TITLE: Nationalism and Democratization: The Case of Ethnic Russians in Newly Independent Latvia

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INTRODUCTORY NOTE

This paper was written as part of an ongoing research project at Indiana University on the Russian minorities in the former Soviet republics. The project is supported by the National Council on Soviet and East European Research (Contract No. 806-07). The conclusions presented in the paper are the author's own, and do not necessarily reflect the position either of the Project Director or of the National Council. Mary Dakin is a doctoral student in political science at Indiana University, and research assistant in the Russian minorities project. Comments or criticisms of the paper would be welcomed, and they can be sent either to me or to the author at the Department of Political Science, Indiana University, Bloomington, IN 47405.

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Mary I. Dakin, May 1992
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EXECUTIVE SUMMARY

Is Latvia implementing a policy of "apartheid" in dealing with the Russian-speaking peoples who remain in the republic in the wake of Latvia's achievement of independence? The charge was made recently by Sergei Stankevich, a leading political advisor to President Yeltsin. "Apartheid" is strong language, perhaps too strong to describe the current state of interethnic relations in Latvia. Nevertheless, recent legislation regarding citizenship requirements, language, and other rights of non-Latvians in the Republic of Latvia will directly violate a number of United Nations Human Rights conventions if implemented.

The development and subsequent success of nationalist movements in the Baltic republics now evokes a number of pressing questions regarding constitutional, cultural, language and ethnic rights. The position of Russians and Russian-speaking nationals outside the Russian Republic has begun to attract attention, and political movements have arisen in response to indigenous nationalist movements to represent the interests of Russian-speaking and other minority populations. In Latvia, where the eponymous nationality comprises slightly over half the population, the situation is particularly tense.

This study is a discussion of the potential consequences of nationalist movements for the processes of democratization of the states of the former Soviet empire. Recent developments in Latvia are used as a case study: ethnic conflict between the titular population and the non-indigenous "Russian-speaking" population is traced, with specific focus on alleged violations of human rights. I look at the circumstances leading to the rise of the Latvian nationalist movement and the Russian backlash, and conclude that the rights of non-Latvians would be violated if the new legislation is enforced.
INTRODUCTION

More than sixty years ago, Carlton Hayes asked what had led to the "great vogue" of nationalism. In recent years nationalism seems once again resurging worldwide as a force in regime changes and revolutions. While the waves of nationalism may never have completely receded, the events of recent years in Eastern and Central Europe again call world attention to this phenomenon. Ideological preconceptions often lead, however, to assumptions which divide between "good" and "bad" nationalism. "Good" nationalist movements claim democracy as the goal, whereas "bad" nationalisms are sympathetic to or promote Communist, Islamic, or other potentially authoritarian or undemocratic regime types.

In *Polyarchy*, Dahl defines five processes by which polyarchies can be inaugurated. He describes the fifth such potential process as polyarchy inaugurated "by a national independence struggle," wherein "... the ideology of democracy was reinforced by the ideology of nationalism: to attack representative democracy was to attack the nation. The success of the movement for national independence largely liquidates the principal contenders for the legitimacy of the old regime."¹ As examples of this fifth process, where democratization emerges in tandem with the formation or reformation of a nation-state, he cites Finland, Ireland, Israel, and the United States. Dahl asserts that this fifth process is unlikely to succeed in the promotion of developing democracy in the future, for two basic reasons. The first is that although leaders of nationalist movements might pronounce democracy the primary goal of independence, these leaders may find, once independence is achieved, that the opportunities afforded to opposition forces by democracy are a threat.

"Nationalism does not so much encourage tolerance of dissent and opposition as it provides a

provides a ready and acceptable justification for intolerance and repression. 2 Dahl’s second proposed limitation on this fifth process was the fact that it was obsolete in a world which consists mainly of sovereign states, asserting that the disappearance of colonial empires had diminished the opportunities for movements of national independence.

Although Polyarchy was written more than twenty years ago, and neither Dahl nor anyone else would at that time have predicted the collapse of the Soviet empire, Dahl’s second limitation was not an accurate representation of a world in which equivalents to “colonial empires” persisted, particularly in Eastern Europe and in Africa. Although the characterization of this form of emerging democracy as obsolete was premature, Dahl’s contention that nationalism may present a conflicting force in the development of a democratic system merits examination. Is there evidence of the restrictive potential of nationalism to democratization?

It is the contention in this paper that despite the legitimacy of the sovereignty demands of many of the most recent nationalist movements in Central Europe, any assumption that the success of these movements will lead to democratic systems is premature. Cases illustrating the many difficulties of the transition from authoritarianism abound in the countries of the former Soviet empire. In many of these countries the very nationalist sentiments which mobilized the population against the old regime may interfere with the legitimate transformation to truly representative democratic institutions. One such case is Latvia.

Latvia’s situation illustrates a number of the conditions under which the countries of the former Soviet Union find themselves struggling to create new governmental forms. For decades the political structure was subject to central approval or control. The centralized economy has left it highly dependent on the central distributive apparatus, and industrial development was carried

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2Dahl, p. 44.
the former Soviet Union find themselves struggling to create new governmental forms. For decades the political structure was subject to central approval or control. The centralized economy has left it highly dependent on the central distributive apparatus, and industrial development was carried out in accord with the needs of that apparatus. The major cleavage among the population is by nationality, due mostly to the migration of ethnic Russians to the republic. Although Latvia did have an interwar period of independence, like the other former republics it does not have a strong tradition of representative democratic government.

Like the other Baltic countries, Latvia's incorporation into the Soviet Union has always been viewed by the world community as illegal; subsequently, the achievement of independence was celebrated worldwide. Possibly as a result of these celebratory goodwill sentiments, the developing political structure has not been scrutinized in the same manner that, for example, the developing structures in Central Asian republics have been watched for human rights violations. Yet, as elsewhere in the "C.I.S.," interethnic conflict and even violence continue.

