REPORT ON THE SUPREME SOVIET ELECTIONS IN ESTONIA

Tallinn, Estonia

Prepared by the Staff of the
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This report is based on a Helsinki Commission staff delegation to Estonia from March 15 - 19, 1990. Interviews were conducted with representatives and candidates of many Estonian political movements, including the Communist Party, The Estonian Popular Front, the Social-Democratic Independence Party, the Estonian Congress, "Free Estonia," the Committee for the Defense of Soviet Power and Civil Rights, and the Greens.

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SUMMARY

- The March 18 elections to the Estonian Supreme Soviet were the first since 1940 in which many political groups and parties freely took part. The crucial issue in the election, in which everyone took for granted the participation of non-communist parties, was Estonian independence; the crucial question was whether pro-independence forces would win the two-thirds majority needed to amend the constitution and declare independence.

- The elections produced three broad blocs in the Supreme Soviet: those associated with the pro-independence Estonian Popular Front; the largely Russian anti-independence movements; and a bloc of mostly Communist Party notables who will hold the swing votes. Their position on full Estonian independence, as opposed to autonomy within the USSR, is uncertain, and it remains to be seen how they will vote when push comes to shove.

- A special feature of the Estonian Supreme Soviet elections was the influence of the Congress of Estonia, which held its inaugural meeting a week before, on March 11-12. Conceived as an alternative to the Supreme Soviet, which many Estonians see as illegitimate, this new pro-independence body--unique both as an institution and for its widespread support among Estonians--has created a sort of dual-power situation in Estonia and promises to exert continuous pressure for independence.

- Rent by factionalism and on the verge of a formal split, the Estonian Communist Party could not offer voters a clear program reflecting the position of a united party. Its sagging popularity and lack of credibility led it to field only several candidates under the Communist Party banner. Many other well-known communist candidates ran on the platform of "Free Estonia," an election coalition created about six weeks before the Supreme Soviet elections.

- The largely Russian anti-independence forces coalesced into the "Committee for the Defense of Soviet Power and Civil Rights" and ran candidates on a common program. Their members in the Supreme Soviet, together with the four deputies whose seats were set aside for the Soviet armed forces, will constitute a determined minority group strongly opposed to Estonian independence. If they feel the Supreme Soviet is not taking their interests into account, they may choose other means, such as strikes and civil disobedience, to express their discontent.

- The uncertainty about the outcome of Moscow's showdown with Vilnius will impel the Estonians to take a different path than the Lithuanians. Although pro-independence forces in the Estonian Supreme Soviet may have sufficient votes to call for independence, they likely will be more cautious and less declarative, while expressing support for Lithuania and trying to enter into negotiations with Moscow.

POLITICAL LANDSCAPE

Introduction

As in Lithuania and Latvia, politics in Estonia revolves around the question of restoring the independence lost when Soviet troops occupied the country in 1940. The widespread support among Estonians for full independence from the Soviet Union has become increasingly evident: by the time of the March 18, 1990 elections to the Estonian Supreme Soviet, virtually all of the Estonian political organizations that have emerged over the last two years openly favored Estonian independence.

This development reflects a political dynamic in which the rise of an organized opposition movement launched an "action-reaction" chain characterized by the progressive radicalization of all the socio-political groups involved. The initial spark was supplied by the growing discontent in Estonia and the greater possibilities for organized political activity, which led to the formation of the Estonian Popular Front (EPF) in mid-1988. The EPF's advocacy of greater autonomy from Moscow and the free expression of Estonian nationalism won it wide backing among Estonians and recognition as the first popular front in the USSR.

The rise of the Popular Front, originally the only tolerated form of opposition to the Communist Party, evoked organized responses on both sides of the political spectrum. At one end were Interfront and the United Council of Labor Collectives, whose largely Russian constituents feared for their status in the new atmosphere of heightened Estonian national feeling. At the other end were more radical, pro-independence Estonian movements, which viewed the Popular Front's initial program of greater autonomy from Moscow as too moderate. These forces eventually formed parties which rejected the legitimacy of Soviet institutions, including the Supreme Soviet, and which propagated the idea of forming an alternative forum based on citizenship in the interwar Estonian Republic. On March 11-12, delegates elected by "Citizens Committees" convened the Estonian Congress as an alternative to the Estonian Supreme Soviet.

