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## PREFACE

We are happy to present the third volume of the *Lithuanian Political Science Yearbook*. The *Lithuanian Political Science Yearbook* is a continuous political science publication issued by the Institute of International Relations and Political Science of Vilnius University and the Lithuanian Political Science Association. It is, first of all, intended for the foreign readers who are interested in the achievements of the Lithuanian political science as well as in the present developments in the domestic and foreign policy of the Lithuania. We are glade to mention that the previous issues of the *Yearbook* were met with great interest and attracted favourable comments from our foreign colleagues.

The present volume of the *Yearbook* is based on the previously employed principles. Nevertheless, the focus of this volume is on terrorism as a challenge to the contemporary world. What are the roots and causes of the international organised terrorism? What were the security implications of September 11 to Lithuania? What kind of science does Lithuania need, and how much of it? Implementation of decisions is the most complicated stage of policy process in Lithuania. What are the main reasons of this situation? EU enlargement and europeanization: results for accession countries and member states. These are some of the questions that the *Yearbook 2001* is trying to answer.

The *Yearbook 2001* also presents a research project prepared by the Institute of International Relations and Political Science of Vilnius University together with the Centre for Strategic and International Studies (CSIS) on Lithuania's security and foreign policy strategy, the so-called "White Paper". This policy paper assesses Lithuania's qualifications for NATO and EU accession and underscores the country's increasing role in European security and economic development. It also offers several recommendations for the U.S and Lithuanian governments to further develop bilateral relations while enhancing Lithuania's role as a generator of security in the Nordic-Baltic-Central European Region.

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**TERRORISM AS A CHALLENGE  
TO THE CONTEMPORARY WORLD**



# DEFINITION OF TERRORISM: PROBLEMS AND APPROACHES

*Asta Maskoliūnaitė*

## *Introduction*

In the 1970s, after a great majority of the world states had experienced terrorist attacks, terrorism came to be considered as one of the global problems. Although the tactics resembling terrorism is traced as far back as the Jewish struggle against the Roman empire<sup>1</sup>, it is the end of the 1960s that marks the beginning of the contemporary terrorist activities, an era of what has been called “age of terrorism”<sup>2</sup>. Several events of that time influenced both the increasing usage of terrorist tactics to influence the political agenda and the appearance of the word “terrorism” in everyday language, especially in the media. These events include death of Che Guevara in 1967, which revealed the shortcomings of guerrilla warfare, student uprisings of 1968, which had a similar influence on shaping the view of impact of revolts, and the Six Day War of June 1967, which gave an impetus for an increasing use of the term “terrorism” by the Western media<sup>3</sup>.

According to Schmid and Jongman, from these years the “authors have spilled almost as much ink as the actors of terrorism have spilled blood”<sup>4</sup> in trying to assess different features of the phenomenon and of the state’s response to it. However, its increased usage in the most various spheres of activities (media, politics, sciences) sometimes seemed to add more to the confusion than to the explanation of the phenomenon. Actually, the word itself has recently received so much attention that, as Adrian Guelke put it, “there seems to be virtually no limit to what could be described as terrorism”<sup>5</sup>. Anything that is intimidating, violent or threatening to various extents is described as terrorism. Up to a ridicule. Even a dog, as one British newspaper put it, can be called a “terrorist on four legs”.

Of course, it could be said that many notions flow in between the scientific and everyday life discourses, but not many of them are in such a



great need of division, as strict as possible, between the two spheres of usage: between professional usage and that of everyday life. Terrorism is one of the best examples of such notions.

There are several arguments that can be provided in order to justify the need for, at least, a working definition of terrorism. First of all, contrary to many politicians and a few political scientists who claim that the assumed need of a definition of terrorism is exaggerated, that terrorism, as pornography, is impossible to define, but one can tell them when one sees them, it could be argued together with Alex Schmid that:

... "we-know-it-when-we-see-it" attitude ... easily leads to double standards which produce bad science and also, arguably, bad policies<sup>6</sup>.

Another important reason for finding a definition for terrorism is a highly emotional charge that the word carries in it. As Guelke puts it:

... the word 'terrorism' cannot possibly be treated as if it were a neutral technical term for a particular category of violence. The term carries a massive emotive punch. Indeed, it is probably one of the most powerfully condemnatory words in the English language. ... In fact, the very emotive power of the word has helped to shape the more specific application of the term. In particular, its judgmental character has strongly influenced the political context in which it is applied.<sup>7</sup>

Such a normative connotation does not allow one to leave the understanding of the term for an arbitrary assessment of a reader or listener. A good example of the hazard of such a common sense "definition" has come these days from the descriptions of the actions of Palestinians and the Israeli state. While in the West there was a great controversy over how to call the actions of Sharon and Palestinian suicide bombers, for the leaders of Islamic nations, gathered in Kuala Lumpur at the beginning of April, Israel is clearly a terrorist. The view of Palestinian actions, however, is more ambiguous. On the one hand, it is stated that all the attacks against civilians should be considered terrorism. As Mohamad Mahathir, Malaysian Prime Minister, stated:

Whether the attackers are acting on their own or on the orders of their government; whether they are regulars or irregulars, if the attack is against civilians then they must be considered terrorists.

On the other hand, Palestinians are fighting for the right cause as another statement, that of Kamal Kharrazi, the Iranian Foreign Minister, implies:

The Palestinians are resisting the occupation of their land. It is quite different from the terror attacks that were carried out in New York, which the Organization of the Islamic Conference and most of Muslim countries in the world condemned.

These two statements are a good example of how violence tends to appear more legitimate if its ends are emphasized, while it seems to be less legitimate if only means receive the attention. This usage of different emphasis can be very well employed both trying to justify some people in their attacks and to condemn the others. This fact is again related to the emotional charge of the term. It is often argued that the whole idea of terrorism, given its condemnatory charge, is used to describe violence, which is not appreciated. As Richard Drake put it:

As a rule, terrorism is the name we give to the violence of people we do not like or support; for the violence of people we do like or support, we find other names<sup>8</sup>.

Therefore, to leave the understanding of the meaning of the term for the readers is not a good solution. Moreover, just by using the word, the author partially imposes his/her own judgment of the events and people in action. For that reason alone, it is necessary to state exactly what is meant by "terrorism" in the context of the analysis and explain why this and not that type of actions can be called terrorist. According to Schmid:

While the language has political legitimacy functions – and legal and official definitions of terrorism as well as public discourse reflect this – social science analysts in academia should attempt to create and project their own terminology<sup>9</sup>.

This issue leads us to the question of a possibility of such a definition. For the above-mentioned reason of the lack of neutrality in the concept, some of the authors argue that

... no commonly agreed definition can in principle be reached, because the very process of definition is in itself part of a wider contestation over ideologies or political objectives.<sup>10</sup>

Such a statement is a weighty one and it is proven by the fact that even though there are constant attempts to create an overarching definition of terrorism, such an enterprise has not been completely successful. However, there is an argument in literature that while it is hardly possible to get rid of the normative connotations of the term in everyday language, in the scientific discourse it might be possible to create a certain definition of the notion of terrorism using a more or less technical language. This is what distinguishes scientific language from that of an everyday life – it is a language through which one can dispassionately describe the most passionate events of human life. Thus, an election campaign may acquire a meaning of life-and-death struggle for their participants, the same as football matches may seem as highly emotionally charged for the fans of the teams, but it is possible to narrate these events without such passions, using rather neutral terms. Terrorism itself is, of course, a more problematic concept, for, to the

contrary of the afore-mentioned phenomena, it is actually connected with life-and-death struggle, it actually implies the creation of deepest fears in the minds of the ones who encounter it. However, for that reason the need of a dispassionate conceptualization of terrorism is even more acute.

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In their *Introduction to Political Terrorism*, Weinberg and Davis distinguish between four approaches to the definitions of terrorism<sup>11</sup>: *historical* – seeking to provide an understanding of terrorism through the historical usage of the term; *list-type* – providing a listing of situations in which the event may be called terrorist. Such definitions make part of so-called *practical* definitions. And, finally, scientific definitions could be divided into *normative* – to distinguished by an employment of just/unjust, moral/immoral, etc. dichotomies; and *analytical* definitions of terrorism, trying to envelop the concept into more or less neutral terms and to provide as comprehensive as possible account of the phenomenon.

In this paper, using the aforementioned divisions, these four approaches to the definition of terrorism will be analyzed with due consideration of their merits and flaws. First of all, I will start with the historical development of the concept, looking briefly through its usage at the beginning of its appearance on the scene. Secondly, I will look through some of the practical definitions of the phenomenon. Next, the so-called normative definitions will be examined. In this case the analysis of moral arguments for and against terrorism in Igor Primoratz' article "The Morality of Terrorism"<sup>12</sup> will serve as an example. And finally, I will assess some of the analytical definitions and the possible objections towards them.

### *History of the term*

Some authors trace the appearance of terrorism back to Jewish Zealot's movement (66-73 AD), when the *sicarii*, in their attempt to drive Romans out of Palestine, were using rather unorthodox for those times means of violence (like murders in the midst of the crowds) trying this way to force the moderate Jews into a fiercer opposition against occupation and the Romans themselves to leave<sup>13</sup>. Later the phenomenon is said to have appeared in another sect – the Assassins (11<sup>th</sup>-13<sup>th</sup> c.), who were also using many of the techniques similar to those of nowadays terrorists and who were attempting to reach their goals by a long campaign of intimidation.

However, while there is a great debate about using concepts of modernity to describe older historical phenomena, it is agreed that the roots of modern terrorism and the entrance of the concept itself into the political lexicon lie in the events of the French Revolution. As the revolution itself,

the concept of terror gained a very controversial assessment from the very beginning of its application. For the adherents of revolution, it was an unfortunate but necessary part of a revolutionary struggle. For its adversaries it was a brutality, unnecessary as the revolution itself.

Nevertheless, it should be emphasized that the primary conceptualization of terror came from the revolutionaries themselves. Considering intimidation and violence to be a neutral weapon, in a sense that it could be used against the "enemies of freedom", but also by them to suppress its advances<sup>14</sup>, robespierrists sought to give a specific meaning to their terror. Whence came the emphasis on the aims of this strategy, as opposed to the means, whence, also, the emphasis on virtue, as the true strategy of revolution with terror only as its emanation, employed by necessity. As Robespierre put it:

Terror is nothing else than swift, severe, inflexible justice, hence, it is an emanation of virtue, it is not a particular principle, but a consequence of a general principle of democracy applied for the most pressing needs of the country.<sup>15</sup> (translation mine)

Jacobins proudly called their rule "reign of terror" and themselves – terrorists. Their actions were meant to intimidate all the enemies of the revolution, to instill fear in their hearts and minds. This aspect of the Jacobin terror is what makes it intimately related to the future generations of terrorists all over the world.

In addition, terror, as the revolution itself, had to stand the test of legality, which the adversaries of revolutionaries both inside and outside the country were putting forward. A solution to this problem was found through envisioning terror as an extra-legal endeavor. As David Rapoport writes:

The Revolution established a new principle of legitimacy ("The Will of the People") which did not simply absolved its agents from adhering to existing moral and legal rules, even those authorized by the People; it also obligated them sometimes to do so. ... History sometimes supplants the People as the legitimizing source; in either case, the idea of a transcendent entity that cannot be subjected to the rules in the ordinary sense of the term, even rules that the entity supposedly creates, remains the same<sup>16</sup>.

This new principle of legitimacy, together with the idea of general will, which is not the will of all people taken together but something permanent and objective, as it appears in the writings of Rousseau, shapes many of the ideas of terrorists today as well. The idea that the general will is not graspable by everyone but can be apprehended by some people, who then become real prophets, allows a rather easy legitimization of the terrorist activities. Like the French revolutionaries in the 18<sup>th</sup> century, many contemporary terrorists see themselves as carrying out the will of God or the prescription of History and this is supposed to legitimize their activities.

Furthermore, belonging to the realm of “historical necessity”, to use a Marxist term, any revolution (terrorism itself is “commonly, but not invariably revolutionary”<sup>17</sup>) comes from the outside of the legal system existing in that country. It is most commonly perceived as a non-legal act, with its opponents calling it illegal while its adherents perceive it as *extra-legal*, beyond the legality of old codes of laws. It cannot be put into the brackets of the system it opposes, because its legitimacy or illegitimacy come from a very different level of justification. The same circumstances that make terror necessary give it this kind of legitimation, not a legitimation of the laws, but a legitimation of the will of the People. Terror, thus, appears in the beginning as an emanation of virtue, a certain expression of the working of general will and an extra-legal phenomenon. It is to preserve these features in the minds of many consequent generations of terrorists as well.

Not taking into much consideration the subtleties of the Jacobin philosophy of terror, the dictionaries of the time gave a definition of terrorism as a “système, régime de terreur”<sup>18</sup>. Consequently, a terrorist was seen as “anyone who attempted to further his views by a system of coercive intimidation”<sup>19</sup>.

Unfortunately, the whole perception of terrorism was substantially clouded by the political struggles both before and after the Thermidorian coup, which put an end to the so-called Robespierre’s dictatorship and to the reign of terror itself. The trail of this struggle was to follow the concept into nowadays. It gives rise to various problems when defining terrorism through its historical usage. For it seems to raise an obvious question about whose definition we are to take as our guidance. Is it to be a robespierrist understanding of terror as intimately related with virtue, as an emanation of highest principles of democracy, justice and freedom, as an extra-legal activity to be judged by different standards of legality as well as morality than the actions of the established authorities? Or is it to be an anti-robespierrist conceptualization of the notion as an illegal, unnecessary brutality and a systematic use of violence to further someone’s views? Such questions are not that easy to answer, therefore, the idea of using historical evolution of the concept to create its definition cannot help much.

