

# ABOUT THE “POWER VERTICAL” IN THE ESTONIAN SSR 1940–1991

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In ruling the territories that the Soviet Union annexed during World War II, including Estonia, the Soviet leadership faced a problem: how to combine the power of the working class prescribed by the constitution with the actual situation in the captured territories, where there was little support for the foreign regime. According to the constitution, all power in the state belonged to the Soviets of Workers' Deputies. The highest organ of state power was the Supreme Soviet of the Soviet Union, which formally held all legislative power. The Supreme Soviet Presidium was also given jurisdiction over a series of additional matters, including the interpretation of legislation and the issuing of enactments, the appointment of ministers in the interval between sessions of the Supreme Soviet, the awarding of decorations and the conferral of titles of honour, granting of pardons, the appointment of the highest leadership of the armed forces, the declaration of mobilisation, ratification of international agreements, and declaration of a state of war. The organ of executive power was the Council of Ministers. The organs of power in the republics of the union also had to be organised according to the example of the central regime. In the Stalinist Soviet Union, however, a method came into use where the dictatorial power vertical, which remained concealed from the public, operated above constitutional power. The question of the apparent and the actual power vertical and their relationship emerges as one of the central questions in governing Estonia, Latvian and Lithuania as well.

The leadership of the Soviet Union determined the tip of the local power vertical and the mechanism by which it functioned. In order to comprehend the situation in Estonia, one must be familiar with the more important mechanisms by which the central power of the Soviet Union functioned (Kremlin policy regarding Estonia and the Baltic republics has to be treated as a separate topic<sup>1</sup>). First and foremost, the mechanism of power at the union republic level and its characteristic attributes have to be clearly understood.<sup>2</sup> It must be taken into account that the central power needed administrators with initiative and people to carry out its orders in local positions – a centre of power that would not be independent but rather built up according to models of the Soviet Union under the control of the central power of the Soviet Union and not controlled by the public. A method where some of the institutions of government, economic institutions and others situated locally were subordinated directly to the Council of Ministers of the Soviet Union without providing an opportunity for the leadership of the union

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<sup>1</sup> For example: Jelena Zubkova, *Baltimaad ja Kreml 1940–1953* (The Baltic Countries and the Kremlin 1940–1953) (Tallinn: Varrak, 2009); historiography concerning the mechanism of power in the USSR is not as a rule indicated in this overview (for example J. Hazard, M. Fainsod, O. Hlevnjuk, R. Pihaja, L. Schapiro, T. Rigby, J. Hough, R. Service and other authors and their studies).

<sup>2</sup> Romuald Misiunas, Rein Taagepera, *Balti riigid: sõlтеаastad 1940–1990* (The Baltic Countries: the Years of Dependence 1940–1990) (Tallinn: Koolibri, 1997); *The Sovietisation of the Baltic States, 1940–1956: Papers Presented at the International Workshop in Haapsalu, Estonia: May, 9–11, 2003*, edited by Olaf Mertelsmann (Tartu: Kleio, 2003).

republic to control them, and other institutions were subordinated to the leadership of the union republic, was used to fragmentise power in the union republics.

Even though the superiority of the organs of central power in the Soviet Union was already determined in the constitution, the people had to be led astray with the help of communist propaganda by propagating slogans about the “freedom and independence of Estonia’s working people” and so on. At the same time, the complete dependence of the local organs of power on the central government of the Soviet Union was concealed in order to imitate people’s democracy and socialism locally, and above all publicly. This was done in order to win the support of the public. One form of concealment during the first years of the Soviet regime was so called “assistance”, where deputies, representatives, instructors and specialists were sent to help local people who did not know how things were run in the USSR. Essentially, the people sent to provide that “assistance” were actually the organisers, decision-makers and the people giving the orders or passing orders on. Propaganda avoided portraying the local leadership to the public as the direct subalterns of the Kremlin yet in this way, as a secret marionette, the local leadership was under even firmer control and enabled the central power to act without having to assume the responsibility itself for unpopular decisions. It is for just this reason that it was important for the Kremlin to allow it to appear as if decisions affecting Estonia were made according to local initiative.

