

Entrepreneurship Potential of Former Male Convicts. The Case of Estonia

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(Re)integration of persons who have been detached from the labor market is an ongoing tackle in all EU countries. With free movement policies of labor forces, the problems also extend across the borders. One of the groups who (re)enters the labor market with restricted opportunities consists of the released felons. The new EU member states with Soviet background carry historic and cultural traits that still affect government-level policies, including imprisonment. Limitations in finding a sustainability-supporting employment might be one of the factors contributing to extremely high recidivism in Eastern European region. Could becoming an entrepreneur be one of the alternatives to domestic employment and is it in reality an option for the released? This article is dedicated to discussion of some work-related aspects with regard to convicts' preparedness for the option of an entrepreneurial activity after release in Estonia.

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Introduction

Prison nowadays is not just a place to wait for a capital punishment³ but may serve, in different proportions, the following: deterrence, incapacitation of the offender (by removal from society), retribution or rehabilitation.⁴ Similar to other persons with limited participation in the labor market and social benefit recipients, prisoners have a twofold impact on social security systems: they stop or significantly limit their contributions and begin drawing communal assets. Additionally, the impact of imprisonment as exclusion and latter re-socialization⁵ has its extended social cost⁶ or may even create social damage.⁷

³ See the history of development of penal philosophy, for example: Sykes, G. M. *The Society of Captives: A Study of a Maximum Security Prison*. Princeton, 1958.

About the history of punitive philosophy: Foucault, M. *Discipline & Punish. The Birth of the Prison*. Penguin Books, 1991.

About development of modern penal policy: Prozorov, S. *Foucault, Freedom and Sovereignty*. Petrozavodsk State University, 2007.

⁴ There are numerous movements for a social support of “a man in prison”. Many of those are Christian, like Prison Fellowship International. See, for example QCEA. *Alternatives to Imprisonment*. The Quaker Council for European Affairs (QCEA), 2015. Available at <http://www.qcea.org/archive/archive-hr/alternatives-to-imprisonment/> [last viewed 31.08.2015].

⁵ The term re-socialization, by the opinion of the authors of the paper, may often designate the first-time socialization attempt, depending on the background of an inmate. Therefore, the “re” part is used with caution. In addition, the extent of the loss of social skills and networks does not depend only on the length of imprisonment but is a complex phenomenon.

⁶ Social cost as an increase or decrease of the value in social capital (Bagnasco, 2004).

⁷ See reports: *Alternatives to Imprisonment*. The Quaker Council for European Affairs (QCEA), 2015. Available at <http://www.qcea.org/archive/archive-hr/alternatives-to-imprisonment/> [last viewed 31.08.2015].

The current paper does not address prisoners' rights, criminal justice⁸ or social justice but is dedicated to observing opportunities for an entrepreneurial activity and potential of a particular group, which is restricted on general labor market – released prisoners. The paper is considering this group – formerly punished criminal offenders, as potential entrepreneurs and discusses some problems that are specific for an intra-state minority group in execution of their potential. Entrepreneurship could serve as an entry to the subsequent employment in their later career. Former offenders and ex-prisoners as a specific minority on the labor market are often forced to find alternative solutions for their livelihood and professional activity compared to an ordinary employment due to the numerous formal and informal restrictions that are extended upon them in the labor market (p. 8 and Appendix 3). In this sense, they are in many ways excluded from a regular society for long, if not forever. Since approximately 95% of the prisoners in Estonia are working-age males (Figure 4), the study is focusing on some problems of this specific group. Imprisonment and situation after release for female ex-offenders differ in certain particularities and may not match the circumstances of male ex-offenders.

Despite numerous reforms conducted from 1990ies, all three Baltic countries – Estonia, Latvia and Lithuania – still differ from the rest of the EU as to their criminal penalty philosophy and imprisonment policies. Even now, these three countries imprison many more people than the average of EU (Figure 2), incarceration time is relatively lengthy (the average of the group selected for research by Stewart, 2013 was 5.2 years), each prison holds a large amount of people,⁹ and prison is more of a punishment facility than a place that provides opportunities to change one's life towards being a more productive and contributing member of the community.¹⁰ In Estonia, imprisonment as a form of punishment is still favored over alternatives of social protection and correction of criminal delinquency.¹¹ However, the number of inmates has dropped in all Baltic countries¹² in the last decade, while the total number of imprisoned persons in EU 28 has steadily increased.¹³ At the same time, the number of formerly convicted people and their socialization into society has remained a problem in the Eastern European countries.¹⁴ As those countries joined

⁸ In terms of *Justiitsministeerium* [Ministry of Justice], 2014.

⁹ Estonia is developing facilities of mass incarceration type: *Justiitsministeerium* [Ministry of Justice] (2015). *Prisons in Estonia*. Available at <http://www.vangla.ee/en/intitutions/prisons-department-ministry-justice> [last viewed 31.08.2015].

¹⁰ The weaknesses of Estonian rehabilitation system have been highlighted in popular media and official reports but those channels do not have executive power. *Activity Report. Riigikontroll* [The National Audit Office], 2002. Available at <http://www.riigikontroll.ee/Riigikontrollipublikatsioonid/Auditiaruanded/tabid/206/language/en-US/Default.aspx> [last viewed 31.08.2015].

¹¹ About the current attitudes towards application of criminal penalties, see: Sööt, M.-L., Salla, J., Ginter, J. Karistushinnangud. Kokkuvõte Eestielanike, politseinike, prokurör ideja kohtunike karistus hinnangutest [Penal Assessments. Summary of appraisals of Estonian residents, police officers, prosecutors and judges]. Tallinn, Tartu: Justiitsministeerium [Ministry of Justice]; Tartu University, 2014.

¹² It has been a strong pressure from European institutions to reduce the number of inmates: Loffmann, M., Morten, F., Scurfield, L., Casey, J. Investigating Alternatives to Imprisonment. The Quaker Council for European Affairs, 2010.

¹³ European incarceration monitoring: Prison population, average per year, 2007–09 and 2010–12 (per 100 000 inhabitants). Statistics Explained. *EuroStat*, 2015. Available at <http://ec.europa.eu/eurostat/statistics-explain> [last viewed 31.08.2015].

¹⁴ Clarke, S. Trends in crime and criminal justice, 2010. *Eurostat: Statistics in Focus*, 18. Brussels: European Union, 2013.

the EU a decade ago, the problem with ex-cons has travelled, now crossing new borders.

In this paper, former prisoners¹⁵ serve as an example group in Estonian labor market, which has obtained some characteristic disadvantages of other groups with special needs, including, e.g., immigrants¹⁶ and disabled persons¹⁷ in terms of social marginalization and separation (exclusion). In 2004, the government of Estonia declared that besides addicted and homeless people, persons released from prison are the most excluded group in domestic labor market and have not received a proper attention.¹⁸

Legal restrictions in the labor market in case of a criminal penalty¹⁹ are various and stated in different legal acts (Appendix 3) expanding to work in public service and refusal of the application of citizenship or residency,²⁰ restraint on the use of agricultural land was changed in 2013.²¹ Restrictions could be long-lasting. Those obstacles weaken possibilities of a released to be legally and continuously employed after the sentence. If there is a real determination to change the course of one's life, then, along with other alternatives,²² the option to become self-employed or an entrepreneur,²³ should be opened.

Among other sources, the current paper relies on empirical material of the mixed method action research²⁴ conducted by T. Stewart in 2013/2014 and involved

¹⁵ The legal status of a prisoner: *Riigikogu* [Estonian Parliament]. Imprisonment Act. *Riigiteataja* [Government Gazette], 2000. Available at <https://www.riigiteataja.ee/en/eli/504112013005/consolide> [last viewed 31.08.2015].

¹⁶ Immigrant status legally and the term used among native population may differ: *Kovalenko, J., Mensah, P., Leončikas, T., Žibas, K.* New immigrants in Estonia, Latvia and Lithuania. 2010.

¹⁷ Disabled persons try to voice themselves in society in the last decade: *Epik. Estonian Chamber of Disabled People. Eesti Puuetega Inimeste Koda.* 2015. Available at <http://www.epikoda.ee/> [last viewed 31.08.2015].

¹⁸ The parliament program for the use of European funds for equal treatment: *Riigikogu* [Estonian Parliament]. *Euroopa Ühendusealgatuse EQUAL vahendite kasutamise programmi kinnitamine. Riigiteataja* [Government Gazette], 2004. Available at <https://www.riigiteataja.ee/akt/779821> [last viewed 31.08.2015].

¹⁹ See: *Riigikogu* [Estonian Parliament]. Penal Code. *Riigiteataja* [Government Gazette], 2002. Available at <https://www.riigiteataja.ee/en/eli/522012015002/consolide> [last viewed 31.08.2015].

²⁰ *Riigikogu* [Estonian Parliament]. Citizenship Act. *Riigiteataja* [Government Gazette], 2015. Available at <https://www.riigiteataja.ee/akt/123032015259> [last viewed 31.08.2015].

²¹ *Riigikogu* [Estonian Parliament]. *ENSV Taluseadus* [The Farmstead Act of SSRE]. *Riigiteataja* [Government Gazette], 2013. Available at <https://www.riigiteataja.ee/akt/107062013007> [last viewed 31.08.2015].

²² According to studies, becoming an entrepreneur might be driven by shortage of other options: *Saar, E., Unt, M.* Self-employment in Estonia: Forced Move or Voluntary Engagement? *Europe-Asia Studies*, 2006, Vol. 58, No. 3, pp. 415–437.

²³ The entrepreneurial environment in East-European countries is still developing: *Saar, E., Unt, M.* Selective Mobility into Self-employment in Post-socialist Transition: Early Birds, Later Entrants, Quitters and Shuttles. *International Small Business Journal*, 2008, 26 (3), pp. 323–349.

²⁴ The research of T. Stewart was a part of her PhD thesis. The first part of data collection and empirical work was conducted in 2013–2014 in two Estonian prisons for male convicts, more than 200 prisoners responded. On the subject of the analysis and conclusions, the research was supervised by prof. Dr. Peeter Järvelaid. The first phase of the data collection was followed by the second one, conducted from 2014–2015 and involving 350 male convicts from Tartu prison, Estonia. The second phase of the data collection was organized and overviewed by inmates; the collected data is not included into the current paper.

Dr. P. Järvelaid is a professor in the University of Tallinn. He has developed semiotic and personality-centered research direction, writing hundreds of articles, published in Estonian, English, German, French, Russian, Latvian, Finnish, Lithuanian and Swedish. He has taught at the University of Tartu Faculty of Law since 1981, became the Professor in 1993. P. Järvelaid has been the Dean of University

more than 200 Estonian prisoners in addition to the newly released, their family members, prison officers, specialists from Estonian Unemployment Fund²⁵ and other specialists related to the topic.²⁶

Labor Market as a Factor of Social Balances

Assessing local mentalities and policies connected to socialization and integration through the labor market as a part of communal balances and sustainability are continuously acute issues across the whole EU. The claim of being a European state or not “is not just one of geography, but of values”.²⁷ Exercising different models and possibilities for sustainable and more secure social environment and statehood through involvement is especially acute in the new member states with a comparatively short history of democratic governance. The following considerations are important:

Unemployment is still a relatively new phenomenon in the former Soviet-bloc countries.

Local deficit of options for employment and self-sufficiency directly and implicitly affects other European Union regions with free labor movement policies and is related to general globalization effects.

The Baltic countries are still tackling integration problems – both as a leftover issue from Soviet Union and now with the new immigrants coming from regions with entirely different cultures and languages.

Traditional employment policy of the state and expectations on the market often do not work properly in a real situation. Entrepreneurial lifestyle, part-time employment, occupations crossing industry boundaries and combined versions of occupational activity – all those forms are looking for new definitions for challenged groups in societies, be it elderly citizens, young mothers, handicapped people, immigrants or, in this case, – released prisoners.

In this context, it is important to bear in mind that an individual, according to Foucault,²⁸ is not something that needs to be liberated rather the individual is the closely monitored product of relations between power and knowledge. Foucault also underlines that power is not a property of the state but is exercised throughout the social body.

Nord (from 2010, Tallinn University Law School), during 1997–2000 the advisor to the Estonian Ministry of Justice; the Acting Rector of the Estonian Academy of Security Sciences (2003–2005) and the Estonian Maritime Academy (2006–2007).

The underlying research of this paper is an action research, which, according to the current trends, has practical involvement towards policies and processes: (*O’Cathain, Collins, 2009*); (*Creswell J., 2009*); (*Creswell J. W., 2011*); (*Dörnyei, 2007*); (*Niglas, 2009*); (*Ridenour, Newman, 2008*); (*Tashakkori, 2003*); (*Tashakkori, 2010*); (*Teddlie, 2009*); (*Beins, McCarthy, 2012*); (*Esterberg, 2002*); (*Litosseliti, 2005*). A research about imprisoned persons, esp. with the subjects involved has its specifics, compared to other social researches. See (*Leps, 1993*); (*Leps, 1991*); (*Clarke, 2013*); (*Andersen, 2004*); (*Sykes, 1958*); (*Hearn, et al., 2013*); (*Jarboe, Witteman, 1996*), which also have been taken into account.

²⁵ The interviewed were specifically the specialists who meet newly released in their first months of job-seeking. Interviews were conducted separately in different unemployment fund offices in Estonia.

²⁶ The data from questionnaires for inmates is referred in this paper as (*Stewart, 2013*) and data collected by the interviews and prisoners’ letters as (*Stewart, 2014*).

²⁷ Becoming a European country is not just a decision, it is a process: *Hay, C., Menon, A. (eds.). European politics.* Oxford, Oxford University Press, 2007.