### ***List-type and official definitions***

One way to escape politicization of the concept is to apply the so-called list-type definitions of terrorism. Such definitions are an attempt at listing all or most of the activities that can be called terrorist, not considering their aims, trying to escape this way from the politicization of the issue. As the means of the struggle are emphasized and aims are left aside, it is easier to look neutrally on the subject. Thus, for example, every plane hijacking, hostage taking or attack on diplomats becomes a terrorist act no matter what are the motives.

Such ideas are best expressed in the international conventions, e.g. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971 or Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16 December 1970, as well as in legal acts of the various states of the world. In such cases, notwithstanding the objectives of the performers of the acts and the support or rejection of the public of their aims, they will be considered terrorist. Therefore, it becomes possible to leave aside political sympathies and antipathies and to assess the doers of the acts with the blindfold justice.

However, the list of activities that were or are at one time or another considered terrorist could be nearly infinite. Thus, such a list is not always a convenient way of defining terrorism even in the law. Furthermore, it is not always easy not to take into consideration the ends of the act. For example, if the robbers attack a diplomat, it is not considered to be terrorism, but robbery, an act to be punished by other criminal laws than the ones concerning terrorism. Therefore, the official definitions of the phenomenon often include the aims of the instigators of the acts, at least to a certain extent. Consequently, it is not enough to engage in an “unlawful use or threat of violence”, but to do so “to further political or social objectives” and thus “to intimidate or coerce a government, individuals, or groups, or to modify their behavior or politics” (US Vice-President’s Task Force on combating terrorism, 1986<sup>20</sup>). Similarly, the British Prevention of Terrorism Act of 1974 defines terrorism as “the use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear”<sup>21</sup>.

Such definitions again have their flaws. On the one hand, they might be considered too broad. As, for example, Laqueur notes, “the application of legal norms presents certain difficulties, for seen in this light legitimate resistance (legitimate according to natural law) against tyrants is also criminal”<sup>22</sup>. On the other hand, being “legal norms” of the states, they certainly exclude another variety of terrorism, i.e. terrorism with which the whole concept entered into political field – terrorism of the state.

For these reasons, in the scientific enquiries other types of definitions should be used. The last two sections of this paper will consider such definitions, first focusing on the so-called normative definitions and subsequently analyzing the analytical ones.

### ***Normative definitions of terrorism***

Some of the definitions used in analytical works on terrorism and especially in the speeches and articles of the figures of anti-terrorist campaigns all over the world could be called “normative” for in themselves they in-

clude not only an impassionate description of the phenomenon at hand, but also its evaluation on moral grounds. The most common feature of these definitions is the emphasis on the victims of terrorism, on the innocence of the targets of the terrorist attacks.

For the authors using such definitions, the conceptualization itself serves as a tool for a strong condemnation of terrorist actors. Alfred J. Fortin in his article "Notes on a Terrorist Text: A Critical Use of Roland Barthes' Textual Analysis in the Interpretation of Political Meaning" analyzes a text of Jeane Kirkpatrick, a political scientist, as well as a former representative of the US to the United Nations, as an example of what he calls a "terrorist text"<sup>23</sup>. In her article in *Harpers* (October 1984), Kirkpatrick sees terrorists as the ones who "kill, maim, kidnap, torture", who "chooses violence as the instrument of first resort" whose victims maybe "schoolchildren, travelers ... , industrialists, returning home from work, political leaders or diplomats". Further, terrorism is seen as "a form of political war", but it "should also be distinguished from conventional war, and terrorists from soldiers" as "a soldier uses violence in accordance with the legally constituted authorities of his society against the enemies designated by those authorities", while a terrorist "engages in violence in violation of law against people who do not understand themselves to be at war"<sup>24</sup>.

According to Fortin, such a construction of the argument has several important implications for the analysis. First of all, it is not so much a "building or structuration of the terrorist, than it is a structuration of the terrorist-victim relation"<sup>25</sup> in which the reader is encouraged to "identify with the victim status" and thereupon to adhere to the political agenda proposed by the authorities. Furthermore, opposition to this agenda, as well as a neutral analysis, becomes basically impossible and:

[w]e see this constraint in the rigidities of the dramatic oppositions created, in the marginal and covert status of the hermeneutical code, in the incessant drive of the moral claim to trivialize contending discourses, in the choice of a noninterpretive epistemology with its dogmatic sense of real, and in the performative nature of the text itself<sup>26</sup>.

The argument is constructed in such a way that it is impossible not to take sides in the eternal fight between the good and the evil and those sides are clearly indicated. Showing a reader as a potential victim, the text is paternalistic; it does not ask for the evaluation of its ideas. The evaluation is pre-given in the definition and, consequently, the article itself appears to be not so much the analysis of terrorism but a condemnatory artifact and a tool of political struggle.

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It could be noted that Kirkpatrick's statement is a rather radical expression of a normative analysis of terrorism and understandably so, as the author of this text was so strongly related to one side of the terrorist – counter-terrorist struggle. However, even in a more dispassionate environment of

science one can easily find similar views on terrorism. To illustrate this type of definitions and the way they influence the analysis of the phenomenon in greater detail Igor Primoratz' article "Morality of terrorism", published in 1997 in the *Journal of Applied Philosophy*<sup>27</sup> can also be very useful.

The author of the article engages in the discussion of the justifications of terrorism, while also making a very important and useful attempt to distinguish this phenomenon from others, such as war and revolution. He starts his analysis by giving a definition of terrorism as:

... the deliberate use of violence or threat of its use, against innocent people, with the aim of intimidating some other people into a course of action they otherwise would not take<sup>28</sup>.

In justifying this definition, the author raises eight points:

a) While it does not capture all of the aspects of the phenomenon, but captures most of them;

b) terrorism has a certain structure, i.e. it "targets two different persons or groups of people;

c) its "secondary target, which is directly attacked, is innocent people" by which he means that they are non-combatants and not "political officials involved in the conflict". In this, he claims, terrorism is "distinguished from war in general (and guerrilla war in particular), and from political violence";

d) in such a definition "connection of 'terrorism' with 'terror' and 'terrorizing' is preserved";

e) it "covers both political and non-political (such as religious or criminal) terrorism";

f) it is politically neutral, allowing one to analyze all kinds of terrorism (state and anti-state, revolutionary and counter-revolutionary, etc.);

g) (as this is one of the most important statements, it would be useful to quote it at length)

... it is also morally neutral. ... it captures the elements of terrorism that cause many of us to view it with utmost moral repugnance: *violence* (or threat of violence) against the *innocent*, for the purpose of *intimidation* and *coercion*. But it is not an attempt at prejudging a *moral* decision by means of a *definition*: it does not make moral condemnation of terrorism analytically true and thus trivial, nor its moral defense analytically false, a contradiction in terms, nor the question of its moral status a self-answering one (emphasis the author's)

h) and finally, focus on the innocence of the victims, according to the author, connects this definition with the broader debate of the just war theory<sup>29</sup>.

There is no need to go deeper into all details of this definition. It contains many of the elements that are found in most of the definitions and also, most of the author's claims do not evoke objection. What makes it



stand in the midst of the normative definitions is its emphasis on the “innocent people”. As in the aforementioned case of Kirkpatrick, this emphasis on the innocent, on the terrorist attacks against schoolchildren, an embodiment of innocence, is strongly present in the argument of Primoratz as well.

While, according to the author, this definition is to be morally neutral and its application not to be a prejudging one, the way his argument is constructed testifies to a different approach. When discussing consequentialist arguments for terrorism and especially Trotsky's view on the continuity between war, revolution and terrorism, the author often resorts to this definition in order to emphasize the moral impermissibility of terrorism as opposed to the other two phenomena. According to him:

In war and revolution ... intimidation is (or can and should be) effected by the attacks on *legitimate* targets: on members of the enemy's armed forces, on other military targets (e.g. arms factories), and on his political leadership. ... Terrorism, on the other hand is always an attack on *illegitimate* targets, on innocent people, with the aim of intimidation and coercion<sup>30</sup> (emphasis the author's)

One can argue against such a proposition in different ways. First of all, as we have seen from the description of the historical roots of the concept, terror might be seen as intimately related to a revolutionary strategy<sup>31</sup>. As in times of civil strife, it becomes difficult to tell who is and who is not a legitimate target in Primoratz' sense, terror often becomes part of a strategy of war. Such an argument, of course is not a strong one and can be rather easily refuted on the grounds that both in war and in revolution some actions are morally as repugnant as terrorism itself. However, some more arguments can be raised. First of all, it could be asked and often is done so, who has defined what kind of phenomenon we are dealing with, i.e. who defines if what is at hand is a revolution, a (class)war or an act of terrorism? The official position may well be different from the one assumed by the participants of the different sides of the struggle.

Such questions are easier to answer and the consequent naming of the event is done more easily when there is at least some temporal distance between the analyst and the situation he analyzes. At the time of the events happening, such a naming is not that easy. Finally, too much emphasis on the innocence of the victims may well be clouding the understanding of the phenomenon at hand and its difference from other phenomena. One of the reasons to raise such an argument is that terrorism itself rather often deals blows to the targets that are, in Primoratz sense, legitimate ones. When a Palestinian suicide bomber blows herself up in front of an Israeli military establishment, it is called a terrorist act. When a Basque separatist kills a Spanish official, political leader or a policeman it is also called a terrorist act even though, having declared a war on the Spanish state, these become legitimate targets. Accordingly, while for a terrorist a distinction between innocent and guilty may

often be blurred, as Primoratz rightly suggests, terrorism itself can often be waged in accordance to the rules of war (a rather specific war, but still a war) for adherence to which the author is arguing.

Primoratz actually discusses similar arguments when he talks about Trotsky's justification for employment of terrorism in certain situations. Trotsky claims that the distinction between combatants and non-combatants is rather blurred in the modern wars. Modern armies often consist of many soldiers that were drafted by force, that do not agree with the position of their government, etc. Also, devastating effects of modern warfare necessarily bring suffering and death to millions and millions of people, noncombatants and, hence, innocent. For these and some other reasons in Primoratz' interpretation Trotsky argues that

we must either accept terrorism as a legitimate method of struggle in certain circumstances, or reject as morally impermissible all war, all revolution, indeed, every form of violence<sup>32</sup>.

Primoratz raises objections to such a view saying that even though the distinction between the phenomena and also often between the combatants and non-combatants in the war may not always be that clear, it definitely should be preserved. However, the arguments he uses to justify this distinction between the phenomena and certain inevitable casualties among civilian population in times of war are not very convincing and, indeed, are rather similar to the ones he uses to argue against terrorism. While discussing terrorism, the author claims that one of the principal violations that a terrorist does is disrespect for persons. He writes:

... the principle demands that we recognize and respect certain basic human rights of every human being, which safeguard a certain area of personal freedom; persons are to be respected as holders of rights. There is no way the terrorist can do this; for if I have any basic right at all, the right not to be killed or maimed in order that the terrorist's cause be promoted is surely one of them.<sup>33</sup>

In claiming this, the author is certainly right. However, when he discusses a situation of war, he seems to have forgotten what he has written just a few pages above. The example he gives is of "our" artillery's attack upon a village, which has enemy troops stationed within. Now, according to Primoratz, in attacking the village, civilian casualties may certainly appear, but the question is whether they are deliberate or just "unintended and undesired, but inevitable and foreseen consequence of the attack"<sup>34</sup>.

This definitely might be an important consideration for the military personnel involved in a conflict, but it is doubtful that such arguments can be used strongly in separating morality of the soldiers from the immorality of terrorists. For if "I [living in this village] have any basic right at all", "the right not to be killed or maimed in order that [your army's] cause be promoted is surely one of

them". Such examples and propositions, to my mind, would be more in support of Trotsky's argument that if terrorism is to be never morally justified, so are all the wars and revolutions, except, as it is often put forward, the ones that take place in a desert or sea, where no civilian casualties would be at hand. The "advantage" of a war, then, is only in the fact that the combatants and non-combatants are actually easier distinguished in this case. However, as was mentioned before, terrorists do not necessarily have to use the "extension of notion of guilt so extreme that the whole distinction between guilt and innocence does not make sense"<sup>35</sup>, but direct their attacks towards military and other targets that are, in Primoratz sense, legitimate target during the struggle. What distinguishes terrorism from the war on moral grounds for this author, therefore, is more the author's emphasis on the "innocence" than the terrorists' notions of "guilt". Consequently, it could be argued that the definition the author gives on the phenomenon has influenced rather significantly his own analysis and thus the claims that his definition is morally neutral and does not prejudge the phenomenon should be viewed with certain suspicion. It is rather doubtful that the distinction between terrorism on the one hand and war and revolution on the other could be made exclusively by linking the former to the defiance of the distinction between the guilty and the innocent. Therefore, it could be said that, possibly unintentionally, the definition does influence the analysis itself. And this is the most common problem of all definitions of terrorism of the normative kind.

### *Analytical definitions of terrorism*

The last group of definitions to be tackled upon here are, what might be called analytic definitions of the phenomenon. There exists a great variety of such definitions as well, but one of the most comprehensive attempts at providing a definition for terrorism is that undertaken by Schmid, who tried to connect elements used in a hundred different definitions into one. Thus, he defines terrorism as:

An anxiety-inspiring method of repeated violent action, employed by (semi-)clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby – in contrast to assassination – the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from the target population, and serve as message generators. Threat- and violence-based communication processes between terrorist (organization), (imperiled) victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on

whether intimidation, coercion or propaganda is primarily sought.<sup>36</sup>

The author admits that even this extremely long and complex definition still leaves aside some elements used in other definitions. However, most of the left out elements are actually the ones that carry normative implications, such as the ones emphasizing innocence of the victims of terrorism or the lack of “humanitarian constraints” of the terrorists, which, as we have seen, make part of normative definitions of the phenomenon.

