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Berichte

Entwicklungen des Verfassungsrechts im europäischen Raum

Evolution of Constitutionality of the Republic of Latvia: from 1918–2006

by

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*More than 50 years of Soviet occupation, the state of
Latvia and constitutionalism could exist only in the
imagination of the people.*

1. Begining

The Republic of Latvia was proclaimed on November 18, 1918, but the first claim of Latvians for the formation of an independent state was voiced on year before. Exactly on 19 November 1917 the *Latvian Provisional National Council* (LPNP) adopted the resolution regarding the need to convene the Sātversme assembly and to draft the Sātversme (constitution).¹ Although the LPNP united almost all of the important Latvian organisations the real-life implementer of the Latvian independence, however, was the *People's Council* (*Tautas Padome*), which achieved the State of Latvia proclamation. The People's Council was the *first legislative institution* of Republic of Latvia. This pre-Parliament or fore-parliament was established with the agreement of eight political parties as a body of forty members on November 17, 1918,² at a time when elections could not yet be held. Mandates in the Council were granted not to individuals, but to the parties. Each party had a certain number of seats in the Council, and these were filled by the members it authorized. The People's Council adopted several important laws, on rural local governments and their election, on the Latvian monetary system, on educational institutions, and on citizenship. Council elaborated a political platform which can be regarded as the first provisional constitution of the Republic of Latvia.³

¹ Lasmanis U. Kadisti pasludinata Latvijas valsts? (When exactly was the state of Latvia proclaimed?)/ *Diena* 2003. – 15. novembris.

² Like a state Latvia was solemnly proclaimed at the next day – November 18, 1918.

³ From the 1918–1920 the Political Platform of the Latvian People's Council (Latvijas Pagaidu Val-

After Landeswehr and the Iron Division were defeated, the pro-German Andrievs Niedra and pro-Russians Pnnteris Stunna governments was disappered, the People Council was at last able to devote itself to its original mission and accomplish its historical goal – preparing for elections for the Constituent Assembly.⁴ On August 19, 1919, the People's Council adopted a law calling for a *Constituent Assembly (Satversmes Sapulce)*⁵ Based on the previomentione law the Assembly was elected on 17 and 18 April 1920⁶ and gathered for the first sitting on 1 May 1920. At the end of the month on 27 May Declaration on the State of Latvia⁷ was passed.⁸ Although the main task of Assembly was drafting of Latvian Constitution,⁹ Assembly as the Latvia's first freely elected legislative body filled in the legal vacuum which was naturally created by the establishment of the state. The Constituent Assembly had 21 standing committees held 213 plenary sessions and adopted 205 laws and 291 regulations having the force of law. It adopted a law on agrarian reform and other laws.¹⁰ No doubt that Constituent Assembly prepared the lawful basis for public administration and development of national economy.¹¹

dibas Likumu un Rikojumu Krājums. (Collection of Laws and Orders of the Temporary Government of Latvia) – 1919. – 15. julijs) of 1 June 1918 served as a temporary constitution. No doubt that document setting out the main legal principles on which the Republic would be based (Bleiere D., Butulis I., Feldmanis I., Stranga A., Zunda A. *History of Latvia the 20th Century*. Jumava Rīga: 2006. – p. 145.) but it was drafted in great haste and therefore the constitutional provisions included in the platform were too blurry and general. For example, the platform contained such formulations as “a republic on a democratic basis” or “the coalition principle shall be followed in the formation of the Temporary Government”. It proved that the document was valuable from the point of view of ideology and politics, but it was not a great legal accomplishment. One might even say that the platform was a plan drafted by the “preliminary parliament” (Treijs R. *Latvijas diplomātija un diplomāti (1918–1940)*. (Latvian Diplomacy and Diplomats (1918–1940)) Rīga, 2003. – 62. lpp.) which later served as an ideological beacon light for the drafters of the Latvian Constitution. Being well aware that the legitimacy of the state power is based on the delegation of the people obtained through democratic elections, the People's Council tackled this task after establishing peace in the country.

⁴ Bleiere D., Butulis I., Feldmanis I., Stranga A., Zunda A. *History of Latvia the 20th Century*. Jumava Rīga: 2006. – p. 145.

⁵ Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums. (Collection of Laws and Orders of the Temporary Government of Latvia) – 1919. – 27. septembris.