The growing strength of pro-independence sentiment eventually forced the Popular Front to modify its own position in favor of independence, as well as rethink its initially negative position towards the Estonian Congress. These pressures also, in the new era of electoral politics, created deep fissures in the Estonian Communist Party (ECP). Like the surrounding society, it tended to divide along national lines: Estonians have generally backed "independence," though they differed about its meaning, while Russians have generally favored Estonia's remaining within the Soviet Union. The campaign and the results of the March 18 Supreme Soviet elections also broadly reflected this alignment of nationality and politics.

Political Players

The Estonian Communist Party

The Estonian Communist Party had no clear election platform, since it was disunited and represented various, and often conflicting, views. With membership about evenly divided between Estonians and Russians, ideological differences in the party had surfaced long before March 1990, along with pressures towards factionalization. But unlike the situation in Lithuania, where the Communist Party split into independence-supporters and pro-Moscow loyalists before the Supreme Soviet elections, in Estonia, the Supreme Soviet elections preceded the formal split in the Estonian Communist Party. Consequently, on the key issues of Estonian independence and the independence of the Estonian Communist Party, groups of Estonian communists propagated their own ideas. These generally reflected the positions of political organizations--such as the Popular Front or Interfront--with which they were ideologically or nationally aligned, and which had developed clear platforms.

Despite the extremely low popularity ratings of the Estonian Communist Party (opinion polls in December showed the Party hitting a new low of two percent among Estonians and 19 percent among non-Estonians), some of its leaders remain popular and certainly their names are well known in Estonia. Consequently, the ECP's strategy was to have its candidates run as individuals, not as representatives of the Estonian Communist Party. Only a small number of Estonian Communist Party members, such as party leader Vaino Valjas, ran on the Communist Party banner.

Apart from this ECP stratagem, the party's unpopularity apparently gave rise to another approach to improve its chances: the formation in late January 1990 of "Free Estonia," a new election coalition not nominally communist but in fact representing primarily the reformist Communist Party establishment. Many of Estonia's best known Communist Party figures ran on the "Free Estonia" platform, such as former Ideology Secretary Mikk Titma.

Broadly speaking, "Free Estonia" advocated a democratic political system, an economy based on diversity of forms of ownership, the resolution of nationality problems on the basis of generally recognized human rights and the cooperation of all democratic forces. "Free Estonia" coyly maintained a vague posture on Estonian independence and refused to state whether it saw Estonia's future inside or outside the USSR. Its platform called for realizing the goal of an Estonian republic, but argued the need to develop economic, political and social prerequisites. Given Estonia's dependence on the USSR for fuel, "Free Estonia" warned that rash action would unite Russians in Estonia with "great-power thinking politicians" in Moscow, leading to dire consequences for Estonia.

The Estonian Popular Front

After about a year and a half of serving as an umbrella organization for many political tendencies, the Estonian Popular Front (EPF) now appears to be breaking up into several parties. Nevertheless, for the purpose of the Supreme Soviet elections, it constituted the second of the large and identifiable electoral blocs. Its October 1989 election platform calls for a "gradual transformation of the Estonian SSR into a democratic and independent Estonia," ultimately becoming an independent state in a "demilitarized and neutral Balto-Scandia." Acceptable mechanisms of achieving independence would be a vote by a democratically elected Supreme Soviet or a referendum. Such a referendum would have to be held under international supervision to prevent the presence of Soviet troops in Estonia from influencing the outcome.

The EPF platform advocates political pluralism, an "actual and legally guaranteed multi-party system for all elected bodies of power" and protection for the rights of the opposition. The platform's economic plank propagates a Social Democratic ideology but favors a profit-driven economy, in which all forms of ownership would be equal and private farms would be restored.

