itself has lost public value due to the conscious anti-intellectualism of illiberal politics.

++++++++++*Advertisement*++++++++++++



*The **Summer School on European Union Law in Corfu Island (Greece)** will take place on 27-31 July 2026, with the topic The EU as a global actor: legal foundations and challenges. Applications are open until all places are filled.*
The professors are judges at the Court of Justice of the European Union, senior officials at EU institutions, and professors at several European universities. The 50 Summer School's participants are law students and young lawyers from more than 20 countries.

The participation fee covers 6 nights' accommodation, meals and a full program of social activities. More information can be found here.

++++++++++++++++++++++++++++

System change instead of rebuilding

The moment calls not for the recycling of the same actors and ideas within a rebranded system, but for new people bringing genuinely new ways of thinking and acting. The goal is not a mechanical restoration of the past, but the creation of an open, pluralistic, and competition-based academic system in which professional courage once again replaces self-censorship.

This is a bold claim, given that the possible development has never started from so low a point, even compared with neighboring countries. But the situation is not that gloomy. There are several historical precedents that can help with rebuilding, and by now, there is a considerable, well-trained pool of scholars with international experience living in exile.

If a truly historic opportunity were to open for Hungarian higher education – and indeed, never has so much funding flowed into the system as in the past sixteen years, during which, for example, at least six twentieth-century historical research institutes with the same profile were established – these resources could be mobilized to serve new goals aligned with the challenges of the twenty-first century.

Whether CEU, together with the Hungarian higher education system, is prepared to meet these challenges, should this historical opportunity open after 12 April 2026, remains an open question, one that will ultimately test the accuracy of the second part of my forecast.

*

Editor's Pick

by MAXIMILIAN STEINBEIS



The other day, whilst browsing the more obscure corners of Netflix in search of opportunities to watch Arabic films with subtitles, I stumbled upon a series that ranks among the most bizarre and amusing things I've seen recently (all the more so on that rather bleak platform): Masameer hails from Saudi Arabia, originally aired on YouTube, and was enormously popular there. It's not difficult to see why: beneath the leaden blanket of authoritarianism, a society becomes visible, an unjust, undisciplined, unintimidated society that can both mock and indict itself with equal relish – the pig-headed ignorance of its billionaires' sons, the unshakeable incompetence of its bureaucrats, the brutal cynicism of its criminals, the desperate resilience of the have-nots on its margins. It's a few years old now, this series, the product of a happier decade. Its producer, Abdulaziz al-Muzaini, was apparently sentenced to 13 years in prison in 2024.

*

The Week on Verfassungsblog

summarised by EVA MARIA BREDLER

Over Easter, our newsletter took a one-week break. Whether you spent that time orbiting the moon or simply lying in the sun trying to ignore the possibility of a third world war – quite a lot has happened. Let's begin.

On Sunday, **Hungary** will elect a new parliament. At the moment, the signs are turning against Orbán: Fidesz's main challenger, the centre-right party Tisza, could – after 16 years of Orbán – even achieve a two-thirds constitutional majority. While this might allow a new government to rebuild democratic institutions, it would also face very few meaningful institutional constraints, says ZOLTÁN ÁDÁM (ENG), and warns that populism should not be overcome with populism.

Institutional control for Hungary often comes from Luxembourg: the **CJEU** has now ruled that the refusal to renew the broadcasting licence of the government-critical radio station Klubrádió is incompatible with media freedom and pluralism. MELINDA RUCZ (ENG) shows how the Court quietly shifts its case law on media freedom through this judgment.

In another historic ruling, the CJEU has for the first time called for a new "legislative framework" to remedy the problem of irregularly appointed judges in Poland's judicial system. It took more than 50 (!) preliminary references to get there. Until **Poland** adopts such a law, these judges attached to ordinary courts may only be recused on a case-by-case basis. LAURENT PECH (ENG) explains this uneasy compromise.

Also historic: the UN General Assembly has declared the trafficking and **enslavement** of Africans the gravest crime against humanity. For LUIS ESLAVA (ENG), the Declaration is more than symbolic: it challenges how international law understands time, responsibility and reparations. Slavery, he argues, is not over – it continues to shape the present.

One need not look far to see such continuities. Consider Trump's Executive Order 14160, which seeks to deny **US citizenship** to children if their mothers are not citizens and are either undocumented or only temporarily lawfully present in the country, and if the father also lacks permanent residence status. After Wednesday's oral argument, it seems unlikely that the Supreme Court will support Trump this time. Yet ANJA BOSSOW (ENG) explains why that would still amount to a Pyrrhic victory.