²⁸ About the philosophy of the state power, see: *Taylor, D. (ed.). Michel Foucault: key concepts.* Acumen, 2011.

Initial integration as well as re-integration into the labor market is an acute problem of any competitive market. From the side of correctional power it has been seen as a part of the crime prevention complex believing that “it is easier to promote a new behavior than to persuade people to stop a behavior”.²⁹ As a problem, it has been viewed from the angle of different weakened minority groups and actualized through the sectors of population with temporary loss of ability to access employment market with full capacity. Naturally, the very reasons for detachment or segregation from the full time and adequate professional employment experience are complex. They could vary and be caused by different factors including maternity leave (often consecutive or extended), health problems or family interests, creative breaks, forced relocation (incl. immigration), other reasons incl. criminal penalty, particularly associated with imprisonment.

Re-entering any labor market after extended period of detachment some typical circumstances are faced, including:

- a) often involuntarily start from a lower professional level than the person had achieved before the leave or change in life;
- b) feeling forced to accept part-time offers, sometimes in undesirable times with uncertain hope for a full employment in the progress;
- c) work for a limited time and accepting incomplete employment benefit plans or programs;
- d) directed to start as a self-employed entrepreneur instead, offering products or services that are linked to the desired professional level in the future.

All those approaches, naturally, may support the new entry and serve as possible ways to make one familiar with the field, give update to specific knowledge, familiarize with the latest developments, help to make oneself known in the desired professional circles, establish necessary contacts, etc. To start one’s own enterprise, however, in most cases, if not always, requires as a minimum start-up finance, some level of legal knowledge about regulations, familiarity with the market, at least some additional non-monetary resources, guidance, support, acknowledgment by the institutional frame, specific personality prerequisites or, rather, a good combination of all the above. This combined support cannot be just a one-time offer but has to continue throughout the whole early-stage entrepreneurial activity.³⁰

Transition Economy Traits

As in other Baltic states, in Estonia all the minority groups have been rather subjects of policy making than active participants of its design. During the period of newly acquired independence, this situation has not improved, some of the problems are rather deepening. For example, “The gap between the Estonian majority and the Russian-speaking minority was not closing, but increasing in terms of social equality and mutual contacts and concerning values and attitudes”.³¹ This lasted until 2007, when, after the Russian riot in Tallinn, “the internal priority given to minority issues has increased remarkably”³² and the topic was connected to the future stability

²⁹ Linked to the theory of change: Rice, R. E., Atkin, C. K. (eds.). *Public communication campaigns*. Sage Publications, 2013.

³⁰ Again, there are necessary cycle stages in change: Elenurm, T., et. al. Knowledge Sharing Challenges in Developing Early-stage Entrepreneurship. *Proceedings of the European Conference on Knowledge Management*, 2013, pp. 1211–218.

³¹ Lauristin, M., Vihalemm, P. The Political Agenda during Different Periods of Estonian Transformation: External and Internal Factors. *Journal of Baltic Studies*, 2009, 40 (1), pp. 1–28.

³² Ibid.

of society. The continuously high incarceration rate of young males in Estonia, and social reintegration of ex-prisoners is also a serious matter of social stability and sustainability, even though the society and power still do not seem to realize that.

Along with somewhat illusory economic success, the cultural field of community has to change in order to bring a real and widely sensed change in society.³³ The term “two Estonias” has been known for more than a decade.³⁴ Estonia, as well as other Baltic states, still has been described as an environment where “beneath the surface of extraordinarily high economic growth, society is tormented by unsolved political, economic and social problems” and which holds “the highest rates of social diseases, such as crime, drugs, HIV and suicides”.³⁵ Naturally, this influences the situation of minorities and weaker groups in society, including the ones who have to re-create a space for themselves on the labor market.

The first attempts to solve the problems of minority integration, according to domestic experts,³⁶ were initiated by international agencies. The same observers note that the minorities themselves were not involved as active participants, but rather as passive target groups in the process of integration policy formation. The same applies to the prisons and the prison conditions. The challenge of the domestic policy studies is to develop problem-focused approaches, that is, being “interested in substantive societal issues and problems, facing governments which they need to address through analyzing the processes of policy formulation and choices and by evaluation implementation and policy outcomes”.³⁷

The new coalition program (2015) of the Estonian government under the section “development of entrepreneurial activity” states³⁸ that supporting and developing SME – small and medium size enterprise – is declared to be one of the priorities in the following five years in order to boost the country’s economy. In Baltic countries, the productivity per employed unit is still low. SME has been seen as one of the cures for that and by 2019 productivity has to be raised to the level of 79% of the EU average, states the same source.

Education and Vocational Training

Estonian education, as a part of economy and its important input factor,³⁹ has been assessed by external evaluators,⁴⁰ to be on a good level according to the European standards (Figure 9), but has been much criticized by internal experts⁴¹

³³ Lõhmus, M., Lauristin, M., Siirman, E. The Patterns of Cultural Attitudes and Preferences in Estonia. *Journal of Baltic Studies*, 2009, 40 (1), pp. 75–94.

³⁴ The social and economic gap in society is deepening. See: Lauristin, M. Social Contradictions Shadowing Estonia’s “Success Story”. *Demokratizatsiya*, 2003, 11 (4), pp. 601–617.

³⁵ Lauristin, M., Vihalemm, P. The Political Agenda during Different Periods of Estonian Transformation: External and Internal Factors. *Journal of Baltic Studies*, 2009, 40 (1), pp. 1–28.

³⁶ Ibid.

³⁷ Engeli, I., Allison, C. R. (eds.). *Comparative policy studies: conceptual and methodological challenges*. Palgrave Macmillan, 2014.

³⁸ Still debated after six months of coalition agreement: *Vabariigivalitsus* (Estonian Government). *Valitsuse tegevusprogramm* (Objectives and Activities). Republic of Estonia, 2015. Available at <https://valitsus.ee/et/valitsuse-tegevusprogramm> [last viewed 31.08.2015].

³⁹ Education Policy Outlook 2015: Making Reforms Happen. OECD Publishing, 2015.

⁴⁰ One of the popular measurements of the educational development of the country is PISA test. *PISA. Haridus-ja Teadusministeerium* [Ministry of Education and Research]. Available at <https://www.hm.ee/en/activities/statistics-and-analysis/pisa> [last viewed 31.08.2015].

⁴¹ Ruus, V.-R., Timoštsuk, I. Searching for Constant Innovation in Teacher Education Curricula: The Case of Estonia. *Problems of Education in the 21st Century*, 2014, 62, pp. 97–108.

even after multiple reforms in the last few decades.⁴² In order to improve the correspondence with the needs of the labor market and meet the standards of flexible lifelong learning,⁴³ especially in VET⁴⁴ (vocational education and training), several measures have been accepted of the recommendations provided by international advisers.⁴⁵

The focus, in the last years, instead of obtaining a certain knowledge, has been on developing competencies, especially social competences and key competences in vocational and continuing education. The key competences are defined as a “set of relevant knowledge, skills and attitudes necessary for personal growth as well as for people’s active citizenship. Moreover, the key competences ensure social inclusion and employment of persons and help them to cope in a rapidly changing and globalizing world”.⁴⁶

*Defining and selecting key competencies draws not only on scholarship but also on national cultures, power relations, political decisions and practical considerations (Rychen, Salganik, 2002).*⁴⁷

Who is successfully employed on Estonian labor market today? The criteria used to employ people has been described in 2014,⁴⁸ as follows:

1. Education as a formal criterion – lack of a certificate automatically closes the access to positions on the labor market.
2. Unfinished or incomplete education as a minus – the pressure on education means that the person might return to studies at some point, which is unfavorable for the employing company.
3. Previous experience, based on the interest of the firm – an experienced employee reduces additional or accompanying expenses on new personnel (even though here opinions differ – sometimes the company wants to train their own personnel).
4. Practice in the same field as the obtained education.

On the one hand, Estonia holds one of the highest positions in educational attainment,⁴⁹ but, on the other hand, the latest studies show that this may not be the

⁴² See: Riigikogu [Estonian Parliament]. *Kutseõppeasutuseseadus* [Vocational Educational Institutions Act]. *Riigiteataja* [Government Gazette], 2013. Available at <https://www.riigiteataja.ee/en/eli/504022014002/consolidate> [last viewed 31.08.2015].

⁴³ *Matching Skills with Jobs*. EMSAAL. Country information about skills anticipation adult learning in Estonia. Cedefop, 2015. Available at <http://emsaal.itcilo.org/virtual-library/estonia> [last viewed 31.08.2015].

⁴⁴ *Estonia announcing new concept of developing key competences in VET*. Innove. Cedefop, 2015. Available at <http://www.innove.ee/en/VET/refernet/latest-developments-in-vet-in-estonia-/2012/artikkel-1> [last viewed 31.08.2015].

⁴⁵ *Teadus- jahariduspoliitika* [Education and Science Policy]. *Vabariigivalitsus* [Estonian Government], 2015. Available at <https://valitsus.ee/en/education-and-science-policy> [last viewed 31.08.2015].

⁴⁶ *Estonia – Developing key competences in VET*. Cedefop, 2015. Available at <http://www.cedefop.europa.eu/en/news-and-press/news/estonia-developing-key-competences-vet> [last viewed 31.08.2015].

⁴⁷ Rychen, D. S., Salganik, L. Definition and Selection of Competencies: Theoretical and Conceptual Foundations. DeSeCo, 2002. Available at <http://www.deseco.admin.ch/bfs/deseco/en/index/04.parsys.29226.downloadList.67777.DownloadFile.tmp/2002.desecodiscpaperjan15.pdf> [last viewed 31.08.2015].

⁴⁸ Oras, K. Tööle värbamisel arvesse võetavad kriteeriumid tööandjate ja vilistlaste pilgu läbi [Criteria on Recruitment through the View of Employers and alumnus]. In: *Unt, M., Täht, K.* (eds.). *Tööturu väljakutsed kõrgharidusele* [Challenges of the Labor Market for Higher Education], 2014, pp. 150–167, Tallinn University.

⁴⁹ See e.g. *Education at a Glance*. OECD, 2015. Available at <http://www.oecd.org/edu/Estonia-EAG2014-Country-Note.pdf> [last viewed 31.08.2015].

(only) key for success even in the domestic labor market.⁵⁰ The new phenomenon – the “young men problem”, involving their poor marriage potential and poor employment potential is a concern that has expanded from the traditional Western Europe into the post-soviet member states in EU.⁵¹

Due to persisting unemployment and the continuing trends⁵² in the structure of unemployment,⁵³ the selection of persons for a job is even less favorable towards minorities in most of the employment sections. Furthermore, the general attitudes about ex-offenders are highly negative and do not support hiring (Table 4, Table 5). As a result, the pressure on people with criminal records to find alternatives to regular employment patterns is high.

In addition to all this – competencies have been declared important, but in reality, personal connections and political affiliation⁵⁴ are still strongly sensed in Estonian society as factors that play significant role in obtaining a job or position, varying across posts and access to resources.

Work in Prison as a Measure

In this article, prisoners and released persons are addressed as a participating social group in the open labor market. In order to integrate and involve groups with special needs and specific limitations, the government has developed and implemented particular facilitation programs.⁵⁵

Social re-integration of ex-prisoners as a problem concerns not just Estonia,⁵⁶ but most of the Western world. Work in prison, in addition to general socialization support and preparation programs, traditionally has been considered a natural measure of successful re-entry into society after release. It is not just an obligation of a prisoner in Estonia to work; dignity is a fundamental right of a person. Does employment really promote desistance from crime? The turning point hypothesis is criticized from the maturation perspective, but both perspectives assume that individuals who become employed are less likely to re-offend than those who do not.⁵⁷

⁵⁰ The Foundation *Estonian Cooperation Assembly* was established by President Ilves in 2007 as a cooperation network for non-governmental organizations. The foundation monitors topics which influence Estonia's long term development and that are seen as priorities by its members. Estonian Cooperation Assembly develops analyses, proposals and policy advice on these topics together with all interest groups. See: *SA Eesti Koostöö Kogu* [Estonian Cooperation Assembly]. *Eesti Inimarengu Aruanne* [Estonian Human Development Report]. Estonian Cooperation Assembly. Available at <http://www.kogu.ee/25-feel-excluded-estonian-human-development-report/> [last viewed 31.08.2015].

⁵¹ Hearn, J., Novikova, I., Pringle, K., Šmídová, I., Bjerén, G., Jyrkinen, M., Connell, R. Studying men's violence in Europe towards a research framework. Örebro: Örebro University, 2013.

⁵² Rannajõe, M. E. *Kõrgharidus annab tööturul suured eelised* [Higher Education gives a Big Advantage on the Labor Market], 2006. Available at <http://www.rajaeidja.ee/98412/> [last viewed 31.08.2015].

⁵³ See the according section in: *SA Eesti Koostöö Kogu* [Estonian Cooperation Assembly].

⁵⁴ Lauristin, M. Social Contradictions Shadowing Estonia's "Success Story". *Demokratizatsiya*, 2003, 11 (4), pp. 601–617.

⁵⁵ “By working with the target groups, we will prepare and implement employment reforms with the aim of helping find jobs for people with special needs who wish to work. In addition, we will create labor market measures intended especially for people with special needs and will help to find jobs that are appropriate for their abilities and wishes.” *Vabariigivalitsus* [Estonian Government], 2015.

⁵⁶ See e.g.: *The Social Reintegration of Ex-Prisoners*. The Quaker Council for European Affairs (QCEA), 2015. Available at <http://www.qcea.org/archive/archive-hr/the-social-reintegration-of-ex-prisoners/> [last viewed 31.08.2015].

⁵⁷ Skardhamar, T., Savolainen, J. Changes in Criminal Offending around the Time of Job Entry: a Study of Employment and Desistance. *Criminology*, 2014, 52 (2), pp. 263–291.

