

Ethnic and Language Policy of the Republic of Lithuania: Basis and Practice

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Abstract

The contemporary Lithuania is a multiethnic country for which formulating an appropriate ethnic and language policy after the restoration of independence represented the key aspect for consolidation of the democratic political system. The article provides an overview of the legislative development of the Republic of Lithuania in the area of rights of ethnic minorities within the interpretive scope referring to Lithuanian political discourse and international political and legal standards. The basis of the Lithuanian concept is confronted with the scope of practical consequences brought about by real application. It is argued that the effort to accommodate the groups of ethnic subjects of neighbouring regionally hegemonic countries reflects in two principles: firstly, in inclusive and relatively tolerant attitude towards ethnic minorities, including the issue of citizenship, minority school system and culture; secondly, in strict language regulation and political valorisation of Lithuanian as the privileged means of communication in the public sphere.

Keywords: Lithuania; ethnic minorities; ethnic policy; language policy.

Introduction

When, at the end of the 1980s, the national movements in Baltic states found themselves in the head of the national emancipation fight leading to disintegration of the Soviet Union, the process of Lithuanian National Revival in the society, including the Communist Party, seemed to have reached the top. However, the direct experience of 50 years of Sovietization and Russification policy caused the situation when the formal restoration of independence was only the first necessary, but not sufficient, step to the proclaimed strategic objective of Lithuanian elites, the revival of Lithuanian national state. Under such circumstances, formulating suitable policy towards ethnic minorities seemed especially important. It was directly connected to the issue of citizen's loyalty, and consequently also to the internal political consolidation, essential for the position of the state in the international system. Nonetheless, even after a successful phase of transition to democracy it still is one of the factors conditioning the stability of the political system.

The purpose of the following text is to present an overview of the legislative development of the Republic of Lithuania in the area of ethnic and language policy. The interpretive scope is based on the knowledge of Lithuanian political discourse as it has developed since the time immediately preceding the restoration of independence until present, when Lithuania is fully integrated into the European integration structures confronting the country's policy with new standards. For more compact picture of functioning of the Lithuanian model, the attention is aimed at practical consequences of ethnic and language policy arising from the application of conceptual provisions to the real situation.

Ethnic Structure of the Population of the Republic of Lithuania

Contemporary Lithuania is a multiethnic country with significant numerical predominance of the titular nation. Comparisons of the results of 1989 and 2001 censuses, and also the following estimates based on the data from the civil registry verify the subtle trend of ethnic homogenization.

Compared to the neighbouring Baltic states, Lithuania is relatively ethnically homogenous state due to which in the region of Central and Eastern Europe it is rated among the countries with moderate ethnic diversity, such as Bulgaria, Slovakia, Romania and Russia [Moser 2005: 129]. A possible proof of this fact is Tab.1, which presents the ethnic differentiation in the mentioned region according to the Piasecki index.¹

Tab. 1. Ethnic differentiation in the countries of Central and Eastern Europe according to the values of Piasecki index (1999-2003 censuses).

Country	Piasecki index	Country	Piasecki index
Albania	97	Slovenia	69
Poland	94	Serbia	69
Czech Republic	89*	Belarus	67
Hungary	85	Russia	64
Croatia	81	Ukraine	64
Romania	81	Estonia	53
Slovakia	75	Macedonia	48
Bulgaria	72	Latvia	42
Lithuania	71	Monte Negro	30

Source: Result by the author according to [Piasecki 1964]; the initial specification of the ethnic structure according to [The Census Online].

* The value is valid when considering the group of Czechs, Moravians and Silesians as one ethnic group. When calculating these ethnic groups separately, the index value reaches 82.

According to the census taken on 6th April 2001, in Lithuania there were members of 115 different ethnic groups, which together represented 16.5% of the population of the Republic of Lithuania (Tab. 2). At least 100 citizens claimed to belong to 29 different ethnic groups, from which 11 ethnic groups registered at least 1000 members.

Tab. 2. Ethnic structure of the population of the Republic of Lithuania (1959-2001 censuses).

Year Ethnic group	1959		1970		1979		1989		2001		2008*	
	Numbers In thousands	Percentage	Numbers In thousands	Percentage	Numbers In thousands	Percentage	Numbers In thousands	Percentage	Numbers In thousands	Percentage	Numbers In thousands	Percentage
Lithuanian	2150.8	79.3	2506.7	80.1	2712.2	80.0	2924.3	79.6	2907.3	83.5	2837.4	84.3
Polish	230.1	8.5	240.2	7.7	247.0	7.3	258.0	7.0	235.0	6.7	208.3	6.2
Russian	231.0	8.5	268.0	8.6	303.5	8.9	344.5	9.4	219.8	6.3	168.1	5.0
Belarusian	30.3	1.1	45.4	1.5	57.6	1.7	63.2	1.7	42.9	1.2	36.7	1.1
Ukraine	17.7	0.7	25.1	0.8	32.0	1.0	44.8	1.2	22.5	0.7	20.3	0.6
Jewish	24.7	0.9	23.6	0.8	14.7	0.4	12.4	0.3	4.0	0.1	3.3	<0.1
Latvian	6.3	0.2	5.1	0.2	4.4	0.1	4.2	0.1	3.0	<0.1	2.5	<0.1
German	--	--	--	--	2.6	<0.1	2.1	<0.1	3.2	<0.1	3.3	<0.1
Tatar	3.0	0.1	3.4	0.1	4.0	0.1	6.2	0.1	3.2	<0.1	2.9	<0.1
Romany	1.2	<0.1	1.9	<0.1	2.3	<0.1	2.7	<0.1	2.6	<0.1	2.5	<0.1
Other	16.3	0.6	8.8	0.3	11.2	0.3	13.4	0.4	7.6	0.2	8.5	0.2
Unspecified	--	--	--	--	--	--	--	--	32.9	0.9	72.6	2.1
Total	2711.4	100	3128.2	100	3391.5	100	3674.8	100	3484.0	100	3366.4	100

Source: [Department of Statistics to the Government of the Republic of Lithuania].