Groups of related problems concerning: the role of the centre of power, the Communist Party, and institutions of executive and legislative power; the control mechanisms established over them by the central power of the Soviet Union; violations of human rights committed by governmental institutions, and so on, emerge in the history of the evolution and development of the power vertical in the ESSR.<sup>3</sup> These problems are reflected below not in the order set out in the constitution of the USSR but rather in order of importance according to content.

## Centre of Power

Regardless of the principle of fragmentising power, the Kremlin nevertheless needed a local centre of power and a local political elite as well who could be shown as being responsible when necessary. According to the example of the central power, that local centre of power was not the government of the union republic but rather the leadership of the territorial organisation of the Communist Party – the Communist Party of Estonia (hereinafter referred to as the ECP). Moscow inculcated in that leadership that it is responsible for everything that takes place in the union republic and that it directs events there (except for the Soviet armed forces deployed in the location, which always remained firmly under the direct control of the central power<sup>4</sup>). As in the leaderships of the other territorial organisations of the Communist Party of

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<sup>3</sup> See for example the following general treatments: *Eesti ajalugu VI, Vabadussõjast taasiseseisvumiseni* (History of Estonia VI, from the War of Independence to Restoration of Independence), editor-in-chief Sulev Vahtre (Tartu: Ilmamaa, 2005); *Sõja ja rahu vahel II, Esimene punane aasta* (Between War and Peace II, the First Red Year), editor-in-chief Enn Tarvel (Tallinn; S-Keskus, 2010).

<sup>4</sup> Under tactical considerations, the central power of the Soviet Union made exceptions even here, for instance forming the Estonian SSR Ministry of the Armed Forces in the 1940’s, to which, however, it was not planned to subordinate the armed forces located in the territory of the ESSR.

the Soviet Union (hereinafter referred to as the CPSU), the leading positions in the ECP were held by the secretaries of the Central Committee led by the first secretary, and the Central Committee Bureau (which was named the Central Committee Presidium in 1962–1966), the members of which were the secretaries of the Central Committee and the most important leading figures of the union republic – the leaders of the Council of Ministers, the Supreme Soviet, state security, the armed forces deployed in the territory of the union republic, and other leaders who made decisions affecting the administration of the union republic in the name of the ECP (Central Committee).<sup>5</sup> The first secretary was of particular importance here. He was considered the highest representative of power at the regional-territorial level after the administrative reform that was carried out in the Soviet Union in the late 1920’s and that remained so until the collapse of the Soviet Union. While contemporary literature concerning the secretaries of the ECP Central Committee has already been published, the identification of members and candidate members of the Bureau as the persons responsible for decisions that shaped the governance of annexed Estonia, and the ascertainment of the details of their life stories is also in the interests of this research study.<sup>6</sup> The questions that require more thorough examination are: on what basis did the leadership of the CPSU select the secretaries and members of the ECP Central Committee Bureau (although most of the members of the Bureau were there *ex officio*, membership was nevertheless personal and made certain power games possible)? How was the relationship of subordination between the centre of power – the ECP CC Bureau – and the leadership of the Soviet Union regulated? What was their presumed-seeming jurisdiction compared to their actual jurisdiction, and their division of labour in administering ministries and other state institutions? How were decisions made? How did the ECP Central Committee Bureau run the ESSR Council of Ministers and other state organs, and influence the work of the courts and law enforcement authorities? Was the local leadership allowed a sphere in which it could make independent decisions and if so, what did it comprise? What was its relationship like with the armed forces, state security and other institutions that were directly subordinate to Moscow? To what extent did the secrecy of the ECP CC Bureau and the fact that it was not subject to control affect its activity, and how much of its work was public?

## The Communist Party of Estonia

The Communist Party of Estonia was legalised as the only permissible party in occupied Estonia on 4 July 1940 and during the first “red year” (from June 1940 to August-September 1941) already, it was designed to be the territorial organisation of the CPSU. It was supposed to bring

<sup>5</sup> *EKP KK büroo istungite registid I: 1940–1954* (Registries of ECP CC Bureau Sessions I: 1940–1954), compiled by Tõnu Tannberg (Tartu: Eesti Ajalooarhiiv, 2006; Kaljo Veskimägi, *Kuidas valitseti Eesti NSV-d: Eestimaa Kommunistliku Partei Keskkomitee büroo 162 etteastumist 1944–1956 vahemängude ja sissejuhatusega* (How the Estonian SSR was Governed: 162 Performances of the Estonian Communist Party Central Committee Bureau 1944–1956 with Interludes and an Introduction) (Tallinn: Varrak, 2005).

