

# FEAR AND LOATHING IN LITHUANIA

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**O**n March 11, 2010, one of Lithuania's three national holidays, an annual march of radical nationalists took place in the heart of Vilnius with an official permit from the municipality.

Although rather low-key compared with the infamous march of 2008, when participants chanted openly racist and anti-Semitic slogans, the march nonetheless retained its unmistakable ultra-nationalist feel, and slogans such as "Lithuania for Lithuanians" were hardly more palatable. That did not seem to faze the protagonists, including a parliamentarian from the Homeland Union party who had applied for the municipal permit for the event. Although the march provoked some public discussion questioning the appropriateness of a far-right rally on a national holiday and criticism from some public officials, there was nothing like the uproar over a public event that was to follow two months later.

The Baltic Gay Pride parade was scheduled to take place in the capital on May 8. Shortly before the date, a Vilnius court decided to ban it "for security reasons". Moreover, over 50 parliamentarians – more than a third of all MPs – signed a petition to have the event stopped. The parade eventually took place, but the 400 or so participants were relegated to a fairly peripheral location and physically separated by a heavy police presence from a much larger crowd of angry protesters and curious onlookers.

These two events raise the following vital question: Why does a festival celebrating sexual diversity attract so much more attention and arouse so much more anger than a nationalist demonstration in contemporary Lithuania? Moreover, what does it tell us about democratic values in Lithuania 20 years after the country gained independence and eight years after it joined the European Union?

## BACK TO BASICS

Since the beginning of the 1990s, Lithuanian society has undergone profound and sometimes traumatic changes. The economic and political transition from dictatorship and Soviet rule was able to rely on rather specific guidelines that regulated the community of Western European states, which Lithuania sought to emulate, but genuine social change has predictably proved slower and more controversial. Lithuania has been struggling to redefine its national identity and social cohesion, changing from an atheist republic among the Soviet "family of nations", with a rather folkloric concept of nationality, to an independent, democratic and predominantly Catholic nation-state in which the social fabric ideally should reflect a distinct confluence of national and European elements. Throughout the 1990s and up until the mid-2000s,

the Lithuanian political and cultural establishment sought to demonstrate that this mixture was compatible, complementary and even necessary; "Europeanness" was invoked as a core argument for Lithuania's prompt inclusion in the European Union. After accession to the EU in 2004, however, a more cynical attitude to European integration arose. The labels "Lithuanian" and "European" are no longer assumed to be complementary. Many of the country's leading politicians and social personalities are to an increasing extent portraying the "liberal European agenda" as antithetical and even threatening to "traditional Lithuanian values".

Nowhere has this conflict become more visible than in attitudes towards sexual minorities. The notion of equal rights for sexual minorities is politically charged and highly controversial among elites and in society at large. Like several other formerly communist countries, Lithuanian society remains steeped in homophobic sentiment, and the enduring prejudices against homosexuality have recently been exploited by elements of the political class for electoral gain, as they position themselves as "defenders of the nation" against the "morally corrupt West", which is "forcing" the issue of LGBT rights upon traditional, Catholic Lithuania. Or as a group of MPs wrote in a letter to church leaders,

**The ideology of homosexuality contradicts the concept of family, the union of man and woman, the natural law established by the Creator, the Constitution which considers family the foundation of the Lithuanian state, and the catechism of the Catholic Church, which emphasizes that homosexual relations contradict the natural law and close the sexual act to the gift of life. The position of the Church also arises from the biblical concept of homosexuality as a grave perversion.<sup>1</sup>**

A handful of politicians have discovered that hard-line opposition to gay rights is a profitable way to seek publicity and build political capital. Moreover, they have essentially transformed the issue into a rallying point against the European Union.

What has happened since Lithuania joined the EU in 2004? A change is certainly noticeable since the current, socially conservative government, led by the Homeland Union-Christian Democrats (TS-LKD), came to power in 2008. Expressions of naked hostility by leading Lithuanian politicians towards homosexuality and gay rights became a recurrent feature of the domestic political discourse and a source of embarrassment internationally. However, there were several incidents before 2008, highlighting the deep-seated prejudices

against homosexuality among the population. In 2007 and 2008, Vilnius gained notoriety as the only European capital which did not grant permission to park the European Commission's campaign truck "For Diversity – Against Discrimination" in the city center. Kaunas, Lithuania's second city, made a similar decision in 2008. Citing safety arguments, the mayors of Vilnius and Kaunas nonetheless made such statements as, "There will be no advertising for sexual minorities", and "Tolerance has its limits".<sup>2</sup> In a separate incident, trolleybuses in Vilnius and Kaunas carrying awareness campaign messages by the Lithuanian Gay League with slogans like, "A gay person can serve in the police", and "A lesbian can work in schools", never left the bus park because the drivers refused to take them. Company representatives claimed the buses were parked due to technical malfunctions, but at the same time raised concerns that the buses could be damaged because of the advertisements.<sup>3</sup>

The full extent of the nearly institutional homophobia in Lithuania became evident when the Baltic Pride festival was about to take place in the capital in May 2010. The event drew an enormous amount of attention, condemnation, and protests, and faced significant obstacles. Initially, the city had granted permission for a parade to take place in an area removed from the city center. However, just days before the scheduled event, the interim prosecutor general of Lithuania chose to address the court in order to stop it. The previously low-profile official cited public safety concerns, despite claims from the police that they were able to ensure the safety of those involved. The court decided to suspend the permit until the claims of the prosecutor had been investigated, which effectively would have put a stop to the parade. President Dalia Grybauskaitė expressed her "surprise" about the lack of communication between the various Lithuanian security agencies, but many in the political establishment simply stated their opposition to the parade. As it turned out, a higher court ruled in favor of the organizers, which allowed it to go ahead.<sup>4</sup> The "March for Equality" drew around 400 participants, protected by twice as many police officers. Participants and protesters against the march were clearly separated and did not interact with each other. As the event drew to a close, two MPs – Petras Gražulis, author of the legislative amendments to penalize the promotion of homosexual relations, and Kazimieras Uoka, who had applied for the permit for the far-right demonstration of March 11 – tried to breach the security cordon and ended up in a scuffle with the police. After the incident, the prosecutor's office started proceedings to charge the two MPs, a process that would require the Seimas to lift their parliamentary immunity. The parliament refused. However, Uoka was excluded from the