In this paper I assess the effect of nationalism and interethnic conflict on the progress in democratization in Latvia. Using accepted standards for what comprises a representative democracy (or a "polyarchy," as Dahl puts it), I look at Latvia's progress in implementing institutions that meet those standards. To date, the governing structure in Latvia violates a number of these standards, and the underlying cause is discrimination against ethnic Russians and Russian-speaking non-Latvians residing in the republic. The non-Latvian population in Latvia is not a homogeneous group of pro-Communist militant colonizers. Nevertheless
legislation in Latvia regarding language, citizenship, representation, and voting rights will treat them as a single group. The laws impose limitations on the political and economic rights of non-Latvians, limitations which contradict accepted definitions of democratic practice.

Democratic Standards and Nationalism Defined

Hayes defined nationalism as "the paramount devotion of human beings to fairly large nationalities and the conscious founding of a political 'nation' on linguistic and cultural nationality ... patriotism fused with the consciousness of nationality."3 He dismisses the contention that humans are instinctively nationalist, citing "natural" human loyalties to a number of group types that are not necessarily nationalist. Hayes maintains that while economic developments have "made for" nationalism, they have not caused its development.4 I also will treat nationalism not as an epi-phenomenon, but as a separate identity cleavage, distinct from other cleavages such as economic groupings or even religious affiliation in that it is far more difficult to abandon. Rejecting collective action or cultural definitions of nationalism, Alexander Motyl defines nationalism as a belief type or an ideal: "Nationalism ... is a political ideal that views statehood as the optimal form of political organization for each nation."5 Nationalism thus may lead to collective action but is not collective action in and of itself. In this paper I agree with Motyl's placement of nationalism


4Ibid., 292, 296.

in the semantic field of "belief"; I do not include Motyl's assertion that once a nation attains statehood, behaviors are no longer nationalist. I will also consider attempts to preserve the state established by the nationalist movement to be nationalist behavior.

Dahl has outlined a series of standards for what comprises a polyarchy. These standards have often been summarized; Lijphart defines a "reasonably responsive democracy" by the presence of eight institutional guarantees:

1) Freedom to form and join organizations
2) Freedom of expression
3) Right to vote
4) Eligibility for public office.
5) Right of political leaders to compete for support and votes
6) Alternative sources of information
7) Free and fair elections
8) Institutions for making government policies depend on votes and other expressions of preference.  

Although the eighth institution here seems well on its way to implementation in Latvia, the Russian-speaking population argues that, for non-Latvians, many of the other standards are not only absent but expressly violated by legislation. If true, this assertion essentially negates the "democratic" legitimacy of institutions already established. Herbert Kitschelt explains democratic institutions as defined by three problems: 1) Citizenship rights, or which players are allowed to participate; 2) Procedures - "the rules of the game"; and 3) Allocation of resources to the "players." While the procedural element is one of the critical

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areas, the most critical in Latvia currently is the citizenship "problem" - those denied citizenship are excluded from procedures and resources from the outset.

*Ethnic Conflict and Democratization in Latvia*

The development of nationalist movements for independence in the non-Russian Soviet republics instigated rising interethnic pressure. Members of nationalities not indigenous to republics, particularly ethnic Russians, raised questions involving legal and constitutional issues, cultural and language rights, questions of economic debts and realities both past and future, and ethnic rights, in the event of secession by those republics. The successful secession of the Baltic republics and the eventual collapse of the Soviet Union itself have not yet led to answers to those questions.

According to 1989 census figures, more than twenty-five million or 17.4 percent of Russians in the USSR lived outside the RSFSR. The position of Russian and Russian-speaking nationals outside the Russian republic, and their rights within the context of the new "Commonwealth" structure, however it evolves, remains unclear. This lack of clarity is especially problematic in the Baltic states. The Russian-speaking populations responded to the nationalist independence movements of the late eighties by organizing opposition movements, especially in Estonia and Latvia, where the indigenous populations hold very tenuous majorities. The most contentious interethnic issues remaining in the aftermath of independence include language rights, voting rights and questions of fair representation.

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citizenship laws, and the Soviet military presence in Latvia.

**Demographic Background**

Interethnic tension is directly related to the demographic composition of the LaSSR and its changes over the last forty years. According to results of the 1989 census, the current population of the LaSSR stood at 2,667,000. Ethnically Latvians comprise 52 percent of the total population, while 33.8 percent of the population is ethnic Russian and 7.9 percent Belorussian and Ukrainian (see Table 1). Most non-Latvians reside in urban areas. More than half of Latvia's Russian speakers now live in Riga, a city which, with only a 38 percent Latvian population, is more Russian than Latvian.

<table>
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<th>Nationality</th>
<th>Percent of Total</th>
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<tr>
<td>Latvian</td>
<td>52.0</td>
</tr>
<tr>
<td>Russian, Belorussian &amp; Ukrainian</td>
<td>41.9</td>
</tr>
<tr>
<td>Polish</td>
<td>2.3</td>
</tr>
<tr>
<td>Others</td>
<td>3.8</td>
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Ethnic Latvians have maintained their majority status, but the Latvian population in proportion to the total population of the republic has dropped steadily since incorporation into the USSR in 1940, at which point at least 70 percent of residents were Latvian. During the forties Latvians suffered substantial losses resulting from both the war and mass deportations, especially in 1941 and 1949. The Latvian portion of the population stood at 62 percent in 1959, and has declined steadily. This is accounted for by both a decreasing rate of natural increase in the republic and a very high mechanical growth rate (around 60 percent of total growth between 1959 and 1989). The ethnic Latvian sector saw a relative decline - not surprising, given that most of those immigrating to Latvia are not ethnic Latvians.