On nationality issues, the EPF program demands Soviet acknowledgement of migration as a tool of colonial politics and the elimination of uncontrolled immigration. The Popular Front calls for protecting the socio-economic and political rights of non-Estonians and securing the right of ethnic minorities to cultural autonomy. Participation in the first referendum on Estonian statehood, however, would be limited to Estonians or citizens of the (interwar) Republic of Estonia and their descendants.

Despite this latter emphasis on the priority of citizens of the Estonian Republic, the October 1989 EPF election platform took "a skeptical view" of the Congress of Estonia (see below). Nevertheless, very shortly before the Congress of Estonia convened in March 1990, the EPF modified its position--presumably impressed by the surging popularity of the Congress--and came out in support of it.

Popular Front efforts to create a very broad election coalition were not successful; in the end, only four parties ran candidates under the EPF platform: the Peasant Party, the Democratic Labor Party, the Liberal Democratic Party, and the Social Democratic Independence Party. All these parties have their own platforms, which differ on particular nuances, but they put these differences aside for the elections.

Other Pro-Independence Parties and Movements

The upsurge in political activity in Estonia has produced many new pro-independence political parties and movements which participated in the Supreme Soviet election process. Of these, the Union of Labor Collectives of Estonia and the Greens were

particularly important, both in terms of popularity and numbers of candidates who sought their endorsement.

Union of Labor Collectives of Estonia

The Union of Labor Collectives sees the independent statehood of Estonia as the key to addressing all issues of social and economic reform. Its program calls for democratization of power, private property and freedom of enterprise, equal rights for all citizens, and an internationally recognized independent Estonian republic. The Union called on the Estonian Supreme Soviet to request Moscow's recognition of Estonia's *de facto* independence on the basis of the 1920 Treaty of Tartu, and to propose immediate negotiations on implementing the restoration of Estonia's independent statehood. The Estonian Supreme Soviet, according to the Union of Labor Collectives, should be ready to cease its activity and cede its power to the Constituent Assembly of the future Estonian Republic.

Green Movement

There is a broad-based and active Green movement in Estonia, which has also given rise to a more politically oriented Green Party. Many candidates for the Supreme Soviet supported the goals outlined in the election platform of the Green Movement. The Greens advocate an independent, demilitarized Estonia, characterized by a democratic, multi-party system which would respect human rights. Their platform calls for a halt to uncontrolled immigration and the autonomy of minorities without endangering the indigenous population as an ethnic entity. Neither communist nor capitalist, independent Estonia would have a free, farm-based agriculture and an ecologically clean industry based on entrepreneurship.

Committee for the Defense of Soviet Power and Civil Rights

The third large bloc in the March 18 elections, the Committee for the Defense of Soviet Power and Civil Rights is a coalition uniting the largely Russian political organizations in Estonia that arose in opposition to the Estonian national movement: Interfront, the United Council of Labor Collectives, the Union of War Veterans and the Republican Strike Committee.

The Committee's election platform for the Supreme Soviet elections stresses that Estonia must remain part of the "renewed" Soviet federation, in which Soviet laws take precedence over Estonian laws. Any change in that status could only be made by the entire population of Estonia, and only by means of a referendum.

The Committee insists that Estonia's future must be based on socialism in its "Marxist-Leninist understanding" -- socialism "as the path of perestroika." In political terms, the Committee acknowledges the possibility of a multi-party system and advocates the abolition of constitutional guarantees of communist predominance.

The economic section of the Committee's platform reflected the concerns of its constituents: the directors of large enterprises and their mostly Russian-speaking labor force. Though it supports all forms of property which "exclude the exploitation of man by man," as well as the "illegal activities" of cooperatives and unearned income), it opposes reforms that would lower the living standards of the working class. The Committee backs Estonian economic sovereignty but argues that it can only be realized by maintaining economic ties with other Soviet republics. The platform advocates the independence of enterprises, kolkhozes and sovkhozes (as opposed to their subordination to republican authorities).

