



Ando Leps

# **REFLECTIONS AND REMEMBRANCES**

of a Pupil of the  
University of Tartu

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Tallinn  
2017



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This book handles in the first place the matters related to biography of Ando Leps, his formation as a scientist, his scientific achievements and some thoughts about a scientist, as a personality. The book also presents some thoughts of politicians, scientists and journalists of six countries about author of the book.

The book presents eight articles written by the author in 1988-2016, which characterise his views on most important social-economic and juridical problems of Estonia and also the whole world.

The book can be recommended to jurists, philosophers, sociologists, political scientists and psychologists; to lecturers, doctoral students, post-graduate students and undergraduates.

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## From the editor

Author of this book is an internationally recognized Estonian scientist in law Ando Leps. The book contains ten paragraphs of which the first speaks about his biography and formation as a scientist. The second part is dedicated to the opinion of politicians, scientists and journalists of six countries about the author. The third part is related to the mediaeval baroque-style historical Narva, one of the most beautiful towns in Europe, which was almost fully destroyed during the war. It is the hometown of mother of the author of book. The fourth and the fifth parts speak about one of the most famous universities of Eastern Europe – the University of Tartu. They recount about the author of the book having studied at the Department of Law and Economics of the University, and about the fire in the main building of the University. In the sixth part the author bestows a fleeting glance on his first trip abroad, when he was at last allowed to travel without USSR, to Bulgaria as a matter of fact, as late as at end of the summer 1988. The seventh paragraph is dedicated to one of the certainly grandest interrogations in the nearest history of Europe, held on 7 August 1991, immediately before the coup in Moscow (19-21 August 1991). In the eighth part the author claims that the Soviet-period mentality still thrives in the Republic of Estonia. Of interest is the comparison in the ninth part of the State of Rome and the State of Estonia. In the tenth paragraph the author considers the most important political, economic and juridical events witnessed in the whole world in the past one hundred years.

The book contains ten articles, written at different time, therefore there are repetitions in some places of the text, but as the ancient saying goes: *repetitio mater studiorum est*.

The author of the book expresses his thanks to the specialist in English PhD Ants Pihlak, who edited the text and provided some help in solving some minor linguistic issues cropping up in the process.

Enjoy your reading!

Rector of the EuroAcademy (Tallinn)

Member of Academy Yuri Martin

## *Section one*





# Curriculum vita of Ando Leps

I was born on 06 November 1935 in North Estonia, in the Virumaa County, the town of Rakvere. My father August Julius Leps (02.01.1896 parish of Adavere, county of Viljandi – 26.02.1972 Stockholm, Sweden), was attorney at law and politician, member of Riigikogu of the IV and V compositions in 1929-1937, participant of the War for Independence (1918-1920) (enlisted as a student). Mother Julie Leps (maiden name Sahk) (05.03.1893 parish of Imavere, county of Viljandi– 05.03.1985 Rakvere) was teacher of music and foreign languages. Father graduated from Department of Law of the University of Tartu in 1923 with the diploma of the 2nd class and in 1924 with the diploma of the 1st class. In Sweden he worked at library of the Uppsala University, as many representatives of Estonian intelligentsia did. He also helped the doctoral students at writing their doctoral theses. Father was proficient in about 10 foreign languages. See for instance: August Leps. Väikeriik ja diktatuur. (A small country and dictatorship) // Akadeemia 1937, no. 5; Mitte sotsialism vaid kodanlik demokraatia. (Not the Socialism but the bourgeois democracy) // Akadeemia 1940, no. 1; Eesti maarahva ülikonnast 13 ja 14 sajandil. (Nobility of the Estonian country folk in the 13th and the 14th C.). Uppsala. 1959, manuscript; Mälestusi... (Recollections...). Uppsala-Stockholm. 1957-67, manuscript.



*The Leps' family spending the summer in Narva-Jõesuu in 1938. Up front - father August Julius, Ando, mother Julie and brother Aaso; behind - brother Olaf and sister Astrid. It is the sole photo preserved, where the whole Leps' family are together.*

I started my path of school in 1943 in the 1st 6-year school of Rakvere. In 1950 I went to the 1<sup>st</sup> Secondary School of Rakvere. In 1954–1955 I studied on recommendation of Prof. Gustav Ernesaks at Tallinn and Tartu Music Secondary Schools. Because the Music Secondary School did not relieve one of the duties of service in the Soviet Army, I finished the 1st Secondary School of Rakvere in 1955 as external student. My performance was not especially outstanding in comprehensive education schools, because I did not fully feel the need to study. I was too versatile and had too many various hobbies.

I have been surely much influenced by my childhood home. My father, who was a politician-attorney at law, is said to have been a very upright man. This drive for integrity has been inculcated in me since boyhood. I saw him last when I was almost 9, in September 1944. My father fled the red terror, because such scum like Johannes and Olga Lauristin and others had been after him already in 1941. All father's assistants were killed. We did not know where the father had gone and whether he had altogether got to the West over the Baltic Sea. It was only a couple of years later that mother learned through relatives that father was alive and was residing in Sweden.

I have a long memory reaching well into the past of the days when in mornings of Sundays I visited Rakvere with mother, during the German occupation. We went to the cinema "Skala" in Pikk Street, where children's films were shown, such as Mickey Mouse "Wild Waves". Before the children's films the topical newsreels were shown, also shorter films. I remember the film about the Boer-British wars in South Africa from end 19<sup>th</sup> C. – beginning 20<sup>th</sup> C., where British invaders displayed savage cruelty with regard to peace-loving Boers, in particular children, women and the elderly. I have also deep memory of the newsreels, showing endless rows of Russian POWs, which depressed me. Because I have always stood up for the underdog, those scenes impressed on me the value of honesty – to live honourably, to harm no one, to give to each his own.

In 1955 I received an invitation from the Symphonic Orchestra of the Estonian Radio to appear for an interview regarding my suitability for the position of an assistant concert-master of French-horn instrument group. I did not answer the invitation, because in 1955 I succeeded in enrolling at Department of Law and Economy of the Tartu State University, which I graduated from in 1960 with the qualification of jurist.

I got the degree of Candidate in Law in 1982, at the USSR Academy of the Ministry of the Interior, Moscow. My dissertation was titled "Imitational modelling of social determination of criminal activity in a major region". I got the degree of Doctor in Law in 1992, at the University of Tartu. My dissertation was titled "Criminal activity in Estonia (theoretical and practical issues of comparative treatment of criminal activity)". It would be to a point to say a few words about the defence of my doctoral disserta-

tion at the University of Tartu. I defended the doctoral dissertation, actually monograph „Criminal activity in Estonia (theoretical and practical issues of comparative treatment of criminal activity)” in the hall of Learned Council of the University of Tartu on 19 June 1992. Chairman of the doctoral council was Prof. H. Siigur, deputy chairman Prof. I. Rebane. Opponents (reviewers) were Prof. Y.I. Gilinskiy and Prof. L.I. Spiridonov (both from St. Petersburg) and Prof. D. Seps (Riga). Invited members of the council were Prof. G.F. Khokhryakov (Moscow) and Prof. D.A. Shestakov (St. Petersburg). Involved were also Prof. J. Bluvshstein and Prof. V. Justitskis (both from Vilnius). In the the proximate future, the participation at the University of Tartu of scientists of so many countries at defending one doctoral work will evidently not be witnessed any more. On the Day of the University of Tartu on 1 December 1992, I was acclaimed as merited to hold the academic scientific degree of Dr. habil. iur; Dr Sc. with Diploma no. 39.

Although I have been in politics quite a while, I consider myself a scientist, in the first place. I have been in science at least 45 years. I consider my first scientific article of note to be «Сравнительное исследование структуры преступности при помощи ЭВМ» (Comparative research of the structure of criminal activity with the help of computers) published in Vilnius in 1973 (basing on materials of the all-Union conference of 1971), which was a totally new sheet in the study of criminal activity and has not lost its novelty until now.

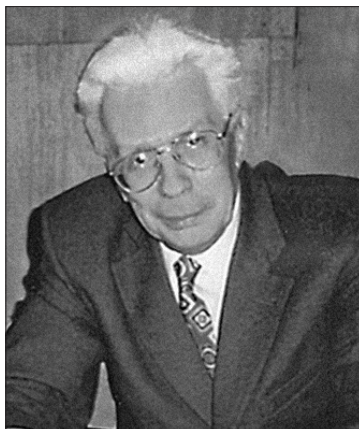
In my formation as legist I owe thanks to well-known Professors of law: Helmut Kadari (1903-1976) Tartu, Ilmar Rebane (1912-1995) Tartu, Inga Borissovna Mikhailovskaya (1931-2014) Moscow and especially to Lev Ivanovich Spiridonov (1929-1999) St. Petersburg.

H. Kadari delivered to me the general part of criminal law and was supervisor of my diploma work; I. Rebane delivered to me the special course of criminal law; I. Mikhailovskaya was supervisor of my Candidate's dissertation.

I got acquainted with L. Spiridonov in summer 1977, when I participated at higher courses of staff officers of the USSR Ministry of the Interior held in The Trinity Lavra of St. Sergius (Russian: Троице-Сергиева Лавра), the most important Russian monastery founded in 1734 and the spiritual centre of the Russian Orthodox Church. The monastery is situated in the town of Sergiyev Posad, at Strelna near Leningrad, where I also made acquaintance with notable legists, philosophers, psychiatrists, psychologists, sociologists of Leningrad and representatives of other areas. Dating from that time was also my acquaintance with Professor Lev Ivanovich Spiridonov, whom I consider my best teacher. He was a very intelligent gentleman, the brightest among philosophers of law in the whole world, in the second half of the past century. He was also the so-called first opponent (reviewer) at defence of my candidate's and doctoral work. At defence of my doctoral work at the University of Tartu he said in his speech







*Prof. Lev Ivanovich Spiridonov*

that it followed from the statements of the doctoral student that the others did not know much of anything...

In his last book «Теория государства и права» (Theory of state and law), St. Petersburg, 1995 he wrote the following dedication to me: «To dear Ando Leps – my best friend – to be happy and succeed in scientific and political career» 29.06.96 L. Spiridonov.

Professor L. Spiridonov had up his sleeve a very ingenious question about me, which he sometimes presented at get-togethers of scientists with a wicked smile. “Do you know what the most important town is in the world?” He then looked mischievously at audience and answered– “Rakvere, because Leps comes from that town.”

Who was L. Spiridonov? He was born on 9 April 1929 in Leningrad. His father, a mathematician was shot in 1938 as enemy of people and his mother, as spouse of the „enemy of people“ was sentenced to 10 years in prison. He was raised by grandmother, who was helped by other residents of house. He was not admitted to school being the child of the „enemy of people“... He managed to get to school for the first time to the 5th form. During the studies his performance was invariably graded as excellent.

He told me an instructive story about his grandmother from the time when he was not yet at school. They had been eating soup at dinner time. „I said to grandmother that there was no God. Grandmother put the spoon on table and asked: How do you know? From the books, I said. Grandmother said that all contained in books need not be true. She explained: When you are eventually admitted to school, in the elementary classes and later at secondary school you must answer to teachers as is

written in books, otherwise the teachers will go for you and treat you like dirt. In case you manage to make it to the university, in the junior courses you must still consider the positions of the members of faculty. As an undergraduate you may express some doubt about some of their positions, but the lecturers will generally resent it“.

During the Leningrad blockade he worked as a waterworks man. In 1952 he graduated from Leningrad's Kalinin Institute of Law *magna cum laude*. He would naturally have liked to study at Leningrad State University, but he was not welcome there. Later he was a lawyer. He defended the Candidate's thesis in 1966 and the doctoral thesis in 1973 (his most important scientific book „Social development and right“); he was Professor of St. Petersburg and Moscow, Merited Scientist of the Russian Federation.

L. Spiridonov died on 7 December 1999 in St. Petersburg. At his burial (funeral repast) at St. Petersburg State University, gathering Russia's and foreign orators, my speech was unexpectedly called as the third. I do not remember exactly what I said because I was speaking impromptu, but I remember saying that for many scientists Professor L. Spiridonov's legal-philosophical positions were too novel and therefore not always understandable, which mention met with an applause.

I and Professor Y. I. Gilinskiy are founding members of the Baltic criminological seminars. Upon initiative of a group of colleagues from Estonia, Latvia, Leningrad and Moscow (Professors Y. Bluvshstein (Lithuania), S. Boskholov (Lithuania), Y. Gilinskiy (Leningrad), A. Dobryninas (Lithuania), V. Kogan (Moscow), A. Leps (Estonia), E. Raska (Estonia), D. Seps (Latvia), V. Justickis (Lithuania) a decision was taken to hold the Baltic criminological seminars annually in rotation in every republic of the Baltic and in St. Petersburg. The first Baltic criminological seminar was held in Estonia, at Kääriku near Tartu in 1987. I have participated at all of them (the XXVIII seminar was in May 2016 in Tallinn),

Colleagues from the Baltic region have been joining in (Finland, Sweden, Norway, Germany, Poland), and also from other countries – from Hungary to the USA. Frequently attending the International Baltic criminological conference have been outstanding scientists: Nils Christie (Norway), Klaus Sessar and Helmut Kuri (Germany), Jerzy Jasinski and Monika Platek (Poland), Ferenc Irk (Hungary), Miroslav Scheinost (Czechia), Jon Spencer (GB), Louise I. Shelley (USA).

I obtained complementary further education in law in Erfurt, Villingen-Schwenningen, in Freiburg, in Onati (Spain) and in Cambridge in 1994–1995. In 1999–2006 I was visiting professor of the Private University Academy Nord, chairman of examination commission for Bachelor and Master and for defence of graduate works of Department of Law; in 2008–2010 - visiting professor. In 2000–2011 I was chairman of board of trustees of the Private Higher School Institute of Social Sciences and the Humanities and chairman of commission for defence of graduate works of De-

partment of Law, Professor. I participated in 2008–2012 as a foreign expert, upon invitation of Latvian Higher Education Quality Assessment Centre at assessment of curricula of departments of law of Latvian universities. I am an internationally recognized legist. To celebrate my 75th birthday the Estonian National Library organised an exposition.

My areas of research are criminology, constitutional law and politics. I participated at composing several draft laws; among others I am author of one draft Constitution of the Republic of Estonia. I have thoroughly researched and developed the comparative treatment of criminal activity. I have studied criminal activity of Estonia, the Baltic States, the former USSR, Europe, various continents and the whole world. I was the first to take into use in comparison the first degree murder or voluntary manslaughter, the most heinous crime: I established the ratio of intentional homicide and population. I was the first to make public the classified data of the criminal activity in the USSR. I have written political articles about presidents of the Republic of Estonia (Konstantin Päts, Lennart Georg Meri, Arnold Rüütel, T. H. Ilves).

In 1960–1995 I worked in several positions in the system of Ministry of the Interior: investigator, senior investigator, investigator of especially important cases, staff officer, and chief specialist of the Investigation Board. From end of 1980-ies to beginning of 1990-ies I was member of bureau for combating criminal activity at Presid-



*Registration of marriage in Tallinn, 19 December 1959*

ium of Supreme Council of ESSR. In 1991 I was member of governmental commission of liquidation of KGB. In 1992–1994, I was deputy head of expert group of draft laws specified in the Constitution of the Republic of Estonia (head of expert group Prof. Ilmar Rebane). I was member of the State Commission of Investigation of Repressive Policies of Occupations - since formation of that Commission in 1992 until termination of its activity in 2005 (chairmen of the Commission at various periods were the author Jaan Kross and Prof. Vello Salo). I am member of editorial boards of international sociological and law journals of various countries. I was member of administrative council of the Nõmme borough of Tallinn in 1993–1996, 1999–2002 and 2006–2013.

In 1959 I married the dentist Kaie Leps (maiden name Tõnuri) (1936, Rakvere). We have children: dentist Anu Klemmer (1960, Rakvere) and administrator Krõõt Leps (1974, Tallinn). My senior brother, chemical engineer (Tallinn University of Technology, 1966) Olaf Leps (17.03.1926, Narva - 20.02.2015, Tallinn) survived as German soldier the Czech hell and Vorkuta prison camp coal-mines. He was later chief engineer of the Rakvere Plant of Commercial Inventory and over 55 years chief conductor of the men's choir "Rakvere" (holder of the Order of White Star, the 5th Class, 2003, honorary citizen of Rakvere 1999). Sister Astrid Pommer (1927, Rakvere) is a German philologist, docent (University of Tartu, 1952) and has been member of faculty of the University. The brother-mathematician (University of Tartu, 1956) Aaso Leps (1932, Rakvere) was head for studies and director of Tallinn Chess School, being responsible for training the Estonian youth teams.

## *Scientific career*

I am presently a person standing outside science in the state of Estonia, in particular after I tried to publish my article „Crisis in science of law, incl. in criminology“ in 2010, both in the juridical journal of Department of Law of the University of Tartu *Juridica* and in *Riigikogu Proceedings*, which the editors did not dare publish, although it has been published in Russian and English in several countries. Nevertheless it seems to me that in the current-day social sciences (in particular sociology), the criminology is the most important science altogether. I delivered the said article as a research paper at the meeting of the Estonian Club of Rome meeting in Tallinn, 25 November 2009. I am a long-standing member of the Club.



*Following is a short statement on  
my scientific activity:*

**First.** I may confirm with assurance that I was the first to disclose the classified data on the criminal activity in the USSR. It is of interest to note that the level of criminal activity in the USSR was much lower as compared to the capitalist Western states, but the number of crimes was increasing and that was at blatant variance with the general Socialist world outlook (See also: А. Лепс. Влияние социально-демографических процессов на преступность (к проблеме разработки показателей). Таллинн, 1981). А. Leps. The influence of socio-demographic processes on Crime (to the problem of development of indicators). Tallinn, 1981).

**Second.** I was evidently also the first trying to show comprehensively in my candidate's dissertation of 1982 the mathematical model of the social phenomena causing criminal activity (See also: А. А. Лепс. Имитационное моделирование социальной обусловленности преступности в крупном регионе. // Кандидатская диссертация. Академия МВД. Москва, 1982. А. А. Leps. Simulation of social conditionality of crime in a large region. PhD thesis. Academy Of Ministry Of Internal Affairs. Moscow, 1982).

**Third.** In my doctoral work (monograph) published in 1991 I studied thoroughly criminal activity in Estonia and the respective views of our scientists; I treated comparatively the criminal activity in 95 countries (because at the beginning of 90-ies, only those countries had revealed their data) through the intentional homicide, evidently being the first in the world to tackle the issue in that vein. (See also: Ando Leps „Comparative Analysis of Crime: Estonia, the other Baltic Respublics, and the Soviet Union.“ // International Criminal Justice Rewiew. Volume 1, 1991. Published by The College of Public and Urban Affairs Georgia State University P.P. Box 4018 Atlanta, GA 30302-4018 U.S.A.). This article spread my reputation in the entire world.

**Fourth.** In scientific research the subject matter of science is more important than the object of science, regardless of the fact that the Russian Federation Higher Attestation Commission erroneously deems the object of science to be more important than the subject matter of science.

**Fifth.** Right and legislation i.e. positive right are two drastically different phenomena, where the latter derives from the first. Unfortunately the Estonian legists fail to understand that. For instance, the capitalist as owner enjoys the right to obtain surplus value or God on Earth in its various forms without doing work or with little work. It is to be remembered that surplus value is primarily a social category, and not an economic category, as was wrongly assumed by Member of Academy U. Mereste. The right of capitalist or owner to obtain surplus value is enshrined in legal acts. The

salaried personnel do not have that right. Our legists deplorably have failed to understand that (or do not want to admit it). On the level of Being everything is concrete (e.g. offence or crime), and on the level of Substance it is probable (e.g. the criminal activity). There is no difference made between the two, most unfortunately.

**Sixth.** Infraction of law as offence or crime is the manner of obtaining surplus value in violation of the positive right, i.e. juridical laws, and that has been said in the world literature *for the first time*. All phenomena on the level of infraction of law as offence or crime are studied on the basis of the method of formal logic. Infraction of law as criminal activity is studied on the basis of the method of dialectical logic. This has also been said in the world literature *for the first time*.

**Seventh.** This point, also said for the first time in the *world literature*, sounds as follows: *capital as surplus value obtained* in contradiction with positive right or applicable legislation or God on Earth is *criminal activity* and *vice versa* - criminal activity is capital. Without capital the modern capitalist society cannot exist, however the reverse side born of it – the criminal activity (no good without bad and vice versa, no God without Satan and vice versa) is the phenomenon, of necessity accompanying it.

**Eighth.** I have highlighted, *for the first time said in the world literature* three laws of criminology (sociology) regarding criminal activity, being fitted into a match with Isaac Newton's three laws of mechanics in a slightly other sociological form. However as is known, Albert Einstein said that Newton lacked at least one „law of mechanics“. That law underlies the theory of relativity, after A. Einstein. I have adopted also that so-called fourth law enunciated by A. Einstein, to disciplines of sociology.

**Ninth.** I also treat the positions of world-known Russian neurologist Vladimir Bechterev and the first neurosurgeon in the world of Estonian descent Professor Ludvig Puusepp in *formation of personality*, which are especially important for understanding the criminal activity.

**Instead of a conclusion.** In order to get a more or less integral picture of the aforesaid, those matters must be studied with utmost diligence (just reading would not be enough), because the method of dialectical logic (methodology) of the world-famous German thinker Hegel is extremely complicated. All aforementioned works have been mainly published in various countries (e.g. Latvia, Lithuania, Austria, Russia, Germany, Spain, Italy, Azerbaijan, Kazakhstan and elsewhere) in Russian, English, Italian and German, because there has been no place to publish them in Estonia.

## *My opinion on present Estonian jurisprudence*

I nurture an understanding, ever deepening that Estonian legists, especially those from Department of Law of the University of Tartu, know relatively little of basic truths of jurisprudence (which I sadly have to admit, because I am myself pupil of the *Alma Mater*).

The impacts of the modern capitalist society are tangible, with leading figures of various states being constantly murdered and put behind bars etc. At the same time super-rich private persons can afford buying up the whole countries like Estonia, Latvia, Lithuania and other minor and midget countries. The said fact has been highlighted by high clericals, among them quite recently by Pope Franciscus, saying that in such form capitalism can no longer exist in the world, because the most important thing there is in the world – the human life does not carry any value, which will bring the world to its demise. “Man as man is to be recognised to be of infinite worth and to have infinite rights”. A question suggests itself of whether the modern international law has any value? It does not look so. The international law is the law of the mighty, or “the sovereign is not bound by the laws” (Ulpian). For instance the USA, posing as a ruler and policeman of the world, keeps reiterating: since human rights (meaning “the American ways of life”) are being violated from place to place, the Americans should be entitled to bring guilty parties to account. God Almighty, what on earth might they do next! Beside that, the so-called international law does not even belong within realm of jurisprudence, because it has not been codified.

### *The goal of every self-respecting scientist should be:*

**First.** To bring by his research, within limits of his best understanding and capacity, unselfishly benefit to other members of society and not to incur through his research damage to his country.

**Second.** To try overtaking and passing his teachers, so that they could lie in peace in their graves.

**Third.** The work of a societal (social) scientist is a solitary job, done in „the silence and twilight of an attic room with dormer“. It is only the work well done that can be discussed. I dare say that work in the cowshed-type institute premises (presently commercial organisations) is sheer waste of time and funds. Naturally there may be opinions to the contrary. However methinks science can be done by a *free and unin-*



hibited man; money should not be of essence when you are studying social sciences.

**Fourth.** The German scientific genius Hegel said that the master looks upon his slave not as a person, but as a selfless thing. The slave is not himself reckoned an 'I' -- his 'I' is his master. It is also so in science, both in universities and other research institutions, where subservient researchers currently do whatever leading researchers want them to do, like in ministries, where ministers „fag“ the PM, and do not serve the people. The target of a scientist should be to divest himself of the status of „slave“. For that he must do something at which the world would stand in awe.

*The Republic of Estonia must fulfil the norms  
specified in the Constitution,  
while it is actually defaulting on them...*

**First.** I will present an example most curious. The Constitution Clause 60 Section 3 says: „Regular elections to the Riigikogu shall be held on the first Sunday in March of the fourth year following the preceding Riigikogu election year.“ There is no mention of pre-elections and e-voting, violating section 1 of that clause „Elections shall be general, uniform, and direct. Voting shall be secret.“ Hence our supreme authorities: President, Speaker of Riigikogu, PM, Chairman of Supreme Court, Chairman of Electoral Commission and Chancellor of Law violate with obscenity the stipulations of Constitution.

**Second.** Is the Tartu Peace Treaty of 2 February 1920 between the Republic of Estonia and the Soviet Russia (Russian Socialist Federative Soviet Republic) - the international agreement made in Tartu, terminating the War for Independence and laying down the eastern border of Estonia, whereby the Soviet Russia recognized independence of the Republic of Estonia - still effective? The present state protectors do not seem to recognize it... Significantly the said legal act was the first international agreement between states with different regimes!

**Third.** President of the Republic of Estonia Ms. Kersti Kaljulaid was not elected under Constitution of the Republic of Estonia and Riigikogu Election Act, but on the basis of vote of the Riigikogu's Assembly of Elders, which „community“ the Constitution of the Republic of Estonia and the Riigikogu Election Act do not know... That non-juridical „community“ was supervised, with exorbitant zeal by Speaker of Riigikogu Eiki Nestor, who is supposed to be expressly vigilant as regards the precise fulfilment of juridical norms.

The so-called Riigikogu's Assembly of Elders made on 27 September 2016 a proposal





to Kersti Kaljulaid to stand for presidency of the Republic of Estonia. A question suggests itself, why to her specifically? In 03 October 2016 Kersti Kaljulaid was elected (essentially appointed), in the first round of the Riigikogu presidential elections President of the Republic of Estonia. The investiture took place on 10 October 2016. She was a person absolutely strange to the predominant majority of the people of Estonia...

**Fourth.** There is a wide-spread opinion not fully groundless that the present President had been already earlier, in summer 03.09.16 appointed President of the Republic of Estonia under the decision of Freemasons or by decision of some other powerful group of persons?!

On the website presenting the female presidents of the world “Worldwide guide to women leadership” her name was indicated as early as 03.09.16, i.e. over one month before the “elections”. Her name was written Kersti Kaljulai, with the last letter [d] missing. She was curiously titled “President elect”. She was kept on the site even on 03.10.16 in the morning (See also: <http://www.guide2womenleaders.com/Presidents.htm>; <http://www.telegram.ee/eesti/uus-eesti-president-oli-valitud-juba-enne-valimisi>).

What are we, totally nonplussed, to make of it? What sort of a country is the Republic of Estonia, after all? Is it altogether a state?

**Fifth.** Kersti Kaljulaid was appointed representative of Estonia in the European Court of Auditors (Cour des comptes européenne) in 2004, when Mart Laar was PM. She worked there until 2016, allegedly funding the agriculture. It must be deplorably admitted that the Lithuanian and Latvian agriculture developed faster at that time than the Estonian agriculture.

Mentor of Ms. Kersti Kaljulaid was the former PM Mart Laar, the main actor in undermining the industry and agriculture of Estonia, who is presently, shackled in wheelchair and having great difficulty in speaking properly after a stroke, chairman of Supervisory Council of the Bank of Estonia. When being appointed a chairman he was unable to answer any questions...