* The data from 1st January 2008 comes from the statistics of Civil Registry Service to the Ministry of Interior of the Republic of Lithuania.

The territorial distribution of ethnic minorities is considerably uneven. A specific multiethnic area is the east and south-east of Lithuania. In the region, with the existing administrative division of the country definable by the borders of Utena and Vilnius regions, there live only 29.7% of Lithuanian population, but 95.5% of all Lithuanian Poles, 56.3% Russians, 79.7% Belarusians, 49.1% Ukrainians, and 73.4% Jews. In the two mentioned regions together with

1 The index of ethnic differentiation designed by Polish geographer Piasecki is calculated as $S = 100 \sum n_i^2 / N^2$, where n_i is the number of members of an ethnic group and N is the number of citizens of the country [Piasecki 1964 in Kosiński 1969: 395]. The calculation includes minorities representing at least 0.1% of the population, smaller groups do not affect the result after rounding them to whole numbers.

west-Lithuanian region Klaipėda on the Baltic coast, where is also large Russian speaking minority, there live 85% of members of Lithuanian ethnic minorities (Tab.3, Fig.1). Among cities, the most ethnically diverse are Vilnius and Klaipėda. Specific ethnic structure is observed also in the city of Visaginas near Ignalina nuclear plant, where the majority of professional staff consists of Soviet immigrants (Tab.4) [Kasatkina et al. 2006: 382-385].

Tab.3. Ethnic groups in regional population structure in the Republic of Lithuania in % (2001 census).

Region	Nationality	Lithuanian	Polish	Russian	Belarusian	Ukrainian	Other
Alytus		95.3	2.1	1.3	0.4	0.2	0.5
Kaunas		93.9	0.5	3.7	0.3	0.4	0.5
Klaipėda		84.2	0.3	11.4	1.0	1.3	0.9
Marijampolė		98.5	0.2	0.6	0.1	0.1	0.3
Panevėžys		96.3	0.2	2.5	0.2	0.3	0.3
Šiauliai		95.4	0.2	3.0	0.2	0.4	0.6
Tauragė		98.7	0.1	0.6	0.1	0.1	0.3
Telšiai		97.4	0.1	1.5	0.2	0.2	0.3
Utena		77.1	4.5	13.4	2.0	1.1	0.8
Vilnius		54.9	25.4	11.6	3.6	1.1	1.2
Total		83.5	6.7	6.3	1.2	0.6	0.7

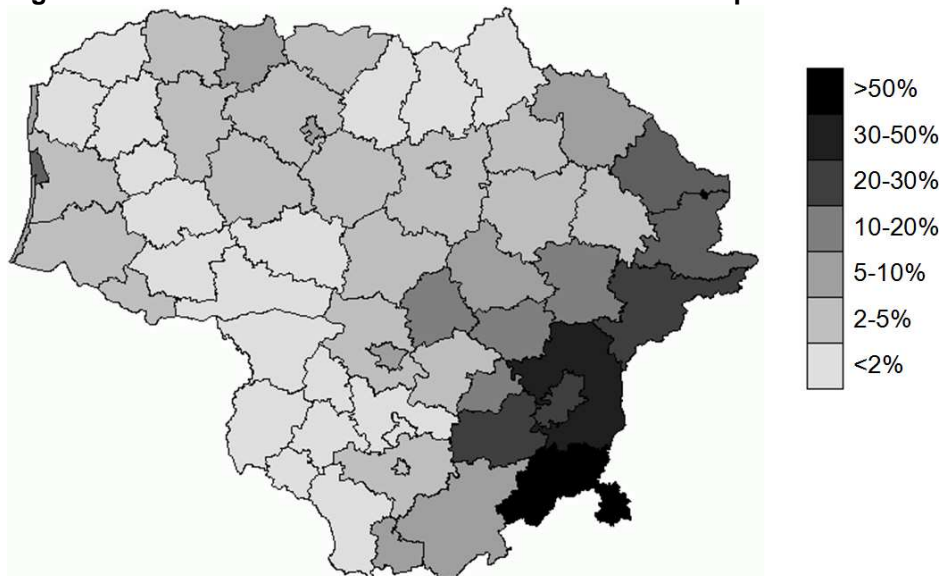
Source: [Department of Statistics to the Government of the Republic of Lithuania].

Tab.4. Ethnic groups in population structure in selected cities of the Republic of Lithuania in % (2001 census).

City	Nationality	Lithuanian	Polish	Russian	Belarusian	Ukrainian	Other
Vilnius		57.5	18.9	14.0	4.1	1.3	4.2
Klaipėda		71.3	0.4	21.3	1.9	2.4	2.7
Visaginas		15.0	8.6	52.4	9.7	5.4	9.0

Source: [Department of Statistics to the Government of the Republic of Lithuania].

