

The Soviet power still thrives in Estonia

Abstract: It is a historical fact that world powers rule on the fate of small countries. Under process of privatization in the wake of the newly regained independence of Estonia in 1991, a new Estonian elite emerged, who used to be managers of ministries, industries, collective farms and soviet farms. They were in a position to privatize the industrial and agricultural enterprises and they quite naturally became the crème de la crème of the Estonian people, having a lot of power and influence because they had money, knowledge, or special skills. They became capitalists, while the status of the Soviet-time salaried workers remained vastly unchanged: now they just had to report to the nouveaux riches, who instituted the principles of pre-voting (a run-up to the election proper) and electronic voting, to be able to consolidate their gains. However those principles are concepts, unknown to the basic law (Constitution) of the Republic of Estonia – hence the last elections of the 13th composition of the Parliament held in 2015 are null and void *ab initio*.

Keywords: elite of the Republic of Estonia; deportation; „every kitchen maid can govern the state“; industry; agriculture; banking; privatisation; basic law of the Republic of Estonia (Constitution); pre-voting; electronic voting.

How they did the Republic of Estonia in

It is a very sad story in a nutshell, evolving from 1939, when events and changes started to happen in Europe, having important effects on Estonia, Latvia and Lithuania that couldn't be stopped. Two major European powers - Germany and the Soviet Union reared their ugly heads and, as had invariably happened in the past, took to deciding on destiny of the small states. On August 23, 1939 the Soviet Union and Germany made the nonaggression pact in Moscow, the so-called Molotov-Ribbentrop Pact, the secret protocol to which distributed their neighbouring countries

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into spheres of influence. Hence the affiliation of Estonia, Latvia and Lithuania within authority of the successor of the Russian Tsarist state was a foregone conclusion. Although Estonia had declared its neutrality, it was of no avail. The Soviet Russia had long been posed to seize the opportune moment to violate it, and the onset of WWII provided that coveted chance. The Polish submarine “Orzel” seeking shelter in Tallinn escaped, giving a pretext to the Soviet Russia to accuse Estonia of backing out of its neutrality commitment. Estonia was forced to accept the Mutual Assistance Treaty, allowing entry of the Red Army, whose exact number is still a mystery. The Military Bases Agreement of 1939 imposed by Moscow heralded essential loss of independence of the Republic of Estonia (although the bases are never an ultimate guarantee to anything). Followed, due to over-zealous activities of the Estonian communists Karl Säre (the 1st Secretary of the Estonian Communist Party), the family Johannes (Head of Government) and Olga (the First Deputy to Chairman of the first Supreme Soviet of the ESSR) Lauristin, Johannes Vares-Barbarus (Chairman of Presidium of the Supreme Soviet) etc. [1] and underpinned by Moscow (actually staged by Moscow) [2, p. 311-312], the “free” elections of the 2nd State Council comprising the representatives of working people only [3, p. 45-48], with opposing candidates removed [4]. As a result, on July 21, 1940 the new “popular assembly” proclaimed Estonia the Soviet Socialist Republic and pleaded with the Soviets to accept Estonia into the Soviet Union, as its component part. Next followed the deportation of June 14, 1941 by the above actors in consort with newcomers from Russia [5], with 10 thousand people deported in one night to the vast planes of Russia, in pursuance of the aim to exterminate the state figures – Estonians, Russians, Germans, Jews and individuals descending of other nationalities [6, p. 9-44], business and banking executives [7, p. 141-171], defence force [8] and police command [9, p. 123-174], jurists [10] and creative cognoscenti and illuminati with families [11] – the elite of the Republic of Estonia.

When considering the Soviet occupation against the international background, there are some facts of flagrant disregard for human rights catching the researcher’s eye, and namely: in 1942 the Government of Sweden recognized the Baltic States,

incl. Estonia, *de facto* part of the Soviet Union...? At Tehran Conference in 1943 the USA President T. Roosevelt announced that he would waive the political initiative in the Baltics...? At Potsdam Conference in 1945 the borders of the Soviet Union were recognized as designed by that state...? From the foregoing it follows that the West assumed the simulacrum of there not having been any division of Europe between Adolf Hitler and Joseph Stalin? [12, p. 174]. Thence an amply justified question – how seriously we can take the positions of the West in issues of international relations and communication.

True enough, at the end of German occupation in autumn 1944 part of the above mentioned functionaries remaining in Estonia could make it to the West. However new trials and tribulations were pending for Estonia – organised by the Soviet occupational powers and with active participation of local “kitchen maids” (after Vladimir Lenin’s expression – “every kitchen maid can rule the country” – a blatant piece of demagoguery!), the March deportation took place in 1949 [13, p. 50-57], bringing down the Estonian agriculture of good standing. Deported were farmers with families having fed us and kept us unharmed, during the crises. It prepared the path for collectivization of agriculture and in 1950 the local authorities could report to Moscow that the agriculture had been successfully collectivised. To that matter, by far not every current minister can be a farmer, because he would have to pass decisions on his own, not in the party backrooms.