I was truly surprised by the claim of Ms. President to the effect that she would not go to open the monument to Konstantin Päts (1874-1956), the long-standing statesman of Estonia, the first President of the Republic, should it be set up (Sakala; Postimees 21.01.17). Knowingly the monument is still only being visualised and no one has even started designing it... Perchance the monument committee might decide not to invite Ms. President to open the monument?

Quite perplexedly, the spouse of Ms. President Georgi-Rene Maksimovski has an apartment in Lasnamäe, the debts of which before the residence association rose to such heights, that the court executor had to intervene and had an injunction placed on other properties of Georgi-Rene (Õhtuleht 23.01.17).

**Sixth.** To preclude such an awkward situation further on, and because the people are a sovereign under Constitution, only the people are entitled to elect President. Moral. Juridical laws must not be „raped“, as is the custom in our state, most unfortunately.

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*Prof. Igor Gräzin opined that “we shall have to get in perspective and judge properly the importance of the recently published cultural and historical book „When Estonia was governed by jurists” and express thanks to the author for a voluminous work, skilfully placed on just 150 pages.” (Igor Gāzin. Miks juristidele valitsuskoorem. Õpetajate Leht no. 46–47 18 December 2009, ISSN 1406-6319)*

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## *Section two*





# How statesmen, scientists of stature and distinguished journalists of various countries regarded Ando Leps and appreciated his scientific works, as well as his political activity at the onset of his 80<sup>th</sup> birthday

## **Ando Leps – 80!**

Ando Leps is an outstanding Estonian jurist with a thorough knowledge of law, known far without borders of Estonia. A. Leps engaged in politics at the end of the 80s together with the Popular Front, at the time crucial for Estonia. He was actively involved in consolidating the newly regained independence of Estonia with his contribution to the elaboration of legislation. I wish him success in his further valorous efforts of promoting law.

***President Arnold Rüütel***

*President of the Republic of Estonia (2001—2006)*

*15 September 2015, Tallinn*

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On 07.10.2015, Tallinn City Administration decided to bestow the Town Hall Medal on **Ando Leps**, a jurist and political figure, marked by eminence and distinction. The medal carries the title of Honorary Citizen of Tallinn. The ceremony of handing over the award took place on 04.11.2015.

Ando Leps is a distinguished lawyer and pedagogue, 80 this year. Among his other works he authored the cultural-historical monograph «When Estonia was ruled by jurists» (Tallinn, 2009), recounting about Estonian lawmakers who exercised political leadership wisely and without narrow partisanship.

The Town Hall Medal and Diploma was handed over to Ando Leps by Acting Mayor of Tallinn Taavi Aas at meeting of the City Administration on 4 November in Tallinn City Administration. The Town Hall Medal is the highest distinction of Tallinn



City Administration, recognition for activities to the good of native town. The Town Hall Medal has been awarded to merited pedagogues, musicians, artists and public figures.

*The newspaper "Stolitsa"*

06.11.2015

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### **Ando Leps - 80!**

I do not seem to remember exactly when I met the young Estonian researcher Ando Leps in Leningrad, presently renamed St. Petersburg. 35-40 years may have elapsed since. It means that I have been eyewitness of almost half of the lifetime of Doctor of Law Professor Ando Leps ... The time flies! Our acquaintance smoothly developed into friendly relations, amalgamated by common scientific interests, common friends – both Russian and Estonian, however also by Lithuanian, Latvian, German friends. Science is international; I met Ando at conferences in Spain, Barcelona and in Germany, Freiburg, and surely in Vilnius and Riga. The scientific works of A. Leps are published in Estonian, English, and Russian.

Ando Leps has always been alert scientifically. His numerous works on criminology are listed in the prime stock of Estonian, Russian and also world science. Just remember the monographs «Impact of social-demographic processes on criminal activity» (Tallinn, 1981), «Social-territorial differences and criminal activity in conditions of a large town (basing on evidence of Tallinn)» (co-authored, Tallinn, 1981), «Criminal activity in Estonia» (Tartu, 1991). Professor Ando Leps is a founder and a veteran participant at International Baltic Criminological Seminars (Conferences), 28 in 2015! Many years Ando Leps was a standing author of «Essays on criminology» - Proceedings of the Tartu State University.

Among diverse scientific interests of Professor Ando Leps, conspicuously standing out are works on geography of criminal activity, theory and methodology of criminology.

To cap it all, Ando Leps is just a good and sincere person, which is a noticeable achievement in our wicked and avaricious world. Besides that, Ando Leps is keen on dogs. For me the love for animal world is a sure sign of a humanly man.

Dear Ando! Many happy returns of the year, excellent health, creative successes, many happy moments in your life!

*Doctor of juridical sciences, Professor **Yakov Gilinskiy**, Head of Department of Criminal Law of the Russian State Pedagogic University named after A.I. Herzen.*  
20 September 2015, Saint Petersburg

## Reflections on Ando Leps

Ando Leps (1935) has been known to wide public of Estonia as a legist and politician since the end of the 80s, and also as an active member and ideologue of the Popular Front of Estonia. My more intimate acquaintance with Ando Leps started somewhat later in 2001, when Ando Leps joined the private university Academy Nord as Professor Extraordinary of Criminal Law. He was also Head of Commission for defence of bachelor and master theses. Our long cooperation was sustained not only by his comprehensive knowledge in law but also by immense interest Ando Leps displayed in philosophy, mainly in the philosophy of Hegel. Knowingly Hegel is definitely one of the hardest philosophers to read. The things he is trying to say make it inherently hard to write clearly about (and he certainly doesn't make it easy). Without professional interpretation the philosophy of Hegel is difficult to master. Ando Leps has the commendable quality of being able to interpret not only the legal acts but also texts of legal philosophy of Hegel. I had repeatedly a chance to gain assurance of that. I witnessed his excellence when he was speaking up at meetings of the Estonian Club of Rome and delivering papers, and also at his public interventions and papers at scientific conferences. Some of his interpretations might not meet with universal approval however that is irrelevant in this connection.

Returning to initial years of our acquaintance, I well remember one minor social event at Academy Nord, which was essential for our further common work. The event was already closing down; the subject matter of our discussion was Estonian higher education and training of legists. Unexpectedly a question of quite different stature was put on agenda – a quote by Hegel “What is reasonable is real; that which is real is reasonable.” Apparently Ando Leps wanted to ventilate that quote at the meeting. I remember that the dispute went out of hand, in particular when focus was laid on Hegel's utterance: «The State is as God walking on Earth” (other translations as “The march of God in the world, that is what the state is”; “The state is the march of God through the world” as well as “The existence of the state is the presence of God upon the earth”). “The basis of the state is the power of reason actualising itself as will.». «The state is the divine will, in the sense that it is mind present on earth, unfolding itself to be the actual shape and organisation of a world». The question was posed, whether the State of Estonia can be explained reasonably, whether it was for us the reality of concrete or of abstract freedom. Undoubtedly the thesis posed by Hegel in preface to his “Philosophy of right” is as topical as it was a century ago, not only for Estonia but for the whole civilised world. It would be useful to cast a glance behind, not only peering ahead. Temporality is the way we see time. For Heidegger however, it is very different from the mistaken view of time as being a linear series of past, present and future. Instead he sees it as being an ecstasy, an outside-of-itself, of futural projections (possibilities) and one's place in history as a part of one's generation. Possibilities, then, are integral to our understanding of time; our projects,



or thrown projection in-the-world, are what absorb and direct us. Futurity, as a direction toward the future that always contains the past—the has-been—is a primary mode of Dasein's temporality. Hence my view is that future is not what has not yet arrived, and past is not what has already passed, both being present with us here and now! As said by Thomas Stearns Eliot: "Time present and time past Are both perhaps present in time future, And time future contained in time past. If all time is eternally present All time is unredeemable."

Hopefully my cooperation with Ando Leps continues. I wish to him brightness of mind and serene spirit, as well as delving in past – scrutinizing the philosophy of Hegel and looking searchingly ahead, using that philosophy for giving sense to life in Estonia and for promoting life! Good health and much happiness!

**Ene Grauberg**

*Rector of the Academy Nord, Professor (1991- 2009)*

*Professor of Tallinn University (2010-2014), Professor - Emeritus (2015- presently).*

*Founding member of Estonian Club of Rome, member of board (2008- presently)*

*11.07.2015, Tallinn*

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### **Internationally renowned Estonian legist, alumnus of the University of Tartu, Doctor of juridical sciences, Professor Ando Leps – 80!**

In 1995 Tallinn witnessed founding of the Institute of Social Sciences and the Humanities, since 2003 university of applied sciences, training specialists in law, economy, psychology, and English philology. The main task of the Institute was providing higher education to the youth, in particular *integrating Russian-speaking youth into Estonian society*. The Institute maintained branches in Narva, Jõhvi, Pärnu and Tartu. Institute of Social Sciences and the Humanities terminated its activities in December 2011. In 2009 the international accreditation commission recognized that the teaching effort at the Institute was properly organised and made good progress (giving estimate 5 credits), however the local commission reduced it by 3 credits. That ugly fact reflects the deplorable state of democracy in Estonia. In 2011 the Regulation of Ministry of Education and Research specified that 1) majority of lecturers were well advanced in age (officials of the Ministry of Education and Research Estonia interpreted wrongly the demand that lecturers cannot be older than 55) and had been educated in the Soviet period (?), 2) curricula were too detailed, i.e. modules must be more general, 3) the financial position of the Institute was good, however it might worsen in the future (?). The real reason why the authorities of Estonia closed down the Institute of Social Sciences and the Humanities was the opinion of some politicians that jurisprudence should be the exclusive domain of the Faculty of Law of the University of Tartu.

In 1995-2011 the Institute of Social Sciences and the Humanities delivered higher education to ca. 2500 young people, incl. higher juridical education to almost 800 students.

In 2009 the Institute of Social Sciences and the Humanities released the first issue of a juridical journal to general public «Right» in Estonian and Russian.

In the Institute of Social Sciences and the Humanities the main and the largest department was Faculty of Law, with the following specialities: jurist-criminal investigator, jurist-personnel manager, jurist-entrepreneur and jurist – social worker. Training was 4 years in full time course and 5 years in night and weekend course, as well as at distant course. The students received higher education diplomas of the Republic of Estonia.

Jurists with bachelor diploma work presently in law enforcement agencies and are engaged in SMEs and large business as key functionaries and CEOs. A number of graduates are on employ in ministries and regional and parish offices.

Many graduates of faculty of law have obtained master degrees in other higher education institutions.

Faculty of law was staffed with qualified lecturers, notably professors Y. Lifshits, P. Beilinson, F. Laanemägi, L. Kährik, V. Blincov, T. Kalin. Head of Commission of Bachelor Diploma papers was Doctor of Law Professor Ando Leps, who chaired the commission with impeccable integrity.

*Colleagues congratulate the jubilarian: Rector of the Institute 1995-2011 **Lembit Allingu***

*Professors: T. Kalin, Y. Lifshits, P. Beilinson, F. Laanemägi, L. Kährik, V. Blincov*  
16.07.1915, Tallinn

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## **Honourable Ando Leps**

Culture is like a bun, which Toots harped on tediously that Kiir should give him (the popular Estonian book by Oskar Luts «Kevade» (Spring)) – the bun was to be stuffed with raisins - the more raisins the better the bun. Raisins are people by virtue of whom we notice culture, Ando being one of such people. It is not just because of his major researches (which occur from time to time and from place to place). It is because he is stubbornly pursuing a certain subject matter, idea, vision– the philosophical role of criminal law in our society, the history of jurists of this country, the entangled and convoluted links of the late lamented newly risen “the powers that be” TPTB (Romans 13.1) (a phrase used to refer to those individuals or groups who collectively hold authority) with the KGB, the low mental and educational level of the





present TPTB, fraught with imminent danger for Estonia... This topic range makes many functionaries feel ill at ease, but it is in line with the best traditions of our legal culture. Furthermore: the «cultural raisin» should not be a staunch citizen only, a dedicated thinker, but also a witty and charismatic man! In our case there is a happy coincidence!

**Igor Gräzin**

*Doctor of juridical sciences, Professor  
Member of Parliament (Riigikogu) of Estonia  
20 September 2015, Tallinn*

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### **Deliberations on occasion of jubilee of Ando Leps**

«Jurist must be honest» is a favourite saying by an Estonian jurist and statesman Ando Leps. The well-known legist of Estonia, in November 80 has lived all those years following his credo. He has not traded ideals for small peas.

Plato is believed to have said that one of the penalties for refusing to participate in politics is that you end up being governed by your inferiors. Apparently it is not only Ando Leps who has observed that maxim but a great number of people like him in the history of Estonia, i.e. the jurists - statesmen.

With many distinguished social figures of Estonia a question suggests itself of whether we are dealing with jurist and legist or a political figure. Common to quite a number of statesmen of Estonia is the fact that being a political figure was not a means to earn their living, as is currently the case with professional politicians. Rather, being a political figure has been for Ando Leps, and was for many other jurists - statesmen of Estonia a mission, giving a helping hand to the state. They followed the popular wisdom saying that by refusing to participate in politics, you end up being governed by shady figures.

The advantage of such politicians «by mission of God» before present professional political figures of managerial type is that they do not consider politics as a source of income, as a means to get benefits. They know as they do that they can also be useful to the society outside politics, i.e. in the area of law.

History of Estonia witnessed many jurists - statesmen, take for instance the state elder Jaan Tõnisson or the first President of the Republic of Estonia Konstantin Päts. Three thirds of Estonian statesmen graduated from the Faculty of Law of the University of Tartu in 1917-1940. When adding up the statesmen having graduated from faculties of law of Russian elitist universities of St. Petersburg and Moscow, their number in pre-war Republic of Estonia amounts to 118, i.e. 95%.

Father of Ando Leps, August Julius Leps, attorney at law is also one of such jurists - statesmen. Having graduated from Faculty of Law of the University of Tartu in 1923, he represented agriculturists in Riigikogu of the 4th and 5th compositions of pre-war Estonia, in 1929-1937. Apparently August Julius Leps, although living in emigration in Sweden during the Soviet period, served an example to his son Ando Leps, not only as a jurist, but also by his political views. Ando Leps graduated from Faculty of Law of Tartu State University in 1960.

The hardships they faced were also analogical. When Ando Leps entered politics in Estonia, at the beginning of the 90s, in the period of restoration of independence, the Republic of Estonia was challenged by the same impediment which hindered the progress of the previous republic: massive division of society and absence of a strong middle class.

In the pre-war republic the average living standard was climbing up, but the present Republic of Estonia is among the EU poorest countries. August Julius Leps represented tillers of soil, small-time farmers and settlers, i.e. pillars of middle class under formation. Ando Leps as a politician (he was Member of Riigikogu of the 8<sup>th</sup> and the 9<sup>th</sup> composition in 1995-2003) tried to pursue that line. He tried to contribute to emergence of a strong middle class in Estonia, as member of the most popular party in Estonia – the Centre Party.

There is a lot to say about the work of Ando Leps as law and order officer: in the Criminal Investigation Authority and Ministry of the Interior. In 1960–1995 he held various positions in the system of that Ministry: investigator, senior investigator, investigator for especially important cases, staff officer, and chief specialist of the Investigation Department. He made it from rank and file investigator to member of the administrative team of the Ministry.

At the end of the 80s and beginning of the 90s Ando Leps was member of bureau for combating criminal activity at Presidium of the Supreme Council of ESSR. In 1991 he was included into governmental commission for liquidation of KGB. In 1992–94 Ando Leps was deputy head of the expert group for draft laws, stipulated by constitution of the Republic of Estonia (head of expert group Professor Ilmar Rebane). Ando Leps was also member of State Commission for Investigating the Repressive Policy of Occupations, from forming the Commission in 1992 until end of its activities in 2005. He was member of editorial boards of international sociological and legal journals of various countries; he also sat for long in the Administrative Council of Nõmme borough of Tallinn.

Criminological works and researches by Ando Leps have been published in many scientific journals. However the above positions and/or achievements are not of the most import. More significant is his mindset or convictions which he has tried to convey to the younger generations.

Beside the uncompromising integrity, which he considers of utmost importance for every jurist, he emphasises the need for education, more precisely intelligence.

Holding the doctoral degree, he is much worried by the fact that people with secondary education are heading ministries and other key state institutions, more often than not. He is of the opinion that the view blaming our social shortcomings for illiteracy of politicians is fully motivated - although Lenin said that “We know that an unskilled labourer or a cook cannot immediately get on with the job of state administration” (*Will the Bolsheviks Retain Government Power? (1917)* (often misquoted as “every cook must learn to govern the state” or even “every cook can govern the state”), the cooks and labourers are hard to train for administration of the state.

For him, the integrity of jurist means a just and outright appraisal of international law and global politics.

Ando Leps attracted attention to the fact that in 1942 the Swedish government acknowledged the Baltic States incl. Estonia, *de facto* part of the USSR. At Tehran Conference in 1943 Franklin Delano Roosevelt, President of the present-day big friend and ally of Estonia declared, that he would renounce the political initiative in the Baltic.

At Potsdam Conference in 1945 the state borders of the USSR were accepted as the said country formulated them, often by coercion. The West conveniently dismissed the fact of division of Europe between Hitler and Stalin.

In the opinion of Ando Leps, that gives rise to the question of how seriously we can take the positions of the West in international relations. Does international law have any whatsoever value besides declarative verbiage? Seemingly not.

The more so the need for a small nation to have strong morals, the perspicacity and ability to understand that a small nation must never expect anything good from super-powers, even those calling themselves one's allies.

In order to withstand the onset of globalism, cult of money, erosion of deep cultural bases the people need solid values like equity, integrity and valour and also people - bearers of such values who will help rub off the false lustre from bogus values camouflaged by glamorous ideology.

With this regard the mission of Ando Leps for bringing truth to daylight can hardly be overestimated.

*Journalist Virkko Lepassalu*  
Tallinn, 26 August 2015

**Ando,**

I will have to admit that I assumed an overbearing task to write about you, although I do not think there is anyone else as much knowledgeable about your work and progress as I am. I mean in the first place your article „Genesis of criminal activity in modern capitalist society“. You have written it with great skill; you are outspoken and direct in expression.

A couple of years ago I would possibly have been able to outline your achievements on merits, but now I seem to be too old and decrepit to do that. We are peers, but your capacity for work excels mine significantly. For three days I was literally out. Apparently my blood pressure had dropped to the lower limit. Yesterday I sat and mused for three hours but could not compose anything on point of fact.

You are such an eminent figure in Estonian social-political life that you have earned a monument and a presentation perfect on substance and form, but I am not the man to do it.

I will seemingly not get out of bed today.

*All the best!*

**Ülo**

*23 July 2015*

*Professor Ülo Vooglaid was born on 29 August 1935 in Tallinn. He is a universally acclaimed social figure of Estonia, a researcher of social sciences, educationalist and politician, considered as their mentor by Estonian sociologists of several generations. In 1960 he graduated from Tartu State University majoring in history. In 1970 he defended his dissertation of candidate in philosophical sciences (supervisor Professor V. Yadov). In 1989-91 he was deputy to Supreme Council of the USSR. He has several times been member of Riigikogu (Parliament) of the Republic of Estonia. He is Professor of the Faculty of Law of the University of Tartu, and Member of board of the Estonian Club of Rome.*

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**Dear Ando,**

We are congratulating you on behalf of all Lithuanian criminologists, in the name of your pupils, acolytes and friends! Thank you for your outstanding scientific ideas, honesty and stamina, for your wisdom, for being a paragon of integrity and steadfast in loyalty and principle, for support on moments we were in trouble!

Pray God grant you many happy returns of the day and good health!



Dear Ando, I read avidly both of the texts (“Genesis of criminal activity in modern capitalist society» and «Object and subject matter of scientific research“). I full agree that the concept “criminal activity» and what makes it different from the simple “aggregate of crimes” is a challenging issue. I also agree that Hegel provides an excellent methodological apparatus for researching that issue. Presentation of criminal activity as suggested in your article is more comprehensive, not as simplified as we are used to.

However the thing that matters most is your head – young and working at full vigour! This is excellent!

*With greetings*

**Viktoras Justickis**, *Doctor of Law, Professor*  
*Mykolas Romeris University, Vilnius, Lithuania*  
19.07.15

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### **Heartfelt congratulations to Professor, Dr. habil. iur. Ando Leps on his anniversary!**

I have known the esteemed Professor, a scientist of superb talent, a sincere man with open heart Ando Leps since my green years as a student, when I used to read his compelling monographs, having irresistible power of attraction. His work on imitational modelling of social determination of criminal activity heralded a new trend in criminology. Thanks to his influence I took profound interest in criminological science. His monograph on criminal activity in Estonia prompted me to undertake detailed analysis of criminal activity in Latvia. The researches done by Professor A. Leps are marked by grandeur, ingenuity, scientific novelty and magnificent attention to detail. Any scientist could envy and copy such approach.

I am especially fascinated by the fact that A. Leps is not only an internationally recognized legist but also a politician of good standing. He stood up for independence of Estonia, being active in founding Popular Front as member of its advisory council. He was member of Estonian Parliament (Riigikogu) of the 8th and 9th compositions. For his outstanding service he was awarded the Order of White Star, 5th Class.

A. Leps has participated at many international congresses, conferences and seminars, where he has always delivered papers on the substance of the case with novel ideas. He was one of the organisers of Baltic Criminological Seminars, which started in 1987 and have been ongoing annually ever since. A. Leps possesses impressive pedagogical experience and expert knowledge, which he also shares with the students of faculties of law of universities of Latvia.

He is merited member of the Council of European Society of Criminology and member of Club of Rome of Estonia.

On behalf of Latvian criminologists I wish to the legist, internationally recognized criminologist Professor Ando Leps further success in research efforts, undaunted scientific quests, new discoveries and novel publications, excellent health and power to his elbow.

*President of the Latvian Society of Criminology, Dean of Faculty of Law of the Rīga Stradiņš University (RSU), Doctor of Law, Professor **Andrejs Vilks** 06.07.15, Rīga*

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### **Honourable Mr. Leps!**

Scientific printed works of Doctor of Law Ando Leps are well known in Latvia. His books and scientific notes on criminology, sociology and philosophy of right are available in libraries of colleges and universities; students are regularly reading them and hold them in high esteem.

Readers appreciate on merit the profundity of knowledge and vast professional experience of Ando Leps concerning the current social processes in society and combating criminal offence.

Ando Leps often visits Latvian Academy of Sciences, also as participant of conferences, organised by various universities and higher education institutions of Latvia. His papers and critical observations and interventions at seminars attract attention, being as they are topical and enhancing professionalism of the discussion.

Ando Leps participated as expert in accreditation of a number of law curricula in Latvia. His advice helped optimise and improve those curricula.

Every meeting with Ando Leps and his talk marked by elaborate subtleties of thought and expression provide fertile ground for further metaphysical speculations and contributes to seeking novel, original solutions to problems.

We are expressing our best wishes to Ando Leps on occasion of that important date: be happy, in good health, brimming with vitality. We wish you all the success in your steadfast striving for the best of society, and also unfaltering originality when considering all issues also in the future.

*Dr.habil.sc.pol., Dr.iur. **Tālav Jundzis**  
Vice-President of the Latvian Academy of Sciences  
Director of the Law College  
Rīga, 27 July 2015*



## Greetings to Honourable Ando Leps!

Few there be who do not know Ando Leps, a gentleman always immaculately dressed, well versed, clearly making his point and - should it be needed – wittily sarcastic, a well-known Estonian jurist and political figure.

I had the honour to make his acquaintance in 2011 at a conference on digital elections in the Town Hall of Tallinn, which I was invited to attend. Ando Leps delivered at the conference a pithy paper on substance of the case. In point of fact, we are both very sceptical about digital elections, because their convenience and speed notwithstanding it is presently hard and next to impossible to guarantee their reliability and veracity. Therefore very few countries have implemented digital elections, the majority not having, unlike Estonia, given the preference to convenience and potential for manipulating the votes, but to transparent elections, not subject to doubt, and the true result. Digital elections held in Estonia have invariably triggered many justified questions and raised doubts about truthfulness of results, which the organisers have failed to give a plausible answer to.

Furthermore, digital elections are held in violation of Constitution, specifying that elections must be general, uniform and secret. That fact made Ando Leps as a jurist to raise a principled question: if we cannot consider results of the elections lawful, the composition of Riigikogu (Parliament) and Government, and also President might not be lawful either. Is the power in Estonia lawful?

Lying hidden in that question, seemingly curious for laymen, is a serious implication. The answer to it may turn out extremely quintessential for our statehood, and many steps and decisions of the Government may occur illegal and juridically not binding. For instance, making the new Estonian-Russian Border Treaty - unnecessary, unmotivated and deleterious for Estonia; association with the European Stabilisation Mechanism and issuing it billions-worth guarantees, and many other issues.

I am much grateful to Ando for useful information on various facts and references, which he shared with me, when I wrote a book on political activities of President Lennart Meri and about their consequences and impact on development of Estonia, both today and in remote perspective.

*I wish to Ando abundant energy and plenty of force  
in standing up for justice and right.*

**Henn Põlluaas**

*Member of Riigikogu (Parliament) of Estonia  
07.07.2015, Tallinn*

«You are welcome to engage in philosophical reasoning», - as Ando Leps was advised by Docent-Emeritus of Faculty of Law of the University of Tartu Yuri Yegorov 14.07.2015, Tartu

*The jubilarian writes that **Yuri Yegorov** (24 May 1923, Tallinn) taught history of law in the University of Tartu at Faculty of Law 100 semesters at a stretch (!). His father, an Estonian painter Andrey Yegorov (1878-1954), was pupil of the famous Russian painter Ilya Repin (1844, Russia -1950, Finland).*

*Life was hard on **Yuri Yegorov**. He was recruited to WWII at age 19. He survived shipwreck in the Baltic Sea, wounded, to survive the blockade in Leningrad. When he convalesced he was declared unfit for regular service. Because he possessed the gymnasium education, he managed to enrol in the Moscow Diplomatic Academy, mainly thanks to help of former professor of international law of the University of Tartu Vladimir Grabar' (1865, Vienna - 1956, Moscow), who wrote in his reminiscences about Tartu and its University: «The town was titled Athens at the river Embach. /.../ I am over 87. I passed 25 of them in Tartu. The time of my stay there was the happiest in my life and the most fruitful in my scientific activities. I still remember that time with immense gratitude ». (Ando Leps. When Estonia was ruled by jurists. Tallinn, 2009. p. 22).*

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### **Article of the outstanding Professor Ando Leps on genesis of criminal activity as a new leaf in world criminology**

At modern stage of globalisation of practically all spheres of life we witness revision of many well established approaches to analysis of broad spectrum of socially meaningful topics and problem issues, incl. efficiency of policy of countering criminal activity.

Currently even a fleeting and short content-analysis of news leaves us in no doubt that mankind is seriously worried about how to increase the yield of governmental funds, incl. tax revenue invested in safeguarding human rights and freedoms within context of providing socially expected level of law and order, as well as criminological safety of man.

Outstanding in the foreground of wave of information is surge and various manifestations of criminal aggression (from everyday violence to military onslaught, escalation of terrorism), selfish and profiteering criminal activity, the permanently pedalled problem range of “paedophilia”, “cyber-crime”, “hate crime”, “corruption”, “ecological crime” and their socially dangerous aftermath (financial, organisational, lethal or hazardous to health).