The Committee, which represents people who feel the Estonian national movement threatens their rights, calls for the elimination of all forms of national discrimination by the organs of state power, especially in the spheres of work, education, and other social rights. In this connection, it demands a review of all laws passed in Estonia since November 16, 1988 (when Estonia declared sovereignty and claimed that its laws took precedence over laws passed in Moscow) and the annulment of those that limit the rights of civilian and military residents, as well as any laws that contradict the Soviet constitution, the 1948 UN Declaration on Human Rights or the 1966 UN Convention on Civil and Political Rights.

The Congress of Estonia

Alongside all these organizations competing for seats in the Estonian Supreme Soviet--and complicating both that competition and the overall political situation--is a body that makes the Estonian political scene unique: the Congress of Estonia. The Congress of Estonia is the product of the Estonian Citizens Committee, an opposition movement established in February 1989 by the **Estonian National Independence Party**, the **Estonian Heritage Society** and the **Estonian Christian Union.** Supporters of the Estonian Citizens Committee argued that as a forcibly annexed, occupied country, the Republic of Estonia continues to exist *de jure* and therefore only citizens of that republic and their descendants have the right to decide Estonia's future. The Citizens Committees rejected Soviet institutions, including the Supreme Soviet, as illegitimate and began a campaign to register individual citizens, as well as those who sought citizenship in a future independent Estonia, with the aim of forming a congress to discuss Estonia's new political order. Over half a million people who had registered as citizens took part in elections to this congress from February 24 to March 1, 1990.

On March 11-12, 1990, the elected delegates convened the Congress of Estonia. The Congress itself is a 499-member alternative parliament, which includes citizens of the Estonian Republic of Russian background. Also included are 35 Estonians of foreign citizenship and 43 observer delegates chosen by non-Estonian aspirants for Estonian

citizenship. The delegates elected an 11-member Board and a 78-member "Committee of Estonia" as a standing executive body.

Having declared its right to represent the Republic of Estonia, the Congress passed several resolutions. Calling for the restoration of state authority and its transfer to a constitutional popular assembly, the Congress demanded that the Soviet Congress of People's Deputies end the illegal annexation of Estonia and withdraw Soviet troops under international supervision. The Congress appealed to the UN, to CSCE signatory states and the European Parliament to consider the issue of restoring Estonia's independence, and also asserted the territorial integrity of the Republic of Estonia based on the 1920 Tartu Treaty. Finally, the Congress of Estonia appointed a delegation to enter into negotiations with Moscow on the restoration of Estonian independence.

Some participants at the Congress urged a boycott of the Supreme Soviet elections, a prospect that greatly alarmed those who feared that the Supreme Soviet could wind up controlled by anti-independence forces. Eventually, however, delegates reached agreement on this issue and the Congress urged its supporters to vote in the March 18 elections.

Nevertheless, the relationship between these two institutions remains unclear and much will depend on the level of cooperation they manage to achieve (see **POLITICAL IMPLICATIONS** below). In any case, Estonia has played a pioneering role by developing the Estonian Congress. It is the first mass-supported representative body based on a rejection of Soviet institutions which has successfully presented itself as an alternative forum. Without any official status in Moscow's eyes, and lacking instruments to implement its decisions, it has transformed Estonian politics and become a powerful force.

THE ELECTION LAW AND CAMPAIGNING

Regulations and Procedures

The new Estonian election law was the product of negotiations between the electoral commission of the "old" Supreme Soviet and representatives of social organizations, including the Popular Front. Given Estonia's demographic situation, Popular Front experts preferred a proportional, rather than a majoritarian, election. Such elections involve multi-mandate constituencies: each constituency has more than one seat (as opposed to American practice, where majoritarian elections are the rule and winner takes all). According to EPF spokesmen, the Popular Front feared that majoritarian elections would result in an overwhelming defeat for Russian candidates, who, deprived of influence in the Supreme Soviet, might be inclined towards "extra-parliamentary solutions."

Eventually, a "single, transferable vote" system was agreed upon, in which voters label their preferences among the candidates in numerical order, starting with #1. The

first round of vote counting establishes the results of voters' first preferences. If the electoral district has more seats than the number of candidates who won on the basis of first preference, voters' ballots would be transferred to their less preferred candidates until the allotted number of seats was filled.