On the other hand, one may argue that such a definition is actually too broad, it contains too many elements and is more of a summary of different notions than a definition *per se*. Some of its elements, to my mind, may well be abandoned (such as employment of idiosyncratic or criminal reasons, because actually one of the principal and most important traits of terrorism is usually considered to be the political motive behind this type of violence). However, it is hard not to agree that this attempt is the most comprehensive one to define terrorism in general. It takes into account both the insurgent and state types of terrorism, it accounts for the targets of the attacks, their possible justifications and, what is considered to be one of the main elements of terrorism – the factor that “direct targets” of this type of violence “are not the main targets”.

For the purposes of many investigations a less comprehensive definition of terrorism can also be used. The majority of definitions of this phenomenon includes only three or four elements of this definition, mainly, violence, political reasons and an attempt to create an atmosphere of fear.

Thus, having such a definition, which is technical in a sense that it uses more or less neutral elements (if such elements as violence may ever be neutral) to describe a phenomenon in consideration, and confronted with a group that uses violent means to achieve its political ends through creating an atmosphere of fear, one might say that we are dealing with terrorists. If we see a state, which uses its violence in order to create an atmosphere of insecurity in the population for the purposes of maintaining control or for any other reason, we may call that state a terrorist. The problem of emotional charge of the word still remains, but its impact can be reduced by such dry statements. Having such a definition it is possible to analyze the causes and effects of terrorism, leaving aside the normative implications of the term, as well as political considerations. Therefore, even though it might not be possible to create an all-encompassing definition of such a notion as terrorism, it could be said that analytical definitions approach this ideal the closest.

### ***Conclusions***

Attempts at conceptualization of the notion of terrorism have often failed because of the variable nature of the phenomenon and the diversity of

approaches. As most of the notions of the social sciences, it is difficult to define using the usual methods, the more so that, in contrast to other phenomena, terrorism carries in itself a strong emotional component, making a neutral scientific definition of the concept very difficult to attain. Yet, the objective remains. As Laqueur argues:

... a comprehensive, generally accepted definition of terrorism does not exist and is unlikely to come into existence, if only because terrorists and their victims will not agree on the matter. But a working definition is certainly not beyond our reach<sup>37</sup>.

In this paper, four approaches to the definition of terrorism were distinguished, namely, historical, list-type, normative, and analytical, and their merits and flaws analyzed.

Historical definitions, defining the concept through its historical usage, it was argued, carry a strong political charge. List-type definitions tend to avoid the political charge, but as most of them make part of the official definitions, they do not cover one very important type of terrorism – that of a state. Normative definitions, while emphasizing many of the important elements of the phenomenon, tend to carry a strong moral charge, which, as it was shown, can greatly influence the analysis. Therefore, it was argued that the most useful definitions at hand are the so-called analytical definitions. They do not have such limitations as political charge, which might characterize the definitions of historical type; they are not limited to anti-state terrorism, as the official ones usually are, and do not have a significant moral charge as the normative ones.

When dealing with terrorism, then, one should bear in mind the insight of Octave Mirbeau, expressed in relation to the anarchist acts at the beginning of the 20<sup>th</sup> century, that “the greatest danger in the bombs is the explosion of stupidities that they provoke”. Doing research on such a controversial issue one should try to distance oneself as much as possible from the passions stirred by the terrorist attacks and for this reason a technical working definition of terrorism might be very useful.

#### NOTES AND REFERENCES

<sup>1</sup> See, for example, Weinberg L., Davis P. *Introduction to Political Terrorism*. – N.Y.: McGraw-Hill, 1989, p.19.

<sup>2</sup> Laqueur, Walter. *The Age of Terrorism*. Boston: Little Brown and Company, 1987.

<sup>3</sup> See, for example, Guelke, Adrian. *The age of terrorism and the international political system*. London: I.B.Tauris. 1995. – p.2-3).

<sup>4</sup> Schmid, Jongman. *Political terrorism: a new guide to actors, authors, concepts, data bases, theories, and literature*. Amsterdam: North Holland, Transaction Books, 1988. – p.xiii

<sup>5</sup> Guelke, Adrian. *The age of terrorism and the international political system* – p.1

<sup>6</sup> Schmid, Jongman. *Political terrorism: a new guide to actors, authors, concepts, data bases,*

theories, and literature. – p.1.

<sup>7</sup> Guelke, Adrian. The age of terrorism and the international political system – p.7

<sup>8</sup> Drake, Richard. *Revolutionary Mystique and Terror in Contemporary Italy*. – Bloomington: Indiana University Press, 1989. – p.xv

<sup>9</sup> Schmid, Jongman. *Political terrorism: a new guide to actors, authors, concepts, data bases, theories, and literature*. – p.27

<sup>10</sup> Quoted in <sup>10</sup> Schmid, Jongman. *Political terrorism: a new guide to actors, authors, concepts, data bases, theories, and literature*. – p.27.

<sup>11</sup> See Weinberg L., Davis P. *Introduction to Political Terrorism*.

<sup>12</sup> Primoratz, Igor. *The Morality of Terrorism* // *Journal of Applied Philosophy*, Vol.14, No.3, 1997. – pp.221-233.

<sup>13</sup> See, for example, Laqueur, Walter. *The Age of Terrorism*. – p.12-13

<sup>14</sup> "Que le despote gouverne par la terreur ses sujets abrutis ; Il a raison, comme despote : domptez par la terreur les ennemis de la liberté ; et vous aurez raison, comme fondateurs de la République" (When a despot governs by terror his stupefied subjects, he is right as a despot; overcome by terror enemies of freedom and you will be right as the founders of the Republic) from Robespierre, Maximilien. *Pour le bonheur et pour la liberté*. Discours. – Paris: La fabrique editions, 2000 – p.297.

<sup>15</sup> La terreur n'est que la justice prompte, sévère, inflexible; elle est donc une émanation de la vertu; elle est moins un principe particulier qu'une conséquence du principe général de la démocratie appliqué aux plus pressants besoins de la patrie. Quoted from *ibid.*, p.296-297)

<sup>16</sup> Rapoport, David. *Introduction* // Rapoport, D. and Alexander Y. *The Morality of Terrorism: Religious and Secular Justifications*. – New York: Pergamo Press, 1982. – p.xiv)

<sup>17</sup> Gilbert, Paul. *Terrorism, Security and Nationality. An Introductory Study in Applied Political Philosophy*. London: Routledge, 1994. – p.26.

<sup>18</sup> *Dictionnaire de l'Académie Française* of 1798. Quoted in Laqueur, Walter. *The Age of Terrorism*. – p.11

<sup>19</sup> James Murray' *New English Dictionary on Historical Principles*, published in 1919 in Oxford. Quoted in Laqueur, Walter. *The Age of Terrorism*. – p.11.

<sup>20</sup> See [http://www.population-security.org/bush\\_and\\_terror.pdf](http://www.population-security.org/bush_and_terror.pdf) p.7

<sup>21</sup> See <http://cain.ulst.ac.uk/hmsol/pta1974.htm>

<sup>22</sup> Laqueur, Walter. *The Age of Terrorism*. – p.145

<sup>23</sup> "The text is not a quest, but an act of combat. And to the extent that it strikes without notice, trades on fear, and is impatient with process, it is a terrorist text" Fortin, Alfred. *Notes on a Terrorist Text: A Critical Use of Roland Barthes' Textual Analysis in the Interpretation of Political Meaning* // Der Derian, Shapiro, eds. *International/Intertextual Relations. Postmodern Readings of World Politics*. Lexington, Mass.: Lexington Books, 1989. – p.203

<sup>24</sup> The text is taken from Fortin, Alfred. *Notes on a Terrorist Text: A Critical Use of Roland Barthes' Textual Analysis in the Interpretation of Political Meaning* – p.205-206.

<sup>25</sup> *ibid.*, p.203)

<sup>26</sup> *ibid.*

<sup>27</sup> Primoratz, Igor. *The Morality of Terrorism* // *Journal of Applied Philosophy*, Vol.14, No.3, 1997. – pp.221-233.

<sup>28</sup> Primoratz, Igor. *The Morality of Terrorism*. – p.221.

<sup>29</sup> Primoratz, Igor. *The Morality of Terrorism*. – p.221-222.

<sup>30</sup> *ibid.*, p.226, emphasis author's.

<sup>31</sup> There is a great debate about whether or not terror is a necessary stage of a revolution or it can be in one way or another avoided (see, for example, O'Kane. *Revolutionary reign of terror: role of violence in the political change*. Vermont, Edward Elgar publishing company, 1991). There is no need to get deeper into this debate here, for it does not nullify the argument.

<sup>32</sup> Primoratz, Igor. *The Morality of Terrorism*. – p.226.

<sup>33</sup> *ibid.*, p.224.

<sup>34</sup> *ibid.*, p.227.

<sup>35</sup> *ibid.*, p.224.

<sup>36</sup> Schmid, Jongman. *Political terrorism: a new guide to actors, authors, concepts, data bases, theories, and literature*. – p.28.

<sup>37</sup> Laqueur, Walter. *The Age of Terrorism*. – p.149.

## SACRED VIOLENCE: IN SEARCH FOR JUSTIFICATION OF VIOLENCE IN THE HOLY TEXTS

*Egdūnas Raėius*

Terrorism means violence, though not all violence is terrorism. There is violence and violence. Superficially speaking, there is justified violence and unjustified violence. Under the heading of the justified violence presumably fall such cases as punishments imposed by legal institutions of the state, first of all, under the criminal law; armed defense of one's own soil; and, in certain cases, defending one's own life and property. Unjustified violence, conversely, comprises all sorts of activities, which are carried out by illegal agents and/or illegal means: criminal offense, aggressive military operations, etc. Violence against civilians is commonly considered unjustifiable, with rare exceptions.

Yet, who and what defines, if a certain act of violence is justifiable or not? It could be assumed, that on the national level, it is the state, or rather its laws, while on the international level – international treaties and universally adopted declarations. However, on both levels, one encounters difficulties: not rarely limits of nationally justified violence significantly differ from state to state: something, what is sanctioned in one (imprisonment, torture, death punishment), is outlawed in the other. In other words, legal systems, and especially criminal laws, are often not quite compatible. As for the international level, universal declarations and international treaties, though seemingly signed by most of the countries of the world, tend to be not followed by some of them. In such cases, the international community uses various means to press the negligent parties to abide by the documents they themselves had signed.

All what has been said above is trivial and pertains to the secular world, in which the human being is seen as the primary actor. However, there remains another dimension of the human existence. This dimension has arguably fallen into oblivion in most European and North American countries. I speak here of religion. I do not have to go into detail, when and how in Europe church was subdued by the state. Suffice it to state the fact that religious factor, according to numerous sociological researches, indeed plays only a marginal role in daily social transactions of Europeans and North Americans. Religion has been successfully privatized, in the sense that it has become a commodity to be disposed off privately. This more or less holds true

for the so-called Christian or as some say post-Christian societies. But it not always is the case with the Muslim societies. So let me proceed to the topic of this article: violence, especially political, justification for which is sought in the Islamic religious texts, the Quran and Hadith collection foremost.

To say that roots of violence, much less of terrorism, lay in religion, would be a gross inadequacy. Religion and believers is not always one and the same. Religion might and in fact does have its own independent existence in and through its sacred texts, on which, it is true, its adherents feed and construct their images of what that religion is. This is very apparent with Islam: with no formal institutes of authority, Islam lacks a mechanism, which would enable Muslims to define, what is a true Islam and what is not. This, however, has not prevented Muslims from attempts at defining "the true Islam". On politico-ideological level this meant that rival factions would declare their version of Islam as "the true one", while repudiating the version of rivals as corrupt and wrong.

Speaking of violence, religion in itself cannot be held violent or pacifist – it is the believers who are one or the other. In fact, followers of the same religion can simultaneously be violent and peaceful, depending on circumstances. Yet, the doctrine of a religion is usually judged against the founding texts of that religion. For Islam, it is the Quran. While religion of Islam is not a stable entity – there have been various trends of Islamic thought throughout the history, the text of the Quran has been the same, with only minor and insignificant changes, for some 14 centuries.

The basic set of questions I am dealing here with is: do the founding texts of Islam – the Quran and Muhammed's Sunna – allow violence? Or maybe even command it? If so, under what circumstances? And how this sanctioning of violence relates to historical violence on the Muslim side, and more specifically, terrorism of the last three or so decades?

### *Violence in the Quran*

The Quran contains numerous verses, which speak of violence. I leave out violence in form of punishment prescribed by the Islamic criminal law (*hudud*, but also *ta'zir*, punishments). But the violence spoken of in the Quran does not limit itself to legal measures to be taken against culprits and criminals. It goes far beyond to include violence against subjects of non-Muslim countries, among them civilians. There is a group of verses in the Quran, collectively called '*ayatul-qital*' – verses of fighting. These verses, as a rule, are taken by both Muslims and non-Muslims to fall under the broader concept of jihad, though as will be argued below, jihad in the Quran is not limited to them.

Etymologically, noun *jihad* has the meanings 'effort, struggle, strife, exertion' and is derived from the verb *jahada*, the basic meaning of which is 'to put effort, to strive, to exert oneself'. In the Islamic juridic-religious sense, it has a



number of meanings, all of which fall under a rather loose concept of 'exertion of one's power to the utmost of one's capacity in the cause of the God'. Some of these meanings are directly derived from the Quran itself<sup>1</sup>, whereas others have been formulated based on the Muhammed's Sunna. The two broadest meanings of the term jihad are: 1) internal struggle to overcome one's weaknesses and perfect oneself as a true God-fearing Muslim. This, in the Muslim tradition, has become to be called 'the greater jihad' (*al-jihad al-akbar*); 2) external (physical) fighting with those who oppose the Islamic principles and rule. This is called 'the lesser jihad' (*al-jihad al-asghar*). In other words, jihad can be either personal (limited to individual) or social (encompassing social groups or a whole society).