Reference to special criminological and criminal law literature shows that «perennial» problem of determining the sources, quantitative-qualitative parameters of crim-



inal activity have largely depended and continue so on objective (priorities of domestic and foreign policy) and subjective factors ("role of personality of the ruler in history of the country", "world outlook and angle of view of a concrete researcher"). Due to multifaceted analysis of character of globalisation by legal and social science, a rich theoretical and empirical material has been elaborated, basing on positions of natural history regarding topical trends of development of civilisation.

In that versatility a special place is held by a unique work – an article by an outstanding Estonian Professor Ando Leps, having solid experience of a statesman and a social figure - "Genesis of criminal activity in developed capitalist society". Fundamental and deep, the said article must be acknowledged to be a *totally new leaf in the world criminological science*.

Professor Ando Leps does not confine himself within determining the problem aspects, but offers distinctive and essentially motivated recommendations. For instance he writes: "Because capital as power is coercion in developed capitalist society, for the members of society not to annihilate one another for getting surplus value without work fully or partially, they must respect legislative acts, to somehow alleviate the coercion instituted by capitalist view. The state is necessary to maintain law and order established by legislative acts in civil society. This is the main aim of regulation of "common matters" by the state."

In that connection, because Ando Leps has presented a very interesting and deep philosophical and legal concept of sources of criminal activity, it would be rewarding to learn his prognosis regarding perspectives of theoretical and applied studies of most effective measures of combating criminal activity of the future (in the world of "outdated" capitalism). The author has just touched on that aspect, without developing it further. He writes: "In the world scale the modern advanced capitalist manner of production of material and spiritual goods is past its peak, as a result of which its time together with its "democracy" is on a wane, to consternation of many. That assumption is proved by mass unemployment, local wars, serious street disturbance and strikes, and also by assassinations of leaders or leading politicians of countries, attempts of assassinations or judicial procedures and convictions for crimes.

What manner of production must be substituted for modern capitalist manner of production of material and spiritual goods, or how that "transition" must take place is unclear as yet. It is usually deemed that the capitalist manner of production will be destroyed by red tape, corruption or revolution."

Within context of current modernising processes, stimulated by globalisation and accompanied by negative impact of financial-economical crisis, dropping of the level of spiritual-moral civilizational development of humankind as a consequence of dominating of values of consumer society, deterioration of ecological wellbeing and living standard and health of people due to rampant technologisation, informatisa-

tion and automatisisation, as well as impending third industrial revolution, topical is the issue of forecast of the picture and trends of planetary criminal activity. It would be interesting to hear the position of the authoritative Professor Ando Leps on that account. Conceivably I am not alone when asserting that the criminological view of the jubilarian will be an important benchmark for many theoreticians and practitioners in the sphere of criminal justice.

In view of the above I wish to the distinguished and creative person Ando Leps enthusiasm, power, health and energy for new grandiose projects and accomplishments!

*Professor, Candidate of Juridical Sciences A.B. Bekmagambetov,  
Head of Department of NIR of Kostanai branch of FGBO UVPO "ČelGU",  
(Kazakhstan), member of International Academy of Informatisation (Kazakhstan),  
member of Oxford Academic Society (GB)*

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### **Congratulations to the jubilarian!**

Member of editorial board of the journal «Juridical sciences and education» Professor Ando Leps has a jubilee. I make a special mention of affiliation of that well known scientist to our publication, because cooperation with such a person is an honour to any scientific team.

Frankly speaking, when sending an invitation to Doctor of Law, holder of the Order of White Star, founder of Baltic Criminological Seminars, member of Club of Rome of Estonia, Council of European Criminological Society and many other authoritative organisations we were not so sure of a positive answer.

However Professor answered and actively engaged in work of the journal, began helping with wise advice and recommendations, presented us a number of his scientific works.

Our journal was one among the first releasing the works of the Honourable Professor "The Hegel's Philosophy and Criminality as phenomenon of essence" (2012), «Wrong» (2014), «Whence comes criminal legislation as basis of criminological research?» (2014), "The Soviet power still thrives in Estonia" (2015) and many others.

Every article by Ando Leps, dedicated to problems of criminology, theory of law or politics has been a notable event in juridical scientific life, has caused genuine interest in the body of legists, has raised discussions, and has become attribute of scientific works and topic of research.

One can debate with A. Leps for hours, disagree on substance of the case and in details, but he cannot be ignored, because the opponent will then lose substrate of



original ideas and knowledge, generated and synthesised by Professor, without which the further study of problem, search of ways to solve it will become impossible.

Conspicuously standing out in that aspect is the work by A. Leps «Wrong», according to annotation to which the substrate of law is surplus value as new knowledge, in connection with which the mystery of wrong (offence and crime) and punishment disappears.

A. Leps points out that being of abstract and positive right in materialist understanding is possession (originally of land), which is private property, but the becoming, the absolute, is surplus value, as addition to the existing property in class societies, incl. in capitalism, without which society cannot exist.

Upon opinion of the honourable jubilarian, from the category point of view wrong belongs to the dialectical category of quantity, meaning that at subjective error in mutual estimate only owner of goods obtains surplus value. In case of cheating or crime, surplus value is obtained by the offender only. Therefore subjective error, cheating and crime are only external forms, while internal form is surplus value as a substrate, a new knowledge, as truth.

Professor A. Leps holds that positive right is valid legislation, the external forms of which are crime and punishment. Their internal form is surplus value. When committing a crime the criminal obtains surplus value, at punishment surplus value is obtained by members of society. Therefore crime and punishment are a need for surplus value in different forms, which explains the essence of crime and punishment.

It may be complicated, unusual and debatable, but it exhibits soaring thought, vast expanse for deliberations, search for new knowledge, reconsideration of stereotypes, and modernisation of scientific apparatus!

Ando Leps is a true patriot, dedicated to Estonia and its people, committed to serve his country. Many of his works are motivated by concern about the future of Estonian society and Estonian statehood, standing out among which is the article «The Soviet power still thrives in Estonia».

When studying genesis of Estonian statehood, A. Leps points out outright the errors and wrongful shifts of development, offering ways to remove them, and to perfect the democracy.

Multinational team of editorial board of the journal «Juridical sciences and education» offers thanks to Professor Ando Leps for fruitful cooperation, wishes to the jubilarian good health, long age, happiness, joy and wellbeing.

*Editor in chief of the journal «Juridical sciences and education»,  
Doctor of juridical sciences, Professor, expert of VAK at President of Azerbaijan  
and Department for economic and social issues of UNO*  
**Dzhavanshir Suleimanov**

## Honourable Ando!

I read your articles and I must admit their level left a lasting impression on me. Today no one in Russia writes on such serious topics and so deeply.

*All the best,  
Doctor of juridical sciences, Professor  
Ilya Lvovič Chestnov  
1 June 2015, Saint Petersburg*

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## Dear colleague, old friend

Ando Leps graduated from Faculty of Law of the University of Tartu in spring 1960. I enrolled in autumn in the same year. We are not university mates, but we both come from the legendary generation of the sixties. It was the time when the Soviet empire let people breath more easily. Every observation criticizing the government was not followed by a speedy deportation to Siberia, and those who had survived the earlier reprisals were released back home. Most importantly valuable literary works started appearing. Take for instance the works by Alexandr Solzhenitsyn and others. The Western literature and art became available. The students jumped at the opportunity and our ideas and knowledge widened. That was how the generation of the sixties formed. Although the onset of stagnation in 1968 tried to liquidate the ideas and ideals of that generation, the government failed to do that, although our generation had to bide their time for long twenty years until the right moment to break loose from shackles arrived.

I made my acquaintance with Ando in 1964. That meeting is impressed in my mind due to a curious episode. I worked at that time as investigator in Valga, while he was stationed in central administration of the Ministry of the Interior in Tallinn. I happened to be interrogating a witness in my office when a stranger entered. I commanded him to leave because the investigator cannot be disturbed when busy. He did as told and silently closed the door. Later he turned out to be Ando Leps, dispatched from the Ministry to audit my work. I was alarmed lest my superiors turn on me, but the case was never mentioned.

By a twist of fate, two years later I was sitting with Ando in one office in the investigation department of the Ministry in Tallinn. We were three, there was also his late lamented course mate Aadu Kapper. We were very friendly.

We were engaged in investigating large scale personality and property crimes and cases of embezzlement – the plunderers, violaters and rapists belong to prison what-



ever the regime. The pre-trial investigation authority was relatively independent and highly professional at that time, because it was staffed mainly by jurists – alumni of the University of Tartu. We operated separately from Militia and other Soviet structures, we were controlled by Prosecutor's Office only, and chief of our department (later Deputy Minister of the Interior) colonel Alfred Möttus (1930 - 2016) was free-thinker. We were also commissioned officers, but we never wore a uniform, the more so because moth had eaten the back of Aadu Kapper's single-breasted military jacket kept too long in the wardrobe on coat hanger.

There were quite a few inveterate hard-core card-carrying Communists in the Ministry. More often than not they were intellectually challenged. Ando used to employ malicious innuendo with their regard. He has retained the latter good custom until now, although it has seriously impeded his career.

The stagnation geared up and our department became a typical Soviet agency, bogged down in red-tape. In the end we left it. Ando was absorbed in science while I managed to travel to Moscow to study dramatic theory of cinema; later I became a lawyer, for mercantile considerations, and am still in that line of business.

There is another interesting aspect regarding Ando – in our younger days we indulged in moderate drinking, but that never affected our work. However about thirty years ago Ando defended his doctoral thesis, we were celebrating it with buddies at the University cafe; I was sitting at the same table with Ando and our teacher, the outstanding Estonian jurist Professor Ilmar Rebane, who proposed a toast to the new doctor. Regardless of exhortations of the Professor Ando declined, because he had become a teetotaler.

Later, in the period of newly gained independence we met rather often, because we found ourselves on the same side of frontline. I will not delve in the activities of Ando at that time, to save space, hopefully that period will be considered separately, but his activity at elaboration of the new Constitution and other legal acts cannot be overestimated. The scientific activity of Ando and his participation in the work of Riigikogu also merit separate treatment. There are many lacunes in our legislation, in particular in the area of criminal law; to put matters in due order the men like Ando, good at judging and understanding people and situations are needed.

*I wish him long years of life, using them for improving the state of Estonia.*

**Sulev Raudsepp** (1941)

*Attorney at law, author*

*The island of Saaremaa, Estonia 12.07.15.*

## Dear Ando Leps!

Knowing Doctor of Law Ando Leps for long, however having read a minor part of his pieces of writing, I dare say that all of his works, which I have laid my hands on, every public speech, delivered by him as a political figure, and every private colloquy with him impress on interlocutor the value of careful preparation for what one wants to say: before uttering an opinion as to the merits of the case or assuming a position, he has carefully considered the links between substance of issue and fundamental basic principles. The physician will never become a medical scientist without understanding synergism of circumstances affecting human life, just as by far not every jurist becomes a legist. Professor Leps is a legist. His approach to life and his opinions base not only on understanding of man-made laws, but on perennial values, the fundamental understanding of various philosophical visions of the world and the ability to base on it when resolving concrete problems and at formulating one's positions. On the rock of philosophy he has built his temple of knowledge, an enviable accomplishment!

**Andres Ellamaa**

*Doctor of Medical Science, PhD, Minister of Health (1990-1992)*

*Chief Physician of the North-Estonian Regional Hospital (2005-2008), neurosurgeon  
Tallinn, 26 September 2015*

•



*The application to award the Tallinn Town Hall medal to Ando Leps for long outstanding activities as legist and politician was presented by Administration of the Nõmme Borough.*

*On the picture Deputy Mayor of Tallinn, acting Mayor Taavi Aas and Ando Leps*

*Photo: Raepress*



## *Section three*







## Relation of Ando Leps with the historical Narva

Narva has been a very important town historically in Europe, for which bitter combats have been waged, in particular between Swedes and Russians. The mediaeval Narva used to be one of the most beautiful small baroque towns in Europe.

My mother and maternal relatives lived in Narva. In 1930-ies my father acquired a house in Narva, at 19 Suur Street, one of the oldest houses in Narva (see right on photo 1). On the site of the house, there used to stand an unfinished building accommodating St. Anna Dominicans Cloister in 1520-24. Later the unfinished house with a vault with strong stone walls was rebuilt, embellished by a portal – cartouche of 1662. The house used to belong to the German grain trader known in North Europe Jürgen Tunderfeldt. Later the house accommodated hotel „Central“, a court and cafe.



*Photo 1.*

*View from the stairs of Narva Town Hall before the WWII at splendid baroque houses. To the left stands an old pharmacy. The Dominicans' Cloister was situated on place of the houses on the right.*

The mediaeval cloister walls stood beside Town Hall Square on the corner of Suur and R  tli Streets as rebuilt until 1944. Presently the site that used to be occupied by my father's house in 19 Suur Street is vacant.



*Photo 2.  
View from the stairs of Narva Town Hall after the WWII.*

The destroyed and burnt-up houses of the Town Hall Square, after the March bombing of 1944, pulled down at beginning of the 1950-ies upon order of leadership of the Estonian Communist Party (?), regardless of opposition of well-known architects of Moscow clamouring: „The mediaeval Narva must be restored from atrocities of war!!“

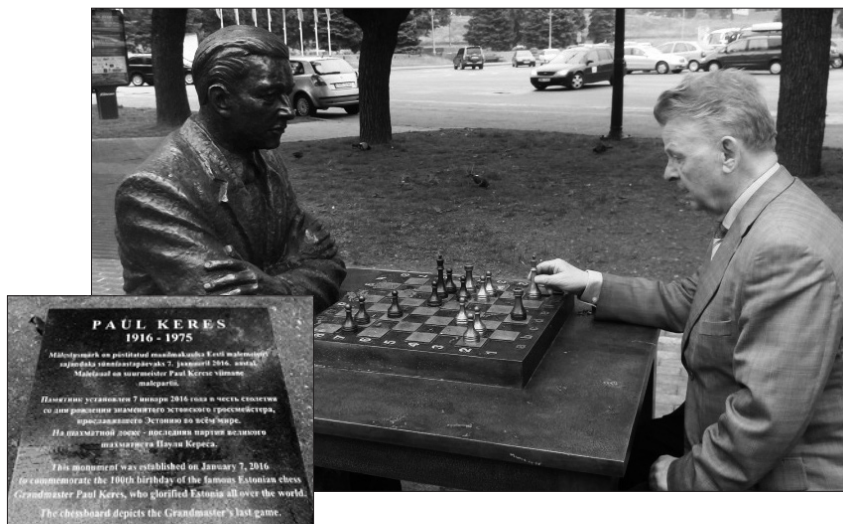
Our family did not live in Narva. But we spent summer vacation in one of the beauty spots of Estonia – Narva-J  esuu.

### Relation of Ando Leps with Narva

In our family chess has always held a special place. I do not remember when I started playing chess, but I saw my father and brothers playing it and I got into the habit.

Narva is the hometown of our chess genius, one of the best chess players of the world of all times Paul Keres (07.01.1919, Narva – 05.06.1975, Helsinki). In commemoration of his 100th anniversary there was his figure set up in Narva, at Peter Square on 07 January 2016, sitting at chess board, with pieces from his last game, where he played with black pieces.

I have played with many grandmasters at their simultaneous chess games, for instance with M. Thal, B. Spasski, D. Bronshtein and others, but I have lost only once, to Paul Keres in 1973. On photo 4 Ando Leps „is playing“ chess in Narva with Paul Keres on 26 May 2016 (see pictures 3 and 4).





## *Section four*





# Witch hunt in the Department of Law of the University of Tartu

In what conditions did the first Estonian post-war generation of lawyers obtain their basic knowledge? The dates of birth and death of the members of faculty of the Tartu State University of that period are telltale signs on the substance of the epoch, often evidenced by the path of life fallen short of normal life expectancy.

At the end of 1940-s and at the beginning of 1950-s the Soviet occupational power and a part of servile „younger” lecturers tried to denigrate and ruin lecturers coming from the Republic of Estonia. The relevant archival materials, strictly classified were opened to researchers as late as in 1991. This article bases mainly on Lembit Raid's book “Vaevatee. Tartu Ülikool kommunistlikus parteipoliitikas aastail 1940–1952” (Tartu, 1995) (The tortuous path. The University of Tartu in the Communist party policy in 1940-1952), and it is a token of remembrance and honour to those lecturers of Department of Law of the University of Tartu, who at that time and also later were challenged by the criminal Soviet system and tormented under its iron heel. I enrolled at Department of Law of the Tartu State University in 1955. The majority of the named lecturers were members of faculty at the Department, delivering our course.

*Ando Leps,*  
*Doctor of Law, Professor*

## *After the March deportation*

On 31 March 1949, i.e. one week after the March deportation, the conference of the party cell of the Department of Law was held. The student - Communist Raimond Auling claimed at that conference, that kulaks (a comparatively wealthy peasant who employed hired labour or possessed farm machinery and who was viewed and treated by the Communists during the drive to collectivize agriculture as an oppressor and class enemy) could not even be considered *Estonians*. Tartu Town Committee's 4<sup>th</sup> Plenum of 27 April 1949 considered it necessary to invigorate the work of the University party cells. The floor was given to Head of Propaganda and Agitation Ilo Sildmäe. R. Auling (1920–1979) delivered to us, as Docent in the 1<sup>st</sup> course the theory of state and law and in the 4<sup>th</sup> course the history of political theories. It was rumoured





that he had been a leading figure of counterintelligence of the Estonian Rifle Corps and lost his leg, when his comrades at arms learned about it and pushed him out of the moving train in Tallinn between stations of Lilleküla and Tondi. I. Sildmäe (1922–1991) was Pro-Rector for Studies and delivered lectures on constitutional law of the Soviet Union; later Professor and Doctor in Economics.

The tension within Department was felt already on 23 May 1949 in the Council of the Department of Law, discussing the order of Minister of 9 March 1949 – about raising the ideal-theoretical and political level of studies in juridical disciplines taught at higher schools.

Professor Helmut Kadari's report on ideology of anti-patriotic cosmopolitanism and the subsequent discussion was summarised as a conclusion: the lecturers must in the nearest time thoroughly revise their earlier scientific works in consideration of Marxism-Leninism criteria and Stalin's teachings.

H. Kadari (1903–1976), until 1938 Kristal, delivered to us the general part of criminal law, he was my diploma supervisor, but he fell ill before defence of the diploma works, therefore indicated on diploma work as supervisor was Docent Elmar Raal (1927–1970), who delivered to us the special part of criminal law and judicial organisation.

Thus started the trials and tribulations of the Department of Law - full of internal stress and non-ethical behaviour with lecturers. On 29 June 1949, at the meeting of party bureau of the University criticism was the order of the day; it was pointed out that by far not all lecturers of the Department of Law were actively involved in education work and were not vigilant regarding the manifestations of bourgeois nationalism. The work of many lecturers was seemingly permeated by formalism and objectivism. More specifically, blame was laid on Professor Elmar Ilus, Docent Leo Leesment and senior instructor Rudolf Jaska.

E. Ilus (1898–1981), the Estonian best-known civil law expert, participated in 1919–20 in the White Guard Black Sea fleet in the Russian Civil War, was removed from University and later provisionally returned, delivered to us only the agrarian law. He went to University with my father and told me at the examination on agrarian law that he would not ask anything from August's son and gave me an excellent grade; both men had belonged to the Estonian Union of Students.

L. Leesment (1902–1986) did not give us classes because in 1951–1956 he was a political prisoner and was not later allowed to resume teaching.

R. Jaska (1891–1974) did not give us classes, because he was removed from the University; he was member of the Estonian Union of Students.

Lecturer Abner Uustal was reproached for not linking the facts presented in the subject course with topical issues of history of development of society and class struggle.

There were acrimonious comments on the research work, because in the past five years there had not appeared any topical studies, except for individual articles in press. Senior instructor Jüri Ots, Professor Elmar Ilus and senior instructor Heinrich Rink had not released even newspaper articles.

A. Uustal (1915–1985), belonged academically to corporation Revalia, later Professor and Doctor of Law, delivered to us, as Docent the international law; at lectures he used to show us invitations he had received to participate at foreign conferences, saying he could not go (meaning he was not let to go).

J. Ots (1900–1993) delivered collective farm law, but not to us; he was accused that he did not know the collective farm life; he was member of the Estonian Union of Students.

H. Rink (1904–1982) delivered to us notary's profession. He was the reviewer of my diploma work, which he appreciated as *eximia cum laude approbatur*; member of the Students' Society Raimla.

## *Servile servants of the Soviet power*

The speeches of Communists taking floor at the bureau were pointed; critique was delivered in a deliberately direct and noticeable way. Organiser of the party cell of the Department student R. Auling said that students were not contented with the lecturers, who were not convinced in the correctness of the subject taught, adding that the candidacy of jurists admitted to post-graduate course of the Department had not been coordinated with him (a student!) as organiser of the party cell. Department of Law specifically needed convinced lecturers – as a student he thought he should know those people much more than the lecturers did.

Secretary of the Tartu town committee V. Leede attending the meeting distributed the lecturers of the Department of Law into two categories. He classified into the first group those genuinely believing the Soviet power and the ultimate victory of Communism. The second group comprised the lecturers, who had been mechanically incorporated into the Soviet society, taking it as a grim inevitability. The party organiser was assured that those people could not be re-educated or reformed, because in the past nine years nothing had changed in them. He meant L. Leesment and E. Ilus under such lecturers. Rector Alfred Koort (1901–1956, Member of Academy, philosopher; member of the Estonian Union of Students) did not exclude, in his short speech the dismissal of professor E. Ilus from service of the University. The speeches were concluded by party secretary of the University Pavel Kalju. He focused his attention on the need to cleanse the studentship from impurities, which had contaminated



the University in 1944–1945, when students were admitted to the University regardless of their political views or descent. He emphasised – that error must be rectified! As was evidenced by orders of the Rector, that issue was tackled in all earnest.

Fulfilment of decisions of the Estonian Communist (Bolshevik) Party Central Committee of 17 August 1949 and other decisions concerning the University started immediately. The lecturers suffered badly in the Department of Law, which was pushed on the politically motivated road, where only the trusted servants of the Soviet power were supposed to be educated. The avalanche of criticism overwhelmed all notable scientists, among others the whole Professorship. In the first place it hit Professors Elmar Ilus and Helmut Kadari, Docents Leo Leesment, Hillar Randalu and Ilmar Rebane.

H. Randalu (1915–1990), until 1935 Bachmann, was forced to leave for political reasons, and he did not deliver lectures to us; later Professor and Doctor of Law; Member of the Estonian Union of Students.

I. Rebane (1912–1995) delivered to us the special course of criminal law, later Professor and Doctor of Law; Member of the Estonian Union of Students.

### *Confessional statements*

L. Leesment was forced to talk several times at the Council of the Department on politically topical issues, however it was never considered enough. His question was repeatedly taken on agenda at meetings held on 15 and 18 October 1949. After L. Leesment's extensive self-critical speech, floor was given to the acting dean Johannes Mäll (1911–1981, delivered to us, as Docent the labour law; Member of the Estonian Union of Students), who tried to set the accused in a more favourable light. J. Mäll found that L. Leesment had already understood his errors and had comprehended, that his earlier work served the interests of the bourgeoisie.

The summarising estimate was given however by organiser of the party cell of the Department of Law student R. Auling: „L. Leesment has poor mastery of Marxist dialectical method and his speech was formalistic. When the development of the lecturer takes place slowly, there is a danger of such a lecturer impeding the students, getting under their feet. That is also the position of the party organisation of the University regarding L. Leesment.”

Hence the speaker did not disguise the fact that the decision regarding L. Leesment had already been passed in the party bureau. The reason was not his relation to Marxist dialectical method, but his biography. L. Leesment was an outstanding legist, in 1932 he was promoted to Doctor of Law, in 1938 he became Professor. He had

worked in 1925–1932 as the research fellow in Austria and France; he had taught Roman law and law of Estland and had composed studies of fundamental significance in those areas. However he had worked at the University under German occupation. From 1945 he was left only the Docent's profession.

The second person under criticism was Professor E. Ilus. He defended his doctorate in 1939 and became Professor in that year. He had also been research fellow in Germany and France. He had also worked at the University during war. E. Ilus taught civil law, judicial organisation, agrarian law, and Roman law. His research belonged to those areas. At the meeting of 8 October 1949 he had to defend himself against accusations in objectivism, formalism and cosmopolitanism. Professor E. Ilus considered all those accusations exaggerated and explained that his lecture texts based on sources of idealist world outlook and methodology. In the summarising speech the Communist student R. Auling pointed out that as compared with Leesment, Ilus had made more success...

At the meeting of 15 October 1949 Professor H. Kadari was in the dock, analysing thoroughly his earlier works basing of Marxist methodology. Professor's presentation was theoretically so thorough and impeccable, that the Dean's Office and party cell's watchdog critics failed to understand most of it.

Nor did the junior lecturers of the Department of Law escape the confessional statements. For instance senior instructor Karl Püssi (1913–1988, in our period Dean of Law and Economics Department, delivered to us, as Docent the administrative law, later Pro-Rector for Studies of the University; Member of the Estonian Union of Students), whose work at the University had started in 1945, was criticized for embryos of formalism in lectures. His colleague A. Uustal, who was a post-graduate student in Moscow University at that time and did some minor work at the University was accused for insufficient linking his treatment of subject with class struggle theory and practice.

At the party bureau meeting held on 24 October 1949 the student-Communist F. Lõpp of Department of History put on agenda R. Auling's party membership issue, accusing him of denying affiliation to Defence League when joining the party. The culprit did not directly admit it, however he said that when a youth of 18, he had participated in equestrian sports circle of scouts. A month later, on 26 December P. Kalju reported at party bureau F. Lõpp's application, confirming R. Auling's earlier affiliation to Defence League and his active involvement. F. Lõpp also noticed that while holding a party position, R. Auling was conducting himself aggressively at the Department of Law, intimidating lecturers etc. The culprit claimed in his answer that he had been scout, but he categorically denied affiliation to Defence League. Because the scouts organisation was considered a collective affiliate to Defence League, the



accusation stayed hanging in the thin air. Although in analogical cases the culprit was usually expelled from party, R. Auling was not and the bureau punished him with a recorded reprimand. Before long the accuser himself turned out to be accused of the same, but he was expelled from the party.

## *Stalin's birthday*

The summit for politicizing the University life was the popular event of marking J. Stalin's 70th birthday in autumn 1949. The University gazette released in that connection a special issue, which was opened by Rector A. Koort with a piece of writing „We are pupils of Stalin”. Followed the article by leader of Komsomol (Young Communist League) of the University, student of the Department of Law Edgar Salumaa (1921–2006, delivered to us as senior instructor the civil procedure) „We will overcome, because Great Stalin is with us”.

But the University party bureau was not satisfied with the Komsomol work and E. Salumaa was soon relieved from the position of secretary.