In a 1989 the LaSSR Council of Ministers cited a real mechanical growth figure of almost double the natural population growth between 1971 and 1988, giving Latvia the highest mechanical growth rate of all Union republics. This is largely a product of the migration of workers of other ethnic backgrounds into the Baltic republics which expanded as a result of a labor shortage in the region. With the development of large-scale Soviet industrial projects came the need for more workers and specialists than the local population could provide. The titular populations of the Balts originally were, on average, much more highly educated than those of other Soviet republics, and were less inclined toward blue-

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collar work. The result is that today ethnic Russian workers dominate several typically blue-collar fields. In 1987, only 27 percent of all industrial workers were ethnic Latvians, and Latvians comprised only 7 percent of transport and communication workers and 9 percent of construction workers.

Although Russian-speaking workers were brought to the Baltic to compensate for an undersupply of labor, most Latvians believe that this mass immigration has become disproportionate to actual industrial need in recent years. The traditional state of enterprise management in the Soviet Union might support this claim. Worker "shortages" in the individual enterprise were largely a function of management decisions, in that management found it easier at times to increase the labor portion of inputs than to make capital or policy adjustments to the production process. Many Latvians, particularly members of the Latvian Citizens Committees and some factions of the Popular Front of Latvia, believe that the immigration of Russian-speakers was "artificially created," claiming that enterprises needing workers frequently recruited only outside of Latvia, ignoring an existing pool of labor. In February 1989, the Latvia Council of Ministers and the Trade Unions Council passed a resolution to control the republic's mechanical growth. The resolution was structured to curtail the importation of workers from outside the republic by a system of per worker "mandatory differentiated charges" levied against the offending enterprise. By late 1990 the

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new regulations were considered successful in severely reducing mechanical growth. Nevertheless, rhetoric advocating the "repatriation" of ethnic Russians is still common.

The demographic situation in Latvia is generally referred to in the Latvian press as the demographic "problem." The more anti-Russian factions of the PFL called for the outmigration of the "colonizers" from the very beginning of the nationalist movements. By 1991, serious parliamentary discussion had surfaced in Latvia regarding the "voluntary" emigration of Russian speaking residents of Latvia to Russia, coupled with the immigration of Latvians to Latvia. Computations of costs of this "repatriation" to the Russian speakers' "historic" homeland appeared. Supporters of such a project consider it a fair and realistic solution to the demographic "problem" in Latvia. Members of that Russian-speaking population look at it differently; in an era of political and economic unknowns, the move to an uncertain fate in a different republic where the emigre may not have lived for years, if ever, can hardly be appealing. Even the term "Russian-speaking" is contentious as a descriptor of the non-Latvian residents; one publicist asserts that the term is used to disguise both the multinational composition of the population, and a "legalized war against Russia and the Russian people."

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19 Ibid.

POLITICAL ACTIVITIES OF THE RUSSIAN-SPEAKING OPPOSITION

In Latvia the most visible non-Latvian opposition group prior to the August putsch was the International Front of Workers of the Latvian SSR or "Interfront" movement, affiliated with the union-wide Intermovement, which resisted the breakup of the Union, supported the Communist party, and claimed that violations of human rights were being carried out against ethnic Russians. Although Interfront addressed some of the issues most sensitive and critical to the rights of non-Latvians in Latvia, the movement failed to mobilize a significant portion of the Russian-speaking population, despite the demographic makeup of the republic.

The Popular Front of Latvia (hereafter PFL) was founded in October, 1988 as an umbrella group for Latvian nationalist parties and movements. In response, the more pro-Communist elements of the Russian-speaking population formed their own party, Interfront, which held its founding congress January of 1989. A charter, accompanied by declarations and resolutions, was produced in that first Congress. The positions articulated at this time remained consistent up to the attainment of Latvian independence in September, 1991. The group advocated economic reform within the framework of the USSR, promoted the leading role of the Communist party, the establishment of two state languages and the guarantee of educational instruction in both languages, and protested both the establishment of separate LaSSR citizenship and the exclusion of many Russian speakers from eligibility for citizenship. A number of the measures passed in the legislature in Latvia during the struggle to assert republic sovereignty vis-a-vis the center were resisted by both pro-Communist and Russian-speaking forces. Establishment, for example, of a Latvian procuracy with jurisdic-
tion superior to the union-established procuracy caused a great furor among conservatives. Declaration of alternative military service for ethnic Latvians, reinstatement of old Latvian symbols as official state symbols, a Latvian customs service, and even the announcement of the impending implementation of Latvian currency, all rulings made before 1991, invoked resistance from pro-Center "hard-liners."

One piece of legislation cited as particularly discriminatory was an amendment of the Latvian Constitution with respect to quorum. It was decided that for a law to be adopted in Latvia, a simple majority of participants in the vote would be sufficient provided that not less than one third of the ethnic Latvian deputies vote in support. Russian-speaking deputies called this decision yet another attempt to cut dissenters off from decision-making.21

Interfront's pro-Communist and subsequently pro-Union approach to reform and the stridency of the party's approach appear to have had limited appeal for many more moderate non-Latvians, many of whom were not opposed to or actively supported the prospect of Latvian secession from the USSR. Polls published in 1990 and 1991 indicated only minimal support for Interfront and related coalitions among the Russian population, and election performances were also poor. A group of 1,000 ethnic Russians met February 3, 1991 at a meeting called by the Russian Cultural Society of Latvia, and adopted a resolution supporting the Latvian government and the Supreme Council. This group came to form its own organization, because it did not want to be represented by Interfront or the Communist Party. A statement was issued by the participants to the effect that there is no discrimination against

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the non-Latvian population in Latvia.\textsuperscript{22}