Homeland Union-Christian Democratic party as a result of the incident, and ultimately left their parliamentary group.<sup>5</sup>

Perhaps the most contentious piece of legislation passed by the Seimas in 2009 was an amended Law on the Protection of Minors, which sought to protect children from negative influences by limiting various types of information that might otherwise be available to them, including information that “promotes homosexual, bisexual and polygamous relations”.<sup>6</sup> After an international outcry and a presidential veto (on grounds of lack of clarity in the criteria applied), the law was returned to the Seimas, where it was eventually amended to declare that information promoting any kind of sexual relations is damaging to minors. The law took effect in March 2010. Even in its amended form, the law protects children from information that “denigrates family values” or “promotes a different concept of marriage and family” than that specified in the Lithuanian Constitution and the Civil Code, which both stipulate “union between a man and a woman”.<sup>7</sup> The amended law expands an already lengthy list of information it deems detrimental to minors, but remains ambiguous in several respects.<sup>8</sup> Ironically, while the law puts a ban on discussing homosexuality and other “alternative lifestyles”, it also categorizes manifestations of intolerance, discrimination and mockery, including such acts on grounds of sexual orientation, as detrimental to minors.<sup>9</sup>

Attitudes towards homosexuality and the rise of homophobia must be seen in the context of general attitudes towards the family, gender roles, and the role of the state in regulating family life. Although the inviolability of the private sphere is enshrined in the Lithuanian Constitution<sup>10</sup>, the recent public debate and legislative frenzy seem to reflect an urge to determine the boundaries of the private sphere and to define norms of the family deemed acceptable to society at large.<sup>11</sup> The Lithuanian Constitution itself provides no clear answer, except that “the family shall be the basis of society and the State”.<sup>12</sup> An attempt to introduce a law on civil partnerships was thrown out in 2004, not least because such partnerships came to be seen as a “threatening” alternative to the traditional family. There was also some fear that the bill could lead to the legalization of same-sex partnerships.<sup>13</sup> Similar arguments were used when the infamous State Concept of the Family policy was discussed three years later: the family is under threat, it was argued, and single parents are unable to instill moral values and a sense of responsibility in the young.<sup>14</sup> The Concept introduced legal definitions of a “harmonious family”, “incomplete family”, “family in crisis”, and others<sup>15</sup>, thus setting out a number of conditions for state support and the active promotion of the “harmonious family” as a basis of society. In 2010, a National Agreement on Creating a Family-Friendly Environment initiated by the Ministry of Social Security and Labor was signed. Again, the goals were family values, securing the material basis of families, and promoting “positive attitudes towards the family”.<sup>16</sup> Although some human rights organizations were concerned it would create new divisions in society, the document was signed by the bulk of the political parties, including the liberals, but with the notable exceptions of the Social Democrats and the Labor Party.<sup>17</sup> Conservative political forces, in an alliance with the Catholic Church and other religious denominations, have been heavily campaigning against a “liberal” bill on artificial insemination.<sup>18</sup>

The introduction of the State Concept of Family Policy appears to have backfired. After it had passed Parliament, a group of MPs challenged its constitutionality on grounds of content and legislative procedure.<sup>19</sup> The authors of the Concept intended to equate the terms “family” and “marriage”. Although article 38 of the Constitution states that a marriage

is that between a man and a woman<sup>20</sup>, the Constitutional Court deemed the Concept unconstitutional because the “constitutional understanding of family cannot be derived solely from the institution of marriage”.<sup>21</sup> Amidst calls for a referendum over the issue of “traditional marriage”, some even went as far as to call the Constitutional Court a “judicial junta” pursuing “criminal activities”.<sup>22</sup> Judging by the reaction of Rimantas Jonas Dagys, the chair of the Social Affairs committee of the Seimas and one of the staunchest conservatives in Lithuanian politics, the conservatives’ main concern is that the Constitutional Court has opened a floodgate leading to gay marriages – or at least the recognition of same-sex partnerships.<sup>23</sup> Although both the Ministry of Justice and independent Constitutional law experts have stated that the decision does not sanction same-sex relationships<sup>24</sup>, it galvanized the Ministry of Justice to finally put forward a draft amendment to the Civil Code that would allow only heterosexual partnerships.<sup>25</sup>

Arguably, the fears that the ruling of the Constitutional Court spells the end of traditional marriage in Lithuania are not groundless: the Constitutional Court decision and the ensuing discussions on civil partnership have indeed brought about the conditions for some very tentative steps towards recognition of same-sex unions. In the midst of fierce opposition from her own party<sup>26</sup>, Marija Aušrinė Pavilionienė, the most vocal (and often the only) supporter of gay rights in the Lithuanian parliament, has put forward a proposal for a bill on partnership which includes same-sex partnerships.<sup>27</sup> The gay advocacy group Lithuanian Gay League has also stated that the Court’s decision, even if not applicable to same-sex couples, is a positive, albeit small, step towards full recognition of same-sex partnerships.<sup>28</sup> Though this may not seem like an exuberant reaction, it should be kept in mind that, in the past, gay activists in Lithuania consciously avoided talking about issues like legal recognition to avoid risking further alienation and animosity towards the gay community. As we shall see, the predominant attitudes among Lithuanians lend solid support to such tactics. Clearly, the road ahead is long and the recent steps are largely symbolic. However, in the political landscape of Lithuania, where the typical approach to the issue of homosexuality is knee-jerk, sensationalist, and borderline hysterical, the Constitutional Court decision marks a significant shift.

