THE BOOK POLICY IN A DEMOCRATIC SOCIETY: THE CASE OF ESTONIA

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Publishing could be characterised as an industry, which is much affected by the external environment – the political, economical, technological conditions of the state as well as population changes and the situation in education. According to K. Migon [11, 59] the impact of politics on the production, distribution and use of books can be concentrated under the notion "book policy". It entails various legal and economic measures that control and regulate the functioning of the book industry. Prohibitive or creative features can dominate the book policy. If the earlier centuries of book history were marked by persecution of authors and prohibition of books, the situation has changed considerably in the contemporary democratic societies, where the emphasis has shifted from repressing to stimulating. The modern democratic societies manifest, at least theoretically, the freedom of expression, making it possible to issue publications, containing the most diverse ideas.

The article aims at presenting the development of the state book policy in Estonia, characterising its formation in the pre-war Estonian Republic in the 1920s as well as the revival of these principles after the restoration of independence in the beginning of the 1990s. It analyses the realisation of both the prohibitive as well as the supportive side of book policy in Estonia. The treatment of the first aspect concentrates on finding out the changes in the legal regulation of the freedom of expression during the 1920s-1930s and at the present time, presenting the leading rationale for suppressing texts. The characterisation of the supportive measures centres on the continuation of the prewar traditions (the activities of the Cultural Endowment) and the comparison of the principles of the state cultural policy in the 1920s-1930s and during the last decade as well as the resulting influence on the book production.

The research on the topic in Estonia is scarce, limiting to a couple of articles, diploma works and Bachelor¢s theses, treating mainly the foundation and activities of

the Cultural Endowment during the pre-war years and its restoration in 1995. M. Lott has treated the state book policy in 1918-1940 in the collective monograph "Eesti raamat 1525-1975" ("The Estonian Book 1525-1975"), published in 1978. The time of the publication - the Soviet period did not, however, foster the objective evaluation of the subject [5]. The issue was also briefly treated in the article "The Changes in the Publishing System and Book Production in Estonia (from the Beginning of the Independence in 1918 up to the present day)" by the authors of the present paper, published in "Knygotyra" in 1996 [10]. The early years of the Cultural Endowment have been treated by Marin Laak in the article "Kultuurkapitali lugu" ("The Story of the Cultural Endowment"), concentrating on the relations between the government and writers as well as the use of literary criticism in founding the decisions of the Endowment [9]. Among the Bachelor¢s theses the works by Merje Korb and Kadri Annus should be mentioned. The first, "Eesti Kultuurkapitali osalus kirjastustegevuses" ("The participation of the Cultural Endowment in publishing") compares the activities of the Endowment during the pre-war years and in 1995-1996 [7]. The thesis by K. Annus "Fondid raamatute kirjastamise rahastajatena" ("The foundations as financiers of publishing") takes a wider look at the situation in contemporary Estonia, tackling also other foundations than the Cultural Endowment [2]. A noteworthy share of research has thus been concentrated in unpublished diploma works and Bachelor's theses.

The present article is based on the research of literature and various documents, the analysis and comparison of the data presented in these sources.

In Estonia, the freedom to express and disseminate one's ideas, opinions, beliefs and other information in printed word or otherwise was legally guaranteed to all people since the proclamation of the Constitution in 1920 and again after the restoration of independence in 1991. Still, the freedom of speech and press has never existed and does not exist without limits.

In pre-war Estonia a special law on the press was enforced in 1923 which included restrictions which were aimed at the protection of public order and morals [18]. This actually meant an introduction of post-publication censorship by the Ministry of the Interior. The main reason for prohibiting books in pre-war Estonia was the protection of morality. For example the biggest publishing house in Estonia during the 1920s-1930s *Loodus* used to organise novel competitions and, besides publishing the prize novels published a collection of passages from the works, presented to the competition under the title "A Closed Envelope" in 1934. The police found that one passage, named "Blood" was contrary to morality. As a result the book was confiscated and the director of the publishing house was threatened with a penalty of one year of imprisonment [14, 312]. The publishing house demanded the evaluation of the work by experts. The experts, who were well-known writers F. Tuglas and H. Raudsepp, stated somewhat sarcastically that descriptions similar to the banned text could be