⁶ In Constituent Assembly elections 84.9% of those who had suffrage (677, 084 people) voted. There were 57 candidate lists covering 5 constituencies, and 16 of the lists won seats in the Assembly. One hundred fifty members, including 5 women, were elected altogether.

⁷ Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums. (Collection of Laws and Orders of the Temporary Government of Latvia) – 1920. – 31. augustā.

⁸ In this declaration Latvia is proclaimed as an independent self-supporting republic with a democratic state structure based on the principle of national governance. On 1 June 1920 the Constituent Assembly adopts the Temporary Regulations of the Latvian State Structure by majority of votes. The People's Platform is no longer effective and the temporary regulations ensure all functions of the state from 1920 to 1922. This document may be considered the second temporary constitution of Latvia which operated in the period of reinforcement of democracy during which the new state of Latvia established its positions both in the interior and foreign policy.

⁹ Bilmanis A. *Kā Latvija tapa/Latvijas Republika desmit pasāvēšanas gados. (How Latvia was made / The Republic of Latvia in its Ten Years of Existence)* – Rīga, 1928. – 4. lpp.

¹⁰ Latvijas Republikas Saeima/ History of Legislature http://www.saeima.lv/Informacija_eng/likumdeveju_vesture.html.

¹¹ It's very imported to add, that at this time *de iure* recognition was received from 22 states. On 15 September 1921 Latvia was also admitted to the League of Nations. The main achievements of the

In 15 February 1922 Constituent Assembly adopt *Latvian Constitution (Satversme)*. The adoption of the constitution was the moment of triumph of the Latvian people, and also the time of formation of constitutional law. That's was the real testimony of the political unity and the political maturity of the Latvian nation.¹² The inhabitants of Vidzeme, Kurzeme, Zemgale and Latgale had become the Latvian nation, able to express its own will in a political constitution and to fortify the basic foundations of the political philosophy of their state on the highest level.

Not long after the Constitution was adopted – on June 9, 1922 – the new Law on elections also passed, opening the way to electing the new parliamentary body, the Saeima.¹³ The Constituent Assembly, which was a full-fledged, but an extraordinary legislator, automatically transferred its powers to a constitutional parliament, recognized by the Assembly. The legislative work that was begun by the Constitutional Assembly was continued by the Saeima. The adoption of the Latvian Constitution happened to take place in the so-called “period between the wars” or in the time period after the First and before the Second World War. The processes in Republic of Latvia, like the similar events in Estonia and Lithuania, was a link in the chain of triumphs achieved by the post-war democracies. Like in other countries, the Latvian *Satversme* was a product of reception of constitutional law and at this time new constitutions were adopted in a number of European, Middle Eastern and other countries. In Germany and Finland (1919), in Greece and Austria (1920), in Poland (1921), in Estonia (1920 and 1938), in Lithuania (1922, 1928 and 1938), in Egypt (1923), in Turkey (1924), in Iraq (1924), in Lebanon (1926), in Syria (1930), etc.

The life of Latvian democracy was very short from 1922 till 1934. The last legitimate pre-war government was formed on 16 March 1934 and it lasted only for one month and 28 days before the state subversion. On 15 May 1934 the *coup d'état* was effected.¹⁴ The events in Latvia in this period of time are similar to the processes which took place in many other countries. Undemocratic regimes could be found all

foreign policy in this period, which had substantial influence on the development of constitutional law, first, was the peace treaty of 11 August 1920 between Republic of Latvia and Soviet Russia in which (Clause 2) Russia “forever renounces all the sovereign rights which Russia had to the people and land of Latvia”.

¹² Balodis R. The Constitution of Latvia/ Rechtspolitisches Forum Legal Policy Forum Institut für Rechtspolitik an der Universität Trier, 2004. Nr. 26.

¹³ Bleiere D., Butulis I., Feldmanis I., Stranga A., Zunda A. *History of Latvia the 20th Century*. Jumava Rīga: 2006. – p. 156.