## ARCH CONSERVATIVE AGENDAS

With a heavy emphasis on “Christian family values”, the political agenda of the ruling party, the Homeland Union-Christian Democrats, appears to be strongly influenced by its junior faction the Christian Democrats. Indeed, their influence can be seen in certain ministries and parliamentary committees. For instance, the Ministry of Social Security and Labor has been promoting a remarkably conservative agenda in regard to family issues under the leadership of Rimantas Jonas Dagys, whose spirit lives on despite his departure from the Ministry. Equally troublesome is the fact that support for the traditional family agenda comes at the expense of support for other important democratic values, including equality of opportunity and gender equality. According to the Human Rights Monitoring Institute, family policy is “being enforced together with the elimination of state institutions responsible for implementation of gender equality”.<sup>29</sup> Mr. Dagys, currently the Chairman of the Social Affairs and Labor Committee of the Seimas, has been pushing for stronger regulation of the private sphere, making public statements regarding the number of children women should have<sup>30</sup>, and calling for

a referendum on the definition of family after the Constitutional Court ruling against the Family Concept<sup>31</sup>.

To be sure, the picture is not entirely uniform: public institutions do differ in their promotion of this agenda – particularly concerning the rights of sexual minorities, but also on family issues and gender roles generally. However, not a single public institution has been promoting the rights of sexual minorities, or of any group whose notion of family might not be that of conservative Catholicism. That task has been left to a handful of NGOs, which usually receive media attention but represent a minority opinion on gender roles, equality of opportunity, and indeed social tolerance.<sup>32</sup> Conversely, the Church is more active than ever in pushing an archconservative social agenda, supporting several radical politicians.<sup>33</sup> The Seimas has also been more active since 2008, regularly returning to hearings on legislation to introduce additional restrictions to the rights of sexual minorities. Petras Gražulis, the driving force behind the bulk of the homophobic legislation, has put forward amendments to the Code of Administrative Offences introducing fines for the representation of homosexual relations<sup>34</sup>, arguing that these amendments are implementations of the Law on the Protection of Minors.

The amendments stated, according to a report by Amnesty International, that “any public expression, portrayal of, or information about homosexuality would be banned”.<sup>35</sup> That would include (but not be limited to) campaigning on human rights issues related to sexual orientation and gender identity, providing sexual health information to lesbian, gay, bisexual and transgender people, and organizing events such as gay film festivals and Pride marches.<sup>36</sup> The amendments received wide attention and condemnation from international organizations, including the Council of Europe.<sup>37</sup> In early 2011, the European Parliament also passed the resolution on “Violation of freedom of expression and discrimination on the basis of sexual orientation in Lithuania”.<sup>38</sup> After these reactions and the unfavorable conclusions reached by the Legal Committee of the Seimas and the Supreme Court, the amendments were returned for further debate.<sup>39</sup> A similar solution – expanding the object of legal regulation to avoid accusations of specifically targeting homosexuals – was reached in regard to the Law on the Protection of Minors, which subsequently banned the representation of all kinds of sexual activity rather than only homosexual, bisexual or polygamous relations.

“There is a sense that Lithuania’s motivation to protect human rights has relaxed since the country gained EU membership”, a recent Freedom House report said.<sup>40</sup> The Vilnius-based Human Rights Monitoring Institute, addressing the rights of sexual minorities, is even more critical, stating that “Lithuania has taken a step backwards in safeguarding the rights of sexual minorities”, and citing increased public intolerance to homosexuals, which they attribute to “discriminative initiatives restricting homosexuals’ rights to freedom of expression and assembly, and hatred-inciting political rhetoric”.<sup>41</sup> Lithuania has acquired a reputation for being a homophobic state, according to the HRMI report.<sup>42</sup> This conclusion might not be too far-fetched, considering that the failure to ensure the protection of the rights of sexual minorities has not gone unnoticed in the international community.

External pressure remains one of the few tools available for restraining the influence of the most ardent anti-gay advocates and “shaming” from Europe might not have lost its force. The European Parliament has been particularly active in exposing recent developments in Lithuania, and a few of its members have taken part in the Baltic Pride events. A clear majority of the MEP voted in favor of censuring Lithuania for the Law on the Protection of Minors. But apart from the EU Parliament, which is less bound by national sensitivities than

other EU institutions, member states would be reluctant to meddle with issues that are considered to be of a domestic nature.<sup>43</sup> Hence if Lithuanian lawmakers define a family exclusively as a “union between man and woman”, Brussels is unlikely to object.

It should be pointed out that the strong legislative push for Christian conservative values has produced a minor backlash of its own. As we have seen, the “Family Concept” was criticized for creating new conditions for discrimination against children born to unmarried parents<sup>44</sup> and was eventually thrown out by the Constitutional Court. Moreover, a leadership conflict in 2011 exposed an ideological rift within the ruling Homeland Union. In the end, the incumbent leader (and Prime Minister) Andrius Kubilius staved off the challenge from Irena Degutienė, the Speaker of the Seimas and also a spokesperson for the more conservative faction of the party.

Nevertheless, there has been scant domestic opposition to homophobic rhetoric and legislation. Lithuania’s cultural, artistic, social and intellectual elite has been conspicuously silent on the issue.<sup>45</sup> Strong resistance to alternative lifestyles, including homosexuality, can be found within the educational system.<sup>46</sup> With no domestic political or social forces willing or able to counteract the efforts to establish homophobic notions in Lithuanian legislation and society, it should perhaps come as no surprise that ordinary citizens remain less than tolerant.

## EU ANTI-DISCRIMINATION MEASURES: IMPORTING TOLERANCE?

In 2003, Lithuania passed a Law on Equal Treatment, which was specifically designed to transpose and implement EU anti-discrimination legislation.<sup>47</sup> It went into effect in 2005 and was the only Lithuanian law to explicitly mention discrimination based on sexual orientation.<sup>48</sup> But unlike prohibitions of gender discrimination, the law does not provide for compensation of victims.<sup>49</sup> The law has been criticized on other counts, including its narrow definition of the term “discrimination” and the fact that the very notion of “shifting the burden of proof” does not apply to cases of discrimination on the basis of sexual orientation.