Continuities of the gravest crimes against humanity can also be found in US foreign policy. Since the end of January, the United States has effectively blocked Cuba's oil imports through sanctions and tariffs – with catastrophic humanitarian consequences. Not only hospitals, but also water supply, food distribution and transport depend on oil; schools and public offices have had to close. JOSE ATILES (ENG) traces the history of US interventions in **Cuba** and conceptualises US sanctions and tariffs as instruments of economic warfare – and as unlawful forms of state violence under international law.

International law, however, has never been of much interest to Trump. Only on Tuesday, he threatened Iran before the expiry of his ultimatum: "a whole civilisation will die". All the more reason, argues CHRISTOPHER JANZ (ENG), to defend **international law** instead of discarding it as an inconvenient obstacle to supposedly "just wars".

Such abandonment happens, in the words of Hemingway's *The Sun Also Rises*, "gradually, and then suddenly." DORUK ERHAN (ENG) uses this line to describe the slow erosion of the rule of law in **Turkey**, one year after the detention of Istanbul's elected mayor Ekrem İmamoğlu and the beginning of his trial – and the surprisingly limited political effect of this form of autocratic lawfare.

++++++++++*Advertisement*++++++++++++



*Der Postmigrantische Jurist*innenbund veranstaltet vom 25.–27.09.2026 seine erste Postmigrantische*

*Jurist*innenkonferenz (PoMiKo) in Berlin und lädt migrantisierte, jüdische und von Rassismus betroffene Personen dazu ein, Vorschläge für Workshops, Impulsvorträge oder andere innovative Formatideen einzureichen. Beiträge können aus dem Öffentlichen Recht, Zivilrecht, Strafrecht und Nachbardisziplinen stammen.*

Bitte reichen Sie dafür bis zum 03.05.2026 ein Abstract mit max. 500 Wörtern und einen kurzen Lebenslauf per Mail an events@pmjb.de ein. Mehr Informationen finden Sie hier.

++++++++++++++++++++++++++

India's democracy – the largest in the world – is also increasingly eating itself from within. Under Narendra Modi's **Bharatiya Janata Party** governments, now in their third consecutive term, the formal architecture of democracy remains intact: elections are held, courts sit, and newspapers continue to be published. ANMOL JAIN (ENG) explains what is happening behind this democratic façade and how to make sense of those complex processes of democratic erosion.

India recently made headlines for a judicial decision as well: the Supreme Court allowed the withdrawal of life-sustaining treatment in the case *Harish Rana v. Union of India*, recognising a **right to die with dignity**. Yet RAGHAV SENGUPTA(ENG) warns that without adequate safeguards, the ruling risks undermining patient autonomy and introducing ableist assumptions.

Questions of bodily autonomy and ethical boundaries have also reached the Olympic movement. Under the **International Olympic Committee's new policy on the protection of the women's category**, all women and girls will have to undergo genetic testing. MICHELE KRECH and ANTOINE DUVAL (ENG) explain why the policy is scientifically, procedurally and legally problematic.

The German **reform of military conscription** has also been controversial both ethically and legally. Men aged 18 and over will now be required to undergo compulsory assessment. For MARIUS BURMANN (GER), the new model of conscription – with its inherent uncertainty – is almost paradigmatic of Walter Benjamin's concept of law-preserving and threatening violence.

Violence also threatens foreign regime critics who seek protection in Germany – through digital surveillance, threats against family members back home, or even physical attacks and murder. The new § 87a of the German Criminal Code aims to combat this so-called "**transnational repression**". Yet the offence falls short, misreads the actual structures, and ultimately remains largely symbolic criminal law, concludes FABIAN KRAUSE (GER).

More protection, more security – promises that also accompany new security law. A planned system of **biometric internet surveillance** would grant the police new powers. JOHANNA HAHN (GER) explains that the draft leaves key questions unanswered: the data basis, technical functioning and oversight mechanisms remain unclear – raising significant fundamental rights concerns.

Even more power for the executive: the federal government will in future be able to designate **safe countries of origin** by statutory instrument. The Green parliamentary group now wants the Federal Constitutional Court to review this reform. According to HODA BOURENANE (GER), the chances of success are good, as the reform bypasses the procedure required under Article 16a of the Basic Law.