In August 1949 the Tartu town committee sent a letter to the Central Committee, in order to dismiss I. Rebane from the University and also from the Bar Association. It was pointed out that the said issue was already being investigated: Rebane had been counsellor to Chancellor of Law in the pro-fascist government of Päts, chief secretary of the fascist „workers” chamber, permanent representative of the government of Päts in Geneva at ILO Bureau for Workers' Activities (ACTRAV). In a word, one was dealing with a vigilant agent of bourgeoisie however the Estonian Communist (Bolshevik) Party Central Committee had not been able in seven months to resolve the question of his dismissal. What conclusion suggested itself with regard to Cde Nikolai Karotamm (1901–1969, later Professor and Doctor of Economics)? There was a single conclusion – Cde Karotamm as head of the party organisation of the republic, as the first secretary of the Central Committee had failed to combat bourgeois-nationalist elements, effectively condoning those elements and furthering their activities. Thence the organisational conclusion: Cde Karotamm could not stay in the current position.

By reference to the decisions of the notorious Estonian Communist (Bolshevik) Party Central Committee's March Plenum of 1950 (VIII Plenum), the meeting of the most active members of party of the University started in the evening 25 April 1950 was held in three nights until early morning hours, as was then a common practice. At the meeting the report was presented by Party organiser P. Kalju, thereafter the meeting heard 30 speeches and passed a decision.

The speech by Dean of the Department of Law Edgar Talvik (1911–1992), did not deliver lectures to our course, because he had been removed from the University for political reasons; Member of the Estonian Union of Students) was permeated by the ambience of aggravated persecution, which manifested itself more pointedly in that Department than in any other subunits of the University. The all-too-evident linkage of some lecturers and politically overzealous student activists with the security organs, their brazen behaviour had seemingly confused and muddled the minds of several prominent lecturers incl. the Dean.

Thereafter E. Talvik accused the student R. Auling and Prosecutor of Tartu Rohlin for improper treatment of E. Talvik as the Dean. The following accusation was targeted at the University Party organiser P. Kalju, who had reportedly been against dismissal of senior instructor Joann Tohver who had served 15 years in the political police. Actually the latter was targeted also because he had defended his thesis on criminology at the University at the time of German occupation in 1943. Then E. Talvik declared self-critically that due to his modesty Professor E. Ilus and Docent L. Leesment were not as yet dismissed from the University. The first of them was called by the Dean an entrenched and inveterate bourgeois nationalist. He considered the task of utmost importance to dismiss I. Rebane, the figure from the period of Päts. Now however the lecturer Otu Ibius (1904–1975, acting head of the chair of state and law and history, forced to leave the University in 1952 for political reasons) had set to defending I. Rebane. Docent H. Randalu was reproached by the Dean for formalist-objectivist errors in work. He also criticized the Estonian Students Union, where he had been a leading active figure. In the end he said that his own master thesis, handling the Republic of Estonia President's institution, was not worthy of the Candidate of Law degree after re-attestation due to formalist treatment. The said critical and self-critical speaker, who was persecuted by German occupational powers during the war, was now to undergo new harsh repressions. At the same year he was sent to Moscow to a doctoral course, where his studies were soon suspended, he was expelled from party and ultimately removed from the University.

### *Plague of the bourgeois nationalism*

However the longest and most outrageous accusatorial speech was delivered by the newly positioned senior instructor of Department of Law, former Assistant Prosecutor of Tartu Jenny Ananyeva (1910–1970, maiden name Pless, born in Võrumaa, later the family moved to the other side of Lake Peipus, during my studies head of the chair of civil law and procedure, Docent and supervisor of our course, delivered to us the general part of civil law), where she had also been the party organisation



secretary. She was not satisfied by presentation of the Dean E. Talvik, finding that alien and hostile elements must be expeditiously removed from the University: „One must take care lest the plague of bourgeois nationalism should infect the students.” She thereafter expressed her consternation that graduates of the Department of Law decline working in investigation and judicial bodies and demanded opening of the Russian-language division at the Department. It would be the only way to attract students from other union republics and to ameliorate the atmosphere prevailing in the Department. The speaker had evidently in view the plan to form new composition of lecturers in the Department, because in what followed she practically struck off the current cadres. J. Ananyeva started characterising the Department with the statement that out of 15 members of faculty of the Department only three were party members (E. Talvik, J. Yegorov and she). Characterised as aliens were I. Rebane, L. Leesment, E. Ilus, H. Randalu, who had nothing to do at the Soviet university. H. Rink, Olev Püssa (1918–1967, delivered to us, as Docent in forensic science, Member of the Estonian Union of Students), J. Pulk, H. Kadari were characterised as just apolitical, not posing themselves prominently in the social life. K. Püss, A. Uustal, J. Mäll and O. Ibius were characterised as participating in social life, but needing control. All heads of chairs, except for E. Talvik, were not party members. H. Randalu was son of a bourgeois Minister, stepson of Hans Kruus (1891–1967, former Rector, Member of Academy, historian, deputy PM in J. Vares’ government), half-German by nationality, had said, he would to go to the Marxism-Leninism night university only when escorted by militia. As a jurist he was characterised as being illiterate.

This is how a person characterised the other lecturers, who had given her the diploma of jurist as external student a year ago. (It is highly reminiscent of the time when after the regained independence young nationalists often got the first job as a Minister).

The guilt of the head of chair of criminal law and procedure, internationally known Professor H. Kadari consisted, as alleged by J. Ananyeva, in the fact that he had been ten years a dean at the Tartu University of the Republic of Estonia (actually starting from 1938) and that his relatives had been expatriated (meaning ‘deported’) from Estonia. The accuser explained that given his vast political knowledge Professor H. Kadari was very passive. J. Ananyeva also blamed the lecturers of the Department of Law for their predominant affiliation to the Estonian Students Union. The speaker held that there was no Department of Law in the whole Soviet Union as bad as that at the State University of Tartu.

J. Ananyeva’s speech was composed in the manner of tribunal speeches in currency in 1930-ies in the Soviet Union. The gravity of accusations was increased stepwise. In the wording the angry accusatory tone rose to wrath, as the accusations grew and the circle of those accused broadened. After J. Ananyeva the floor was given to head

of chair of the Russian language Johannes Feldbach, who declared first his personal gratitude to J. Stalin for guidelines issued for building the Socialism, thereafter attacking the studentship and demanding its speedy purification from two hundred useless riff-raff students.

On 27 April 1950 the party meeting adopted the decision, considered to be the action plan of the party primary organisation of the University. It contained political accusations against 30 members of faculty. Pronounced bourgeois nationalists were Ilmar Rebane and Aino Kureniit, myrmidons and stooges of bourgeois nationalists and nationalists Hillar Randalu, Johannes Mäll, Leo Leesment and Elmar Ilus.

The main content of criticism against the Department of Law, witnessing open and covert power struggle, was little care for forming and strengthening the cadre of young lecturers. The essential management of the Department had been left in the hands of lecturers of low ideological level E. Ilus, I. Rebane and H. Randalu and others, carrying out studies formally and incurring damage to preparation of young jurists. Professor E. Ilus' scientific works were alleged to be lacking any scientific value. The whole responsibility for the situation having developed in the Department was laid on Dean E. Talvik, party organiser R. Auling was accused of lacking due adherence to principle. That accusation spurred the latter for even more alacrity and gave him the powers for "doing justice and judgement".

The party bureau session of 20 May 1950 and the decision adopted is evidently the blackest page in the activities of the University Communists. The report was delivered by the notoriously known chief of special and personnel department of the University (since 1 November 1949) Helene Kurg, the decision contemplated the measures to cleanse the cadre as per departments. Department of Law was the first tackled: Professors E. Ilus and H. Kadari – to be dismissed when replacement was available; Docent J. Mäll – to be dismissed from the position of head of chair and to be left as Docent; Docent L. Leesment – to be dismissed from the position of instructor; Docent H. Randalu – to be dismissed from the position of head of chair; Docent I. Rebane – to be dismissed from job; Jüri Yegorov – it was to be found out what subjects he was entitled to teach at the University, because he had no special juridical education. (Y. Yegorov (1922–), who delivered lectures to us, still alive, had graduated from Moscow Academy of Diplomacy in 1946; son of Andrei Yegorov, the well known Estonian painter, pupil of Ilya Repin, delivered to us, as Docent the history of law).



On 5 September 1950 he was dismissed upon presentation of the chief of special and personnel department H. Kurg „by his own wish”. Docent of constitutional law and history Leo Leesment was to be soon incarcerated to penitentiary. Due to „reorganisation of work loads” Heinrich Rink, senior instructor of the chair of civil law and procedure was dismissed. For the same reason Karl Püss, senior instructor of the chair of state and administrative law was dismissed. On 15 November 1950 Professor Elmar Ilus, chair of civil law and procedure was dismissed.

It was in such conditions that 24 students of our course studied and graduated from daily division of the Department of Law of the Tartu State University (1955–1960). By now alive of 10 girls are 7 and of 14 boys only 2.

*The article was released in the magazine “Kultuur and Elu” (Culture and Life), 2009, no.: 3, pp. 33-47.*

## *Section five*





# It is 45 years now from the fire in the main building of the University of Tartu



*The view of the main building seen from the University street, December 1965.*

Because I am the sole surviving member of the team of investigators of the fire of the main building of the University of Tartu, being in the centre of that tragic event, I have something to recall from that time, especially from personal contacts with the members of faculty and personnel of the University, of relevance from the point of view of historical truth.

## *Introductory notes*

In the night of 21 December 1965 a fire broke out in the main building of the University of Tartu, the national pride of Estonia. The main building of the University is one of the outstanding examples of classicist architecture in Estonia. The building was erected after the design of the University architect Johann Wilhelm Krause (1757-1828) in 1804-09 on ruins of the former St. Maria church. The ceremonial opening of the main building took place on 3 July 1809.

The fire having gained momentum under cover of night, swelled into conflagration by morning of 21 December, with the timber of ceiling having had over 150 years to dry. The fire demolished the middle part of the main building, floor and attic, two lock-ups in the attic and the wall of the third lock-up, assembly hall and adjacent premises of the second and the third floors. According to the opinion of fire-technical experts the fire started in the night at 24-01 on 21 December. The salvage works were obstructed by darkness and smoke. The fire was extinguished on the same day by 14 pm.

The most beautiful hall of Estonia, the University assembly hall had perished in full. There were left only four sooty stone walls gaping at sky, where concerts had been given by the world famous musicians: Clara Schumann, Ferenc Liszt, Sviatoslav Richter and others. Many people standing in the street in front of the main building were weeping..., because their national symbol had suffered major damage. Out of the effective floor space 6255 m<sup>2</sup> of the main building, 900 m<sup>2</sup> had been lost.

Finnish President Doctor of Law Urho Kaleva Kekkonen (1900-86), whose spouse Sylvi Kekkonen (1900-74), an author had some time studied at the University of Tartu, offered promptly comprehensive aid to expedient restoration of the main building, in particular restoration of the assembly hall, with supply of quality timber. But that aid was waived away, probably under instructions of Moscow... Although the fire of the main building was witnessed by thousands of people, the Tartu daily "Edasi" only dared publish, as late as 24 December 1965 the note of the following content: "The citizens, who noticed in the night of 21 December some circumstances related to fire in the main building of the Tartu State University are requested to promptly notify the Militia Department of Executive Committee of the Council of Workers' Deputies of the Town of Tartu".

### *Criminal dossier no.: 09603*

On 21 December 1965 A. Vilms, the investigator of especially important cases at ESSR Prosecutor initiated a criminal case related to the fire event, which started in the night on 21 December 1965 in the main building of the Tartu State University. On the same date the Deputy Prosecutor of ESSR Pavel Afanasyev, having studied the materials in the criminal case on fact of the fire in the main building of the University and in consideration of the complexity of the case, and the fact that multiple investigation procedures were to be carried out in that connection, pursuant to ESSR Criminal Procedure Code § 178 appointed in that criminal case, for carrying out preliminary investigation, the team of investigators, including investigator of espe-

cially important cases at ESSR Prosecutor A. Vilms and senior investigators E. Mauer and A. Leps of the Investigation Department of the ESSR Ministry of Public Order Protection.

Naturally for us as investigators of fire of the main building, it was a rather specific experience, because we had all graduated from the Department of Law: Ants Vilms in 1958, later judge and lawyer; Endel Mauer in 1958, later chief of Investigation Authority of Ministry of the Interior of ESSR (by now both deceased) and me in 1960, which meant interrogation of the University administration and members of faculty, incl. lecturers of Department of Law. Because fire of the main building was in focus of attention of the public, not only of Estonia but also that of foreign countries, that fact presumed excellent knowledge of investigation work, proper and delicate behaviour.

Sharing of work between investigators was the following: A. Vilms – heading and organising the investigation work; E. Mauer – finding out persons potentially connected with fire; A. Leps – finding out witnesses of fire, speaking to them and interrogating them, when needed, and finding out victims of fire. Our work was supervised by the ESSR Prosecutor Valter Raudsalu (1915-2003). Actually the whole investigation work involved, at least initially, about one hundred people: investigators, operative workers, experts of various specialities, fire fighters etc. The common practice, deplorably evolved in case of “especially sensitive events”, at least at their beginning, is that heads of many law enforcement services get together, often just impeding those directly responsible for work.

In the morning of 21 December there was a negotiation in the office of Fjodor Klementi (1903-73), a physicist, Rector of the University, Member of Academy. The discussion was directed by Head of Governmental Commission, first Deputy Chairman of the Council of Ministers of ESSR Edgar Tõnurist (1920-92). Attending were the University Rector and pro-rectors, local party figures, heads of law enforcement services of the Republic or their deputies and us, three investigators, with the main topic being extinguishing the fire in the main building and restoration of the main building.

Deposited in the State Archives regarding fire of the main building is the criminal case no.: 09603 initiated by the ESSR Prosecutor's Office, consisting of 6 volumes, total 977 sheets.

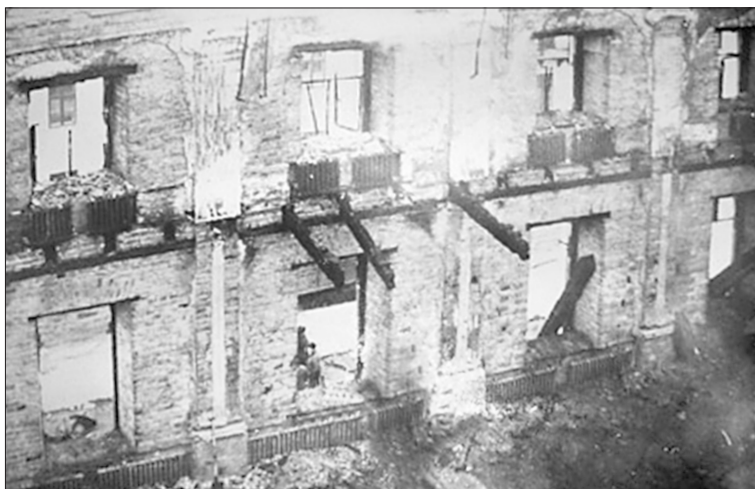
In the morning of 18 December the office of Anatoli Mitt, Dean of the Department of Physics and Mathematics located on the second floor of the main building (the office was adjacent to the so-called dark room of the chair of general physics) was pervaded by a light whiff of smoke, the reason of which could not be identified. On

20 December at about 23 the last worker of the chair of general physics left the main building. Only the guard and stoker were left in the main building. On early morning 21 December after 04 the guard of the main building and the cleaner coming to work noticed smoke and saw fire from the courtyard of the main building in the windows of the second and the third floors. On 21 December at 04.37 the Tartu Fire Department received the fire alarm from the University guard. At 04.42 the first fire trucks arrived at the place of event. The University main building's central part was burning. The fire extinguishing procedure left much to be desired, the firemen were too few at the start, there were difficulties with obtaining water, there was shortage of hoses, the large truck ladder was missing, and therefore the water did not reach the third floor. The truck ladder had been given to Tallinn in summer, because it was believed redundant for Tartu. The fire was extinguished by 14. It was thanks to the efforts of professional firemen who had arrived in the night of 21 December from Tallinn, headed by Jaan Vaarmann, deputy chief of Fire Fighting Authority of ESSR, under whose masterly direction of extinguishing works the spread of fire to the museum of ancient sciences and the Rector's Office was averted. The chief of Fire Fighting Authority had also been seconded to Tartu, a colonel who did not speak Estonian, who however was unable to direct the fire extinguishing. At the evening's operative meeting that day I said that such chief of fire fighting speaking Russian only and unable to direct fire fighting was useless. Thereafter he was called back to Tallinn and later J. Vaarmann was appointed the new chief of Fire Fighting Authority.

Observation of the place of event was started on 22 December, insomuch as the spread of fire allowed it. The appropriate preliminary observation protocol was composed by Deputy Prosecutor Viljar Kaasik of Tartu Prosecutor's Office with witnesses, attended by senior expert in criminal investigation of the judicial expert examination laboratory Herbert Lindmäe (born 1930, later Professor of forensic science of the University). The thorough observation of the place of event was carried out later on 22-24 December directed by Anatoli Karamkov, senior investigator of Tartu Prosecutor's Office, attended by witnesses and Docent Olev Püssa ((1918-67), who was lecturer of forensic science of the University in 1945-67). I believe that Docent O. Püssa is remembered with deep gratitude by every alumnus of the Department of Law. On 22 December the observation of the place of event of the third floor of the main building was carried out by senior investigator E. Mauer with witnesses attending.

The additional observation protocol of the place of event was composed on 29 December by A. Vilms; taken under observation was the hole having burned into the floor of the premises of general practice (electrical workshop) of the chair of general physics in the second floor of the main building, which was located beside the wall between the said room and the dark room. The hole was oval in shape, 1.5 m long

and in the middle 0.6 m wide. The hole started from above the door frame located in the dark room directed towards the office of dean of Department of Physics and Mathematics and ran in parallel with remnants of the wall of the dark room. When removing the burnt debris the hole revealed the ceramic ventilation tube, one iron tube and three armature electrical cables, all located in parallel with remnants of the wall of the dark room. The fire had started from that place due to an electrical fault. The observation was attended by O. Püssa and expert-criminalist Johannes Leppik, also electricians and witnesses. On 7 January 1966 A. Vilms and E. Mauer composed an additional observation protocol of the place of event, of the ventilation tube of electrical workshop of the chair of general physics and its surroundings regarding the dark room. On 24 January 1966 the ventilation tube was additionally inspected by E. Mauer and A. Leps together with Docent Olev Tapupere, Head of Department of Electrical Systems of Tallinn Polytechnic University, attended by Docent E. Risthein (later Professor).



*Balcony of the assembly hall.*



## *Witnesses*

The repeatedly interrogated guard of the main building could not say anything of essence on fire, only that the “large electrical clock” of foyer of the main building had stopped at 03.45. But before that he had heard a sonorous thump and felt odour of smoke. Actually the time of clock should have been later. Nor did repeated interrogation of the worker of laboratory of the chair of general physics yield any results and the statements of various experts, e.g. lecturers of Tallinn Polytechnic Institute E. Kikerpill, P. Plakk, E. Risthein and T. Pikk; and V. Kann, A. Sarap, R. Sirge (from Tartu); and K. Smirnov, V. Kryakov (from Leningrad) ruled out participation of the said worker in fire.

At the time of the fire, Jaan Muuga (born 1891) worked in the main building; he was “hardware”, who had been at service of University as electrician “under all Caesars”. He was the sole person who knew more or less precisely, when electrical cables, clocks and shields had been installed. He said that the University had always been poor lacking sufficient money to install in the main building proper wiring and therefore the fire had started evidently from decrepit wiring.

Viktor Simm was Administrative Pro-Rector during fire of the main building. His responsibility was handling the upkeep of the whole University and therefore he was also responsible for upkeep of the main building. The matters in the main building were not in proper order, mainly as regards the electrical systems. The University was not assigned enough funds to upkeep electrical systems. The equipment was replenished and the load increased steadily in the electrical network. But it was decided not to bring V. Simm to court for negligence. Of interest regarding Simm is however quite another fact. There were rumours that some higher party functionaries still wanted Simm to be prosecuted and sued. Allegedly the University management and Tartu town authorities were punished in the party line, but V. Simm was not, by considerations that he would be prosecuted and convicted. Because V. Simm was not brought to justice and convicted, he got away with it and was later promoted to the position of Administrator of Council of Ministers of ESSR!

**Witnesses from Department of Physics and Mathematics:** Lecturer of Chair of General Physics Herman Mürk (1908-88) characterised the Dean of Department of Physics and Mathematics Anatoli Mitt (1909-80) as a very diligent and orderly scientist, who had no enemies. However he added that Docent A. Mitt was a militant atheist and he had heard somebody say: “The God will punish him cruelly”. A. Mitt alleged in the protocol of interrogation of 23 February 1966 that upon his view the electrical wiring in the chair of general physics had been installed in the bourgeois period.

The physician, corresponding member of the Academy of Sciences Cheslav Lushchik (born 1928, later Member of Academy) wrote in his statement that he, Head of Chair of Experimental Physics Prof. Karl-Samuel Rebane (1928-87, later President of Ac. Sci.) and Head of Chair of General Physics Docent Kalju Kudu (1930-2001) held that “the fire started in vertical: electrical workshop of general physics, Mitt’s office, library of department of law and attic”, and “it could be presumed that the fire started from the second floor”.

I had an interesting contact with Professor of Mathematics Gerhard Johannes Rägo (1892-1968), because I had also to talk to the University former administrative pro-rectors. G. Rägo was University professor in 1920-40 and 1944-68 and administrative pro-rector in 1944-46. We had agreed over phone that I would go to his residence in Tähtvere. On the doorstep after greeting he asked, who Aaso Leps was to me (graduated from University in 1956 as mathematician). I said that he was my brother, whereupon he said that he had been an excellent student at the University. Thereupon he asked me whether I knew that he was called “Red Professor”, because in 1920 he returned from Russia to Estonia and he had a Russian spouse. I replied that I had not heard that (while I actually had). Perhaps he wanted to hear my reaction to that allegation. G. Rägo said that before WWII he had been at Universities of Paris (Sorbonne), Göttingen and other European Universities, and mentioned that fire safety regulations there had been very strict. Smoking was forbidden outside smoking rooms, defaulting on which rule had brought about expelling of students and dismissal of lecturers and other staff. I remember that he also said that when he was the administrative pro-rector, the guard of the main building was supposed to make two tours in the night at some time in the assembly hall and assembly hall balcony. “The Red Professor” G. Rägo emphasised that the best Rector of the University (1928-37), under whose supervision he had worked, had been Professor of Religion and later Bishop of Lutheran Church Johan Kõpp (1874, Valgamaa - 1970, Stockholm). Prof. J. Kõpp had reportedly every morning visited the most important objects of the University, had talked to employees of the University and doormen, and had always an overview of matters.

**Witnesses from Department of Law:** On 11 January 1966 I interrogated (actually handed over the protocol for signature) the legist Prof. Paul Vihalem (1910-85), because library of the Department of Law and Chair of State and Administrative Law were located in adjacent premises in the third floor of the main building. A couple of days later, when he returned to me the protocol, that outstanding theoretician of state and law said that the present Socialism was a misfit and would not lead us anywhere ...By the way, his older brother, the well-known civil law expert Hugo Vihalem was sentenced by verdict of tribunal for 25 years in a Siberian prison camp for coopera-



tion with German secret service. That talk took place in front of the main building, for quite a few hours, so that I was cold. He did not want to hold that conversation in a room, because that would have been dangerous. He conceivably knew about my origin and he had been my lecturer during my study at University. I remember I offered him an apple; he looked at his watch and said it was not his dinner time. I smiled and he said thereupon that it was not a laughing matter. He picked up a half-burned book, looked at it and dropped it. All 978 diploma works of graduates of the Department of Law had perished. It was said that the library of Department of Law was mainly Prof. P. Vihalem's personal library, it was also said that he was holding the State Elder Prof. Jaan Tõnisson's library... In summer 1940 P. Vihalem was Chief of Tartu Public Safety ...

Because I had rather strenuous relations at the time of studies at the University with the “new Soviet generation” Department of Law lecturers, Docents Jenny Ananyeva, Vilma Kelder and Endel Laasik (two latter later Professors), I asked E. Maurer to interrogate them. The said lecturers did not have anything essential to say about the fire of main building.



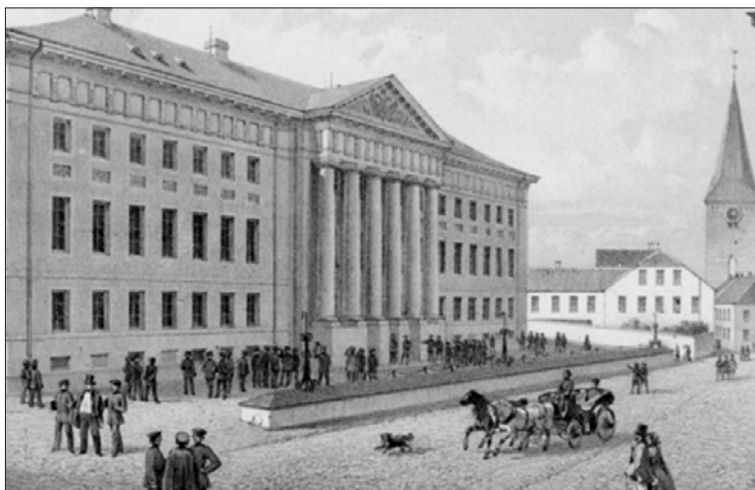
*Electrical clock or “Large Clock”  
in the foyer of the main building*

**Witnesses from Department of History and Linguistics:** I had quite a few contacts with the linguist Member of Academy Paul Ariste (1905-90). His interrogation protocol revealed that the file of Estonian etymological dictionary containing over 100 thousand notes and materials, non-existent in other collections for practically extinct languages had perished. He was distressed by that loss, which the fire of main building had caused to his scientific work and that of colleagues. P. Ariste was talkative. When we first met he asked whether and when I had graduated from the University and was surprised that he had never seen me in the “Werner” cafe. I replied that when studying at the University

I had been badly off financially and therefore I rarely stopped at “Werner”. P. Ariste looked rather vain to me; he liked talking about other scientists in private conversations and not in the positive vein. It looked like he had developed peculiar jocular relations with V. Ernits.

Head of Chair of Estonian Prof. Arnold Kask (1902-94) claimed that during the fire he had together with P. Ariste promptly formed a chain of students and "that the students, both Russians and Estonians had unanimously been of help at all salvage works".

I repeatedly talked to and interrogated the linguist and temperance activist, Member of Estonian Constitutive Assembly and the 1st Riigikogu (Parliament), Docent Villem Ernits (1891-1982). I had a chance to observe him very closely, because he wrote in his own hand his interrogation protocol at my desk. Given his modest clothes he had very attentive and wise eyes. When I had read the protocol and had drawn his attention to some words not in current use, he replied that Aavik (the linguist Johannes Aavik (1880, Saaremaa – 1973, Stockholm)) did not know Estonian. By the way, V. Ernits also presented his version about possibilities of fire, because he had seen late at night of 20 December 1965 the light in windows of the second or third floor of the northern part of the main building.