Implementation of the (personal) action plan occurs in the main phase of imprisonment with an emphasis on employment and education of the prisoner.⁵⁸ There are no work or education opportunities for prisoners on remand. This period could last from months until extended years. Work as an activity during imprisonment, according to the community change theories,⁵⁹ should support all three parties involved: a prisoner as a person in change, prison as an institution and society as a receiver of the result of the prisoner's work and as a payee for the socializing institution system.



Figure 1. Work in prison as a measure. T. Stewart

Ideally, work in prison should/could serve as:

- 1) a measure of individual development and training;
- 2) socialization through collective activity;
- 3) therapy (psychological, anti-addiction), creative activity;
- 4) self-esteem and self-image reflector, supporting means to be connected to the family (income, skills, attitudes);
- 5) increasing the level of skills and experience of the future workforce, preparation for the post-release employment and application of related individual program of an inmate;
- 6) social connectedness through work – providing satisfaction to the worker and the client;
- 7) introducing prisoners as a workforce, reduce negative preconception in society;
- 8) making profit in order to reduce the cost of prisons⁶⁰ and prison system for society;
- 9) sharing and applying responsibility, both material and cognitive;

⁵⁸ Ideally, it would look like this: *Country Report: Estonia*. The Quaker Council for European Affairs (QCEA), 2007.

⁵⁹ One of the developments: Rice, R. E., Atkin, C. K. (eds.). *Public communication campaigns*. Sage Publications, 2013.

⁶⁰ See: *Alternatives to Imprisonment*. The Quaker Council for European Affairs (QCEA). Available at <http://www.qcea.org/archive/archive-hr/alternatives-to-imprisonment/> [last viewed 31.08.2015].

10) through all of the above, it is a measure for discipline, order and behavior in prison through the daily routine and meaningful activity.

In 2002, the National Audit Office of Estonia stated: “the officers from both prisons and the Ministry of Justice agreed that resocialization has been understated in Estonian penal policy and practice and therefore it is appreciated that the National Audit Office has drawn attention to it”.⁶¹ The same office in its reports has also underlined the low prisoner engagement in work – according to the report, 75% of prisoners are not occupied in any work-related activity.

Prison Industry Ltd – Work in Estonian Prison

In Estonian prison system, work of prisoners is organized and managed through the enterprise *AS Vanglatööstus (Prison Industry Ltd.)*, which belongs 100% to the state and has been using funding from EU funds and from Enterprise Estonia.⁶² Established in 2001 on the basis of (and replacing) the former workshops in prisons, the development measure that the enterprise is following under the EU direction “Long and quality work-life” is called “Increase of the quality workforce”.

From general business or economic perspective, the establishment has not been successful – negative profit of the company increases,⁶³ legal business reporting about the last four years is incomplete and insufficient. Already in 2003, the National Audit Office stated, “the Minister of Justice should ask *Estonian Prison Industry Ltd.* to submit much more precise information on its activities than previously.”⁶⁴ The whole meaning and the goal of *AS Vanglatööstus* is organizing, improving and managing the work of inmates. In 2015, each day at least some work (incl. part time and temporary assignments) has been provided to 147 inmates, which is slightly more than 5% from 2749 prisoners, meaning that 95% of prisoners are not engaged in work at all. Compared to the Soviet times, when almost 100% of eligible prisoners were working,⁶⁵ this trend can hardly be considered an improvement. Another aspect is that nearly 1/3 of working inmates are women, who make up just 5% of the general number of inmates. Therefore, recalculating with regard to male prisoners, less than four percent are occupied in any kind of work-related activity during imprisonment. In this light, it is understood why most inmates in 2013/2014 survey⁶⁶ answered⁶⁷ that work in prison is a reward for special favors, not a norm as stated in the law, § 38.⁶⁸

Despite negative profit (-335 627 € in 2014) and extremely poor results in engagement of inmates, the management of the enterprise has been paid generous salaries⁶⁹

⁶¹ *Riigikontroll* [The National Audit Office]. Activity Report. *Riigikontroll* [The National Audit Office], 2002. Available at <http://www.riigikontroll.ee/Riigikontrollipublikatsioonid/Auditiaruanded/tabid/206/language/en-US/Default.aspx> [last viewed 31.08.2015].

⁶² *Struktuuritoetus* [Structural Support]. *AS Vanglatööstus [Prison Industry Ltd]*. Available at <http://www.evt.ee/ettevotest/struktuurtoetus> [last viewed 31.08.2015].

⁶³ *AS Vanglatööstus [Prison Industry Ltd]*. Available at <http://www.evt.ee/Aruanded> [last viewed 31.08.2015].

⁶⁴ Majority of prisoners still unemployed. *Riigikontroll* [The National Audit Office]. Available at <http://www.riigikontroll.ee/Suhtedavalikkusega/Pressiteated/tabid/168/557/GetPage/9/557Year/-1/ItemId/185/amid/557/language/en-US/Default.aspx> [last viewed 31.08.2015].

⁶⁵ Meaning, the ones who are not exempt from work due to illness or age, the part of inmates that in 2015 for all Estonian prisons totaled in 75 persons, half of those being under-age.

⁶⁶ *Stewart, T.* Questionnaire 2013–2014. Tallinn: Unpublished, 2013.

⁶⁷ *Stewart, T.* Interviews 2014. Tallinn: Unpublished, 2014.

⁶⁸ *Riigikogu* [Estonian Parliament]. Imprisonment Act. *Riigiteataja* [Government Gazette], 2000. Available at <https://www.riigiteataja.ee/en/eli/504112013005/consolide> [last viewed 31.08.2015].

⁶⁹ Reports and Salaries. *Vangla* [Prison], *Justiitsministeerium* [Ministry of Justice] 2015. Available at <http://www.vangla.ee/et/eesti-vanglatoostus/aruanded-ja-palgad> [last viewed 31.08.2015].

(Table 2), especially compared to the average rates in Estonia.⁷⁰ The Ministry of Justice has not explained how this persisting situation contributes to improving national security or the security of the community, preparation of inmates to a new life-spin or reduce the cost of prisons.⁷¹ Up until 2003, the internal factors of national security were not a priority in Estonia;⁷² however, it could change in 2015.

From 2000 until 2015, about 15 graduation researches have been defended⁷³ about the progress of *AS Vanglatööstus*. The weakening trend of the establishment has been noted but the view has been mostly a statistic statement rather than evaluation from the point of prisoner rehabilitation and treatment. In addition, no real solutions of the situation have been suggested.

Why Not a Regular Traditional Employment after Release?

Estonian men in general are continuously less educated and professionally less trained than women.⁷⁴ Studies from different authors⁷⁵ and conducted interviews from 2013/2014⁷⁶ show that specific obstacles – legal, social and domestic plus limitations of the labor market after release hit men⁷⁷ more severely. The survey of T. Stewart (2014) stated that the pressure depends on:

- a) numerous personal and social environmental factors, including family, friends, location and networks;
- b) education, professional skills and experience (but not age);
- c) the type of crime (and relatedly, personality type);
- d) incarceration time (sum per life);
- e) other factors, incl. pending financial obligations and availability of assets.

According to some authors,⁷⁸ there is no substantial evidence of negative effect of incarceration length on employment or earnings even if their imprisonment history has been consecutive. Other authors, including Visher et. al. (2010) and Stewart (2014) believe that “out of prison, out of work” is the pattern: “Whatever their education level, formerly incarcerated people face a slew of state and federal restrictions on employment eligibility, limits on their ability to access public housing and harsh regulations that make it difficult-to-impossible to receive government education

⁷⁰ *Eestistatistika* [Statistics Estonia], 2015. Available at <http://www.stat.ee/en> [last viewed 31.08.2015].

⁷¹ Loffmann, M., Morten, F., Scurfield, L., Casey, J. Investigating Alternatives to Imprisonment. The Quaker Council for European Affairs, 2010.

⁷² Lauristin, M. Social Contradictions Shadowing Estonia's "Success Story". *Demokratizatsiya*, 2003, 11 (4), pp. 601–617.

⁷³ *Sisekaitseakadeemia* [Estonian Academy of Security Sciences]. (2000–2015). *Electronic thesis*. Available at <http://riksweb.sisekaitse.ee/index.asp?action=300> [last viewed 31.08.2015].

⁷⁴ See, e.g.: Education at a Glance. OECD, 2015. Available at <http://www.oecd.org/edu/Estonia-EAG2014-Country-Note.pdf> [last viewed 31.08.2015]

⁷⁵ E.g.: Western, B. From Prison to Work: A Proposal for a National Prisoner Reentry Program. Hamilton Project, 2008.

Visher, C., Debus, S., Yahner, J. Employment after Prison: A Longitudinal Study of Releasees in Three States. *Justice Quarterly*, 2010, 28 (5), pp. 698–718.

⁷⁶ Conducted by Tuuli Stewart, in 2013 and 2014.

⁷⁷ See: Lalonde, R. J., Cho, R. M. The Impact of Incarceration in State Prison on the Employment Prospects of Women. *Journal of Quantitative Criminology*, 2008, 24 (3), pp. 243–265.

⁷⁸ Kling, J. R. Incarceration Length, Employment, and Earnings. *The American Economic Review*, 2006, 96 (3), pp. 863–876.

Liiv, M. L., Hanni, E. Vangide tööhõive vabaduses: vanglas töötanud ja mittetöötanud kinipeetavate võrdlus [The Employment of Prisoners at Release: The Comparison of Captives Who Worked in Prison and Who Did Not]. Tallinn: Justiitsministeerium [Ministry of Justice], 2006.

grants. Cumulatively, these restrictions make it that much harder for formerly incarcerated people to find and hold employment.”⁷⁹

According to the interviews conducted by T. Stewart (2014) with inmates, released persons, family members, prison officers and employees with labor market facilitator offices, the adaptation phase – cultural change process with all its factors⁸⁰ – is experienced:

- a) both ways – on entering the prison society and return to the “normal” society after release;
- b) on repeated incarceration cases, as well.

Estonian Unemployment Insurance Fund has numerous measures that could be suitable for supporting employment after release from a prison (Appendix 1). As the research (Stewart 2013 and 2014) has shown, imprisoned men in general are not aware of the measures that apply to them during the time of their imprisonment, and those measures are not actively extended to prisoners through courses or awareness training.

Inability or significant limitation to find sustainable income, adequate activity and recognition in society could lead to social exclusion on different levels, and starts a vicious circle that is hard to break without external help. Do ex-criminals deserve to be expelled from a full-access society? Social justice is not a question of this discussion; the paper seeks sensible solutions for the community as a whole.

Social exclusion,⁸¹ according to latest studies, applies to 25% of Estonian residents and has not changed in the last decade.⁸² Powerlessness and social exclusion after the prison punishment⁸³ has been reported to be a problem in number of European countries,⁸⁴ but has not been an open issue in Estonia.

One of the traits characteristic to Estonia is that the term “minority” does not really apply to people with criminal penalty as an exact definition. Estonia is an over-criminalized society: in 2010, 37% of working-age population in Estonia had operative penalties for an offence⁸⁵ and 9% of the working-age population carried an active criminal penalty. The total of the working-age population, who have been recorded in the penal registry, was nearly 56%.⁸⁶ The record is not visible in general public registry, but normally may be traceable even up to 10 years after the execution of the penalty.

⁷⁹ See: The Leadership Conference (n. d.). *Out of Prison, Out of Work. The Leadership Conference on Civil and Human Rights*. Washington, DC: The Leadership Conference. Available at <http://www.civilrights.org/publications/reports/a-second-chance/chapter-6-out-of-prison-out.html> [last viewed 31.08.2015].

⁸⁰ See: *Deardorff, D. K.* (ed.). *The Sage Handbook of Intercultural Competences*. Thousand Oaks, 2009.

⁸¹ The report defines social exclusion as the sense of powerlessness and disappointment caused by social problems (poor income, below-average living conditions, lack of social interaction, etc.) resulting in the person ceasing to participate in the society either partially or fully.

⁸² See: *SA Eesti Koostöö Kogu* [Estonian Cooperation Assembly] [last viewed 31.08.2015].

⁸³ *Kruusamäe, M. Karistuse kohaldamise etapid Eesti kohtupraktikas* [Stages of Penal Application in Estonian Court Practice]. Estonia: *Riigikohus* [Supreme Court], 2012.

⁸⁴ See: *Hearn, J., Novikova, I., Pringle, K., Šmídová, I., Bjerén, G., Jyrkinen, M., Connell, R.* *Studying men's violence in Europe towards a research framework*. Örebro: Örebro University, 2013.

⁸⁵ *Vabariigivalitsus* [Estonian Government]. *Süütegu* [Felony]. *Riigiteataja* [Government Gazette], 2015. Available at <https://www.riigiteataja.ee/jaotused.html?tegevus=&jaotus=0.12.1216.1432&avatud|jaotus=..0.12..0.12.1216..0.12.1216.1432&suletud|jaotused=&jaotused=VaikimisiAvatud=&leht=0&kuvaKoik=false&sorteer=&kasvav=true> [last viewed 31.08.2015].

⁸⁶ See: *Riigikohus* [Supreme Court]. *Ülekriminaliseerimine* [Over-criminalization]. Tartu: *Õigustea-beosakond* [Legal Information Department], 2010.

Entrepreneurial Orientation

Entrepreneurial orientation is a construct that has been compared to leadership⁸⁷ and is described as “a firm-level strategic orientation which captures an organization's strategy-making practices, managerial philosophies and firm behaviors that are entrepreneurial in nature”.⁸⁸ Originally, the theory was applied to firms⁸⁹ using different five to nine-item descriptive psychometric instruments depending on the author.⁹⁰ Applying the entrepreneurship concept to individuals,⁹¹ we could use similar instruments in order to evaluate the inclination towards orientation or the lack of it.

