

Latvia: Nationalism and Citizenship (1998)

In March 1998 several events occurred in Latvia which brought to the surface issues that have existed in this small Baltic republic since it gained its independence in 1991.

On 3rd March a demonstration by about 1000 pensioners (mostly Russian) took place in the capital, Riga, to protest against the rising cost of living. There were scuffles as the police tried to control the crowd but, although no one was injured, television pictures showing elderly people being hit by police batons were damaging to the country's international reputation.

On 16th March veterans from two Waffen SS units that fought with Nazi Germany against the Soviet army during the Second World War commemorated their war dead with a church service and ceremony at the Freedom monument in Riga. The march which has taken place annually for some years was of a higher profile than usual as it was attended by several MPs from the governing coalition as well as by the head of the Latvian armed forces wearing full military uniform.

Several explosions later took place _ outside a synagogue in Riga and nearby at the Russian embassy. In May a Soviet-era war memorial in Dobele was damaged by unknown perpetrators. Russia's response to all this has been mixed.

In the spring the Russian government issued warning threats but has been basically muted in its response. Other politicians were more vocal: Moscow's Mayor Luzhkov went typically 'over the top' comparing Latvia to Pol Pot's Cambodia; some shops in Moscow exhorted people not to buy Latvian goods. Again, some elements of the Russian media were heavily critical of the Latvian government, others less so.¹ Economic sanctions have been threatened but, so far, not formally adopted although some regional governors have imposed them.

However, the Latvian government insists that economic pressure is "clearly there" in the banking, power and transportation sectors - trade between Russia and Latvia's ports of Venstpils and Liepaja has diminished since the beginning of the year. On the other hand, this could as much be due to the decline in oil prices as anything else.

At first, it looked as though the West would follow suite. Both President Chirac and Chancellor Kohl condemned the veterans' march on a visit to Moscow in late March.² Italy's foreign minister Lamberto Dini spoke out too. However, the international community soon closed ranks and the Latvian government was flooded with messages of support from the US, the EU and other Western governments. As a candidate for EU membership and a favoured trading venue for many Western businessmen this is, perhaps, not entirely surprising.

However, the question must be: is it in Latvia's long term interest for it to rely on the words of the West? How reliable is this support anyway? If the Russian government was to act against Latvia would Western governments intervene to protect this tiny Baltic State?

The problem

Latvia had only known twenty years of independence before it was forcibly incorporated into the Soviet Union in 1940. However a "second awakening" took place during Gorbachev's policy of

¹ According to a spokesman at Ministry of Foreign Affairs in Riga *Moskovski Komsomolets*, *Ruskii Telegraf* and *Izvestia* were objective while ORT was negative in its reporting from Latvia in March 1998.

² "Kohl and Chirac Condemn Rally of the Latvian SS", *International Herald Tribune*, 27/3/1998

perestroika in the late 1980s and the restoration of Latvian independence was achieved when the Soviet Union fell apart in 1991.

In the intervening years the demographic make-up of Latvia had changed considerably. Large numbers of Russians, Ukrainians and Belarusians had moved to the Baltic republic as manual workers in the fifties and sixties. Latvia now had a population of 52% Latvian and 42% Russians, Ukrainians and Belarusians. In most major cities the number of Russian-speaking inhabitants outnumbered Latvians.

However, in the referendum held in March 1991 many Russians voted with their Latvian compatriots for independence from Moscow. When a Popular Front government took office it seemed likely that Latvia would follow the example of other ex-Soviet republics and offer citizenship to all people resident in the republic at the time. This was called the "zero option".

In the course of 1991 opinions hardened. Many of those who had initially supported an all-embracing concept of citizenship started to protest at the prospect of the Russian population being treated equally with Latvians. Nationalist sentiments grew and legislators now set about reestablishing the pre-war state of Latvia under its 1922 constitution as a way of counteracting fifty years of Russification. A Language Law had been introduced in 1989 which set strict rules for the use of the Latvian language. The government also set about encouraging the Latvian diaspora to return by legislating for the restitution of property to its former owners.

Both Latvia and Estonia adopted uncompromising attitudes towards citizenship issues unlike neighbouring Lithuania which offered citizenship to all residents after independence in 1991. This was, no doubt, due to the fact that the latter had not been subjected to large-scale inward immigration from Russia in the post-war period.

After much debate and consultation with bodies like the OSCE and Council of Europe the Citizenship Law was passed in 1994. This gave citizenship automatically to Latvians born in the pre-war republic and their descendants. Apart from certain special categories the remaining members of the population could be naturalized if they passed tests in the Latvian language as well as an exam on the country's constitution and history. To avoid a log-jam applications for citizenship were to be staggered by a "windows" system allowing a certain number of people according to their age to apply each year. The mechanics of naturalization were handed to a newly-established Naturalization Board.

There was to be no "log-jam" of people applying for naturalization. By 1997 only c. 5000 people out of the 687,486 non-citizen population had gained citizenship of Latvia by the naturalization process. Observers like the OSCE's monitor for minority rights Max van der Stoel had been urging the Latvian government for some time to simplify its procedures. The March 1998 events led the OSCE to act in an attempt to appease criticism from Russia as much as anything else.

Van der Stoel and the OSCE recommended that the windows system be abandoned making it possible for all those technically eligible to apply for citizenship forthwith. Similarly, they recommended that all children born in Latvia since independence (some 20,000) should also be able to apply immediately.

After much wrangling the Latvian parliament, under heavy pressure from the country's president, Guntis Ulmanis, passed a bill on 22nd June 1998 after 3 heated readings endorsing amendments to the Citizenship Law incorporating these proposals. However, 36 MPs mainly from the *Tevezemei un Brivibai* (Fatherland and Freedom party) opposed the measure and a loophole in the constitution has further delayed passage of the bill. If 1/3 of MPs oppose proposed legislation a referendum can be called to decide the matter. A campaign to collect just over 133,000 signatures, the necessary number to trigger a referendum, began on the 20th July. If successful a referendum could be held at the same time as parliamentary elections on 3rd October, 1998.