Fig.1. Territorial distribution of ethnic minorities in the Republic of Lithuania.



Source: Author according to [Department of Statistics to the Government of the Republic of Lithuania].

The Lithuanian specifics is that unlike their neighbours in the Baltic region the biggest percentage among ethnic minorities is taken by two roughly equally large ethnic groups, Polish and Russian,² none of which is politically dominant over the other. Both groups consist of ethnic

² According to the 2001 census, the percentage of Poles and Russians among non-Lithuanian ethnic groups represent 40.7% and 38.1%, i.e. 78.8% total. In Estonia and Latvia, only the Russian minority represents 79.8%, or 69.9% of all local minority members respectively. In addition, numerically following minorities in both countries are Ukrainians and Belarusian, significant part of whom share language and other social specifics with Russians [2000 Round of Population and Housing Census].

members of big neighbouring nations, which played the role of a political hegemon in the Lithuanian territory in various historical periods. This fact provides certain conflict potential. The members of Russian, and to certain extent also Polish, minorities can feel somewhat frustrated due to the loss of former politically privileged status. Consequently, this can undermine the loyalty to the independent country of Lithuania. On the other hand, the positive attitude of Lithuanian political elites to the requirements of these minorities is viewed discontentedly by Lithuanian public with the continuing prism of anti-imperial sentiment.

Therefore, Lithuania is usually ranked among those countries in the region of Central and Eastern Europe where ethnicity is a polarizing and thus politically mobilizing element.³ In the study carried out by Geoffrey Evans and Ariana Need, in which the authors tried to quantify the ethnic polarization (defined as “the difference between the positions taken by members of the ethnic majority members and members of ethnic minorities on issues concerning minority rights”) on the basis of national sample research in post-communist countries, however, Lithuania was placed 5th out of 13 as it proved polarization considerably smaller not only than Estonia and Latvia on the first two places, but also than Slovakia and Romania [Evans, Need 2002].

Ideological Bases for Creating Ethnic and Language Policy

The margin from the other two Baltic states in this comparison lies in the fact that in the late 1980s and early 1990s Lithuania, within the Baltic and the whole Central and Eastern Europe region, became a pioneer of liberal politics related to the integration of minorities into the political system, unusual for a country after long occupation by a non-democratic country, which subdued the biggest manifestations of national identity by various tools most of the time. It is possible to identify a number of reasons ranging from purely pragmatic to very idealistic why the Lithuanian national communists, but also liberal nationalists, were inclined to the inclusive national policy from the beginning. In principle, these motives can be summarized in three main points, which are:

a) Historical multiethnicity of Lithuania: For centuries of their history has Lithuania been a place where different cultures converged and where mingling of national and ethnic identities at various social levels made a specific base of the local patriotism. Despite the disputes in interpretation, which later occurred due to the expansion of modern nationalism, the Lithuanians do not try to hide that the most significant part of their national culture developed under the influence and with relation to multiethnic environment of the historic Lithuania. The democratization enthusiasm of the late 1980s and early 1990s greatly nurtured the idea of creating a multiethnic tolerant society as a mythicized reflection of the Great Lithuanian Principality [Kasatkina et al. 2006: 359].

b) Relatively small percentage of ethnic minorities in the times of transition to democracy: The number of ethnic minority members in Lithuanian SSR in the late 1980s was not much larger than before the loss of independence in June 1940. Contrary to Estonian and Latvia, the Russian minority (together with already autochthonous Polish minority) was better culturally and socially integrated, and thus their integration into the democratization process seemed relatively less problematic [Kopeček 2000: 207-208].

c) Reflection of geopolitical reality and international political status of the country: The Lithuanian political elites realized that for a small country the ethnic minorities might be an important destabilization power during possible international confrontation with their more powerful neighbours. The means for consolidating and strengthening of the national project was therefore supposed to be accommodating and future integration of the ethnic members of the neighbouring countries, even by claiming their cultural legacy as not opposing their own Lithuanian

3 The professor of political science Ronald Suny rates among the central and Eastern European countries, where the ethnicity is polarizing besides Lithuania also Estonia, Latvia, Slovakia, Romania, Bulgaria and Moldova [Suny 2005: 8].

legacy, but participating on it.⁴

Lithuanian Policy of Inclusive Citizenship

This motivation was clearly demonstrated by a unique attitude which led to introduction of inclusive method of granting citizenship. The law in question was passed by the Supreme Soviet of Lithuanian SSR on 11th November 1989 [Law on Citizenship, XI-3329]. In the period of two years it guaranteed the right to get Lithuanian citizenship to all permanent residents of Lithuanian SSR without regard to their nationality, length of stay and knowledge of Lithuanian language (with exception of Soviet Army personnel and their families). The so called “zero option” of granting citizenship helped the fact that during the stated 2 years of the law validity only 350 thousand out of 3.5 million residents did not get the citizenship.⁵

New Law on Citizenship from December 1991 made the regulations for naturalization somehow stricter, these regulations have become the primary method of getting citizenship from immigrants from the period after June 1940. The regulations in question were approximated to the regulations of Latvia and Estonia,⁶ however, in reality the law was interpreted in a much milder manner, which in fact reflected positive experience with integration of non-Lithuanian ethnic minorities on the basis of inclusive elements of the previous law [Lottman 2008: 510]. This attitude gradually led to further reduction of residents without citizenship, which by 2001 had declined to only 10.5 thousand, i.e. 0.3% of the country’s residents (Tab. 5).