<sup>6</sup> *Kõrgemad võimu vahendajad ENSV-s: Eestimaa Kommunistliku Partei Keskkomitee sekretärid 1940–1990* (Mediators of Higher Power in the ESSR: Estonian Communist Party Central Committee Secretaries 1940–1990), edited by Enn Tarvel (Tallinn: [Umara], 2000); *Eestimaa Kommunistliku Partei Keskkomitee organisatsiooniline struktuur 1940–1991* (Organisational Structure of the Estonian Communist Party 1940–1991), compiled and edited by Enn Tarvel (Tallinn: Kistler-Ritso Eesti Sihtasutus, 2002).

together all persons associated with the organs of power of the Soviet Union. An ideological connection with the communist worldview was presupposed upon acceptance as a member of the Party. According to its statute and in speeches, the Party was a centralist-democratic organisation in which the highest right to make decisions belonged to the meeting of the representatives of the Party organisations – the Party Congress, which was held a total of 17 times in the interval 1940–1990. The Party Congress took place periodically and it was supposed to elect its body of representatives – the Central Committee, which in turn elected the secretaries of the Central Committee and the members of its Bureau. In actual fact, the ECP CC Bureau itself nominated the candidates for the Central Committee and its Bureau according to instructions from Moscow or at least in coordination with Moscow, as well as other decisions passed by the Congress. As time went on, the membership of the Central Committee grew larger and larger, which reduced the role of the individual member of the Central Committee as the leading organ of the ECP according to its statute.

The Central Committee operating under the direction of the Central Committee secretaries and its apparatus directed and organised the work of the Party organisation at the level of the local republic and the Party apparatuses of the county/regional committee (until 1950 also rural municipal committee) and Party officials (at the local Party level), and finally also the leaders of the Party elementary organisations.<sup>7</sup> All these Party organisations had a leading role and jurisdiction at their level, for which reason possible violations of human rights at all levels of Party organisations need to be examined thoroughly.

The prerogative of the ECP CC Bureau was the approval of appointments to the most important official positions (official posts belonging to the “nomenclature”) in addition to Party personnel, whereas loyalty to the regime was an important condition for approval. The most important official positions were also simultaneously part of the CPSU Central Committee nomenclature. A requirement for approval was passing the “special check” conducted by the state security organs, which consisted of ascertainment by the state security organs of existing “compromising material” concerning nomenclature candidates or the lack of such material and the approval or rejection of the candidate that followed this. The Party apparatus kept an eye on persons appointed to posts throughout their term in that post while also deciding on their penalisation or promotion. The consideration of cases of dismissal from official positions for political motives and their evaluation from the aspect of possible human rights violations (the right to have a case reviewed publicly (Universal Declaration of Human Rights §10), the right to free expression of convictions (§19), and others) is interesting in terms of appointment to or dismissal from official positions that were part of the nomenclature and also for positions that were not part of the nomenclature.

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<sup>7</sup> In addition to the previous references: Olev Liivik, *Eestimaa Kommunistliku Partei Keskkomitee aparaat 1945–1953* (Estonian Communist Party Central Committee Apparatus 1945–1953) (Tartu: Tartu Ülikooli Kirjastus, 2006); *Eestimaa Kommunistliku Partei kohalikud organisatsioonid 1940–1991* (Estonian Communist Party Local Organisations 1940–1991), compiled and edited by Enn Tarvel (Tallinn: Kistler-Ritso Eesti Sihtasutus, 2005); *Partei-algorganisatsioon: kommunistliku poliitika esmane elluviija okupeeritud Eestis 1940–1991* (The Party Elementary Organisation: the Primary Implementer of Communist Policy in Occupied Estonia 1940–1991), compiled and edited by Enn Tarvel (Tallinn: Kistler-Ritso Eesti Sihtasutus, 2009).