The place was “swept clean” then, as a long-time Professor in the history of the Soviet Union at the University of Tartu would say. Some representatives of the former elite stayed here by accident, however they had no access to the state power, quite naturally. Nor do their successors have access to the present-day Estonian state power, for that matter.

In charge of running the state were actors from working class and peasantry, infrequently poorly educated (peasantry is not a very suitable term, because the farms were extinct), having little idea of how to rule the country. That very important “shortcoming” was compensated for by help of the above statement of V. Lenin. Alas, the “kitchen maids” lacked the skills and knowledge of a farmer.

The Republic of Estonia is really going to the dogs

Interestingly, those the Soviet-time “kitchen maids” are still ruling us today, with their families and next-to-kin, because they used to have ministries, enterprises and collective farms under their management. Allegedly, in some cases they were assigned the jobs thanks to active cooperation with the State Security Committee [14]. In the process of privatisation they were the major beneficiaries of the property of enterprises and collective farms belonging to the state (people), either in the form of ownership shares, or by cunning (fraud), or sometimes by criminal dealings. Allegedly they recurrently blame one another for having embezzled more than their fair share. Those “kitchen maids”, as V. Lenin aptly called them, became automatically elite of the Estonian people, they became capitalists, while the Soviet-time salaried workers stayed the same workers, now subordinated to them, because they had no share in the riches privatized by their paymasters.

The so-called nouveau elite of the Estonian people lives today better and more comfortably than it used to live under the Soviets, because then they had to take care lest the auditors from Moscow should come to inspect, while today they fear nothing, having developed the feeling of immunity.

There is a curious correlation between privatisation and waves of bankruptcy of (private) banks. First the new elite privatised (or “privateered”) the property, and after the common people had deposited in banks their savings and moneys obtained from privatisation, certain power and business structures triggered the bankruptcy wave of banks, stripping the population of most of their savings. This “lofty idea” was evidently put into the heads of our ruling state and business actors by Swedes. This may explain, why that wealth of funds landed specifically in Swedish banks, who we have been eagerly fattening. Isn’t in evidence here the anti-state crime as specified in the Penal Code? It is intriguing to know what lectures are delivered in two higher schools by the former PM and Vice-president of the European Commission, the visiting Professor Siim Kallas to students of economy. Is it the art of slipping the state (other people) moneys into his own pocket or some other tricks?

The ruling of „kitchen maids“ has brought along the third deportation wave, continuing to this day, however westward now, not eastward. Over the years a great number of people have called it quits and left Estonia, all working people in their prime, smart and skilled. The human capital, i.e. birth rate has dropped dramatically, and ominously looming ahead is the question whether the Estonian people can survive at all [15].

The outcome on hand is frightening. The Estonian rulers: the former President of the Republic of Estonia Lennart Meri (the July agreements and leaving the 5th column here), the former PM of the Republic of Estonia Mart Laar (ruining the industry and agriculture), the former PM of the Republic of Estonia Siim Kallas (bankruptcies of banks, the \$10 M saga, supposedly a theft, “special” relations with the VEB fund, the memory gaps), the sitting President of the Republic of Estonia Toomas Hendrik Ilves (allegedly the most unpopular Estonian President, blow outs on the verge of anecdotes, milking his state-subsidized farm Ärna for stuffing his own pockets - if the President and his family cannot be a paragon of virtue, he is not fit to hold the office of President), the former PM of the Republic of Estonia Andrus Ansip (using dishonest techniques to stay in power, deportation of people to the West) and the sitting PM of the Republic of Estonia Taavi Rõivas (perpetrator of e-voting in violation of the Constitution at election of the 13th composition of Parliament in 2015), united by the same denominator, have brought Estonia to the brink of disaster. We made it to among the five richest states as we were promised, however we turned out to be among the five poorest states in the tail-end of the European states.

Apparently Estonia is also today governed by the same “kitchen maids” descended from the Soviet time. The sole difference between the present “kitchen maids” and those of the yonder times is that the “ladies” (for lack of a better term) no longer go to official receptions in nightgowns like they often did in 1940-41.