When the law was due to be amended in 2008, members of the Homeland Union, Order and Justice, and Labor parties made an attempt to throw it out simply by refusing to register for vote (a 50 percent turnout in the parliament was required). It was saved by a whisper when the Homeland Union joined the voting, thus ensuring a quorum. Commenting on the bill after the vote, Petras Gražulis of the Order and Justice Party exclaimed, “Lithuania is a perverted state, since it takes care of minorities and not people [ . . . ] If it was similarly concerned with rural people, a third of them [might] not have left the country [ . . . ] All values have been turned upside down.”<sup>50</sup> The bill that was passed included a notable provision allowing non-compliance with the equality principle in the educational and training institutions of religious and ethos-based organizations (the Employment Equality Directive, which the Equal Opportunity Law transposes, permits such an exception). This provision is vaguely formulated and open to interpretation, but the purpose of the exemptions, which were discussed with and approved by church lead-

ers, are clearly tied up with the Law on the Protection of Minors: they are a “self-defense tool for the elimination of ‘non-traditional’ sexual orientation from schools and the education system in general”, according to Gražulis.<sup>51</sup> In fact, the very notion of combating discrimination due to sexual orientation has come under strong pressure, as no constitutional basis for it exists. Article 29 of the Lithuanian Constitution does not explicitly mention sexual orientation, stipulating that “the rights of the human being may not be restricted, nor may he be granted any privileges on the grounds of gender, race, nationality, language, origin, social status, belief, convictions, or views”. This omission provides a loophole to those who drop sexual orientation from prohibitions of discrimination, since all legislation must conform to the Constitution.

As early as 1999, Lithuania introduced an Office of the Equal Opportunities Ombudsperson (OEOO), which is in charge of supervising the implementation of the law, advising victims of discrimination, investigating complaints, reporting on discrimination, and providing recommendations. Comparatively few cases of discrimination based on sexual orientation have been brought to the Ombudsperson. According to the Office’s own statistics, they make up around two percent of all cases between 2005 and 2010.<sup>52</sup> In 2005 and 2006, only two cases per year were brought forward, but the number increased sharply to 18 in 2007 – no doubt due to the high media profile and politicization of the issue.<sup>53</sup> A campaign led by Amnesty International added considerably to the statistics, although the cases it raised were deemed outside the competence of the Ombudsperson.<sup>54</sup> By 2010, however, the number of cases per year was down to three. According to the OEOO, most victims of discrimination do not want a court case, but merely mediation and legal advice.<sup>55</sup>

An underlying problem with the anti-discrimination efforts in Lithuania is of a cultural nature. Many ordinary citizens are either unaware of their rights or unwilling to press a case.<sup>56</sup> Tellingly, 75 percent of all cases come from residents of the two largest cities.<sup>57</sup> The concept of discrimination has a long way to go before it reaches the entire population, and the divide between laws and culture remains vast.<sup>58</sup>

Since the economic downturn of 2008, the OEOO has seen its budget slashed by as much as 50 percent.<sup>59</sup> This has put a heavy strain on the Office’s ability to fulfill its tasks and capacity to manage even the bulk of its caseload. The Office has been accused of neglecting certain types of discrimination, including that against sexual minorities, and for failing to

investigate high-profile cases, such as hate speech by prominent politicians.<sup>60</sup> Other authorities, on the other hand, have become much more active in pursuing cases of hate speech. Hate speech against homosexuals and other minorities has risen sharply, a fact that can be attributed at least in part to the growing importance of electronic media.<sup>61</sup> In 2010 the Prosecutor’s Office opened 168 investigations of incitement to hatred, and as many as 148 of them involved homophobia.<sup>62</sup> The courts seem to have taken a more principled position on the matter, and recently several convictions have been publicized, resulting in fines or confiscations of computers.<sup>63</sup> But newspapers have also whipped up homophobic sentiment in society: among the media outlets that champion an extreme homophobic position, the *Respublika* media group – also notorious for its anti-Semitic stance – is particularly noteworthy.<sup>64</sup> *Respublika* has been a leader in fomenting and capitalizing on anti-European and anti-liberal sentiments in the country.<sup>65</sup> The media group has printed a significant number of articles with strong anti-gay bias, and has even established the Žalgiris National Resistance Movement to “reflect a patriotic, anti-global stance” and promote national culture, national values, and patriotism.<sup>66</sup>

Although the concept of discrimination has shallow roots in a post-communist country like Lithuania, it is clearly beginning to receive wider acceptance, particularly among the younger generations, and will continue to do so if information campaigns and agencies for the active support of minorities are given more clout. But such support does not necessarily affect every form of discrimination. Combating gender discrimination for example is likely to receive greater acceptance than many other forms of anti-discrimination measures. On the whole, the notion of anti-discrimination might not yet correspond with the norms and values in society at large, and may even meet with resistance: a complaint of racial discrimination could face an uphill struggle in a local court due to administrative ignorance or even outright racial prejudice. However, few mainstream political leaders in Lithuania or any other post-communist country would challenge the fight against racism. Discrimination based on sexual orientation, is another kettle of fish and remains strongly contested even at the elite level.<sup>67</sup> As we have documented, it is considered perfectly acceptable for high-ranking officials to dispute the value of measures against this particular form of discrimination, and even to actively oppose them.<sup>68</sup> To claim that anti-discrimination legislation exists in order to please the European Union may be inaccurate, but in any case it is difficult to see how it can function properly if society is deeply hostile to certain groups, such as homosexuals.