The creation and development of new companies depends on the population's entrepreneurial activity and the state's ability to enhance that activity.⁹² Entrepreneurs have been called a “driving force in the market”.⁹³ With minor concretizations, different authors agree that entrepreneurs as persons or organized bodies:

- a) can discover unused opportunities on the market,⁹⁴
- b) are characterised by their competitive behavior or as firms, even by competitive aggressiveness (*Lumpkin, Dess, 1996*);
- c) are creative (*Schumpeter, J.*) or opportunity seekers (*Kirzner, I.*);
- d) operate as either equilibrating force (*Shane, S.*) or dis-equilibrating one (*Schumpeter, J.*);
- e) believe in things others do not⁹⁵ and through this they use new business opportunities and new resource allocations;
- f) regain specific autonomy (*Lumpkin, Dess, 1996*).

Among public, the driving force for entrepreneurial lifestyle is motivated by different drives. For persons with criminal history, entrepreneurial activity could often be the only legal survival tool and a job opportunity with no real alternatives in place or time. Naturally, an opportunity to start a business and necessary resources, incl. the supporting circles of people as general motivators play their role in start-up, but the limited alternatives in terms of sustainable employment opportunities may direct the choices even more strongly.

⁸⁷ See: *Vecchio, R. P.* Entrepreneurship and leadership: common trends. *Human Resource Management Review*, 2003, 13, pp. 303–327.

⁸⁸ See: *Anderson, B., Covin, J., Slevin, D.* Understanding the Relationship between Entrepreneurial Orientation and Strategic Learning Capability: An Empirical Investigation". *Strategic Entrepreneurship Journal*, 2009, 3, pp. 218–40.

⁸⁹ *Auerswald, P. E.* Entrepreneurship and the theory of the firm. *Small Business Economics*, 2008, 30 (2), pp. 111–126; *Witt, U.* Imagination and leadership. The neglected dimension of an evolutionary theory of the firm. *Journal of Economic Behavior & Organization*, 1998, 35, pp. 161–177.

⁹⁰ *Covin, J., Lumpkin, G. T.* Entrepreneurial Orientation Theory and Research: Reflections on a Needed Construct. *Entrepreneurship: Theory & Practice*, 2011, 35 (5), pp. 855–872.

Lumpkin, G. T., Dess, G. Clarifying the Entrepreneurial Orientation Construct.

Linking It to Performance. *Academy of Management Review*, 1996, 21 (1), pp. 135–172.

⁹¹ The terms have been used as overlapping or as separate understandings, also used as a concept for strategic renewal and performance increase (*Elenurm T.*, 2012), (*Elenurm, Terk, Reid, Kuriks*, 2004).

⁹² See: *Globaalne Ettevõtlus monitoring 2012* [Global Entrepreneurship Monitor]. *Eesti Arengufond* [Estonian Development Fund], 2013. Available at <http://www.arengufond.ee/upload/Editor/Publikatsioonid/Arengufond%20GEM%20uuringu%20raport.pdf> [last viewed 31.08.2015].

⁹³ See: *Elenurm, T., Alas, R.* Features of Successful Entrepreneurs in Estonia. *TUTWPE*, 2009, No. 169, pp. 318–330.

⁹⁴ *Ibid.*

⁹⁵ See: *Witt, U.* Imagination and leadership. The neglected dimension of an evolutionary theory of the firm. *Journal of Economic Behavior & Organization*, 1998, 35, pp. 161–177.

Entrepreneurial Orientation in Estonia. Global Entrepreneurship Monitor

Different approaches and models could be used in evaluation of the entrepreneurial attitude level of a society.⁹⁶ The views of domestic evaluators⁹⁷ or international observers⁹⁸ regarding the matter may differ.

The first Global Entrepreneurship Monitor (GEM) in Estonia was conducted in 2012 by a group of domestic experts after a decade of attempts to map this business sector and measure its development. GEM Key Indicators in Estonia (2013) show the total entrepreneurial activity as 20.7% of working-age population and the part of aspiring entrepreneurs⁹⁹ in Estonia as 20.1%. The average age of Estonian entrepreneur is 38.5 years, including established entrepreneurs.

According to GEM, Estonia is not a bad place to start a business – in the group of countries belonging to a comparable development level (the Baltics and Nordic countries) business opportunities are most positively evaluated in Estonia, 45.2% of the respondents saw opportunities. Optimism is encouraged by other studies.¹⁰⁰ The problem of Estonia, according to the monitoring and supported by some other sources¹⁰¹ and GEM (2013) is that:

- a) entrepreneurship is necessity-based, especially in some regions (considered as a career choice for 54.8% respondents);
- b) almost half of the entrepreneurial activity of Estonia consists of nascent entrepreneurship;
- c) a high rate of business quitters;
- d) high fear of failure (44.3%), even though 62.5% said that entrepreneurs have a high status;
- e) low profitability, which is different from Scandinavian countries, where the main reason for giving up entrepreneurship is retiring;
- f) the internationalization level of early stage entrepreneurs is lower than in the case of established companies;

⁹⁶ Tsai, W. H., Lee, P. L., Shen, Y.-S., Hwang, E. T. A combined evaluation model for encouraging entrepreneurship policies. *Annals of Operations Research*, 2014, 221, pp. 449–468.

⁹⁷ See: Venesaar, U., Jakobson, I. Assessment and Promotion of Entrepreneurial Initiative and Attitudes towards Entrepreneurship: The Case of Estonia. In: Fayolle, A., Kyro, P. (eds.). *The Dynamics between Entrepreneurship, Environment and Education* (European Research in Entrepreneurship). Edward Elgar Publishing, 2008.

Liuhto, K. Entrepreneurial Transition in Post-Soviet Republics: the Estonian Path. *Europe-Asia Studies*, 1996, pp. 121–140.

Nugin, R. Individualism and its different faces: some cases from post-socialist Estonia. *Journal of Youth Studies*, 2013, 16 (7), pp. 809–829.

Saar, E., Unt, M. Self-employment in Estonia: Forced Move or Voluntary Engagement? *Europe-Asia Studies*, 2006, 58, pp. 415–437.

Saar, E., Unt, M. Selective Mobility into Self-employment in Post-socialist Transition: Early Birds, Later Entrants, Quitters, Shuttles. *International Small Business Journal*, 2008, June, pp. 323–349.

⁹⁸ Kshetri, N. Entrepreneurship in post-socialist economies: A typology and institutional contexts for market entrepreneurship. *Journal of International Entrepreneurship*, 2009, (7), pp. 236–259.

Mirela Xheneti, D. S. The Role of Public Policy in Entrepreneurship Development in Post-Socialist Countries: A Comparison of Albania and Estonia. *EBS REVIEW*, 2008, 24, pp. 23–36.

⁹⁹ In GEM terms, it means the ones that intend to become entrepreneurs within the next three years.

¹⁰⁰ See: *Towards a More Entrepreneurial Estonia. Towards a More Entrepreneurial Estonia. Call for Action.* The Global Entrepreneurship and Development Institute. Estonian Development Fund. GEDI; *Eesti Arengufond*, 2014. Available at http://www.arengufond.ee/wp-content/uploads/2014/11/GEDI_Estonia.pdf [last viewed 31.08.2015].

¹⁰¹ See: Lindgren, M., Packendorff, J. The gender and entrepreneurship gap in Estonia, Finland and Sweden. Stockholm: Quadruple Helix, 2010.

g) the expected growth in employee numbers is lower in Estonia than the average of countries of the same development level; the entrepreneurial activity of women continues to be significantly lower than that of men. This ratio, however, does not seem to be a special trait of a transition economy or post-socialist society, as the figure is very close to the same comparison e.g. in Finland, Estonia and other Eastern European (former Soviet) countries by GEDI (2014), (Figure 10).

The type of an Estonian entrepreneur has probably changed during the last two decades compared to the beginning of the free market economy in Estonia¹⁰² with general changes in both domestic¹⁰³ as well as global economy and industry. However, for SME and sole traders¹⁰⁴ it may be not be that noticeable. The ability to cope with global trends varies in different sectors of entrepreneurship.¹⁰⁵ Relatively little attention has been paid to rural trends in Estonian entrepreneurship and dynamics that have affected this type of activity.¹⁰⁶

The trend that is not specifically shown in GEM, is different nationality groups in Estonia and their interaction in business – in 2015, perhaps the grouping should be not just Estonians and Russians as previously shown¹⁰⁷ but add growing minorities of Finns and English speaking or international business makers in Estonian market.

Psychometric Evaluation Scale of Entrepreneurial Orientation

There is a quote “If you can’t measure it, you can’t manage it”. Can we measure entrepreneurial orientation of a person? Could we manage it – whether externally or by a person himself?

Sufficient number of studies have been carried out in various contexts about the measure of success in entrepreneurial activity (see *Lumpkin, Dess, 1996*). Despite the efforts,¹⁰⁸ the definition of “success” is hard to define by any methods or scales to

¹⁰² See: *Blawatt, K. R. Entrepreneurship in Estonia: Profiles of Entrepreneurs. Journal of Small Business Management, 1995, 33, pp. 74–79.*

¹⁰³ Just like in case of the policies about the essence and goal of modern education in Estonia, the discussion about knowledge and science in policy setting within the Estonian society is still mostly a debate of professional circles, not a common trend or practice. The separation is not just between power and population but appears strongly also between science, population and power. In theory, knowledge and innovation are set as a priority in governing and policy development, nevertheless, the reality may differ strongly. About the ideal, see: *Varblane, U., Mets, T., Andrijevskaja, J. Knowledge-based entrepreneurship in Estonia. CASE Network Studies & Analyses, 2010, p. 407.*

¹⁰⁴ See: *Mets, T. Entrepreneurship in Estonia: policies, practices, education and research. Tartu University: Centre for Entrepreneurship, 2006.*

¹⁰⁵ See: *Smallbone, D., Piasecki, B., Venesaar, U., Todorov, K., Labrianidis, L. Internationalisation and SME development in transition economies. Journal of Small Business & Enterprise Development, 1998, 5 (4), pp. 363–375.*

¹⁰⁶ See: *Kirsipuu, M. Rural Entrepreneurship Policy in Estonia. Discussions on Estonian Economic Policy, 2009, 17, pp. 97–116.*

Kirsipuu, M. Strategies for Estonian Rural Family Enterprises. Discussions on Estonian economic policy: Theory and practice of economic policy, 2009, p. 18.

Jedik, A., Stalgienė, A., Aamisepp, M., Bratka, V., Zekalo, M. The Comparison of Entrepreneurship Ability of Dairy Farms in Lithuania, Latvia, Estonia and Poland. Management Theory and Studies for Rural Business and Infrastructure Development, 2014, 36, pp. 516–526.

¹⁰⁷ See: *Vöörmann, R., Helemäe, J. Ethnic relations in Estonia’s post-Soviet business community. Ethnicities, 2003, 4, pp. 509–530.*

¹⁰⁸ See, e.g.: *Jantsch, J. 4 metrics for measuring success. Entrepreneur, 2009, 37 (2), p. 118.*
Maalel, I., Mbarek, B. H., Karim, M. Intervention of incubator and its impacts on entrepreneur’s success through social capital view. International Journal of Innovation & Learning, 2011, 10 (1), pp. 1–21.

achieve a commonly and explicitly understood term – would it be continuation (survival) time,¹⁰⁹ the monetary side of activity (meaning investment vs profit), satisfaction of an entrepreneur,¹¹⁰ community development part¹¹¹ or, e. g., sustainability of a family or a group involved.

One of the methods in the recent years for evaluation of entrepreneurs has been Connor-Davidson Resilience Scale (CDRS).¹¹² The problem, however, with this psychometric evaluation scale, like with many others is that:

- 1) the original sources of the scale have dispersed,
- 2) the definition of each category has become vague,
- 3) it may depend on cultural context,
- 4) the scale has been modified and reshaped by different users.

CDRS has been used to measure various characteristics in different contexts from clinical to the terms of social sciences, so it is hard to determine the core and unified meaning of each category compared to the original or to the focus group at hand.¹¹³

The questionnaire and interviews used in the underlying research of this paper included categories that involved change, adaptation, stability, readiness to face unexpected circumstances, professional networks, confidence, challenges, personality type of the respondent, sources of personal stress, self-image, sustainability, determination, attitudes towards risk, locus of control and resources. The psychometric properties¹¹⁴ of the questionnaire were measured, tested and evaluated. Adopting CDRS scale to the needs of specific questionnaire, the part for entrepreneurial prerequisites and preparation was designed.¹¹⁵

¹⁰⁹ See: Fried, H. O., Tauer, L. W. An Entrepreneur Success Index that Predicts Survival. *USASBE Conference Proceedings*, 2013, pp. 30–52.

¹¹⁰ See: Cooper, A. C., Artz, K. W. Determinants of satisfaction for entrepreneurs. *Journal of Business Venturing*, 1995, 10 (6), pp. 439–457.

¹¹¹ See: Deneen, S. Agents of change: social entrepreneurs measure success by doing good. *Success* (06/07) 2008, pp. 94–98.

¹¹² See: Manzano-García, G., Calvo, J. C. Psychometric properties of Connor-Davidson Resilience Scale in a Spanish sample of entrepreneurs. *Psicothema*, 2013, 25 (2), pp. 245–251.

Connor, K. M., Davidson, J. R. Development of a New Resilience Scale: the Connor-Davidson Resilience Scale (CD-RISC). *Depression and Anxiety*, 2003, 18, pp. 76–82.