*Historical picture of main building of the University*

## *Conclusion*

On 17 March 1966 A. Vilms finished by his order the proceedings in criminal case no.: 09603 under ESSR Criminal Proceeding Code § 5 Section I p. 2, because the acts of persons having caused or fostered the shortcomings, defects and violations described in the order did not have the elements of *corpus delicti*. The preliminary investigation had established that fire started in the dark (windowless) room of the general practice of the chair of general physics located in the second floor of the main building of the University from electrical fault. Wilful arson and negligent handling of fire were excluded as a reason of fire. For removal and further prevention of errors and omissions, as well as deciding the issue of disciplinary responsibility of persons guilty of those errors and omissions the presentations were made to Rector of the University, Chairman of Committee of Higher and Special Secondary Education of Council of Ministers of ESSR, Minister of Public Order Committee of ESSR, Chairman of Executive Committee of Council of Workers Deputies of Tartu and Chief of Tartu Network Region of the South High Voltage Networks.

Nobody believed arson of the main building of the University, nor did the investigation establish it. Because nobody was submitted accusation in the process of preliminary investigation, all sorts of rumours spread among people about the cause of fire. According to one version the blame for fire was laid on a young teacher having lived the chair of general physics in the second floor. He had allegedly soldered metal at work in previous night and had left the soldering iron under current. Then there was the rumour that investigators having graduated from the Department of Law should not have been used at investigation of the fire in the main building, because they could have been partial, i.e. “standing for lecturers of the Department of Law and against the lecturers of physics.” That funny “theory” was developed in the form that in a couple of centuries nobody would care what the reason of fire was in the main building, but all would wonder whether the fire started in the premises of the Department of Law or Department of Physics and Mathematics ... There were also allegations that the investigation team was set up of “wrong” people, who did not want or were not able to find out the real cause of the fire in the main building, because the head of investigation group Ants Vilms was relative of the well known statesman of Estonia Jüri Vilms, Ando Leps however was son of a bourgeois nationalist. Only Endel Mauer came from a worker’s family (actually he was a born investigator)...

On 22 December 1965 the Committee of Higher and Special Secondary Education called two commissions to announce proposals for restoration works of the main

building. Council of Ministers of ESSR allocated money and building materials for speedy work. The main building was to be restored by 1 September 1966 and the assembly hall by 1 May 1967. The main building was restored very quickly, by 1 September 1966, and the assembly hall by 28 April 1967. At the opening concert of the assembly the Symphonic Orchestra of Estonian Radio presented, conducted by renowned conductor Neeme Järvi the Johannes Brahms' ceremonial overture "Academic", with the interlude "My dear fatherland", finalised by the students' hymn "Gaudeamus". Many had not had such elevated concert experience before.

**Annex:**

All photos come from Criminal dossier no.: 09603 deposited in State Archives.

- a) Photo 1. View to the main building from the University St.
- b) Photo 2. Assembly hall's balcony from the University St.
- c) Photo 3. Electrical clock i.e. "Large Clock" in the foyer of the main building
- d) Historical picture of main building of the University

*The article was released in the magazine "Kultuur ja Elu" (Culture and Life), 2010, no.: 1 pp. 20-24.*





*Ando Leps at Rakvere, in the period of  
German occupation in 1942.*

*He is wearing on the lapel the colours of Estonia,  
which was not looked at with benevolent eye by the  
German occupational powers.*



*The studies at the University are over.  
In Tartu, spring 1960.*



*The Leps' family picture 9<sup>th</sup> July 2016, Tallinn.*





*Together with the painting of father on the 75<sup>th</sup> birthday.  
Author: the well-known Estonian artist-sculptor Fredi Sannamees, with whom father  
studied at the tsarist time in Tartu Commercial School. Painting: red crayon, 1934.*



*Together with the painting of mother on the 75<sup>th</sup> birthday.  
Author unknown. Painted in Narva or St. Petersburg, evidently in 1917.*



*The friendly caricature of Ando Leps by the best known Estonian cartoonist Hugo Hiibus, 2015*



*The cartoon published of Ando Leps' father on 27.11.1932. The cartoon carries the legend: "All capital assets are anyway stolen - we have stolen all our farmsteads and houses!..."*



*Ando Leps gives an oath in Riigikogu (Parliament). In the background President of the Republic of Estonia Arnold Rüütel.*





*The largest cartoon published in Estonia before the WWII, notably in the daily "Waba Maa", about Estonian politicians, authors, actors, musicians, sportsmen, military and others, titled "Christmas 1934". Santa Claus is embodied by the State Elder Konstantin Päts; the others are grovelling to keep their jobs. The well-wishers start congratulations with presenting the*





new Constitution 1934 in golden binding (actually amendment or complementation to Constitution 1920). The sixth in the procession is Ando Leps' father August Julius Leps, who has no gift and about whom there is a line "Leps gazes abstractedly at the goings-on". A policeman is keeping order in endless row. A farmer with his wife and dog are wondering what that all might mean...



*At reception of President of the Republic of Estonia Arnold Rüütel and his spouse Ingrid Rüütel on anniversary of the Republic of Estonia on 24 February 2003. Left from the Presidential couple the former Speaker of Riigikogu of the Republic of Estonia Ülo Nugis with spouse.*



*Together with Professor Yakov Gilinsky of St. Petersburg at the World Congress of Criminology in Barcelona in 2008.*





*President Arnold Rüütel congratulating Ando Leps at his 75<sup>th</sup> anniversary in Estonian National Library.*



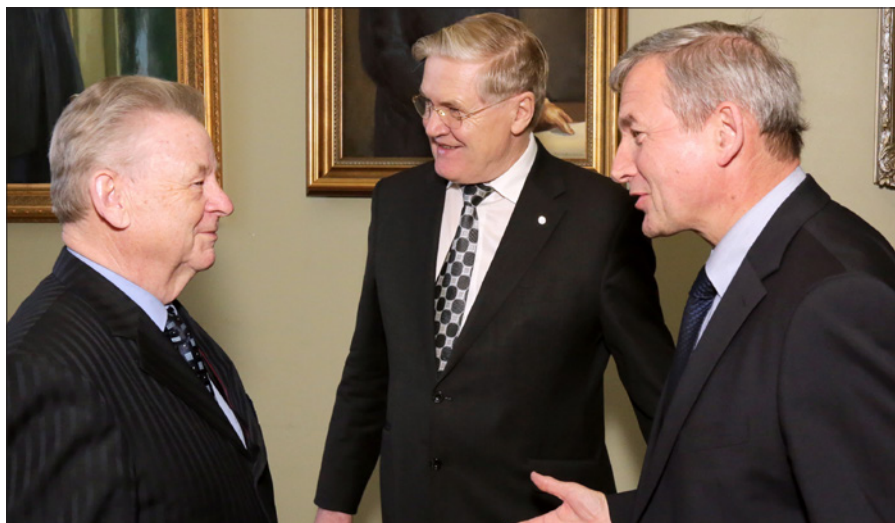
*Director General of the Estonian National Library Ms. J. Andresoo is opening the exhibition dedicated to the 75<sup>th</sup> anniversary of Ando Leps in the National Library.*



*Ando Leps at the World Conference of Criminology in Barcelona in 2008, together with the founder of victimology, a branch of criminology Ezzah Fattah, Professor of the Simon Fraser University (Canada).*



*Participants of the international conference in Riga on 07.12.06.  
Ando Leps is the fifth from right in the second row.*



*On the picture from the right: President of the Latvian Academy of Sciences, Professor  
Ojars Sparitis, Vice-President, Professor Talavs Jundzis and Ando Leps.  
In the Latvian Academy of Sciences in 2016.*



*At the conference in the hall of the Latvian Academy of Sciences in 2016.  
Presidium of the international conference held in the Hall of Senate of the Latvian Academy of Sciences on  
22.04.16. From the left (speaking) Vice-President of the Latvian Academy of Sciences Talavs Jundzis,  
Prof. Viktoras Justickis (Lithuania), President of the Latvian Academy of Sciences Ojars Sparitis, Prof. Ando Leps  
and Chairman of the Senate of the Baltic International Academy, Prof. Stanislav Buka (Riga)*



*In the Latvian Academy of Sciences in 2016  
together with the Lithuanian  
Professor V. Justickis and Vice-President of  
the Latvian Academy of Sciences T. Jundzis.*



*(2014) Ando Leps and Professor D. Shestakov,  
Editor-in-Chief of the journal "Criminology:  
Yesterday, Today, Tomorrow" of St. Petersburg  
International Criminology Club.*

*D. Shestakov belongs to the 14<sup>th</sup> generation in the noble  
family of ancient lineage of which the 7<sup>th</sup> generation was  
represented by the greatest mathematician of all ages  
Leonhard Euler (1705, Basel – 1783, St. Petersburg).*





*Ando Leps speaking at the conference in Stradiņš Medical University in 2016.  
Beside him in the presidium Dean of the Department of Law of the same University,  
Professor Andrejs Vilks.*



*The IX composition of Riigikogu is ending its work (spring 2003).  
In the picture in the second row, the sixth from left is Ando Leps.*



*The author was congratulated by Ms. Anne Eenpalu, the granddaughter of the former State Elder Kaarel Eenpalu (1888-1942, Vyatka prison camp).*

*On 12.10.09 there was presentation in Tallinn, in the Arts Hall of the Toompea palace of the book by Ando Leps „When Estonia was governed by jurists”, which was opened by Speaker of Riigikogu Ms. Ene Ergma. The presentation was attended by about 150 people, among them President Arnold Rüütel, former speakers of Riigikogu Ülo Nugis and Toomas Varek, Deputy Speaker of Riigikogu Jüri Ratas (presently PM of the Republic of Estonia) and former Chiefs of Defence Force, the Bishop of Estonian Evangelical Lutheran Church E. Soone, successors of Estonian statesmen, former political convicts, rectors of universities, professors and others.*



*The cover photo of the largest juridical journal of the world “Российский криминологический взгляд”, containing ca. 900 pages and issued in five languages.*



*August Julius Leps' employee ID card.  
August Leps was member of Riigikogu (Parliament) by elections of 1932.  
Tallinn, 15 June 1932.*



*The international conference dedicated to Prof. Lev Spiridonov in St. Petersburg in summer 2016. The opening address is delivered by Ando Leps. The conference is moderated by Prof. Ilya Chestnov (St. Petersburg), pupil of Prof. L. Spiridonov.*

## *Section six*





## How I occurred abroad for the first time

I was not allowed to travel abroad. For the first time I got abroad in 1988, when I participated upon invitation of the Institute of Philosophy of the Academy of Sciences of Bulgaria at international mathematical modelling methodology symposium, held from 1-5 June in the International House of Scientists named after F. Joliot-Curie near Varna.

But the “procedure” of getting abroad was rather peculiar. Namely, the outstanding Russian sociologist, Director of Institute of Sociology of the Academy of Sciences, Professor, Doctor Honoris causa of the University of Tartu Vladimir Yadov (1929-2015) sent to our Minister of the Interior a letter, pointing out that he could not travel to Bulgaria to attend the above Symposium and suggested that I should travel in his place. The letter raised commotion in my workplace and the Minister of the Interior Lieutenant General Marko Tibar was much exasperated, but in the end he allowed me to travel to Bulgaria.

I had earlier had some trouble at work related to the Western world. Several Finnish and Swedish scientists had called the duty officer of the Ministry of the Interior and had asked to connect me. The duty officer naturally reported it to the Minister, who said that those persons must be answered that no such individual was working at the Ministry. But the scientists responded that they knew that he was working there...

Why Prof. V. Yadov referred to me was perhaps due to the fact that Prof. L. Spiridonov (1929-1999) was well acquainted with him and because when I was on a visit to Spiridonov in Leningrad, we sometimes also called at Yadov, hence I knew him. By the way, Yadov was also supervisor of the candidate thesis of our well-known sociologist Ülo Vooglaid (1935) and part of the time he lived in his cottage in Estonia, Simuna. Yadov knew that I was concerned with mathematical methods in research of crime.

The plenary meeting held on 1 June was opened by Prof. B. Chendov (Institute of Philosophy of the Academy of Sciences of Bulgaria), who emphasised, that the goal of the symposium was to work out methodology of mathematical modelling of various branches of science, in order to mathematise them. The work of symposium was attended by ca. 150 scientists from various countries. I was representing criminology.

I participated in the section „Use of mathematical models in research of global problems.“ My topic was „Possibilities of mathematical modelling in research of criminal activity in the socialist society.“ I pointed out that my long experience of research together with mathematicians (L. Võhandu, M. Tombak, J. Mullat, A. Isotamm, E. Õunapuu and others) showed that the criminal activity can only be mathematised, i.e. reduced to the language of mathematical equations of theory of causes of criminal activity, provided there existed such a theory of criminology, which could be empirically measured. Up to the given moment such a theory was lacking in the Soviet criminology, which also showed that the theory of Soviet criminology did not meet the everyday needs and had theretofore only existed for science itself. Consequently the Soviet society, currently in the throes of perestroika could only use the criminological research results if criminologists themselves tackled in all earnest the research process, which in its turn meant that the process of realignment of science should be based strictly on Marxist theory of society, i.e. based on actual life. That task could only be solved proceeding from Marxist dialectics, which was the sole ideology enabling treatment of criminal activity as a systemic aggregate of all relations of the society as a social organism, i.e. as a phenomenon, born of contradictions of the society. I presented at the symposium in a very general outline the Marxist treatment of the cause of criminal activity, which could subsequently be transposed into the language of mathematical equations. Then it would be possible to adequately prognosticate the criminal activity, in order to make scientific proposals on the state level to block criminal activity.

The discussion following the report was one hour long. I had to answer widely different questions. Those concerned class theory in Socialism, the relation between national and private property, development of municipalities, electoral system, environmental protection in the modern Socialist society, measuring (appraisal) of damage caused by criminal activity, the right to apply capital punishment in the Soviet society etc. Evidently both the paper and answers given to questions caught the attention of the listeners.

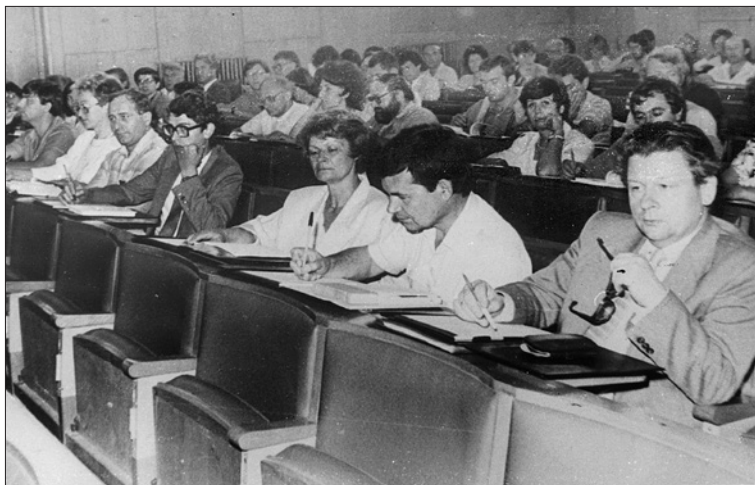
The foreign and Soviet scientists represented at the symposium were keenly interested in the progress of perestroika in Estonia, and I had to answer a multitude of questions. I remember that Rector of Sofia University, whose name I have unfortunately forgotten told me in a private conversation that they in Bulgaria could not dare speak up so boldly.

In the progress of symposium I made closer acquaintance with Prof. Yuri Ivlev (1936), Professor of Moscow State University, later Member of Academy (1997), scientist of mathematical logic, at that time already well known abroad. He has written a book “The logic for lawyers”.



To sum up, the Varna IV Symposium in international mathematical modelling methodology was a splendid manifestation of cooperation and friendship of scientists of different nationalities.

*I have used in the article the essay “A week in Bulgaria”, released in the juridical bulletin “The Soviet Right” 1988, no. 4, pp. 278-279.*



*Ando Leps in Varna in 1988. Sitting beside him is Prof. Yuri Yvlev (Moscow).*





## *Section seven*





# How I possibly helped prevent bloodshed in Estonia on August 7, i.e. before the coup in Moscow on 19-21 August 1991

(a historical narrative of a hearing)

As it is, any whatsoever representative bodies, in the given case for instance the USSR People Deputies Congress, parliaments and senates have only been certain appearances at dramatic historical *turning points*. It is always of major importance what political powers the law enforcement and power structures *stand up for*. It should invariably be kept in mind! (The given article has been published in a shorter form: The largest interrogation of recent history in Moscow saved Estonia from bloodshed? Pealinn 03 October 2016).

It was a volatile time. On 11-13 January 1991 the developments turned violent at Vilnius TV tower, with 14 dead and over 1000 wounded. On 20 January 1991 there were victims in downtown Riga. Estonia was miraculously spared of bloodshed. Was it because Estonia's was the most advanced society as compared to other union republics and therefore also the best known in the West? It is hard to say.

The former USSR Deputy Minister of the Interior, Chief of Investigation Authority of the Ministry of the Interior Lieutenant General Vitali Sidorov (1933-) organised and held on 7 August 1991 a working meeting with heads of all investigation bodies of the USSR Ministry of the Interior and union republics. He said that the objective of the meeting was improving the investigation work and valuation of investigators' work. Whereas V. Sidorov has now noted that such a representative meeting could not have been organised at that time even by the USSR President (Витали Сидоров. «Жизнь – не игра!», in the book «Реформа и реформаторы МВД СССР». Центр «Звезда», 2015).

I hold however that the actual goal of calling that collegiate body was sounding out the political situation of the union republics, because the central authority of the USSR was just planning closing a new union agreement. Knowingly the negotiations for making a union agreement were started as early as in 1990. In March 1991 a public opinion poll was conducted, with  $\frac{3}{4}$  of the respondents voting in favour of preserving the state as was. Estonia, Latvia, Lithuania, Armenia, Georgia and Moldova boycotted that referendum.

Estonian Minister of the Interior Colonel Olev Laanjärv (1942-2007) made a proposal to me to travel to Moscow on 7 August 1991 to attend the USSR Ministry of the Interior



collegiate body, designed to consider the issues related to crime and investigation. I had a respective report compiled for that purpose, but I do not remember what specifically it contained. Crime was rampant and investigation work faulty in Estonia at that time. Admittedly our whole justice system was somewhat disoriented and not particularly operable. The generalisations were practically lacking, because the headquarters of the Ministry of the Interior had been liquidated. The investigators being the best educated actors in the justice system as compared to operative executives, the principal investigators were naturally most knowledgeable about the situation with crime and the standard of investigation, hence about the whole political situation in the union republics.

Actually I was supposed to be in Moscow already on 6 August, because in the evening of that day I was to speak on Moscow's 1st TV Channel. O. Laanjärv agreed that I would not travel to Moscow on 6 August, because it was not clear what I was expected to speak about and what questions I was expected to answer. There was also a valid motive to put the journey back, because the Tallinn-Moscow train was always much too late to arrive in Moscow, therefore it was a plausible excuse in a sense.

I am not entirely sure now about why it was me who was to travel to Moscow to that all-Union investigation-focussed assembly. I do not know why O. Laanjärv made that proposal to me. I was not the leading actor of the investigation system at that time, although I was Candidate of Law. As V. Sidorov's piece of writing suggests, invited to the assembly had been Deputy Ministers of the Interior of union republics, directly responsible for investigation. There was no such office of a Deputy Minister of the Interior in Estonia, as far as I know.

I was in good relations with O. Laanjärv. In the transitional government of E. Savisaar he became Minister of the Interior on 17 April 1990. The opposite party of that Government of PM of the Republic of Estonia E. Savisaar (1950-) i.e. Popular Front Government, the so called Pro-Patria activists headed by Tunne Kelam (presently member of Europarlament, 1936-), recommended me to enter the Savisaar's Government, specifically as Minister of the Interior. I was also an active member of Popular Front and member of its 1<sup>st</sup> Council, 1988.

However I waived in favour of O. Laanjärv, because he came from a worker's family, while I was son of a bourgeois nationalist, my father August Julius Leps (1896-1972) fled in September 1944 from the red terror to Sweden and my senior brother Olaf Leps (1926-2015) had been recruited to Wehrmacht, was taken prisoner in the so-called Czech Hell and served his time in Vorkuta prison camps. I would not have made an acceptable Minister of the Interior in the Moscow justice corridors. By the way, I wrote to O. Laanjärv the text of the speech he was to deliver in Riigikogu (Parliament). I do not know how much exactly he used it (Laanjärv could write well) and I handed the draft speech over to him on previous night. In the following day in April 1990, when Riigikogu was to „decide“ the issue of Minister of the Interior, at 10.30

the Pro Patria activists called me and asked me to come to the Riigikogu session, but I answered in the negative.

Because I had written as Candidate of Law at that time many articles about politics and crime and I had in no whatsoever way been connected with the KGB, perhaps the authorities of Moscow wanted to see at the said assembly a person like me, who would report objectively the situation with politics and crime and investigation work of the USSR's most advanced union republic. I do not know with whom O. Laanjärv could have discussed that issue or who might have instructed him, because the highly placed actors were closer or remotely related with KGB.

Hence at night 6 August I travelled by Tallinn-Moscow train to Moscow. In the morning 7 August the train was late as was expected. I was met by an officer ranked colonel who sped me in car to the USSR Ministry of the Interior. I was being expected ... I was taken to a room and served breakfast, whereafter I was guided to a rather large hall with a long table laden with different dishes (I remember fancy sandwiches). There were many people sitting around in the hall. Whoever they were I never learned - I did not know them. As written by V. Sidorov, invited had been the executives of the USSR President's Office, of the Presidium of the Supreme Council, of the Council of Ministers, of the Supreme Court and the USSR Prosecutor's Office. The USSR Deputy Minister of the Interior, General of the Army, former 1st Secretary of the Latvian SSR Communist Party Boris Pugo (ethnic Latvian, 1937-1991, believed to have shot his wife and himself after the coup), was allegedly on leave. The people in the hall were mainly clad in civilian clothes, but there were also general uniforms in sight.

A rather tall grey haired intelligent looking man stood up and presented me as a man having been invited to that collegiate body as Estonian representative - Candidate in Law, Ando Leps, son of August, engaged in investigation issues in Estonia. He then asked me why I had not arrived earlier on 6 August and did not take part in the Moscow's 1<sup>st</sup> Programme TV broadcast, where I was supposed to be. I replied that the train connection with Moscow was irregular and I had therefore decided not to come.

The other question was however much rougher. Why do you Estonians not like *Russians*? I answered reservedly. I must admit my Russian was rather passable at that time, although the situation was nerve racking. I replied that Russians had resided in Estonia for centuries like Germans, Swedes, Jews and other nationalities also when we were part of tsarist Russia. Furthermore, the areas around the Lake Peipus had been for centuries inhabited by Old Rite Russians, who had escaped from religious persecution to our areas and we had not had any significant misunderstanding with them. Even then there had not been any significant misunderstandings when masses of labour were transferred to Estonia from poorer eastern regions of the USSR, particularly to develop and increase industry, because Estonia had available many industrial premises like in Narva the Kreenholm factories, in Tallinn the Dvigatel, Ilmarine and other plants dating back to the Russian Empire.

I further said that lately dangerous tensions had evolved between Estonians and Soviet border guards specifically, illustrating it by a tragedy which occurred on 8 August 1976 in North Estonia, district of Kunda, near Letipea, where at the republican gas workers' meeting near border zone an intoxicated border guard shot 6 and wounded 18 participants. Besides that the inebriated border guard placed a bullet in the breast of another border guard who had tried to control him, and who later died in hospital. The gunman then committed suicide. The local chief of the border guard unit also committed suicide evidently for fear of retribution. The news of that heinous crime translated promptly to Finland and further on to the *whole world*.

I also presented another example when the authorities, i.e. the Communist Party with power structures, dispersed on 2 February 1988 in Tartu the meeting, dedicated to the Tartu Peace Treaty of Soviet Russia and the Republic of Estonia, by setting dogs at participants. The meeting was organised by Pro Patria activists and students. It was dispersed with allegedly vigorous involvement of the responsible executive of the Tartu Regional CP Committee, later PM of the Republic of Estonia Andrus Ansip (1956-), presently in Brussels the Vice-President of Digital Common Market of the European Commission. A. Ansip had allegedly asked Robert Närska, the then Chairman of Executive Committee of Tartu Region, why the Militia had not promptly set bloodhounds at students and had allegedly added that who had once been snapped by the dog would never again come in the street (Kärt Anvelt and Anneli Ammas. Robert Närska: Ansip's CV is a conscious career option of a party functionary. Eesti Päevaleht 24 October 2007).

The reader might be interested in the flight of thoughts of the present deputy to Europarlament, the then student of history of the University of Tartu Indrek Tarand (1964-), son of former PM of the Republic of Estonia Andres Tarand (1940-), present President of Estonian Club of Rome, about organising that memorable meeting. He has claimed that the office of "pedel" (caretaker, janitor of the University of Tartu of the tsarist period) was held at that time by Docent in History, presently Professor in History Aadu Must (1951-), presently also member of Riigikogu (Parliament) of the Republic of Estonia. A. Must did not see the necessity for such a meeting among students. Especially stubbornly standing out against that meeting was Secretary of the Executive Committee of Tartu Tõnu Anton (1953-), later Chairman of Administrative Chamber of Supreme Court of the Republic of Estonia and father of the present Chancellor of Justice Ülle Madise (1974-). It is the Chancellor of Justice Ü. Madise who has become notoriously known together with the present PM of the Republic of Estonia Taavi Rõivas (1979-) particularly due to the fact that being together counsellors of the former Minister of Justice Märt Rask (1950-), they „elaborated“ under his supervision in 2005 the *criminal*, i.e. not impregnable e-election system, for carrying out the elections of both Riigikogu (Parliament) and local self-governments, nowhere else in use in the world. It is beyond my understanding why the notorious e-elections are not used in presidential elections in Riigikogu or Electors' Assembly. It is because nobody will

know then where or for what candidate his or her vote lands. It is deplorable that in 25 years practically nothing has changed in the company of the so-called top politicians. The Soviet period or the Soviet mind-pattern actors are still at helm.

As far as I remember, given the passage of 25 years from the event, other people present, meaning the highest USSR justice executives did not put any special questions to me. Deputy Minister of the Interior Lieutenant General V. Sidorov having called the Assembly was not given the floor altogether, as far as I remember. My historical interrogation might have prolonged about an hour. The grey-haired man having introduced me turned out to be the counsellor in power structures to the last USSR President Mikhail Gorbachev (1931-). Hence he might have been the most important man after the President. It was evident that the high parliamentary, governmental and justice executive body was subordinated to him.

When my interrogation ended the counsellor in power structures to Mikhail Gorbachev stood up and said that answers of Cde Leps were fully satisfactory to him because Leps had provided a true-to-life picture about the political situation in Estonia. Surprisingly he announced to the whole meeting that a week ago he had returned from Estonia and could therefore confirm Cde Leps' words. He had been to Tartu, Tallinn, Letipea near Kunda, where the obnoxious murder had taken place and elsewhere, he had met the party and social operatives, workers and agriculturalists.

After that he approached me, put the left hand on my shoulder and said, let's go to the assembly hall. Thereafter Deputy Minister V. Sidorov ordered all others too to the assembly hall.

It was quite a long walk to the assembly hall along the corridor, where all deputy ministers in investigation issues invited to the assembly were waiting. In the assembly hall all were sitting in pairs. I was seated together with the Deputy Minister of Lithuania. Presidium was large, because the executives having sat in the second hall during my interrogation were now in presidium. After dinner they were fewer. I do not remember whether my report was before or after noon. I did not speak particularly well, I think, because I was a bit tired. I did not listen very attentively to what was being spoken at the collegiate body, because I found my mission accomplished. I remember that Deputy Minister of Lithuania asked whether the killing at Vilnius TV tower would also be discussed, and V. Sidorov answered that it was not on agenda.