Alongside growing executive power, **executive disobedience** has also become an increasing problem in Germany. The Federal Minister of Justice now wants to curb it and strengthen the authority of the courts. PHILIPP KOEPSELL (GER) shows where the proposal falls short.

In order to prevent judicial disobedience, the Saxon parliament recently decided that even non-criminal enemies of the constitution may be excluded from **legal traineeships**. JONATHAN SCHRAMM and FELIX THRUN (GER) consider the reform justified – though a uniform federal rule would be even better.

Constitutional violations also appear in the "government programme" of the **AfD** in Saxony-Anhalt. Most of its migration-policy proposals would be legally impermissible, argue MARK CUNO and LUKAS BORNSCHEIN (GER).

Legally problematic lawmaking can also be found in **Georgia**. The country's new "foreign agent" law criminalises political expression linked to foreign support and extends liability even to individuals. For MARIAM BEGADZE and ANA PAPUASHVILI (ENG), the law exposes a deeper structural problem that goes beyond obvious violations of freedom of expression and association: the lack of a substantive theory of the limits of criminalisation, even within the framework of the ECHR.

In **Croatia**, the national government overrode the city of Zagreb in order to host the handball team's homecoming together with a controversial nationalist singer. MATIJA MILOŠ (ENG) warns that this move undermines local autonomy and risks normalising fascist symbols in public life.

Church autonomy, by contrast, was at issue before the CJEU. The Court held that a Catholic association cannot dismiss an employee for leaving the **Church** while employing non-Catholics in the same position. SARAH GEIGER and JOHANNA KRAMER (ENG) see the ruling as another step towards convergence between European and national case law.

++++++++++*Advertisement*++++++++++++

STIFTUNG MERCATOR
Walter Hallstein-Institut für Europäisches Verfassungsrecht

– ***Humboldt Speech on Europe*** –

We are pleased to announce that ***Jakov Milatović, President of Montenegro,*** *will deliver the next Humboldt Speech on Europe on the topic of "The European Union – Towards a New Era of Completion, Enlargement and Deepening". This lecture will address the EU's evolving agenda at a defining moment for European integration.*

April 15, 2026, 5pm | Humboldt University Berlin
Registration via Eventbrite

++++++++++++++++++++++++++

Meanwhile, Germany is debating the future of statutory health insurance. The Health Finance Commission has recommended abolishing **free co-insurance** for spouses and equivalent partners without children under the age of six. SOPHIA STELZHAMMER (GER) argues that what requires explanation is not the abolition itself but its link to marriage. Instead, free family insurance should consistently be tied to the assumption of care responsibilities in order to relieve all families fairly and avoid structural dependency of women.

Speaking of structural dependency: on 31 March 2026, the University of Cyprus held a conference on the British military bases on Cyprus. All speakers were men. NATALIE ALKIVIADOU (ENG) asks whether there really is no **female scholar**at the University of Cyprus who could speak on the topic.

Spain offers a more hopeful example. There, combating **violence against women** has become a matter of state policy. From specialised courts to synchronised GPS monitoring of perpetrators and victims, the "Spanish model" demonstrates how consistent victim protection can halve femicide rates compared to Germany. MANUELA NIEHAUS (GER) delineates what would have to change in Germany so that protection no longer depends on chance.

There is also good news from the United States: for the first time, two US courts have found Meta and Google (YouTube) liable for harm caused to users by the design of their **platforms**. NORA HERTZ (ENG) explains why this could mark the beginning of a new era of human rights litigation in Europe.

Andrea Pető's editorial also offers a note of hope. Elections are special moments, of course. But the "genuinely new ways of thinking and acting" she calls for in Hungary emerge every day – whether in lunar orbit or here on our home planet, under the sun.

*

That's it for this week. Take care and all the best!

Yours,

the Verfassungsblog Team

If you would like to receive the ***weekly editorial*** *as an e-mail, you can subscribe here.*

ABOUT THE AUTHOR

Andrea Pető

Andrea Pető is a historian and a Professor at the Department of Gender Studies at Central European University, Vienna, Austria, a Research Affiliate of the Central European University's Democracy Institute, Budapest, and a Doctor of Science of the Hungarian Academy of Sciences.

SUGGESTED CITATION

Pető, Andrea: After Collapse: Rebuilding Higher Education After Illiberal Transformation, Verfassungsblog, 10.04.2026, doi: 10.59704/3eeef46c339e98c5.

Licensed under CC BY-SA 4.0.

Langzeitarchiviert bei IntRechtDok unter: doi.org/10.17176/20260411-173409-0.