Citizenship Statistics

In 1997 there were 687,486 non-citizens in Latvia 28% of the registered population. Non-citizens consist mainly of Russians Ukrainians and Belarusians. There are other minorities including Poles (2%) living in the West of the country.

The Citizenship Law was finally passed in 1994 which set out the procedure for gaining naturalization. C. 2000-3000 new non-citizens are born to non-citizens every year. Non-citizens (unless they belong to one of the categories prohibited by the law) may apply for citizenship in accordance with the windows schedule which began in 1996 and ends in 2003. In 1996 applications were accepted from people aged 16-20 and who were born in Latvia. 1997 up to 25 years of age.

60,000 people were eligible to apply for citizenship in 1995. In 1996 33,000 people were eligible and in 1997 29,000. By summer 1997 124,000 people had become eligible. Only a small number have taken the opportunity to exercise this right. In the first year only 1000 people had become citizens. By July 1996 it grew to 2,459; by January 1997 it was 4,161 and by June 1997, 5000. Less than 5% have applied. The proportion of citizens has grown from 70.6% in 1995 to 72% in 1997. Only about 1/20 is due to naturalization. On this reckoning by 2000 there will still be over 600,000 non-citizens.

According the UN Human Development Report on Latvia for 1997 the share of persons without citizenship who definitively plan to apply for naturalization is constantly falling - from 38% in April 1995 to 19% in 1996".³

By 31st March 1998 7477 from 147,000 of those eligible had passed through the naturalization process.

The Naturalization Procedure

"Citizenship is not a gift" Eizenije Aldermane, head of the Naturalization Board.

Naturalization of Latvian citizens is governed by the Citizenship Law and implemented by the Naturalization Board which has offices in the capital city and in other main towns and centres.

In other words, a bureaucracy has grown around the citizenship issue employing several thousand people and eating up much-needed public funds. This bureaucracy also includes language inspectors whose job is to fine those who break the provisions of the state language law by failing to use Latvian in the workplace.

In order to gain citizenship an applicant has to pass two examinations, one in the Latvian language the other a paper testing the applicant's knowledge of Latvian history and culture.

The general consensus of international bodies like the OSCE and Latvian politicians is that these exams are very easy _ made easier still by the element of multiple choice available for answering many of the questions. It is maintained that a proper study of the recommended textbook gives the candidate all the necessary information _ although this must be qualified by the fact that an extensive bibliography is provided for those keen students who wish to know more.

Aija Priedite who represents the UN in Riga says there are many problems with teaching the Latvian language to adults, notably the unimaginative techniques used by many teachers. However, OSCE representative in Riga, Heidi Søndergren, says that it is not difficult to pass the language test, only rudimentary knowledge is needed. What is more, she has seen the papers of

³ LATVIA Human Development Report, (UNDP, Riga,1997)

successful candidates covered in red (correction) marks. If the standard for passing the language exam is so low then one might ask what is the point of requiring it to be taken in the first place?

In fact, the head of Latvia's Naturalization Board Eizenija Aldermane seems to demand a much more rigorous approach to the subject and exhibits a less tolerant attitude to grammatical and syntactical errors.

BHHRG representatives have studied both papers. The rules for the History and Constitution paper stress that the applicant must know significant facts in the history of Latvia eg. "the freedom fights in the 13th c.". As well, they must (in true Hegelian manner) "comprehend the essence of historical events".

Here are some examples of questions that appear in the constitution and history paper⁴:

9. What is the celebration of Jani (Ligo festivity) in Latvia characterized by?

- a) By searching for Bugs Bunny and painting of eggs
- b) by swinging in the swings and making a present of mittens
- c) by burning fires and eating cheese with caraway-seeds.

10. What was the crusaders attitude towards the local beliefs in the 13th c. like?

- a) they were indifferent
- b) their attitude was hostile and they struggled against them
- c) they were respectful of them and they even adopted them.

Part 3 demands knowledge of the constitution - when is a referendum necessary, who appoints judges. In the questions on symbols the applicant is asked:

111 (4) who decreed the red-and-white flag constitutionally to be the national flag of Latvia and when?

1V(5) why the Saules battle was important in the freedom fights in the 13th c..

1V(8) What was the policy of education of Sweden in Vidzeme in the 17th c. like? and

1V (18) Who were the most outstanding neo-Latvians.

These are just a selection of the questions from which the candidate must chose to answer. Several questions arise here:

1. What relevance can much of this knowledge have to a citizen of 20th century Latvia especially those of low educational level?

2. How many people in the West could answer similar questions about their own medieval history and constitutional provisions? Questions asked by the US Immigration Department of applicants for naturalization are nowhere near as testing,

3. If the tests are merely a formality and the answers to such questions can be learnt parrot-fashion from a book (as Heidi Sødergren of the OSCE mission in Riga maintains) what is the point of the exercise anyway?

⁴ Methodological Recommendations ...for Examination of the Basic Principles of the Constitution (Riga, 1997)

4. On a more serious level, many of the questions in these tests are explicitly or implicitly anti-Russian and guaranteed to antagonize some of the better-educated applicants.

For example:

111 (2) How did the rate of Latvians among the inhabitants of Latvia change during the years of Soviet power?

IV (3) Under the subjugation of which countries was at least a part of the territory of Latvia until the 20th c.? and,

V (32) How was the development of industry in Latvia promoted during the years of Soviet power?

Presumably the correct answer for the applicant is: "by the illegal immigration of people like me".

Language and Language Laws

The language test for applicant non-citizens consists of oral and written questions.⁵ Perhaps the most difficult part – a written essay 'reproducing' a piece of Latvian text is to be abolished for over 65-year-olds when the amendments to the Citizenship Law come into effect.