Tab.5. Residents of the Republic of Lithuania according to the registered citizenship (2001 census).

Citizenship Nationality	Republic of Lithuania		Without citizenship	
	Number of residents	Percentage	Number of residents	Percentage
Lithuanian	2 904 991	99.9	1 221	<0.1
Polish	232 422	98.9	1 308	0.6
Russian	203 209	92.5	4 549	2.1
Belarusian	39 593	92.4	1 354	3.2
Ukrainian	19 670	87.5	689	3.1
Jewish	3 814	95.2	45	1.1
German	2 923	90.1	56	1.7
Tatar	3 038	93.9	63	1.9
Latvian	2 624	88.8	69	2.3
Romany	2 297	89.3	204	7.9
Total	3 448 878	99.0	10 531	0.3

Source: [Department of Statistics to the Government of the Republic of Lithuania].

Vesna Popovski, working in detail on construction of the institution of citizenship in Lithuania between 1988 and 1993, when analyzing the political discourse in those times she speaks about obvious tension between inclusive concept of citizenship and exclusive concept of nationalism [Popovski 2000: 4]. It is the internal dynamics of this relationship in changed conditions after the country’s consolidation which can be attributed the observed tendency to ethnicize partly the scope of citizenship no later than from the late 1990s.

This trend was concretely demonstrated in the issue of double citizenship. The construction of identity of a small nation in the immediate neighbourhood of stronger countries naturally generates two types of efforts: not to allow double citizenship, which might lead to limiting of

4 Also in this level, it is possible to read the Law on Ethnic Minorities which proclaims that the “[h]istoric and cultural sights of ethnic minorities are regarded as a part of cultural heritage of Lithuania and they are protected by the state” [Law on Ethnic Minorities, XI-3412: art. 6].

5 For one part of the resident population, the reason for not applying for Lithuanian citizenship might be the fear of restoration of the Soviet order and possible following persecutions, loyalty for Soviet identity, but also insufficient knowledge of the necessary procedures [Barrington 1995].

6 The conditions for naturalization stated: a) exam in Lithuanian; b) permanent residence in the republic for 10 years; c) permanent job or other type of lawful provision in the republic; d) exam in basic knowledge of the constitution of the republic; e) giving up possible previous citizenship [Law on Citizenship, I-2072: art. 12].

national political independence by tolerating the internal influence of citizens of regionally hegemonic countries [Barrington 1995], but at the same time to compensate the disadvantage of own size by granting citizenship to as many ethnic Lithuanians, who emigrated and for various reasons they do not want to give up other citizenship, as possible.

The amended Law on Citizenship from September 2002 materialized this tendency when it granted the right to double citizenship not only to persons who had the citizenship of the Republic of Lithuania before 15th June 1940 and their immediate relatives, but also to “persons of Lithuanian origin whose at least one parent or grandparent was Lithuanian and the person in question regards themselves to be Lithuanian“ [Law on Citizenship, IX-1709: art. 18]. The impulse for a change was the review of the Constitutional Court initiated by a petition in November 2006.⁷ In reaction to concrete comments of the court, the Parliament was made to pass an amendment to the law in July 2008, which replaced the ethnically discriminating paragraph about “persons of Lithuanian origin” with a category consisting of deported persons and political prisoners and their immediate relatives [Law on Citizenship, IX-1709: art. 17].

The gradual turning away from the former inclusive concept of Lithuanian citizenship is obvious also in tightening the conditions for naturalization, for which the required length of stay is constantly extended. Behind the reasons can be not only concern with bigger flow of immigrants after joining the EU, and the Schengen Zone respectively, but also the effort to reduce activities of foreigners in Lithuanian politics [Kasatkina et al. 2006: 361].⁸

Legislative Framework and Concept of Protection of Ethnic Minorities

Art. 29 of the Lithuanian Constitution states in general level that “human rights will not be limited or favoured in relation to gender, race, nationality, language, origin, social status, religion, belief or opinions“ [Constitution: art. 29].

Lithuania is a signatory country of many treaties directed towards protection of ethnic minorities on both the universal,⁹ and the regional levels,¹⁰ while according to the Law on Treaties the international law standards ratified by Lithuania are favoured to the internal legislation while mutual conflict wording [Law on Treaties, X-332: art. 11]. The individual articles containing obligations related to protection of concrete ethnic minorities are also part of bilateral treaties with Russia (1991), Poland (1994) and Belarus (1995) [Kasatkina et al. 2006: 357-358]. The explicit promise of protecting ethnic minorities is part of two articles of the Constitution, which oblige the country to support ethnic communities and guarantee them the right to use their language independently and keep their own culture [Constitution: art. 37, 45]. Their own Law on Ethnic Minorities passed by the Parliament on 23rd November 1989 and amended in January 1991 valid till today later became the very first law of this type in the whole of former Eastern Bloc [Law on Ethnic Minorities, XI-3412; Report on Lithuania].

