

## THE WAY FROM STUDENT TO PROFESSOR

*Pavel Astakhov\**

After my speech titled “Peculiarities of Legal Practice in Modern Russia” held before the United States Congress in 2001, I was invited by the Chancellor of the University of Pittsburgh to pursue a master’s degree (LL.M.) through the Centre for International Legal Education (CILE) at the University of Pittsburgh School of Law (Pitt Law). At the age of 33, with two children and a wife, I left my successful legal practice in Russia and sat at the school desk again and became an ordinary American student.

First of all, I gained social life experience in the USA. Formerly I lived in Spain for some time, and had only visited the U.S. for short periods of time. But in 2001, I was faced with the necessity to organize my life anew—this time according to American realities. My children went to school, my wife entered the Department of Linguistics at Pitt, and I proceeded with my studies at the School of Law. At the same time, we also had to arrange our family life. From our first days in Pittsburgh, all the members of my family joined sports clubs, karate school, or kickboxing training. While we were used to being active in Russia, we found that America is a great country for participating in sports. Athletic programs are well supported and a healthy life-style is welcomed.

The only thing we lacked in America was cultural life. In Moscow, we always have an opportunity to visit the best theatres and the latest ballet and opera performances. We found similar opportunities in the US, including visits to Broadway Theatres, Radio City Music Hall, Madison Square Gardens, and the Guggenheim Museum in New York and the Smithsonian Museums, Galleries and Centers in Washington. And even in Pittsburgh, we visited Warhol Museum, the Pittsburgh Theatre, and other galleries and famous sights.

However, my main occupation and aim were my studies. That period of time was difficult and very important for me. The American system of teaching, presenting educational material to students, gaining knowledge, writing scripts, and passing exams was absolutely new to me. The adaptation period took almost three months. A month long course of English for Lawyers proved to be of great help to me at that time. It let me master basic legal terms

---

\* Private practice lawyer, Moscow; LL.M. '02 (University of Pittsburgh School of Law).

and procedural documents and helped me to gain an idea of the teaching system itself. One of the most important elements of this course was grouping students according to their interests for the purpose of achieving better results and solidarity of our group. During the first month, our professors could form their opinion about each of the students who came from different parts of the world and about their capacities. This course made the choice of our future specialization much easier. In my prior legal practice, I had handled public law cases. They all were connected with protection of constitutional rights and liberties such as freedom of speech, freedom of information, right to respect for private and family life. That is why I chose constitutional law I chose as a priority for study.

From the first days of my work in advocacy and even earlier—since 1991—I had a lot of international contracts on different legal issues with foreign partners who had interests and business in Russia. That’s why as my second priority I chose international private law. We were lucky to study these subjects under the leadership of Professor Ronald Brand whose concern for my life and studies was very considerable and very important to me.

Public international law, under the leadership of Professor Jules Lobel, became my third choice. Professor Lobel deserves particular mention. He became a hero of all my public law lectures and speeches. I never stop retelling about his longstanding attempts to condemn American presidents starting with President Kennedy and ending with George W. Bush. It was Professor Lobel who instilled a different vision of the attempts made by the American government to establish democracy in different parts of the world. For example, Professor Lobel suggested and organized collection of signatures in defence of prisoners of Guantanamo. The most impressive thing was that after putting my own signature under this petition among hundreds of other students I felt my personal responsibility for the future of those prisoners. My feeling was so strong that after my return in Russia in the 2005, my fate so decreed that I had a surprising meeting with one of those Guantanamo prisoners who proved to be a Russian citizen from Middle Asia. Together we took part in a roundtable and discussed the war in Afghanistan and problems of prisoners of war. And, what is more, when the news about Saddam Hussein’s arrest spread all over the world I wrote a letter to President Bush inspired by Professor Lobel’s example (*if he could only see me at that moment!*). In this letter, I expressed my strong wish to see a truly democratic and fair trial over the former dictator. For this purpose I suggested that an International Tribunal (as for example Nuremberg International Military Tribunal or International Criminal Tribunal for the former Yugoslavia) should be created. But the Department of State replied that the question I raised was

outside the competence of the occupation administration officials and that Hussein would be prosecuted by the Iraqi people. President Bush's Administration also politely rejected my suggestion that I together with three other leading Russian attorneys take part in the criminal proceedings as an attorney.

Dean John Burkoff will always remain one of the most outstanding professors for me. His cheery appearance charmed all my friends who saw our common photo. This picture as well as many others embellished a dozen of Russian magazines that wrote about my adventures in the USA after I returned to Russia.

After I went through the September 11, 2001 tragedy in the United States, my life experience and professional practice let me take part practically in all Russian and international discussions dedicated to the problems of international terrorism and the fight against this evil. These questions are of great importance for the modern world, for both the Russian Federation and for the United States.

A great opportunity to take a trainee course in mediation with one of the best mediators in Pennsylvania and our lecturer Professor Robert Creo marked the termination of my studies. The experience I gained at that period of time prepared me for the creation of a series of lectures of my own. I have been giving my lectures in Moscow University for four years now. Moreover, having gained excellent experience in mediation, having studied this important instrument of solving disputes by means of alternative methods I defended my Ph.D. thesis just after my return to Russia in December 2002 and received my Candidate of Science academic degree. My thesis was titled "Dynamics of Solving Legal Disputes: Theoretical and Applied Aspects."