The 1989 language law set down rules for the use of the Latvian language in state institutions, corporations, educational establishments and public meetings. It also legislated for the introduction of language inspectors who would have the power to fine those in breach of the rules. The law is similar in many respects to Quebec's Bill 101 passed in 1977 which imposed strict use of the French language on the whole community and "which established an entire bureaucracy of surveillants and enforcers of its language policies".⁶ Language inspectors in Latvia impose their largest fines (\$100-\$500) on those who fail to put instructions on imported goods into the state language.

Despite its toughness the Latvian government felt it necessary to introduce a new, stricter law. The draft language law now before the Latvian Saeima extends and expands the provisions set out in the 1989 document. It contains 29 as opposed to 20 articles some of which have been criticized by the Latvian National Human Rights Office as oppressive. As the draft law is still before the Saeima it will probably be after the election that such criticisms are fully debated.

According to Art. 4 of the 1989 Law employees in government, state institutions companies and enterprises must use the state language; however, the 1998 draft law extends this list to include the self-employed. Critics see this as an invasion of the private sphere and something that could only be implemented by intrusive policing by the state language inspectors.

Art. 6 of the 1998 draft says that if a foreign language is used at meetings the organizer shall provide translation into the state language. This refers not only to state bodies but to private enterprises and other meetings held in the workplace.

Art. 8 (1989): In state institutions, law enforcements and other agencies documents from residents can be accepted and reviewed in Latvian, English German and Russian. The new Art. 8 says this will now only be the case if the "said documents have been issued in the territory of the Republic of Latvia *before* (our ital.) the date on which this law came into effect".

⁵ See the publication "A Test of the Proficiency of the Latvian Language: Information and recommendations for those persons who wish to acquire the citizenship of Latvia through naturalization" (Riga, 1997)

⁶ Lamont, Lansing: *Breakup: The Coming End of Canada and the Stakes for America*, (Norton, New York, London, 1994) pp. 116-119.

Art. 9 (1989): says that replies from state organizations and administrative bodies can be "in the language in which the person has applied to them". This seems to have been removed from the new draft.

Arts. 25 and 26 set up two new bodies The Commission of Latvian Language experts and the Terminology Commission the former will codify the language. New terms should only be used in official communication after their approval by a terminology commission.

In discussions with BHHRG representatives members of the Naturalization Board expressed strong support for further purifying the Latvian language by these measures. This sits uneasily with the international community's attempts to persuade the authorities to make the language tests for non-citizens easier. In the eyes of the Naturalization Board the low level of knowledge of the Latvian language "causes problems for Latvians" rather than the other way round.

Comments

Numerous surveys and opinion polls have been conducted to try to understand the true impact of Latvia's citizenship and naturalization procedures the latest being a survey _ funded by, among others, the Soros Open Society Fund _ published early in 1998.⁷

These surveys make several points:

1. Latvia's naturalization procedures do not work if their intention is to encourage as many people as possible to take advantage of their provisions.
2. Most of the people who have gained citizenship this way over the past 3 years have been the spouses of Latvian citizens who will have had less difficulty in passing the language tests
3. While both communities relate with each other without problems and few non-citizens want to leave despite less-than-overt attempts to encourage them to do so. Even though certain restrictions vis-à-vis employment have been reduced over the past two years non-citizens still feel cheated and rejected by the law.
4. As non-citizens many young men can avoid military service which may explain some of the lack of enthusiasm for naturalization.
5. Although there are reductions for certain disadvantaged groups like pensioners naturalization is expensive: applicants have to pay 30 lats (about £30 or c.\$50).
5. The most serious effect of the citizenship law is the refusal of the franchise to non-citizens. Even Estonia has modified its rules to allow non-citizens to vote in local elections.

Latvian national identity

"Germany's cultural drive for legitimized nationhood emerged an aggressive sense of nationhood; from that arose ideals of ethnic purity and indisputably tragic actions which viciously marred world history in this century"⁸

A policy of Latvianization was introduced in 1931 to combat the Germanic influence in the country. 60 years later the same policy is being adopted _ this time to counter the years of Soviet

⁷ Survey of Latvian Inhabitants: Towards a Civic Society Report, November 1997-January 1998 (Baltic Data House, Riga, 1998)

⁸ "Identity Politics, the Slippery Slope" Randi Huber, *The Baltic Times* (26 Feb.- 4 March 1998)

occupation. Although the country has now been independent for 7 years self-confidence still seems to be lacking and the process seems to be intensifying rather than diminishing. The draft new language law is a case in point which gives special status to the 'dead' Latgale language as well as the all-but moribund Liv.⁹

Nationalist rhetoric abounds even in the sphere of religion where there is strong pressure to revive interest in pre-modern, pagan religions and festivities within the public consciousness. Festivals such as Jani which marks the summer solstice are major national holidays. The Latvian fire-cross (or thundercross) associated with these beliefs and displayed on the country's coins is a swastika-style symbol. There are uncomfortable reminders here of 19th century writers like the Austrian Guido von List who fantasized about Germany's pagan roots and whose ideas are regarded by many as precursors of Nazism¹⁰.

Foreign influence, even of a benign form is frowned upon. Despite Riga's splendid heritage as a Hanseatic port and Latvia's long and positive connection with Germany and Scandinavia. A brochure issued by the Ministry of Culture deplors "Germanization, Russification, Sovietization which has left a negative influence on the Latvian language and Latvian culture".¹¹

Extensive support is also given to minorities within the republic. Although a Consultative Council on Nationalities has been regarded as all but defunct since 1997 state funding is lavish considering the size of the country: it is available for secondary schooling in 8 minority languages and the state also supports 20 minority cultural societies.

