

# LAYING DOWN THE LAW IN LATVIA

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In 1991, I was in the midst of my second year of law school. It was all I could do just to juggle a full-time job and four nights of classes a week. I barely had enough time to keep up with my favorite teams – there was certainly no time also to keep up on world affairs. I was largely unaware of anything happening outside my area code.

Without a doubt, the biggest event of 1991 was the Soviet Union's collapse, an event many of us never imagined would occur in our lifetimes. That year saw many oppressed nations achieve the freedom and independence they had dreamed of for decades. Euphoria quickly gave way to stark practicalities as new nations had to develop new systems for virtually everything, including their legal and educational systems.

The Soviet Union's demise led to the establishment of fifteen new nations. In subsequent years, those nations met with different degrees of suc-

cess. Some continue as totalitarian regimes. Some remain ineffective because of corruption and lethargy. Others, though, embraced their freedom and have truly transformed.

Recently, I had the opportunity to teach at a law school in Latvia. Latvia is perhaps the greatest success story among the former Soviet Republics. After declaring its independence, Latvia firmly pivoted toward the West, which has a lot to do with why it thrives today. Latvia belongs to NATO and the European Union. Its economy is healthy. The infrastructure is excellent. Latvian citizens enjoy freedom on levels not shared by most of the former Soviet Union peoples. Latvia's neighbors, Estonia and Lithuania, share a similar level of success because they took the same approach.

I taught for two weeks at the Riga Graduate School of Law, located in Latvia's capital city of Riga. The school was started with the support of the Open Society Foundation, which is dedicated to reform efforts throughout the world and has established a number of law schools

throughout Eastern Europe.

Latvia's legal education model and legal system differ greatly from the American system. Latvia's legal system is code-based, with little reliance on precedent. Judges do the majority of the questioning of witnesses in court proceedings. In Latvia, like most of Europe, law is an undergraduate degree, and aspiring attorneys must go on and earn an LL.M. Moot court competitions are taken very seriously in Europe, and success is very prestigious to universities.

Classes in Latvia are largely lecture-based, and the Socratic method is not used. My students jumped at the opportunity to have spirited exchanges and debate in class. At first, they were uncomfortable when I encouraged them to disagree with me, but they were soon eager and excited to do so. My course focused heavily on advocacy, and I threw them a few curves along the way. Several times they were given a fact pattern at the end of class and assigned a side to brief for the next class. They were very surprised at the next class when I expected them to argue



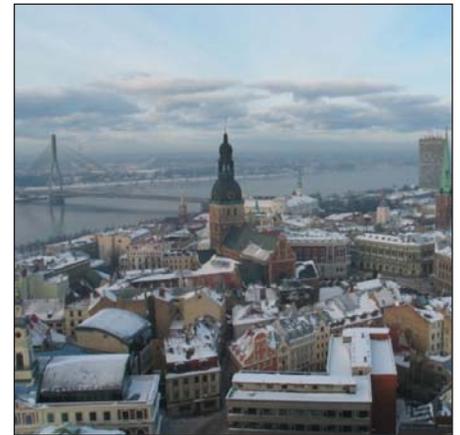
for the side they did *not* brief. After the initial surprise wore off, they welcomed the challenge.

Riga is one of the most beautiful cities in Europe. The Old City has winding cobblestoned streets flanked by well-preserved Neoclassical architecture. The Old City is bordered by a river on one side and a long narrow park on the other side. The park is divided by a canal, spanned by a number of beautiful stone bridges. On the



other side of the park is the Art Nouveau district, featuring a different and distinct style of architecture. It is home to most of Riga's universities and a number of museums and embassies.

As luck would have it, I was in Latvia for two major holidays – Lacplesa Day (Veterans Day – coincidentally, observed the same day as in the United States) and Independence Day. Independence Day is a major source of pride and



celebration as Latvians remember how grim their lives were under Soviet rule and how independence has transformed their lives. Despite having a population of only two million, they were not intimidated by the threat of military intervention in their struggle for independence. Latvians are very matter of fact about what they endured during the Soviet occupation. I visited the KGB Museum, which left little to the imagination.

I also visited Estonia's capital city of Tallinn for several days. Estonia is known for its "Singing Revolution," when Estonians defied Soviet bans on their culture and achieved independence through largely non-violent means. Even though it was illegal, beginning in the late 1980s, upwards of 300,000 Estonians would gather on Sundays to sing Estonian folk songs. 300,000 people is a lot by any measure, but at the time, it represented twenty-five percent of the country's population!

Latvia and Estonia are nations we rarely hear or read about, largely because of their size and stability. The people in both countries were very welcoming to me. Their spirit and pride are inspiring. Although their stories remain largely untold in America, they are definitely worth learning.



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