The basis of the Lithuanian attitude is protection of the minorities not with help of objectified definition of group identities and related collective rights, but by specification of these

7 In their finding from 13th November 2006, the Constitutional Court noted that the “very controversial, inconsistent and confusing” legislation regarding citizenship must be radically rewritten so that it does not contradict the Constitution, and especially does not provide scope for discrimination on the ethnic basis [Ruling on the Compliance of the Provisions of Legal Acts Regulating the Citizenship Relations with the Constitution of the Republic of Lithuania, 45/03-36/04].

8 This motivation strengthened especially after the scandal which shook the highest levels of Lithuanian politics, and in which appeared persons with connection to Russian business and political circles; those are for example corruption ties of V. Uspaskich, or non-transparent financing of the presidential campaign of A. Paulauskas.

9 For example the International Covenant on Civil and Political Rights (ratified 12 March 1991), the International Covenant on Economic, Social and Cultural Rights (ratified 20th November 1991), the International Convention on the Elimination of All Forms of Racial discrimination (ratified 10th December 1998), etc.

10 For example the Convention for the Protection of Human Rights and Fundamental Freedoms (ratified 20th June 1995), the 95), Framework Convention for the Protection of National Minorities (ratified 17th February 2000), European Cultural Convention (ratified 5th July 2000), European Social Charter (ratified 29th June 2001), etc.

rights as individual rights of each individual who decides to participate on the culture of the ethnic group [Popovski 2000: 8]. Therefore, the Law on Ethnic Minorities does not formally define a minority and each individual's nationality is defined by their own subjective choice. Being a member of a certain ethnic group is not officially registered, so it is an act of self-identification without further legal consequences [Kasatkina et al. 2006: 351]. With this attitude Lithuania ranks not only among countries where ethnicity is framed strictly and only on the basis of individual choice [Resler 1997], but also where no ethnic minority is denied the status of ethnic minority with all resulting rights. Therefore, all ethnic groups are formally equal regardless their historic status and connection to the Lithuanian territory [Kasatkina et al. 2006: 352].¹¹

Media and Educational Institutions of Ethnic Minorities

In Lithuania, the central state authority responsible for implementing of government's policy towards ethnic minorities and for coordinating the interethnic dialogue is the Department for National Minorities and Emigrants. This Department provides the cultural and educational associations of ethnic minorities with government's organization and financial support on the basis of the Law on Ethnic Minorities [Law on Ethnic Minorities, I-1007: art. 7].¹²

Television and radio broadcasting in Lithuania is based on the principle of licenses, during the decision process for granting the license the responsible committee should also consider the needs of ethnic minorities [2nd Report Submitted by Lithuania, ACFC/SR/II(2006)007: 53-58]. Besides three private radio stations (Polish, Russian, Belarusian) also the state radio and television offer regular short programmes in the minority languages, however, the minorities usually label the extent and broadcasting time of these programmes as insufficient [cf. Implementation of the COE's FCNM in Lithuania].¹³ The market is fully liberalized for printed media. In 2005, there were seventeen periodicals of ethnic minorities with at least regional coverage in Lithuania (Tab. 6). The percentage of newly published books in minority languages reaches up to 16.2% according to the available statistics, and this number in fact corresponds with the percentage of minorities in the society [Report on Lithuania].

Tab. 6. Printed periodicals of ethnic minorities (2005).

Language	Number	Title
Russian	7	Express Nedelya, Fan (Fakty i Novosti), Klaipėda, Litovskiy Kurer, Obzor, Respublika, V kazhdyi dom
Polish	4	Kurier Wileński, Magazyn Wileński, Spotkania, Nasz Czas
German	1	Baltische Runschau
Lithuanian - Russian	2	Lietuvos totoriai, Sugardas
Lithuanian – Polish	1	Vilniaus krašto savaitraštis (Tygodnik Wileńszczyzny)
Lithuanian – German	1	Vokiečių žinios Lietuvoje (Deutsche Nachrichten in Litauen)
Lithuanian - Russian - English - Yiddish	1	Lietuvos Jeruzalė

Source: [2nd Report Submitted by Lithuania, ACFC/SR/II(2006)007: 54-55].

- 11 In this context, Ivo Pospíšil distinguishes four attitudes towards the ethnic minorities in legislations of European countries: a) refusing the objective criteria in the definition of ethnic minorities, thereby the ethnic rights take an individual character; b) the general definition of an ethnic minority; c) listing the ethnic minorities in the territory of a country (numerus clausus); d) declaring non-existence of minorities in the territory of a country [Pospíšil 2006]. In this categorization, Lithuania belongs to the first mentioned group.
- 12 The budget of the Department and the financial tools going to the projects implemented by them have been growing for a long time. The total budget of the office has grown from LTL 6-8 mil. in 2000 to more than LTL 20 mil. in 2007. According to the data of the Association of Poles in Lithuania only approx. LTL 500 thousand were really allocated to independent projects of ethnic minorities [cf. 2nd Report Submitted by Lithuania, ACFC/SR/II(2006)007: 34-38; Implementation of the COE's FCNM in Lithuania].
- 13 For example in 2004, the average broadcasting time of programmes in Lithuanian in all stations of the state radio was 34.8 hours daily, while the programmes in Russian and Polish were together 0.8 hours, or 0.5 hours of average daily broadcasting time. In the case of original programmes and broadcasts of Lithuanian State Television, Lithuanian occupies in average 10.4 hours daily, Russian and Polish only 0.1 hours, or 0.02 hours respectively [2nd Report Submitted by Lithuania, ACFC/SR/II(2006)007: 58].