The initial impression is of widespread tolerance and diversity but to some Latvia's minority programme is a device whereby the Russians – the largest minority in the country – are viewed as just one group among many. The publication, *Latvia and its Ethnic Minorities*, adds support to such suspicions: on page 139 Russians who came to live in Latvia during the Soviet period are referred to as "illegal immigrants".¹² *Russians in Latvia* – a publication in the same series sees "reemigration" of Latvian Russians as a positive step: "Their homecoming is historically justified", says the author¹³.

The authors of *Latvijas Valsts* also accept that until independence groups such as Ukrainians and Belarusians did not identify strongly with their native republics – they considered themselves to be Soviet citizens and spoke Russian as their first and probably only language: "...many Byelorussians, Ukrainians, Poles, Tartars and other nationality persons although formally acknowledging their nationality, in reality do not participate in the life of their ethnic minority... such people are "psychologically alienated from the life of their ethnic community and the interests of the citizen population". Whether it is politically sensitive or financially prudent to encourage these groups to learn languages they never know in the first place is a fair question. *Latvijas Valsts* acknowledges that "The ethnic school system in Latvia is rapidly expanding although for Local governments they are more expensive".¹⁴

It must also be questionable whether there is much to be gained in trying to revive languages such as Liv. An elderly woman gave an interview to the International Herald Tribune in 1997 in which

⁹ In the government publication *National and Ethnic Groups in Latvia* (Ministry of Justice, Riga, 1996) the Livs and Russian minorities receive the same amount of attention – 8 pages each.

¹⁰ Goodrick-Clarke, Nicholas, *The Occult Roots of Nazism*, (I.B.Taurus, London, New York, 1992)

¹¹ "Main Cultural Policy Postulates of Latvia" (1996), Ministry of Culture, (Riga, 1996)

¹² *Vebers, Elmars Latvijas Valsts un Etniskas Minoritates*, (Riga, 1997) (this is one of a series devoted to Latvia's ethnic minorities. The series is funded by, among others, the Open Society). These books are in the bibliography provided for naturalization applicants.

¹³ Volkovs, Vladislavs *Krievi Latvija*, p.138

¹⁴ *Latvijas Valsts*

she claimed to be one of only 4 people alive who could speak Liv .¹⁵ The programme of reviving this all-but moribund language is reminiscent of naturalists trying to reintroduce near extinct speices back into their habitat. Although the Council of Europe is beefing up its support for minority languages there should, surely, be a limit when active use of the language in question has all but died out.

The promoters of the Latvian policy on minorities with its emphasis on folk singing and Sunday schools say they are reviving pre-Soviet life-styles. However, state-sponsored folk dancing and singing was widespread in most Soviet republics. In fact, the Communists themselves promoted pagan religion in the Baltic States as part of their atheistic campaign against the practice of established religion. Although it is claimed that folklorique activities have undergone a revival since independence the Latvian folklore societies were active from the 1950s onwards.¹⁶ Although enjoyable in itself and a pleasant change from much modern pop culture it is debatable whether this sort of thing should be subsidized by the state rather than private organizations and individuals.

The political situation in Latvia today

Post-communist Latvian politics also returned to the past by adopting the structures of the pre-war republic. The electoral system used in the inter-war years was reintroduced even though it had caused a proliferation of political parties that all but suffocated parliamentary democracy. Between 1922 and 1934 there were 39 separate parties in the Saeima.¹⁷

Today there are more than 42 political parties in Latvia, a country of only 2 1/2m people out of which c. 650,000 are disenfranchised. Elections to the 100 seat Saeima are by a complicated system of party lists and preference votes. In the two elections that have taken place since independence (in 1993 and 1995) coalitions have been thrown up embracing parties of the right, left and centre.

Since July 1997 the dominant party in governing coalition has been the right-wing LNNK/Fatherland and Freedom Party; the prime minister Guntars Krasts is from the party. But instability has dogged its year in office. The leading centre-left party, Democratic Saimnieks, left the government in March 1998 and Krast's government has been subjected to several votes of confidence. Elections are scheduled to take place on 3rd October and 21 parties and factions with 1083 candidates have registered to take part.

People are dissatisfied with the present electoral system and the number of people taking part in both local and general elections is falling. Many feel that structural changes must be made to produce political stability and public confidence. Party and faction membership is in constant flux _ MPs leave and join (or form) another on a regular basis. The defection of 5 out of 6 MPs from the For Nation and Justice parliamentary faction as well as the departure of a leading MP from the left-wing Unity Party who joined Saimnieks are typical examples of the problem.

In May 1997 parliament's public administration and local government commission considered plans to raise the threshold for parliamentary representation to 7% and introduce rules for a party to be registered for 3 years before it could run in an election. It was also suggested that parties should have the power to revoke the mandates of MPs who change parties after an election. The plans were rejected.

¹⁵ "Last Livonians Struggle to Save Their Language", Michael Specter, *International Herald Tribune*, 5/12/1997

¹⁶ "The songs that changed the world", Philip Birzulis, *The Baltic Times*, July 9-15, 1998

¹⁷ See, for example , Hiden, John & Salmon, Patrick, *The Baltic Nations and Europe*, Longman, 1994)

Similarly, calls have been made for a mixed electoral system (like Germany's) and direct presidential elections. Earlier this year two MPs resigned over the failure to introduce electoral change.

Few people are members of political parties _ probably less than 1% and the largest parties can only claim c. 1000 members. The strict list system means that MPs don't know who they represent and are not accountable to the electorate. The end result is that personalities rather than policies dictate political choice. In April Andras Skele announced the formation of a new political party, the People's Party. Polls showed Skele himself performing well but the party making little or no impression on the population at all.

On top of this comes the constant drip of financial scandal and impropriety. MPs are perceived to be 'on the take' both from international financial organizations and local businesses. In 1997 \$100m. of G24 credits were found to have been mismanaged and the prime minister at the time, Andras Skele, was accused of favouring trade and processing sectors when the main need was agriculture. Skele himself resigned in February after a financial scandal involving the purchase of expensive bathroom equipment.