In the evening I was taken to the Ministry of the Interior Hotel, which was located in a street named after a certain Member of Academy. It was a vast Hotel, and it accommodated also, for instance the leading Russian-minded operatives with families having fled from Afghanistan.

In the following day a general, chief of an all-Union expert examination laboratory presented to us his research facility, a splendid institution with modern equipment (400-450 personnel). The same General took me separately to a sightseeing tour around Moscow.





In a couple of days I returned to Tallinn and went on leave. I learned accidentally about the coup in Moscow, from an electrician I knew living nearby.

There are several questions suggesting themselves. *First*. Did the executives interrogating me in Moscow know that a coup was in the making? At that time the Minister of the Interior, the Latvian B. Pugo was on leave. Was he already organising the coup? The Russian sources specify that from 7-15 August 1991 the chief of the USSR KGB General of the Army V. Kryučkov (1924-2007) was holding secret negotiations with his closest entourage. He was possibly organising the coup. *Second*. Why had I been specifically elected to be interrogated before that company, possibly the largest one in the nearest history of Europe? Was consciously a person chosen not linked to KGB, in order to avoid undue biased influence and obtain a more objective picture. The assembly of interrogators evidently knew that I had defended my degree of Candidate in Law in Moscow, in Academy of the Ministry of the Interior, consolidating the best professionals of the USSR scientists in law!

I dare say in conclusion that my participation in the „status of interviewee“ was one factor, possibly a decisive factor why in Estonia the coup did not result in a bloodshed. It is to be remembered that the generals do not go to combat of their own free will but follow the orders from above. I got the convincing impression that the said counsellor to M. Gorbachev in power structures did not give an order to any general to shoot people in Estonia. I did not hear or see it being participant and organiser of takeover of all-Union military plants, for instance Dvigatel, H. Pöögelmann Plant of Electrical Engineering and others. I dare claim that I and the Mayor of Tallinn H. Aasmäe (1951-2014) were received very politely at takeover of one of the largest USSR military plant „Dvigatel“. Evidently I occurred among the take-over party specifically upon recommendation of Moscow. I learned quite unexpectedly that I had been made member of one commission. Later I was included as member of another commission, from which I was soon excluded - I evidently did not represent the ideological view of the actors belonging to the commission (see Hommikuleht, 05.03.1993). ( See in greater detail the long interview by the Editor in Chief of „Hommikuleht“ Enno Tammer with me „Instead of Aasmäe’s commission there could have been Ando Lep’s commission in Estonia“ (E. Tammer’s name is absent in the text, but I remember that he was interviewing me). Hommikuleht 05 March 1993. See also: Final Report, Part II of Termination of the Activity of the Former ESSR KGB. Eesti Päevaleht 10 April 2007).

*The anti-coup activities having taken place in Estonia, in particular in Tallinn must be much commended, but that has been talked and written about quite a lot.*

## *Section eight*





# 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 13<sup>th</sup> 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.

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## *How they are destroying Republic of Estonia*

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 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 „Orzeł“ 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 1<sup>st</sup> 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<sup>1</sup> and underpinned by Moscow (actually staged by Moscow),<sup>2</sup> the “free” elections of the 2<sup>nd</sup> State Council comprising the representatives of working people only,<sup>3</sup> with opposing candidates removed.<sup>4</sup> 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,<sup>5</sup> 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,<sup>6</sup> business and banking executives,<sup>7</sup> defence force<sup>8</sup> and police command,<sup>9</sup> jurists<sup>10</sup> and creative cognoscenti and illuminati with families<sup>11</sup> – the elite of the Republic of Estonia.

- 1 See in more detail: 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 See Estonian Encyclopaedia, Vol. 11. Estonian Encyclopaedia Publishers. Tallinn, 2002, pp. 311-312.
- 3 See *Enn Sarv*. July elections 1940 as inception of national resistance. Year of suffering 1940-1991. Foundation White Book. Tallinn, 2008, pp. 45-82.
- 4 Father of the signatory August Julius Leps, Member of the 4<sup>th</sup> and 5<sup>th</sup> composition of Parliament of the Republic of Estonia was the opposing candidate, who was naturally removed.
- 5 See *Herbert Lindmäe*. Summer war in Virumaa 1941. Tartu 2002.
- 6 See *Jaan Kross* and *Peep Varju*. Fate of Estonian political elite during Soviet occupations. Year of suffering 1940-1991. Foundation White Book. Tallinn, 2008, pp. 9-44.
- 7 See *Kalev Kukk*. Economic Damage. The White Book. Estonian Encyclopaedia Publishers. Tallinn, 2005, pp.141-171.
- 8 See *Ülo Uluots*. They fulfilled orders in the line of duty. Fate of Estonian officers. Tallinn, 1999.
- 9 See *Mai Krikk*. Annihilation of Estonian police in the first year of Soviet occupation. Year of suffering 1940-1991. Foundation White Book. Tallinn, pp.123- 174.
- 10 See *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 See *Sirje Olesk*. Literature and literary life during Estonian occupations. Year of suffering 1940-1991. Foundation White Book. Tallinn, 2008, pp. 83- 122; *Urve Lippus*. Losses of Estonian music through Soviet occupation. Year of suffering 1940-1991. Foundation White Book. Tallinn. 2008, pp. 175-214; *Jaak Kangilaski*. Fine Arts. The White Book. Estonian Encyclopaedia Publishers. Tallinn, 2005, pp.112-127; *Jaan Laas*. Higher Education and Research Work. The White Book. Estonian Encyclopaedia Publishers. Tallinn, 2005, pp. 74-112.

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?<sup>12</sup> 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,<sup>13</sup> 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.

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12 See Estonian Yearbook 2002-2003. Tallinn, 2004, pp. 174.

13 See *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, pp. 50-67.



## *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.<sup>14</sup> 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.<sup>15</sup>

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

15 See *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.

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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 5<sup>th</sup> 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 Ärma 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 13<sup>th</sup> 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.<sup>16</sup> 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?

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





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.“<sup>17</sup> 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.<sup>18</sup> 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.“<sup>19</sup> 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.“<sup>20</sup>

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 13<sup>th</sup> 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.

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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, pp.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, pp.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., pp. 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, pp.116.

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## *2015 elections of the 13<sup>th</sup> 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.“<sup>21</sup>

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:

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



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 and Ülle Madise;  
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?*

## *Section nine*





# The State of Rome and the present Estonia

Why are the State of Rome and the present Republic of Estonia so strikingly similar? What were the main causes eroding the State of Rome and can the causes similar to those bring about the eventual crumbling of the Republic of Estonia?

**The first cause.** The State of Rome was the largest and most powerful slavery-dominated state of the antique, where the slaves were considered „things“, and they could not be legal subjects. As is known from history, the yield of slave labour (surplus value) was very low, if at all. It thence transpires that the inefficient slave labour, taxes and state fiscal burdens were the main causes of decrepitude and collapse of the mighty State of Rome. The present-day Estonia too is essentially a society basing on „slave labour“, with the skilled workers in their prime age fleeing abroad like rats from the sinking ship. Our salaries are minuscule; the so-called average salary reportedly above a thousand euro is little more than a bluff. Officially  $\frac{1}{4}$  of the population lives below the subsistence level (actually 60%), the sole meal of very many children being the food served at their school canteen... The economic growth of Latvia and Lithuania is significantly higher than that of Estonia; our infantile former PM Taavi Rõivas however used to bestow accolades on Estonia as against Latvia and Lithuania. Is self-glorification inherent in Estonians? I would hardly believe it.

**The second cause.** The moral decline of the society of Rome is quite comparable to the moral decline of the present Estonian society. That fact is conspicuously evident in many legal acts adopted by the Parliament.

**The third cause.** It was the ingress of private law in jurisdiction. Jurists of Rome distributed the whole realm of law into two large sections: public and private law. According to Ulpian (Gnaeus Domitius Annianus Ulpianus; c. 170–223, a Roman Jurist), the public law regulated the status of the State of Rome and its income, while the private law regulated the income of private persons. Actually the private law of Rome smothered the public law and flourished from III century BCE - III century CE. The master example of Roman law is *Corpus Juris Civilis* written in classical Latin (partially also in Greek), which has been unfathomable for majority of students of law of all ages with all its annexes, due to its volume and intricate verbiage. Many internationally known legists have deemed the involuted nature of the private law one of the causes of disintegration of the State of Rome. The present Estonian jurisprudence has also reached the level, where texts of legal acts as well as the judicial decisions are so complicated and contradictory, that they cannot be comprehended. The problem was



further aggravated due to inordinate affection of former President Ilves to information technology, ardently believing the computer would help whisk off in a jiffy the contradictions and inaccuracies in texts.

**The fourth cause.** The Roman Empire could not withstand the onslaught of barbarians, because they formed a united front against the enemy. In 476 the last Emperor of Rome was dethroned. Is it plausible to compare the Reformist Party of Estonia with those barbarians, who were culturally distinctly inferior to the people of Rome. The said Party has engaged in a pursuit to eradicate other parties with the help of the judiciary and have tried to replace the originally contemplated democratic regime with totalitarianism, with freedom of speech allowed to the Reformist Party and some of its vassals. Clause 1 of the Constitution has been grossly violated. For instance my scientific articles have been declined for a number of years by all Estonian newspapers of national circulation. My jurisprudence-related articles have not been published by law journal of the University of Tartu *Juridica* nor by the Parliament Gazette since 2010, when I offered them for publication the article „Crisis in jurisprudence, incl. criminology“. However that article of mine and my other articles on jurisprudence are regularly published in many foreign countries, in English, Russian, Italian and other languages, among others in Vienna, the issues of the Club of Rome as newsflash, the latest on 14 November 2014. I sit on editorial boards of at least ten scientific journals. I have especially close relations with legists of the Latvian Academy of Scientists and departments of law of Latvian universities. In the final analysis this is evidence of low level of our jurisprudence and the inability and unwillingness to recognize changes in substance of law and legal acts for the sake of their transparency and readability.

**The fifth cause.** The Roman Empire split into the Western part (Rome proper) and the Eastern part (Byzantium) under Emperor Theodosius (in 395), drifting apart as two distinctly individual states. The Eastern Empire of Rome survived almost a thousand years longer than the Western Empire of Rome, until Turks conquered Constantinople (now Istanbul) in 1453. The fact that the Eastern Catholic creed was less rigorous and milder than the Western-Catholic creed may have had impact on such train of events.

*If the ruling elite of Estonia continues aggravating, by its military and economic policy our powerful Eastern neighbour Russia, one cannot rule out the similar developments taking place in Estonia as happened in the Roman Empire.*

## *Section ten*







# Problems of Russia, having influenced and still influencing the whole world

(Small states (Finland, Estonia, Latvia and Lithuania) in tempestuous clashes of major powers, in particular in the 20<sup>th</sup> C.)

Since Julius Caesar, perhaps even earlier the *history* has been written by the *victors*. However concerning the most recent history, the 2<sup>nd</sup> World War has been the source of major fabrications. Some important, even pivotal events of the WWII have been consistently covered up by various major powers.

## *Abstract*

**Firstly:** Small states have never enjoyed a say in the history, the right to influence action. All matters of the world have been decided by the major powers, basing on their interests and needs. Thence derive the notorious sayings “the states do not have friends only interests” and “Vae victis” (woe to the vanquished). Therefore the international law (does not belong to jurisprudence because it is not codified and will never be, through obstruction of major powers, because in their opinion it would then no longer be an “international law?!), *has no whatsoever weight* at deciding over the “matters of the world”, nor have the so-called “talk-shops” the League of Nations and the UNO. The UNO like the NATO have actually been “built up” with moneys of the USA banking syndicate to show the states and nations of the world how democratically different states and nations are actually protected?! Notably the lion’s share of the cost of upkeep of those world organisations is paid by the USA taxpayer.

**Secondly:** In the worst situation in the whole world are the small states, whose actual interests (in the interests of the professed “democracy”) are paid little attention to. The small states of special note to us have continually been embroiled in such situation – they are Finland, Estonia, Latvia and Lithuania. Major Powers have always handled them whatsoever way they have wanted, basing on their own biased and bigoted interests. Their main goal has invariably been to enflame strife, bitter conflict or dissension between small states! At the same time those small states have also had “statesmen” detesting their state and people, feeling intense dislike for them, constantly seeking to gain favour by flattery or attention from dealer-wheeler of major powers, “peace-loving and protecting small states”. They have been there earlier, they are being here now and they will be there in the future.



**Thirdly:** As history teaches us, the world is governed by *money*, more properly *gold*, as *money metal i.e. capital*. It is so especially within the framework of modern advanced capitalist society, where *capital* is accumulated in the grasp of world bankers, in particular of syndicate of the families Rothschild, Rockefeller and Morgan. They hand down decisions over the matters of world, also over wars, because the arms manufacturing is the stock source of wealth of the tycoons. As aforementioned, the UNO is just the stooge, straw man, a dummy purchaser, a nominee, a front camouflaging their syndicate. It has now come to light that the substratum of that syndicate of bankers is the *gold*, originating mainly from the Tsarist Russia, partly also from the Chinese Empire, which was to be paid back to Russia in 2013 cum interest, and which has gone unpaid until now.

**Keywords:** Major Powers, small states, Cooperation of the Baltic States and Finland, League of Nations, the UNO, the NATO, international law, money (gold as money metal), international bankers' syndicate, wars.

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In the stead of a Conclusion

Bibliography

## *Chapter 1.*

### **In general outline the image of the 20<sup>th</sup> C. was naturally shaped by the Versailles Peace Treaty**

However, the most significant political events in Europe of the past century took place after the 1<sup>st</sup> World War.

On 18 January 1919, the Paris Peace Conference started its work in the palace of Versailles, scheduled for precisely the same day of 1871, when in the same palace the first German State Chancellor Otto von Bismarck proclaimed the German Empire. Then, that day signified Germany's victory over France, in 1919 however the disgraceful defeat. Russia was not invited to Versailles, because it withdrew from war in 1918. Said on the sidelines, Bismarck distrusted Great Britain, he hated France outspokenly however he was well disposed to Russia.

The winning states: France, Great Britain, Italy and the USA composed the text of the Peace Treaty, with Italy little involved because it had joined the so-called Triple Alliance only in 1916. Naturally all other three states tried to uphold in the Peace Treaty the interests of their respective states. During composing of the Peace Treaty, Germany was kept in blockade, which continued also after signing of the Treaty.

The decisions adopted in Versailles affected during the following two decades the further development of the whole Europe. Many historians are of the opinion that the decisions of that Treaty paved the way to the 2<sup>nd</sup> World War.

What were the demands of the Entente states at the Versailles conference? a) Prime Minister of France Georges Clemenceau demanded that the crushed Germany should pay for all damage done in the World War; b) Prime Minister of Great Britain David Lloyd George, a wise and experienced politician held that Germany should not be punished too severely, because it might cause major problems in the future and that the economy of Germany must be rapidly restored; c) Demands of Prime Minister of Italy Vittorio Orlando were comparatively small; d) President of the USA Thomas Woodrow Wilson tried to increase the USA's presence in Europe. In consequence of the war the European states fell into dependence on the USA. In 1921 their debt to the USA amounted to as much as 21 billion dollars. Wilson also made a proposal to include in the Versailles Peace Treaty the legal clauses, which became the basis of creation of the League of Nations, where the USA should play the major role in alleviation of the contradictions of the European states (8, pp. 15-21).

**1. Baltic States and Finland in the vortex of world wars.** In the starting years of gaining independence of Estonia, Latvia, Lithuania and Finland there were many sceptics especially among intellectuals, declaring that the Baltic small countries could not stay sovereign. That viewpoint was substantiated not only by geopolitical and economical arguments but also the fact that those nations lacked the *intellectual potential* needed to organise the state life, i.e. statesmen, diplomats, the military, economists, bankers, jurists etc. They also lacked *economic potential*, because all those countries were mainly related to agriculture and could not therefore have the barter trade. Surely those opinions were not groundless, because the history has shown us that neither the League of Nations nor the UNO can prevent wars, where the largest sufferers are usually the small countries, but the destiny of *small countries is still and only decided by the conflicts of major powers*. Today, too the Baltic States have become the military playground of the major powers.

But in difficult crucial moments there have invariably been found among Estonians, Latvians, Lithuanians and Finns the *personalities*, who have managed to realise in the interests of their nations even those few opportunities offered by major powers. Those men, who rose as equal actors into the community of European politicians and diplomats were in the first place the Latvian *Zigfrids Anna Meierovics* (born on 06 February 1887, Durbe, Government of Kurland, Russian Empire - died on 22 August 1925, Tukums, Republic of Latvia as a result of car crash), the Estonian statesman *Jaan (Ivan) Poska* (born on 24 (12) January 1866 Laiusevälja hamlet, Estonian Ingria, Russian Empire – died on 07 March 1920, Tallinn, Republic of Estonia) and the Finn *Carl Georg Emil Mannerheim* (born on 04 June 1867, parish of Askainen, Finland, Russian Empire – died on 27 January 1951, Lausanne, Switzerland).

**2. Latvian Prime Minister Zigfrids Anna Meierovics.** The Buldur Conference in the vicinity of Riga in 1920 was a master stroke of Latvian Prime Minister and diplomat Z. A. Meierovics, comparable to the Versailles Conference, said head of the Estonian delegation, the diplomat Karl Robert Pusta.

He is considered to be the most talented diplomat of the *Baltic States*, whose name was associated with development in the starting years of independence of the various areas of life in Estonia and Latvia in particular. Z.A. Meierovics - Latvian Foreign Minister in 1919–1924 and in 1924–1925 in as many as eight different governments and in 1921–1923 and 1923–1924 also prime minister was one of the most outstanding politicians of our southern neighbours. In 1911 Meierovics graduated from Riga University of Technology as candidate of economy majoring in trade. His father Herman Meierovics obtained higher education in the Medical Department of the University of Tartu.

After the February Revolution Meierovics came to Riga, and he got the first experience of a diplomat at negotiations with the Russian Provisional Government in Petrograd. At that time the situation of Latvia was very complicated. In 1915 German troops had already occupied the southern part of Latvia until the River Dvina and ca. 750 thousand Latvian residents had been evacuated. The heading of the Ministry of Foreign Affairs was taken over by Meierovics in July 1919, when the Latvian Provisional Government arrived from Liepāja to Riga after defeating Landeswehr.

Soon splendid skills of politician and diplomat of Meierovics were manifested: rapid thinking, excellent proficiency in foreign languages and the capacity to logically lay down his positions. Meierovics was one of the few who were also accorded the respect of their political opponents. In autumn 1919 the Latvians managed to stop the attack on Riga of troops of the Russian officer Bermond-Avalov and subsequently oust his German-Russian mercenaries from Latvia. In organising relations with Russian Federation the Latvians used both the secret diplomacy and the force. The Estonian and Latvian common peace talks with Russian Federation were not successful primarily because part of Latvia, namely Latgale, was in possession of the Red Army. When it turned out at secret Latvia-Russian negotiations that Moscow did not wish to cede Latgale, Meierovics reached an agreement with Poland and with the help of Polish army Latvia took hold of Latgale (2; 3).

**3. Estonian-Latvian harsh confrontation in border issues.** After the independence was gained Estonia had serious dissenting opinions with Latvia in border issues. They concerned Heinaste (Latvian Aināzi), located on shore of the Riga Bay, where in 1864-1915 a widely known Marine School was situated, with a large body of students being Estonians, the Island Ruhnu in mid-bay and especially the Valga/Valka town. Both states wanted to keep the town. Latvia based in that issue on census 1897, under which there were 4453 Latvians and 3394 Estonians living in the town and on election of municipal council 1917, where Latvians obtained the majority in council. Under data of special census held in autumn 1919 there were 7064 Estonians and 5496 Latvians living in Valga, hence finding of a solution satisfying both parties was especially hard. Estonia referred, among other things also to the aid extended to Latvia in the *War for Independence 1918-1920*. „The Valga town has been liberated with shedding our blood“, said Estonian Prime Minister Jaan Tõnisson (13, pp. 70-72) to Latvian Foreign Minister Meierovics (5; 8, pp. 490-514; 19, pp. 412-413). It needs be emphasised at this juncture that at concluding the Peace Treaty of the Republic of Estonia with the Soviet Russia on 02 February 1920, the Estonian diplomat Jaan Poska merited much spiritual credit earned by performance of those righteous acts ensuring major future benefits to Estonia (5; 9; 12).

In spring 1920 the border issue between Estonia and Latvia caused a tremendous

conflict. Prior to elections of the Latvian Constitutive Assembly the rightists decided to win popularity laying emphasis on that issue and launched a propaganda campaign against Estonia. Estonian press reciprocated. Both the history and the topical politics were searched for everything negative, for which the neighbour could be blamed. There were even rumours of a pending war. Governments of both countries however stayed calm. It was agreed that the border line would be fixed by the Estonian-Latvian combined commission, chaired by a neutral subject of Great Britain. Chairman of commission, British Colonel Stephen Georg Tallents decided the fate of Valga on 1 July 1920 and on 3 July 1920 the whole Estonia-Latvian border. The basic part of Valga was kept by Estonia, but the majority of parishes with mixed population (Estonian-Latvian parishes) were transferred as compensation to Latvia. Neither of the parties was content with the decision and negotiations lasted long. The Latvia-Lithuanian border too was finally fixed by representative of Great Britain. In autumn 1920, when Poland seized from Lithuania the Vilnius area, Latvia developed a common border also with Poland. Polish government requested six Latgale parishes with Latvian-Polish mixed population, but it met with a decisive rebuff from Latvia (2; 3; 5; 9, pp. 490-514).

**4. Common goal – the Baltic Entente.** The first conferences to coordinate the foreign policy of foreign ministers of the Baltic States and Finland were held in Tallinn and Tartu in autumn 1919. The following conference in Helsinki in January 1920 was attended also by Poland. There were discussed the options of political, economical and military cooperation and it was decided to hold the following *conference near Riga in Bulduri*. The conference convened in the vicinity of Riga, Jurmala, *Bulduri* in 1920 became possible thanks to Meierovics. The conference attempted, under his leadership to bring closer the independent, however as yet very weak Baltic States in areas of politics, state defence, economy, culture etc., altogether in 21 different areas. Conference lasted as long as one month – from 6 August to 6 September – and its organisational process could be compared to Paris peace conference, as estimated by head of the Estonian delegation Karl Robert Pusta. Understandably it earned respect to the Latvian Foreign Minister Z. Meierovics. However the fact that Poland occupied Vilnius in autumn 1920 had naturally affected the results of *Buldur* conference in a very bad way. Further Lithuanian-Polish relations have been characterised as „martial law without military hostilities “and therefore their common participation in the Baltic union was impossible. Latvia had to decide whether to prefer as partner Lithuania or Poland. It was decided that there must be promptly concluded a defensive military union with Estonia and to extend it later according to possibilities (holding in view primarily the involvement of Lithuania). As a matter of fact, at the beginning of 1920s Latvia managed, under Z. Meierovics’ leadership to carry on the foreign policy propaganda more skilfully than Estonia (2; 3).



When Meierovics headed our southern neighbour's Foreign Ministry, the Estonian and Latvian foreign policy beliefs had much in common. The main goal of both was bolstering the state's security, while both considered the main threat to be the Russian Federation. The basic concepts of securing the state's security were similar: to carry out peace loving foreign policy, to orient to the West, to base on League of Nations and the principle of collective security and to develop cooperation with border countries of Russian Federation. It is the last aspiration – to create the political and defensive Baltic Entente: between Finland, Baltic States and Poland – that was the foreign policy priority of those states in the first half of the 1920s, whereas the international public considered specifically Meierovics the main organiser of Baltic Entente. In Tallinn too it was found that from the point of view of Estonian security the most important among border countries of the Russian Federation was Latvia.

At the beginning of 1922 almost whole of Europe got ready for Geneva conference, where it was planned to discuss improvement of economical situation of European countries and regulation of relations with the Russian Federation. Before Geneva foreign ministers of Finland, Estonia, Latvia and Poland decided to gather in Warsaw. Foreign ministers arrived in Poland's capital with somewhat different goals. Estonian foreign minister Ants Piip's aspirations were clear: to achieve in the political and military cooperation, as perspective and far-fetching agreements as should be possible. Zigfrids Meierovics too supported in principle the cooperation on defence of the four countries. In the contrary Finland's Foreign Minister Rudolf Holsti was in a complicated situation. He personally was ready to conclude the union, but he had to take into account that Finland's social democrats were against and the rightists vacillated. Poland's head of state Josef Pilsudski and General Staff supported cooperation with the Baltic States however the right-wing politicians were against. What however is the most important – the moment was unfavourable for creating the Baltic union. The Polish Foreign Minister Konstanty Skirmunt said that in the situation where Europe was getting ready to establish relations with the Soviet Russia, the discussion of issues of military type in Warsaw was just not befitting. Beside that France as ally of Poland warned, that the Polish government should not assume responsibilities with regard to the Baltic States. However the Warsaw agreement nevertheless was born, signed by Estonian, Latvian, Finnish and Polish foreign ministers. Parliaments of said states ratified the Warsaw agreement, but Finland's Eduskunta did not.

In the evolved situation Z. Meierovics and the Estonia Foreign Minister Aleksander Hellat agreed that the issues of contention must be solved and a solid base must be created for concluding a union agreement of the two states. From 25 October to 1 November 1923 there was held in Tallinn the Estonia-Latvian conference, with delegations headed by Prime and Foreign Minister Meierovics and Friedrich Akel, since the beginning of August Foreign Minister. Stormy disputes developed mainly in issues related to border and reciprocal claims. Latvians demanded the Ruhnu

Island and the Laura area, the Estonians insisted on adjustment of border in several points. In the end a compromise was reached and the Estonian-Latvian border treaty was concluded. Perhaps the most important result of the Tallinn conference was the Estonian-Latvian agreement on military-political union, which was signed together with other agreements on 01 November 1923. The agreement also fixed the military obligations of the partners in case one of them would have fallen victim to an attack without provocation from his own side. Making of the Estonian-Latvian union agreement was a major success to both Meierovics' and the Estonian government however in actual fact the union occurred to be of little meaning.

The merited Latvian politician and diplomat Zigfrids Meierovics was buried in Forest Cemetery, Riga (Rīgas Meža kapi). His departure attracted wide international attention (20, pp. 412-423; 1; 18).

As it is known, in the recent past i.e. in 1996 there was concluded the Estonian-Latvian agreement on the sea border around Ruhnu Island regarding the very rich fish stock, in the process of which Estonia ceded to Latvia a sea area sized half of Hiiu-maa. Up until now many Estonians have failed to fully grasp the meaning of that transaction...(12).

**5. Estonian Grand statesman Jaan (Ivan) Poska.** Jaan Poska was born into a family of many children, with Russian spoken at home, Laiusevälja hamlet, Estland's Gubernia. The pervading atmosphere in the house was Russian Orthodox, because his parents used to be visited by Russian Orthodox priests and their families, who were mainly Russians. Although Poska spoke Russian like a native Russian and his Estonian had a tinge of Russian to it, he was a *staunch Estonian patriot*, evidenced in the first place by his activities at achieving independence to Estonia (13, p. 135).