The first draft of the Estonian election law in October 1989 stipulated that candidates must have lived in the Estonian SSR for at least five years. The November 1989 final draft of the election law extended this residence requirement for running for office to ten years.

Another important change in the initial draft of the election law was the stipulation that candidates could only run in the district where they live or work. The "old" Supreme Soviet passed this law under Communist Party pressure, according to Popular Front spokesmen. They charged that the party's intention was to improve its chances in the countryside, where non-communist movements generally lacked local cells capable of organized political activity.

Official organizations, such as the Estonian Communist Party, and work collectives, as well as legally registered social organizations, such as the Popular Front, could nominate candidates. People could also be nominated by a "citizens' initiative," if they could collect 75 signatures of support.

Candidates in the Supreme Soviet elections did not run on any particular party ticket but rather as individuals, and could be nominated by several groups. For instance, one candidate in Tallinn was nominated by the Estonian Popular Front, the Tallinn Popular Front, the Estonian Writers' Union and the Union of Labor Collectives. It is therefore virtually impossible to offer a clear statistic on how many parties or organizations nominated what number of candidates. But figuring out exactly what a candidate stood for could be even more problematic, since he or she could be nominated by organizations with divergent goals--as did sometimes happen. Moreover, as Popular Front spokesmen pointed out, not being bound to a particular platform meant that candidates could change their position after being elected. This had happened after the December 10, 1989 local elections, and it remains unclear how this factor will play out in the Supreme Soviet elections.

Territorial election commissions ensured that nominees fulfilled all the requirements for registration and registered them. 474 candidates were ultimately registered as contenders for the Supreme Soviet's 105 seats. A Popular Front spokesman confirmed that all Popular Front nominees were registered. No representatives of any political movements in Estonia complained to Helsinki Commission staff about any problems or complications with the registration process.

All citizens of the Estonian SSR who were 18 years old, except for the mentally ill who were legally declared incompetent, and convicted criminals serving their sentences, could vote.

Structure of the New Estonian Supreme Soviet

The Estonian Supreme Soviet has 105 seats, a significant drop compared to the previous Supreme Soviet, which had 284 members. In contrast to the Soviet parliament in Moscow, which consists of a Congress of People's Deputies (one-third of whose seats were reserved for all-union organizations) and a Supreme Soviet (elected by the Congress), the Estonian legislature is comprised only of a Supreme Soviet, all members of which were directly elected for a five-year term.

Role of Troops

Of the 105 seats in the new Supreme Soviet, four were set aside for representatives of the Soviet armed forces. Troops stationed in Estonia and their family members, regardless of how long they had been in Estonia, elected these four deputies in single-mandate electoral districts formed in military units. A Popular Front spokesman, asked why that particular number of seats was chosen, explained that the Popular Front had not been involved in discussions on this matter, which was "decided" by the authorities.

Districting

In urban areas, the city executive committee drew up electoral districts; in the countryside, the regional executive committee carried out this function. According to EPF spokesmen, the Popular Front played no role in carving up electoral districts, which was done before the December 10 local and city elections (when EPF made gains). Each electoral district was allocated two seats and, on the basis of population, could be assigned additional seats.

Campaigning, Funding and Access to Media

Once registered, candidates were freed of their job responsibilities and continued to receive their salaries while engaged in campaigning. Candidates could have up to ten proxies to help conduct the election campaign and represent their interests with state and social bodies, voters and electoral commissions. Local electoral constituencies helped set up meetings with voters. Campaigning on election day itself was prohibited, except for previously posted printed materials outside the polling place.

Political parties and organizations could also organize public rallies by petitioning the city executive committee ten days in advance of the planned activity. Helsinki

Commission staff heard no complaints about the unwillingness of the authorities to permit rallies.

State funds set aside by the Estonian Electoral Commission covered the expenses of organizing the elections. Candidates' expenses were reimbursed by territorial election commissions. Individuals and organizations could use up to 5,000 rubles of their own money for campaign purposes.