found in abundance in other publications as well and even the Bible includes "Song of Solomon". As a result the court acquitted the publishing house of accusations, but the police was sure the experts had been partial and under the influence of the publisher. The same fate - banning and confiscation awaited the novel by Romanian author Panait Istrati "Uncle Angel", published by Loodus in the next year. Some other cases occurred during the following years and eventually two well-known persons, linguist J. W. Veski and writer J. Kangilaski turned on behalf of the publishers to the Ministry of the Interior with an inquiry about the limits to the description of reality in a literary work. They argued that such limits had been fixed in many foreign countries, for example, it was allowed to picture all manifestations of life in England, provided that proper language was used. The publishers also asked for a possibility to study the expressions, which had caused the banning of the confiscated books. In his answer the Minister of the Interior K. Eenpalu explained, that confiscation of the books served as a warning - even the works by well-known writers were not allowed to enter the Estonian book market without prior control. "The publisher himself knows, what is proper and what is not, as it is presupposed that the publisher is an intelligent person"[17].

At the same time, due to the escalation of political tension towards the end of the 1930s, the political control of publications became more intensive. It was targeted, first of all, against the so-called workers' press, sponsored from Moscow. Thus the control of the ideas in the Republic of Estonia in the 1920s–1930s concentrated on the issues of morality and national security, the leading impulses to censure in universal scope. However, Estonia had actually ceased to be a democratic state in full meaning since 1934.

At the present time the Constitution does not allow any form of censorship, but the limitations to the freedom of expression entail, like in pre-war Estonia, the protection of public order and morals as well as the protection of the rights, freedom, health, honour and good name of other people. The criminal code provides restrictions prohibiting the inciting of national, racial, religious or political hatred, propagating violence and discrimination as well as disseminating pornography and works propagating violence among minors (there also exists a special law on that).

The moral boundaries and values have changed drastically during the last decades and morality issues have lost a central position in regulating the content of publications. Still, the law on regulating the dissemination of pornography and works propagating violence or cruelty, which came into effect in May 1998, foresaw the founding of a commission of experts by the Ministry of Culture. The task of the commission is to give an opinion on the works that have been presented to them for evaluation by applicants and to come to a conclusion, if the material was pornographic or violent or not [16]. The commission has handled tens of applications during the years of its

existence, concerning mostly Internet services, paintings, films, advertisements, CD-ROMs, but only a couple of book titles.

The freedom to publish all kinds of publications has not been "abused" in great extent by publishing dubious publications in Estonia during the years of independence. There have been only a few cases, which have brought the issue of the freedom of expression in the centre of the public interest in a negative way. The most drastic and delicate case, for example, dates back to 1993 when an apocryphal nineteenth-century work "The Protocols of the Elders of Zion" was issued in Estonian. The text was a re-edition of the book published in Estonia in 1934. The Estonian Jewish community tried to stop the dissemination of this falsification, which offended them. The public prosecutor's office sued the publishers for issuing a brochure, inciting national hatred. The court ruled that about 600 unsold copies of the print run of 1000 copies had to be destroyed except the copies in the libraries [15, 33]. This decision drew wide attention of the press and public and incited a discussion about the boundaries of the freedom of expression. All the sides of the debate agreed that the publication of the "Protocols" was regrettable. It was the fact of destruction of books that caused protests. The debate was dominated by the standpoint that such controversial texts could be accessed by the public for studying the essence of various negative phenomena, but they should be published with thorough scientific commentaries, explaining their origin and the historical background. The following years have demonstrated that the publishers have not felt an intensive urge for publishing the texts with a questionable "aura" and if such publications have been issued, the reaction to such occurrences is calm. For example, publishing of the first six chapters of A. Hitler's "Mein Kampf" in Estonian in 2003 passed without greater attention, although the edition did not include commentaries by a historian. The book was translated from a Russian version, sold in Tallinn since 2002, by a member of the Club of Veterans of the Defence Union of Kuressaare. It was multiplied with a duplicating apparatus in a couple of hundred copies and disseminated among the members of the Defence Union, not sold in bookshops. According to the words of the translator Peeter Kask, the publication of this historical document could be of interest mainly to the veterans and historians [19].