## OLD VALUES DIE HARD

While few issues have managed to stir up quite as much controversy as gay rights activism since Lithuania joined the European Union almost eight years ago, the frenzy evidently did not materialize out of the blue. Even a casual observer of post-Soviet societies will conclude that homosexuality is generally regarded with deep hostility. Under communism, it was an outright taboo, and none of the communist regimes had anything like a liberal approach towards homosexuality. The obsession with egalitarian values offered little space for pluralism and nonconformist ways of life. In the Stalinist and post-Stalinist world, homosexuality represented something akin to “bourgeois decadence” and “capitalist degeneration”.<sup>69</sup> While several communist regimes did in fact allow homosexual practices, the Soviet Union turned male homosexuality into a criminal offence.<sup>70</sup> Shortly after the collapse of the Union, former Soviet republics and Soviet satellite states



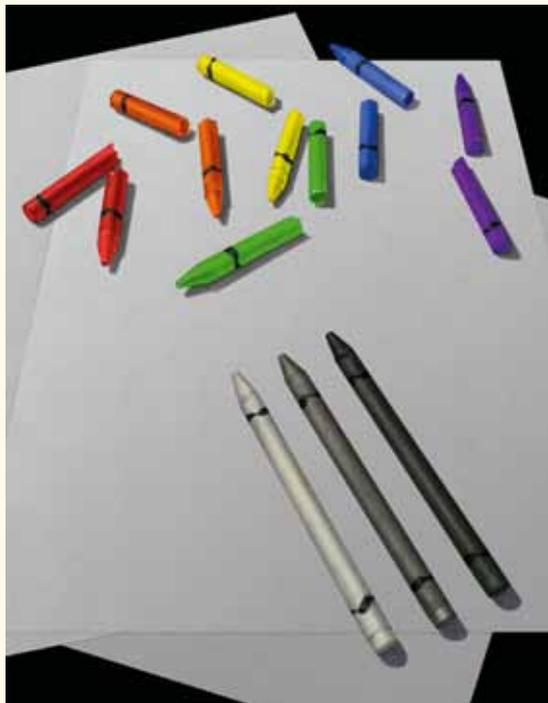
that had criminalized homosexuality moved towards legalization.<sup>71</sup> But even after twenty years of democracy, the Czech Republic, Hungary, Slovenia, and Croatia are the only formerly communist countries to recognize same-sex partnership, and none of them has yet accepted same-sex marriage or adoption by same-sex couples.

Attitudes towards homosexuality diverge dramatically across time and space. Until a few decades ago, homosexuality was illegal in most of Europe and was a major social taboo. While a majority of countries in Europe currently recognize same-sex partnerships, only a handful of them recognize same-sex marriage and allow same-sex adoption. These international legal differences are by and large reflected in the popular attitudes as well. There are geographical variations, differences between predominantly Catholic and predominantly Protestant countries, and between relatively secular countries and more traditional, religious countries. But some of the most glaring differences are found between the long-standing democracies in Western Europe and the younger democracies in Central and Eastern Europe. Of course, the division is not entirely clear-cut: Southern Europe is for instance not uniformly more tolerant than East-Central Europe, and many EU member states in the East resemble some of the older democracies in the West rather than former communist states outside the European Union, such as Russia or Ukraine. Nevertheless, it should not come as a surprise that citizens of long-standing democracies show greater levels of tolerance than those of newer democracies in East-Central Europe. If tolerance is part and parcel of a democratic learning process, it is also true that attitudes towards people of different sexual orientation change only gradually over time.

A cursory inspection of Eurobarometer data reveals that Lithuania, Latvia, Bulgaria, and Romania are outliers among EU members in that they harbor the most negative attitudes towards homosexuals. Large proportions of their populations would not want to have a homosexual person as a neighbor, and only small minorities would be comfortable electing a political leader who is homosexual.<sup>72</sup> Citizens of northwestern Europe, by contrast, seem to be thoroughly relaxed about the idea of gay neighbors and gay politicians (Table 1).<sup>73</sup>

Another item from the Eurobarometer survey may provide some clues to this East-West divide. Very few respondents from Central and Eastern Europe admit that they *know* people of homosexual orientation. While well over half of the respondents from northwestern Europe say they have homosexual friends or acquaintances, not more than three percent of the Romanians – and six percent in Lithuania – say the same. It is clear that many of the citizens in these countries are deeply unfamiliar with homosexuality and public expressions of it. But they are not merely unfamiliar with: most of them are of the opinion that homosexuality is “wrong”. According to a 2009 poll in Lithuania, homosexuality is considered to be a “perversion” by 38 percent of the respondents, while a mere 12 percent considered it a “normal state of sexuality”.<sup>74</sup> In a similar fashion, a 2010 poll reveals that almost 44 percent of the respondents consider homosexuality an “illness”, whereas less than 7 percent would “try to support and understand it” if a relative, friend or colleague were gay (Table 2). In the same poll, 70 percent claim they would not support a gay parade.

There may be good reasons to think that the generation gap is larger in ex-communist Europe than in the rest of the con-



continent. After all, those who finished school in 2011 were not even born when the old regimes vanished. Post-communist societies have gone through social changes that are far more profound and dramatic than virtually anything witnessed in Western democracies. However, recent survey data only gives a slight hint of a generational divide. In a survey from 2008, 26 percent of the Lithuanian respondents admitted that they would not want to work together with a person who is gay. The figure rises to 29 percent among the older respondents and shrinks to 24 percent among the youngest. Among students the figure drops to 18 percent (Table 3).<sup>75</sup> But on the whole, income, profession, and geography account for larger differences than age. Similar patterns can be found in people’s willingness to “communicate with, work with and live in the same neighborhood as” someone who is gay. In a survey from 2003, the age patterns are somewhat clearer. When asked about discrimination against certain groups, only 6 percent report that they have witnessed discrimination against homosexuals over the last two years. However, the figure rises to 13 percent among the youngest cohort and 16 percent among students. In the same survey, 40 percent thought it was never acceptable for an employer to dismiss an employee based on sexual orientation, while 33 percent thought it sometimes acceptable and 10 percent always acceptable. Among the youngest respondents, 46 percent find it unacceptable; while as few as 27 percent among the oldest respondents hold the same opinion. However, here we can see social status playing an interesting role: respondents with a blue-collar profile and those who are unemployed are not more inclined than specialists to agree that it is wrong to dismiss employees due to characteristics like sexual orientation – even if they tend to be more homophobic in other respects (Table 3).

