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To my late father and my mother
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Note on Transliteration

Works cited in this book are transliterated according to the *Cambridge University Library Reader's Handbook* except when I was given a different transliteration of first and second names as well as of work titles by people whom I interviewed.
Part I
1
Conceptual and Methodological Issues Concerning Citizenship Rights of National Minorities

Introduction

The last decade of this millennium will be remembered not only as a time when nationalism once again asserted itself on the stage of history but also for the issue of national minorities. In their quest for freedom and statehood, national majorities in the post-communist world have not always been ready to accept minority groups as equal partners and treat them fairly. Therefore, intrinsically, the study of nationalism has involved the question of the treatment of national minorities.

My research began with the hypothesis that citizenship rights of national minorities in Lithuania are the litmus test of Lithuania’s orientation towards democracy. Therefore, it was important to examine the emergence of nationalism in Lithuania, specifically the Lithuanian national movement, known as Sąjūdis, and its approach towards the citizenship rights of national minorities. The study concentrates on the period between 1988 and 1993 when the national majority and minorities began forming and debating citizenship rights.

The question of national minorities and citizenship rights is not ordinarily viewed as a problem with regard to Lithuania. This is primarily because Lithuania was able to adopt an inclusive policy towards citizenship, pointing out that its national communities were numerically smaller than in the other two Baltic states. This inclusive principle is seen as complying with international laws dealing with the citizenship rights and national minorities. There was therefore an assumption by the international community that Lithuania had been ‘doing better’ than the other two Baltic states (Estonia and Latvia). This has meant that Lithuania has received little attention by scholars in comparison with her Baltic neighbours. My aim is to address this
neglect, and test such assumptions, by exploring how the situation in Lithuania actually was. In particular, I felt that it was important not only to judge the Lithuanian situation according to the letter of the law but also to investigate how these laws were implemented and how both the majority and the minorities responded to them.

Despite its relative ethnic homogeneity, Lithuania contains sizeable minorities, Poles and Russians being the largest. In 1989 Poles and Russians made up 7 per cent and 9.4 per cent of the population respectively. As a result, in Lithuania there is not only the 'Russian question' but also the 'Polish one'. The former receives the attention of the world community, while the latter gets more attention in Lithuania itself. Furthermore, there is nowadays a very small Jewish community (0.3 per cent of the Lithuanian population), but before the Second World War the Jews were the largest national minority in Lithuania.

I chose to study the 'children's years' because at that time different arguments were put on the agenda with an open enthusiasm and a wish to continue the struggle. It was a period of trying to understand what had been happening. It was a period of surprise, trauma and delight, a period of (re)forming one's own opinion, learning to live with it and struggle for it. It was a lively and traumatic period in which every person was pushed to define him/herself and his/her place, within the newly independent state. Furthermore, it was a period in which the demand for sovereignty and the reclaiming of the right to continue its democratic past was made. This demand meant that issues like citizenship rights of national minorities were tackled in an atmosphere of national awakening and the rise of national feelings.

Lithuania has highlighted the fact that, until the Second World War, its treatment of national minorities compared favourably with those of Poland and the Ukraine. The newly independent Lithuania provided an inclusive legal framework for the citizenship rights of its minorities. Citizens of Soviet Lithuania were invited into citizenship of independent Lithuania, with a few exceptions as analysed in Chapter 4. However, Sajudis also highlighted the significance of language as an ethnic marker which was interpreted by national minorities as a barrier which could potentially exclude their members from participating in affairs of Lithuanian state and society.

Both citizenship and nationalism are based on the concept of membership in a community. As such, citizenship and nationalism vary according to the inclusive or exclusive nature of the membership. In the newly independent Lithuania there emerged an increasing tension between citizenship and nationalism. Whereas citizenship was defined in inclusive terms, nationalism became increasingly exclusive. Sajudis...
based its identity on the struggle for independence and on a claim of restoring the ‘democratic tradition of the inter-war period’. Its struggle for an independent democratic Lithuania was shaped by the affirmation of Lithuanian national identity. This was interpreted by some Lithuanians, Russians, Poles and Jews not only as against developing their own national identities but also as exclusion from the possibility of exercising citizenship rights which they were given according to the letter of the law. The analysis will be focused on the comprehension of citizenship rights in terms of how citizenship rights were translated into practice and were perceived by its citizens and residents. In other words, citizenship should not only be seen in relation to the state but also at the local level which gives it depth and vitality. An analysis of citizenship rights approached within a democratic framework does not consist only of legal mechanisms but also of a political culture which respects (if not celebrates) diversity between us and them.

After the Second World War it was argued by the international community, primarily the United Nations, that the rights given to individuals were a sufficient guarantee, so collective rights did not need to be developed. This point has been questioned after 1989 by the same international community, starting especially in relation to Bosnia and Herzegovina. Two approaches have been developed by those who have undertaken research on collective rights. First, collective rights promote disunity as opposed to the common good for all citizens. Second, it is important to withdraw from the larger society to be able to integrate within it. The issue of collective rights was raised in Lithuania especially by the Polish community and ranged from a demand for cultural autonomy to a demand for political autonomy.