He studied at Tuhalaane Orthodox church school. Being a gifted lad he was accepted in Riga Theological Seminar, where he obtained his primary and secondary education. It was the easiest and the cheapest way for an Orthodox sexton to give education to his sons. The Orthodox school was the four-year pro-gymnasium, the Seminar however was the secondary school, four years delivering general subjects, and two last years teaching theology. The language of instruction was Russian, Latvian and Estonian being taught as subjects of curriculum. The students were mainly Latvians, Estonians were few and Russians very few. The Theological Seminar focussed much on philosophy and logic (7, pp. 34-39).

In 1882, when Jaan Poska was 16, his father departed. Mother moved to Tartu, where one of the sons Mihkel studied at the University of Tartu and the younger sibs went to school. Because one of the brothers had enrolled at Theological Academy and the second had taken up priesthood, J. Poska might have become a priest, but luckily the brother Mihkel was appointed inspector of popular schools and he could support Jaan with funds in his pursuits.

In spring 1886 Poska finished the Seminar as an external student, by passing the graduation examination omitting the last two years. In autumn that year he entered the Medical Department of the University of Tartu. A year later he transferred to the Department of Law, which could be graduated earlier; he could also earn some money on the side. In the University of Tartu the lectures for Department of Law were delivered in German. When entering the University Poska knew little German but he learned fast. He communicated mainly with the Orthodox clergy and Estonian patriots, giving a sympathetic ear to the problems of Russian culture.

In 1890 Poska graduated from the University of Tartu and went to work in Tallinn as a private lawyer. In three years he became attorney at law. In 1900, Poska was joined in Tallinn, as an assistant lawyer, by the future President of the Republic of Estonia Konstantin Päts (1874-1965) (7, pp. 40-53, 55-69).

In 1904 J. Poska was elected city councillor of Tallinn and a year later head of the City Council. In 1913-1917 he was Mayor of Tallinn, promoting innovations: in 1914-1915 medicare was reorganised, in 1915 the women's commercial school and in 1916 the art industry school were opened.

Since March to October 1917 Jaan Poska was Commissar of Estland's Gubernia of the Russian Provisional Government. In that period South Estonia was separated from Livonia and was connected to Estland. To carry out the administrative reform, there was established the Estonian Land Council, proclaiming itself the *supreme authority in Estonia* on 28 November 1917.

In autumn 1917 Poska was elected member of Russian Constitutive Assembly. It was dominated by Socialist Revolutionaries, who planned to transform Russia into a federative state. Poska emphasised that Estonia must establish, together with other minor nations, the right to self-determination and that for reaching independence all ways within hold should be used. The activity of the Russian Constitutive Assembly ended due to the Bolshevik power-grabbing.

**6. J. Poska and Peace Treaty of Tartu.** On 24 February 1918, the Estonian Salvation Committee formed by Estonian Land Council appointed Jaan Poska the Estonian Foreign Minister. Later he belonged to Estonian Provisional Government as Deputy PM and Minister of Justice. In 1918-1919 Poska negotiated the diplomatic recognition to Estonia in Western Europe, as head of Estonian foreign mission, and participated at Paris Peace Conference. Basing on experience obtained in Paris, Poska was convinced that the support of the Western countries was not to be reckoned with at that moment and Soviet Russia was to be addressed, because Estonia most urgently needed peace. In 1919 Poska returned home, as member of Estonian Constitutive Assembly and Foreign Minister. He was appointed head of Estonian delegation at peace negotiations held with Soviet Russia (7, pp. 352-393; 13, p. 135).

On 15 December 1919 he opened the first session of Tartu Peace Treaty negotiations, delivering a speech in Estonian. The negotiations were complicated, because the demands of Russia were unacceptable at first, especially regarding the state borders. After long discussions the Russians started backing down. Lastly, on 31 December 1919, when guarantees and border issues were agreed upon, the hostilities were suspended and armistice concluded. To achieve the permanent peace, negotiations dragged on for another month, and officially the *Tartu Peace was formalised on 2 February 1920 by signing the Peace Treaty*. After signing the Peace Treaty Jaan Poska said to members of Estonian delegation: *"Today is the most important day for Estonia in its 700-year history: Estonia has determined its fate itself, doing so for the first time"* (7; 13, p. 81).

After signing the Peace Treaty, Poska continued as lawyer and was busy compiling the Constitution. On 4 March 1920 he chaired for the last time the meeting of Constitutional Commission of the Constitutive Assembly. On 7 March 1920 Jaan Poska died in his home in Tallinn. He was buried in the Town Cemetery in Tallinn. It was the first state burial in the Republic of Estonia.

*Jaan Poska's role was invaluable at laying foundation of the Republic of Estonia.* Poska's activity gained prominence already at elections of Tallinn City Council in 1904, where he played a major role in victory of Estonian-Russian election union. After collapse of the Russian tsarist state in 1917, the lawyer J. Poska became the civil servant of the Estonian nationality, in the highest position ever as Commissar of Estland's Gubernia of the Russian Provisional Government, which made him a key figure at preparation of independence of Estonia. On 24 February 1918 Poska became the first foreign minister of the Estonian Provisional Government, thereafter Deputy Prime Minister. During imprisonment of PM Konstantin Päts he had to *negotiate with Germans* to transfer power, which knowingly resulted positively to Estonia, however could not be taken for granted at that time (13, pp. 69-70).

The prominent jurist Ants Piip wrote in 1927 in the daily *Vaba Maa* that the head of delegation of Soviet Russia at Tartu Peace Treaty Adolf Yoffe (1883-1927) used the formulations elaborated in Tartu to make the similar peace treaties with Lithuania on 12 July 1920, Latvia on 11 August 1920, Finland 14 October 1920 and Poland on 18 March 1921 (7, pp. 508-509; 16).

To sum up, Tartu Peace Treaty belongs by its importance undoubtedly among the post-Versailles Europe's most important peace, border, and mutual political and economical treaties. Firstly, Estonia was the first state making a peace treaty with Soviet Russia and secondly, the Republic of Estonia was the first to recognize *de jure* the Soviet Russia and the Soviet Russia was the first to recognize *de jure* the Republic of Estonia. *That was a step of major importance in the history of the world, with two states of drastically different ideology making a peace treaty and recognizing one another as*

*sovereign states* (7). As late as on 28 July 1922 the USA recognized *de jure* all three Baltic States (5, p. 65).

The history repeats itself. Today 25 years ago Boris Yeltsin recognized anew the independence of Estonia, while *the West* perceived, once again the *independence of the Baltic States as a threat*.

## **7. President of the Republic of Finland Marshal Carl Gustav Emil Mannerheim.**

Grand man of our third neighbouring country - President of the Republic of Finland Marshal Mannerheim apparently excelled by his political reach the grand man of the Republic of Latvia Z. Meierovics and the grand man of the Republic of Estonia J. Poska, whose importance in the world politics cannot by any means be underestimated.

C.G.E. Mannerheim studied at St. Petersburg Nikolai cavalry school, upon graduation of which in 1889 he was given the rank of Cornet and was sent to serve in Poland. In January 1891 he was sent to serve in St. Petersburg in the tsarina's Chevalier-guard.

On 14 (26) May 1896 he was, at coronation festivities of Nicholas II in Moscow one of the tsar's bodyguards. «In 1894 Emperor Alexander III passed away, and soon there was held in Moscow the festive coronation of Nicholas II and Empress Alexandra Feodorovna. It was the most tiresome ceremony of those, what I had to attend. I was one among four cavalry guard officers, who together stood along the wide staircase, leading from altar to throne on the coronation elevation» (6, pp.15-16).

It is worth mentioning that in 1900 Mannerheim stayed six weeks in Livonian Government in Saaremaa (presently Estonia), at the Kuressaare health resort for mud treatment, where he cured his knee which he had damaged when falling off the horseback.

In 1904 he was transferred to the 52<sup>nd</sup> Nezhin cavalry regiment and he became lieutenant colonel. In 1904–1905 he participated in Russo-Japanese war, where he was promoted to the rank of colonel for bravery shown in the Battle of Mukden.

In spring 1906 Mannerheim travelled along Silk Road in the composition of French scientific expedition headed by Paul Pelliot, hiding his belonging to the army of Russian Empire in the intelligence trip in Central Asia and later in China. The goal of the reconnoitering trip was to compile the collection of maps of the roads between Russia and China crossed in the composition of the scientific research trip, to gather strategic social-political and economical information on areas crossed (population density, natural resources and economy; attitude of various small nations of the population of the area to Chinese central administration etc.). In the process of expedition Mannerheim posed as a Swedish subject, not as a Russian soldier. He delivered the data collected in the process of expedition in the form of private letters to his father, who delivered them to Chief of General Staff of the Russian Empire Fedor Palitsyn. In 1910 Mannerheim was promoted to the rank of Major General. In 1917

he was transferred to the reserve and on 1 January 1918 he requested permission to leave the Russian army.

«I hold that the blame for defeat of the Russian white forces must be laid on General Denikin and his advisers. However to a greater degree the responsibility for the failure of the Whites is born by the governments of Entente, who could have become arbiters in contested issues, but instead they brought the anti-Bolshevist forces to downfall. They even did not try to smooth out the dissents between those forces. If timely proper steps had been taken, clearly the power of Bolsheviks would not have survived». (6, p. 201).

When Mannerheim had returned to Finland in 1917, he was nominated Commander in Chief of the Army of the Republic of Finland. In Finnish civil war he headed the Finnish “White Army” against “the Finnish Reds” and the Bolsheviks supporting them.

He was against the government’s German minded policy and the decision to elect a King of German nationality. After end of the 1<sup>st</sup> World War, when the King had abdicated, Mannerheim acted as Regent of Finland (State Protector). He lost at Presidential elections to Kaarlo Juho Ståhlberg on 25 July 1919. For some time he was without office, until he took the office of Head of Defence Council. In 1927–1939 he supervised the building of the famous Mannerheim line on eastern border of Finland. In 1933 he obtained the rank of Field Marshal (in Finnish *sotamarsalkka*).

During the Winter War Mannerheim was Head of Defence Force of Finland and in 1942 he got the title of Marshal of Finland. When President of Finland Risto Ryti stood down, Mannerheim became under a special law President of Finland, 1944–1946. In November 1945 he went on holiday in Portugal and resigned from office in March 1946. He spent his declining years in Switzerland. Mannerheim is buried in Helsinki in Hietaniemi cemetery.

Clearly relevant to the matter in hand is that on 16 June, 2016, a memorial plaque to Mannerheim was fixed in St. Petersburg on the façade of the Military Engineering University. The ceremony of unveiling the plaque was attended by Head of Administration of President of the RF S. Ivanov and Minister of Culture V. Medinsky.

**8. Marshal Mannerheim as a brilliant intelligence officer.** It has now come to light on the basis of Marshal of Finland Mannerheim’s archival materials that three weeks after the Molotov-Ribbentrop Pact was made in 1939, there was concluded another highly secret agreement between Soviet Union, Great Britain and France on 15 October 1939, the ultimate goal of which was *conquering Germany*. The said agreement gave *right* to the Soviet Union, Great Britain and France to occupy Finland and the Baltic States and North-Sweden and North-Norway?!

The said disgraceful, highly classified agreement on military cooperation made between Great Britain, France and the Soviet Union has not been mentioned with a single word by Great Britain and France often teaching “democracy” to other states.

How did that shameful deal crushing the small countries still come to light? The greatest politicians and soldier of Finland of all times, President of the Republic of Finland, Marshal C.G.E. Mannerheim has rendered great services in that connection, having compiled the dossier S-32 of documents basing on secret intelligence materials. By reference to those materials the Major in Reserve Erkki Hautamäki wrote recently a book „Suomi myrskyn silmässä“ (Finland in the vortex of storm), dedicated to Marshal Mannerheim’s trusted agent, the officer of extraordinary competence Vilho Tahvanainen, who had mastery of several languages and fulfilled special tasks of the Marshal (15).

When Mannerheim resigned from the tsarist Russian Army in 1917 in the rank of Lieutenant General, he agreed with his friends-officers staying in Russia in obtaining secret intelligence data from Russia. The aliases of those officers were: Gregori, Irina and Luci. In 1930 and 1932 Tahvanainen managed to procure from the agents illegally crossing the border between the Soviet Union and Finland secret intelligence data. For instance on 09 August 1932 he took those data home to President of Finland Pehr Evind Svinfvud, where at the same time the then Chairman of Defence Council Mannerheim stayed. It is known that in November 1939 Tahvanainen met on orders of Mannerheim with agent Gregori in Estonia, in the vicinity of Narva, who was allegedly the Red Army Colonel of Estonian descent. At that meeting Gregori handed over to Tahvanainen two envelopes with secret documents and two film reels (6, pp. 29-34; 4).

In the morning of 12 November 1939 Mannerheim studied the intelligence data received and was very much surprised, when the documents revealed that on 15 October 1939 the *Soviet Union, Great Britain and France* had concluded in Moscow a secret cooperation pact for destroying the independence of the small countries Estonia, Latvia, Lithuania and Finland. Upon tacit collusion of Great Britain and France the Red Army was to conquer by March 1940 Finland, and later by the end of May of the same year the Baltic States.

The war with Finland started on 30 November 1939 at 8.30, when the Soviet Union attacked without declaring war the Republic of Finland. The Winter War lasted 105 days and ended on 13 March 1940 with the Moscow peace treaty. Peace lasted until 25 June 1941. The goal of starting the war was by no means shifting the Soviet Union’s state border farther from Leningrad, but occupation of the whole Republic of Finland. In the process of the 2<sup>nd</sup> World War Finland was again in warfare with the Soviet Union, but it was not formally an ally of Germany. Allegedly the justice authorities of the Soviet Union had entered Mannerheim into the list of the accused



of Nurnberg process but J. Stalin had stricken his name off. As a result of the war Finland was forced to cede 13% of its territory and its second largest town Viipuri to the Soviet Union. In defending Finland in the Winter War, Marshal Mannerheim had played an extraordinarily great role (6, pp. 141-181). Because Mannerheim personally knew the Russian tsar Nicholas II, it has been opined that the course of the Winter War and maybe also its end may have been affected by the meeting between them during the War?!

On 28 January 1940 J. Stalin noted in the letter sent to British Minister of Navy W. Churchill that Finland and the islands belonging to it would be conquered by 15 May 1940 by the Red Army. In his reply to Stalin Churchill presented a concrete plan of a united front of Great Britain, France and Soviet Union, envisaging attacking Germany from three directions at one and the same time. In spring 1940 Great Britain and France together with troops of Holland and Belgium were to start military action against Germany. To create the Northern front the British troops were to land in Norway in the night of 15 May 1940. The French having joined the British were to take under their control Denmark and South Sweden, where the South front of the war to be started against Germany was contemplated. At the same time Yugoslavia was to attack Germany by way of "Bohemian horseshoe", as proved by documents seized by Germans in 1940 in French General Staff (*The Grand Quartier Général*) at La Charités. On this matter, the archives were supposed to open until 2017. (6, pp. 127-140).

**9. The German union chancellor Adolf Hitler acts ahead of Entente.** But Hitler learned about those plans through the German intelligence agent, who sent on 08 February 1940 from London to Berlin an express message of secret content. On 09 March 1940 Marshal Mannerheim received the Hitler's trusted man Oberstleutnant Josep Veltjens, who handed him over the letter, Mannerheim's archives holding K/8/24, saying that the German government notified on 07 March 1940, that there was an attack plan against Germany by *Great Britain, France and the Soviet Russia*, envisaging conquering the *Baltic and Scandinavian countries* and therefore the German government could not wait until that plan would be realised. The war should not transfer to the German territory, by any means. To preclude the attack on Norway, Denmark and Finland Germany would use preventive measures. It was signed by Germany's Foreign Minister J. von Ribbentrop and State Marshal H. Göring. *Attached to the letter was photostat copy of military secret agreement of 15 October 1939 with Stalin's and Churchill's signatures together with plans of realising the agreement* (6, pp. 127-140).

The said photostat copy specified that after occupation of Finland by the Soviet Union and after the British-French troops had occupied Norway, Denmark and South





Sweden, the general staffs of parties to agreement were to draw a common schedule of attack, specifying that units of the British army in Northern France would march through Belgium with the French army and would launch an attack on Rhein front. At the same time the naval forces of the Soviet Union, England and France would isolate the German navy, blocking the northern North Sea and Dover and the Calais' branch channel until incapacitating the German army. According to the attack plan the main strike at Germany was to be delivered from *north* through Scandinavia and Denmark and from *east* through the Baltic. The operational general staff was to stay in Paris. The joint general staff of the French and British air force was to promptly set up the working team with the general staff of the air force of the Soviet Union, the operative goal of which was delivering a crushing blow at German air force, in order to start thereafter commonly the *mainland military operations*. Appended to the military secret agreement were sea charts, as insistently demanded by the general staff of the Soviet Union, identifying minefields located in Norwegian waters. The British navy was supposed to start planting mines in Norwegian waters on 5- 6 April 1940 (6, pp. 127-140).

#### **10. The alleged peacemaker in Europe Rudolf Hess close associate of A. Hitler.**

As is known, on 10 May 1941 the very close associate of A. Hitler Rudolf Hess unexpectedly flew to Great Britain, and he might have on him the copy of secret pact of 15 October 1939, concluded in Moscow against Germany by the Soviet Union, Great Britain and France, in order to negotiate peace with Great Britain and thereby prevent war in Europe?

Secret documents of the Finnish Field Marshal Mannerheim contribute more clarity to the goal of the flight of R. Hess, the purpose of which was starting negotiations to conclude peace between Germany and Great Britain, *in order to avoid war in Europe*.

In Great Britain Hess was arrested and was sentenced for life in prison by the verdict of the Nurnberg war tribunal. Allegedly American and English prison guards murdered Rudolf Hess in Spandau penitentiary on 18 October 1987 (6. p. 66). The materials on R. Hess are still classified ...? To all appearances there are relevant issues to be hushed up.

But as is known from history, Hitler aborted the attack plans of Great Britain, France and the Soviet Union, on 9 April 1940 issuing an order for military operation "Weserübung" to occupy Denmark and Norway. On 10 May 1940 Hitler started war against France; hence the war was waged on two fronts. Both blitzkriegs launched by Germany thwarted the plans of attacking Germany by the Soviet Union and western allies and the said military alliance was forced to change the strategic plan of subjugating Germany.

After France capitulated and the British-French expeditionary corps having landed

in Norway and Denmark was repulsed and those countries were consequently occupied by Germans, the Red Army, which had meanwhile significantly increased its military force, was supposed to deliver a military major blow at Germany at the beginning of July 1941, under an attack plan designed by Stalin. But here again Hitler anticipated Stalin's grandiose attack plan "Grosa" (in Russian: «Гроза») and started war against the Soviet Union on 21 June.

Hitler aborted those attack plans of Western countries and the Soviet Union, giving an order to start in several fronts very dangerous blitzkriegs, as a result of which was inevitable defeat in the II World War, *as is known from history*.

**11. Mannerheim's archives will stay closed for many years.** In 1945, Mannerheim and Tahvanainen considered one more time the secret documents collected. Part of them were destroyed, part were handed over to the Finland State Archives. Of all more important documents copies were made, later kept by Tahvanainen.

Finland's President Juho Kusti Paasikivi, who left in 1945 the further destiny of Finland for leadership of the Soviet Union to decide, demanded from Tahvanainen under penalty of death that he should not publish those materials most seriously incriminating the Soviet Union and Western allies, nor betray their existence to anyone whomsoever. Hence Tahvanainen could not publish those materials and therefore he passed those materials over to a very trustworthy officer V.O. Orama, so that he would publish them at first opportunity. But Orama did not manage to publish those materials either, because successor of J. K. Paasikivi President Urho Kaleva Kekkonen had friendly relations with the Soviet Union. Orama was forced to hand those materials, due to his advanced age and bad health, in its turn over to the retired major Erkki Hautamäki, who published them as a book "Suomi myrskyn silmässä" (Finland in the whirl of a storm, 2004).

## Chapter II.

### The very interesting problems of Russia

**1. In Lieu of Foreword.** In 1978, I enrolled on the post graduate programme (actually adjuncture) of the USSR Academy of the Ministry of the Interior located in Moscow. I did it by will of the Member of Academy Tatyana Zaslavskaya (1928-2009), who was one of the most important advisers of the last President of the Soviet Union Mikhail Gorbachev, in particular in the area of social sciences, an outstanding mathematician, Professor Ilya Muchnik (1937-, living and working in New-York) one of the most reputed philosophers of law of the world, and Professor Lev Spiridonov (1929-1999). Was I accepted due to my „non-standard“ origin (my father August Julius Leps (1896-1972) was member of Riigikogu (Parliament) of the Republic of Estonia in 1929-1937 and fled the red terror to Sweden in autumn 1944), or due to knowledge (by that time I had already published a number of articles on crime) – it is something I cannot say anything definite about. I dare say it was possibly both due to knowledge and origin... (11).

At that time almost all the best scientists of law of the Soviet Union were invited to work at the USSR Academy of the Ministry of the Interior, because the salaries were there significantly higher as compared to civil universities. I was on the post graduate programme in the 8<sup>th</sup> Department of Scientific Research Centre of Management Problems of the Academy, which was basically concerned with management problems of the society and criminology, but also with criminal law and the law of correctional work, the Head of which was Doctor of Law, Professor Inga Mikhailovskaya (1931-2014). There were very renowned scientists working there and also a number of descendents of well-known political figures.

In the extension department of the post graduate programme, there studied among others also high governmental officials from the whole Soviet Union. Our team often came together in Moscow, where various things were spoken of, however mainly still those things, which should not reach the ears of the ruling circles. I remember that Professor I. Mikhailovskaya said in a couple of times in the restaurant that today we would not discuss here any „serious“ problems, because evidently somebody was listening secretly to what was being said by us... What was being talked about? We talked about the shortcomings of both capitalism and socialism, especially about destroying intelligentsia, manufacturers and bankers in the Soviet Union, about loss of human lives in wars, about money, about gold reserves of the world (where they are situated and to whom they belong!), about crime, about systems and customs of administering the justice, about prisons and prisoners, about the theory of evidence,

but for instance also about what happened to the family of tsar in the process of revolution and why they needed to have been killed... There were various opinions. I was more often in the role of listener, because the knowledge of others seemed to me much more interesting, but at the same time often unbelievable. If we should happen to compare that team with our present ruling coalition consisting of „youngsters“, I am even ashamed to think about it (11).

One of the so-called „unbelievable stories“, which was also discussed in our team, is what I want to recount today. It is the opinion which now has been published by Russian historians in their books and in the newspaper “President” of Administration of the President of RF.

**2. Military execution of the tsar’s family – falsification of the 20<sup>th</sup> C. The fate of the tsar’s family of the Russian Empire.** As interesting as it may be, in the night 30-31 January 2015 there happened a fire in Moscow, in State Archives (but maybe also arson?), where a staggering amount of valuable archival holdings was burned. After that the Administration of the President of RF took that Archive from Ministry of Culture of the RF in its own possession. Be it mentioned on the sidelines, that I just had bad fortune, because my diploma paper perished in the fire of the main building of the University of Tartu and now again also the Candidate’s dissertation in Moscow, the State Archives of the RF (25; 27).

In the process of investigation works of the fire the historians researched various archival holdings and came to the conclusion, *that tsar Nicholas II and his family were not shot in Yekaterinburg in 17.09.1918!* They had fled from Yekaterinburg to Perm and from there on to different towns. Allegedly there was a special department formed at the 2<sup>nd</sup> Chief Authority of the KGB of the Soviet Union, whose task was providing movement of Tsar Nicholas II and members of his family and their security. This is written by Russian historian Sergei Zhelenkov in the newspaper “President” of the Administration of the President of RF (22).

How could such a thing altogether be possible? Knowingly the family of tsar was taken accompanied by a strong convoy to Yekaterinburg to the so-called Ipatyev’ house, which belonged to a local factory owner. From his residential house, where the family of Nicholas II was located, a subterranean secret way led to the factory of the industrialist, which he had had dug at the time of revolution of 1905, because he feared that revolutionaries might come to arrest him. Nothing was known by anybody about that subterranean way. Only when the RF President Boris Yeltsin had the Ipatyev house demolished, that fact came to light. One bulldozer doing demolishing works fell in the process into that pathway and only then it was learned that the house of the industrialist and the factory was really connected by the subterranean secret way (22).

The above gives grounds for considering in greater detail the fate of the family of

tsar Nicholas II. We will consider separately the fate of tsar Nicholas II and successor Alexei.

In the 90s the Italian newspaper «La Repubblica» published a note about demise of a nun, sister *Pascalina Lehnert*, who held in 1939 - 1958 an important position at Pope *Pius XII*. Before death she called a notary and witnesses and declared that Olga Romanova, daughter of Nicholas II, was not shot by Bolsheviks and had lived a long life under patronage of Vatican and was buried in graveyard in the village Marcotte in northern Italy. The journalists, heading at that address discovered at the pogost (country church together with cemetery and clergy house and adjacent buildings) a plaque, carrying an inscription in German: «Olga Nikolaevna, elder daughter of Russian tsar Nicholas Romanov, 1895 - 1976». Apparently Pope Pius XII knew that the elder daughter of Nicholas II was not shot (22; 23; 26).

Daughters of Nicholas II Maria and Anastasia (in the world Alexandra Nikolaevna Tugaryova) were for some time in Glinsky hermitage. Thereafter Anastasia moved to Volgograd (Stalingrad) oblast and got married in the village Tugaryov, Novoanninsky region. Later she moved to station Panfilovo, where she departed and was buried on 27.06.1980. Her husband Vasily Evlampievich Peregudov was killed in battles for Stalingrad in January 1943. Maria moved to Nizhegorodski oblast, village Arefino, where she departed and was buried on 27.05.1954.

The brother of tsar Nicholas II, Grand Prince Mikhail Aleksandrovich also managed to escape from Perm duping the Cheka (the Soviet security organ). He first resided in Belogor'e, and later moved to Vyrica, where he passed away in 1948.

The tsaritsa *Alexandra Feodorovna* resided until 1927 at tsarist summer house (the Vedensky secluded branch of the Serafimo Ponetaevsk monastery of Nizhegorodski oblast). She recurrently visited Kiev, Moscow, St. Petersburg, and Sukhumi. Alexandra Feodorovna adopted the name Ksenia (in the honour of Saint Ksenia Grigoryevna of St. Petersburg / Petrova 1732 - 1803/). The Empress Alexandra Feodorovna under disguise of the name Ksenia resided since 1927 till she breathed her last in 1948 in the town of Starobelsk, Lugansk oblast. She took the veil of nun under the name Aleksandra in Starobelsk Saint Trinity monastery.

*The Empress met Stalin*, who said to her the following: «Live to your heart's content in the town of Starobelsk, but do not meddle with politics». The patronage of Stalin saved the tsaritsa, when the local security authorities concocted criminal cases against her.

There were regular remittances coming to her name from France and Japan. The Empress received them and transferred to four kindergartens. It is confirmed by the former head of Starobelsk branch of State Bank Ruph Leontyevich Shpilyov and chief accountant Klokolov. The Empress did needlework, sewed blouses, and knitted scarves. For making hats, she was sent straw packing from Japan. She did it all as commissioned by local dandies.