In a poll conducted by the All-Union Center for the Study of Public Opinion, 41 percent of Russians in the Baltic approved of secession.\textsuperscript{23} Results in Latvia were not published separately; however, a poll conducted by the Latvia Sociological Association in February 1990 found that 45 percent of non-Latvians favored "an independent Latvia," and 52 percent favored a "federation." 68 percent said they would remain in Latvia if the republic became independent, while 13 percent said they would move to the USSR and 2 percent to different countries. 62 percent of non-Latvians polled said they approved of legislation granting Republic of Latvia citizenship immediately to all current inhabitants who request it.\textsuperscript{24}

In a continuation of that same poll, ethnic Russians gave Interfront ratings of -12 in February, 1991, -22 in June, -18 in September, and -17 in November, on a scale of +100 "like very much, support fully" to -100 "do not like at all, am opposed." The most popular political parties among Russians were the Environmental Protection Club, the National Cultural Societies, the Balto-Slavic Societies, and the Union of Latvian Workers, none of which received ratings over +50. Most ratings by ethnic Russians fluctuated between 10 and 20 points of 0, the point of neutrality on this scale.\textsuperscript{25} These survey results were present-


\textsuperscript{23} Lev Gudkov, 7.


ed with no accompanying information either about the methodology used or the organization conducting the poll so the accuracy of the surveys is questionable; they do serve as an indicator that part of the non-Latvian population is not as conservative and pro-Soviet as Interfront is perceived to be.

Events Surrounding the Violence in the Baltic in January, 1991

In November 1990 the Committee for the Protection of Human Rights, the Soviet and Latvian Constitutions, a pro-Communist organization with a high proportion of ethnic Russians, held its second congress. Alfred Rubiks, a member of the Politburo and first secretary of the Latvian CP Central Committee, was chairman of the committee. The 2,200 delegates representing cities and regions, labor collectives and Army units adopted resolutions in support of Gorbachev, conclusion of a union treaty, and protection of servicemen in Latvia. The Committee claimed to have collected 400,000 signatures on a petition for a referendum to define the future status of Latvia.26

The decision was also taken to form the All-Latvia Committee for Public Salvation, headed by Rubiks and Alberts Kauls, in response to violations of civil rights, especially connected with the Soviet military. This Committee was later declared unlawful by the Latvian Supreme Council, and the names of its other members kept secret. The Committee for Public Salvation reported at the Third Interfront congress in 1991 more than 4,000 appeals claiming violation of civil rights had been made to the Committee since its formation

in November 1990.\textsuperscript{27} The Third Interfront congress was marred by several explosions that week, including one in front of the building where the congress was held, at the Lenin monument, the CP building in Maskavas, and the military commandant's headquarters.\textsuperscript{28}

Resentment over the military presence grew with the independence movement, and the conflict with Soviet military troops began to heat up in November 1990. Citing incidents of brutality by troops, the Latvian Supreme Council adopted a decision November 14 to end all social and material support of servicemen and their families. Food supplies were cut off, and children of servicemen were denied school places.\textsuperscript{29} In response, Gorbachev threatened imposition of presidential rule; following negotiations, the central government agreed not to send in air troops and the portion of the November 14 decision suspending supplies to the Union troops was rescinded.\textsuperscript{30}

When violence broke out in Lithuania in January 1991, a group of OMON (Black Berets) attacked the Ministry of Internal Affairs in Riga (January 20), killing four and seizing and detaining five volunteer guards. The captives reportedly were taken to the Black Beret camp, beaten, forced to sign false confessions, and then detained in KGB cells.\textsuperscript{31}

\begin{itemize}
  \item \textsuperscript{27} TASS, Moscow, 1904 GMT 15 December 1990; "Latvian Interfront Holds Third Congress in Riga," \textit{FBIS-SOV-90-242}, 17 December 1990, 71.
  \item \textsuperscript{29} Irina Litvinova, "How they Celebrated the Festival," \textit{Izvestiiia}, 20 November 1990, 2; \textit{FBIS-SOV-90-235}, 6 December 1990, 63.
  \item \textsuperscript{30} Riga International Service in English, 1830 GMT 27 November 1990; "Latvia Imposes 'Economic Blockade' on Soviet Army" \textit{FBIS-SOV 90-231}, 30 November 1990, 72.
  \item \textsuperscript{31} \textit{Report on the USSR}, February 8, 1991, 33.
\end{itemize}
on a car containing three members of the Black Berets and TV journalist Aleksandr Nevzorov was reported February 3; no one was injured. Nevzorov had produced a film, "18 hours in Riga," glorifying the OMON actions during the January 1991 conflict.  

March Referendum and Plebiscite in Latvia

On March 6, the Latvian Supreme Council ruled that the March 17 all-union referendum on maintaining the Soviet Union as a federation had no legal effect in Latvia, and that election committees were not to cooperate. Instead, a plebiscite had been held in Latvia on March 3 asking the question: "Are you for a democratic and independent Republic of Latvia?" According to a Radio Liberty analyst, 87.6 percent of eligible voters participated throughout Latvia, and of those 73.7 percent voted for independence and 24.7 voted against, meaning that a total of 64.5 percent of all registered voters voted for independence. The implication is that a good number of Russian-speaking residents supported Latvia's bid for independence.  

The Communist Party urged a "no" vote in response to the poll, while Interfront and related movements urged voters to vote both "yes" and "no" to invalidate the ballots in protest of the poll. Only 0.6 percent of ballots were invalid, however. Committees of 17 organizations (such as the Party, Interfront, the Council of Labor Collectives, and deputies belonging to Soiuz, for example) chose to participate in the Union referendum anyway. It

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34 Ibid., 24.
was reported that 65 percent of eligible voters participated, and of those 95 percent voted "yes." However, Helsinki Commission staff who visited polling places reported extensive irregularities:

Many polling places had no voter list at all, and those that did accepted all comers . . . the only requirement to vote was some piece of identification showing Soviet citizenship . . . In order to test the system, one newspaper reporter cast five ballots in the space of one hour and even used an Estonian [i.e. local internal] passport with someone else's picture . . . a situation which begs for abuse.36

If these reports are accurate, then the results reported by the conservative organizations that ran the polls cannot be considered meaningful.