Joining the Party was a question of individual judgement and choice (the candidate for membership indicated his motives for joining in his application), yet it is possible to analyse the advantages and meaning of joining the Party during different periods of the history of the Soviet Union in order to answer the question of when people joined the Party out of ideological conviction and “revolutionary mentality”, when people joined wishing to collaborate with the foreign regime, and when people joined out of careerism or because of other reasons. As the only political organisation, the status of Party membership as a rule became an unavoidable prerequisite for persons who aspired to a career in society yet who could in their inner self be far removed from the communist view of the world. The number of Estonians in the membership of the ECP increased during the decades following the 1940’s, which in that first decade consisted mainly of communists who arrived from the Soviet Union. There were also cases when Communist Party members expressed political opinions that were not in harmony with the viewpoints of the Party leadership (for instance the case of the “Letter of the Forty Signatories” or the case of Jüri Kukk<sup>8</sup>).

### **ESSR Council of Ministers, its Supreme Soviet, State Security, Justice and Law Enforcement Institutions and Armed Forces and their Relationships with the Local Centre of Power**

The government of the Estonian SSR – the ESSR Council of Ministers (the Council of People’s Commissars until 1946) – operated under the political direction of both the USSR Council of Ministers as well as the ECP Central Committee. At the same time, the leadership of the Council of Ministers did not direct the work of all ESSR ministries, including the work of the Ministry of State Security/KGB, which was directed straight from Moscow. Ministries that operated throughout the Soviet Union also formally functioned beyond subordination to the government of the union republic. According to the constitution, the Council of Ministers was required to report to the Supreme Soviet and could issue directives and orders on the basis of legislation of the USSR and of the union republics, and on the basis of directives and orders of the USSR Council of Ministers.<sup>9</sup>

What was the presumable and the actual jurisdiction of the leaders of the executive branch of power? How were decisions made in the Council of Ministers? How did the power vertical of the executive branch of power operate right through to the lowest level? Who were at the head

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<sup>8</sup> “Letter of 40 Signatories” – an open letter composed by 40 Estonian intellectuals (including members of the CPSU) in October of 1980, the main message of which was the preservation of the status of the Estonian language under conditions of intensifying Russification. A number of the signatories were persuaded to remove their signatures from this collective memorandum through the use of “prophylactic measures” and other measures at the initiative of the ECP CC apparatus and the KGB. Jüri Kukk – a lecturer at Tartu University and a member of the CPSU left the Party due to differences of opinion in 1979 and was arrested by the KGB in March of 1980. He died on 27 March 1981 imprisoned in a prison camp in Vologda *oblast*.

<sup>9</sup> Concerning the compositions of the government and Supreme Soviet, see: *Valitud ja valitsenud: Eesti parlamentaarsete ja muude esinduskogude ning valitsuste isikkoosseis aastail 1917–1999* (Elected and Governed: Composition of Estonia’s Parliamentary and Other Representative Bodies and Governments 1917–1999), compiled by Jaan Toomla (Tallinn: Eesti Rahvusraamatukogu, 1999).

of the executive branch of power? Which spheres of activity did different ministries administer? How did the obligation to report to the formal legislative body, the Supreme Soviet, function?

The system of power of the USSR/ESSR has aptly been described as “Soviet power without the soviets (councils)”. Even though all the constitutions of the Soviet Union gave supreme power to the people and declared the USSR Supreme Soviet and the supreme soviets of the union republics as the highest organs of state power, their actual power was nevertheless formal. After the sovietisation of local government in Estonia, the rural municipal, county, municipal and regional executive committees became the local representatives of state power.<sup>10</sup>

The description of the reality of Soviet elections in the Estonian SSR, which were supposed to verify the legitimacy of the annexations by the Soviet Union, is important. The USSR Supreme Soviet had a mandate for legislative power in the Soviet Union and in the union republics for four years according to the constitution of 1936, and for five years according to the constitution of 1977. The contradictions that proceeded from the formality of the Supreme Soviet’s power, and from relations between the Supreme Soviet and the leadership of the ECP have to be described. At the same time, relations between the leadership of the ECP on the one hand and the courts, security institutions, law enforcement institutions and the army on the other also have to be analysed and generalised.

