

Gábor SCHWEITZER

**„Egy tisztességes jogtanár”. Molnár Kálmán pályaképe  
[“The honest professor of law”. Portrait of Kálmán Molnár]**

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The reviewed book deals with professor Kálmán Molnár, who was a very interesting person of the Hungarian legal science and public life in the interwar period. The author of the book is Gábor Schweitzer, a research-fellow of the Institute for Legal Sciences of the Hungarian Academy of Sciences. (This institute is currently part of Eötvös Loránd Research Network.) Schweitzer is also a full-time lecturer of the National University of Public Service. His main research topic is the history of Hungarian constitutional law and the history of the Hungarian legal science before 1945. He published many articles and several books about the life of the Hungarian scholars living and working between 1867 and 1945.

The portrait of professor Kálmán Molnár by Gábor Schweitzer helps us to understand the complicated situation of the Hungarian scholars in an extremely difficult period of Hungary. The defeat suffered in the First World War and the collapse of the traditional Hungarian statehood in 1918 resulted in important mental and social problems in the life of many people in Hungary. This collapse initiated the three decade-long period (1918–1948) of history, which changed Hungary very dramatically. Two revolutions, one counter-revolution, two dictatorships and one world war took place during this period. But these three decades were the most active period in the life of professor Molnár.

Kálmán Molnár (1881–1961) was born in Nagyvárad (currently Oradea in Romania) in the family of professor Imre Molnár. His father taught legal studies at the local Catholic academy of law. Molnár's family of gentry origin belonged to the Catholic intellectual circles in the city. The young Molnár began to study here, but later he continued his studies in Budapest. Hungary had only three universities with regular faculties of law (Budapest, Cluj Napoca and Zagreb) at that time, but regional cities had academies of law as well. These academies were in the hands of the Catholic and Protestant churches or they were the property of the state (royal academies).

Young Molnár pursued studies abroad, too (Germany and France). After his return to Hungary he was given the position of a lecturer in Eger, where he worked at the Catholic legal academy. Molnár worked here between 1907 and 1925. Originally his main subject was Hungarian constitutional and international public law. During the First World War he served on the front and spent several years in a Russian camp for military prisoners. He returned in 1919, but after the collapse of the monarchy he joined another department. His new workplace was the department of legal history and history of the church in Eger. As an ardent monarchist and Catholic Molnár did not agree with the republican form of state and with the provisional legal character of the Horthy regime. From his point of view it was

not correct to teach the legal institutions, with which he did not agree. Molnár supported the legitimist movement, which advocated in the interwar period the restoration of the Habsburg dynasty. Molnár like a large number of Hungarian Catholic and conservative intellectuals presented antisemitic and antiliberal opinions. He presented the history of Hungarian public law for the young Otto von Habsburg, too.

The Hungarian constitutional and political system had a provisional character in the interwar period. This system was born under the pressure of the Western winners and the domestic political circumstances. The Károly Huszár government called for National Assembly elections to be held on 25–26 January 1920. These elections, which were conducted via secret ballot and were open to all Hungarian citizens, including women over the age of 24, resulted in a governing coalition composed of two parties that won nearly 94 percent of all mandates in the National Assembly: the Christian National Union Party and the National Smallholders' and Farmers' Party.

Some politicians from the Christian National Union Party favored the return of the last king from Habsburg-dynasty to the throne of Hungary, though the Entente Powers had indicated that they would not accept this option. Others, mainly from the National Smallholders' and Farmers' Party, advocated the appointment of a Hungarian national king. National Assembly representatives finally approved Prime Minister Huszár's proposal to elect a regent to temporarily serve as head of state until a permanent solution to the Habsburg king vs. national king question could be found. The government had two candidates – Miklós Horthy and count Albert Apponyi who led the Hungarian delegation in Trianon. The real position of Horthy was stronger, because he was the commander of the National Army and he had British supporters as well. The regime of “provisorium” started with the election of Horthy. The monarchist Molnár accepted this regime, but only as a provisional solution.

Later Molnár worked in Southern Hungarian, in Pécs, at the Catholic legal academy. He achieved here the position of dean. He was a consequent supporter of the formal legal continuity with the pre-war legal system and he had a theoretical problem with the legitimacy of the Horthy-regime. The Hungarian political system became more authoritarian in character and pro-German in foreign policy from the third decade of 20<sup>th</sup> century. The deeply conservative Molnár opposed this political trend and criticised the adoption of anti-Jewish discriminative acts at the end of 1930s. Molnár, together with professor Ödön Polner signed the protest of Hungarian intellectuals against these laws in 1939. During the Second World War he represented the anti-fascist position and under the rule of Hungarian fascist party in 1944 he spent several weeks in the fascist prison.

After the Second World War he was for a short time the member of the provisional National Assembly in Debrecen. This fact was a paradox in his life, because he always supported the regular forms of creation of parliaments instead the revolutionary forms. Molnár always criticised the fascism and discrimination from a conservative point of view. He did not reject the idea of limiting the voting right and he supported the idea of plural suffrage. But old Molnár had a prestige among the antifascist lawyers after the second world war. He did not have a wife and childrens. These reasons were very important in the process of delegating him to Debrecen, because during the post-war Soviet occupation every travel inside Hungary was dangerous.

After the short political career in 1945 he went back to Budapest, where he taught at the Faculty of Law of Pázmány Péter University (currently Eötvös Lóránt University). He was an active teacher and publisher, but the communist political regime sent Molnár to pension in 1949. Then Molnár lived as a pensioner in Budapest in the last years of his life.

Molnár's political and scientific life demonstrates very clearly the complicated Hungarian history in the first half of 20th century, the dilemmas of the honest and moral persons at that time. The interwar period after two revolutions, one counter-revolution and the Trianon Treaty was a very ambiguous period in the history of our country. Hungarian society was forced to break with its traditions and, as a result, it looked for new possibilities. This process happened in the shadow of the increasing power of Nazi Germany. Gábor Schweitzer as the author of the book is well acquainted with the general context of the Hungarian scientific and political life in the interwar period. He used many original materials from Hungarian archives and libraries. The author utilizes many memoirs from this period, too. The reader can feel the sympathy of the author with the hero of the book, but this sympathy is objective and Schweitzer does not conceal the negative and problematic aspects of the life of professor Kálmán Molnár.

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