

Part VIII
Review of Hungarian Scholarly Literature

The Rhetoric of an Agreeable Hungarian Statesman About
János Martonyi, Nation and Europe. In Lieu of Memoirs (Book
Review)

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Besides the cover photo of a celebratory moment of the Czech, Polish and Hungarian accession to NATO in Independence, Missouri, on 12 March 1999 with Jan Kavan, Madeleine Albright, the author, and Bronislav Gerecek – a telling reminder of both the possibility of, and need for Atlanticism and Central-East-European cooperation –, the title of the volume is no less eye-catching. The pithy main title fuses the weighty concepts usually played out against one another, while the subtitle advises not to expect a memoir – yet, by saying so, it implies that the rightful expectation would have been exactly that, or, at least, a personal testimony of sorts. János Martonyi’s latest book is certainly a carefully assembled collection of highly wrought ideas that have defined his work as a practitioner and outstanding student of a private international law as well as a politician, a foreign minister. The title’s fusion of raises a theoretical question, prompting us to wonder why Martonyi has ‘nation’ first and ‘Europe’ only in second place, especially when he placed ‘Europe’ first in his 1998 volume.¹ Why not the other way round, ‘Europe’ first, ‘Nation’ second? How does he, one of Hungary’s best known and most respected political thinkers and former foreign affairs ministers, relate the two communities: nation and Europe? In his Introduction, he assures us that these are the two most important identities for him, and that his views on the relationship between nation and Europe, as well as national and European identity, have remained unchanged for the last twenty-five years. He affords “an unqualified primacy” to national identity

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1 János Martonyi, *Európa, nemzet, jogállam*, Magyar Szemle – Európai Utas, Budapest, 1998.

over European identity but these attachments are compatible and “mutually reinforce each other”.² By referring to his earlier volume, he claims:

“The essence of the European integration process lies in upholding and even strengthening national identity. The essence of Europe lies in its diversity. [...] A truly united Europe can only be created if each nation pools its cultural, historical, and linguistic heritage to enrich and fulfil European integration.”³

In fact, if we had to identify the single most important concept of the volume, it would be identity, linking the essays, speeches, and studies spanning the three large sections of the book (“Tributes”, “World Trade in the Grip of Geopolitics”, and “Still Europe”).

This volume is an integral continuation of Martonyi’s earlier work,⁴ yet it is a unique collection, as it was written in a time of crisis, during the COVID-19 pandemic. It is also a remarkably diverse volume, its greatest virtue lying in its dynamic shifts of perspective. Like a state-of-the-art camera, it can change focus instantly, offering a view of the globe from above, observing Europe in its territorial form, examining the Visegrád Group, or zooming in on Szada, delving into his personal views of seminal thinkers, such as Géza Herczegh, Otto von Habsburg, Robert Schuman, or Tom Lantos. This shifting of perspectives makes for an exhilarating reading experience: Martonyi’s studies, essays, and speeches on various topics enable a simultaneous view of national, European, and international levels, as well as local and regional perspectives on law, politics, economics, and culture, always stressing the interconnectedness of these categories. Whichever way the focus changes, detail always fits the larger picture, the clear structure that gradually unfolds. It is due to this multifaceted focus that Martonyi’s consistent worldview, theoretical acumen, legal expertise, and experience in foreign relations can come to bear, to afford profound insights.

As mentioned above, the concept of identity is a ribbon that binds the colorful bouquet of observations and theses the author puts forward. Profoundly significant to Martonyi, it is what intimately connects his lines

2 Id. p. 21.

3 Cited in János Martonyi, *Nation and Europe. In Lieu of Memoirs*, Helena History Press, Reno, 2023, p. 31.

4 Martonyi 1998; János Martonyi, *Mi és a világ*, Magyar Szemle Alapítvány, Budapest, 2015; János Martonyi, *Nyitás és identitás. Geopolitika, világherkedelem*, Európa, Pólyá Elemér Alapítvány, Szeged, 2018.

of reasoning in the various disciplines of law, political science, international relations, and world economics to human experience, the individual's sense of belonging, history and reality. This ability to connect to human experience – particularly corroborated by his rhetoric, his ability to address people of all walks of life, without ever losing his refined irony, ever putting on airs – defines him as a major thinker and actor of his time.

Indeed, his view of our role in the world, particularly in the face of rapid change and perpetual crises, is a case in point. His approach to change is characterized by a blend of conservatism and a profound openness to the world. “Times do change,” he writes, “and we change along with them, but we need to preserve more of what is constant – our history, our culture, our identity and our values.”⁵ Lasting values, elements of permanence, are essential for him in order to effectively face contemporary threats and changes in the world. However, Martonyi's aim is not to slow down change or to predict the effects of change,⁶ but to seek sound, value-driven answers to these changes, while also finding the place of the individual in an increasingly heterogeneous and multi-level political, legal, economic, and cultural world.