The Communist Party newspaper published campaign statements by several candidates on a daily basis during the period between candidates' registration and the election, without any apparent bias. Estonian television and radio organized regular question and answer sessions in March for the candidates. Candidates from several districts participated in these exercises, in which each of the candidates answered the same question, as well as questions addressed specifically to him or her by the moderators. Candidates could not make use of electronic media except during these assigned times. Consequently, one candidate who was a television journalist could not appear on his medium except when taking part in debates with other candidates.

Complaints

Popular Front leader Edgar Savisaar complained about the following aspects of the elections, which, he argued, favored the Estonian Communist Party: the four seats automatically assigned to Soviet troops, the ability of candidates to run as individuals instead of on a party ticket, the requirement that candidates run in the district where they live or work, and Communist Party control of the mass media.

Other Popular Front representatives echoed these complaints, focusing on unequal access to the media. They charged that the press, especially the daily press, was under Communist Party control (and no non-communist parties or organizations publish a daily newspaper, though they do release publications on a less frequent--usually weekly--basis). As for television, it broadcast daily reports on the actions and speeches of Party leaders. Journalists also received unequal access to Party candidates, with greatest favor shown to those who presented their subjects in a more favorable light. One Popular Front spokesman conceded, however, that the Communist Party could have made greater use of these advantages than it actually did.

The Committee for the Defense of Soviet Power and Civil Rights, on the other hand, railed against alleged Popular Front control of the media. Its spokesmen acknowledged that they had been treated equally in television debates but complained about not having access to the Estonian press. They charged further that typographers in Estonia had refused to deal with them, which forced them to print their campaign posters in Leningrad.

With respect to districting, Committee representatives claimed that electoral districts had been deliberately drawn up so as to keep the Russians from getting one-third of the Supreme Soviet's seats. They also charged that membership of the republican election commission did not reflect the proportional strength of the Russian population in Estonia.

Boycotts

Forces associated with the current Committee for the Defense of Soviet Power and Civil Rights, such as the United Council of Labor Collectives and Interfront, boycotted the elections to local and city soviets on December 10, 1989, because of their objections to residence restrictions in the electoral law. They reconsidered this approach for elections to the Supreme Soviet and campaigned actively for seats in the legislative body with the capacity to pass laws that could fundamentally affect their interests.

THE BALLOTING AND RESULTS

Voting

Voters came to polling stations with some form of identification (generally a passport), which they presented to election officials who checked the name against a list of voters living in that particular constituency. A voter whose name was not on a list could check with a supervisor who had a supplementary list of names, usually of people whose change of address occurred too close to election date to be registered. Helsinki Commission staff observed a few instances when people whose names were not on either list complained to the supervisor, who obligingly included their names on the supplementary list.

Ballots were distributed to polling stations based on the number of voters in the constituency, plus some extras in case of need. Separate ballots were available in Estonian and Russian. They listed all the candidates and the organizations that had nominated them. In order for a ballot to be valid in the preference system, "#1" had to be marked next to one candidate's name. There appeared to be few instances in the polling station visited by Helsinki Commission staff when voters, who were accustomed to marking ballots with an "x" or crossing out names, misunderstood the instructions (which were broadcast nightly before the elections). Those who needed clarification could ask a supervisor.

People who could not vote because they were ill could send someone to the polling station who would inform the supervisor. Two election officials periodically visited such addresses with a small ballot box to collect the votes.

The polling station observed by Helsinki Commission staff contained a booth with curtains, but the curtains remained open, as voters apparently felt no need to deliberate

or vote in secret. There was no evidence of intimidation or pressure applied to voters. According to Komsomolskaya Pravda (March 23), voter turnout was 78 percent.

Counting

Vote counting began immediately after 8:00 pm on election day, when polling stations closed. The Estonian Central Electoral Commission made no provision to place people in polling stations to observe the fairness of the initial count. More surprising, perhaps, neither did the Estonian Popular Front. One EPF candidate told Helsinki Commission staff who accompanied him to watch the counting that there were too few people for too many polling stations and that the Popular Front was not disciplined enough an organization to order its supporters to monitor this activity. It was therefore left to those interested enough to do it.