In the non-Muslim scholarship, jihad has been mostly viewed through the prism of violence – it has become associated with armed struggle and fighting. More liberal and pacifist Muslims forcefully contest such an approach – they insist that Islam is in general a peaceful religion and jihad in particular exemplifies this.<sup>2</sup> Yet, within the Muslim commonwealth, there have always been those, who advocate the jihad-as-fighting concept. They did and still do so for reasons quite different from the non-Muslim students of Islam. Thus, the relation of jihad to violence has been the focal point in the still ongoing ages-long polemics not only between the non-Muslim and Muslim camps, but also among Muslims themselves. In this polemics, however, one has to appreciate the distinction between the original sources (the Quran and Hadith collections) and historical elaborations with ensuing actions based on them – the two (sources and interpretations, as well as theories and reality) might not always match.<sup>3</sup>

The text of the Quran is, no doubt, the departing ground for all those involved in the discussion on the issue of jihad and its relation to violence. Abdullah Yusuf Ali, in his widely-used English translation of the text of the Quran, attempts to make a separation between fighting (*qital*) and striving (*jihad*): he desists to mix the two words and thus consciously or not 'pacifies' jihad.<sup>4</sup> Indeed, in the Arabic text of the Quran, jihad is not utterly equated with armed struggle or any other type of violence. On the other hand, the Quran speaks at length about *qital*. *Qital* is not only permitted, it is even commanded (2:216: 'Fighting (*qital*) is prescribed to you, but you do not like it. Still, it can be that you do not like a thing, which is good for you, and it can be that you like a thing, which is bad for you. And God knows and you do not know.'), though certain conditions must always be fulfilled. These conditions are rather comprehensively set in the Sura al-Tauba (Chapter 9 of the Quran): wrongdoing and hostility against Muslims must be resisted, if there be need, even by armed struggle; only combatants should be fought against, while civilians (elderly, children, women, monks and priests) have to be spared; fighting should cease as soon as hostilities from the adversary's side cease; those adversaries, who submit to the Muslim rule, should be granted certain rights in exchange for duties; concluded truces have to be observed, and so on. Anyhow, the Quran vigorously praises the

Islamic fighter (*qatil*), and the slain fighter (*maqtul*) gets enormous reward from the God. *Qital*, thus, is a virtue in the eyes of the God, as it is asserted in numerous verses of the Quran.<sup>5</sup> Yet, relation between *qital* and jihad remains ambiguous in the whole of the Quran. In any case, there is more to jihad than just *qital*.

There are some other verses in the Quran that either justify or even command violence and terror. 8:60 says: 'Against them make ready your strength to the outmost of your power, including steeds of war, to strike terror into God's enemies'.

9:5 says: 'When the holy months pass, kill the unbelievers whenever you come upon them, and seize them and beleaguer, and lie in wait for them whenever possible'.

47:4 says: 'If you meet the unbelievers, smite their necks (with swords)'.

These and many other similar verses of the Holy book make Islam vulnerable to extreme interpretations, praising not only defensive but also offensive violence, amounting to terrorism in the broadest sense. If verses themselves are radical, imagine possible interpretations. And who among Muslims would have enough authority to renounce such radical interpretations as misleading?

In the Quran, jihad is all-encompassing efforts to make Islamic rule prevail. It includes one's time, property and health, even life (4:95, 9:20). Though there is no clear distinction, the Quran implies, on the one hand, private (personal) jihad as a life-long endeavor (almost a synonym of piety, *taqwa*) and, on the other hand, occasional communal activity, which at times amounts to armed struggle. Hence, the notions of *jihad al-akbar* and *jihad al-asghar* are implied in the Quran itself. Moreover, violence in the texts of the Quran and Sunna is also expressed in other words of Arabic language, so that military encounter in Islam does not always imply jihad – *harb*, *ghazw*, *sira'a*, *qital* and other terms denote armed struggle as well.

### *Jihad of the Sunna*

In the Hadith collections (the *Sahih*s of al-Bukhari and Muslim, most notably), fighting takes up almost all the space of the chapters on jihad. Here, many a Muhammed's military expedition are treated as jihad (in its *jihad al-asghar* form). As Hadith collections reveal, Muhammed's companions were very much concerned with military activities of the Muslim community, be they defensive or (even more so) offensive. In the English language *Summarized Sahih al-Bukhari* its compiler, Zain-ud-Din Az-Zubaidi, elevates jihad in its violent form to the rank of a pillar of Islam, 'on which Islam stands'.<sup>6</sup> According to Az-Zubaidi, 'By Jihad Islam is established, Allah's Word is made superior, (...) and His Religion (Islam) is propagated.' In the Hadith collections, *mujahidun* (those who perform jihad) are further admired: in several hadiths, Muhammed is reported to have said that *mujahid* is the best among the 'people'.<sup>7</sup> It is also reported that Muhammed has said: 'The martyr receives six good things from God: he is forgiven at the first shedding of his blood, he is shown his abode in paradise, he is preserved from the punishment in the grave, he is kept safe from the greatest terror, he has placed on his head the crown of honour a

ruby of which is better than the world and what it contains, he is married to seventy-two wives who are maidens with large dark eyes, and is made intercessor for seventy of his relatives.<sup>8</sup> Reward for jihad, as it is promised in the Islamic sources, is not superceeded by reward for any other activity Muslims can engage in. Fighting in God's way is the third 'best deed' after prayer and being good and dutiful to one's parents.<sup>9</sup> Yahya al-Nawawi reproduces a hadith, in which Muhammed says: 'Shall I tell you of the peak of the matter, its pillar and its topmost part (*ra'as al-amr wa 'umuduhu wa dhirwat sanamihi*)? ... The peak of the matter is Islam; the pillar is prayer; and its topmost part is jihad'.<sup>10</sup> Jihad is the activity, which guarantees its bearer eternal salvation: 'Know that Paradise is under the shades of swords.'<sup>11</sup> Muhammed supposedly has said: 'A single endeavor in God's Cause in the afternoon and in the forenoon is better than the world and whatever is in it.'<sup>12</sup>

There is a hadith, reported in both *Sahih al-Bukhari* and *Sahih Muslim* and also reiterated by al-Nawawi in his *Forty Hadith*, in which Muhammed says that he has been ordered 'to fight (*qatala*) against people until they testify that there is no god but Allah and that Muhammad is the Messenger of Allah...'. This hadith in itself provides some insights into how Muslims perceived the acceptable and most appropriate ways of spreading their faith. First of all, hadith puts it bluntly: Muslims are to maintain hostile relations amounting to armed struggle with non-believers. Secondly, these relations are permanent or are to remain so as long as non-believers become Muslims – pronounce the *shahadatain* – 'There is no other deity but the God; Muhammed is God's messenger.' The reader might be left with impression that Muhammed propagated violence. Translators of al-Nawawi hurried to absolve of this impression by adding a note to the above hadith: 'Islam advocates that conversion be by conviction. (...) The waging of war is enjoined against certain categories of persons such as those who attack a Muslim country, those who prevent the preaching and spread of Islam by peaceful means, and apostates.'<sup>13</sup> However, this hadith is only a replication of the verse 9:29: 'Fight against those who do not believe in God nor in the Last Day, nor forbid that which has been forbidden by God and His Messenger and who do not practice the religion of truth among those who were given the Book, until they pay the *jiziya* with willing submission, and feel themselves subdued.', with the difference being that here non-believers (implied Christians, Judaists, and as some Muslim scholars argue, Zoroastrians) are allowed to retain their original faith but are to pay the tax imposed on non-Muslims living in a Muslim state. From both, the Quranic verse and the hadith cited above, it can be concluded that fighting (armed jihad) is a must for Muslims until non-believers either convert (applicable to all non-Muslims) or accept to pay the tax – *jiziya* (applicable to the *ahl al-Kitab*).

The Hadith collections if anything else seem to endorse at least some sort of violence as a virtue and even a duty. In the Quran and Sunna, the scope of justifiable violence is much bigger than secular universal treaties and declarations would possibly stomach.

### *Muslim violence in historical perspective*

Thomas W. Arnold, a well known 19<sup>th</sup> century student of Islam, held that 'the common, popular meaning of 'warfare against unbelievers' attached to the word Jihad, is post-Quranic.'<sup>14</sup> Moreover, he argued that jihad as a violent activity has little if at all to do with the initial meaning of the term 'jihad' as envisioned by the God and Muhammed. Though Arnold did not pursue this idea of his to the logical end, it may be assumed that he implied that the military jihad is invalid and baseless *vis a vis* the Holy Book of Islam. A contemporary Muslim author Mustafa Mashhour insists that 'the authentic understanding of the meaning of *Jihad* at that stage of the Revelation was represented as endurance in face of oppression, steadfastness in upholding the Truth, and insistence on proclaiming the *Da'wah*.'<sup>15</sup> There is some sense in this line of arguments: jihad spoken of in the Hadith collections, which were themselves finalized more than 150 years after the death of Muhammed, reflects a post-Quranic, one may say, an offensive and violent (as opposed to the mostly defensive under Muhammed) phase in the development of the Islamic concepts. This way, one could argue that the jihad of the Quran is not congruent with the jihad of the Sunna. It has, however, to be taken into consideration that Muslim jurists distinguished up to four types of jihad – that by 'heart, tongue, hand and sword'. The first three can be seen to make the 'greater jihad', while the last one – the 'lesser jihad'.

The first three types of jihad are often and quite easily related to *da'wa* – Islamic equivalent of missionary activities. As such, *da'wa* is peaceful. Yet, the fourth meaning of jihad, that of armed struggle against infidels and all those who oppose the Islamic principles and rule (*shari'a*), as well as apostates or renegades, can also be taken for a form of *da'wa* (inviting non-Muslims to Islam) or rather as 'after-*da'wa*'. There are several hadiths, which hold that Muslims are allowed to engage in military encounter with non-believers only after they had invited them to convert to Islam.<sup>16</sup> This is why for a top Muslim propagandist, Ali Nadwi, jihad, the fighting, is what comes after *da'wa*, the preaching.<sup>17</sup>

On the other hand, the armed jihad can be seen to precede *da'wa*. Larry Poston, drawing on several scholars, advances the idea that jihad of the early Muslim conquests was meant to prepare the soil for successful *da'wa*. 'The political conquests were designed to create a milieu, an environment in which the Muslim faith could be planted, tended and harvested', for 'capture of executive, judicial, and legislative control by those with an interest in missionary activity ensures that such activity can go forward unhindered'.<sup>18</sup> According to a great authority in *da'wa* studies, David Kerr, jihad as military encounters was merely meant to open new territories for Muslim rule. *Da'wa* and subsequent conversion were a separate issue and concern for Muslims.<sup>19</sup> Marcel Boisard also seems to separate jihad (in its military form) and *da'wa*: jihad, in his opinion, was for the sake of imposing formal political Muslim

rule on a given territory, and had nothing to do with converting indigenous peoples to Islam: 'The 'holy war' is in reality an instrument used to impose the 'world of Islam', understood as harmony, order and peace, which are both spiritual and material, individual and collective. Yet, this 'war' does not have the aim of imposing the religion by force'.<sup>20</sup> Richard Bulliet, in his study of conversion to Islam in the first centuries of the Islamic era, convincingly shows that military expansion of the borders of the Muslim Empire had little correlation with the conversion rate among the indigenous populations of the conquered lands. Moreover, mass conversions to Islam that took place a century or two later, were provoked by rather mundane motives, first of all, the economic ones.<sup>21</sup>

The two opposite positions provided above, namely that armed jihad follows or precedes *da'wa*, should be analyzed in the light of the definition and meaning of the armed, e.g. 'lesser', jihad. First of all, one has to decide, whether the armed jihad is a defensive or offensive activity. If it is a defensive one (as it can be implied from the Quran, in opposition to offensive *qital*), it in no way can precede 'the inviting', for its objectives would be limited to protecting and safeguarding the already existing Islamic milieu. If, however, jihad is considered to be offensive, then it naturally can precede any preaching. In such a case, as Poston and others argue, it indeed can prepare the ground for (potentially successful) preaching and eventual converting of the conquered peoples to Islam. On the other hand, should the Islamic conquests, especially those made in the 7<sup>th</sup> through 9<sup>th</sup> centuries, be viewed as jihad? After all, military encounter in Islam does not always imply jihad – *harb*, *ghazw*, *sira'a*, *qital* and other terms denote armed struggle as well. In the Sunna, there is only a faint distinction between jihad and *ghazawat* (and practically no distinction between jihad and *qital*) – military raids and expeditions carried out by Muhammed, and it still remains not clear whether Muhammed himself saw any difference between the two, or if he indeed differentiated between the types of armed struggles. Ibn Taymiya speaks about two types of jihad: the first one 'consists in defense of the religion, of things that are inviolable, and of lives. Therefore it is fighting out of necessity'.<sup>22</sup> This type of armed struggle is just different wording for the 'lesser' jihad, while the second, 'voluntary fighting in order to propagate the religion, to make it triumph and to intimidate the enemy, such as was the case with the expedition to Tabook and the like'.<sup>23</sup>, implies military raids of Muhammed as well as early Muslim conquests under the first *khalifas*.