A genuine patriot, Martonyi reaffirms the paramount importance he accords to the concept of nation and attachment to it. Throughout the text the nation occupies the apex of the collective identity structure for individuals. For Martonyi, national identity encompasses cultural heritage, historical roots, linguistic ties, and a shared spiritual community⁷ that does not seek to homogenize but respects and values diversity. The latter is also very important because of his Central Europeanism: not only is he a true patriot but also a thinker who is well aware of the essence and challenges of Central Europeanism. For him, Central Europe can only be grasped in a European context, in its specific intellectual, cultural, and spiritual richness. “It bears all the elements and qualities that Europe bears, but a little more densely, a little more intensely, at a slightly higher speed,” as he puts it,⁸ and adds to his description: more religion, more languages, more tensions, religious diversity, anxiety, melancholy, sense of humor, complexities, and creativity. For in addition to the primacy of national identity, Central Europeanism is the regional framework that defines his identity.

5 Martonyi 2023, p. 9.

6 Id. pp. 8–9.

7 Id. p. 163.

8 Id. p. 126.

For him, Central Europe and European identity are interlinked, and he sees the region as necessary to strengthening European identity.

Moreover, Martonyi goes on to stress rather poignantly that the nation and the state should not be equated, as their borders often do not coincide, and thus the category of homogeneous nation-state is not a good one to use. In terms of European integration, it would therefore be better to talk about a “supra-state Europe of nations”⁹ rather than a supranational Europe.

Martonyi stresses the difference between the two entities, the nation and the state in the context of European integration. As this volume makes it clear, he is interested in answering the “million-dollar question”¹⁰, *i.e.* what *finalité politique* integration is heading towards. He also considers the resolution of the sovereigntist *versus* federalist debate to be a possibility. In his speech on the 70th anniversary of the Schuman Declaration he stresses:

“The combination and a linked implementation of the cultural concept of the nation and a genuine bottom-up federalism would thus yield the ‘community of communities’ or in other words, a ‘supra-state Europe of nations’, as dreamed up twenty-five years ago. This could resolve the contradiction between the concepts of a ‘Europe of nations’ and a ‘supranationalist Europe’, and ultimately lead to a reconciliation between sovereigntists and federalists”¹¹

Thus, Martonyi manages to reconcile the irreconcilable, and bury the hatchet between the two opposing camps in academic and political discourse that make it impossible to ask the fundamental questions about the future of the EU. Martonyi also sets out a possible way forward for the renewal of European integration by stressing the need to move beyond the endless debates surrounding the competences of the Union and its Members States and institutional reforms: “The future of European integration will largely hinge on the success – or failure – of linking the cultural concept of the nation and bottom-up historical federalism.”¹² As Martonyi writes: “There is no doubt that the developments of the past decades have brought me closer to de Gaulle’s vision of the world, his foreign policy,

9 Martonyi 2015, p. 126, quoted in Martonyi 2023, p. 161.

10 Boglárka Koller, ‘Politikai unió vagy nemzetek Európája? A millió dolláros kérdés margójára’, *Európai Tükör* Vol. 24, Issue 3, 2021, pp. 5–32.

11 Martonyi 2023, p. 164.

12 *Id.* p. 27.

and his vision of Europe in general.”¹³ Nevertheless, he frequently quotes the founding father of integration, Jean Monnet, e.g. when discussing COVID-19, he refers to Monnet’s famous dictum that Europe is “forged in crises”.¹⁴

Sovereignty, as Martonyi stresses at several points in the volume, is bound to the existence of a state. Regarding the nature of European integration, he asks the famous “sovereignty question”: What is the EU, an international organization or a quasi-federal state? He is not satisfied with the answers textbooks and academic writings often give that neither is the case, but the EU is a *sui generis* community. Being a true lawyer, he argues that emphasizing the *sui generis* nature of European integration does not provide an adequate starting point for assessing how EU Law can be interpreted:

“Is European law the system of rules established by a traditional international organization, which must be fully integrated into international law, or is it the autonomous legal order of an evolving federal state (‘ever closer Union’)?”¹⁵

Further, the question, which Martonyi raises in several of his writings in this volume, is whether European law has unconditional supremacy over the laws of the Member States, or are there limits to this supremacy?¹⁶

Referring to the concept of constitutional identity, which to date has a broad Hungarian and international literature,¹⁷ he argues that there are limits to supremacy, and that this has been expressed from time to time by the constitutional courts of the Member States. In his analysis, Martonyi invokes the *ultra vires* thesis, according to which EU institutions cannot overstep the competences delegated to them by the sovereign Member States. The German Constitutional Court brought a landmark decision in