In Lithuania, the issue of education is traditionally sensitively perceived by both the ethnic majority and also minorities. Lithuanian is compulsorily taught in all types of schools as the official language (see below) [Law on Education, X-1226: par.1, art.30]. According to the amendment of the Law on Education from July 2007, the local authorities also guarantee teaching of the ethnic minority language in regions where this minority traditionally forms a significant percentage of the population and they require this teaching [Law on Education, X-1226: art. 28]. In these regions the government's support is still given for establishment of pre-school facilities and elementary schools of ethnic minorities, which provide education in the minority language with the exception of the subjects when parents or foster parents require education in Lithuanian. The secondary education works on the same basis, but the choice of subjects taught in Lithuanian depends on the students themselves (cf. Tab.7) [Law on Education, X-1226: par. 2, art. 30]. The alternative for members of ethnic minorities, who do not live in compact communities, is attending informal educational institutions subsidized by government, so called Saturday and Sunday schools. In these schools the education focuses on the language, history and culture of the particular ethnic (Tab. 8) [2nd Report Submitted by Lithuania: 68-71]. According to the amendment of the law, it is recommended to provide teaching of the minority language also in Lithuanian schools in that event that more than five students require it and that the education institution has a qualified teacher available [Law on Education, X-1226: par. 3, art. 30]. According to the quoted surveys, the choice of the language of education is usually made in democratic spirit. A partial exception can be cases when the school's management decides to launch bilingual education in order to prevent declining number of students, thus the possible threat of closing the school [Kasatkina et al. 2006: 362].

Tab.7. Number of students of elementary and secondary schools by the language of education in the beginning of the school year.

Lang. Sch.y.	Lithuanian	Russian	Polish	Bela-rusian	Other
2000/01	517 214	40 978	21 940	207	51
2001/02	519 177	37 672	21 710	208	51
2002/03	514 384	33 890	21 314	175	53
2003/04	507 086	30 606	20 549	159	97
2004/05	491 495	27 155	19 507	138	123
2005/06	493 503	26 200	18 473	149	216
2006/07	473 752	23 230	17 321	138	181
2007/08	452 054	20 914	16 156	140	178
2008/09	429 335	19 676	15 064	143	420

Source: [Department of Statistics to the Government of the Republic of Lithuania].

Tab.8. Number of Saturday and Sunday schools of individual ethnics in school year 2004/2005.

Nationality	Number of Saturday/ Sunday schools
Polish	14
Tatar	5
Armenian, German, Russian	4
Belarusian, Latvian, Ukrainian, Jewish	3
Karaim, Romanian, Greek, Uzbek	1

Source: [2nd Report Submitted by Lithuania, ACFC/SR/II(2006)007: 68-70

Especially in recent years there are more common complaints of ethnic minorities' organizations about integration programmes of the Ministry of Education applied in order to make parents from non-Lithuanian ethnic groups enrol their children in Lithuanian schools. Besides other issues the introduction of unified school-leaving exam from the state language is being discussed, the results of this exam are relevant for being accepted to higher educational institutions. In an exam drawn up in this way the pupils from schools with education in minority language naturally get worse results due to smaller number of teaching hours of Lithuanian, and therefore they are handicapped [Implementation of the COE's FCNM in Lithuania]. The tendencies of state authorities to reduce the number of minority schools with full-time study is evident even from the efforts to move the centre of education from minority curricula to relatively ever more subsidized informal institutions of Saturday and Sunday schools.¹⁴

14 This system trend was cautiously criticised even by the Council of Europe [COE Advisory Committee Opinion on

Language Policy

It is a legitimate and proven assumption that the imperative of language legislation in a country which has just got independence will be its significance for nation-building and nation-state-building [Järve 2003: 76]. In the context of Lithuania, which is so historically and culturally tied with other ethnic groups, it is necessary to keep in mind that the primary national self-identification attribute is the language. An excessive scope for public activity of other languages, especially the regionally hegemonic ones, is in Lithuania, due to the historic experience, sensitively perceived as a threat of cultural delithuanization, even with possible consequences for political independence of the country. Due to the general acceptance of this discourse, at the end of the 80's the stimulation language legislation was introduced; its necessity was justified by the need to strengthen the identity of titular nation, to ensure its cultural dominance, and to protect the endemic language itself [Järve 2003: 92].

25th January 1989 the communist presidium of the Supreme Soviet of Lithuanian SSR issued a decree which determined Lithuanian as “the main means of official communication” for all companies, institutions and organizations in the Lithuanian SSR with the exception of the Soviet Army. The final transition to Lithuanian should have been supported by newly established educational institutions during preparation period of two years [Järve 2003: 80]. In the Constitution passed later, Lithuanian is openly determined as the *state language* [Constitution: art. 14]. Therefore Lithuanian is the language of the public sphere, which determines the duty to use it in the area of legislation and in correspondence between the institutions of state administration and local self-government, authorities, companies and organizations. All legal entities working in Lithuania must keep records and documentation also in the state language [Law on the State Language, IX-954: art. 3-5]. Using the language in unofficial communication of the population and during actions of religious organizations and organizations of ethnic minorities is not regulated in any way [Law on the State Language, IX-954: art. 1]. However, the legislative amendment concerning the language rights of the minorities in wider area of state administration is internally inconsistent and conflicting.