The current Lithuanian government coalition was to some extent voted into power on a family-oriented platform. Several pro-family and pro-Church associations have been brought into governmental boards and committees (often in preference to gender-oriented NGOs), and the Lithuanian Bishop’s Conference has been consulted and has also given its approval to several policies.<sup>76</sup> All in all, it seems clear that the Church has strengthened its grip on power and is exercising considerable influence on Lithuanian politics. Interestingly, this is not necessarily a welcome change among ordinary citizens. The vast majority of Lithuanians consider themselves Catholic and tend to have a rather traditional outlook on family-related matters. For instance, less than half of the respondents to the 2010 poll said that a single father or mother with children can be called a “family” (Table 2). Moreover, less than four

percent think that same-sex couples living together can be called a “family”. On the other hand, in the same poll, only one in five respondents claims to be a “practicing Catholic”. Moreover, two-thirds of the respondents reject the notion that the Church should be involved in forming family or sex education policy, while an overwhelming 90 percent think the Church should refrain from campaigning for a political party or movement. On the evidence of these figures, it seems reasonable to conclude that there is little leeway for the current political leadership to widen the scope for a conservative family policy. The question is how strong the opposition to the current policy trend is. So far it has been muted – particularly when it comes to LGBT rights.

## DEMOCRACY: THE LONG AND WINDING ROAD

Values are transmitted from parents to children in every society, and we have witnessed significant value changes across generations in several Western democracies. General tolerance of homosexuality is a recent phenomenon, and has had a real impact only in a small number of Western democracies. But in countries like the Netherlands, Sweden, Great Britain, France, and Spain, the degree of tolerance was much higher in the 1990s than in the 1970s. The Netherlands, which has consistently been one of the most liberal countries in Europe regarding homosexuality, is a good case in point. According to the World Values Survey of 1981, 22 percent of Dutch respondents disapproved strongly of homosexuality, while 40 percent somewhat disapproved. Among the upper age brackets, more than half of the respondents completely disapproved of it. By 1999, only 7 percent of the Dutch were strongly against it, while some 22 were somewhat negative.<sup>77</sup> The changing attitudes towards homosexuality signified wider societal changes in favor of post-materialist values. In other words, tolerance of homosexuality was accompanied by greater acceptance of diversity in general, environmental awareness, different perceptions on democracy and participation, and more individualism. Again, the difference between the youngest and oldest cohorts was palpable.

Not all societies change along similar lines and it is not certain that post-communist democracies will follow a similar course. Lithuania and other countries might resist the path towards greater tolerance of sexual minorities.<sup>78</sup> As an EU-member, Lithuania has to a large extent set up institutional mechanisms to combat homophobia. It has implemented anti-discrimination laws that are roughly in line with EU norms. At the same time, the country does not allow same-sex marriage, fails to recognize same-sex partnership (or indeed any form of civil partnership), and does not allow homosexual couples to adopt children. A still greater problem is that the political and cultural climate remains deeply hostile towards homosexuality and towards recognizing the rights of individuals of a minority sexual orientation.

The crucial change in Western democracies came when institutions and laws had been changed in favor of greater LGBT rights, such as same-sex partnership or even marriage. Before the 1990s, same-sex partnership seemed virtually unthinkable. But profound changes in the legal status of homosexuals had an effect on norms and values. They ultimately helped to eradicate institutionalized discrimination and, arguably, moved homophobia to the fringes of society. Legal and institutional changes could only be implemented when society had at least *started* to accept homosexuality. EU members in Central and Eastern Europe, however, were confronted with massive pressure to adopt liberal gay legislation long before society appeared to be ready for it. In countries like Lithu-

ania, this seems to have generated a backlash: while it might not seem wholly surprising that equality for homosexuality would meet resistance from leaders and ordinary citizens in a country that until recently banned it, it is worth noting that the protests escalated after the country's entry into the EU.

Unfortunately, EU membership alone cannot foster a democratic political culture, neither among elites nor among citizens. One of the main reasons why EU membership did not become a major issue before accession was because it was seen as a very broad question of national orientation – part of the whole transition from Soviet communism, as it were. EU membership was presented as a bulwark against creeping Russian influence: Lithuania must “go west” or return to Russia's fold. To some extent, this might explain why even the most nationally minded politicians in Lithuania embraced the European Union instead of considering it a threat to national self-determination. When the fundamental issue of “West versus East” had diminished and the country had secured both EU and NATO membership, perceptions on Europe became more open and, to some extent, more hostile. Many Lithuanians are likely to have a rather utilitarian attitude to the European Union: they support it because they think their country – or themselves – will benefit from it.<sup>79</sup> If membership fails to deliver tangible goods, many ordinary citizens will in all likelihood withdraw their support. When – or if – that turns out to be the case, key oppositional leaders might conclude that anti-EU sentiments among the voters can be readily exploited for party political purposes. Given the potential for a political spillover of the current economic crisis within the European Union, such a scenario is becoming increasingly likely.

For those who had hoped membership would have a profound impact in molding a more tolerant society, the current development might seem disappointing. However, it is quite conceivable that the backlash eventually will lead to a more nuanced debate about the place of tolerance and openness in Lithuanian society. Similar developments have taken place elsewhere.