¹⁴ The leader of the plot was nothing else than the lawful Latvian Prime Minister of the state Karlis Ulmanis and he was assisted by the Minister of War and Justice, army and *aizsargi* (a official paramilitary organisation). Everything happened fast and no blood was shed. Actually no resistance at all. Immediately thereafter, under the pretext of “internal disorders” state of war was announced. Three days after the coup on 18 May 1935 the Cabinet of Ministers was formed, and with no doubt its head is the leader of conspirators – Kārlis Ulmanis. The German and Italian way was realized – putschists keeps the lawfully elected State President Alberts Kviesis in office. Of course it has no connection with lawfulness or constitutionalism, more likely it is tragicomic creation of quasi rule of law. The illusion is kept among the population that everything is lawful: the bad corrupt Saeima is banished, the president and the government are “the same” therefore there is no reason to worry. Although the putschists stated that their “actions were not against the Latvian democracy” immediately after the seizure of power one of the main principles of democracy – division of power – was uprooted. First of all the freedom of speech was restricted and censure was introduced. All political organisations without any exceptions were closed, all manifestations and political meetings (including the meetings of city councils) were prohib-

around Latvia: Italy, Germany, Poland, Estonia, Lithuania, the Balkans and Austria.¹⁵

A week after the putsch putschist's justifies the coup with the general experience of others countries. Officially, the badly drafted Satversme was blamed as the reason for the coup because it supposedly granted all the executive power to the parliament which started to exercise this power contrary to the interests of the society and the state. Under these circumstances "the parties were about to become a state within the state" and this process without doubt needed stop "somebody".¹⁶

In time of authoritarianism all of the most important decisions in Latvia were made by the Cabinet, appointed by dictator Karlis Ulmanis. He took over the functions of the Saeim, legislative power became concentrated in the executive branch of government.¹⁷ It can be admitted that the period of "Ulmanis' regime" from 1934 till 1940 was the period of stability¹⁸, overall welfare and economic boom of the state¹⁹, but illusions should not be cherished.

2. Occupation

The government of the Soviet Union issued an ultimatum to Republic of Latvia on June 16, 1940, asking for the government to resign. The following day the Soviets invaded, in violation of basic principles of international law, and occupied the country. It is clear that the state would be lost also if it were a parliamentary republic, but many believe that it was a big mistake that the state was given away without resistance. Besides, the president signed legal documents dictated by the invaders in an already occupied country. A sad curiosity is the circumstance that Kārlis Ulmanis was struck by Alberts Kviesis's fate, only in contrast to the latter, he did not legitimise an undemocratic regime, but committed something much worse – Ulmanis helped liquidate his independent and sovereign state. In 1940 the Soviet occupation regime began total destruction of the Latvian authorities, which was completed after the Second World War.²⁰ Latvia was violently transposed into a foreign legal system where the backbone and basis of the state structure was the Communist Party. The Soviet

ited. Dozens of newspapers and magazines were liquidated. Any graver offence could be referred to court martial at this time.

¹⁵ Treijs R. Kārlis Ulmanis Devīpadsmitais Ministru prezidents/ Latvijas valsts vadības stūresvīri – Latvijas brīvvalsts ministru prezidenti (1918–1940) (*Kārlis Ulmanis, the Nineteenth Prime Minister / Steersmen of the State of Latvia – Prime Ministers of the Free Latvia (1918–1940)*) // Latvijas Vestnesis 2003. – 23. decembris.

¹⁶ Grīns A. Latvijas vēsture. (*History of Latvia*) – Rīga, 1936. – 282. lpp.

¹⁷ Bleiere D., Butulis I., Feldmanis I., Stranga A., Zunda A. *History of Latvia the 20th Century*. Jumava Rīga: 2006. – p. 174.

¹⁸ Latvijas prezidenti – Dzīves un vēstures mirkli. (*Latvian Presidents – Moments of Life and History*) Rīga, 2003. – 123. lpp.

¹⁹ Mežaks J. Latvija laiku griežos/ Okupācijas varu nodarītie postījumi Latvijā 1940. – 1990. (*Latvia in the Turns of Time / Devastation Caused by Occupation in Latvia 1940–1990*) – Stokholma – Toronto 2000. – 39. lpp.

²⁰ Latvijas tiesību vēsture (1914. – 2000.). (*Latvian History of Law (1914–2000)*) – Rīga, 2000. – 288. lpp.

authorities, in complete disregard of the limits specified by international law, turned very quickly to the process of sovietisation, which meant the adaptation of the domestic structures of three Baltic States to the methods of communist, one – party system.²¹

Elections to the parliament of occupied Latvia were conducted in July in conditions of political terror under an illegal and unconstitutional election law. The new parliament adopted the Constitution of the Latvian Soviet Socialist Republic – a copy of Stalin's constitution.