A contemporary Muslim activist and prominent member of the *al-Ikhwan al-Muslimun*, Mustafa Mashhour, at the first sight may seem to support Arnold, when he declares that 'the authentic understanding of the meaning of *Jihad* at that stage of the Revelation was represented as endurance in face of oppression, steadfastness in upholding the Truth, and insistence on proclaiming the *Da'wah*'.<sup>24</sup> Yet, Mashhour here actually implies a separation between the two phases of Muhammed's activities and thus of the nature of revelations themselves: while in Mecca, Muhammed employed peaceful *da'wa*. However, once in Yathrib, he pursued a more radical ap-

proach – military struggle, jihad, one may say. Another member of the *al-Ikhwan*, the well known Egyptian activist, Sayyid Qutb, noted several decades prior to Mashhour, whose spiritual leader Qutb was, four stages in the development of jihad: '1. While the earliest Muslims remained in Mecca before fleeing to Medina, God did not allow them to fight; 2. Permission is given to Muslims to fight against their oppressors; 3. God commands Muslims to fight those fighting them; 4. God commands the Muslims to fight against all polytheists.'<sup>25</sup> Qutb suggests that jihad was defensive only in the initial period of Muhammed's mission. Then, Muslims were not only allowed to fight aggressors, but were even commanded to attack non-believers. This last mandate is to continue as long as there are non-Muslims on the Earth. Thus, for Qutb, (offensive) jihad continues to be an integral part of the Islamic way of living. A much more moderate thinker than Qutb, and a distinguished contemporary Pakistani scholar, Fazlur Rahman, while recognizing the extensive presence of jihad in the Quran, rejects the stand of those modern Muslim apologists who have tried to explain the jihad of the early Muslim community in purely defensive terms.<sup>26</sup> Following these Muslim advocates, jihad of the Meccan period should not be identified with jihad of the Medinan period, which became the theoretical ground for historical jihad for centuries following Muhammed's death. Consequently, the Quranic verses, which urge Muslims to be patient and perservant in the face of hostilities from the non-believers' side and rather engage in peaceful preaching of their faith, Islam, are argued to have been abrogated by militarily inclined verses of the later, Medinan, period. This way, jihad in Mecca (whatever it was) would be peaceful, while jihad in Medina becomes pro-violent.

Even if separation of the two phases of Muhammedan jihad were taken at face value and held as legally binding, one still remains faced with the dilemma of defining, what makes a physical (armed) struggle a jihad. In other words, what are the conditions for a military encounter to be considered as jihad? In his lifetime, Muhammed as a sole leader of the embryonic Muslim society made decisions all by himself – whatever he declared to be jihad, it was. However, the greatest Muslim encounters with non-Muslims took place after Muhammed's death. Though Muslims insist that the expeditions and subsequent conquests of the first centuries after Muhammed's death were religiously motivated (hence they were essentially jihad), it is beyond doubt that not all military expeditions, battles or occupations then and in later centuries took place with religious motives in the background. Many of them have been and still are politically and economically motivated. Yet, as it is explicitly stated in at least one hadith<sup>27</sup>, there can be no true jihad for political or economic ends. Thus, only religiously motivated jihad is the proper armed jihad. Muslims are in agreement on this. They, however, have not come to a common decision, what and who defines 'religiousness' and thus validity of a given armed struggle. While the defensive jihad remains a must (*fard 'ain*) to every and all able Muslims even without any call to arms on the side of religious or secular authorities of the land, classical theories of jihad speak of the leader (*khalifa*, for Sunnis, *imam*, for



Shi'is) who has the right to declare offensive jihad. After Muhammed, the current legitimate formal leader of the community is entrusted with the decision-making and taking the responsibility. But who should perform the offensive jihad? Some Muslim jurists consider it a *fard kifaya*, that is that if sufficient number of Muslims engage in it, others are absolved from the duty of encountering the enemy on the battlefield. Additionally, Muslims, who supply the *mujahidin* with ammunition and food, are also considered by some Muslim scholars to be themselves *mujahidun*.

An extreme opinion on the issue of jihad is expressed by Hasan al-Banna<sup>28</sup> who insists that even the offensive armed jihad is obligatory for every Muslim, e.g. is *fard 'ain*. The whole Muslim community is to put efforts in spreading Islam by all means: 'jihad is a communal obligation imposed upon the Islamic umma in order to broadcast the summons (to embrace Islam).'<sup>29</sup> Though al-Banna accepts the possibility of 'broadcasting the mission and propagating it among men with argument and proof' (in the vain of the commandment found in the Quran, 16:125), for him, if *da'wa* (understood here as peaceful means of spreading Islam, especially by word and exemplary behavior) is obstructed, armed jihad steps into its place: 'He (God) commanded them (Muslims) to strive to their utmost for Allah's sake, by broadcasting the mission and propagating it among men with argument and proof. But if they should persist in rash acts, outrages, and rebellion, then with the sword and the spear! But if men abjure proof and stray from the path, then war more avails upon earth than peace.'<sup>30</sup> For al-Banna, the lesser jihad, the fighting, is the proper jihad, and he advocates it more than any other form of jihad.<sup>31</sup> Al-Banna's way of reasoning is echoed in the writing of a certain Abu Fadl, who insists that there is no 'greater' or 'lesser' jihad, and rather that jihad is one and the only, namely, armed.<sup>32</sup> Following Abu Fadl's argument, *da'wa* and jihad would not have much in common, for their immediate objectives differ quite significantly – while *da'wa* is aimed at saving 'souls', Abu Fadl's jihad is aimed at exterminating the differently-believing.

### ***'No coercion in religion'***

Some may see a contradiction between the Quranic verses 2:256 (No coercion in religion) and 16:125 (Invite with wisdom and good advice). Abu 'Ali al-Tabarsi allows that verse 16:125 was revealed before verse 2:256 to be abrogated by the latter.<sup>33</sup> Sheikh of al-Azhar Mahmud Shaltut, however, denies that there is any contradiction between the two. To him, there cannot be and is no compulsion (coercion) in Muslim missionary activities.<sup>34</sup> Shaltut argues that the mission of all messengers sent by God was the same, namely, to 'proclaim the unity of God, (...) require the worship of God, (...) command to do what is good and forbid what is reprehensible, (...) recommend virtue and preach against evil'<sup>35</sup>. That is to say, they were just 'callers and warners'. Shaltut is not unique in this attitude – many a contemporary Muslim activist of *da'wa* emphasize that *du'a* (Muslim missionaries) must by no means exercise coercion in whatever form they practice their *da'wa*.

According to one of the most outspoken advocates of *da'wa*, Isma'il al-Faruqi, 'humanistic ethic regards coerced *da'wah* as a grave violation of the human person, second only to homicide, if not equal to it'.<sup>36</sup> He, on the other hand, seems to separate *da'wa* from jihad (any physical force), because for al-Faruqi, if, after being exposed to invitation to Islam, 'non-Muslim is still not convinced, the Muslim is to rest his case with God'.<sup>37</sup> Kerr is altogether categorical in his belief that *da'wa* and armed jihad have been separated by classical *mufassirs* – exegetes of the holy book of Muslims: he argues that 'the classical exegetes generally distinguished *da'wa* (...) from *jihad* that applies to the territorial expansion of the Caliphate'.<sup>38</sup> My own scrutiny of several *tafsirs* (commentaries of the Quran) supports this conclusion of Kerr – *mufassirs* do not relate armed offensive jihad and *da'wa*.

A Shi'i A. Ezzati in his own way espouses practically the same opinion as al-Faruqi: 'Islam is an all inclusive religion covering all aspects of life: both physical and spiritual. Islam is first and foremost a belief system on which the entire edifice of action and practice is based. Although a religion may officially be established as the religion of a land or a nation, a religion with no faith is like a body with no soul. That is why Islam has totally rejected coercion in religion and has consequently established its own approach towards spreading the Truth, the word of Allah. The approach and method is termed in Islamic literature as *Da'wah* meaning preaching, spreading, inviting, asking, leading, encouraging and enjoining good and forbidding evil'.<sup>39</sup> Ezzati emphasizes the faith factor, which in its nature is anathema to coercion. Thus, coercion, though it might bring territorial gains, is not a means to attain faith.

Such Muslims and others are clearly on the pacifist side – *da'wa* for them ends with invitation and (an occasional) example. Whatever follows after, even if it is sanctioned by the Quran and/or Sunna, is of different nature with its distinctive methods, different from those of *da'wa*. These pacifists hold aloof the historical violence that at times supplanted the peaceful means of propagating the Islamic faith: they dissociate *da'wa* from any aggressive actions undertaken by zealous Muslims. Though they might not negate the presence of violence in Islam, they negate it in *da'wa*. To them, jihad, as long as it is a peaceful enterprise, fits within the scope of *da'wa* activities; otherwise, it has nothing to do with *da'wa*, for in *da'wa* there can be no coercion, something that a military activity cannot do without.

Yet, Ibn Baz, the now deceased grand mufti of Saudi Arabia, authorized *du'a* to employ physical force in some instances: 'a dhaalim (one who commits injustice), who opposes the *da'wah* with evil and enmity, and seeks to cause harm, is to be dealt with in a different manner. If possible, such a person should be imprisoned, or something similar to that. This depends on the kind of opposition to the *da'wah*'.<sup>40</sup> Though it in itself would not be *da'wa*, clearing of the path for *da'wa*, even by means of force, is not outright rejected. This use of force, however, might not necessarily qualify as jihad, it might merely be some sort of legal sanctions. Moreover, the situation implied by Ibn Baz presupposes that the society is Muslim or at least



governed by Muslims. In such a case, *da'i's* activities would come short of jihad.

However, there are those, like the already mentioned al-Banna, who assume that *da'i* (inviter to Islam) is a *mujahid* (fighter, one may say) as well.<sup>41</sup> Indeed, *da'wa* as al-Banna perceived it was a true jihad – Egypt, he argued, needed jihad to clear up the perceived religious, social and political mess prevalent in his time. Al-Banna spoke of the 'mission' of his founded *al-Ikhwān al-Muslimūn*, using the very Arabic word, *da'wa*. This 'mission', as will be argued below, was turned toward fellow Muslims rather than to non-Muslims. And the most significant part of it was to be jihad (against lenient and hypocritical Muslims). As has already been pointed out, al-Banna conceived of jihad as solely an armed struggle, with only rudiments of what would be the 'greater' jihad. Moreover, this armed struggle was to be the highest means of implementing the perceived Truth. Therefore, it is not surprising that he fully subscribed to the maxim that 'Force is the surest way of implementing the right, and how beautiful it is that force and right should march side by side.'<sup>42</sup> Since al-Banna did not separate between the political and religious realms, for him, coercion in political matters could by extension be applied in religious matters as well.

Al-Banna's position is extremist but in no way an exceptional one – the *al-Ikhwān al-Muslimūn* and their likes hold fast to it and spread it further. An ardent follower of al-Banna, Mustafa Mashhour, declares, 'Such are characteristic features of their *Da'wah. Jihad* (striving) is our way, and death in the cause of Allah is the highest objective of our aspiration'.<sup>43</sup> Other two of the *al-Ikhwān*, Ahmed al-Qutan and Jasim Muhalhal, argue that 'jihad (understood here as the combat (*ma'araka*) between 'God's helpers' and the 'party of Satan' – *my insertion*) is an essential characteristic in the program of the inviters (*du'a*) to the God'.<sup>44</sup> Moreover, the *mujahidun* struggle not for their own sake, or for the sake of their nations, or homelands, but for the sake of God, 'on the God's path, to realize the God's program, to establish His rule, and to implement His Law'. Further down, al-Qutan and Muhalhal speak of jihad in an idealized and somewhat poetic manner: jihad is that step in formation of the true Islamic personality, which enables the *mujahid* to loosen his spirit (*ruh*) from the heavy ties to the earth (get rid of fear, selfishness and self-love, as well as material worries), and with this light spirit to turn and work with lightness toward achieving the set goals.<sup>45</sup> Jihad can be of several types – jihad by tongue, jihad by learning/teaching, jihad by hand, jihad by soul (*nafs*), jihad in a movement (*haraki*), political jihad, and financial jihad.<sup>46</sup> Furthermore, *mujahid* has to be always ready to sacrifice his life for the sake of the cause he is pursuing. As al-Qutan and Muhalhal preach, *mujahid* has to love, prefer and expect martyrdom (*shahada*).<sup>47</sup> This way, at least among some Muslims, *da'wa* is supplanted by jihad – the physical striving (and not unusually in the sense of fighting).

Sayyid Qutb, propagated jihad as the means of implementing Islamic principles on the Earth. Yvonne Haddad thus summarizes Qutb's position:

1) It is the duty of Muslims to protect the believers that they do not stray from the religion, permitting the use of force to repel force. 2) Islam must be

guaranteed freedom of propagation, otherwise it becomes incumbent on Muslims to “eradicate” any oppressive powers on the earth which impede the *dawah* of Islam. 3) Muslims must be able to affirm God’s sovereignty on earth and remove those who usurp this sovereignty by legislating laws.<sup>48</sup>

While moderate Muslims advocate an opinion that jihad – a physical struggle – should be exercised only in event of an external threat, ‘jihad for Qutb is a practical matter which should not be renounced’.<sup>49</sup> In his opinion, ‘those who say that Islamic Jihad was merely for the defense of the ‘home land of Islam’ diminish the greatness of the Islamic way of life and consider it less important than their ‘homeland’. This is not the Islamic point of view, and their view is a creation of modern age and is completely alien to Islamic consciousness. What is acceptable to Islamic consciousness is its belief, the way of life, which this belief prescribes, and the society, which lives according to this way of life. The soil of the homeland has, in itself, no value or weight. From the Islamic point of view, the only value which the soil can achieve is because on that soil Allah’s authority is established and Allah’s guidance is followed; and thus it becomes a fortress for the belief, a place for its way of life to be entitled the ‘homeland of Islam’, a centre for the movement for the total freedom of man’.

‘Of course, in that case the defense of the ‘homeland of Islam’ is the defense of the Islamic beliefs, the Islamic way of life, and the Islamic community. However, it’s defense is not the ultimate objective of the Islamic movement of Jihad but it is a mean of establishing the Divine authority within it so that it becomes the headquarters for the movement of Islam, which is then to be carried throughout the earth to the whole of mankind, as the object of this religion is all humanity and its sphere of action is the whole earth’.