## Control Mechanisms, Control over Implementing Decisions

The central power of the Soviet Union used many different kinds of methods and institutions to control the union republics and to reign in local leaders.<sup>11</sup> The “great leader and teacher” at the tip of the power vertical was far away in the Kremlin and the power of the local mediator had to be balanced through different control mechanisms that would effect supervision of the fulfilment of Moscow’s orders. Control was especially strict in the early period of the Soviet regime, when the institutions of control appointed to office (the Union-wide Communist Party Central Committee and the representative of the USSR Council of Ministers 1940–1941 and the Union-wide Communist Party Central Committee Estonian Bureau 1944–1947) fulfilled what was essentially the role of the (secret) viceroy of the Soviet Union.<sup>12</sup> The decisions of the Union-wide Communist Party Central Committee Estonian Bureau were classified with the highest possible category of secrecy (“strictly secret”).<sup>13</sup>

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<sup>10</sup> Indrek Paavle, *Kohaliku halduse sovetiseerimine Eestis 1940–1950* (The Sovietisation of Local Administration in Estonia 1940–1950) (Tartu: Tartu Ülikooli Kirjastus, 2009).

<sup>11</sup> Tõnu Tannberg, „Moskva institutsionaalsed ja nomenklatuursed kontrollmehhanismid Eesti NSVs sõjajärgsetel aastatel,” (Moscow’s Institutional and Nomenclature-Oriented Control Mechanisms in the Estonian SSR during the Post-war Years) – Eesti NSV aastatel 1940–1953: sovetiseerimise mehhanismid ja tagajärjed Nõukogude Liidu ja Ida-Euroopa arengute kontekstis (The Estonian SSR in 1940–1953: Mechanisms of Sovietisation and Consequences in the Context of Developments in the Soviet Union and Eastern Europe), compiled by Tõnu Tannberg, *Eesti Ajalooarhiivi toimetised = Acta et Commentationes Archivi Historici, Estoniae* 15 (22) (Tartu: Eesti Ajalooarhiiv, 2007), 225–272.

<sup>12</sup> *Eesti ajalugu* VI. 174.

<sup>13</sup> See for example minutes no 3 of the CPSU CC Estonian Bureau session of 22 June 1946, Российский государственный архив социально-политической истории (RGASPI – Russian State Archive of Socio-Political History) 17.122.186, 4.

Even when these institutions were still functioning, but especially after they were done away with and until the end of the 1980’s, the position of second secretary of the ECP CC was held by the primary local representative from Moscow. The local leader, the first secretary of the Central Committee had no say in the appointment of the second secretary.<sup>14</sup> The important sphere of responsibility of the second secretary was the “internationalisation” of the union republic, but the actual content of that ambiguous euphemism should be defined. Who were the second secretaries and how was their appointment conducted in Estonia as well as in Latvia and Lithuania for the sake of comparison, and in the “old union republics”, and what was the jurisdiction of decision-making powers prescribed for them, and if necessary, could they also decide in lieu of the first secretary?

## Lawfulness and Disregard for Human Rights

The initiator of the founding of the Estonian Institute for Historical Memory, President Toomas Hendrik Ilves set the objective of the Institute as providing Estonian citizens with a thorough and objective overview of the situation in terms of human rights in Estonia during the occupation by the Soviet Union. Towards this objective, the Institute applies the Universal Declaration of Human Rights passed in 1948 by the United Nations as a legal framework both in determining the spheres of its research as well as in drawing conclusions based on the results of research.<sup>15</sup> It is clear that the local “professional league” of the Soviet mechanism of power is responsible for the violation of human rights in the entire union republic and that officials at the lower levels of the power vertical are responsible within the limits of their area of responsibility. At the same time, the question of the apparent and the actual power vertical poses major challenges in identifying the actual initiators of the violations, even if they could have been locals. In addition, the question of the violation of the constitution of the Soviet Union and other laws arises. If crimes against humanity are crimes against humanity regardless of whether they were committed in harmony with the laws of the Soviet Union or in violation of them, then the conformation or contradiction of violation of human rights with so called “socialist lawfulness” is first and foremost an academic problem, not a problem of substance, which, however, helps to better interpret the above-mentioned apparentness of the Soviet ordering of the affairs of life.