Elections

In March 26, 1989 elections for USSR People's Deputies, seven deputies from Latvia were considered "conservative" (although only two were Interfront members), and fifteen of the winners were associated with the Popular Front.37 Interfront made claims that these elections were not "democratic" or representative, charging that gerrymandering had skewed the results. The claim may be justified: analysis by Soviet geographers shows that the population was not accurately represented in the drawing of electoral district boundaries. Berezkin et al find that "very strong deviations in the number of voters, and gross violations


of the 'one man-one vote' principle have been permitted.38 In Latvia specifically,

... considerable discrepancies exist between the number of voters in rural and urban electoral districts. One of the sparsely populated rural national-territorial districts consists of 28,000 voters, whereas in the largest of the urban national territorial districts this number can increase to 137,000. Since a Latvian majority exists in rural localities, and Russian-speaking inhabitants of the republic are concentrated mainly in cities, these differences have acquired particularly great political significance.39

In other words, the voter from a district with a drastically smaller population will be, so to speak, over-represented, relative to the voter from a district with four times the population. This problem was raised at the first USSR Congress of People’s Deputies by V.I. Alksnis. Kolosov finds an anti-city tendency in the drawing of electoral boundaries, an "inclination to assign extra seats to the periphery at the expense of the center."40 According to Kolosov, six of Riga’s seven national-territorial districts were under-represented. In 13 of the union republics the titular nationalities were represented "normally," that is, in proportion to the total population. The Latvian SSR delegation, one of the two exceptions, had 26 percent more ethnic Latvians than in the population of Latvia.41

In the elections to local councils held in January 1990, Interfront candidates had little success. At the local level Interfront candidates won .51 percent of seats, the PFL 42.4

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39 Ibid..


41 Ibid., 763.
percent, and the agrarian Farmers Union 23 percent. Results of the March 18, 1990 elections to the republic Supreme Council were similar. Only 8 percent of those elected were Interfront members, and Interfront did not succeed in its goal of preventing the Popular Front from gaining the two-thirds majority. Not surprisingly, Popular Front candidates did well in rural areas and Interfront candidates were more successful in urban areas heavily populated by Russian speakers.

The percentage of ethnic Russians elected to the Latvian Supreme Council was 21.1, compared to 69.8 ethnic Latvians. Russians comprised 11.4 percent of all deputies, Latvians 82.6 percent - 30 percent higher than their percentage of the population. The perception of ties between Interfront and related organizations, the Communist Party, and military and OMON activities has been persistent. This reputation could well have been detrimental to Interfront’s popularity among less "conservative" Russian speakers, and a factor in the poor election performance of more conservative Russian candidates. However, if election districting was actually inaccurate, the principle of "free and fair elections" may have been violated, as many Russian-speaking political groups maintain.

The August Putsch and Beyond

As soon as the "State Committee for the Emergency Situation" announced its

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43 Ibid., 51.

formation, the leadership of the PFL declared the coup invalid and urged non-cooperation; a thousand supporters reportedly rushed to barricade the parliament building. The PFL headquarters was taken over by OMON troops, and the Baltic Military District immediately declared its support of the committee. Alfred Rubiks called for imposition of martial law, recommended formation of a new government headed by the Committee for National Salvation, and the disbanding of all political parties except the Communist party. In an interview, Rubiks declared his "joy" and "pride" at the course of events. On August 21 the Supreme Council of Latvia adopted a Law on the State Status of the Republic of Latvia, reaffirming Latvian Independence from the Union. When the fact that the coup was falling apart was announced, orders came from Moscow confining all OMON units and soldiers to base. Despite these orders, OMON troops reportedly continued to make their presence known in Riga for the next few days.

Immediately after the coup fizzled, the Supreme Council of Latvia began passing legislation to eliminate Soviet institutions and organizations. August 23, 1991 the Communist Party was declared illegal in Latvia, and a proposal to bring criminal charges against Alfred Rubiks was endorsed. A committee took over the CP Central Committee headquarters, and Rubiks, who had just resigned as First Secretary, was arrested on charges of attempting to overthrow the democratically established government of Latvia. The activities of Interfront, the Council of Work Collectives, the Council of War and War Veterans, and

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47 Ibid., 55-56.
the Komsomol were all suspended, and the liquidation of the KGB in Latvia announced.\footnote{Ibid., 57.}

The successful secession and restoration of the Republic of Latvia has not erased the controversies and problems that existed before August 21. If anything, tensions have grown, and the interethnic conflict has become more immediate than ever. Following the August 23 arrest of Rubiks, Ravnopravie ("Equal Rights") legislators began protesting his incarceration, labeling him a political prisoner. Rubiks, arrested for treason under Article 59 of the legal code of the LaSSR, began a hunger strike August 24, a protest he did not abandon for several weeks.\footnote{V. Kozhemiako, "Rubiks golodaet, deputaty protestuiut," \textit{Pravda}, 10 September 1991, 2.}

Once Latvia was officially recognized by the Soviet government, Ravnopravie, the Interfront-affiliated faction of representatives in the Supreme Council of Latvia, asserted that as a People's Deputy of the USSR, Rubiks could not be arrested on the territory of another state, and the arrest was a violation of international law.\footnote{BALTFA\v{S} in English, 2025 GMT, 30 October 1991; "Opposition on Existence of Political Prisoners," \textit{FBIS-SOV-91-211}, 31 October 1991, 41.} In October Latvian law enforcement officers traveled into Russia to arrest an OMON officer, Sergei Parfenov, and returned with him to Latvia. This action was declared a violation of International Law by Ravnopravie, by the RSFSR Ministry of Justice, and by the Chief Representative of the Office of the Procuracy of the RSFSR, but no official stance was taken by the RSFSR government in opposition to the arrest.\footnote{Sergei Kornilov, "Vydan Latvii nezakonno," \textit{Rossiiskaia gazeta}, 21 November 1991.} Protests were held by Russian speakers on behalf of the arrested,
including one three-day picket of the parliament building and press conferences. To this day protests continue regularly on behalf of Parfenov, who is considered by many Russians to be a political prisoner, denied standard civil rights in connection with incarceration and indictment.