¹¹³ See: Connor, K. M., Davidson, J. R. The Connor-Davidson Resilience Scale. 2015. Available at <http://www.connordavidson-resiliencescale.com/> [last viewed 31.08.2015].

Windle, G., Bennett, K. M., Noyes, J. A methodological review of resilience measurement scales. *Health and Quality of Life Outcomes*, 2011, 9 (8), pp. 1–18.

¹¹⁴ See: Pham, T. H., Ducro, C., Saloppé, X. Psychometric assessment of the Buss and Perry Aggression Questionnaire (1992) in a prison population. *Acta Psychiatrica Belgica*, 2011, 111 (2), pp. 9–14.

¹¹⁵ The questionnaire used for the underlying survey of the current paper is a development of the work and studies in high security prisons of several countries. It was ran in two languages (originally prepared in three), contained 82 questions and a special part called “wheel” – the self-analysis tool that has been used by T. Stewart in her face-to-face group programs with inmates. About theoretical background, see for example: Gillham, B. (2008). *Developing a questionnaire*. Continuum.

Entrepreneurship Education. Entrepreneurship Course in Tartu Prison

43.2% of the respondents to GEM declared that they have at least some entrepreneurship skills. Could one learn to be an entrepreneur?¹¹⁶ Entrepreneurial education in Estonia has been continuously criticized,¹¹⁷ even on the higher education level.¹¹⁸

Estonian government yet again has set entrepreneurship as one of the priorities in country's development in 2014–2020.¹¹⁹ According to this, the entrepreneurship-oriented education should be a vocational part of the education system and serve the needs of both domestic and international labor market. Current vertical and horizontal incompatibility between the labor market and education in Estonia (Figure 8)¹²⁰ shows room for improvement. Opinion about the role of school in the development of entrepreneurial attitudes as well as knowledge and skills varies among the respondent groups (Figure 7).¹²¹ These studies do not reflect the education in prison but inmates' responses (Stewart, 2013 and 2014) were very critical about the link between currently available courses and development opportunities against their personal needs and the reality in the labor market.

The role of online or e-learning in entrepreneurial education has been considered an important facilitator, especially in co-creative type of entrepreneurial activity and in building mutual trust.¹²² Internet as a tool in educational training is not used in Estonian prisons, although its positive impact, especially in business education, has been noted.¹²³ Alternatives – traditional face to face meetings, group trainings with entrepreneurs and practitioners in the entrepreneurship field or other

¹¹⁶ See: Torokoff, M. Opportunities for Schools to Develop Entrepreneurship. A Special issue on Entrepreneurship Education. *Working Papers in Economics*, 2006, 21, pp. 81–96.

¹¹⁷ See: Küttim, M., Arvola, K., Venesaar, U. Development of Creative Entrepreneurship: Opinion of Managers. *Business: Theory and Practice*, 2011, 12, pp. 369–378.
Venesaar, U., Jakobson, I. Assessment and Promotion of Entrepreneurial Initiative and Attitudes towards Entrepreneurship: The Case of Estonia. In Fayolle, A., Kyro, P. (eds.). *The Dynamics between Entrepreneurship, Environment and Education (European Research in Entrepreneurship)*. Edward Elgar Publishing, 2008.

¹¹⁸ “.. they merely provide knowledge, but do not motivate people to start a business. The main impediments are connected with the lack of practical experience for starting business, but also lack of business ideas, shortage of capital and risk aversion; the graduates are neither sufficiently aware of nor ready to use entrepreneurship support programs.” (Kolbre, Piliste, Venesaar, 2006).

¹¹⁹ See: *Ettevõtlus-ja innovatsioon* [Entrepreneurship and Innovation]. *Majandus- ja kommunikatsiooniministeerium* [Ministry of Economic Affairs and Communications]. *Majandus-ja kommunikatsiooniministeerium* [Ministry of Economic Affairs and Communications], 2015/1. Available at <https://www.mkm.ee/en/objectives-activities/economic-development-and-entrepreneurship/innovation> [last viewed 31.08.2015].

Eesti Ettevõtluse Kasvustrateegia [Estonian Entrepreneurship Growth Strategy]. *Majandus-ja kommunikatsiooniministeerium* [Ministry of Economic Affairs and Communications], 2015/2. Available at http://kasvustrateegia.mkm.ee/index_eng.html [last viewed 31.08.2015].

Estonian Research, Development and Innovation Strategy 2014–2020 “Knowledge-based Estonia”. Ministry of Education and Research; Ministry of Economic Affairs and Communications, *Vabariigivalitsus* [Estonian Government], 2014. Available at https://www.google.ee/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCAQFjAAahUKEwi1w6_d_KrHahXF_HIKHXwGA1g&url=http%3A%2F%2Fwww.hm.ee%2Fsites%2Fdefault%2Ffiles%2Festonian_rdi_strategy_2014-2020_en.doc&ei=JyHPVfWTOsX5yWP8jIzABQ&usq=AFQjCNGzu7y0sE03dbpcmg [last viewed 31.08.2015].

¹²⁰ See: p. 38: SA *Eesti Koostöö Kogu* [Estonian Cooperation Assembly]. *EHDR 2012/2013. Eesti Inimarengu Aruanne* [Estonian Human Development Report] 2012/2013. Available at http://www.kogu.ee/wp-content/uploads/2013/05/EIA2013_eng.pdf [last viewed 31.08.2015].

¹²¹ Ibid.

¹²² See: Elenurm, T. Integrating online learning and field projects in entrepreneurship education. The 17th Nordic Conference on Small Business Research. Helsinki: Aalto University, 2012.

¹²³ See: Elenurm, T. E-learning as a Learning Community Tool. *EBS REVIEW*, 2002, pp. 35–40.

contact-learning methods have not been used in entrepreneurial education and training of inmates, even though the synergy between developing business education and management of HR is considered a key factor in a rapidly changing society,¹²⁴ as well as communication and social interaction in learning process in general.¹²⁵

Each year from 2009 to 2013, a small group of prisoners from Tartu prison were selected for a course of entrepreneurship (Table 1) as a pilot for entrepreneurial education of inmates. The course was considered a vocational study based on secondary education level. The course accepted only attendees with at least some experience in entrepreneurial practice, as prisoners are not allowed to attend required practice on site. The reasons for dropping out during the course (six months) were mostly related to the disciplinary problems in prison. The course, according to the inmates, has been highly desired among prisoners, partly because there are very few study courses available in prison.

There are no records about the outcome to give an evidence, as to how many of the course attendees have started their own enterprise, how do they evaluate the practical input of the course for application in real life, how has the plan of legal occupation path as entrepreneurs been managed and implemented and if they succeeded (whatever measure of success would be considered as a measure).

The Study of Estonian Inmates as Potential Entrepreneurs

Entrepreneurial activity is largely based on potential entrepreneurs, their attitudes, knowledge and belief in success by GEM, 2013. In order to evaluate male convicts as possible and potential entrepreneurs, adult male prisoners in two (out of three) Estonian male-populated prisons, eligible to work at their release, were surveyed in winter 2013/2014. The sample represents approximately 10% of the total male prison body in Estonia. Other methods used in the study were semi-structured interviews with convicts, continuous interviews with newly released and recidivists and their family members, interviews with employers, focus group interviews with Estonian Unemployment Insurance Fund, consultations with prison officers, observation, literature and comparison with statistics and relevant studies about the topic.

The age of inmate respondents was from 18 to 67 years, average 32.6 years, median 31.0 years, which quite well corresponds to the general comparison group (GEM includes already established entrepreneurs, as well). The average education of respondents in prisons was 9.7 classes (secondary education in Estonia requires 10–12 years) – the education of inmates is not considerably lower than among public.¹²⁶

¹²⁴ See: Elenurm, T., Ennulo, J., Laar, J. Structures of Motivation and Entrepreneurial Orientation in Students as the Basis for Differentiated Approaches in Developing Human Resources for Future Business Initiatives. *EBS Review*, 2007, 23 (2), pp. 50–61.

¹²⁵ See: *Vygotsky, L. Thought and Language*. (O. w. 1934, ed.) Cambridge: MIT Press, 1962.
Vygotsky, L. Mind in Society: The development of higher psychological processes. Cambridge: Harvard University Press, 1978.
Lev Vygotsky. Lev Vygotsky. Retrieved from Simply Psychology, 2014. Available at <http://www.simplypsychology.org/vygotsky.html> [last viewed 31.08.2015].
Riddle, E. M. Lev Vygotsky's Social Development Theory. 1999. Available at http://members.iinet.net.au/~aamcarthur/4_Mar_2008_files/Vygotskys_Social_Development_Theory.pdf [last viewed 31.08.2015].

¹²⁶ According to GEM, 60% of successful entrepreneurs in Estonia have higher education, but the study does not explain whether they count bachelor's degree, master's degree or higher as an equivalent of the higher education (*Rahva ja eluruumide loenduse* (REL 2011), [Population and Housing Census (PHC 2011), 2011].

60% of respondents were not recidivistic (the first or the second imprisonment). The average imprisonment time, as both the national statistics and the current survey shows, is more than five years. Since many released persons return soon after they were released (before their adaptation time in the freedom or in the regular local society), the time that should be considered as separation from normality is even lengthier. The average time spent by respondents in prison within their lifetime was 6.4 years¹²⁷ and the average of imprisonment occasions – 2.6 times.

The questionnaire was distributed in Russian and Estonian languages – the two main spoken languages in Estonia prison.¹²⁸ Russian-language questionnaire was designed for a better access to the full body of Estonian inmates. These two cultural and ethnic groups, Estonian and Russian, appear to be with similar delinquent behavior¹²⁹ and statistics¹³⁰ show that the number of inmates with Russian mother tongue is not the majority of the total body of inmates. However, Russian is still a widely spoken language in prisons; it affects communication in the facilities and may create different networks after release. In general, the answers were very thoughtful and clearly expressed. No questionnaires were excluded due to bad handwriting and respondents had provided a lot of voluntary comments and additional writings. Many of the respondents expressed a wish to participate in further study. Naturally, the response may be motivated also by the lack of activities and general boredom.¹³¹

The conducted survey (Stewart, 2013) considered as the potential future entrepreneurs adult males from age 18 to 50 (55), excluding prisoners with special needs, any kind of addictions and other obstacles that would prevent actual entrepreneurial activity without prior involvement of specialists of another area. 23% respondents reported to have an addiction, which corresponds to the official statistics.¹³² The final selection took into account experience of being responsible for business activity, work process, other people, any obtained profession or knowledge in some area. 160 (75%) of 213 respondents qualified. The selection group was not all that different from the group of 213 generalrespondents in terms of incarceration – 2.2 times imprisoned, a total of 5.6 years spent in prison, the average current sentence – 6.2 years and expected release in 2 years. The study also inquired, in addition to the sentenced length of punishment (which is used in statistics, see Figure 5) into the expected time of release. The education level of the selection group of 160 was

¹²⁷ After approximately four years of incarceration (which in Estonian prisons means almost total isolation from society or extremely limited contacts), in majority of the cases a person has lost his social contacts, ability to operate in public information and skills to enter the employment market are significantly lowered.

¹²⁸ Note, that even though, the international, as well the national statistics (*Justiitsministeerium* [Ministry of Justice], 2015) show a large number of foreign prisoners in Estonian prisons, the majority of those are persons without any citizenship (specific internal policy of Latvia and Estonia after newly acquired independence in early 1990ies) or persons from former Soviet Union, – mostly, Russian speaking people. The number of prisoners, who speak neither Estonian nor Russian languages, is extremely limited in Estonian prisons (Figure 6) – in 2014, it has not exceeded 10–15 persons in total.

¹²⁹ See: *Edovald, T.* Prevalence of Self-Report Delinquency by Ethnic Background: Findings from a Cross-sectional Study in Estonia. *European Journal of Social Sciences*, 2010, 13 (2), pp. 321–334.

¹³⁰ See: *Eestistatistika* [Statistics Estonia], 2015. Available at <http://www.stat.ee/en> [last viewed 31.08.2015].

Justiitsministeerium [Ministry of Justice], 2015. Available at <http://www.just.ee/en> [last viewed 31.08.2015].

¹³¹ See: *Manger, T., Eikeland, O.-J., Diseth, Å., Hetland, H., Asbjørnsen, A.* Prison Inmates' Educational Motives: Are They Pushed or Pulled? *Scandinavian Journal of Educational Research*, 2010, 54 (6), pp. 535–547.

¹³² See: *Kuritegevus Eestis* [Criminality in Estonia]. *Justiitsministeerium* [Ministry of Justice], 2009.

higher – 12 years finished and 64.4% had a certified profession. The same average tendency has been measured in other Nordic countries¹³³ – compared to the general population, prison inmates have an educational level that is similar to the educational level of the general population. The usage of a computer as an indicator of the education type and habits did not vary in age groups but was very different considering the time spent in prison in life (see Table 3). It was found similar with the studies in other countries that the percentage of prison inmates who have completed vocational education is lowest among the youngest inmates. The difference appeared in the age groups, indicating that addictions (both acknowledged and diagnosed) are mostly related to the younger inmates. When asked if they have attended any courses that would help to get rid of their addiction, only 4.7% answered positively.

Results

To the question: “Do you think you have a talent for entrepreneurial line of activity or lifestyle?” 76% of respondents answered “yes”; only 22% said “no”, a few were uncertain. This is an extremely high percentage compared to the general audience and may indicate the lack of sensed options on the labor market or again, a strong pressure due to the lack of other foreseeable options. The conducted study confirmed that formerly imprisoned persons may have different or limited access to resources necessary for a startup of a business – limited access to monetary and other type of support from the state or funds. At the same time, as also noted by other authors,¹³⁴ they may have access to different people and information (not better or worse, just accessing other segments or type), based on their life experience, social networks and information search processes.