In May 1997 Saimnieks MP, Valdis Krisbergs, was sued for fraud. In May Andrejs Krastins, the defence minister, resigned after a controversial deal to supply fuel to the navy was revealed. In March 1998 local newspapers reported that a parliamentary commission investigating how \$3m. had disappeared from the state energy company Latvenergo pointed the finger of suspicion at prime minister Krasts.

Even though an anti-corruption law was passed in 1996 to make it illegal for ministers to hold positions in private business there are numerous cases where it has been flouted. Even the president has been accused of having business interests which are against the spirit of the law. It is unsurprising, therefore, that demands have been made for more transparency and for political parties to be funded by the state.

Political Extremism

"Everyone who was a functionary in Soviet times still wields some sort of power here" Alexander Neuland.¹⁸

There are a handful of acknowledged extremist groups in Latvia. On the right there is the *Perkonkrusts* (Thundercross) a fascist movement that dates back to the first Latvian republic. It is a shadowy organization which *en passant* claimed responsibility for the bombing of the Soviet Victory monument in 1997. On the left of the political spectrum there are a handful of extremist groups, with seemingly little support.

In May 1998 the Latvian Cabinet proposed a crackdown on extremist groups. This was triggered by a rally where students protested proposed reduction of Russian language classes. Also present was a group of youths calling themselves the Young Bolsheviks and wearing Nazi and Soviet insignia which caused some consternation. However, the veterans parade in March had already created an uneasy feeling among many observers about extremist tendencies in the country and in May the Cabinet proposed a crackdown on extremist organizations.

However, as Latvians are now supposed to be seeing the "funny side" of their Soviet past by patronizing the Communist-kitsch cafes that have opened in Riga (as in other post-Communist countries) it is difficult to see how the law-enforcement agencies can pounce on the public

¹⁸ Quoted in "Baltic German – man of the past" Rita Laima Krievina, *The Baltic Times* 9-15 Jan 1997

displays of hammer and sickles etc. while leaving the kitsch alone without appearing somewhat hypocritical.

To some people, the LNNK/Fatherland and Freedom party itself is an extremist grouping. Many diplomats and analysts feel that the party's stubborn brand of Latvian nationalism has exacerbated relations with the non-citizen community and Russia itself over the past year. The party's vice-president, Juris Dobelis, is particularly uncompromising, leading the revolt of MPs against the Citizenship Law amendments. He has also reportedly said that Russian-speaking non-citizens should be deported and "some who try to escape might be shot".¹⁹ Palmira Lace, the party's deputy secretary general said on TV last year that all non-citizens would have to leave the country by 2002.

The Party led calls for 16th March (Legionnaires Day) to be made into the leading public holiday. Although the decision has been watered-down so as to commemorate all Latvian soldiers and not just members of the Legion the message is fairly plain. It implies that there will be larger, better-attended Legionnaires ceremonies in the future which members of the diplomatic community might find themselves expected to attend.

Underlying this sort of Latvian political discourse is the premise that **all** Latvians were the victims of Soviet repression and **all** Russians are responsible for this state of affairs _ something that does not stand up to too much investigation. For, as in all other ex-Soviet republics, members of the indigenous population were as likely to have been party members and high ranking officials as were incoming Russians. In fact, at certain times the promotion of local cadres was the official policy _ as in the early fifties, for example.²⁰ So, it is not altogether unsurprising that prominent Latvian politicians were once senior Communist officials. The most high-profile example is Anatolijs Gorbunovs (Speaker of Parliament 1991-5) who was head of the Communist Party's ideology department. Only recently Janis Jurkans, leader of the Equal Rights Party, sought to remind people that as late as 1986 Gorbunovs urged Moscow to restrict the number of overseas Latvians visiting the country. Ministry of the Interior, Andreys Krastins had been a detective in the Latvian Interior Ministry during the Communist period. The poet Dainis Ivans who became a symbol of national rebirth during the events of 1988-91 was a leading journalist in the Brezhnev era and had written a glowing obituary of the General-Secretary when he died in 1982.²¹ In August 1998 one of the heroes of the independence struggle, Ivars Godmanis, was accused of being a KGB agent.

Only last year Saimnieks MP (and newly appointed deputy prime minister) Juris Kaksitis was attacked for having sentenced an anti-Soviet activist to 5 years in prison a decade ago when he was head of Soviet Latvia's High Criminal Court. In April 1997 Ivars Kezbers died. Kezbers had been a long-time party member only leaving in 1990. Although he was reported to have had KGB ties he been a deputy for the Saimnieks party since 1993. According to his obituary "few questioned his pro-Latvian credentials after that". Compared with this the Russian population was relatively unimportant politically. Much attention has been paid to former Riga mayor and Communist First Secretary, Alfreds Rubiks, who was released last year after serving 6 1/2 years in jail for being leader of the anti-independence Interfront. Rubiks, an unapologetic Soviet nostalgic, has been banned from taking part in politics because he remained a Communist Party member after 1991 despite meeting the criterion for citizenship.

Some critics of Latvia's policy towards the non-citizen community see it as an easy way of neutralizing political opposition. By preventing c.600,000 people from voting power remains in the hands of fewer people. As much of this power is nowadays directed towards the awarding of privatization and business contracts there is little inducement to share the spoils with others.

¹⁹ "Welcome to Latvia" *The Baltic Times* 2-8 July 1998

²⁰ Knight, Amy, BERIA, *Stalin's First Lieutenant*, (Princeton, 1993)

²¹ Lieven, Anatol, *The Baltic Revolution: Estonia, Latvia and Lithuania and the path to Independence*, (Yale, New York and London, 1993) pp. 289-302

The Russian community in Latvia

Non-Latvians comprise 44% of the population of which the greatest number are Russians, Ukrainians and Belarusians. Out of this number 22% are citizens of Latvia. Between 1991 and 1997 120,000 people have emigrated but the number of those doing so seems to have effectively dried up. Those who have remained have used their old, Soviet passports to travel but at the end of October 1998 these become redundant. In anticipation of this legislation was passed in 1995 to provide 'aliens' with passports which were issued from April 1997 onwards. But the process has been slow and by March 1998 it was alleged that only 150,000 non-citizens had been issued with these passports.²² The Survey of Latvian Inhabitants report confirmed, unsurprisingly, that non-citizens did not like this passport, nor the necessity for holders to be registered as 'non-citizens'.