Democracy is a learning process and the length of democratic experience is an essential factor in the degree of political tolerance in society. The late Ralf Dahrendorf eloquently suggested that it might take a mere six months to introduce democratic political institutions and six years to fundamentally transform a command economy into a market economy; but it will take more like 60 years to forge a pluralistic society.<sup>80</sup> Pluralism and acceptance of difference are prerequisites for a democratic political culture.<sup>81</sup> Most citizens of even the most rudimentary democracy will accept the very basic notion behind bargaining and compromise (although not in certain contexts, such as societies shattered by ethnic or religious conflict). But small, humdrum conflicts over policymaking do not say much about the extent of pluralism. It is on more challenging and morally ambiguous questions, such as gender and race equality, ethnic minorities, beliefs, and sexual orientation, that people have to decide where they stand and to what extent they are willing to tolerate different perceptions. This can only be learned through experience. This is exactly what Lithuania, torn between nation-building, democratization, and EU integration, is going through. ❌

**Table 1. Attitudes towards homosexuals in the European Union (%).**

1. Would be comfortable having a homosexual neighbor
2. Would be comfortable having a homosexual political leader
3. Have homosexual friends or acquaintances

	1.	2.	3.
<b>Sweden</b>	<b>9.5</b>	<b>9.1</b>	<b>56</b>
Denmark	9.3	9.0	55
<b>Netherlands</b>	<b>9.3</b>	<b>8.8</b>	<b>69</b>
Luxembourg	9.2	8.2	45
<b>France</b>	<b>8.9</b>	<b>8.2</b>	<b>55</b>
Belgium	8.8	8.3	52
<b>United Kingdom</b>	<b>8.7</b>	<b>7.7</b>	<b>55</b>
Ireland	8.6	7.8	32
<b>Spain</b>	<b>8.6</b>	<b>8.2</b>	<b>42</b>
Malta	8.4	7.0	34
<b>Germany</b>	<b>8.3</b>	<b>7.2</b>	<b>30</b>
<b>EU average</b>	<b>7.9</b>	<b>7.0</b>	<b>34</b>
<b>Slovenia</b>	<b>7.5</b>	<b>6.1</b>	<b>17</b>
Finland	7.4	6.5	32
<b>Poland</b>	<b>7.4</b>	<b>6.4</b>	<b>9</b>
Greece	7.2	5.5	17
<b>Cyprus</b>	<b>7.2</b>	<b>3.7</b>	<b>17</b>
Estonia	7.2	5.7	13
<b>Austria</b>	<b>7.1</b>	<b>6.0</b>	<b>22</b>
Italy	6.7	5.7	29
<b>Portugal</b>	<b>6.6</b>	<b>6.0</b>	<b>20</b>
Czech Republic	6.6	5.6	15
<b>Slovakia</b>	<b>6.5</b>	<b>5.3</b>	<b>11</b>
Hungary	6.2	5.2	6
<b>Lithuania</b>	<b>6.1</b>	<b>4.4</b>	<b>6</b>
Latvia	5.5	4.1	10
<b>Bulgaria</b>	<b>5.3</b>	<b>3.7</b>	<b>7</b>
Romania	4.8	3.9	3

Note: The figures in column 1 and 2 indicate the mean values of responses on a 10-point scale, where 1 means the respondent would be “very uncomfortable” and 10 means “totally comfortable” having a homosexual person as a neighbor or having a homosexual in the highest elected political position. The figures in column 3 indicate the percentage of respondents who said they have friends or acquaintances who are homosexual. Source: Eurobarometer Special Survey 296, “Discrimination in the European Union: Perceptions, Experiences and Attitudes”, 2008.

**Table 2. Attitudes towards homosexuality and religion in Lithuania (%).**

**Would you support a homosexual pride march?**

Yes	16.4
No	70.3
Don't know/no answer	13.3

**What would you do if you found out that your close relative, friend, or colleague is homosexual?**

Try to give support and understand	6.5
Would not pay attention to it	42.6
Would stop the relationship	12.5
Difficult to imagine	28.1
I already communicate with homosexuals	7.6
Don't know/No answer	2.7

**Do you think homosexuality is an illness?**

Certainly	13.0
More yes than no	30.5
More no than yes	26.3
No	20.6
Don't know/No answer	9.6

**What is a family?**

Married man and woman with children	99.2
Married man and woman without children	65.4
Single mother with children	48.1
Single father with children	43.0
Man and woman living together	34
Single person	8.1
Same sex couple living together	3.9

**Are you religious?**

Yes, practicing Catholic	18.9
Non-practicing Catholic	60.2
Orthodox	4.2
Protestant	3.6
Yes, another faith	2.1
No	8.1
Don't know/No answer	2.9

**Should priests campaign for political movements?**

Yes	3.5
No	89.8
Don't know/No answer	6.7

**Should the Church participate in forming family policy on the state level?**

Yes	22.8
No	64.6
Don't know/No answer	12.6

**Should the Church participate in forming sexual education policy on the state level?**

Yes	19.7
No	66.5
Don't know/No answer	13.8

Note: Items 1–3 are taken from a Sprinter poll from 2010 (<http://www.spinter.lt/site/lt/vidinis/menutop/9/home/publish/MTYzOzk7OzA=>); item 4 from a Sprinter poll from 2010 (<http://www.spinter.lt/site/lt/vidinis/menutop/9/home/publish/MjA5Ozk7OzA=>); and items 5–8 from a Sprinter poll from 2011 (<http://www.spinter.lt/site/lt/vidinis/menutop/9/home/publish/MTYzOzk7OzA=>).

**Table 3. Attitudes towards homosexuals in Lithuania by social categories (%).**

1. Could not work with a homosexual person
2. Could interact with a homosexual person in the neighborhood
3. Refusing to hire a person due to different sexual orientations never justified
4. Homosexual persons cause problems in Lithuanian society

	1.	2.	3.	4.
<b>Sex</b>				
Male	30	26	38	34
Female	23	33	42	30
<b>Age</b>				
Under 30	24	37	46	28
30—39	24	30	42	25
40—49	24	40	47	23
50—59	29	30	43	35
60—69	28	20	37	35
70 or over	29	18	27	46
<b>Education</b>				
Low	30	19	28	42
Medium	29	28	44	29
High	15	47	47	22
<b>Status/profession</b>				
Unemployed	41	23	43	32
Parenting	40	29	42	26
Pensioner	28	19	33	39
Student	18	43	52	27
Specialist	13	47	48	25
Service	22	31	53	25
Worker	28	32	37	31
<b>Income</b>				
Lowest	40	20	41	26
Second	33	23	36	34
Third	28	25	42	36
Fourth	25	30	44	23
Highest	18	44	*	*
<b>Geography</b>				
Vilnius	13	43	46	27
Other cities	26	29	39	37
Towns	21	32	42	27
Villages	38	23	38	32
<b>Total</b>	<b>26</b>	<b>30</b>	<b>41</b>	<b>31</b>

Note: Columns 1 and 2 are taken from the survey Tolerancija 2008; columns 3 and 4 from the survey Lietuvos Tolerancijos Profiliai, 2003. Both surveys were conducted by the Vilnius Public Opinion and Market Research Institute.