Entrepreneurial orientation could be divided into¹³⁵ imitative, individual innovative and co-creative (innovative) entrepreneurship.¹³⁶ Individual innovative entrepreneurship type would be the most favored by the questioned inmates despite extended detachment from the market and the lack of previous formal entrepreneurial education and training, even though this type of entrepreneurial activity requires a special prior preparation and guidance. The guidance, taking into account the cultural adjustment period after release, should actually continue at least throughout the first year or even two years after the start of an independent business activity.

The co-creative entrepreneurship type would require a strong external encouragement and clearly expressed trust as to the question “what do you consider the most important obstacle in legal occupation of ex-convicts?” most inmates (56%) answered that social acceptance is very negative towards ex-convicts.

The big difference appeared in expected outcomes – GEM showed that 70% of starting entrepreneurs had not yet received income from their companies while the main pressure for ex-offenders was to establish income and sustainable living as an

¹³³ See: Hetland, H., Eikeland, O. J., Manger, T., Diseth, A., Asbjørnsen, A. Educational Background in a Prison Population. *The Journal of Correctional Education*, 2007, 58 (2), pp. 145–158.

¹³⁴ See: Shane, S. A General Theory of Entrepreneurship. *The Individual-Opportunity Nexus*. Cheltenham: Edward Elgar, 2003.

¹³⁵ See: Elenurm, T., Moisala, A. Comparative Analysis of Entrepreneurial Orientations among Estonian and Finnish Business Students. *The International Council of Small Business* (p. CD). Turku: ICSB 52 World Conference Proceedings, 2007.

Elenurm, T. Innovative Entrepreneurship and Co-creation. *Journal of Management and Change*, 2013, 30/31, pp. 16–30.

¹³⁶ See: Elenurm, T., Ennulo, J., Laar, J. Structures of Motivation and Entrepreneurial Orientation in Students as the Basis for Differentiated Approaches in Developing Human Resources for Future Business Initiatives. *EBS Review*, 2007, 23 (2), pp. 50–61.

alternative to employment. For one third (31%) of respondents, finding a job was the main problem after release. Considering that 41% of the respondents declared to be the main bread winner in their family before their penalty and just a half (56%) said that they can continue on the same occupational line as before their imprisonment, it gave the context to their answers.

The motive categories to study and obtain work-related experience in prison that were identified by respondents (several open-answer questions) were similar to the studies in neighboring countries:¹³⁷ factor 1 – to prepare for life upon release; factor 2 – social reasons and reasons unique to the prison context; and factor 3 – to acquire knowledge and skills.

Numerous legislative restrictions (Appendix 3), economic and social limitations apply to ex-offenders after release, narrowing the opportunities in finding a suitable legal work and income. Those limitations are strongly felt. All the groups participating in the survey confirm that a person released from prison in Estonia is not a favored material on the labor market despite the measures that have been established for an employer. The reason is not so much the committed crime (with some exceptions, of course) as the “product” that is released after years of imprisonment. Inmates, specialists and family members, as well as interviewed employers agreed that a person after release is characterized as:

- a) unemployed for a long period – it means that the person has lost skills and habit to work;
- b) emotionally hurt;
- c) has lost communication skills;
- d) detached from regular society, having distorted objectives, illusory expectations;
- e) insulted, angry, without hopes and trust;
- f) burdened by massive health problems that occur later during the post-release period (including ability to focus, both physically or mentally).

Entrepreneurship Orientation and Preparation of Inmates

The underlying study focused on three interrelated aspects of the problem:

- 1) whether entrepreneurial activity is a possible socialization measure in the current legal and business environment (in Estonia);
- 2) is it possible to occupy the current state’s potential workforce of felons more effectively during their imprisonment and after release;
- 3) are former offenders potentially ready to start a legal enterprise after release from prison.

Entrepreneurial personality is characterized¹³⁸ by self-motivation that makes encountering risks possible, it has a strong internal locus of control and the need to achieve. In addition, a self-driven activity requires considerable level of self-confidence and optimism.¹³⁹ Entrepreneurial success is also associated with communication skills, ability to delegate and performance facilitation. Needless to say that a

¹³⁷ See: Manger, T., Eikeland, O. J., Diseth, Å., Hetland, H., Asbjørnsen, A. Prison Inmates’ Educational Motives: Are They Pushed or Pulled? *Scandinavian Journal of Educational Research*, 2010, 54 (6), pp. 535–547.

¹³⁸ See: Elenurm, T., Ennulo, J., Laar, J. (2007).

¹³⁹ In a negative association, it may create tension between the risk-taking and business success but in a positive association it is necessary in order to overcome hostility and dynamism of the business environment.

certain level of knowledge and skills in legislation, bookkeeping, computer usage, market, production etc. would serve as a plus.

The inmates' internal locus of control appeared (Stewart, 2013) very low. The opportunity to establish a suitable control group for that measure is questionable, as it should engage the similar age, education, heritage, nationality, experience, etc. male group, but the study shows that, in general, a hope for better is very low among the inmates, and the need for help has been expressed on most occasions.

As expected, the external locus control of inmates is very high – the belief that their faith and well-being are controlled by and depend highly on other persons (e.g., state institutions and the officers in charge) is predominant. Naturally, it may be connected to repeated imprisonment history and techniques of neutralization, known in criminal theory. To summarize, prisoners are confident but not optimistic.

Formal education plays a role in employment, but the actual skills in an area define the ability to be active in the private sector. Therefore, observed were the skills and professional-level hobbies of inmates that might be a base for an entrepreneurship. Apr. 50% (110 of 213) had a certified profession, a surprisingly high number of spoken languages was declared (Estonian¹⁴⁰ 2.6 in average, Russian – 1.7). On the average, the respondents have been on the same occupational field for 7.1 years – that indicates professional skills, continuity and sustainability. Younger inmates, on the average, have higher formal education scores, they are better skilled in computer usage; inmates who are older than 40 years have a better vocational experience and normally have had a professional career prior to their imprisonment. To the question: “With what tools are you skilful?” only 10% did not answer positively. The stated hobbies supported either professional life or general well-being.

The questionnaire also compared answers that were given about the respondents themselves and concerning other inmates (what occurs generally). The answers to the general question, “What do you consider the most important obstacle in legal occupation of ex-convicts?” (see Table 4) differed from those to the more personal question “What stops you?” (see Table 5). E.g., education was seen as an obstacle both personally and in general, but the difference in its indicated importance was almost twofold.

Work that prisoners do (see pg. 7) is not considered as a work outside of prison – distributing food, folding laundry, cleaning, etc. The work arrangement is to be decided inside the prison.¹⁴¹ The term “work” has therefore been somewhat confusing throughout the study and needs to be defined more clearly in the future. Without work and study, historically (Anton Makarenko) and according to modern integrated theory of behavior change and theory of community, no change is possible. Human dignity vs human rights, as part of communal dignity, is integrated into these concerns.¹⁴²

Development during incarceration. The limitations in the prison education in Estonia today, according to the research, do not match the general trends of integration into the labor market, both in academic and VET directions. One of the

¹⁴⁰ Est – Estonian-speaking group, Rus – Russian-speaking group based on the choice of the questionnaire, they picked from two language options.

¹⁴¹ See: *Vangla sisekorraeskiri* [Rules of the House in Prison]. *Justiitsministeerium* [Ministry of Justice], 2000. Available at <https://www.riigiteataja.ee/akt/12876858> [last viewed 31.08.2015].

¹⁴² See: *Habermas, J. The crisis of the European Union: a response.* (C. Cronin, trans.) Cambridge: Polity Press, 2012.

obstacles is almost no access to IT resources, even though this has been seen as one of the objectives of the Lifelong Learning Strategy 2020.¹⁴³ Additionally, business-related social contacts are extremely limited and do not support awareness of trends and demands in the market.

Special Educational and Developmental Needs of Prisoners

Criminal world, esp. prison, carries its own (sub)culture – a set of norms that are similar to the surrounding culture, but in many ways differ from it. It is possible to think of (re)socialization attempts during imprisonment as a shift of cultural norms, a specific type of learnacy, which, in order to change (breaking the patterns of the past and developing the new ones) has to affect values, language (not just verbal), skills and key competences. According to contemporary policies, the goal is to create a dialogue and discussion about those topics, in order to develop intercultural competence.¹⁴⁴

From this perspective, the education for inmates should be organized based on and taking into account the specifics of their baseline culture.¹⁴⁵ The idea was strongly emphasized during the interviews with Estonian Unemployment Insurance Fund specialist who pointed out that specifics of the imprisonment were noticeable and common to the most newly-released males.

The progressive pedagogy method,¹⁴⁶ introduced by Montessori and Vygotsky,¹⁴⁷ underlines the same principle in education success. The importance of cultural features is also highlighted in the later entrepreneurial activity.¹⁴⁸ In order to understand those specific needs related to inmate education and their preparation, especially for entrepreneurship¹⁴⁹ during the time of imprisonment, the models of knowledge conversion could be tested.¹⁵⁰

¹⁴³ See: *Digipööre*. Digital focus. *Haridus-ja Teadusministeerium* [Ministry of Education and Research], 2015. Available at <https://www.hm.ee/en/activities/digital-focus> [last viewed 31.08.2015].

¹⁴⁴ See: *Deardorff*, D. K. (ed.), 2009.

¹⁴⁵ Culture as a bounded “normative” concept. It is quite common, especially in education, to think of culture as a well-defined entity that helps differentiate entire groups of people. These statements imply a concept of culture as well-bounded, cohesive entities whose traits and values are shared, in one way or another, by all members of a particular group. But given the great diversity that exist within groups, such cohesiveness is unlikely to exist (*Moll*, 2014, p. 120)

Moll (*Moll*, 2014), talking about different cultures, underlines: “. it was therefore especially important to learn how to think about culture /.../ especially in response to the many different circumstances of material life”.

¹⁴⁶ Combinations of this method with creative approaches have proven their usefulness and effect in prison environment concerning social communication development and preparation for release. Considering specific problems, obstacles and background of inmates, regular educational and development programs and set goals may be less or even non-effective.

¹⁴⁷ See: *Moll*, L. C. L. S. *Vygotsky and Education*. Routledge, 2014.

Lindgren, A., *Heikkinen*, A. (eds.). *Social Competences in Vocational and Continuing Education*. Peter Lang, 2004.

¹⁴⁸ See: *Elenurm*, T., *Ennulo*, J., *Laar*, J., 2007.

Elenurm, T. Entrepreneurial orientations of business students and entrepreneurs. *Baltic Journal of Management*, 2012, Vol. 7, No. 2, pp. 217–231.

¹⁴⁹ See: *Elenurm*, T. Knowledge Sharing Challenges in Developing Early-stage Entrepreneurship. 2013.

¹⁵⁰ See: *Elenurm*, T. Knowledge as open space. *Electronic Journal of Knowledge Management*, 2010, pp. 201–208.

Elenurm, T. Open space as a knowledge metaphor and a knowledge sharing intervention. *Knowledge Management Research & Practice*, 2012, 10 (1), pp. 55–63.

Health Issues

Generally, mental health among the prison population should be of a greater concern. Nearly a half of prisoners suffer from mental health problems.¹⁵¹ Many mentally ill prisoners remain undetected and undertreated.¹⁵² The early phase of imprisonment is a vulnerable period with a moderately high incidence of adjustment disorders.¹⁵³ The study showed that so is the release phase – many of the released suffer from post-incarceration syndrome (PICS) and relapse.¹⁵⁴ Solitary confinement, as a correctional measure, deepens those syndromes.¹⁵⁵ Respondents and their family members admitted continuing difficulties in both physical and mental adjustment after lengthy solitary confinement (in Estonia it can last up to 250–350 days).

Another aspect that was strongly underlined, especially by the specialists of Estonian Unemployment Insurance Fund and family members, was the problem related to social and communication skills. The lack of interaction with regular community and predominance of subcultural affect is also noted by prisoners themselves. The importance to relate these skills to the prison education is obvious (*Cook*, 2015).¹⁵⁶

Conclusions

The state, says Michel Foucault,¹⁵⁷ is a practice, not a thing, and power is not a thing but a relation. This power of the state over a person sets an environment that enhances or inhibits the potential of punishment time.

The current paper highlighted one of the mismatches among the interest of the public, executive power and a specific subject group of that power – prisoners and released, acting on the labor market. Prisoners is one of the minority sectors in Estonian society who have historically been a subject group for policy creation not a participating party. These people, mostly young men, however, are entering society again. It is largely affected by the state policy,¹⁵⁸ whether they have a chance or remain a burden for society through social and direct fiscal cost. Both those in power and the condemned express that there is a need to change norms, meanings and interpretations of the imprisonment punishment, and related to this the right for work, studies, personal and professional development training, which are necessary to cope with the regular society.

¹⁵¹ See: Fact Sheet. Prison and Health. World Health Organization. WHO, 2015. Available at <http://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/data-and-statistics/fact-sheet-prison-and-health> [last viewed 31.08.2015].

¹⁵² See: *Andersen, H. S.* Mental Health in Prison Populations. A review – with special emphasis on a study of Danish prisoners on remand. *Acta Psychiatrica Scandinavica*, 2004, 110, pp. 5–59.

¹⁵³ Ibid.

¹⁵⁴ See: *Gorski, T. T.* Articles by Terence T. Gorski, 2015. Available at http://www.tgorski.com/gorski_articles/gorski_articles.htm [last viewed 31.08.2015].

¹⁵⁵ *Andersen, H. S.*, 2004.

¹⁵⁶ See: *Cook, B.* What is Social Communication? Southern Connecticut State University, 2015. Available at <https://www.southernct.edu/academics/schools/education/asd-center/Social%20Communication%20final%206-13-13.pdf> [last viewed 31.08.2015].