The initial vote counting at each polling station--all of which was done by hand, with the ballots laid out in separate piles for each of the nominees--sought to determine the number of "#1" votes for the individual candidates. Subsequent counting operations, which determined voters' choices other than their first preference, were performed in territorial electoral commissions.

Results

Elections were considered valid if at least half of the voters on the voters' list participated. Because of the complicated nature of the vote transference procedure, it took several days after March 18 to gain a reliable picture of the outcome. Komsomolskaya Pravda published the following synthetic results on March 23: the Popular Front and its allies received 49 seats, 29 seats went to the bloc composed of "Free Estonia" and Communist Party, and the Committee for the Defense of Soviet Power (including the four seats reserved for the military) won 27 seats.

Because openly pro-independence forces did not win two-thirds of the seats, they will not be able to make constitutional changes on their own. On the other hand, the anti-independence bloc did not gain enough votes to constitute a one-third minority, which would allow it to thwart unilaterally such changes. Some form of coalition rule is therefore necessary.

POLITICAL IMPLICATIONS OF RESULTS

The current standoff between Moscow and Vilnius will obviously play a key role in shaping developments in Estonia and the Kremlin's response to them. Having observed Gorbachev's reaction to specific steps, such as a declaration of independence, both pro-

and anti-independence forces at least know what to expect. They can therefore consider various options in determining their strategy and tactics.

Legitimized Political Role for Non-Communist Forces

Unlike Lithuania and Latvia, Estonia did not abolish the constitutional guarantee of the Communist Party's control of the political process before the Supreme Soviet elections. That legal formality, however, did not change the reality of a free multi-party election on March 18. The results of the voting mean that representative government, in which the Communist Party does not automatically control the political process, is now established in Estonia. Only Moscow-orchestrated repression could alter this new reality.

Impact on Communist Influence Over the Political Process

Irreconcilable differences within the Estonian Communist Party finally produced an open break at the March 23-25 Party Congress, when the Party split. Most delegates came out in favor of full Estonian independence and voted to become independent of the CPSU. However, presumably as a gesture towards Moscow and moved to circumspection by the uncertain outcome of ongoing events in Lithuania, they decided to put off implementing this latter decision until after the 28th CPSU Congress in July 1990. A minority group, composed mostly of Russians, refused to go along and formed a pro-Moscow loyalist party. (Initially, yet another faction emerged from the congress but it has since joined the pro-independence group).

The pre-election factionalization and subsequent formal breakup of the Estonian Communist Party ruled out any concerted attempt by the "Communist Party" to run politics in Estonia. Nevertheless, individual Supreme Soviet deputies who remain "communists" will try to influence legislation by forming coalitions with other deputies. In this respect, those who ran and won on the "Free Estonia" platform appear poised to exert significant influence on the parliament's deliberations. Composed mostly of well-known, reformist-minded communists, this group of deputies has avoided taking a clear position on full Estonian independence, as opposed to autonomy within the USSR. They may be less inclined to take risks for independence and more susceptible to Moscow's warnings against moving towards independence than other Supreme Soviet deputies.
However they lean, the political arithmetic in the Estonian Supreme Soviet will permit them to navigate between the pro- and anti-independence factions. Since they hold the swing votes, they will be subject to enticement--and pressure--from both sides.

Relations Between the Supreme Soviet and the Congress of Estonia

The Congress of Estonia and its determined pro-independence stance complicate the political situation in Estonia, which now has two "authoritative" elected institutions. A key question mark is what sort of relationship develops between them. On March 28,

the Congress of Estonia handed over its authority temporarily to the Supreme Soviet. Two days later, the Supreme Soviet suspended Soviet authority on Estonian territory, declared the continued juridical existence of the interwar Estonian Republic and announced the beginning of a transition period to restore it. The Supreme Soviet also stated its readiness to cooperate with the Congress of Estonia, which it recognized as "the representative body of the citizens of the Republic of Estonia" and as "the restorer of state power of the Republic of Estonia."