The Latvian government constantly points out that, in most ways, non-citizens enjoy the same rights as citizens. Apart from certain specified areas of employment (such as government employment) they can do the same jobs _ some of the other prohibitions were recently removed. For example, non-citizens can now hold pharmaceutical licenses and be firemen. They can also own property and receive social benefits, like pensions, from the state.

The most problematic area continues to be the language. It is estimated that the majority of non-citizens do not speak any Latvian while 25% of the citizen community itself speaks/understands it imperfectly. However, there are no bilingual public signs or notices anywhere _ for example, in a town like Daugavpils which is 85% Russian speaking.

The Latvian government anticipated a cut-off date for allowing Russian-language education to be used in state schools. In December 1996 the Ministry of Education set a deadline _ 1st September 1998 _ for all Russian-speaking teachers to prove their knowledge of the Latvian language. But protests held in June by teaching staff from Russian language schools have led to the deadline being extended to the end of the year. The UN set up a Latvian language programme for teachers to meet the deadline and it is claimed that only 443 out of 14,146 of them have failed to either pass the test or comply with the requirements to do so. By the end of the year 3% of Russian school teachers face the sack for not being able to teach in the Latvian language.

However, according to Aija Priedite the UN coordinator in charge of the UN's Latvian language teaching programme, passing the language proficiency test does not mean that a teacher is capable of teaching adequately **in** Latvian. The fear must be that teaching standards will drop due to the premature adoption of this measure harming both Russian and Latvian children.

The response of the Russian community

Defenders of Latvia's policies point to studies that show that the Russian community itself is tolerant of Latvia's attempts to revive its language and culture agreeing that the state language should be understood by everyone. As for citizenship, statistics show, they say, that Russians are uninterested in seeking citizenship.

It is true that there have been few public demonstrations of discontent and those that do take place are small and ill-organized. For example, in April members of a small Russian cultural group trying to escape eviction from their headquarters in old Riga gained some publicity. But theirs was a feeble gesture which seemed to have more to do with the issues like the payment of rent and utilities than official harassment.

²² "Les russophones de Lettonie sont mécontents de leur sort" Benoît Peltier, *Le Monde* 22-23 March 1998

Some political parties support integration but without parliamentary representation it is difficult to gauge their support in the Russian community itself. There are also 7 Russian-language newspapers.

It is no doubt true that many Russians don't care about citizenship. They have visa-free travel to Russia and, as stated, young men are absolved from service in the armed forces and those. Nor are all non-citizens poor and unemployed _ many of Latvia's most successful businessmen are Russian. Luxurious villas in the seaside resort of Jurmala testify to their wealth.

However, surveys also cannot avoid the fact that the Russian community as a whole feels humiliated and alienated from Latvian society by its citizenship policies. Many of them also feel insecure about their status. The question remains whether or not they will remain passive for ever.

The answer to that question may lay in Russia itself. The Yeltsin government has been remarkably tolerant towards Latvia over the past 7 years. After a certain amount of bombast Russian troops left in 1994, joint business ventures (there are over 4000) have been formed and Russian representatives in both the OSCE and the Council of Europe have turned a blind eye to the issue of citizenship. What would happen if a future Russian government led, say, by Yuri Luzhkov came to power is less predictable.

Human rights organizations in Latvia

The Latvian government set up a Human Rights Office to monitor issues like the naturalization process. However, the office has failed to attract a high level of complaints and has recently been beset by in-fighting and accusations of financial malpractice.²³

Its director Olav Bruvers admitted that the few people who made use of the office were seeking assistance in dealing with social concerns such as pensions rather than matters like freedom of speech _ 2/3 of all complaints are about social and economic matters. For example, the Office is probably resorted to in the absence of a proper appeals procedure for those with complaints about adjudication of benefits and pensions. However, the second largest number of complaints are about citizenship matters and the naturalization process were mentioned frequently _ in particular, the issuance of non-citizens passports.

However, the Human Rights Office has done useful work in attempting to mitigate some of the more extreme measures in the proposed new Language Law as well as campaigning for the removal of provisions preventing non-citizens from certain areas of employment. It has also criticized proposed amendments to the Labour Code. amendments to Art. 38 of Labour Code which give additional authority to State Language inspectors to demand the dismissal of employees whose command of the Latvian language is beneath the standard required by the law. The amendments were returned to the Saeima by President Ulmanis for further consideration.

Human rights NGOs have received more funds in the last few years. Much of their activity concentrates on promoting 'dialogue' and 'breaking down barriers between the citizen and non-citizen community' through the medium of expensively-funded seminars and conferences, for example, the KID 'culture, friendship and tolerance' student group planned a two-day seminar in June 1997 for 11 different nationalities to meet and discuss their different cultures. However, most human rights activists admit there are no problems (yet) in relations between the two communities. In fact, Latvia had one of the highest levels of inter-marriage in the Soviet Union (after Kazakhstan).

²³ "Birkavs criticizes Human Rights Office head Bruvers", Steven C. Johnson, *The Baltic Times* May 28-June 3 1998

In July 1997 a large conference 'Men and Women in Society' drew over 1000 participants from Scandinavia and the Baltic States. In its January 1998 survey the Latvian Human Rights Office placed gender equality 15th out of 16 categories of human rights issues that concerned people.²⁴

The UN's language training programme is one area offering concrete assistance. But generally speaking, human rights groups, like the Western political classes, seem uninterested in prodding the Latvian authorities to do anything other than make cosmetic improvements.

