



# TEACHING CRIMINAL LAW IN POLAND

**Christopher Morales**

If you have a secret interest in the Teutonic Knights, huge gothic churches, and all things medieval, then visiting northern Poland should be high on your travel priority list. I spent two weeks teaching criminal law at the Polish law school named after the famed astronomer, Nicholas Copernicus. Uniwersytet Mikołaja Kopernika (in English, Nicolaus Copernicus University) is three hours north of Warsaw by train in the picturesque town of Toruń. Unlike many other Polish cities, Toruń survived World War II intact. The town looks the same way it did five hundred years ago, except for the electric lights and cars.

I traveled to Poland at the end of November 2016 and the winter was just beginning with typical temperatures at freezing. The skies were clear and beautiful most days but it did snow at times. Fortunately, REI had a big sale the week before my departure so I loaded up on warm clothes and was quite cozy during my visit.

The law school put me up at a modern hotel populated by visiting academics and I was assigned a very nice suite. The hotel provided a small buffet breakfast every morning. The food in Poland is delicious, but if you subscribe to an organic, gluten-free, vegetarian, or vegan diet, be prepared to live on cucumbers, apples, and tomatoes because the Polish

diet is heavy on meat, cheese, eggs, and hearty brown bread. Two things I really missed on my trip were a robust salad bar and a gym. Not even one yoga or Crossfit studio could be found, so I did a lot of walking in an effort to stay at my fighting weight.

The university was a nine minute taxicab ride away (four dollars each way) or a thirty-five-minute brisk walk from my hotel. The dollar was strong; the exchange rate was four Zloty for every dollar. (The Polish government has not embraced the Euro.) A dinner at one of the finer restaurants in town, with wine, was less than twenty dollars.

My class was made up of twenty-five law students, twenty from Poland and five exchange students from Spain. I taught eight two-hour classes over two weeks with a ninth session being a two-hour written exam. The topic was criminal law with a smattering of constitutional law, criminal procedure, and evidence.

The Polish criminal justice system doesn't provide for jury trials so I placed an emphasis on courtroom procedure and trial tactics. One of the highlights of my class was showing the students YouTube courtroom scenes from the Tom Cruise legal thriller *A Few Good Men*. Polish law is very much statutory with few appellate cases of importance. To give students an American law school experience, I had them read *Roe v. Wade* one evening as homework. This was not a random choice on my part; the conservative Polish

government in this very Catholic country is currently attempting to restrict abortions. The next day we dissected the case using the IRAC method and had a lively discussion.

The students were attentive and interested. Most spoke excellent English, as do many people in Poland who are under thirty-five years of age. I built a friendly rapport with the students and before the final exam they presented me with a gift and a card signed by all the students. I was surprised and touched.

The law school's dean and faculty were very friendly and accommodating. Apart from my teaching duties, I also participated in a panel discussion on the topic of the election of judges in different countries of the world. At my initial meeting with the law school dean, I mentioned that I would be spending only my third Thanksgiving away from my family. I was really delighted a few days later when Dean Bożena Gronowska told me that I would be having Thanksgiving dinner with her and some faculty members at the only American restaurant in town, Jimmy's Steakhouse. She made sure the restaurant was serving turkey and cranberry sauce on our night out. At dinner we had a wonderful discussion about human rights, the Syrian refugee crisis, and President-Elect Donald Trump.

On another night I was invited by a Polish professor of criminal law to have a beer at a local microbrewery. The



*Christopher Morales's (second from right) Thanksgiving dinner, Polish style, with faculty at Jimmy's Steakhouse in Toruń, Poland*



*Christopher Morales's criminal law class at Nicolaus Copernicus University*

city of Toruń is known for its delicious gingerbread, and we sampled its equally famous ginger beer. The décor in the pub was medieval with many very cool replica knights in shining armor.

On my only full weekend in Poland I took the bus to Gdansk, which is the northernmost town in Poland and is on the Baltic Sea. Gdansk is also the home of Lech Wałęsa, the electrician turned union organizer who was later elected as president of Poland. This seaport town is where the Polish Solidarity Movement had its roots. This movement began in 1971 when a female crane operator was fired from her job at the shipyard for being a member of an antigovernment organization. The next day all the longshoremen and workers on the dock went on strike and shut down the port. This was the beginning of the democratic movement in Poland and Eastern Europe, which at the time were still part of the communist Soviet Union.

Gdansk is one of Poland's leading industrial and trading centers, but it is also close to Russia and has a robust tourist industry. Gdansk is part medieval town, part modern cosmopolitan city, and part hardscrabble shipyard. I enjoyed a delightful weekend away from my law school.

Warsaw is the capital of Poland and the city where I caught my flight to return to the United States. It is a flat, modern

city that seems sparsely populated. Warsaw has the feeling of never having recovered from World War II. In the last few months of the war, the citizens of Warsaw took up arms against the occupying German army. With promises of assistance from the Russian army, which was on the outskirts of Warsaw, Polish citizen-soldiers bravely attacked Hitler's professional army.

At the end of the day, Joseph Stalin reneged on his promise of assistance and the Poles were left to fight on their own against the German army. They fought valiantly for sixty-three days before being defeated. As revenge for the uprising, Hitler ordered the massacre of tens of thousands of Polish civilians and the destruction of Warsaw. After the war, the Soviets rebuilt Warsaw.

My teaching assignment called for me to be on campus every day, which didn't allow me to travel extensively through Poland. Visiting Kraków and Auschwitz in the south of Poland will have to wait for another teaching assignment, perhaps at the University of Kraków.

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