At first Soviet power lasted only for a year as World War II brought Nazi German occupiers to Latvia. The country fell into the Soviet sphere following the war; it resumed its status as an involuntary republic of the Soviet Union. When the Second World War ended, Europe and the world divided into two hostile ideological camps. Latvia, like other countries of the Eastern Europe, had bad luck because it became a part of the Soviet territory. Even worse – Latvia became a republic of the Soviet Union – LSSR, against its will.

3. Restoration

Soviet leader – General Secretary of the Communist Party Michael Gorbachev began liberalisation of the Soviet Union what finished with the collapse of the USSR. Like many other post-socialist countries and Soviet republics, Latvia gained independence.

The process or the way to the second independence of the Republic of Latvia began when the Supreme Council of the Latvian Soviet Socialist Republic (LSSR SC) adopted the declaration "On the Sovereignty of the State of Latvia" on 28 July 1989. The declaration (Article 5) provided that the USSR laws become effective in the territory of Latvia after their ratification by the LSSR SC. It was a beginning because this is how automatic application of the USSR laws in Latvia was stopped and the way to dismantling the Soviet system and establishing a new legal system was opened.

In the second independence a point of reference in the evolution of constitutional law²² is the declaration on the restoration of independence of the Republic of Latvia adopted by the LSSR SC on 4 May 1990. The Declaration of 4 May was the beginning of abolition of the Soviet legal system.²³ This is the most precisely formulated document, in comparison with the other Baltic States²⁴ maybe because the neighbors

²¹ Boris Meissner (Köln, Germany). *The Occupation of the Baltic States from a Present – Day Perspective/ The Baltic States at Historical Crossroads* 2th ed. Latvian Academy of Sciences Rīga: 2001. – p. 443.

²² Latvijas tiesību vēsture (1914. – 2000.). (*History of Latvian Law (1914–2000)*). – Rīga, 2000. – 288. lpp.

²³ E. Meļķis. Juridiskās metodes mācības un tiesību normas piemērošanas metodoloģijas jēdziens un nozīme/ Juridiskās metodes pamati 11 soļi tiesību normu piemērošanā. (*Concept and meaning of the teaching of legal method and methodology of application of legal norms / Basics of the Legal Method 11 Steps in the Application of Legal Norms*) – Rīga, 2003. – 9. lpp.

²⁴ Levits E. 4. maija Deklarācija Latvijas tiesību sistēmā/ 4. maijs Rakstu, atmiņu un dokumentu krājums par Neatkarības deklarāciju (Red. Jundzis T.). (*4 May declaration in the legal system of Latvia /*

position was borrowed.²⁵ The state has not suspended its operation *de iure* and during the transitional period the principle of continuity (state succession) is complied with in respect of the regulatory enactments of the first independence time. The declaration had the status of a constitutional law.²⁶ The declaration acknowledges that the declaration on acceding to the USSR dated 15 February 1940 is invalid *ab initio*, restores the statehood of 18 November 1918 *de facto*, providing that the relationship between Latvia and Russia is based on the 1920 peace treaty between Latvia and Russia. This document recognizes the fact of occupation as a legal fact for the first time.²⁷ As mentioned professor and European Human Rights Court judge Ineta Ziemele "at the same time, the illegal occupation and annexation of Latvia continued in that USSR troops were present in Latvia and then functioning State institutions, including the Supreme Council, were lacking legitimate authority from the point of view of the 1922 Constitution"²⁸ Only after Soviet troops gone and first after war Parliament was elected and take all power we can speak about legitimate 18 November state restoration.

From 2004 Republic of Latvia, like the other Baltic and Eastern European countries, becomes the subject of this process and together with Germany, United Kingdom and France will attempt to influence the further development of the European Union, which greatly depends on the constitutionalism of the individual states. On 5 and 6 June 1993 the 5th Latvian Parliament (*Saeima*) was elected which gathered for the first session on 5 July of the same year. This was the first assembly of the Parliament after the war. From constitutional point of view Supreme Council of the Republic of Latvia was under doubt and restored Parliament (*Saeima*) are of course