Newspaper articles in recent months in the Russian-language press indicate a growing dissatisfaction with the conditions of non-Latvians in Latvia who did support secession from the USSR. Migranian reported on a February conference of "Russians of the Baltic" held in Riga, the fourth such conference within the last year. According to Migranian, many of the delegates from the three Baltic republics were people who worked "shoulder to shoulder" in the "struggle against the communist center," and the majority of Russian speakers supported the Popular Fronts on independence. These people now feel betrayed and threatened, especially on the question of citizenship, which will deny them not only the right to vote, but also economic rights, the right to own property, rights to housing, and social support in an age of impending unemployment. According to Migranian, many feel that they were used as a propagandistic picture of an illusory interethnic harmony in the Baltic.

POSSIBLE AREAS OF VIOLATION OF RIGHTS OF NON-LATVIANS

Although Interfront and its related movements were not successful in the polls relative to the demographic distribution of nationalities, the movements called attention to some issues which continue to be relevant to the Russian-speaking population. The ethnic situation

52 Ibid..

in the newly independent Latvia remains volatile. Several specific issues are at the core of ethnic differences, and have the potential to ignite further conflict. These include:

Language Rights

There is no question that use of the Latvian language has dropped considerably since 1940, and that Latvians have been compelled to learn Russian more comprehensively than Russian speakers have had to learn Latvian. Russian speakers have, in fact, made very little effort to learn Latvian at all: in 1979 only 20 percent of non-Latvian residents of Latvia designated themselves as fluent in Latvian.\(^\text{54}\) In schools students were not required to know Latvian, but were required to have a good working knowledge of Russian in order to complete middle school.\(^\text{55}\) Even Interfront leaders acknowledged that this situation was not acceptable; they recognized the decision to adopt Latvian as the state language is "correct," and supported the idea of Russian as the second state language.\(^\text{56}\)

The Law on Languages passed in May, 1989, if carried out and enforced, is not very realistic. According to the law, employees and specialists in trade, consumer services, municipal services, public transport, communication, education, health care, social security, and law enforcement were to be required to know Latvian within a period of three years of


\(^{56}\) Ibid., 3.
the law's passage, i.e. in May 1992. Provisions were made for choice of language of education in the schools, but all official business is to be transacted in Latvian.

Provided that sufficient time and educational measures had been taken to teach non-Latvians the language, the premise might not have been unfair. The three-year deadline was not realistic, even less so since no comprehensive program has been enacted to teach adult non-Latvians the language, beyond the appearance of cooperative language schools priced far beyond the means of the average citizen. Decrees on language qualifications for official positions appeared. One such decree outlines a three-tier system of evaluating proficiency, and lists prospective types of occupations falling into each category. For example, doormen, elevator operators, chauffeurs and barbers would be required to meet Level A, "Elementary Command of the Language." Managers, clerical workers, dispatchers, and accountants fall into Level B, "Master of that Language Which is Occupationally Necessary,", and physicians, government officials, lawyers, and employees of mass media fall into Level C, "Fluency in the Language." Provisions are outlined for administration of the tests, and certification procedures. 58

In June 1991 a decree of the Committee on Language of the Supreme Council of Latvia was published, establishing testing procedures to begin in May 1992 for all workers for whom Latvian is a requirement, as described above. That decree included provisions


for the elimination of simultaneous translation in the Supreme Council of Latvia in 1992, since Latvian was now the official state language. When an Equal Rights faction deputy attempted to protest this decision, the microphone was turned off. Deputies Zaletaev and Matveev point out that this decision directly contradicts articles 6 and 7 of the 1989 Law on Languages, which guarantee the right of those who do not know the state language to use Russian in government organs and in documents of government business.

Another complication is the question of bilingual education. As one editorial writer puts it, it is "... one thing to speak Latvian, but another to receive your education in Latvian." The July 1991 Law on Education adopted by the Supreme Council does not include any guarantee of equal educational rights for all residents of Latvia. The original version gave no guarantees to non-Latvians in education, but on appeal from Chairman Gorbunovs, a guarantee of general secondary education in Russian was included. Higher education in Russian will not necessarily be provided. Furthermore, the guarantee of secondary education was revoked in April 1992.

Procedures are being established for enforcement of the Law on Languages, and enforcement of the employment provision of the law is already beginning, especially at the managerial level, where all business is now to be conducted in Latvian, and Russian-speaking

60 Nezavisimaia gazeta, 6 November 1991, 3.


63 Irina Litvinova, Izvestiia, July 6, 1991, 2.
enterprise managers without sufficient skill in Latvian are to be dismissed. Soon thousands of Russian-speaking workers could find themselves out of work, and subsequently forced to leave their present housing arrangements, since housing is still commonly connected with place of employment.64

Soviet Military Presence

The Soviet military is not a popular institution among Latvians - not only do many consider it an "occupation army," but additional resentment surrounds the conduct of the army and the OMON troops in Latvia, and formerly the obligation of Latvians to serve in that army. Although the exact number of Soviet troops in the Baltic region is still unknown, estimates run to more than 300,000, with a possible 180,000 in Latvia. There are also substantiated charges of environmental damage caused by military maneuvers and military-related production.

Like the other Baltic republics, Latvia engaged in defiance of the draft following the independence resolution and passed its own laws providing for alternatives to military service and protecting citizens who refuse to serve in the USSR armed forces.65 By January 1991, some 8000 youths had chosen alternative service, and less than 10 percent of youths had complied with the draft.