¹⁵⁷ *Taylor, D.* (ed.). Michel Foucault: key concepts. Acumen, 2011.

¹⁵⁸ See: *Kriminaalpoliitika arengusuunad aastani 2018 heakskiitmine* [Approval of Development Trends of Criminal Policy until 2018]. *Justiitsministeerium* [Ministry of Justice] *Riigiteataja* [Government Gazette], 2010. Available at <https://www.riigiteataja.ee/akt/13329831> [last viewed 31.08.2015].

The problem. The underlying mixed method action research of the paper (Stewart 2013 and 2014)²⁴ was compared to the corresponding studies from other countries and revealed that specific obstacles – legal, economic and social – are both real and strongly perceived by inmates (Stewart, 2013) and released persons, also by their family members, specialists of Estonian Unemployment Insurance Fund (according to Stewart, 2014) and the interviewed prison specialists. Those limitations may affect the choices that an inmate could make after release.

The paper shows that the released prisoners are subject to different forms of social, legal and economic obstacles in execution of their aspired and intended potential as participatory members of the labor market. They are rather marked as excluded in the regular labor market. The application of these obstacles and their effect depend on numerous factors, including but not limited to, committed crime, educational background, age, location, surrounding network, personality and prior life history (professional experience and practice) of the person but they more or less affect the employment success after release. Convicts, currently, are strongly discouraged to see their future as a person returning to the labor market.

Estonian entrepreneurial market is still developing and reshaping. The integration of minority and groups and other groups with limited access to employment could be one of the directions for expanding. Involving the released prisoners as entrepreneurs, providing better incarceration-time opportunities for business studies and monitored activity might be one of the ways to encourage entrepreneurship and carry out the ambitious goals that the government and society have set for the coming years.

Due to the specific problems of the prisoners (related to experience, background, health, security limitations, willingness, etc.), it is probably too enthusiastic to believe that the entrepreneurial potential among inmates reaches the same level as that of the general public (approximately 20%), despite the expressed enthusiasm. The current policy (0.4% of inmates a year are involved in some entrepreneurship course, and no practice is involved) does not seem to cover the full potential either. More importantly, if the inmates continuously fail to get any opportunity to work or develop, there is hardly any basis for work-related activity except some personally driven, rare exceptions.

The study among Estonian male prisoners demonstrates that prisoners:

- 1) as general population, differ by their potential to become either a contributor to society or a burden in terms of public interest, spending and social cost;
- 2) have unused capacity to contribute to the labor market during the time of imprisonment;
- 3) most prisoners show greater interest towards contribution to social life, including work and studies than it is possible to exercise currently;
- 4) work as a measure for rehabilitation, treatment, activity, study and preparation for the entry into the society is not properly used by the state power in Estonia. Rather, it diminishes the meaning of imprisonment and weakens the subject under that power, as well as the society as a recipient of the released afterwards;
- 5) after release, in order to become and remain self-sustainable, former felons should ideally be either employed or act as legally self-employed – this entry is not supported by required preparation during their captive time, especially considering that imprisonment can be lengthy;

- 6) during their incarceration time, the inmates develop specific traits that are comparable to other weakened groups who have limited opportunities to compete on the labor market.

Proposed solutions:

- 1) In order to expose and develop their possible potential, the educational and professional development of inmates, as well as the general upkeep during the confinement should be tailored to the current possibilities and the prospective future, both from personal and communal perspective. Prisoners, like the general population of Estonia, have different personalities, life experience, educational background, willingness to achieve and driving forces. As possible entrepreneurs or self-employers, the former offenders differ also according to their entrepreneurial type. Therefore, the re-entry into regular society should ideally be seen in segregated sectors of preparation requirements.
- 2) The measure that Estonian government is declaring as a priority – enhancing economy through small and medium size entrepreneurial activity, should definitely embrace prisoners. There are numerous preparation programs designed for the ones who have dropped out of the labor market in order to strengthen their chances to get re-employed or become an entrepreneur. Those programs would, if used, prepare incarcerated people during their captive penalty to expand or at least retain their opportunities to be successful on the labor market after release (Appendix 1). According to the survey, the information about support programs does not reach the subjects. Practice of those programs, meaning actual work, preparation for employment after release, finding a suitable work on the market, offering one's services properly, etc., is not exercised in prisons. The problem is not the lack of state-supported aid that is already designed but the practice and real possibilities to access those measures.
- 3) Considering the high percentage of challenged people among prisoners due to various specific circumstances, the measures¹⁵⁹ of social security, labor market and healthcare should be monitored and exercised among this specific sector.

Based on the conducted study, it is not possible to give an exact number or percentage of the prisoners currently in Estonian prisons who would be suitable or willing (with meaningful external help) to start sustainable enterprise. This would require more personalized face-to-face evaluation of the potential of current inmates by professionals on different fields. Nevertheless, the potential of Estonian male prisoners is not fully exposed by the current policy of incarceration and re-socialization.

Directions for the **further discussion** and development should involve the following issues:

- Meaningful work in prison.
- Vocational study and training in prison.
- Organizing entrepreneurial education and practice in prisons.
- Reconsidering limitations on legal entrepreneurial activity for the released.

¹⁵⁹ See: *Vabariigi valitsus* [Estonian Government]. *Sotsiaalne turvalisus* [Social security, labor market, healthcare]. Retrieved from Government: Objectives and Activities. Available at <https://valitsus.ee/en/objectives-activities/social-security-labour-market-healthcare> [last viewed 31.08.2015].

- Support after release – models of step-by-step entrance into society through labor market and entrepreneurial activity as a measure of security and sustainability of the community.

Estonian Human Development Report, an annual report of the Estonian Co-operation Assembly,¹⁶⁰ address neither about this particular group – persons with criminal records, nor does it touch upon criminality of the society or its impact. Former offenders should be linked to these analyses as compared to the general population with similar characteristics in the future.

Perhaps, an organizing and voicing body for the released similar to those existing for other minorities with limited opportunities (e.g. the Estonian Chamber of Disabled People), who have created standard roles for equal treatment and exposed their potential in society. It is, however, obvious that more specific studies are necessary on the potential of incarcerated persons. The current activity of prisoners themselves aiming at being heard, is rather personal, random, exhausts institutional resources but fails to affect the system in its entirety.

¹⁶⁰ A non-governmental body, which monitors influential priority topics of Estonia's long-term development, conducts analyses, proposals and policy advices involving all stakeholders and interested parties of society.

Appendixes

Figures

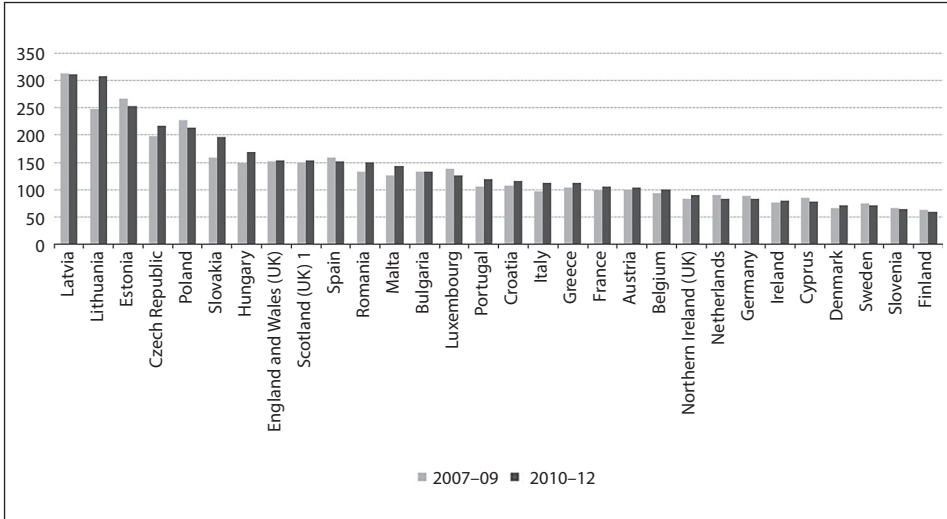


Figure 2. Prison population, average per year (per 100 000 inhabitants) (EuroStat, 2015)

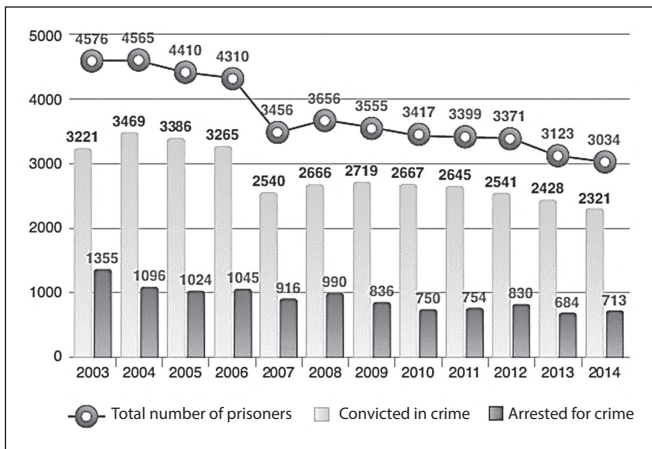


Figure 3. Prison population in Estonia 2003–2014

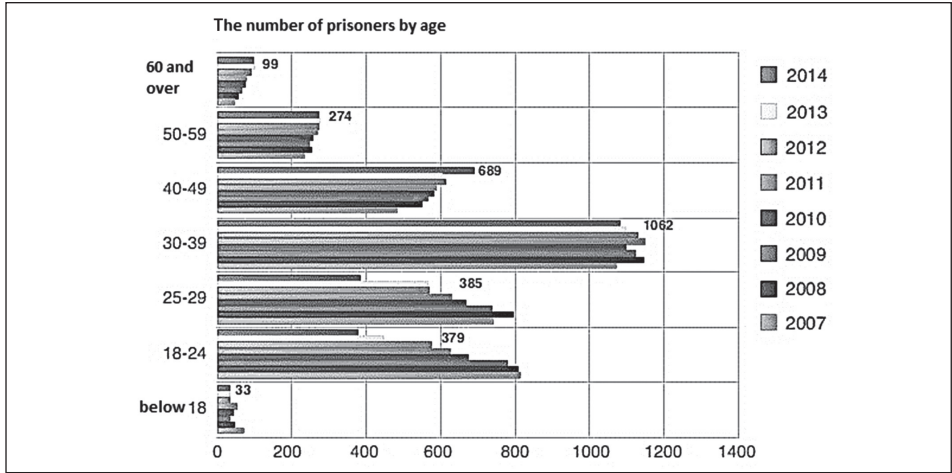


Figure 4. Age of Estonian prisoners (both male and female combined)

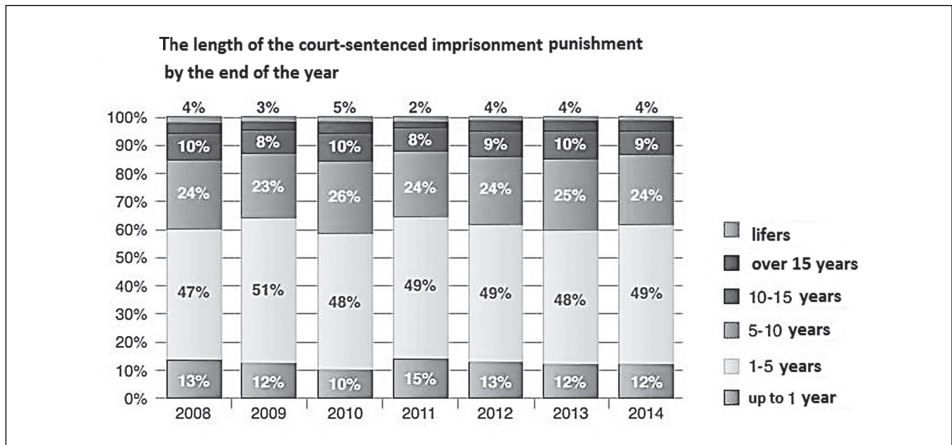


Figure 5. The length of the sentenced incarceration (punishment)

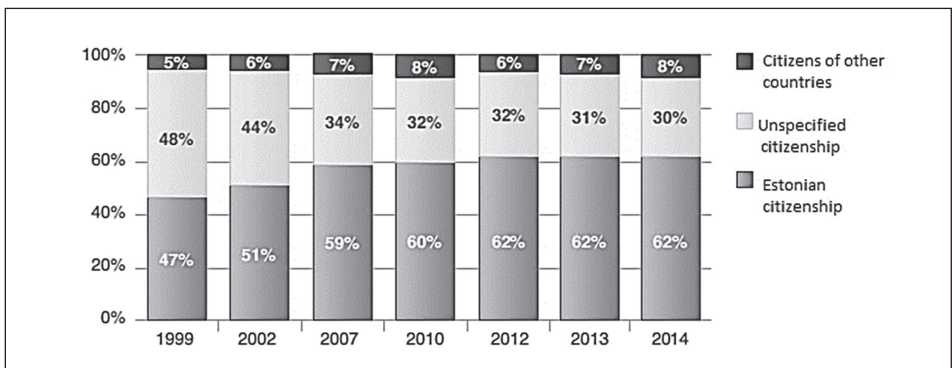


Figure 6. Estonian prisoners by citizenship (Justitsministeerium [Ministry of Justice], 2015)