‘We ought not to be deceived or embarrassed by the attacks of the orientalisists on the origin of Jihad, nor lose self-confidence under the pressure of present conditions and the weight of the great powers of the world to such an extent that we try to find reasons for Islamic Jihad outside the nature of this religion, and try to show that it was a defensive measure under temporary conditions. The need for Jihad remains, and will continue to remain, whether these conditions exist or not!’<sup>50</sup>

In other words, according to Qutb, Muslims are to be in a permanent state of jihad. His position reminds of the hadith cited above, in which Muhammed swears to pursue armed jihad as long as there are non-Muslim adversaries in the world. Qutb is not uncomfortable to acknowledge that jihad is offensive. And the objective of jihad is not merely to defend certain territory but rather to spread Islamic beliefs all over the earth. This radical tradition of reasoning initiated by al-Banna is definitely on the edge and in minority. Yet, this very minority is loud and well outspoken, thus it naturally takes up much space of the currently ongoing debate among Muslims as to what both *da’wa* and jihad constitute and should therefore be taken seriously.

Another Muslim activist, Abdul Hakim Tabibi, speaking of *da'wa* and jihad, also justifies fighting by saying that 'if the laws of Allah cannot be enforced except by establishing the Muslim Nations, then this becomes a duty and if its establishment requires that we fight in the cause of Allah, then we must fight.'<sup>51</sup> According to Tabibi's logic, *da'wa* as a peaceful means is adequate as long as it works. If and when it fails, an offensive jihad must be undertaken. He implies that *da'wa* can be applied to Muslims to revive their Islamicity and these 'new-born' Muslims would then proceed with fighting against non-believers: 'there is no alternative to Da'wah and Jihad. Some say we must first obey Allah and teach the Muslims true Islam, and form a great base from a large number of Muslims and then carry Jihad against our enemies to achieve our past glory and wash out our humiliation of the present age.'<sup>52</sup>

To radically inclined Muslim activists, coerciveness and violence of the armed jihad, which they idealistically perceive as an integral part of daily Muslim life, is not a shortcoming but rather a guarantee that it will eventually succeed. Belief in force and conviction that only through force the perceived Truth can be instilled into society has become the established component in their broader religio-political discourse to minimize beyond any significance the role of peaceful preaching and other *da'wa* activities. Moreover, as has become evident, force (the 'lesser' jihad) can and indeed should be applied equally to both non-Muslims and Muslims, who do not subscribe to a given ideology and the ensuing way of living.

### *Conclusions*

The two realms, namely, the realm of the sacred texts on the one hand, and the realm of interpretation of those sacred texts, on the other, are tightly intertwined – the latter would be impossible if the former did not lend a hand in directing possible interpretations. Were there no verses of fighting and no hadiths speaking about virtues of fighting, extreme interpretations with their ensuing practical actions would be if not impossible, then at least more seldom. Yet, the sacred texts, being themselves historical accounts, have circumstances of their happening in the background. One or the other decision supposedly taken by Muhammed was either directly triggered or indirectly motivated by conditions of his immediate surrounding. Thus, all and any interpretations of a given passage should take into account the circumstances under which that particular event occurred. Unfortunately, Muslims are not in agreement about most of the circumstances, much less about what one or the other Muhammed's action was to mean.

Bearing in mind the aforesaid, one can expect that some Muslims might (as in fact they do) not see violence through the glasses of the same value system as, say, Europeans do – if they base themselves on their sacred texts exclusively, they might come up with definitions of legitimate violence, which could differ to a great extent from European and American definitions of violence and

terrorism. This could be dealt with, once we knew, which among the Muslim opinions is the official one, I mean from the religious perspective. However, as I mentioned in the beginning of this article, we do not know, who is the foremost religious authority among Muslims – such simply does not exist.

My conclusions would thus be the following:

1. Islamic sacred texts do sanction certain types of violence, which under secular universal treaties and declarations would be considered illegitimate.
2. Muslims have interpreted those passages dealing with violence to extremes to justify violence even beyond the limits implied in the sacred texts.
3. There is no universally acknowledged Muslim religious authority to either confirm or disprove sanctioning of violence on religious grounds.
4. Muslim definitions of legitimate violence and terrorism if based on the founding texts of Islam might be incompatible with the ones provided by European and American policy makers.
5. The possibility of coming to common definitions with the aim of preventing certain types of violence, identified as terrorism by Europeans and Americans, is dim if not altogether impossible.

#### NOTES AND REFERENCES

<sup>1</sup> From such verses as 25:52, 9:20, 9:81, 22:78, 29:69, 61:11, etc. For the full list, see <http://quran.ajeel.com> or other Quranic indexes.

<sup>2</sup> For an elaborate analysis of the concept of jihad, see Boisard, Marcel A. *Jihad: A Commitment to Universal Peace*, Indianapolis: American Trust Publications, 1991.

<sup>3</sup> For interpretation and use of the concept of jihad by contemporary Muslim political activists, see Kepel, Gilles. *Jihad: the Trail of Political Islam*, London & New York: I.B.Tauris Publishers, 2002

<sup>4</sup> Yusuf Ali, Abdullah (trans.) *The Holy Quran: Text, Translation and Commentary*, Brentwood, Maryland: Amana Corporation, 1989

<sup>5</sup> Fighting verses appear more frequently in the Suras of the Medinan period, which in fact was a much more violent one than the Meccan phase of Muhammad's as prophet's activities.

<sup>6</sup> Az-Zubaidi, Zain-ud-Din. *Summarized Sahih al-Bukhari*, Riyadh: Maktaba Dar-us-Salam, 1994, p. 580

<sup>7</sup> *Sahih al-Bukhari*, Volume 4, Book 52, Number 45

<sup>8</sup> Transmitted by both Tirmidhi and Ibn Majah

<sup>9</sup> *Sahih al-Bukhari*, Volume 4, Book 52, Number 41

<sup>10</sup> al-Nawawi, Yahya ibn Sharaf al-Din. *Forty Hadith*, Riyadh: International Islamic Federation of Student Organizations, 1992, p. 100

<sup>11</sup> *Sahih al-Bukhari*, Volume 4, Book 52, Number 73, *Sahih Muslim*, Book 019, Number 4314

<sup>12</sup> *Sahih al-Bukhari*, Volume 4, Book 52, Numbers 50, 52

<sup>13</sup> al-Nawawi, Yahya ibn Sharaf al-Din. *Forty Hadith*, Riyadh: International Islamic Federation of Student Organizations, 1992, p. 46, footnote 2

<sup>14</sup> Arnold, Thomas W. *The Preaching of Islam: A History of the Propagation of the Muslim Faith*, Lahore: Sh. Muhammad Ashraf, reprint of the 1913 edition, n.d., pp. 445-446

<sup>15</sup> Mashhour, Mustafa. *On the Path of Da'wah*, Cairo: Al-Falah Foundation, 1999, p. 53

<sup>16</sup> *Sahih al-Bukhari*, Volume 4, Book 52, Numbers 192, 253; also *Sahih Muslim*, Book 019, Number 4292

<sup>17</sup> Nadwi, Syed Abul Hasan Ali. *Muslims in the West: The Message and Mission*, Leicester: The Islamic Foundation, 1983, p. 126

<sup>18</sup> Poston, Larry. *Islamic Da'wah in the West*, New York & Oxford: Oxford University Press, 1992, p. 14

<sup>19</sup> Kerr, David. Islamic Da'wa and Christian Mission: Towards a Comparative Analysis, in *International Review of Mission*, Geneva: World Council of Churches, 2000, Volume 89, No. 353, p. 153

- <sup>20</sup> Boisard, Marcel A. *Jihad: A Commitment to Universal Peace*, Indianapolis: American Trust Publications, 1991, p. 23
- <sup>21</sup> Bulliet, Richard. *Conversion to Islam in the Medieval Period*, Cambridge: Harvard University Press, 1979
- <sup>22</sup> The Religious and Moral Doctrine On Jihad at <http://www.islaam.com/Article.asp?id=126>
- <sup>23</sup> The Religious and Moral Doctrine On Jihad at <http://www.islaam.com/Article.asp?id=126>
- <sup>24</sup> Mashhour, Mustafa. *On the Path of Da'wah*, Cairo: Al-Falah Foundation, 1999, p. 53
- <sup>25</sup> Qutb, Sayyid. *Milestones*, Revised Edition, Cedar Rapids: Unity Publishing House, n.d., pp. 53-76
- <sup>26</sup> Rahman, Fazlur. *Islam*, Chicago: University of Chicago Press, 1979, p. 37
- <sup>27</sup> *Sahih al-Bukhari*, Volume 4, Book 52, Number 65
- <sup>28</sup> al-Banna established the notorious Muslim Brotherhood (*al-Ikhwan al-Muslimun*) in Egypt in 1928 and can be considered the father of the contemporary Muslim radicalism.
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- <sup>30</sup> Five Tracts of Hasan al-Banna, A Selection from the *Majmua Rasail al-Imam al-Shahid Hasan al-Banna*, Berkley&Los Angeles&London: University of California Press, 1978, p. 80
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# **POLITICAL PHILOSOPHY AND THEORY**



## POSTMODERNISM AND POLITICS

*Alvydas Jokubaitis*

I would like to start my article with a quote from Blaise Pascal's ideas about politics. The great mathematician and physicist, who also played a part in the history of philosophy and literature, wrote, "We can only think of Plato and Aristotle in grand academic robes. They were honest men, like others, laughing with their friends, and when they diverted themselves with writing the *Laws* and the *Politics*, they did it as an amusement. That part of their life was the least philosophic and the least serious; the most philosophic was to live simply and quietly. If they wrote on politics, it was as if laying down rules for a lunatic asylum; and if they presented the appearance of speaking of a great matter; it was because they knew that the madmen, to whom they spoke, thought they were kings and emperors. They entered into their principles in order to make their madness as little harmful as possible"<sup>1</sup>.

I confess of my great admiration of Pascal's philosophical ideas. Nevertheless, I find that I do not like almost everything in this extract of his "Thoughts": his attitude to politics, perception of the role of philosophy, and the approach towards the relationship between theory and practice. Pascal clearly fails to perceive the particularity of the ancient political thought. He is trying to put into Plato's and Aristotle's mouths what is typical to modern rather than to ancient thinking. Thus, talking about postmodernism, we should not forget about this blunder of Pascal. It is sometimes very useful to resort to the Hegelian way of thinking about history: with certain boundaries of epochs being established, the differences between the way people view themselves and the society become more evident. Pascal undoubtedly lacks the perception of history.

Postmodernism is a popular concept today, though its reputation is not improved by such popularity. There circulate quite a lot of jokes ridiculing both postmodernism and postmodernists. It is amazing that even those people who have never had a deeper interest in postmodernism know it to be a very obscure and ambiguous notion comprising in itself an array of different and incongruous issues.



Such critics of postmodernism seem to have forgotten that similar fault can be found about any other “-ism”: capitalism, liberalism, Marxism, Freudism or surrealism. All of these terms also encompass a whole range of varied and hardly compatible phenomena. In this respect, the term postmodernism makes no exception: there exist not one but a number of different notions of postmodernism. It would be a waste of time to dwell on the supporters of such criticism. Far more worthy seems another task: to make an attempt at finding out why we should need a concept of postmodernism.

We may regard all the concepts we use as certain tools intended for various purposes. “Think of the tools in a tool-box”, advised Ludwig Wittgenstein, “there is a hammer, pliers, a saw, a screw-driver, a rule, a glue-pot, glue, nails and screws. The functions of words are as diverse as the functions of these objects”<sup>2</sup>. Thus, if we truly do not need such a tool as postmodernism, we can simply forget all about it. However, if this concept enables us to understand and perceive something, it should rather not be renounced.

A meaningful discussion of postmodernism calls for a resolution of two fundamental tasks. Firstly, it is necessary to present a clear definition of the concept of modernity. As the term itself shows, postmodernity follows modernity. Thus, first of all it is necessary to determine the distinguishing features of the modern epoch. It is, nevertheless, not sufficient. Another, a far more complicated task is pending – the existence of any qualitative difference between the two epochs has to be proved. In absence of any essential difference between modernity and postmodernity, it would be inexpedient to have two different names for the same object. The theoreticians involved in a dispute over modernity have split into two major camps. Some of them, like Jürgen Habermas and Anthony Giddens maintain that it is possible to talk about the continuity of the modern epoch. Meanwhile others, among whom Zygmunt Bauman and Richard Rorty might be mentioned, are trying to prove a qualitative cleavage evidencing the beginning of a new epoch of the postmodern culture. The authors of this group believe that modernity is a fully exhausted project, a closed page.

Obviously, it is impossible to offer any impregnable proof that we are living in the times of postmodernism. Her majesty History is silent, it is us who are trying to pin up new labels. We have only as much of postmodernism as we are able to attribute to that concept a certain more definite content. If any of the opponents tends not to acknowledge that we live in the postmodern time, his attitude can only be supplanted by another conviction. Postmodernism does not act as a certain objective historic force independent from our perception. It would be absurd to impose postmodernity, as one of the congresses of the Communist party of the Soviet Union attempted to impose mature socialism. Postmodernism is a far more fragile issue, it exists only for those who are able to find arguments in its favour.

Even the most ardent critics of postmodernism are forced to acknowledge the currently increasing abundance of terms with the prefix "post": postindustrialism, postmaterialism, posttraditional society, postliberalism, postanalytic philosophy, postpolitics, postepistemology, and, certainly, the most familiar to us – postcommunism. One German professor once said that when he saw a sign on a building "Post" and next to it "Apotheke", he automatically joined these two words together. The mushrooming of various "post" has already turned into a certain distinctive mark of the epoch. Art critics have long been writing about art created after the end of art, philosophers discuss about postphilosophy, while some radical liberals cannot stop dreaming about an economy able to replace the politics the way we see it from the ancient times.