The other side of book policy, as mentioned before, concentrates on fostering the production and distribution of books. According to the UNESCO definition of national book policy it should create a fiscal and financial environment favourable to the publisher and graphic arts and also favour trade and distribution of books, including elimination of import taxes etc. [12].

The realisation of the idea of support to book industry in Estonia dates back to the 1920s, when the Cultural Endowment was founded in the Republic of Estonia in 1925 by a special law. The idea originated from writers and other persons of culture, who saw an urgent need for subsidising literature and art at the time, when publishing was

in crisis in the young state. The main source of income of the Endowment was the 2,5 per cent allocation from the state alcohol excise. Nearly 20 per cent of the Endowment's annual income was spent on promoting publishing. The Endowment was divided into six sub-endowments, each supporting a special field of culture like literature, music, dramatic art etc. It also sponsored scientific research in the area of culture and publishing the results of this work [4]. The Endowment was subordinated to the Ministry of Education. The work of the Cultural Endowment was organised and directed by a supervisory board, but every sub-endowment also had its own democratically elected board. The supervisory board of the Cultural Endowment had a right to interfere in the division of the grants by the sub-endowments that caused many arguments and protests. It became the main channel through which the state could influence the development of culture. For example the subsidies for the Union of Education, the Union of Singers and the Society of Naturalists were cut whereas the subsidies for agricultural societies and for cultural propaganda were constantly increased.

The state preferred to subsidise creative and academic societies instead of giving direct support to creative persons. The societies had a significant role in the development of various fields of culture and science. They used the subsidies in a reasonable way, considering the wider interests of the society as a whole and fostered the publishing of the research results. For example the Society of Estonian Literature, founded in 1907 carried on research in humanities and was the leading publisher of scholarly and popular-science literature in this field, issuing also the classical works of the world literature. It did not seek to be profitable and guaranteed the high quality of the publications. The society received subsidies for both research and publishing and became one of the leading instruments of the book policy of the state.

In 1929 the Endowment phrased the principles for supporting publishing and distribution of books. The fundamental publications on national sciences were granted subsidies for obtaining the manuscript and printing costs; various handbooks, pedagogical and methodical works as well as translations of classical literature received subsidies for authors' royalties; the publications of scholarly and professional societies were subsidised in the amount of the cost of printing as the authors of these works received no royalties [8]. In case the publishing plans of a society served the national book policy it could obtain a long-term loan. Although the publishing houses were not allocated direct support, they also benefited from the system as the societies used to issue their publications through the publishing houses.

In order to support writers a system of prizes was initiated in the 1930s. According to this system they received prizes for works which had already been published. Although the board evaluated mainly the literary and artistic value of the books, their accordance to the official cultural policy was also taken into account. Thus the book production of the 1920s–1930s reflected the priorities and preferences of the era – it

is also obvious that in a small state like Estonia, it would have been impossible to develop such high-level and diverse book production without state subsidies. The greater part of scholarly literature, classical works of literature, music and special handbooks was published with the help of the Endowment.

After the restoration of independence in Estonia in 1991, the republic faced, among others, similar problems of organising support for culture, including book production. One of the main goals of the national cultural policy of a small state in the globalising world is the strengthening of the national identity, which can be achieved through supporting the development of culture in the Estonian language. This, in its turn is largely based on the Estonian-language book production. According to the principles of the cultural policy of the state, presented in the "Fundamentals of the Cultural Policy of Estonia", which were approved by the Parliament in 1998, the state considers it important to support the publications, vital to the national culture and the translations of Estonian literature into foreign languages as well as translating foreign literature into Estonian [6, 30].