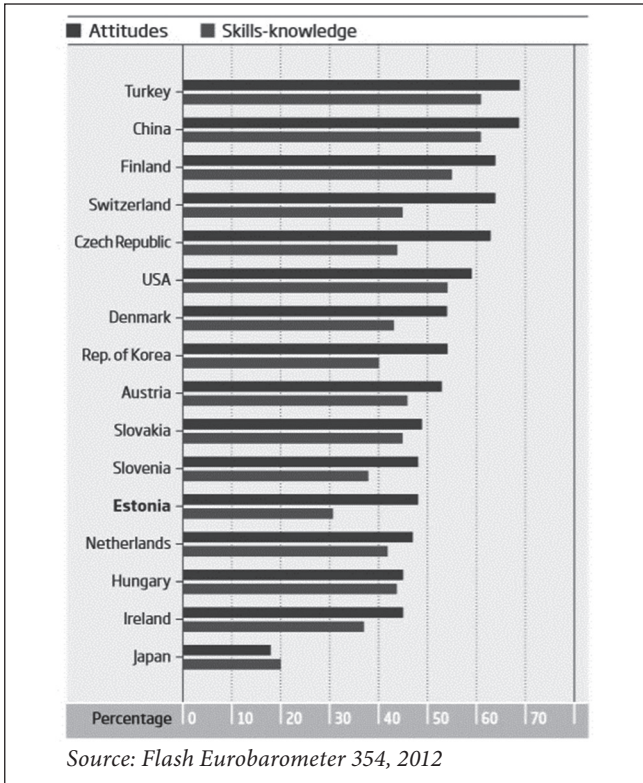


Figure 7. The role of school in the development of entrepreneurial attitudes, knowledge and skills

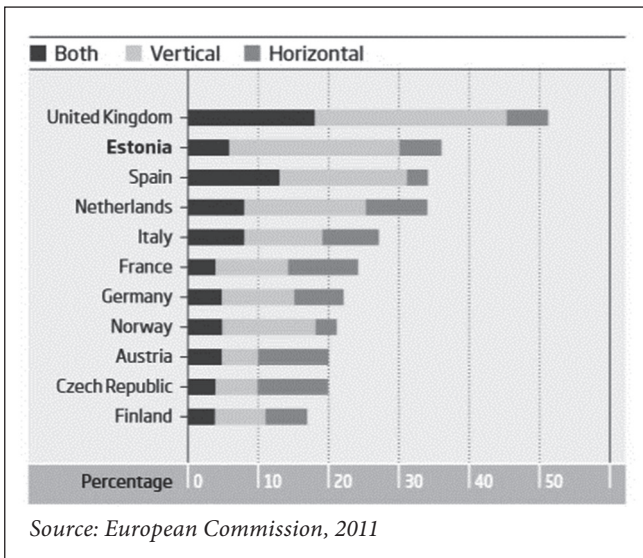


Figure 8. Vertical and horizontal incompatibility between the labor market and education

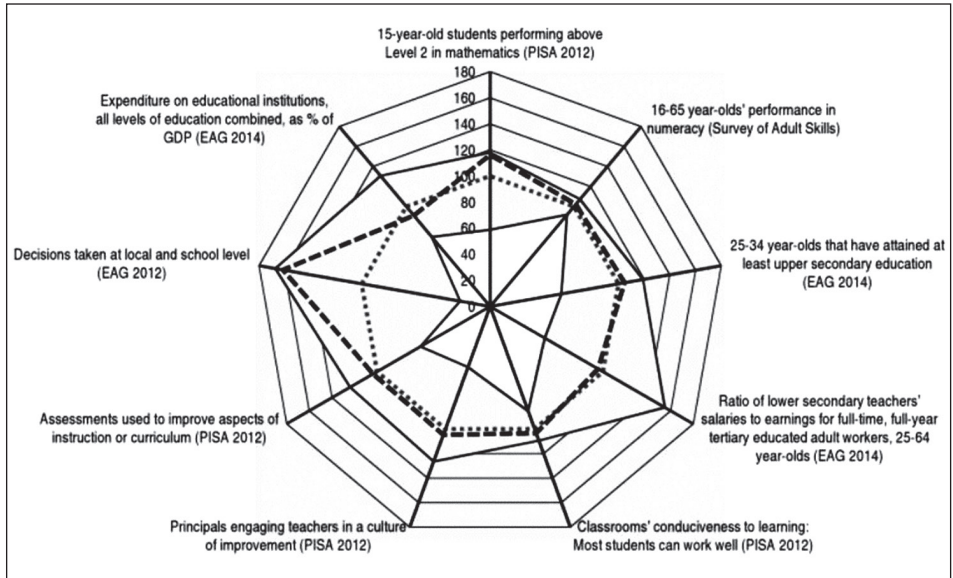


Figure 9. Education Policy Snapshot Survey. OECD (OECD, 2015)

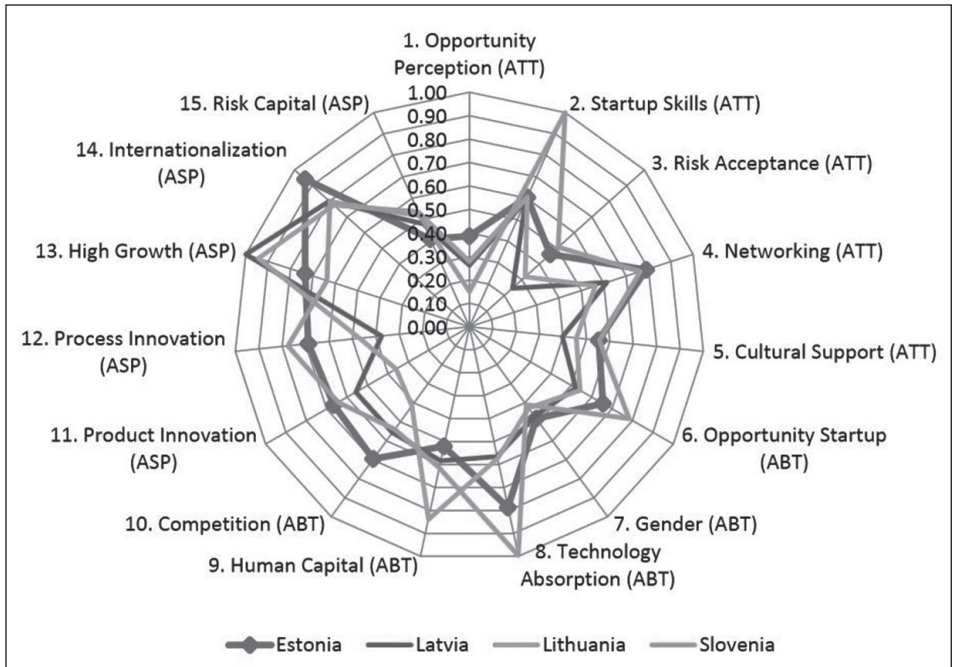


Figure 10. Estonia's entrepreneurial profile compared to Latvia, Lithuania and Slovenia

Tables

Table 1. Small enterprise course in Tartu prison

Year	2009	2010	2011	2012	2013
Available places	16	14	13	10	11
Started a course		15	11	11	9
Finished a course		11	10	10	

Table 2. Salaries in Prison Industry Ltd/ AS Vanglatööstus in 2011

Labor input/ €	2012	2013
Wage expenditure	359 282	369 441
Social benefits taxes	140 477	125 610
Wages of the advisory committee members	15 607	15 607
Wages of the board of officers	37 718	39 000
Wages of persons working under Imprisonment Act	236 982	244 712
Sum of labor input	790 066	794 370
The average number of workers (calculated to full-time employment)	24	26
Average (per person)	32 919	30 552

Data about the officer			Type of the wage		
Employing body Prison Industry, ltd.	The name of the officer	Position	The basic pay	Supple- mentary benefits	Holiday pay
AS Eesti Vanglatööstus	Raivo Kütt	Member of the board	2 472,19	0	0
AS Eesti Vanglatööstus	Jürgen Rakaselg	Member of the board	2 837,64	0	0
AS Eesti Vanglatööstus	Eron Sakur	Member of the board	2 472,19	0	0
AS Eesti Vanglatööstus	Tarmo Vaik	Member of the board	3 708,33	0	0
AS Eesti Vanglatööstus	Enn Veskimägi	Member of the board	2 837,64	0	0
AS Eesti Vanglatööstus	Erik Sandla	Member of the board	376,20	0	0
AS Eesti Vanglatööstus	Andrei Korobeinik	Member of the board	376,20	0	0
AS Eesti Vanglatööstus	Ants Leemets	Member of the board	416,62	0	0
AS Eesti Vanglatööstus	Voldemar Nellis	Member of the Committee	33 568,37	6 400,00	4 626,64

Table 3. When did you last use a computer

Age of the respondent	When did you use computer last time/ average in months	Incarceration time of the respondent	When did you use computer last time/ average in months
46–67	12.0*	More than 6 years	33.7
35–45	22.2	Median 6 years	
25–34	26.4	6 years or less	15.5
18–24	19.4		

*Most persons, who said that haven't used at all or it was a long time ago, fell into this category

Table 4. The answers to the questionnaire 2013/2014: Q75

Q75: What do you consider the most important obstacle in legal occupation of ex-convicts?			
	An option given in the questionnaire	Number of respondents, who chose that option	Percentage of respondents who chose that option
1	Insufficient education or theoretical preparation	138	64,8
2	Insufficient skills (what kind of?)	114	53,5
3	Legislative obstacles	76	35,7
4	Insufficient assistance (what kind of?)	78	36,6
5	Lack of support (from whom?)	94	44,1
6	The attitude of other people and society (how is it exposed?)	121	56,8
7	General situation after release – debts, no home, personal issues	163	76,5
8	Something else (please, list)	63	29,6

Table 5. The answers to the questionnaire 2013/2014: Q68

Q68: What stops you?			
	An option given in the questionnaire	Number of respondents, who chose that option	Percentage of respondents who chose that option
1	Money	123	57,7
2	Education	77	36,2
3	Skills	51	23,9
4	Age	34	16,0
5	Family	26	12,2
6	Criminal record	123	57,7
7	Something else (please, list)	29	13,6

Appendix 1. Active employment support measures of Estonian Unemployment Insurance Fund, many of which could be expanded to inmates

Wage subsidy, business start-up support, adaptation of the workplace, provision of a technical aid, working with a support person, public work, vocational training, job search workshop, career consulting, practical job training, work exercises, assistance service on a job interview, psychological counselling, social rehabilitation, employment club, volunteer work, provisional work, debt counselling, mentoring, addiction counselling, collective work, individual job-placement planning, caretaking service, additional training for business start-up grant recipients, program “My first job”, Career information room and other services.

Services may be adjusted from a year to year.

Appendix 2. Subsidies to employers who hire a person with a criminal record

Labor Market Services and Benefits Act

§ 18. Wage subsidy

- (1) Wage subsidy is a benefit payable to employers for employing unemployed persons.
- (2) Wage subsidy may be paid for the employment of an unemployed person who:
 - 1) has been registered as unemployed for at least twelve consecutive months;
 - 2) is of 16–24 years of age and has been registered as unemployed for at least six consecutive months;
 - 3) has been registered as unemployed for at least 12 months within 15 months and whose registration as unemployed has in the meantime been terminated under the circumstances provided for in clauses 6 (5) 3)–3²) or 7) of this Act;
 - 4) has been released from prison within the twelve months preceding registration as unemployed;

Appendix 3. Professions prohibited to persons with criminal records in Estonia

Republic of Estonia Child Protection Act

§ 51. Restriction on working with children

(1) A person who has been punished or to whom coercive treatment has been imposed for a criminal offence provided for in §§ 133–133³, 141–145¹, 175, 175¹ or 178–179 of the Penal Code, the information concerning punishment of which has not been deleted from the punishment register according to the Punishment Register Act or the information concerning punishment of which has been deleted from the punishment register and entered in the archives of the punishment register, may not be a person working with children, including a child protection official.

Civil Service Act

§ 15. Persons who may not be employed in service

The following person may not be employed in service:

- 1) who is under punishment for an intentionally committed criminal offence;
- 2) who has been punished for an intentionally committed criminal offence against the state, regardless of the deletion of the information concerning punishment;

Military Service Act

§ 86. Persons who are not accepted for active service

The following person shall not be accepted for active service:

- 1) who is a suspect or accused in a criminal matter;
- 2) a person under punishment for an intentionally committed criminal offence;
- 3) has been convicted and deprived by a court judgment of the right to work in a post related to military service or in a post related to any other public service;
- 4) who has been released from military service or a post in any other public service if less than a year has passed from the release;

Digital Signatures Act

§ 21. Restrictions on employees of certification service providers

Employees of certification service providers who are involved in providing certification services shall not have a criminal record for an intentionally committed criminal offence.

§ 29. Restrictions on employees of time-stamping service providers

Employees of time-stamping service providers who are involved in providing time-stamping services shall not have a criminal record for an intentionally committed criminal offence.

Courts Act

§ 47. Requirements for judges

(2) The following shall not be appointed as a judge:

- 1) persons who are convicted of a criminal offence;

§ 103. Requirements for lay judges

(2) The following shall not be appointed as a lay judge:

- 1) a person who is convicted of a criminal offence;

§ 115. Requirements for assistant judges

(3) The person specified in subsection 47 (2) of this Act and the person released from the judge's office on the basis of clause 99 (1) 3) of this Act may not be appointed as an assistant judge.

§ 1251. Judicial clerk

(4) A person who complies with the requirements set out in clauses 47 (1) 1) – 3) of this Act may be appointed as a judicial clerk. A person who, pursuant to the Public Service Act, cannot be employed in the service as an official shall not be appointed as a judicial clerk.

Security Act

§ 23. Prohibition on working as security guard

(1) It is prohibited for a person to work as a security guard if he or she:

- 1) has restricted active legal capacity;
- 2) is serving a sentence for a crime or if information concerning a punishment for a crime committed by him or her has not been expunged from the punishment register.

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