The panic-stricken Reformist Party worried by the perspective of loss of power and money

The power needs be bolstered whatever the means to do so. It dawned on the Reformist Party at the helm for the past 15 years in Estonia that it was no longer possible to stay in office by honest elections; consequently they took to use the electronic voting, not recognized by any advanced country in the world. The idea of the electronic elections was suggested in January 2001 by the then-deputy chairman of the Reformist Party, Minister of Justice and subsequently Chairman of the Supreme Court Märt Rask [16, p. 99]. Because the Riigikogu (Parliament) happened to have the quorum at the time, the “Riigikogu Election Act” (§ 44) adopted in 2002 specified the electronic voting. By reason of the matters set out above, a question, pregnant with meaning suggests itself: did the Reformist Party carry out an e-elections orange revolution in Estonia in 2005?

Electronic voting has been overwhelmingly challenged during its existence in Estonia due to its lack of security, in the final analysis rendering democracy non-existent. For instance Barbara Simons, an expert on the USA e-elections and IT security said. “... counterfeiting the vote of the voter in the computer is relatively simple. It is easier than pilfering money in the Internet bank.” [17, p. 39]. Henn Põlluaas’ position in that issue is that for providing honesty and reliability, the e-elections system must be available for external control, but in the present-day Estonia that opportunity is deplorably lacking [18, p. 120-123]. Paavo Pihelgas claims: “If the electronic voting is a fathomless mystery to majority of the population and they must simply place their trust in the dwindling minority, it is an enormous backtracking on paper polls, where every competent person is expected to be able to follow how the slips move without anyone tampering with the process.” [19, p. 21]. The signatory holds with vehemence: “Because the e-election system is not reliable, neither the Parliament of the Republic nor the Government are legal. Because the composition of the Parliament is not legal, the elections 2011 of the new President of the Republic of Estonia are not legal, landing the Republic of Estonia in a ridiculous situation in international communication and thus derogating from authority and image of our state.” [20, p. 116].

This long-protracted rule by the Reformist Party has led Estonia to the brink of abyss. The Party has subjugated the whole justice system, so that the needs of the system are subservient to the needs of a select group, wherefore corruption is running rife in the country, as mentioned even in the international media. For instance there was the so-called Autorollo case, allegedly involving the current Minister of the Foreign Affairs Keit Pentus-Rosimannus and her personal relations, connections, and eligible dependants.

At 2015 elections of the 13th composition of the Parliament, the Reformist Party won the electronic election with overwhelming majority – 37.5% of all e-votes?! It corroborates the premise that in the capitalist economic system money has the same function as blood for the body of human beings. The Reformist Party has managed to take advantage of that postulate with amazing dexterity, ignoring the applicable laws of the country. Using its best endeavours to keep hold of the political power, i.e. the power the money gives, the Party has made the e-elections server its Holy Grail, or Baal, although the advanced world refutes that prime evil of elections. Losing all that money and political power may have a devastating effect on health of the Reformist Party.

2015 elections of the 13th composition of the Parliament of the Republic of Estonia null and void

Constitution of the Republic of Estonia, adopted on June 28, 1992 by popular election, § 59 stipulates: “Legislative power is vested in the Riigikogu.” § 60 par. 1 specifies: “The Riigikogu shall be comprised of one hundred and one members. Members of the Riigikogu shall be elected in free elections on the principle of proportionality. Elections shall be general, uniform and direct. Voting shall be direct” [21].

A short account of the above is:

a) The proportionality principle is inherently linked to that part of the uniformity principle, that the votes should have the equal weight at establishing the results of election.

b) Under freedom of elections principle the election is free, when voting takes place without coercion and exercising undue pressure on voters.

c) The generality principle means, as a rule the right to elect (the active right of election), and the right to be elected (the passive right of election).

d) The uniformity principle demands that every enfranchised citizen should be able to exercise his or her right of election in the closest to uniform manner.

e) The immediacy principle means historically that the Parliament should be elected without the intermediate stage of electors.

f) The secrecy principle most generally means that election is secret, when the voter has the option to keep secret, for whom he or she plans to vote, is voting or voted.

§ 60 par. 3 specifies: “Regular elections to the Riigikogu shall be held on the first Sunday in March of the fourth year following the preceding Riigikogu election year”. It thence transpires that the applicable Constitution does not mention the pre-elections or electronic elections.

Propositions of Constitution of the Republic of Estonia govern the propositions contained in all subordinate laws of the Republic of Estonia. It is an infallible legal principle reigning supreme, which cannot be infringed upon. Somehow our leading figures of government are seemingly too illiterate to infer that most evident fact from the Constitution. Those public figures are:

President of the Republic of Estonia Toomas Hendrik Ilves;

Speaker of Parliament of the Republic of Estonia Heiki Nestor;

Prime Minister of the Republic of Estonia Taavi Rõivas;

Chairman of the Supreme Court of the Republic of Estonia Priit Pikamäe;

Chancellor of Law of the Republic of Estonia Indrek Teder;

Chairman of the Election Commission of the Republic of Estonia Alo Heinsalu.