One channel of the realisation of the state publishing policy is the subventions, allocated directly by the Ministry of Culture. Among the projects, supported by the ministry are, for example, the series "The History of the Estonian Thought", a collection of philosophical texts, published by the publishing house *Ilmamaa* as well as fundamental reference works and monographs on Estonian culture and history. The sum of the grants has slightly exceeded one million kroons during the last decade which has been used for supporting around 20-30 titles annually. Special programs are dedicated to issuing the classical works of the Estonian fiction for adults and children. The program "Estonian literary classics" (for 2004–2008) supports both publishing monographs and sources on Estonian literature as well as publishing the literary texts. It aims at creating a solid collection of publications belonging to the national literary heritage, which would help to preserve the cultural unity of the nation, to strengthen its historical continuity and to secure the position of the Estonian language in the modern world, inclined to unification. To ensure the wide dissemination of the publications, issued in the framework of the program, they are planned to be sold at affordable price [13].

Besides that the experiences of the pre-war Republic of Estonia has been used directly by restoring the activities of the Cultural Endowment in 1995. Assets of the Cultural Endowment are formed from the 3,5 per cent of alcohol and tobacco excises, 30 per cent of the gambling tax, donations and bequests etc. In comparison with the pre-war endowment, the number of sub-endowments has grown from six to eight. Other innovations are the county expert groups, which act in every county and distribute money for developing cultural projects on their territory. The sum of money, allocated for grants has grown considerably during the years and reaches over 90 million kroons at the present time. The supervisory board of the Cultural

Endowment appropriates 75 per cent of annual revenue to the disposal of eight endowments and 25 per cent to the disposal of county experts groups [3]. All the endowments allocate subsidies for publishing. The largest share of subsidies with this purpose goes to the endowment for literature, but the publishing of special literature, issuing the research results in humanities receives subsidies through other endowments as well. The amount of applications notably exceeds the possibilities of the endowment. For example, the Cultural Endowment received 443 applications connected with translating, editing, publishing, printing or reducing the net price of a publication in 1997 and 306 or 68 per cent of these got a positive answer. 342 applications from 606 (56 per cent of all the corresponding applications) were satisfied in 1998 [2, 65].

The large number of applications presupposes a clear set of priorities in allocating the subsidies. For example the endowment for literature has pointed out that it prefers to further the development of contemporary professional literature and supports, first of all, the publishing of new collections of poetry and short stories - the types which rarely make their way to best-seller lists. The subsidies from the endowment have had a noteworthy role in preserving the publication of Estonian fiction, which was in crisis in the 1990s when the publishers often turned these manuscripts down because of their modest commercial success and only the grants from the Endowment made them to change their mind. For example, 19 per cent of all the titles of Estonian fiction were published with the support of the Fund in 1997 and in 1998 the share had risen to 27 per cent [2, 69]. During the following years the position of the Estonian fiction has improved considerably due to the revival of the popularity of the most respected authors and, on the other hand, the appearance of trendy best-seller writers, using the whole set of PR methods to promote the sales. The two supporters - the Ministry of Culture and the Cultural Endowment act in a co-ordinated manner, the first specialising in supporting the classical literature and the latter - the modern authors. Both these institutions allocate grants not only to books in the Estonian language, but support also the publications in Russian, issued by the Estonian publishing houses. For example the publishing houses Aleksandra and KPD, specialising on issuing literature in Russian often appear on the lists of the grantees.

Although the Endowment has allocated grants to publishing numerous collections of research articles, the support for scholarly publications by societies, associations, museums etc seems not quite so consistent as before 1940. The modern Endowment is more oriented on supporting the writers, artists etc., who lack other sources of support. In comparison with the pre-war years publishers are also granted the subsidies in larger scale. The issuing of the results of research is mainly supported through the grants of the Estonian Science Foundation at the present time.

Apart from the state, a couple of foundations like The Foundation of the National Culture and the Open Estonia Foundation have supported publishing of books. The

latter had a major role in subsidising the publications on legal topics and philosophy during the 1990s.

The book policy is not limited only to the direct financial aid to publishers, authors etc. It includes other elements like the reduced level of taxation, the compensation for lending rights, for reproduction rights etc. Many of these measures have been implemented in Estonia and the implementation of others is being worked out at the present time. For example the value-added tax on books was reduced from 18 per cent to five per cent in 1998. This, however, did not help to cut the book prices, having only a very short-time and limited effect.