There exist two essentially different concepts of postmodernism – in its narrow and the broad sense. The former should be related with what may be called by the name of French poststructuralism. This version of postmodernism is formed by presenting the views of all French poststructuralists of the sixth decade of the previous century, together with the views of those authors from other countries close to them, as the entire postmodernism. It is an eccentric version of postmodernism with its constant talks about language games, texts and contexts. In the West, this version of postmodernism is represented by Jacques Derrida, Michel Foucault, Gilles Deleuze, Jean Baudrillard and Richard Rorty. This parade of names could be continued, though the mention of even these few names is sufficient to make the message clear. Having read Derrida, Baudrillard or Rorty, one can form quite an adequate understanding about the concept of the narrow postmodernism. The Lithuanian eccentricity of this postmodernism is demonstrated by Artūras Tereškinas. "Let's start with definitions", he suggests, "we view national communities as constructions of our imagination which depend upon cultural fictions supporting their mythical existency"<sup>3</sup>. It presents no difficulty to imagine how the creators of the Lithuanian national revival Jonas Basanavičius, Maironis, Stasys Šalkauskis would have reacted to such contemplation.

Alongside with the narrow concept of postmodernism, there exists another, far more extensive version of this phenomenon. Postmodernism there is treated as a separate cultural and philosophical epoch. The disciples of this perception argue that Descartes and Wittgenstein or Immanuel Kant and John Rawls are set apart not only by their views but also by separate cultural epochs. In other words, Descartes and Kant rely on one set of paradigms while Wittgenstein and Rawls use different type of presumptions. It is always difficult to tell where we are faced with the differences exclusively in the authors' views or those are the differences of the whole cultural epochs. Nevertheless, without that we would never be able to engage in any meaningful discussion either of Ancient or Middle Ages, or Modernity. Postmodernism in this aspect ought also to be proved as a separate cultural epoch. Those talking about postmodernism need to perceive the gap between two epochs. "How could we

drink the sea? Who gave us the sponge to wipe away the whole horizon?"<sup>4</sup>, was asking Friedrich Nietzsche, who undoubtedly possessed this perception.

Postmodernism in the narrow sense was born almost together with the May 1968 revolutionary events in Paris. Meanwhile postmodernism as a separate epoch of philosophical and cultural thinking started long before that. If Foucault could be believed, its sources ought to be looked for somewhere in the period between 1775 and 1825.<sup>5</sup> Thus, Hegel was almost right claiming that he brought the Western philosophy to an end. The only difference was that it was not the entire Western philosophy that ended, but only its separate epoch. Some time later, Oswald Spengler also made a similar mistake in talking about the sunset of the Western civilisation, while actually it was not the end of the Western civilisation but only the domination of the Western Europe therein.

If we acknowledge the radical changes in philosophical thinking which occurred within the last two centuries, it would be difficult to believe that they have failed to produce any more notable impact on our understanding of politics. The philosophy of politics is one of philosophical disciplines, thus it cannot avoid being affected by changes in the theories of other philosophical disciplines. This means that having affected philosophy, postmodernism inevitably had to influence politics as well. It is rather inconceivable that changes in the attitudes towards truth, good and beauty would fail to affect political thinking. Max Weber proved that even such a seemingly remote notion to economy as Protestant ethics made an impact on the development of capitalism. It is even far more unbelievable that the deep cleavages in the world outlook within the last two centuries would leave our understanding of politics unaffected, and we continue talking about it the same way as did Plato, Thomas Aquinas and Thomas Hobbes.

Philosophy does not live exclusively in the Faculties of Philosophy. We observe the clash of different philosophies within the realm of everyday life. Disagreements among Liberals, Socialists and Conservatives are not limited only with technical questions. Behind their political programmes there stand (or at least ought to stand) different perspectives in the perception of a person, society and politics. In other words, they are inevitably divided by certain disagreements of philosophical character. Thus, it is hardly believable that the general change in the philosophical climate would bypass politics.

I have no doubt that if John Locke were writing his "Two Tracts on Government" today, he would certainly take regard of the general changes in the philosophical climate. John Gray is right in this respect when he suggests that we should talk about postliberalism, not about liberalism<sup>6</sup>. It is perfectly clear that liberalism today can no longer be defended the way Locke, Montesquieu or Jeremy Bentham were doing. Liberalism undoubtedly needs a new philosophy which would also take in regard the accomplishments of such authors as Martin Heidegger, Wittgenstein or Emmanuel Levin, who did not write much about politics. Otherwise, Liberalism might start

resembling a living history museum. Similar major challenges are in store for other trends of political thought as well.

In the aftermath of the Second World War, there rose a tide of criticism of political rationalism. That was one of the most notable challenges thrown against modernity by political philosophers. Karl Popper, Friedrich von Hayek, Michael Oakeshott, Hannah Arendt and Isaiah Berlin criticised the same – the conviction of modern philosophers in the existence of a single perfect political order based on the newest achievements of science. Berlin summarised the essence of his criticism in the following way: “Indeed, the very desire for guarantees that our values are eternal and secure in some objective heaven is perhaps only a craving for the certainties of childhood or the absolute values of our primitive past”<sup>7</sup>.

It is easy to prove that thinking in the modern times was based on other categories. “As God is no deceiver, the faculty of knowledge which he has given us cannot be fallacious”<sup>8</sup>, argued the initiator of the modern philosophy Descartes. Similar views were held by Kant, one of the most prominent authorities of modern liberalism who proposed to establish a tribunal: “It is a call to reason to undertake anew the most difficult of all its tasks, namely, that of self-knowledge, and to institute a tribunal which will assure to reason its lawful claims, and dismiss all groundless pretensions, not by despotic decrees, but in accordance with its own eternal and unalterable laws. This tribunal is no other than the *critique of pure reason*”<sup>9</sup>.

The Second World War acted as a truly significant impetus to take a new look at the foundations of the Western political thought. From the times of Renaissance, the West believed in the moral and technical progress of the society. “There is nothing more wonderful than man”, insisted the initiator of the modern humanism Pico della Mirandola. However, after Auschwitz, this belief lost its hitherto possessed power. Arguments could be heard that the modern epoch from the very onset was organised crime and genocide. Critics claimed that genocide was established in this epoch’s thinking about the man, society, morals and science.

Probably the most painful effect the experience of the Second World War had on the German philosophers. Karl Popper, for example, accused of totalitarianism the whole German classical philosophy, an exception was made only for Kant. This showed that not only those who were standing trial at the Court of Nuremberg, but likewise the whole Western modern philosophical tradition was placed in the dock. Hannah Arendt, a former resident of Königsberg who emigrated to the United States, presented an assessment of the situation in one of her books titled “Between Past and Future”<sup>10</sup>. She argued that the Western political thinking found itself in the situation of interruption – tradition lost its restrictive power while the present did not yet allow speaking of the birth of any new political thinking.

Every major epoch in the Western culture usually ended with scepticism. Modernity and its successor postmodernism do not seem to make an exception. After the extreme self-assurance of the modern philosophy, a

certain dose of postmodernist scepticism can indeed do no harm. However, it would be wrong if it were only scepticism and relativism that remained. I would like to quote here the great critic of postmodernism Ernest Gellner: "To the relativists, one can say only – you provide an excellent account of the manner we choose our menu or our wallpaper. As an account of the realities of our world and a guide to conduct, your position is laughable"<sup>11</sup>.

Political thought cannot escape the so-called "linguistic turn" in today's philosophy. Philosophers of modern times were never much interested in language. It is explicitly evidenced by an episode in the polemics between Descartes and Hobbess: when the author of "Leviathan" expressed the doubt that all the problems of philosophy might result from inadequate language mediation, Descartes angrily retorted that philosophers ought rather to be concerned with essence instead of worrying about language. Postmodern philosophers hold different views: they are convinced that there is no philosophical truth unaffected by the medium of language. According to Heidegger, language at once is "the house of being and home of human essence"<sup>12</sup>. Postmodernism comes with the conviction that we possess the world to the extent that we possess the language. A change of vocabulary, Rorty argues, brings about change in both the man and the society<sup>13</sup>. Political changes are also dependent on language. Politics is always composed from the sediment of words.

After the "linguistic turn" in philosophy, there started surfacing the deficiencies of the modern concept of the individual. In concentrating exceptionally on the rights and interests, the modern philosophers turned the blind eye to a whole range of issues deriving from language: sentiments of individuals, their moral character, understanding of virtues and traditions. The thought of modern philosophers was possessed by positivistic treatment of the subject based on the requirements of the neutrality of values. Intellect is a "white paper void of all characters, without any ideas"<sup>14</sup>, wrote John Locke. This declaration was a genuine challenge to Aristotle who was convinced that a human being was a political animal solely because he was able to use language. In this respect, the ancient times and postmodernism have much more in common than there is between modernity and postmodernity. In some respects postmodernistic political philosophers turn back to the ancient way of thinking. Alasdair MacIntyre regards the return to Aristotelism as the only serious alternative to the modern concept of morals and politics<sup>15</sup>.

After the "linguistic turn", philosophers speak primarily about language but not about reality. Such a disposition at present has already started bearing the most extraordinary results which are also affecting political thinking. At first philosophers stated that a human is an interpreting being unable to perceive a thing by itself, independently from its interpretation. "The text is made to speak through interpretation"<sup>16</sup>, said Hans-Georg Gadamer. This means that a certain common perception of things lies in the foundation of any human activity including politics. Hobbes, Locke and Kant were mistaken by promoting the concept of the value free

individual. After the “linguistic turn”, it became obvious that even the greatest individualism is based on absolutely non-individualistic assumptions – common good and the holistic meanings functioning in the society. This means that in order to escape society and traditions, it is also necessary to have society and traditions.

At present, however, postmodernists are no longer content only with the acknowledgement of the significance of interpretation. A further step is attempted: it is increasingly often stated that we are not able to overcome the discursive nature of our cultural world. As Derrida said, behind one text there is only another text. That is, we constantly encounter not so much with the things themselves, but rather with their signifiers, i.e. signs. This essentially changes our view on the individual. Postmodernists have started asserting that it is not an individual who is creating signs (though he possesses such ability), but it is the other way round, signs are the essential condition for his appearance. This simultaneously expands the notion of power. Any of our convictions becomes power. “Power is everywhere”, argues Michel Foucault, “not because it embraces everything, but because it comes from everywhere”<sup>17</sup>. Power relationships are not external in respect of other – economic, cognitional and sexual – relations though are regarded as an immanent issue. Hence, even knowledge about sex may be explained in political terms. This is precisely what Foucault is doing in his “History of Sexuality”.

Continuing the interpretational tradition for the explaining of the world, Jean Baudrillard has now come to a conclusion that we are living under the conditions of hyper-reality. In his opinion, we out of habit continue to believe in the existence of something real behind the representations of the world that we are creating, while actually we are only faced with signs and reality simulations. He argues that the famous Watergate scandal only creates an illusion about certain real moral values of Americans<sup>18</sup>. Actually the scandal is the only method of creating an illusion of real values. Today signs not so much reflect the reality but rather hide the fact of its absence. We are faced not with things themselves but with their images and simulacra.

Are philosophical speculations of such kind likely to make any influence on our understanding of politics? The answer is very simple – yes. This is already the philosophy operating in our everyday life. “What is image? It is reality”, contemplates on the pages of the daily “*Lietuvos Rytas*” Audronis Apūbalis, and his thought is further developed by Lauras Bielinis, “Mass consciousness is generally oriented towards the characteristics of an image rather than to the content of politics”.<sup>19</sup> What Baudrillard wrote about America perfectly fits for Lithuania as well. Postmodernism is making a speedier advance in our country than we are able to read the books of our Western colleagues.

The only regret for the Postcommunist countries in this respect is because of the inability of postmodernism to offer any clearer guidelines for the future. The major Western political ideologies shaped their identity during totally

different times, while there was still no narrowly perceived postmodernism running rampant in the backyard. Even one of the most radical postmodernists Derrida keeps repeating that only the people with classical education ought to get engaged in deconstruction. Meanwhile in Lithuania there definitely is a lack of classical political education. In the year 1775 indicated by Foucault, we lost the traditions of independent political life, and later appreciated every regained decade of independence. The result of this kind of differences between the Western and our experiences is that we often tend to deconstruct where we ought to be simply constructing.

It did not take long for even the most notorious of our criminals to master the human rights discourse, without ever realising that morals is not only just human rights. Quite considerable part of our citizens found this way of thinking much easier and more convenient: it required no effort necessary for education and self-development. Thus, everything about what the conservative Edmund Burke, liberal John Stuart Mill and socialist Karl Marx wrote two centuries ago was rejected without compunction. At the end of his "Economic and Philosophic Manuscripts of 1844" Karl Marx stated, "If you want to enjoy art, you must be an artistically-cultivated person; if you want to exercise influence over other people, you must be a person with a stimulating and encouraging effect on other people"<sup>20</sup>. Still higher requirements for moral development were set by the conservative Burke who was convinced that participation in politics was not a right but a privilege which required the ability to discipline one's human nature. The liberal Mill also repeatedly talked about the "spirit of improvement", which most often tends to disappear today from the vision of liberals.

I would not like to finish my lecture on a commendatory note in respect of postmodernism. All the contemplation of the 1968 generation postmodernists about hyper-reality possesses not only strong sides but likewise those which are weak or even extremely dangerous. Only at the first glance it looks as if the concept of politics presented there is new. In reality the thinking of the postmodernists of this trend only continues the old traditions of romanticism, and the name "postromanticism" would be more suitable to it instead of the "postmodernism". One of the fundamental features of romanticism is the tendency to estheticize political phenomena. Therefore, both romantics and postromantics find politics like a theatrical performance, the participants of which know that behind fictions there are just another fictions. That is a very dangerous way of political thinking. Today, when we have access to powerful technical means of creating virtual reality, such loss of the sense of reality might be fatal. Since the times of the Greeks, political philosophy has been connected with ethics not aesthetics. Thus, when we are told today that whatever our convictions, they nevertheless can be neither true nor wrong and present just another move in the language game, we have to say that it is a defective



philosophy able to undermine a responsible political activity. I do not believe that the Jewish buried in Paneriai would have liked their extermination to be viewed just as a failure of a theatrical performance. Everything what happened in Paneriai has a different, far more significant moral dimension.