The general consensus is that there are no serious abuses of human rights in Latvia today. In terms of inter-communal strife or racial violence this is true. But the UN Declaration of Human Rights and the European Convention on Human rights legislated for civil rights across a broad spectrum which also included the right to statehood and the right to participate in free elections. Article 24 of the UN Convention states that every child has the right to acquire nationality. With regard to Article 3 of Protocol 1 of the European Convention the Commission has noted that it theoretically guarantees the right to vote.

The Council of Europe, OSCE etc. reiterate that Latvia's Citizenship and Language laws accord with international law which, however, is remarkably vague on this subject. The ruling in the leading case, *Nottebohm*²⁵ (1955) acknowledges that "international law leaves it to each state to lay down the rules governing the grant of its own nationality" but does add that "a state cannot claim that the rules it has thus laid down are entitled to recognition by another state unless it has acted in conformity with this general aim of making the legal bond of nationality accord with the individuals genuine connection with the state which assumes the defence of its citizens by means of protection as against other states".

The problem is that international law deals with situations where an applicant for naturalization is an **outsider** who wants to go **in**. With Latvia (and Estonia) the applicant is there already and has, in most cases been there for many years. Even third generation Turks are the descendents of people who came to Germany (which has a similar Citizenship Law to Latvia's based on the *jus sanguinis*) as immigrants.²⁶ The nearest comparison is with the Habsburg Empire whose successor states automatically granted citizenship to people resident on their territories at its collapse.

The response of the international community

"The Council of Europe report (a 1992 document on the proposed citizenship legislation) has done incalculable damage. It has endorsed the view of the radical nationalists in Latvia and Estonia" Alex Grigorievs.²⁷

The double-standards implied by the West's acceptance of Latvia's citizenship procedures is something that has not escaped the attention of Russian commentators. Imagine, for example, what the response of the OSCE would be if:

²⁴ Monthly Omnibus Survey, January 1998, Human Rights, Main Findings (Baltic Data House, Riga, 1998)

²⁵ *Liechtenstein v Guatemala*, (ICJ Reports, 1953) p. 6

²⁶ Brubaker, Rogers, *Citizenship and Nationhood in France and Germany*, (Harvard, 1992).

²⁷ See page 131 "The Baltic Predicament" by Alexei Grigorievs in *Europe's New Nationalism: States and Minorities in Conflict* ed. Richard Caplan & John Feffer (Oxford, 1996); for a similar response see also "Latvia: Discrimination, International Organizations and Stabilization", by Alexander Yusopovsky in *Managing Conflict in the Former Soviet Union* (MIT Press, Massachusetts and London) 1997

1. Slovakia legislated to prevent its 500,000 ethnic Hungarian minority from voting in state and local elections?
2. If troops in full Ustashe regalia paraded every year through the streets of Zagreb?
3. If elderly men and women had been beaten by the police in the streets of Minsk, capital of Belarus?

Slovakia, Croatia and Belarus are held up as human rights pariahs by the international community _ but there is near silence over Latvia. It would be desirable if international organizations avoided the kind of indignant human rights hyperbole directed at Slovakia, Croatia and Belarus. Latvia should not be treated as a pariah either but the discrimination between attitudes to it and the others is striking.

For example, Richard Samuel, a former British Ambassador to Latvia and present head of the OSCE mission in Riga thinks it understandable that Latvia should discriminate against its Russophone population after 50 years of occupation and oppression. Yet the OSCE showed little sympathy for Albanian political prisoners who went on hunger strike in January 1998 in Tirana despite the fact that some of them had spent over 25 years in Enver Hoxha's jails. Usually, post-communist societies are told by the West to cease being vindictive and look to the future.

Similarly, human rights groups seem remarkably relaxed over the public parading by SS veterans and any connection they may have had with war crimes. The normally ultra-critical *Fascism Watch* published by Balkan Institute in Washington talked of the Legions "doomed efforts to save Latvia from Communist domination" and condemned "hysterical accusations of fascists marching in the streets"²⁸

Nils Muiznieks, the director of the Riga-based Latvian Centre for Human Rights and Ethnic Studies, guessed that there were about 1000 possible war criminals among veterans of the Legion mainly smaller police units who had been active before 1943. Although some criticism of the SS marches appeared in the press: "What disturbs Russia, the West and Jewish organizations is that there should be so much pride in a Nazi-run organization in a country where thousands of Jews were murdered between 1941 and 1944" the explanation is made that the Latvian fighters were somehow "forced" to join SS units. Historians say this is a simplistic version of events: the Nazis never recruited people who were unwilling to fight. Whatever the causes of Latvian involvement with the army of the Reich it is doubtful that excuses would be made for Nazi veterans marches elsewhere, however special the pleading.

According to Indulis Berzins, MP for Latvia's Way, foreign ambassadors and EU representatives in Riga are circumspect: "These guys are polite they don't like to come in here and tell us how to run our country".²⁹ Some might wish such reluctance applied elsewhere.

It is possible that the perceived bullying from Moscow may, ironically, hasten rather than delay Latvia's entry into Western structures. The respected commentator on Baltic affairs, Paul Goble, wrote in May that Russia's attitude to Latvia could have the effect of helping "to bolster the case of those who advocate [NATO] enlargement".³⁰

Similarly with entry into Europe. The country was not included in the list of 'fast track' countries presented at the EU summit in Luxembourg last year. But during a visit to Latvia on 20th July

²⁸ "Could False Fears of Extremism in Latvia Come True?", Martin Zvaners, *Fascism Watch* Vol. 2.11, 29/5/1998

²⁹ "Parliament closes in on citizenship amendments", Steven C. Johnson, *The Baltic Times*, June 11-17, 1998.

³⁰ "The Russian Bear is back", Paul Goble, *The Baltic Times*, May 7-13, 1998.