4 May Collection of Articles, Memories and Documents on the Declaration of Independence) – Rīga, 2000. – 53. lpp.

²⁵ The Estonian influence is admitted by Latvian Constitutional Court judge Profesor Romāns Apsītis, drafter of the Declaration of Independence and judge of the Constitutional Court, as well as by Professor Tālavš Jundzis. (*Look at the Apsītis R. 4. maija Deklarācijas tapāšnas vēsturiskie aspekti / Latvijas Vēsture – Jaunie un Jaunākie laiki. (Historical Aspects of the Creation of Declaration / History of Latvia – New and Modern Times) – Rīga: LV Fonds, 2002. 2 (46) – 12. lpp.; Apsītis R. 4. maija Deklarācijas juridiskais saturs un politiskā nozīme (Legal status and political meaning of the 4 May declaration) / Latvijas Vēstnesis 1999. – 5. maijs; Jundzis T. Tiesību reformas un to loma neatkarības atjaunošanā. 1988.gads – 1990.gada 4. maijs (Reforms of law and their role in the restoration of independence. 1988–4 May 1990) // Latvijas Vēstures Institūta Žurnāls. – Rīga, 1995. – Nr. 2. – 148. lpp.) The position of continuity was also adopted in the third Baltic state – the Republic of Lithuania. (Žalimas D. Special Theme: International Legal Status of the Baltic States. Legal issues of the Continuity of the Republic of Lithuania // Baltic Yearbook of International Law. Vol. 1. – Vilnius., 2001 p. 12.).*

²⁶ Juris Jelāgins, judge of the Latvian Constitutional Court, considers that because the 1922 Constitution (Articles 1, 2, 3 and 6) could be reinstated in the Republic of Latvia and a part of the 1978 LSSR constitution could be declared valid only by a constitutional law. Jelāgins also states that, in his opinion, declaration should be considered a constitutional law because 138 MPs voted for the declaration on restoration of independence in Latvia, but to adopt a constitutional law only 134 of 201 have to cast their votes. Besides Jelāgins suppose that with regard to the great importance of the constitutional ground of Latvia is not one, but two constitutional documents – Declaration on Restoration of Independence of Latvia of 4 May 1990 and the 1922 Satversme. (Jelāgins J. Latvijas rakstīta konstitūcija (Written Constitution of Latvia) / Latvijas Vēstnesis 1997. – 14. maijs).

²⁷ Lēbers D. A. Latvijas neatkarības atjaunošanas prasības dažos pirms 1990.gada 4. maija dokumentos (Demands to Restore Independence in Latvia in Some Documents Before 4 May 1990) / Latvijas Vēstnesis 1999. – 5. maijs.

²⁸ Ziemele I. State Continuity, Human Rights, and Nationality in the Baltic States / The Baltic States at Historical Crossroads 2th ed. Latvian Academy of Sciences Rīga: 2001. – p. 443.

legitimate because organise all procedures under 1922 Constitution (Satversme) of the Republic of Latvia and not under Soviet occupation process rules.

4. Transformation

Some years ago Dr. Egils Levits, judge of the European Community, points out that the Latvian legal system is "slowly drifting" from the initial socialist (Soviet) family of law to the Western (continental Europe) family of law.²⁹ Development of the Latvian legislation from regaining independence to the mid 1990-ies should be considered dynamic because significant changes took place in the law awareness of the society, which are mainly related to the transfer from the socialist principle "what is allowed" to "everything that is not prohibited, is allowed". An objective cause is the speed of drafting new laws together with the lacking knowledge in the field of legislation.³⁰ Former two-time Minister of Justice and judge of European Community, Ingrida Labucka that after passing through several stages of development (restoration of civic freedoms and reform of private law; constitutional reforms; re-orientation to the European law traditions on the level of legislative provisions) the Latvian legal system has reached the transfer to European thinking and court practice.³¹ The Latvian legislator has replaced all Soviet laws step by step, however the obstacle or "flight not leaving ground"³² is the law awareness inherited from the Soviet times. It is a factor which certainly impedes the process of transformation of law to a great extent. Going back to the previously cited Egils Levits, one should agree to his opinion that Latvia as a small legal system with small legal capacity cannot develop a vast collection of legal ideas, even on quantitative basis, which is possible in large legal systems where the legal science has long history and the court practice is extensive.³³ For this reason the Latvian law scholars and practitioners should not attempt to construct the basic legal principles anew, but should try to find initiatives and answers for further development already approbated in another, comparable legal system. This is an idea which definitely should be supported, even more – in the area of fundamental law the legal ideas found in the international court practice also should be adopted.