PFL members and other political groups have complained consistently of intimidation


Russian leadership. The fate of the civilian Russian-speaking population of Latvia is a separate question, however, and should not be confused with the question of withdrawal of the Soviet Army from the Baltic.

Voting and Citizenship Rights

In passing the requisite laws to make provisions for the new elections in 1989, the three Baltic republics attempted to implement residency requirements for voters and candidates. Proposed restrictions ranged from two to five years residence in a district or five to fifteen in the republic, but the Law on Elections of People's Deputies actually adopted in 1989 provided for universal franchise for citizens of the LaSSR over the age of 18 who had a permanent address in Latvia. The right to vote was not denied anyone at that time on the basis of length of residence - however, voting rights are now dependent on the definition of citizenship, and the proposed definition will exclude many.

The question of citizenship rights in Latvia evolved with the election rights issue. If citizenship standards are established, the question of voting rights is predetermined, as only the citizens of a republic would have voting rights. Latvia's August secession renders the issue even more pressing. The establishment of a new republic creates the question of who will be included in citizenship, and what exclusion will mean - one of Kitschelt's three main "problems" of democracy.

The citizenship question has been the subject of heated debate in Latvia since the first

tactics, threats and misbehavior from the OMON troops. Since secession, the conflict regarding the role of the troops of the now former Soviet Union has escalated. OMON troops were removed from Riga and transferred to Tiumen shortly after the failed coup attempt. November 5, 1991 the Latvian Supreme Soviet adopted a resolution which declared all property occupied by the USSR Armed forces to be property of the Republic of Latvia. The Soviet army was deprived of the right to sell any property on the territory of Latvia, and all transactions involving that property that took place after August 24, 1991 were declared invalid.66

Debate over timing of the withdrawal of Soviet troops from the Baltic countries has vacillated: one week it is announced by a Baltic government that troops will be removed early in 1992, the next week the Russian government gives the date as 1994 or beyond. Withdrawal of troops from Lithuania has officially begun, but only a small symbolic number of troops has actually departed. The main complication in withdrawing troops is simply finding a place to send them. Shortages in housing and employment are serious problems all over the former USSR, especially in Russia. Soldiers withdrawn to Russia from Eastern European countries last year have yet to receive housing, and some reportedly are living with their families in tents.67 Estimates of Russian soldiers and officers without housing in the former USSR are in the hundreds of thousands. The possibility of adding 300,000 additional men to the already disgruntled ranks of the military in Russia is clearly not appealing to the

66 Nezavisimaia gazeta, 7 November 1991, 3.

draft Law on Citizenship was published in July, 1989. The Russian-speaking population was most alarmed by the appearance of the Latvian "Citizens' Committees." These groups began a movement to register all ethnic Latvians, in order to compile a list of the "true" citizens of Latvia. The Citizen's Committees advocate a citizenship law in Latvia that includes only Latvians or those who lived in Latvia before 1940 and their descendants, and have taken a very confrontational approach in their public statements and registration process.69 Interfront and Ravnopravie have consistently demanded a "zero version" citizenship law, which would extend the possibility of citizenship to all current residents of Latvia regardless of language skills, a possibility at one time even endorsed by PFL leaders.

In July 1991 a draft document appeared in the Supreme Council called the "Basic Law of the Latvian Republic for the Transitional Period." This document would have reinstated the 1922 Constitution de jure for a transitional period which would end with the dismissal of the People's Deputies of the Supreme Council and the new election of a Saeima (representative assembly) by citizens of the republic (according to an impending citizenship law). The document made a distinction between "citizens" and "persons" and their rights. Persons would not have the right to vote, own property, or choose their place of residence within Latvia.70 This proposal made explicit a prospect that had been discussed before by PFL deputies: some kind of system of permanent residency without citizenship for the Russian-speaking population of Latvia.


October 15, 1991 the Supreme Council of Latvia adopted a decree, "On the Restoration of the Rights of Citizens of the Republic of Latvia and Regulations of Naturalization," establishing the following criteria for citizenship: command of spoken Latvian; 16 years residency in Latvia, proof of knowledge of the 1922 constitution of Latvia, an oath of allegiance to Latvia, and renunciation of citizenship of any other country. Denied citizenship altogether will be: those who attempted to hinder restoration of Latvia’s statehood, convicted criminals, Soviet servicemen, demobilized servicemen who were not transferred to Latvia during their service; those who have committed "crimes against humanity," those convicted of disseminating racist or totalitarian ideologies, drug addicts and chronic alcoholics, and those who have no legal means of subsistence (not including the officially registered unemployed). Naturalization is to begin no earlier than July 1, 1992.71

Those who were citizens of Latvia before 1940 and their descendants can be restored to citizenship. Under the original version of the decree, those currently living outside the country would have been required to prove that any citizenship they had received from another country had been revoked, since dual citizenship is not allowed - an attempt to prevent non-Latvians from maintaining citizenship in another republic.72 A revision was passed in November which will allow those Latvians and their descendants who were forced to leave Latvia between June 17, 1940 and August 21, 1991 to hold dual citizenship.

Russian speakers immediately protested the residency and language requirements.


One of Interfront's former leaders once cited calculations that even if the five-year or ten-year residency requirement variants were adopted, at least 200,000 residents would suddenly find themselves with no status.\textsuperscript{73} The sixteen-year requirement is extreme; the 1919 Law on Citizenship in Latvia had only a five-year residency requirement, and did not include a list of those ineligible for citizenship. One Latvian demographer insists that if the residency requirement were raised to 20 years, 12.6 percent of the non-Latvian population would be excluded; if the requirement were ten years, 6.2 percent would be excluded, and five years, 2.5 percent. The implication is that more than 90 percent of the Russian-speaking population would be eligible for citizenship as far as residency is concerned. The fact that only 22 percent of that population knows the Latvian language will clearly be the bigger barrier.\textsuperscript{74}

Non-citizens will not have the right to own property, hold official posts, vote, or found political organizations, according to a law passed October 22, 1991 regarding the rights and duties of citizens.\textsuperscript{75} The question of property rights is especially important as the governments of the former USSR privatize a system almost entirely government-owned. Those with no right to purchase or obtain property during this process would be severely disadvantaged economically. Discrimination against non-Latvians wishing to obtain housing


\textsuperscript{74} Bungs, "Latvia Adopts Guidelines for Citizenship," November 1, 1991, 18.