Hans van den Broek said that it was still possible for Latvia to join the nations selected for the first round of EU accession. While acknowledging a need for the Latvian government to implement van der Stoep's recommendations on amending the Citizenship Law EU countries and institutions were remarkably supportive during the spring crisis. No doubt, some politicians feel that the more Latvia becomes a victim of Russian bullying the speedier will be its accession to the EU fold.

Other recent events bear this out. Since independence an argument have raged between Russia and Latvia over the disputed Abrene border area. At the end of July Latvia stated it would begin unilaterally demarcating the border between the two countries.³¹ Although an agreement exists in principle disagreements about the wording of the document have led to continuing stalemate.

Celebrations to mark the occasion were held both in Riga attended by European ambassadors - Germany's Siemens company has provided state-of-the-art equipment for the new border posts. It is a *sine qua non* for EU applicants to make their borders with non-member countries less porous. In March 1998 Austrian Foreign Minister, Peter Wittmann said the EU might have to prevent the free movement of people and services from Eastern European countries who join and that certain transitory rules could be needed. It is possible that Latvian border authorities will now make the exit and re-entry of non-citizens' into the country from Russia, Belarus and Ukraine more difficult - especially if their documentation is not up-to-date - something that is not impossible bearing in mind the slow issuance of non-citizens passports.

Prognosis

Let us assume that a forthcoming referendum does not block the amendments. What then? President Ulmanis has sought assurances from Western governments and organizations that Latvia will not be asked again to modify its citizenship rules. These assurances have been given. The same applies to the European parliament.

However, will the much-vaunted amendments lead to an increase in the numbers of non-citizens seeking naturalization? The true answer is probably not. The changes are basically cosmetic.

Consider the wording of amendments to Article 3 of the Citizenship Law:

If a parent or parents wish to naturalize their child they must do so in the order and manner stipulated by the Cabinet (our italics) envisaging that the application includes approved confirmation by the person who has rights to submit the application to foster learning of the Latvian language as the state language, education and promote respect and confidence in the Republic of Latvia.

If a parent does not exercise this right the child can apply personally at the age of 16 if he/she has received education in the Latvian language or passed the language test. However, a child must exercise this right by the age of 18 when the law proper comes into effect.³²

It is not difficult to imagine another shaft of rules and regulations emanating from a future Latvian Cabinet that will regulate applications under the proposed amendments. Also, confirmation of a parent/guardian's bona fides towards learning the state language and respect for the republic of Latvia has to be "approved". By whom? the specter of the Naturalization Board concocting a whole new set of regulations raises its head again.

Whatever else, the wording of the amendment is not exactly welcoming in its tone. It does, however, coincide with remarks made by Eizeija Aldermane to BHHRG representatives on April 1998 that **neither removing the windows nor allowing children born since independence to**

³¹ SWB/SU/D3294 1/8/98

³² Current Latvia: Information Bulletin, Ministry of Foreign Affairs, May 4-11, 1998

apply immediately would lead to any increase in the number of applications for citizenship. The tendency and speed of applications will remain the same. nor did she seem to express any discomfort over the fact.

In other words, the whole exercise looks likely to be pointless. And, on top of this, assurances have been given to the Latvians that they will not be required to make any more changes to the law.

Conclusion

"No other nation in Europe has suffered as much as Latvia did in World War 11 and under occupation" Guntars Krasts, prime minister of Latvia.³³

It is understandable that independent Latvia should have wanted to promote the use of its own language and traditions after 50 years of Communism. For it is true that Latvians suffered during the Soviet occupation of their country – although whether or not they suffered more than anyone else as suggested by Guntars Krasts is debatable – Chechens, Belarusians and Ukrainians could all lay claim to that.

The whole question of Latvian identity is also murkier than presented. As such, independent Latvia only existed for 20 years. Before that the country was a hotch-potch of Russian, German and Scandanavian influences and none the worse for that. This cosmopolitan heritage is now subsumed into an unreal world peopled by near-extinct groups, like the Livs, and bogus folksiness. Latvian history as taught seems very strange – and not only to those studying it in Russian schools.

Ideally, the Latvians (and Estonians) would have adopted the Lithuanian model of citizenship at independence. The Russian language should have been given some sort of official status, if only on a temporary basis. Meanwhile the training of teachers in the Latvian language and the gradual emergence from the school system of a generation taught in the language should have been taking place. Monies now used to keep an army of bureaucrats in the naturalization business would have been better spent that way.

While it is impossible to put the clock back it is not unthinkable that the zero option may be forced on Latvia one day. If so, the international community may prove to be a fickle friend. As members of the government in Riga happily peruse their numerous statements of support from Madelaine Albright et al. they might reflect on the fate of Albania's Sali Berisha who fell out of favour with the West in 1996; more recently the Czech Republic, once a firm favourite with Europe and the US has come in for widespread criticism. Should serious pressure be applied by Russia it is unlikely that European and American politicians would come Latvia's aid.

Postscript

On 19th August 1998 the Central Electoral Commission in Riga announced that the number of signatures on the referendum petition _ 170,000 had "comfortably exceeded the required minimum" number. By 25th August the number had grown to 223,999. This must have come as something of a surprise as only a week before the deadline less than ½ of the target number (10% of the population) had signed. "Good news may be on the horizon" wrote *The Baltic Times*. 32,000 Latvians living abroad had been allowed to sign the petition giving rise to criticism from Latvian moderates Their alleged hard-line approach to issues relating to nationalism indicates that

³³ "Trouble between Neighbours" Elizabeth Williamson, *The Moscow Times* 25/4/1998

when their votes are counted they will swell the numbers. Whether or not the referendum itself _ if it is held _ will reveal similar intransigence on the part of Latvians towards the relaxation of the citizenship rules remains to be seen. From whatever angle it is viewed, this cannot be seen as a positive development.