Period from the 1990 till 1993 is called the "transitional period" in the Latvian Declaration of Independence. In this period the civic freedoms (catalogue of human rights), not characteristic for socialist law, was reinforced. A correct strategic goal was also set at this time – to transform property relations in compliance with the princi-

²⁹ Levits E. Dažas tēzes par Latvijas tiesību sistēmas problēmām (Some Opinions on the Problems of the Legal System of Latvia) / Diena 1998. – 20. februārī.

³⁰ Muciņš L. Vai Latvijas likumdošana veido tiesisku valsti? (Does the Latvian Legislation Form a State based on the Rule of Law?) / Latvijas Vēstnesis 1999. – 29. janvīrī.

³¹ Tiesu varas neatkarībai un atbildībai (For the independence and liability of judicial power) / Latvijas Vēstnesis 2002. – 5. decembris.

³² Levits E. Pārveidojot PSRS tiesiskās sistēmas mantojumu (Transforming the Heritage of the Legal System of the USSR) / Likums un Tiesības 2002. jūnijs 4. sējums, nr. 6 (34).

³³ Levits E. Nopietns darbs konstitucionālajās tiesībās (Serious Work in Constitutional Law) / Latvijas Vēstnesis – 2001. – 29. maijs.

ples of market economy³⁴ and the principle of private property was restored. It was the end of the forms of socialist property and liquidation of command economy, and to a large extent these processes were related to the restoration of the Civil Law.³⁵

As mentioned Senator of Latvian Supreme Court Jautrite Briede³⁶ after the restoration of independence one of the principal tasks of Latvia was considered the renewal of democratic legitimacy – according to the reinstated Constitution of 1922. That's was duty for the State Reform Ministry of the Republic of Latvia is established which manages the implementation of the state institutional reform, and it should be pointed out that concurrently with the changes in the public administration apparatus, reforms are started in the local authorities and on 19 May 1994 the Latvian Law on Local Authorities is passed. Many governmental institutions established in the Soviet time in this period were reorganised, merged or liquidated. Several bodies which existed during the first time of independence were renewed and new institutions were created. Admittedly, a large number of decisions were provisional and transformations were fragmented. Process closed only in 2002 by the adoption of the State Administration Structure Law.

5. Currently³⁷

With full restoration of the Constitution (*Satversme*) in 1993 democratic state structure, a parliamentary republic and division of power are recognized in Latvia on the highest level. With the assembly of the 5th Saeima and formation of the government one can consider that the legal succession has been consistently complied with in Latvia. From 1995 Latvia sets the goal to join the European Union. On 12 June 1995 Republic of Latvia signs the Association Agreement with the EU, and in the end of the same year the government puts forward approximation of the Latvian laws to the European standards as one of its main tasks.³⁸ It initiates many processes, associated with, for example, fight against corruption and establishment of efficient public ad-

³⁴ Ikstens J. Vai Satversmes reforma var veicināt atbildīgu politiku (*Can the reform of the Satversme encourage responsible policy*) / Latvijas Vēstnesis 2002. – 26. marts.

³⁵ The direction towards returning the property to its owners and lawful inheritors starts in this period. For long years the legal basis which was created at this time regulated denationalisation and privatisation, at the same time providing for the existence and co-existence of various types of properties. The state implemented a massive and unthinkable reform in the area of law. It took place by reinstating the Civil Law of 1937, which was later successfully complemented by the Commercial Law. The reinstatement of the Civil Law meant not only revolution in civil law but also a reform in the public law.

³⁶ Briede J. Great expectations a Latvian view on the European Constitution. – *Revue. Europeenne de Droit Public*, 2001; Vol. XVI September p. 53.

³⁷ In my opinion the present period of time could be considered the fourth stage and characterised as the period of synchronisation and natural development of regulatory enactments because accession to the European Union in 2004 is significant, but does not determine anything in the relevant classification.

³⁸ Ziņojums par Ministru Kabineta sastādīšanu un Deklarācija par Ministru kabineta iecerēto darbību (*Report on the Formation of the Cabinet of Ministers and Declaration on the Planned Activities of the Cabinet of Ministers*) / Diena 1995. – 23. novembris.