The changes and idiosyncrasies caused by the different historical periods of the Soviet Union have to be observed in relation to lawfulness and different subject areas. While there are already a great deal of studies concerning the era of Stalinism by now,<sup>16</sup> there are only a few

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<sup>14</sup> Tannberg, 247.

<sup>15</sup> See: *Inimõiguste ülddeklaratsioon = Universal Declaration of Human Rights* (Tallinn: [Virgela], 1998).

<sup>16</sup> In addition to the previous references: *Estonia 1940–1945: reports of the Estonian International Commission for the Investigation of Crimes Against Humanity*, edited by Toomas Hiio, Meelis Maripuu, Indrek Paavle (Tallinn: Inimsusvastaste Kuritegude Uurimise Eesti Sihtasutus, 2006); *Estonia since 1944: reports of the Estonian International Commission for the Investigation of Crimes Against Humanity*, edited by Toomas Hiio, Meelis Maripuu, Indrek Paavle (Tallinn: Inimsusvastaste Kuritegude Uurimise Eesti Sihtasutus, 2009); Jüri Ant, *Eesti 1939–1941: rahvast, valitsemisest, saatusest* (Estonia 1939–1941: About its People, Government, Fate) (Tallinn: [Riiklik Eksami- ja Kvalifikatsioonikeskus], 1999); *Ajalooline Ajakiri*, 2009 1/2, *Eesti ajaloost nõukogude võimu perioodil* (*Studies in the History of Estonia during Soviet Rule*), compiled by Tõnu Tannberg; David Feest,

concerning Khrushchev’s so called thaw years and the so-called Brezhnev era of stagnation.<sup>17</sup> The memoirs of officials from the Soviet period certainly provide a certain degree of support in comprehending source material. Soviet historical studies (of Soviet Estonia) can also be included in the same group. The use of studies concerning Latvia and Lithuania, which were in the same kind of situation, also definitely provides information.<sup>18</sup>

The ascertainment of the actual operation of the mechanisms of power in the Estonian SSR, considering the jurisdictions of different institutions of power, makes it possible to evaluate their role and influence in the shaping of the situation in terms of human rights in Estonia annexed by the Soviet Union.

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*Zwangskollektivierung im Baltikum: die Sowjetisierung des estnischen Dorfes, 1944–1953* (Köln: Böhlau, 2007); Olaf Kuuli, *Stalini-aja võimukaader ja kultuurijuhid Eesti NSV-s (1940–1954)* (The People in Power and Cultural Leaders in the Stalinist Era in the Estonian SSR (1940-1954)) (Tallinn: O. Kuuli, 2007).

<sup>17</sup> See for example: Mati Graf, *Kalevipoja kojutulek: 1978. aasta poliitilisest pööripäevast 1988. aasta suveräänsusdeklaratsioonini* (The Return of Kalevipoeg: From the Political Solstice of 1978 to the Declaration of Sovereignty in 1988) (Tallinn: Argo, 2008).

<sup>18</sup> Collected works of the commissions of historians in Latvia and Lithuania; Geoffrey Swain, “Cleaning up Soviet Latvia. The Bureau for Latvia (Latburo), 1944–1947,” – *The Sovietisation of the Baltic States ...*, 63–84; Vytautas Tininis, *Komunistinio režimo nusikaltimai Lietuvoje 1944–1953. Sovietu Sąjungos politiniu strukturu, vietiniu ju padaliniu bei kolaborantu vaidmuo vykdam nusikaltimus 1944–1953 m. Istorine studija ir faksimiliniu dokumentu rinkinys = The crimes of the communist regime in Lithuania in 1944–1953. The role of the political bodies, their local subdivisions and collaborationists of the Soviet Union in committing crimes in 1944–1953. A historical study and a set of documents in facsimile*, vol 1 (Vilnius: Lietuvos karo akademija, 2003).