From that moment on, I became a Professor in the Department of State and Law Theory at Moscow University under the Ministry of Internal Affairs of Russia. I have been a lecturer at this University up to present day and, at this point, I have published six monographs and in November 2006 I defended my thesis for a Doctorate titled "Alternative Methods of Solving Legal Disputes: World Experiences and Prospects of Development." I was honoured with a doctorate degree in Law.

Today I give lectures at the Russian State Humanitarian University (Professor at Department of Private Law) and created the Department of Advocacy there. I recently received a proposal to head this department next year. In 2005, I created the Pavel Astakhov's School of Advocacy Skills. Within its framework, I give master's classes in leading law universities in Russia. At all my lectures, master's classes and speeches, I always relate my American experiences. And first of all others, I tell my students about the

knowledge, approaches and views I received while studying at Pitt Law. There is a special feeling when you are able to look at the subject from different points of view and consider it from the positions of different systems of law and different academic schools. This is what I learned at Pitt Law and this is what I teach my students now. The number of young lawyers I have graduated by now has moved to over a thousand.

In the field of mediation, I have never forgotten these peculiar legal skills. Together with a group of leading Russian lawyers, I propounded the first law on mediation in the Russian Federation. This law is currently under consideration at the Parliament of the Russian Federation. At the same time, in 2004, we created the First Board of Mediators in Russia attached to the Commercial and Industrial Chamber of the Russian Federation (my greetings to Bob Creo!). Two years later, in the spring of 2006, we created the Second Board of Mediators attached to the Russian Union of Manufacturers and Businessmen and, at the same time, we created a Court of Arbitration attached to this body. I became a member of the Court.

Taking into consideration my theoretical and practical experience in the field of Alternative Dispute Resolution and my international contacts, I was also elected a member of the European (Brussels) Arbitration and Mediation Court. The European (Brussels) Arbitration and Mediation Court was created on the initiative of the Council of Europe for the purpose of assisting in solving disputes arisen between representatives of EU countries and new EU members, such as countries of the former eastern block, and also for the purpose of the harmonization of European legislation. The European (Brussels) Arbitration and Mediation Court is formed out of respected politicians and lawyers representing EU countries. These include the former ministers of foreign affairs in France and Germany, Parliament deputies, the President of the *Haute Cour de Justice de Paris*, and judges and lawyers representing different EU countries. The Russian Federation is represented by the former Russian Prime Minister and myself.

After my return to Russia in August of 2002, I immediately received a very interesting proposal to be an attorney of the Russian Federation in the legal proceedings against video and audio pirating. The hearing took part before the Supreme Court of the Russian Federation and ended with our victory—the Resolution on Special Marking of Licensed Production was passed. After that, I represented interests of the Moscow Mayor and vice-Mayor, mayors of other Russian cities, governors of Russian regions, ministers, deputies, and senators. For the purpose of achieving successful results in professional advocacy my partners and I created the Pavel Astakhov Moscow City Law Bar in 2003.

Even before I entered Pitt Law I had learned well one important rule, that one of the most significant missions of each and every attorney is increasing legal awareness through all possible and available methods. We publish books, take part in TV and radio programs, and write scientific and popular articles in magazines and newspapers. Today there are more than 300 of them. In 2004, Russian television presented a new genre of court TV shows to its audience. The first program of that kind was created with our active support. This daily program has existed on REN-TV for three years already and is called "The hour of trial with Pavel Astakhov." I have heard more than 1,800 cases during these years! Our program receives more than 20,000 letters every month. We have opened a legal advice office free of charge and via telephone, individuals receive up to 1,500 professional legal advisory opinions a day. Little by little, our educational activities enlarge. Following the TV court program a radio program "The hour of trial with Pavel Astakhov" appeared. Radio audiences can hear this program five times a week and Ukraine has bought the licence to broadcast the program. It is also available in 105 countries through satellite and cable broadcasting. Since the spring of 2006, I have become the presenter of one more radio program called "Advocacy Defence Techniques of Pavel Astakhov." Different articles and legal advisory opinions have been published in leading Russian magazines for the past five years. We also publish a book series titled "Your attorney Pavel Astakhov" and "The hour of trial with Pavel Astakhov." The first Russian Encyclopaedia of Law is ready for publication in February 2007 and it was prepared with my active assistance. In February 2007, the first advocacy novel from the life of attorneys will appear in print. The novel is similar to the style of bestselling American attorney and writer John Grisham and has been predicted to become a cultural and legal event of the year in Russia. An impressive number of producers are waiting in line to make a screen version of the novel.

My life experiences, studies and work in America gave me a great opportunity to look at our multiform, varied, many-sided and many-coloured world with wide-open eyes. This is the view any modern leading lawyer should have. Today, practically all Russian people know about my studies in the U.S., as well as my professional and public work. Today, every Russian journalist presenting leading mass media knows that if he needs any comments on international public law issues, on any events that take place in the USA or other countries he can turn to our law bar and personally to me for explanations of the law. And, as for me, I never refuse to give them professional comments. I never forget that Pitt Law has become my second Alma Mater and the United States my second motherland. These are the facts I never stop telling to people of good will living in Russia, France, Spain,

Great Britain, the U.S., and all around the globe. By means of my life and my personal example, I am doing my best to strengthen our friendship and struggle for peace throughout world.