ministration.³⁹ In order to join the European Community Latvia had to ensure stable operation of those institutions which had to guarantee democracy, rule of law and compliance with the human rights in the state.⁴⁰ On 5 December 1996 the Law on the Human Rights Bureau was passed. On 5 June of the same year the Latvian Law on the Constitutional Court was passed and on 28 April 1997 the Constitutional Court reviews its first case.⁴¹ Intense work at harmonising the legislation with the EU norms and requirements takes place. On 15 October 1998 human rights (new chapter Nr. 8.) are added to the Constitution. Many of the professionally weak and hastily adopted laws of the first stage are repealed and replaced by new laws. So, for example, the Law on Religious Organisations, referred to above, which was adopted on 11 September 1990, is revoked and replaced by a new Religious Organisations Law on 7 September 1995. A novelty is the Cabinet Regulation “On Administrative Act Procedure”, which was adopted on 13 June 1995 and which provided for methods for interpreting legal norms. It would be rather difficult to enlist all those important regulatory enactments that were adopted in this third stage, however, two of them should be definitely mentioned. They are the Criminal Law of 17 June 1998 and the Commercial Law of 13 April 2000. New Labour Law adopted on 20 June 2001, Administrative Procedure Law adopted on 25 October 2001 and Public Administration Structure Law adopted on 6 June 2002.

Significant that the political declarations of the Latvian governments already include such statements as determination “to finish the ongoing codification of legal provisions”.⁴²

At the end Latvia become member of EU. It will be one of the greatest events in the history of the state of Latvia – after formation of the state in 1918, loss of independence in 1940 and restoration of independence in 1990–1991. By voluntary delegation of a part of its independence but retaining its sovereignty Latvia will again obtain “full” independence.⁴³ As Latvian present Foreign Affairs minister and professor Artis Pabriks mentioned:⁴⁴ – “We do it because the strength and influence of a small country lies in its ability to become involved in international politics despite its limited dimensions and economic power. (...) If Latvia had stayed on the other side of EU door, our influence

³⁹ Kalniņš A. Par publiskās pārvaldes vispārēju modernizāciju (*On Overall Modernisation of the Public Administration*) / Latvijas Vēstnesis 2001. – 19. jūnijs.

⁴⁰ Sandgrēns K., Iljanova D. Latvijas tieslietu sistēmas vajadzību novērtējums (*Assessment of the Needs of the Latvian Legal System*) / Likums un Tiesības 2001. jūnijs 3.sējums, nr. 6 (22).

⁴¹ Radziņš E. Ko tas nozīmē Latvijas tiesu sistēmai? / Karavāna tuvojas – kam? Satversmes tiesas pirmais spriedums. (*What Does it Mean for the Latvian Judicial System? / The Caravan is Approaching – What? The First Judgment of the Constitutional Court*) – Rīga, 1998. – 17. lpp.

⁴² Apakšsadaļa “Likumi demokrātijas nostiprināšanai” // 12.sadala “Lai nodrošinātu apstākļus pilsoniskas sabiedrības veidošanai” // Deklarācija par Ministru kabineta darbu (*Subsection “Laws for the Reinforcement of Democracy” // Section 12 “To ensure conditions for the formation of civic society” // Declaration on the operation of the Cabinet of Ministers*) / Latvijas Vēstnesis 1999. – 16. jūlijs; 15.1.2. apakšpunkts 15.sadaļā “Tieslietas” Valdības deklarācija (Subparagraph 15.1.2, Section 15 “Legal matters” Government Declaration) / Latvijas Vēstnesis 2000. – 6. maijs.

⁴³ Levits E. Satversme un Eiropas Savienība (*The Satversme and the European Union*) / Latvijas Vēstnesis 2000. – 8. jūnijs.

⁴⁴ We're a State with Growing Self-Confidence / Baltic Outlook april/may 2006 p. 30–31.

would be far less but the pressure on us much, much greater. Joining both organisations (NATO and EU) simultaneously we have taken into account the maximum negative impact."

At the end of the year of Latvia's accession to the EU, the political declarations of the Latvian government already included such statements as "the intention to finish the ongoing codification of legal provisions" and "the government is ready to monitor and adjust constitutional provisions". At the end of the year of Latvia's accession to the EU, the political declarations of the Latvian government already included such statements as "the intention to finish the ongoing codification of legal provisions" and "the government is ready to monitor and adjust constitutional provisions".

Latvia's accession to the EU in 2004 was a significant event in the country's history. It marked the end of a long period of isolation and the beginning of a new era of integration with Europe. The process of accession was not without challenges, but the Latvian government and people showed a strong commitment to meeting the requirements of the EU. This commitment is reflected in the political declarations and the ongoing efforts to codify and adjust legal provisions.

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