Why are citizenship rights important?

Citizenship has been a struggle from below. According to Sidney Tarrow, historically ‘Citizenship emerged through a rough dialectic between movements – actual and feared – and the national state.’ Our present experience teaches us that this is still very much applicable. Citizenship is not a static notion, it is a relationship between individuals, social groups, civil society and the state. It can also be seen as an attempt to change the existing power relations. Therefore, it should be interpreted as an important category which provides seeds for a (new type of) democracy. National movements, nowadays, also subscribe to democracy by often couching citizenship in national terms. But could citizenship be comfortable wearing ethnic clothes?
During the communist period citizenship rights existed only as social rights, the right to education, health care and work. Political and civil rights did not exist because the nature of the communist system did not make provisions for them. Political rights could not be exercised in a one-party system because people did not have the possibility to choose between different political parties, but were only able to vote for an approved list. As the only official ideology, communism did not leave sufficient scope for the expression of individual opinion, personal autonomy and freedom of speech. The system tried, often successfully, to base its legitimacy in defining and delivering social rights. 8

Although the primary interest of this book is citizenship rights, it is important to point out that an analysis of citizenship does not only include rights. 9 Social scientists have been mostly concerned with civil, political and social rights and entitlements as well as with duties and obligations. This needs to be broadened to include the involvement of individuals and groups in addressing as well as structuring the citizenship agenda. This issue is usually understood as active and passive citizenship. It is also important to look at citizenship from the perspective of institutions and the way they function. Citizenship is a dynamic concept which depends on social change and its consequences on different levels of socio-political context. Furthermore, it clearly points out that there is a difference between the letter of the law and the reality of everyday life. Although it is important to analyse and become familiar with the letter of the law, it is even more important to analyse how the letter of the law is implemented and how it affects different social groups, such as national minorities.

Citizenship rights are enjoyed only if people/members are able to benefit from them comprehensively. The argument that highlights that citizenship rights are enjoyed only if people/members are able to benefit from them comprehensively is important for an analysis of citizenship not only as individual rights but also as collective rights. The issue is whether the members of a community should be defined purely in terms of individuals or whether they should also be recognised as members of a group. Furthermore, collective rights as the only way to protect some ethnic groups has recently been put on the agenda, especially in the former Yugoslavia. This issue has great relevance to the situation of the Poles, who are mostly concentrated in the south-east of Lithuania, and who demanded various forms of collective rights.

Citizenship rights raise the issue of the treatment of different minority groups, among them national minorities. Is it enough to guarantee
equal rights to an individual, or is it also important to guarantee additional rights to groups?

Iris Marion Young is concerned with disadvantaged groups (primarily women and black Americans) and their lack of capacity to assert their rights. She raises the question of how one can improve the means of expressing their rights. The answer is through establishing procedures to ensure additional representation of all disadvantaged groups. Full participation of different groups is only possible through recognising rights for these different groups.\textsuperscript{10} ‘Attending to group-specific needs and providing for group representation both promotes... social equality and provides recognition that undermines cultural imperialism.’\textsuperscript{11}

Will Kymlicka argues that collective rights should be understood as the right to protect ethnic groups from the impact of the economic and political decisions of larger societies. This should be done as an attempt to promote fairness between majority and minority/ies because smaller groups are more vulnerable. Collective rights have three different forms: ‘self-government rights’ which means granting some form of political autonomy to the ethnic group, ‘polyethnic rights’ understood as legal protection and financial support for cultural and educational purposes, and ‘special representation rights’ which guarantee a certain number of seats to ethnic groups.\textsuperscript{12}

Minorities are often more vulnerable and, therefore, are prone to face unfair disadvantage more frequently. Consequently, Kymlicka argues it is not sufficient to ensure that each single individual has a right to challenge any disadvantage, but the state has to recognise that it has a particular bias towards the majority culture. The state therefore has a duty to protect minority cultures, as well as the majority.

National minorities, together with Lithuanians, have been learning the importance of exercising their rights as individuals. In the early 1990s they started to realise that individual rights alone were not sufficient; it was also necessary to acquire collective rights.\textsuperscript{13}

In the case of Lithuania, as analysed in Chapter 7, a group of Poles put forward the claim for territorial autonomy which was opposed not only by Lithuanians but also by other national minorities, including other sectors of the Polish community. Lithuanians claimed that Poles were already given sufficient rights in the form of cultural autonomy that acknowledged the right of each individual belonging to national minorities to be educated in their own language and provided state support for their educational, cultural and religious organisations.\textsuperscript{14} Those Poles who opposed territorial autonomy perceived it in terms of siding with the communists and, therefore, with the USSR. Their battle