In 1931 the Empress Alexandra Feodorovna put up an appearance at Starobelsk regional department of GPU and declared, that there were deposited in her account with the Berlin Reichsbank 185 thou marks, and with the Chicago Bank 300 thou dollars. She was apparently willing to transfer those funds at disposition of the Soviet Government under condition that the State would provide for her old age. The application of the Empress was redirected to GPU of the Ukraine SSR, which commissioned the so-called «Credit Office» to hold negotiations with the foreign countries for laying hand on those deposits!

In 1942 Starobelsk was occupied by Germans. The Empress was on that very day invited for breakfast by one of the elite German commanding officers Colonel-General Ewald von Kleist (1900-1954 died in POW camp, from 09.03.1943 already General-feldmarschall), who offered her to move to Berlin, to which the tsarina answered with dignity: «I am a Russian and wish to pass to my rest in my homeland». She was then offered to choose any house she would like: such a dignified person should not live in cramped conditions. She declined the offer. She agreed however to use the services of German doctors. The commandant still ordered a sign to be put up at her abode with inscription in German and Russian: «Her Highness is not to be disturbed».

She was exceedingly glad about the said sign, because hidden behind the screen of her adobe cottage were... wounded Soviet members of tank crew. The German medicine was put to good use. The soldiers got medication and they later passed the front line. Thanks to positive disposition of the authorities Alexandra Feodorovna saved many POWs and local inhabitants from reprisals.

A very serious question arises in this relation: who were buried in 1998 in Saints Peter & Paul Church? President Boris Yeltsin *assured the public* that those were the remains of the tsarist family. However the Russian Orthodox Church refused to acknowledge that fact, in the first place the Patriarch of Moscow and the whole Russia *Alexius II* (Riediger, Aleksei Mikhailovich (1929-2008), who was born in Tallinn and lived there for long).

It is to be remembered that in Sophia (Bulgaria), in the edifice of Saint Synod at the Saint Alexander Nevsky Square, there lived the confessor of the Imperial Family *Bishop Theophan* having fled from terrors of revolution. He never served the office for the dead (requiem) on the most august family and said that the tsar's family was living (22; 23; 26)!

**3. Request of Admiral Alexander Kolchak.** English intelligence officers, operating in A. Kolchak's Army, which entered Yekaterinburg on 25 July 1918, appointed promptly Captain A. Namyotkin to study the circumstances, whether Tsar Nicholas II and his family were really shot. In three months Namyotkin presented to Kolchak a report that in the location of the execution there appeared to have been the



stage-setting of killing. Later the Bolsheviks would kill Namyotkin and also destroy his archives. The following investigator, judge I. Sergeyev, alleged the same that had been said by Namyotkin. At the same time the commission also worked under leadership of Captain Malinovski, who said in June 1919 to the already third investigator N. Sokolov, that in the process of his work he became convinced that the family of tsar was alive, because all evidence collected at investigation suggested that there appeared to have been stage-setting of killing.

Renowned English investigators-writers Anthony Summers and Tom Manghold too claim in their book „The File on the Tsar“, 1979, 2002, which has appeared in different years that tsar Nicholas II and his family were not killed (17).

Since Admiral A. Kolchak felt already to be the „highest“ ruler of Russia, he was first and foremost interested whether or not Nicholas II was still living. Therefore he gave to investigator N. Sokolov a very concrete task – to find all possible clues on perishing of the Emperor. However investigator Sokolov assured the Admiral that the corpses of the family of tsar were cast into a pit and were poured acid on (20). Of no little importance is the fact, as assured by Russian historians, that the staff of Admiral Kolchak was infiltrated by magnate Rothschild's agents, who were after gold reserves and other precious possessions of the tsarist family, just like Admiral Kolchak was (22).

**4. The biggest mystery of the 20<sup>th</sup> C. – Who was actually Joseph Vissarionovich Stalin?** The Russian counterintelligence knew that the greatest *danger* was presented by domestic subversion, incited by the banking dynasty of Rothschilds, and it therefore planted its undercover agents within revolutionary organisations. One of those agents, employed secretly, in order to find out information or catch criminals was Joseph (Mikhail) Vissarionovich (Nikolaevich) *Stalin*, whose parents were the Ossetian Ekaterina Georgievna Geladze (1858-1937) and the Russian Nikolai Mikhailovich Przhevalsky (1839-1888), a nobleman of Smolensk, Major General of the Intelligence Authority of the General Staff, son of Emperor Alexander II. Friends of Major General N.M. Przhevalsky transferred his son Joseph (Mikhail) to St. Petersburg, where the future Generalissimo Stalin graduated, *in a special faculty*, from Imperial Academy of the General Staff, as well as tsar Nicholas II. Having worked in military intelligence, Stalin was planted in the ranks of Jewish party membership. This is written by Russian historian Sergei Zhelenkov (22; 23; 26).

In 1837 the Grand Prince Alexander Nikolaevich (the future Emperor Alexander II) embarked on a lengthy travel in Russia. In Smolensk he met the local beauty Elena Alekseevna Karetnikova; they fell for one another, but his father Emperor of Russia Nicholas I did not allow them to get married, seeking a wife to his son from dynastic circles of Europe.

Before long the future tsar (Alexander II) left, with the pregnant Elena staying in

her manor estate. It was the year of 1838; one *Mikhail Kuzmich* Przhevalsky (1804 – 1846) retired from military service soon married Elena Alekseevna and settled in her manor in the village of Kimbirovo of Smolensk gubernia. In April 1839 Elena Alekseevna gave birth to son Nikolai, who was given the patronymic *Mikhailovich* after his *stepfather*. Thanks to his exceptional propensity for learning in gymnasium Nikolai Przhevalsky was the best student. Students of the time remember that his memory was so acute that he could recite by heart any place from any book he had read. Joseph Stalin is said to have had the same capacity; he could recite the books read by pages.

Hence Emperor Alexander II (1818-1881) was grandfather of Joseph Stalin (1878-1953), Emperor Alexander III (1845-1894) was Stalin's uncle and Emperor Nicolas II (1868-1958) was his first cousin (related through grandparent). It is no wonder, therefore that the son of Nicholas II, successor Alexei, became through patronage of his uncle J. Stalin the Chairman of Council of Ministers of the USSR Alexei Nikolaevich Kosygin (22; 23; 26)! NB!

It is to a point to mention the telling fact that the superb monument to the Russian traveller, geographer and researcher of Central Asia N. M. Przhevalsky was erected specifically in the Alexander garden in St. Petersburg. Financing of the monument was effectuated by subscription by the Russian Geographical Society. The monument was opened on 20 October 1892.

Presently the monument is a popular place for visiting and taking photos. Sometimes people take the monument to Przhevalsky for a monument to J. Stalin, due to striking resemblance between two figures?!

In Abkhazia there were two tsarist summer houses, near one of them Stalin had a summer house built for his own use. There, Stalin used to meet with his first cousin, former tsar Nicholas II. The historians wonder why Stalin travelled to Sukhumi, not to Yalta or Sochi? The answer is simple: Stalin consulted with his first cousin Nicholas II in all vital issues (22; 23; 26)!

**5. Completely unbelievable story.** As unbelievable as it may seem, *the son of the Russian tsar (successor), tsarevich Alexei Romanov son of Nicholas became Chairman of the Council of Ministers of the Soviet Union Alexei Kosygin son of Nicholas* (21 February 1904, St. Petersburg– 18 December 1980, Moscow, buried into the Kremlin wall, in the so-called Necropolis). Death of tsarevich Alexei coincided with the birthday of L. I. Brezhnev, and in those days the country did not know that Alexei Nikolaevich Kosygin had died! By reference to the matters presented in the former point, there is nothing out of the ordinary here, everything being logically (dialectically) connected. The path of life of tsarevich Alexei was like that of many other young people of that



time, who had to make up with the situation having developed, in order to survive, although Russia had to be served – contrary to their own political convictions. The historian S. Zhelenkov presents numerous examples on how the tsarevich Alexei became the Red Army soldier Kosygin. Especially noted are his meritorious services in 1942, when he supervised evacuation of people and inventory of plants from Leningrad to the home front and especially the organisation of the so-called “Life path” through the Lake Ladoga, through which the residents of Leningrad were supplied with foodstuffs, because he knew well since his early youth the specificities of the Lake Ladoga. In 1942 Kosygin, the plenipotentiary of the State Committee for Defence in the Besieged Leningrad supervised evacuation of population and industrial enterprises and property of Tsarskoye Selo. Alexei used to sail along lake Ladoga on the yacht «Standard» and knew well the surroundings of the lake, therefore he organised the «Road of life» to supply the town (21).

Turning aside from the main subject in this writing, it is very important to note that in 1913 the Emperor Nicholas II transferred 48.6 tons of gold to the ecclesiastic Grigori Yefimovich Rasputin (Russian: Григорий Ефимович Распутин) 21 January 1869 – 30 December 1916, evidently for successful treatment of the successor Alexey, which sum Rasputin returned to the Emperor, possibly knowing through his ability to perceive matters beyond the range of ordinary perception that he was soon going to meet his sad end by a cruel hand of assassins. The Russian historians have found out that Rasputin possessed the capacity for „working miracles“. The clairvoyant power of discerning objects not apparent to the physical senses, rarely occurs with people. Rasputin himself used to say that whatever is beyond the reach of physicians can be healed by the *Word of God*. The successor Alexei sick with haemophilia was cured! Haemophilia figured prominently in the history of European royalty in the 19th and 20th C. For this reason, haemophilia was once popularly called “the royal disease”. He had allegedly been in good health already in 1917. It was an extraordinary event manifesting divine intervention in human affairs! The Russian historians claim that the precise exposition of those matters is available in Finland as a manuscript by a Finnish author. It all suggests to the mind that certain circles of the Tsarist Russia, e.g. the family Yusupovs, not ethnical Russians created purposefully a totally prohibitive image of the mystical faith healer Rasputin.

When in 1949 the whole Leningrad party organisation was “cleansed” from leading party figures, the absolute ruler Joseph Stalin sends A. Kosygin out of the way of „cleansers“ to a long term mission trip in Siberia, to promote the local economy. It is fully clear that a certain „highly positioned “person had to contribute to a rapid professional rise of Kosygin. At the same time it is said that J. Stalin had often, in the presence of others called A. Kosygin „successor!“ (21).

Everybody had always been astounded by A. Kosygin’s communication with other

heads of state, because he had been with them a completely equal partner. Allegedly it was evidently his hereditary property.

A. Kosygin was Chairman of Council of Ministers of the Soviet Union for 16 years on end, i.e. longer than anyone else in Russian Empire, in the Soviet Union or the present Russian Federation. In his period, in 1966-1970, which the Russians have named „the golden eighth five year plan“, the gross domestic national product in the Soviet Union increased by 42 per cent!

I recall a conversation with chairman of the most successful collective farm of the then Estonian SSR, the „Vilde“ collective farm (said farm was in close proximity of the provincial town of Rakvere located in North Estonia) August Lepassaar (1915-1968), whom I knew well. He met with A. Kosygin in Adavere (The manor in Central Estonia), in the newly opened shop, and later too in several places of Estonia. He told me that A. Kosygin had been totally different by his conduct and talk from other high Communist party figures, because all in fact loved visiting the „Vilde“ collective farm (11).

**6. Soviet Russia was forced to cede the Western border countries.** Concerning the activity of Vladimir Lenin, Leon Trotsky and Nicholas Bukharin at survival of Nicholas II and his family, the answer seems to be the simplest possible. Firstly. Why kill Tsar Nicholas II and his family, when it was possible to get from them enormous amounts of money (gold) and other riches, which the state with “new” state order badly needed. Evidently the second very serious problem to figures of the Soviet Russia was the Brest-Litovsk peace treaty, which was made on 03 March 1918 between the Soviet Russia and governments of Germany, Austria-Hungary, Bulgaria and Turkey, under which the Soviet Russia was forced to cede the so-called border countries: *Finland, Estonia, Latvia, Lithuania, Poland and Ukraine.*

But one of the most important parts of that peace treaty, concerning the rubric „personal“ has not been so far found in any one of the (allied) states. It may be thought that it was very precisely put down in written there how the Soviet Russia must conduct itself with Tsar Nicholas II and his family. It is well known that Emperor Wilhelm II was close relative to Russian tsarina Alexandra Feodorovna (Princess Alice of Hessen). Therefore, if anything should happen to them, the German troops would promptly conquer Moscow and Petrograd.

It is a fact that Russians did not have, at that time anything to oppose the German army and therefore Bolshevik V. Lenin supported immediate concluding of the peace with the so-called Grand Alliance (Heilige Allianz), Menshevik L. Trotsky however proposed the tactic of foot-dragging and N. Bukharin, who was the so-called left-wing Bolshevik, demanded continuing the war and transposing revolution to Germany. However V. Lenin's position prevailed. The research by Russian historians has

by now revealed that V. Lenin, cognizant of severity of the problem on his hands, was to save Tsar Nicholas II and his family from firing squad (23).

**7. Position of the Russian Orthodox Church.** Knowingly the Russian Orthodox Church has never recognized the “relics” of the family of tsar as belonging to it, and it has been doing so until now, although President B. Yeltsin tried in every way to convince the Russians to the contrary. It seems that the visit at the end of May this year of the RF President Vladimir Putin and Patriarch of Moscow and the whole Russia Kirill to the „Holy Mount“ or Athos, commemorating the 1000<sup>th</sup> anniversary of the presence of the Russian monks there, might be confirming the correctness of the position of Russian Orthodox Church regarding the Tsar Nicholas II and his family, that they were not shot and that they all lived long and died a natural death. Allegedly Tsar Nicholas II was buried in Nizhni-Novgorod graveyard „Krasnaya Etna“ on 26 December 1958 by the locally very much honoured monk Grigory (22).

## *Chapter III.*

### **World money**

***(Did the gold originating from Tsarist Russia however  
as yet not returned make a super-power of the USA?)***

Knowingly the reputed Russian historian Sergey Zhelenkov has been doing research into the «secret» problems of the Russian tsarist family for over 25 years now, in classified and public archives of the Russian Federation. As a matter of fact, for scientific research of history to start, it is first indispensable to create access to all archives.

**1. Historical synopsis .**The weekly „Arguments of the week“ has published lots of materials to the effect that Russian tsar Nicholas II allocated 48.6 tons of gold belonging to tsar or rightfully to Russians, deposited in Spain since the period of Russian tsar Alexander II in order to provide for creating the World Financial Centre (in Russian: Всемирный финансовый центр), originally designed to be a national institution, but influential American bankers submitted a request a couple of days before Christmas 1913 to transfer the FED, founded on Russian and Chinese gold, into private hands, the opposition of the USA Congress and Senate notwithstanding. Hence, according to contribution of gold in FED 88.8% of it belongs to Russia and the remaining 11.2% mainly to a Chinese beneficiary, apparently Tsin Li Hong (in Russian: Цин Ли Джон (26) the grandson of Henry Pu Yi, the last Emperor of China and the twelfth and final ruler of the Qing dynasty.

That means that the above gold was the statutory capital of the USA Federal Reserve

(FED) *ditto* the central banking system in the USA, established by resolution of the US Congress of 23 December 1913, enforced by President Woodrow Wilson. But on this signature wrote Woodrow Wilson: "I am a most unhappy man. I have unwittingly ruined my country. A great industrial nation is controlled by its system of credit. Our system of credit is concentrated. The growth of the nation, therefore, and all our activities are in the hands of a few men. We have come to be one of the worst ruled, one of the most completely controlled and dominated Governments in the civilized world. No longer a Government by free opinion, no longer a Government by conviction and the vote of the majority, but a Government by the opinion and duress of a small group of dominant men." (28).

Headquarters of FED are in Washington.

However the FED was created by consortium of private banks, consisting of Rockefeller's *International Bank Trust*, Rothschilds' *First Manhattan Bank*, J. P. Morgan's Banking House and *Chevy Chase Bank* (24, pp. 63-68; 14). Board of the FED includes 12 affiliates of those banks, distributed in various States. The board of the FED is appointed in office by the USA President; actually the candidates have always been from management of 12 affiliates or founding banks.

Russian tsar Nicholas II allocated gold to the USA FED provided it would be returned to Russia in 100 years! Every transaction with that gold, effectuated by FED with the Russian Empire, later with the USSR and Russian Federation, must accrue 4% of original amount of gold.

Importantly regardless of official air the FED is not a national institution but a private bank, *ruling the USA financial affairs*. All USA bills are printed with the FED means and are lent to the USA Government for use, with the printing cost of 1 dollar being 10 sent. The FED is selling it at the price ca. 45 sent for a dollar, added loan interest for releasing into turnover up to 15%?!

Very many experts of the USA Constitution find that such procedure of matters is *unconstitutional*, because subject to Independence Declaration only the *USA Congress is entitled to print money*.

Knowingly the last attempt to withdraw from the FED the right to print money and give it to the state was made in 1962, when President John F. Kennedy launched printing in State Printers' of 2-dollar notes. After assassination of Kennedy (whether murder was associated with printing of money is still under question) the undertaking was suspended and although the 2-dollar bills have not been removed from circulation, they are rarely encountered. After that attempt the USA finances have steadily deteriorated and by now the USA sovereign debt is estimated at 18-21 trillion dollars, being the largest in world. At current rate of repayment it may be repaid



by 2500 unless the FED incurs new debt?! President Barack Obama's incumbency has boosted the sovereign debt (19).

Representatives of WWII victors gathered in Bretton Woods (USA) in 1944, in order to agree on economy and trade build-up of the post-war world, to fix the exchange rates and to create institutional bulwark of the new system for 1944-1971. They were three Bretton Woods institutions: a) International Monetary Fund (IMF), to issue loans to states with liquidity problems; b) World Bank, enabling the states to take long-term loans for reconstruction and development; c) General Agreement on Tariffs and Trade (GATT), having by now evolved into the WTO.

The decision of Bretton Woods conference of 1944 corroborated the fact that 88.8% of FED assets belongs to the USSR and 11.2% to China (26).

**2. Russians say: there is a time to pay off one's debts.** The time to pay off the debts to Russian Federation has fallen due, writes Alexander Chuykov in the „Arguments of the week“, because the USA FED system was created over a century back with Russian and Chinese capital. Already over a century Russia has waged the „undeclared“ war against the families of financial oligarchs of the world the Rothschilds, Rockefellers and Morgans, because the USA FED was founded by gold of the Tsarist Russia and Chinese Empire! But Russian historians have also found out that the financial world of the aforementioned families was not only enriched by the 48.6 tons of Russian gold, which tsar Nicholas II earmarked in 1913 to create the World Financial Centre, and which was to be repaid in 2013 cum interest to the RF, but also the gold stocks, which after the end of WWII were requisitioned from gold reserves of the defeated countries, e.g. Japan's gold reserves ca 63 tons, deposited in the Philippines (26; 14).

In the period of muddle and confusion of the civil war and consequent power struggle in the Soviet hierarchy nobody cared much about the Russian gold, deposited in American granaries. Nor did anyone seem to know where the respective documents had been laid. But by the end of the 30s of the past century the topic was raised again. Stalin understood well that the country was on the threshold of a new large scale confrontation. Any war however demands impressive financing. According to some data, not corroborated officially (the archives were practically wholly destroyed at Khrushchev), in 1936–1937 the Soviet representative Vyatcheslav Molotov planned to speak up at League of Nations at a respective meeting, informing the whole world about the debts of the USA to the Soviet Union. That would have caused a resounding International row. However, very «timely» in 1939 the USSR was expelled from that body due to a war with Finland. Then there was the Great Patriotic War. In 1953 Stalin died. The topic of repayment of the debts was again put back for a long time.

By reference to the above a crucial legal problem arises of whether abdication of Emperor Nicholas II from throne (given the opinions that he did not stand down

personally but was stood down by third parties on his behalf?) is legally valid? The RF lawyers hold that the question of whether or not the Emperor Nicholas II relinquished his position is legally fallacious, failing to satisfy the conditions of valid inference, and irrelevant.

**3. Strange fires in libraries...?** *Interestingly* in the night of 30-31 January 2015 *there occurred fire* in Moscow in the fundamental library of the Institute of Scientific Information in Social Sciences of Russian Academy of Sciences, burning to ashes a stupendous amount of archival materials. *Over 5.42 million copies of various printed matter perished*, incl. – attention! – the most complete and incidentally singular collections of documents of the League of Nations (initiated by Nicholas II), its successor UNO and parliamentary reports of the USA (since 1789), England (since 1803), Italy (since 1897). The materials were not digitalised, regardless of scores of millions of roubles assigned to the Russian Academy of Sciences for that purpose (25; 27).

*Queerly* simultaneously with the fire in Moscow, there started a major fire in the building housing the repository of documents in Williamsburg, Brooklyn (New York). About four million boxes with documents of city archives burned, incl. archives of the court of the New York State.

The library of the Institute of Scientific Information in Social Sciences and the New York archives had very important documents deposited therein, connected with history of the League of Nations and the World Financial Centre, initiated specifically by Russian Empire. There were documents deposited overseas proving involvement of the clan of Rothschild in assassination of the USA President *Abraham Lincoln* and financing of the election campaign of President *Woodrow Wilson* in 1912. Those bankers forced him two days before Christmas 1913, contrary to the opinion of Congress and Senate, to transfer to their private ownership the Federal Reserve System, created instead of World Financial Centre, and basing on the gold of Russia and China (22).

Recently a Russian emigrant Sergey Gurcyev, presently employed as Professor of Economics of the Paris School of Political Sciences, declared that the USA is clandestinely preparing against Russian Federation tremendous sanctions incomparable with the present ones. Allegedly, their enforcement would cause collapse of Russian financial and banking system. Curiously the respective Russian structures paid serious attention to the allegations of the said emigrant, and rightly so.

*First*, the moneys received by Russian Federation for export supplies are channelled through *Bank for International Settlements*, seated in Basle, Switzerland. Although the USA did not participate in its organisation, *it practically controls the Bank through its private banks*. Suspending the currency receipts by Russia through BIS is a matter of seconds. It is tantamount to declaring the war, but is Russia ready to antagonise



the whole world?

*Secondly*, under pressure of large American financial clans the Congress and Senate of the USA created the totally opaque Department of International Currency Control with headquarters in Thailand. All transfers on international accounts in any world currency or in the gold equivalent (also transfers to off-shore zones!) go through that Department. For any large infra-structure project, demanding currency transfer overseas, permission of that body is needed.

It is not common knowledge either that all currency receipts in US dollars from Russian export do not come directly in accounts of Central Bank or Government of the Russian Federation. They are reported in accounts of FRS servers, and are “mirrored” in servers of the Russian Central Bank. With the click in Washington the Russian Federation may find itself in full international financial isolation. Russia was put into such conditions in the 80s–90s of the past century, when the USA dictated laws to be composed by venal officials in Russia, as well as international agreements to be made by the same venal officials, – affirms S. Zhelenkov (22).

As mentioned in the «Arguments of the week», at transfer of Russian gold there were special agreements made in six copies, three of which were deposited in America, and three were kept by Russia. There were also released 12 «golden» bearer certificates (for 48.6 tons) (26).

As the Russian historians found out, there are only two originals of the agreements and all golden certificates deposited in the territory of Russian Federation. The third original held by Russian Empress Maria Feodorovna (spouse of Alexander III and mother of Nicholas II) was hidden, after her emigration to Denmark, in the vaults of a Swiss bank. But in 2013 (in the year when the gold was to be returned!) the hiding place was revealed under Swiss Federal Law on International Aid at Tax Issues, which the USA was instrumental in getting introduced. That original has evidently been withdrawn. The documents left in the Russian Federation are being tracked presently in a wild-geese chase (14).

«Today out of three Russian copies of the agreement on gold deposited with FRS there are only two in the territory of this country. One is stored in a cache in Nizhegorodsk oblast. The second is held by a major figure of the Soviet period. The third is under assumption in one of the Swiss banks, – elaborates Sergej Zhelenkov. – In a cache in Nizhegorodsk oblast there are documents from tsarist archives, among which also 12 «golden» ones, more exactly, in view of their history, «bloody» certificates. If they are presented, the world financial hegemony of the USA and the Rothschilds would collapse, and our country would receive vast assets and all chances to develop, because it will no longer be strangled from behind the ocean», – assures the Russian historian. As of today the USA allegedly owes to the Russian Federation a stupendous amount of gold (22; 23; 26)?!



## *In the stead of a Conclusion*

As revealed from the above the relations of two *nuclear super powers* are rather complicated and critical, where specifically the USA has tried to impose on other countries their power, might and American “human rights”, in particular through their weakest presidents of the recent history Georg Walker Bush and Barack Obama. This manifested itself in the process of the recently ended USA presidential elections, where the statements of the figures “yearning for nuclear war” like Hillary Clinton, pointedly defeated by Donald Trump at elections, having however denied defeat upon active support of certain financial circles, President Obama and the elderly tired senator John McCain eager for “war only”, (with the latter dispatched at end of December 2016 to the East European countries to carry out a “military concert”) suggest that solely the Russian Federation is culpable of all mortal sins, in the first place its president Vladimir Putin.

The USA President D. Trump taking office on 20 January 2017 however claims than RF President Vladimir Putin is a very smart man! Trump has evidently also taken heed of counsel of Henry Kissinger, one of the wisest diplomats and politicians of the modern world, to the effect that it is *not proper to seek trouble with Russia!*

The future host of the White House is already drafting the concept of the new foreign policy of the country entrusted to him. Here, too there have been some surprises in store: the new administration of the USA is planning to focus on combating *international terrorism and beating off cyber-attacks*, and not on confrontation with the RF, as presidential candidate Hillary Clinton was wholeheartedly willing to do.

It is to be pointed out that President of the USA Donald Trump followed in his inauguration speech on 20 January 2017 precisely those positions, which he had presented in his election campaign. His move was very touching, when he asked everybody to stand up in honour of his opponent at elections Hillary Clinton!

With the world teetering on the threshold of the new world war, on 12 February 2016 Havana hosted two ecclesiastics: Pope of the Roman Catholic Church Francis and His Holiness Patriarch Kirill of Moscow and All Russia. This was the first time leaders of the Roman Church and the Moscow Patriarchate had met. The Joint Declaration of Pope Francis and Patriarch Kirill, also known as the Havana Declaration contains a joint call by the two church primates for an end to wars in the world.

Actually nobody wants a major nuclear war, but the essential discords of the modern capitalist society (where leading figures of various countries are assassinated and locked behind bars, while super-rich private citizens can purchase the whole countries like Estonia, Latvia, Lithuania and smaller ones, etc.) have been pointed out by high church figures, among them recently Pope *Francis*, who said that capitalism in its present form cannot exist longer, because the most important thing in this world, *the human life* no longer has any value, and that will lead the world to its ultimate perish.





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## IN LIEU OF THE SUMMARY

This book may also be called the work concerning the person of the Estonian legist Ando Leps, where the author analyses and gives, through his personality, i.e. his individuality, an estimate to one or another most important problem concerning the present world, especially to the issue of war and peace.

Author pays very serious attention to one of the most famous universities of Eastern Europe – the University of Tartu (1632), with which the author is connected very closely: as a full time student (1955-60), the investigator of fire of the main building of the University (1965), where he later, in the main building, in the hall of the Learned Council will defend his doctoral work in law (1992).

The author however keeps under special attention that part of the book, which considers the political and economic and legal situation in Estonia, Europe and the whole world in the past one hundred years.