\* Income in the 2003 survey is broken into three categories.

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- 51 Record of the parliamentary session of September 18, 2007, [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=304466](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=304466).
- 52 See the annual report of the Office of the Equal Opportunities Ombudsperson, 2009, <http://lygybe.lt/>.
- 53 Ibid.
- 54 Valdas Dambava (Advisor for Public Relations, Lithuanian Office of the Equal Opportunities Ombudsman), interview with the author, Vilnius, 2011-04-19.
- 55 Ibid.
- 56 As the European Union Agency for Fundamental Rights points out in its report for 2007: "The very low number of recorded complaints in some Member States, despite NGO reports and independent research surveys pointing towards the existence of ethnic discrimination in these countries, could indicate a lack of awareness of the existence and functioning of these specialized bodies." Report on Racism and Xenophobia in the Member States of the EU, [http://fra.europa.eu/fraWebsite/attachments/ar07p2\\_en.pdf](http://fra.europa.eu/fraWebsite/attachments/ar07p2_en.pdf).
- 57 Valdas Dambava, interview.
- 58 This point was raised by several of our interviewees, including PR Advisor Valdas Dambava of the OEP, Director Virginija Aleksejūnė and Project Manager Margarita Jankauskaitė of the Center for Equality Advancement in Vilnius, and Henrikas Mickevičius, Executive Director of the Human Rights Monitoring Institute.
- 59 Ibid.
- 60 Vladimir Simonko and Eduardas Platovas, interview.
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- 62 U.S. Department of State, "2010 Human Rights Report: Lithuania", <http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154435.htm>.
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- 65 Recently, derogative terms like "tolerastas" and "liberastas" have entered the public discourse.
- 66 <http://www.zalgoris.org/apie-mus/>, accessed 2011-11-14.
- 67 [http://www.amnesty.org.uk/uploads/documents/doc\\_18433.pdf](http://www.amnesty.org.uk/uploads/documents/doc_18433.pdf).
- 68 Conor O'Dwyer and Katrina Z. S. Schwartz have documented similar prejudices in Latvia and Poland. See Conor O'Dwyer and Katrina Z. S. Schwartz, "Minority rights after EU enlargement: A comparison of Antigay Politics in Poland and Latvia", in *Comparative European Politics* 8 (2010), pp. 220–243.
- 69 During the 1930s, Soviet authorities also, quite predictably, associated homosexuality with Fascism: "Eradicate homosexuals and fascism will disappear", Maxim Gorky wrote in 1934. Luca Prono, "Città Aperta o Cultura Chiusa? The Homosexualization of Fascism in the Perverved Cultural Memory of the Italian Left", in *International Journal of Sexuality and Gender Studies* 6 (2001), pp. 333–351.
- 70 It is nevertheless noteworthy that homosexuality was decriminalized after the October Revolution and remained so until Stalin re-criminalized it in 1930. Don Healey, "Homosexual Existence and Existing Socialism: New Light on the Repression of Male Homosexuality in Stalin's Russia", in *GLQ: A Journal of Lesbian and Gay Studies* 8 (2002), pp. 349–378.
- 71 The Central Asian republics of Uzbekistan and Turkmenistan are exceptions to this pattern. Moreover, some countries, such as Romania, did not decriminalize homosexuality until several years after the end of communist rule.
- 72 In regard to gay office-holders, we find Cyprus at the bottom of the table. It should be kept in mind, however, that Cyprus is divided into distinct Greek and Turkish components. In the unrecognized Turkish Republic of Northern Cyprus, same-sex practice is illegal and punished by jail terms of up to five years. Hence, it would hardly be surprising if many Turkish-speaking respondents express hostility towards homosexuality.
- 73 There is of course a slight possibility that northwestern Europeans are more careful about speaking their minds when they answer such questions. In 2011, Western Europeans were certainly more accustomed to the notion of politically correct attitudes towards race, gender, and gender orientation than post-communist citizens. In other words, while it has become inappropriate to express hostility towards certain minorities in long-established, Western European democracies, open hostility towards homosexuals for example appears to be perfectly acceptable in countries that happened to belong to the communist world before 1989.
- 74 The poll was carried out by Spinter Polls. Reprinted in [www.delfi.lt](http://www.delfi.lt), 2009-06-26.
- 75 Curiously, 41 percent of the unemployed respondents said they could not work with a homosexual person.
- 76 Virginija Aleksejūnė and Margarita Jankauskaitė (Center for Equality Advancement), interview with the author, Vilnius, 2011-04-14; and Leonidas Donskis (MEP), interview with the author, Vilnius, 2011-14-15.
- 77 Ronald Inglehart and Christian Welzel, *Modernization, Cultural Change, and Democracy*, New York 2005.
- 78 One variable that makes attitude change in Lithuania harder to predict is emigration. [http://www.iom.lt/documents/Migration\\_profile\\_EN.pdf](http://www.iom.lt/documents/Migration_profile_EN.pdf), accessed 2011-11-14.
- 79 Kjetil Duvold, *Making Sense of Baltic Democracy: Estonia, Latvia and Lithuania between the Soviet Union and the European Union*, Colne 2010.
- 80 Ralf Dahrendorf, *Reflections on the Revolution in Europe: In a Letter Intended to Have Been Sent to a Gentleman in Warsaw*, New York 1990.
- 81 Gabriel Almond and Sidney Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton 1963.