This marks a surprisingly promising beginning, considering that the Congress sees itself as having legislative initiative and views the Supreme Soviet, which controls the only existing administrative apparatus, in exclusively instrumental terms. Congress of Estonia spokesmen explain that an ongoing campaign to take over this administrative apparatus has now begun and the Congress expects the Supreme Soviet eventually to dissolve itself. In one scenario, it and the Congress of Estonia will jointly organize new elections to a new representative body.

On the other hand, these optimistic forecasts may not materialize. The Estonian Supreme Soviet could become deadlocked in its independence drive, because of the correlation of forces within it, or in the face of severe pressure from Moscow. It may also refuse to cooperate in planting the seeds of its own dissolution. In either case, the Congress of Estonia could reconsider its cooperative stance and an open battle for exclusive political legitimacy may emerge.

Moscow's Likely Relations with New Political Forces

Moscow's attitude towards the institutions of power in Estonia will depend on two factors: how determined the Soviet leadership is to prevent the restoration of Estonian independence, and whether Estonian political forces try to realize independence over the Kremlin's objections.

Since the Congress of Estonia rejects the legitimacy of Soviet institutions, Moscow will focus its attention on the Supreme Soviet. Unless that body actually declares independence and precipitates a Lithuania-style crisis, Moscow will probably not question its legitimacy or threaten to dissolve it. Rather, it will try to influence its deliberations and decisions. Given the Supreme Soviet's makeup, Moscow has greater chances of success than it had in Lithuania after February 24. So long as the Kremlin opposes Estonian independence, it can count on the cooperation of anti-independence deputies in the Estonian Supreme Soviet. Moscow will use a variety of methods and arguments to pressure the remaining deputies, focusing on the "Free Estonia" bloc.

As for relations with social forces, Moscow's natural allies are the highly mobilized anti-independence group of non-Estonians in Estonia. Some of their representatives told Helsinki Commission staff that if the Estonian Supreme Soviet fails to take account of

their concerns, they might resort to strikes and civil disobedience. Soviet behavior in Lithuania indicates that Moscow can be expected to support such actions in Estonia.

Projected Legislation

Before these elections, the "old" Supreme Soviet had already translated into law many demands of the Estonian national movement. In February 1990, it established a commission to negotiate with Moscow about Estonian independence, on the basis of the 1920 Treaty of Tartu between Estonia and Soviet Russia. The restoration of Estonia's independence is the priority item on the agenda of the new Supreme Soviet. Its March 30 resolutions indicate that it can muster votes for strong pro-independence moves. The explosiveness of the issue, however, and the anxiety generated by the Lithuanian experience will likely lead to a different approach, in which the creation of the necessary supportive structures precedes any declarations of independence.

Other important items on the docket include reforming the economic system in the direction of market relations and privatization, taking over the executive organs of power, and addressing the burning issue of Estonians serving in the Soviet armed forces. Economic issues will cause few problems for the Soviet leadership, which may well actively support it, if only to try to divert Estonians' attention from political independence. This does not mean, however, that Moscow will simply acquiesce in Estonia's taking over all-union enterprises in Estonia.

Estonian attempts to gain control of institutions like the KGB are sure to meet opposition from Moscow, and unless the Soviet leadership softens its attitude towards Baltic independence, it is unlikely to agree to exempt Balts from military service. More acceptable compromise options for the Kremlin could be laws on alternative service or agreements to allow Baltic conscripts to serve in the Baltic Military District. Up to now, Moscow has rejected repeated requests by the Baltic national movements for precisely such arrangements.

Implications for Washington

The U.S. role in the Baltic crisis thus far has been essentially reactive and it probably will remain so. Certainly Washington will continue to warn Moscow of the consequences of using violence to crush the Baltic independence drive. But if Estonia and Latvia follow the Lithuanian lead and issue declarations of independence, Washington will have to decide whether a united Baltic front warrants a more openly supportive stance on the part of the United States Government.