\textsuperscript{75} Iurii Zubkov, "Odnim - Bublik, Drugim - Dyrka ot Bublika" Nezavisimaia gazeta, 5 November 1991, 3.
and office space is already in evidence.\textsuperscript{76} Reportedly 80 percent of entrepreneurs in private enterprises outside of the agricultural sphere in Latvia are Russian speakers; where will the property rights implications of the citizenship qualifications leave them?\textsuperscript{77} Moreover, the stipulation that only those employed or officially registered as unemployed raises the question of who will be entitled to register as unemployed and receive unemployment benefits. If non-citizens are excluded from such benefits, another serious barrier to attaining citizenship may be lurking around the corner.

Just how are some of the above standards for disqualification from citizenship to be determined? According to these standards, anyone who opposed the secession of Latvia from the USSR, actively or inactively, is ineligible for citizenship. This standard in itself violates principles of free speech; moreover, who or what principle is to determine this for each individual applicant? Discrimination against "known alcoholics and drug addicts" is surely questionable in its principle, let alone the dubious nature of disqualifying someone by reputation. As outlined in the legislation, these citizenship standards provide ample opportunity for random discrimination against any individual applying, and are clearly intended to prevent as many non-Latvians as possible from attaining citizenship.

All citizens of Latvia under Soviet rule had, according to Soviet citizenship laws, dual citizenship. Citizens of a Union republic were simultaneously citizens of the USSR and of the republic in which they were permanent residents, regardless of ethnicity. Although the


Soviet Union has ceased to exist, the non-Latvian permanent residents of Latvia consider themselves citizens of Latvia. The citizenship decree treats these people as applicants applying for naturalization, rather than as current citizens. This is in direct violation of the Universal Declaration of Human Rights, adopted in the UN General Assembly in 1948, which states in Article 15 that:

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.  

"Nationality," in international law, means citizenship. Furthermore, in the "Convention on Reduction of Statelessness" adopted by the General Assembly in 1961, Article 8, 1 reads: "A Contracting State shall not deprive a person of his nationality if such deprivation would render him stateless." The treatment of the Russian-speaking residents of Latvia as non-citizens applying for citizenship deprives them of citizenship in any existing nation and renders them stateless.

Other stipulations from the Convention on Statelessness are violated by the October 1991 Citizenship decree, including: "Article 1, 1. A Contracting State shall grant its nationality to a person born in its territory who would otherwise be stateless." Among potential conditions for granting citizenship to applicants, the maximum residency requirement, stated in Article 1 is five years. And finally, if the non-Latvian residents are not to

79 Ibid., 277.
80 Ibid., 273-4.
be considered citizens of Latvia, the stipulation that only citizens of Latvia will be allowed to
own property is in direct violation of Article 5, 2, (d) of the "Declaration on the Human
Rights of Individuals Who are not Nationals of the Country in Which They Live." Clearly
violations of international human rights standards will be a direct result of implementation of
the citizenship standards outlined in the October 1991 legislation.

SUMMARY

The legislative actions of the new state in Latvia clearly are attempts to promote
emigration of the non-Latvian population. The language laws, while in original premise
defensible, have been unfairly implemented and create a potentially critical situation. If
more than a third of the population is rendered incapable of communication, their rights to
expression, alternative sources of information, and by extension, representation and eligibility
for public office are eliminated. The legislation most questionable, in terms of the standards
of democracy/polyarchy, is that on citizenship. By the estimates cited above, more than 87
percent of the non-Latvian population has lived in Latvia more than twenty years, yet they
will be denied virtually all the rights extrapolated above from Dahl, and a number of the

Kitschelt's "problem" of who is allowed to play the game is, in this case, a part of
the question of how to deal with the "Old Guard" in the process of transformation of regime
types. In the Transitions from Authoritarianism series O'Donnell and Schmitter point out "
...the sensitive issue of how to treat parties which are avowedly 'antidemocratic' or whose

81 Ibid., 324.
conception of democracy is not that of contingency." 82

The fact that the Old Guard is partially (although not entirely) distinguishable by nationality has exacerbated relations to the extent that democratic ideals play little role in decision-making process. Even *if* all non-Latvians were part of the Old Guard, the path of exclusion and discrimination could be tactically detrimental to development of democratic standards, democratic principles notwithstanding. Giuseppe di Palma argues that "maximal inclusion of parties in the game, even of avowedly 'extremist' parties, can overcome their resistance to democracy." 83 In the case of Latvia a good portion of the non-Latvian population is *not* a part of the Old Guard. Discrimination against these residents appears to have a purely racial basis, irrespective of their actual political positions, as reflected in polls and according to their lack of participation in and support for the conservative movements that claimed to represent them.

The achievement of independence from the former USSR has not guaranteed democracy for the Republic of Latvia. Sergei Stankevich, a leading political advisor to President Yeltsin of Russia, recently charged that Latvia is following a policy of "apartheid" in dealing with the Russian-speaking population remaining in the republic. 84 The term "apartheid" is probably too strong to describe conditions in the Latvia at this time. Nonetheless, if the legislation on language and citizenship, with its serious economic repercussions, is


83 Ibid., 60.

implemented as it now stands, clear violations of the civil rights of non-Latvians, based on ethnic standards of ethnicity and political views, will be national policy in Latvia.
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