The Law on the State Language passed in January 1995 also orders the institutions of state administration and local self-government to provide services in the state language [Law on the State Language, IX-954: art. 7]. However, the Law on Ethnic Minorities allows using the language of the ethnic minority in authorities in those regions where the particular ethnic minority represents a significant part of population (without concretely quantifying this part) [Law on Ethnic Minorities, I-1007: art. 4]. Similarly, while the Law on Ethnic Minorities states the possibility of bilingual signs in the regions with ethnic minority significantly superior in number [Law on Ethnic Minorities, I-1007: art. 5], The Law on the State Language states definitely that (with acceptable exception of bilingualism in the names of organizations of ethnic minorities) “the public signs are in the state language” [Law on the State Language, IX-954: art. 17]. Mutually contradictory regulations of Lithuanian legislation led to legal uncertainty which was criticized among others also by the Council of Europe [COE Advisory Committee Opinion on Lithuania, ACFC/INF/OP/I(2003)008: 15-16]. But there is obvious tendency of the state authorities to favour the legal provision on the state language to the legal provision on ethnic minorities [Implementation of the COE's FCNM in Lithuania].

The government's preferences to use Lithuanian by authorities were in reality smoothed by the fact that in regions with the biggest concentration of ethnic minorities is, even among the officials, naturally high level of bilingualism. According to the survey carried out in 1997, in Eastern Lithuania the languages of ethnic minorities staying here in high concentration were commonly used by authorities [quote in Report Submitted by Lithuania, ACFC/SR(2001)007: 54-57]. Coincidentally, this fact became another argument of the government not to amend the

Lithuania, ACFC/INF/OP/I(2003)008: 19].

legislation and clarify the conflict.

The effort to keep the legislative status quo was also behind the conclusion of the State Language Committee, which recommended not to ratify the European Charter of Regional or Minority Languages in 2001. According to the Committee ratifying it would establish the necessity to amend the Law on the State Language, which would in their opinion weaken considerably the status of the state language, and in some regions it would even put it in secondary position.¹⁵ The Lithuanian political elite follow the recommendation of this Committee in this matter, and they do not grant any minority language the officially confirmed status of regional or non-territorial language.¹⁶

The Estonian analyst Priit Järve in relation to the afore-mentioned conflicts points out the concept of so called geolinguistic discourse, which is generally widely shared in the Baltics. This way of thinking perceives the endemic languages of titular Baltic nations as “minorized majority languages”, i.e. majority languages which deserve the protection usually given only to minority languages. In contrast with them are “majorized minority languages” of the Russian and, in Lithuania also Polish, ethnic groups, thus those ethnic groups which are formally minority inside the country, but in regional context they have hegemonic potential [Järve 2003: 93]. It is obvious that in Lithuania there is competition of two discursive levels which nonetheless pass each other argumentatively. The geolinguistic concept, pushed by the part of Lithuania, faces the legalistic concept of minority language, fundamentally defended by international organizations, and naturally, by the cultural organizations of the ethnic minorities of the country.

However, the conflicts between the Lithuanian majority and ethnic minorities regarding the language policy are not so critical in practice, as it may seem from the mere presentation of activist organizations of the ethnic minorities and nationally oriented part of Lithuanian political elite. The mutual conflicts were weakened due to the high level of bilingualism among the ethnic minority members and among the Lithuanians themselves.

Tab.9. Lithuanian resident population according to their ethnic nationality and mother tongue in % (2001 census).

Nationality	Mother tongue	Lithuanian	Polish	Russian	Belarusian	Ukrainian	Latvian	German	Romany	Other/Not indicated
Lithuanian		96.7	0.1	0.3	<0.1	<0.1	<0.1	<0.1	<0.1	3.0
Polish		7.3	80.0	9.5	0.4	<0.1	<0.1	<0.1	<0.1	2.7
Russian		6.3	0.2	89.2	<0.1	<0.1	<0.1	<0.1	<0.1	4.2
Belarusian		3.8	5.8	52.2	34.1	<0.1	<0.1	<0.1	<0.1	4.1
Ukrainian		5.9	0.4	52.2	0.1	35.2	<0.1	<0.1	<0.1	6.2
Jewish		15.5	0.3	60.2	0.1	0.2	<0.1	0.1	<0.1	23.6
Latvian		28.6	0.3	13.8	0.1	<0.1	53.8	<0.1	0.2	3.2
German		48.9	0.4	16.8	<0.1	<0.1	0.1	24.8	<0.1	9.0
Tatar		31.3	4.5	44.8	0.6	0.1	<0.1	<0.1	<0.1	18.9
Romany		10.6	0.1	2.4	<0.1	<0.1	0.2	<0.1	73.2	13.5
Total		82.0	5.6	8.0	0.5	0.2	0.1	<0.1	0.1	3.6

Source: [Department of Statistics to the Government of the Republic of Lithuania].