The restoration of the Cultural Endowment remains the greatest achievement in the area of stimulating the book production in Estonia. The other measures of national book policy have been less clear and effective - the political documents stress the importance of publishing books on Estonian culture, dictionaries and reference works on Estonian topics. But other fields of knowledge are not mentioned and no system of support has been worked out, for example, for popular-science books on more specific issues or more profound treatments of various issues, which would not attract large audiences. Thus the publishers, who, in principle, would be ready to publish such books, have to leave them aside if they are interested in economic stability of their firm. Of course, one could find numerous books on these specific topics in foreign languages, but that would leave the local intellectual scene dependent on the import. In the modern world the publication of this kind of books could be carried out with the technology of Print on Demand, but it is not in use in Estonia so far. Due to the high cost of the equipment the publishers or booksellers are not able to acquire it. The situation demonstrates, once again, the need for explicit principles of book policy - which kinds of books should be available in Estonian language and which could be read in foreign languages. It is also inevitable to elaborate the mechanism of these decisions - the declarative political commitment to value books without concrete measures and the structures to implement the policy can not help to foster the book culture.

In conclusion it could be said, that the necessity of different states in the support to the book production might vary. A big country with a well-developed book industry and wealthy buyers could maintain the diversity and wide range of book production without special supportive measures. For example, the American publisher R. Abel has argued on the example of Canada that state support to publishing sector, the state intervention in the marketplace leads to supporting unsustainable projects and weakening the sector [1]. If English-language publishing in Canada could, in principle, aim at large international markets and manage on its own, then in a small country, like Estonia, where the Estonian-speaking population is limited to one million, the book branch should not be left entirely "at mercy" of market forces or dependent on the book-import

from abroad. It requires attention of the state – a principle based on the Western European cultural tradition and the idea, that the modern democratic state has a responsibility for the development of culture, including literature and publishing.

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THE BOOK POLICY IN A DEMOCRATIC SOCIETY: THE CASE OF ESTONIA

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Abstract

The article treats the two sides of book policy – prohibitive and creative, on the example of the Republic of Estonia. If the earlier period of book history was dominated by persecution of authors and prohibition of books, then the contemporary democratic societies manifest freedom of expression, stimulating the dissemination of the most diverse ideas.

The freedom of expression, however, does not exist without limits. In the Republic of Estonia in 1918–1940 the special law on the press (1923) introduced post-publication censorship, aimed at the protection of morality. Several books were banned and confiscated on the basis of this law. The other rationale for prohibiting books was the protection of national security that led to prohibiting some political publications. In contemporary Estonia the limitations to the freedom of expression entail, like in pre-war Estonia, the protection of public order and morals, but also the rights, freedom, health, honour and good name of other people. The criminal code prohibits the inciting of national, racial, religious, political hatred or propagating violence and disseminating pornography among minors. The freedom to publish all kinds of publications has not been abused in great extent by publishing dubious publications in Estonia since 1991. The case of publishing "The Protocols of the Elders of Zion" in 1993 caused a discussion of the boundaries to the freedom of expression. It was generally agreed that though controversial texts could be accessible to the readers, they should be issued with commentaries, explaining their origin.

The other side of book policy concentrates on fostering the production and distribution of books. The realisation of this idea in Estonia dates back to the 1920s, when the Cultural Endowment was founded in 1925. The main source of income of the Endowment was the 2,5 per cent allocation from the state alcohol excise. The subsidies by the Endowment became the main channel through which the state could influence the development of culture. It preferred to subsidies creative and academic societies who played an important role in publishing scholarly and popular-science publications. The writers were supported through the system of prizes for the books, already published – another instrument for fostering the works, which were in accordance with the official cultural policy. The Endowment had a major role in guaranteeing the high level and diversity of the book production in Estonia in the 1920s–1930s.

