



Dear Reader,

Ten years have passed since the adoption of the Constitution of the Republic of Estonia on 28 June 2002. The Constitution is both a symbol and the legal foundation of independent statehood. It is also the ultimate form of expression of a society's political and legal thought. Each legal system is unique and this uniqueness is embodied in the Constitution of the state.

Preparation of the current Constitution began together with our pursuit of independence. The drafting of a Constitution based on the principles of democracy, freedom and a state based on the rule of law began in 1991 within the committee of lawyers set up by the Supreme Council, the representative assembly of the time. The Constitutional Assembly of 60 members, uniting all political forces, was set up in the autumn of 1991. It was not easy to achieve a public consensus. Different working groups and individuals submitted six draft Constitutions; the re-establishment of the Constitution of 1938 was also seriously considered. The substance of the document on which Estonian statehood relies was agreed upon as a result of the short-term, but very intensive work of the Constitutional Assembly.

The cornerstone of our legal order has remained unchanged for ten years. The entire Estonian legal system, public administration system and system of law enforcement authorities have been built upon it. The Constitutional principle of separation of powers is successfully applied in practice. The values embodied in the Constitution serve as the basis for the new democratic order in all its forms of expression.

Having reason to be proud of the stability of our Constitution, we do not see a forever unchanged Constitution as a value in itself. The Constitution has to take account of the foreign and domestic policy priorities and realities of Estonia. Estonia's future is related to the European Union and this choice requires a real embodiment in the Constitution.

The tenth anniversary of the Constitution is celebrated extensively in Estonia by way of various events and publications. The first commented edition of the Estonian Constitution will appear this year. Several conferences and seminars will be held, including an international conference in September 2002. All upper secondary school and university graduates received the text of the Constitution with their names on it together with their graduation diplomas. This issue of *Juridica International* is also dedicated to topics relating to the Constitution. This issue contains articles on the implementation of the Constitution and its provisions so far, but also a glance at the future, the period when Estonia will become a member of the European Union. Topics related to the Constitution provide an overview of the different facets of current Estonian legal order and legal thought. The last ten years have been demanding for Estonian lawyers: they have had to retrain themselves and adapt to the principles of a democratic state based on the rule of law and the rules of the market economy. This particularly applies to the legal order of the European Communities, a great part of which has already been transposed to Estonian law.

I am glad to say that acclaimed foreign experts have also written articles about the Estonian Constitution. The support and assistance of foreign colleagues was already substantial at the time of drafting the Constitution. This has given us the opportunity to take a view of our legal system from the sidelines, through the prism of traditional European law. At the same time, the unique Constitution of Estonia and the legal order based on it makes our contribution to traditional European legal science.

A handwritten signature in black ink, appearing to be 'Märt Rask', written in a cursive style.

Märt Rask

Minister of Justice