13 Id. p. 26.

14 Id. p. 28.

15 Id.

16 Id. pp. 30–31.

17 See e.g. András Jakab, *European Constitutional Language*, Cambridge University Press, Cambridge, 2016; László Trócsányi, *Az alkotmányozás dilemmái – Alkotmányos identitás és európai integráció*. HVG-ORAC, Budapest, 2014; Endre Orbán, ‘Quo vadis, “alkotmányos identitás”?’, *Közjogi Szemle*, Vol. 11, Issue 3, 2018, pp. 1–13; Norbert Tribl & Márton Sulyok, ‘A gazda bekeríti házát? A Német Szövetségi Alkotmánybíróság PSPP-döntésének jelentősége és az európai integrációért viselt alkotmányos felelősség realitása’, *Európai Tükör*, Vol. 23, Issue 2, 2020, pp. 7–30.

the PSPP¹⁸ case in 2020 expressing the limits of the supremacy of EU Law. It declared that, as long as the EU is not a federal state with a common court and jurisdiction, the German Constitutional Court, as the supreme court of a sovereign state, reserves the right to review certain decisions of CJEU in light of the principles of proportionality and subsidiarity.¹⁹ According to Martonyi, there are limits to the supremacy of EU law, but since the constitutional systems of the Member States differ, the way in which each Member State enforces it also differs. Therefore, there is a borderline between EU and national legal systems, but it is currently not universally defined. “Where is the borderline between the constitutional core of the legal order of the Member States and the primacy of European Law?”²⁰ Further, taking another vantage point, the author not only focuses on the relationship between EU law and national law, but also stresses the need to interpret the relationship between international law and EU law. In other words, the dual system of relations is not sufficient to explore the normative levels in which sovereign states exist.²¹ Martonyi sees an emerging heterarchy of the legal norms, which has much wider consequences for world affairs, including economic, institutional and political development.

Martonyi has several absorbing chapters exploring the realms of geopolitics, world trade, and foreign policy – a domain where he excelled not only as a profound thinker but also as an active politician and a staunch advocate of Euro-Atlantic integration.

Arguably, the most exciting chapter in the book is “Geopolitics and World Trade”, in which he puts forward eight theses on the current state of the world, offering a comprehensive description of the world order in clearly formulated statements that encapsulate the essence of his worldview. Although he acknowledges their debatability, they appear to be the work of not only the scholar but also the practical politician. The first argument he posits is that there is no hierarchy in the world; rather, the current world order is heterarchical, with no single hegemon. Martonyi contends that a single center of the world is philosophically impossible, and anticipates the emergence of multiple centers in the future.²² By briefly assessing the roles of the USA and China, he argues that the world will not be divided into two

18 Public Sector Purchase Programme (PSPP).

19 BVerfG, Urteil des Zweiten Senats vom 5 Mai 2020.

20 Martonyi 2023, p. 31.

21 Id. p. 36.

22 Id. p. 105.

ideologically opposing systems, as there are and will be different groups, along with various actors and allies. Furthermore, citing examples of GATT and WTO, he argues that the policy tools of states and international actors are converging, specifically the tools of foreign policy and international trade. Although writing well before the outbreak of full-scale war between Russia and Ukraine, he emphasizes a phenomenon the world has been experiencing since 2022 in another context: trade restrictions affect the entire system not only the targeted entities.²³ Drawing on economic data, he contends that globalization is decelerating, evidenced by the decreasing need for physical transportation of goods due to technological advancements. According to him, world trade is undergoing a dramatic shift from the exchange of goods and services to the trading of data.²⁴ However, regional relationships have been growing stronger, and, very often, geopolitical considerations play a significant role in the establishment of new regional economic blocs and units. Martonyi underscores the intensifying competition as a current characteristic of the world order, particularly in the field of technology, including AI and biotechnology. He notes an increased rivalry among international actors in this technological race, which he predicts will further polarize societies.²⁵ The final thesis he presents is that future threats and dangers will become more serious. Whether humanity can address them hinges on its commitment and will to do so, yet, as he emphasizes, nothing is hopeless.

Turning the pages of the book, we find that Martonyi not only provides us with a compass for evaluating megatrends and global processes but also focuses on smaller entities and individuals. His view of history is one in which there is a place for ordinary people and great personalities who define historical periods, such as Otto von Habsburg, Géza Herczegh, or János Horváth. In addition to presenting their life stories and fates, he makes us wonder what might have happened differently had they not been present in our times. However, they are not the only ones to play a significant role in shaping history; coincidence is just as important. Yet, for all its unfathomability, he adds almost shyly, coincidence was placed in the intricate system by the one that had created it all.²⁶

23 Id. p. 103.

24 Id. p. 108.

25 Id. p. 113.

26 Id. p. 38.

Indeed, Martonyi, though an acute observer of danger and loss, is not one to defer to meaninglessness. As the idea of identity that runs through his book in many senses and on multiple levels has no room for exclusion, for replacing other identities, so his sense of tragedy affords him an inexplicable ability to “turn into a miracle”,²⁷ as he put in his speech commemorating those that died for the nation. It is perhaps no wonder that the genuine foreign policy achievements of the country were attained when he was also involved.

²⁷ Id. p. 87.