After the restoration of independence in Estonia in 1991, the subventions for books are allocated through the Ministry of Culture. Besides that, the Cultural Endowment was restored in 1995. It subsidies, above all, the publications of contemporary Estonian fiction and the publications on art and culture. In comparison with the pre-war years, the authors and publishers are granted allocations in the larger scale and the share of scholarly societies is more modest. The issuing of the research results is mainly supported through the grants of the Estonian Science Foundation. The restoration of the Endowment remains the greatest achievement in stimulating the book production in Estonia. The other measures of national book policy have been less clear and effective.

KNYGOS POLITIKA DEMOKRATINĖJE VISUOMENĖJE: ESTLIOS PAVYZDYS

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Santrauka

Estijos pavyzdžiu straipsnyje aptariami du knygos politikos ypatumai: draudžiamasis ir kūrybinis. Ankstesni knygos istorijos laikotarpiai pasižymėjo autorių persekiojimu ir knygų draudimu, o šiuolaikinėje demokratinėje visuomenėje akivaizdi saviraiškos laisvė, skatinanti platinti kuo įvairiausias idėias.

Tačiau saviraiškos laisvė nėra beribė. 1918–1940 metais Estijos Respublikos spaudos įstatymu (1923 m.) buvo įvesta poleidybinė cenzūra, kurios tikslas – ginti dorovę. Šio įstatymo pagrindu kelios knygos buvo uždraustos ir konfiskuotos. Kitas knygų draudimo pagrindas buvo nacionali saugumas, dėl kurio buvo draudžiama tam tikra politinė literatūra. Šiuolaikinėje Estijoje, kaip ir prieš karą, saviraiškos laisvės apribojimai numato viešosios tvarkos ir moralės apsaugą, be to, gina žmogaus teises, laisvę, garbę ir gerą vardą. Baudžiamasis kodeksas taip pat draudžia kurstyti tautinę, rasinę, religinę ar politinę nesantaiką, propaguoti smurtą, platinti pornografiją nepilnamečiams. Spaudos laisve Estijoje nuo 1991 m. nebuvo dideliu mastu naudojamasi abejotinų leidinių leidimui. "Ziono išminčių protokolų" pasirodymas 1993 m. sukėlė daug diskusijų dėl saviraiškos laisvės ribų. Buvo prieita prie bendros išvados, kad nors prieštaringo pobūdžio tekstai turi būti prieinami skaitytojams, juos būtina leisti su komentarais ir aiškinti jų kilmę.

Kitas knygos politikos ypatumas – skatinti knygų gamybą ir platinimą. Estijoje ši idėja pradėta įgyvendinti trečiajame XX a. dešimtmetyje, kai 1925 m. buvo įkurtas Kultūros fondas. Pagrindinis fondo pajamų šaltinis buvo 2,5 procento valstybinis alkoholio akcizas. Fondo teikiamos subsidijos tapo pagrindine priemone valstybei daryti įtaką kultūros plėtrai. Fondas pirmiarusia teikė paramą kūrybinėms ir akademinėms draugijoms, kurių vaidmuo buvo svarbus moskai populiarinimo leidinių leidybai. Rašytojai buvo remiami pagal jau išleistų knygų premijavimo sistemą – tai dar vienas būdas puoselėti oficialiai kultūros politikai tinkamus darbus. Fondas atliko svarbiausią vaidmenį, užtikrindamas Estijos antrojo ir trečiojo dešimtmečio knygų produkcijos įvairovę ir kokybę.

1991 metais atkūrus Estijos nepriklausomybę, paramą knygoms skiria Kultūros ministeriją. Be to, 1995 m. buvo atkurtas Kultūros fondas. Visų pirma, jis teikia subsidijas šiuolaikiniams Estijos grožinės literatūros, meno ir kultūros leidiniams. Palyginti su prieškario laikotarpiu, platesniu mastu finansuojami autoriai ir leidėjai, o mokslo draugijų dalis yra kuklesnė. Mokslo tiriamųjų darbų rezultatų skelbimą daugiausia remia Estijos mokslo fondas. Kultūros fondo atkūrimas – bene svarbiausias laimėjimas skatinant estiškų knygų leidybą. Kitos nacionalinės knygos politikos priemonės yra ne tokios aiškios ir veiksmingos.