Although the phenomena of bilingualism is not expressed by the data from the census (Tab.9), according to the study of Hogan-Brun and Ramonienė, which took place in Eastern and South-Eastern Lithuania, between 1989 and 2000 the percentage of local ethnic minority members with knowledge of Lithuanian rose from 85% to 94% [Hogan-Brun, Ramonienė 2005: 436]. The

15 The conclusion of the Committee quoted in [Kasatkina et al. 2006: 368].

16 The dispute over hanging out bilingual names of streets by the local self-government of the Vilnius district was even discussed by the Supreme Administrative Court, which ordered their removal with the note that “use of state language in the state public life ensures the identity, self-consciousness and expression of the Nation, which is creator of the state and holder of sovereign powers“. The COE Advisory Committee labelled such decision as contradicting the Framework Convention for the Protection of National Minorities, and it is criticised even by the leading Lithuanian academics [COE Advisory Committee Opinion on Lithuania, ACFC/INF/OP/I(2003)008: 16-17; Kasatkina et al. 2006: 370, 387].

conclusions of the quoted study also point out in principle positive attitude of ethnic minorities towards the state language. The biggest part of respondents perceive Lithuanian as a perspective means of social mobility, which testifies its socially integrative potential. There is obvious shift from the situation in Soviet Lithuania, where the role of socially integrative language belonged to Russian, to substituting this role by Lithuanian. The resulting pattern is a relative stabilization of the bilingualism among Lithuanians and Russians, and trilingualism among most of the Poles. While Hogan-Brun and Ramonienė consider creating of bi-cultural “hyphenated identities” as appropriate means for development of societal pluralism while strengthening the inter-ethnic integration [Hogan-Brun, Ramonienė 2005: 437], other author point out the risks of identity crisis and possible future social marginalization of the ethnic minorities [Moskvina 2007]. Furthermore, the question how sustainable is in the long run the overlap of language and cultural identities is still open, and also whether it does not represent only a mere transition phase to a higher level of assimilation of ethnic minorities into the majority society.

Current Discussion

In Lithuania, the new version of the Law on Ethnic Minorities has been discussed for some time, its extended validity will expire at the end of 2009. The main declared aim of the prepared law is to replace the outdated and inconsistent terminology and to remove the mentioned inconsistency of the legal code, which in several point led to factual contradiction of the wording of the law with real practice.

In connection with the knowledge that some regulations of the Law on Ethnic Minorities may in isolated cases provide the ethnic minorities with more rights than how many requires later ratified Framework Convention for the Protection of National Minorities in its strict interpretation, a part of Lithuanian politicians had an idea to make the new law appropriately stricter. However, such intentions met loud protests of organizations of ethnic minorities, but also protest of the Council of Europe itself. The Advisory Committee of the Council of Europe pointed out possible breach of Art.22 of the Convention, which does not allow its interpretation as an argument for reductions of the rights guaranteed by the internal legislation [COE Advisory Committee Opinion on Lithuania, ACFC/INF/OP/I(2003)008: 27].

It is clear that the wording and stating the date of validity of the new law are a subject of a lot of pressure in Lithuanian political scene. In relation to the entry of various participants into the process of negotiation, there was publicised in many cases contradictory information regarding the anticipated form of the draft. Also with regards to this fact, it is not possible to assess reliably Lithuanian ethnic and language policy in the future perspective. It is only possible to state that organizations of ethnic minorities, despite the promise of concession in individual requirements¹⁷, have worried about bigger restrictivity of the new law, which has led part of them to the preference of further extending of the current wording even though they are aware of its vagueness and the resulting problematic features [Kasatkina et al. 2006: 367].

Conclusion

The Lithuanian ethnic policy after the restoration of independence was in the context of Baltic region uniquely liberal. The inclusive attitude, explicitly based on democratic and non-discrimination principles, was applied in the policy of granting citizenship and was embodied even in the wording of the Law on Ethnic Minorities. Since the beginning, the legal framework created by it has met the standards of the relevant international treaties which Lithuania ratified in the

17 For example one of the pre-negotiated compromises with the Polish minority, which can be talked about with the biggest certainty, is the admissibility of writing first names and surnames in Polish alphabet, or characters based on Latin alphabet respectively. The duty to use Lithuanian transliteration in official documents until now should be cancelled [2nd Report Submitted by Lithuania: 63-64].

course of time.

It is indisputable that the Lithuanian concept of the ethnic policy was enabled especially by the objectively existing conditions in the time of national and state emancipation, i.e. relatively favourable ethnic structure of the resident population and related potential of integration of ethnic minorities into the majority society. However, it is obvious that even in the time of its initial formulation, the main motive of the selected policy was the effort to strengthen the state, which would be established as a *nation-state*, hence as a political platform of the Lithuanian nation. This internal tension is permanently reflected in two seemingly contrary principles of the Lithuanian attitude towards the ethnic minorities. They are partly principally inclusive and tolerant ethnic policy as it is manifested in the issue of citizenship, culture and minority education supported by the state, partly strict language regulation which requires accepting Lithuanian as the privileged means of communication in the public sphere.

The Lithuanian model of ethnic and language policy can be perceived as a strategy for adaptation of ethnic members of neighbouring regionally stronger nations in a small national state. The primary successful integration in harmony with stimulation language policy helps accept the “hyphenated” identity of bilingual ethnic minority members. In the long run, such situation creates a certain scope for gradual assimilation while keeping relatively low level of ethnic polarization in the society. How efficient will this strategy prove, it will be more obvious when collecting the ethnodemographic data during the next census in 2011. Its reflection will certainly affect even the potential change or verification of the current ethnic and language policy of the Republic of Lithuania.

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