While the applicable Constitution of the Republic of Estonia does not mention either the pre-election or electronic election, the Riigikogu Election Act, adopted on 12.06.2002 (RT I 202 57.355), enforced under § 86, specifies in § 40 “Pre-election” and § 44 “Electronic election” (amended TR I 2006. 30.231), enforced in 2006.

Because the stipulations of above clauses are not to be found in the Constitution of the Republic of Estonia, they are on points of fact in contradiction with the applicable Constitution of the Republic of Estonia and hence null and void, like the election 2015 of the 13th composition of Parliament.

The moral of the above is: If the leading authorities of the state do not abide by the law, how can they demand abidance by the law from its subjects?

Bibliography

1. Elected and having ruled. Staff of Estonian parliamentary and other representative assemblies and governments in 1917-1999. Composed by Jaan Toomla. Estonian National Library. Tallinn, 1999.
2. Estonian Encyclopaedia, Vol. 11. Estonian Encyclopaedia Publishers. Tallinn, 2002, p.p. 311-312.
3. Enn Sarv. July elections 1940 as inception of national resistance. Year of suffering 1940-1991. Foundation White Book. Tallinn, 2008, p.p. 45-82.
4. Father of the signatory August Julius Leps, Member of the 4th and 5th composition of Parliament of the Republic of Estonia was the opposing candidate, who was naturally removed.
5. Herbert Lindmäe. Summer war in Virumaa 1941. Tartu 2002.
6. Jaan Kross and Peep Varju. Fate of Estonian political elite during Soviet occupations. Year of suffering 1940-1991. Foundation White Book. Tallinn, 2008, p.p. 9-44.
7. Kalev Kukk. Economic Damage. The White Book. Estonian Encyclopaedia Publishers. Tallinn, 2005, p.p. 141-171.
8. Ülo Uluots. They fulfilled orders in the line of duty. Fate of Estonian officers. Tallinn, 1999.

9. Mai Krikk. Annihilation of Estonian police in the first year of Soviet occupation. Year of suffering 1940-1991. Foundation White Book. Tallinn, p.p.123-174.

10. Ando Leps. When jurists ruled Estonia. Contribution of foreign professorship to educating jurists of the Estonian nationality in the Department of Law of the University of Tartu in 1889-1938. Estonian jurists in politics 1917-1940 and their later fate. Tallinn, 2009.

11. Sirje Olesk. Literature and literary life during Estonian occupations. Year of suffering 1940-1991. Foundation White Book. Tallinn, 2008, p.p. 83-122; Urve Lippus. Losses of Estonian music through Soviet occupation. Year of suffering 1940-1991. Foundation White Book. Tallinn. 2008, p.p. 175-214; Jaak Kangilaski. Fine Arts. The White Book. Estonian Encyclopaedia Publishers. Tallinn, 2005, p.p.112-127; Jaan Laas. Higher Education and Research Work. The White Book. Estonian Encyclopaedia Publishers. Tallinn, 2005, p.p. 74-112.

12. Estonian Yearbook 2002-2003. Tallinn, 2004, p.p. 174.

13. Aigi-Rahi Tamm and Andres Kahar. Preparing for the 1949 Deportations, Operation Priboi in the Estonian S.S.R. History Conference of the Estonian Memento Association. Tallinn. June 16, 2007, p.p. 50-67.

14. Harri Mägi. Termination of the activity of KGB of the ESSR. Publishers Varrak. Tallinn, 2012.

15. Jaak Uibu. Population crisis in the making in Estonia. Paper delivered at Estonian Scientific Society in Sweden on anniversary of the University of Tartu 02.12.2014.

16. Virgo Kruve. Election rules determine winner at election. The present-day Internet is not ready for e-elections // Papers, articles, opinions. Tallinn, 2011, p.p. 99.

17. Barbara Simons. It is not yet the time for e-elections. The present-day Internet is not ready for e-elections // Papers, articles, opinions. Tallinn, 2011, p.p. 39.

18. Henn Põlluaas. The election panel destroyed the data of e-election. The present-day Internet is not ready for e-elections // Papers, articles, opinions. Tallinn, 2011, p.p.120-123.

19. Paavo Pihelgas. Technical shortcomings of e-election. The present-day Internet is not ready for e-elections // Papers, articles, opinions. Tallinn, 2011, p.p. 21.

20. Ando Leps. E-voting at elections to Riigikogu is null and void. The present-day Internet is not ready for e-elections // Papers, articles, opinions. Tallinn, 2011, p.p.116.

21. The valid Constitution of the Republic of Estonia. Date of enforcement of the redaction: 22.07.2011. RT I, 27.04.2011, RT 2.