At present there somehow suspiciously in concord are the two previously opposing each other philosophies – romanticism and utilitarianism. They are unified by a mutual desire to get away from moral concepts. Romantics suggest to retreat into the sphere of visions and fictions, while utilitarianists offer the area of the so-called technical decisions. Today pragmatics like Richard Posner are trying to turn politics into a dispute over means<sup>21</sup>, while contemporary romantics find politics to be just a grand creation of poetic imagination. In both cases it is attempted to quell our consciousness, to liberate it from disputes over goals. In both cases there triumph Schopenhauer and Nietzsche who were trying to prove that our world was just a blend of will and image.

Such convergence of romanticism and utilitarianism prove that Arendt was right – we are indeed stuck between “past and future”. We are not convinced by the old political thinking, however the present is not yet able to provide with a new way of thinking for the future. Our political thought continues to be oppressed by the old distinctions of modern times, which prevent the change of the paradigm of political thinking. That is, we continue to be postmodernists of the modern times. The only truly significant achievement is still the fact that modernity has already turned into a sufficiently big problem for us.

I must confess that I am surprised with the final conclusion of this lecture. Pascal once said that, “The last thing one settles in writing a book is what one should put in first”<sup>22</sup>. A closer look into the road we have covered during the last two centuries makes us acknowledge that the post-modernist political thought has not yet experienced such a radical cleavage as the one created by the works of Machiavelli, Grotius, Pufendorf, Hobbes and Locke in the beginning of modern times. We still remain only with a longing for a new political thinking. There has been a change in the political climate, though without such a wide gap between the epochs as there emerged in the 17<sup>th</sup> century. The concept of “postmodernism” already is indeed a useful instrument in our tool-box, still we have not yet been able to convince ourselves that it is just the tool we needed.

In the end, I would like to pluck up courage for a daring intellectual experiment which possibly might enable us to cross the situation “between past and future” described by Arendt. If future may not be predicted from the view of what will be tomorrow, perhaps a different strategy is more productive – to take a look at what will happen tomorrow from the point of view of the past. The great creator of the Modern times philosophy Hobbes proposed three fundamental principles directed against classical political thinking. Private issues



of wellbeing, he believed, may be essentially different from the concept of political justice valid in respect to the whole society. In addition, he proved that our way of thinking about politics may conform to the highest requirements applicable to natural sciences, and, thirdly, he suggested shaping political reality in accordance with the standards of such scientific thinking.

It is not difficult to notice that we are least of all convinced today by the two last beliefs of Hobbes. We no longer attach great hopes to the politics arranged in accordance with strict scientific methods, as did our predecessors from the times of Bentham, Marx and Skinner. Nevertheless, we are still firmly attached to the first belief of Hobbes about the relationship between the morals and politics. There is a whole range of new interpretations of this conviction, though its core remains unchanged. It is mostly considered a blasphemous and dangerous thing even to think about any more profound revisions in this sphere. It may thus be assumed to have formed the last link that prevents passage to a truly new political thinking. I could offer a whole range of arguments to prove such attitude. Yet, it probably is the subject of still another article.

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# ACADEMIC SCIENCE AND DEMOCRACY

*Zenonas Norkus*

## *Introduction*

Since the very time when the independence was restored, there has been an ongoing reform of studies and higher education in Lithuania, which still does not seem like nearing to its completion. It looks like having already turned into self-perpetuating. Laws are being adopted, though they either do not function or are amended right away; with each new academic year, both the students of the higher schools and their lecturers are faced with new surprises; the personnel of the research institutes are not sure whether they will be able to continue with their research projects or they will find themselves on the dole. The whole process resembles more a sequence of improvisations than an implementation of a thoroughly thought out strategic vision. It would hardly be fair to state that nobody ever gives a thought to these final objectives, or that they are never mentioned. A discourse accompaniment to the reform is the discussion of "what kind of science does Lithuania need, and how much of it?" The present article is just a modest attempt to join this discussion by radically expanding its scope. There are two aspects that make my considerations different from a whole range of other publications.

Almost all the articles in the academic and periodical publications on the reform of science and studies in Lithuania<sup>1</sup> invariably concentrate on the reform within a certain discipline of science, or at best – in a certain sphere of science. This can be illustrated by the discussion about the assessment criteria applicable to humanities and social sciences, which took place in 1998-1999 within the journal *Kultūros Barai*.<sup>2</sup> All its participants took for granted the following assumptions: only the "soft" sciences or humanities are "problematic" in one way or another; only the "humanitarians" are expected to present defence or excuses to the "naturalists" in order to prove their "usefulness" and the right to state donations, while the institutional status currently enjoyed by

the “hard scientists” is absolutely unquestionable. I will try to tackle this issue within a broader and more radical perspective without limiting myself with the view which opens from the vantage point of any particular discipline.

Secondly, almost all of the participants of the discussion are concerned with the situation and prospects of science exclusively in *Lithuania* (with a certain exception provided by articles of Almantas Samalavičius<sup>3</sup> based on the works of foreign authors dealing with issues of importance in science policy and the study of science). As implied by the title of the article itself, I will be interested in the issues of a more general and fundamental character: what kind of policy ought a democratic state pursue in respect of science? Is democracy possible in science, and what might democratisation of science mean? These are philosophical issues, or rather questions of the philosophy of science policy, which are considered by some of the participants of the Lithuanian discussion as not entailing problematic answers. They believe that the place currently taken by science in the “developed” countries of the Western “liberal democracy”, as well as its organisation there is precisely the kind of an ideal which ought to be pursued in our attempt to “catch up” with these countries. The issue of the reform of science within this perspective is simply about what should be done “here” and how to do it in order to make science “here” be like science in the “West”, or rather in the European Union.

Nevertheless, the issues of the due place of science in a democratic state as well as that of democracy in science itself are vigorously discussed in those countries which tend to draw the attention of the Lithuanian reformers. Those discussions take place in forums which are institutionally related with the so-called *science and technology studies* (STS). A whole range of representatives of the STS view their subject as the successor to the study of science in the philosophy and history of science, the “golden age” of which were the first two or three post-war decades.<sup>4</sup> They maintain that the emergence of the STS was predetermined by the so-called “historic” alongside with the “sociological” turn in the philosophy of science, the beginning of which is being related with the name of Thomas Kuhn. The direct predecessor of the STS was sociology of science, where Robert K. Merton, Warren Hagstrom, Derek de Solla Price are considered as its classical authors. They were the initiators of the so-called institutional sociology of science engaged in the study of the values and norms of academic communities as well as their formal (organisational) and informal structures.<sup>5</sup>

Representatives of institutional sociology of science made a wide use of scientometric, and first of all, bibliometric methods in those studies. Such bibliometric instruments also include the *Science Citation Index*<sup>6</sup>, most probably known already to every Lithuanian scientist. Therefore, there is no surprise that in the former Soviet Union, as well as Lithuania, institutional sociology of science first of all attracted the attention of the representatives of library and

information sciences. Hence, still in the Soviet times there emerged a discipline within the library science now known in Lithuania by the name of the “study of science”.<sup>7</sup> It could be regarded as a Lithuanian STS equivalent if not the circumstance that the majority of the contemporary STS disciples in the West align themselves not with the “old” or “traditional” Merton-Price school, but rather with the so-called “new” sociology of science, which calls itself *social studies of science* or *sociology of scientific knowledge* thus emphasising their focus not on scientists, but rather on the product of their activity – scientific knowledge.<sup>8</sup> It appeared in the last but one decade of the previous century. The representatives of the “new” sociology of science (Barry Barnes, David Bloor, Harry Collins, Karin Knorr-Cetina, Bruno Latour, Steve Woolgar, et al.) give priority to anthropological (field study or “participating observation”) methods which are not, or can hardly be, employed<sup>9</sup> by the scholars of the library science in their study of science.

Thus, the main purpose of the present article will be to broaden the vistas of the discussion about the future of Lithuanian science by including the works of STS representatives dealing with the philosophical foundations of science policy in a democratic state. It is necessary to state from the very beginning that today's STS is a very broad and difficult to survey research area, the representatives of which find it hard to agree on the aims of STS, or even on the name of the STS itself. Most of its representatives conceive the STS as a “positive” science, the purpose of which is to give a comprehensive description and explanation of the contemporary science phenomenon by employing for this purpose the most sophisticated methods of social sciences.<sup>10</sup> Others understand STS as a critical study which does not limit itself with a description and interpretation of the contemporary science but offers the assessment of one or another of its aspects and give proposals for reforms.<sup>11</sup> Within the scope of the topic of this article, namely the studies of this kind present the greatest interest. Worthy of special emphasis here are the works of the American philosopher and sociologist Steve Fuller (at present Fuller is working at Warwick University, Great Britain) which present perhaps the most systematic analysis of the issues of the philosophy of science policy.<sup>12</sup>

In the first part of the article, I am going to highlight the reasons which brought to the forefront the issue of the relationship between democracy and science. In the second part, I will recall the arguments of a philosopher who holds perhaps the most radical views on this issue by questioning the status nowadays possessed by science in developed countries which see themselves as liberal democracies. That is Paul Feyerabend who formulated his proposals for a radical reform of science (“second secularisation”) based on a populist understanding of democracy in his book *Against Method*<sup>13</sup> published in 1975 and in the collection of articles *Science in a Free Society*<sup>14</sup>. Only after that, in the third part of the article, I will analyse the classical

concept of the place of science in a democratic society, which will be referred to as academic liberalism. It is expressed by a concept of the academic society as an “open society”. Academic liberalism is presented in the article as an alternative to the academic populism of Feyerabend. The prospect of academic liberalism serves as a guideline also for the analysis of social stratification (inequality) in science in institutional (first of all R.Merton’s) sociology of science. I will review its principal discoveries in the fourth part of the article. An assessment of the manifestations of inequality in science in terms of their functionality in respect of science goals and different democratic ideals will be presented in the fifth part, where I will also discuss the new challenges to academic liberalism related with the crisis connected with the limits of growth in the Big Science. Steve Fuller’s project for the democratisation of science based on the republican conception of democracy, which looks for the middle road between the populist and liberal ideals of democracy, will be elucidated in the sixth chapter. In the final part of the article, I will present some critical observations in respect of S.Fuller’s academic respublicanism, and some considerations about the relevance of S.Fuller’s proposal in connection with the reform of science in Lithuania. It might also be worth mentioning that the scope of the article obliges to concentrate exclusively on the problems of research policy without delving into the problems of the reform of tertiary education.

### ***1. The Big Science’s limits of growth crisis***

Academic science turned into a problematic issue for the theory of democracy in the philosophy of politics after the emergence of the so-called “Big Science”. The small science is the science done by researchers who regard scientific research as a hobby, aristocratic pastime rather than a way of making their living (such were Descartes and Friedrich Engels), researchers supported by patrons of science (Leibniz and Karl Marx) as well as university lecturers, for whom research is an activity to a greater or lesser degree combined with teaching. This is a science which in terms of its spirit and organisation reminds of the Middle Age craftsmen shops. Small scientists are individual scientists who on their own realise their research projects, in which, apart from them, there also participate one or two apprentices (assistants) and disciples. Big scientists are the personnel of research enterprises (scientific research institutes and laboratories) who participate, on the basis of the division of labour, in collective research projects which are implemented by the efforts of a great number of people and a whole range of research institutions coordinated by means of bureaucratic governance. A paradigm of such industrially and bureaucratically organised science is the famous Manhattan project in the period of the Second World War with its fruit – the first nuclear bomb.

It is precisely with the Manhattan project and a number of analogous projects carried out during the Second World War that some of the histori-

ans of science associate the emergence of the Big Science<sup>15</sup>. Thus, the Big Science appeared as a product of the mobilisation of science for the purposes of war. The success of the abovementioned projects and the continuance of the Second World War in the form of the Cold War paved the way for the Big Science to turn into a permanent form of science organisation both in the West and in the East, where the transformation of the small science into the Big Science was also promoted by the ideology of centralised planing. Namely the period of the Cold War was the time of unprecedented quantitative growth of science. In 1956, after analysing quantitative data on the increase in the numbers of scientists, scientific journals and publications in the period since the beginning of the modern times, the prominent US historian of science and one of the pioneers of scientometrics Derek Solla de Price showed that the expansion of the Big Science constituted the final stage in the long-term exponential growth of science .<sup>16</sup> Below here is one of D.Price's curves by which he supports the thesis of the exponential growth of science (according to exponential function):

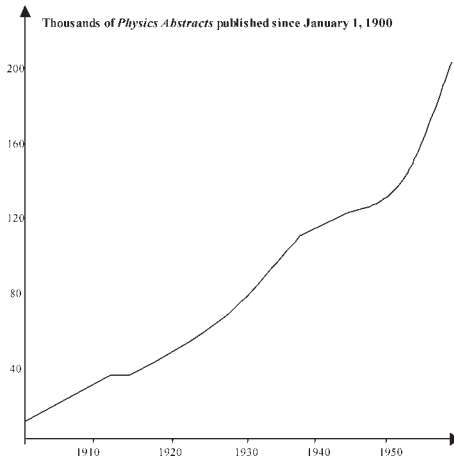


Fig.1<sup>17</sup>

D.Price's curves showed that if the number of scientists, scientific publications and science journals were to grow at the same rate, it would not take long until everybody became scientists, and scientific research devoured all public resources. The society would turn into something similar to Laputa described by Jonathan Swift in his *Gulliver's Travels*. The absurdity of such extrapolation means that the tendency of the exponential growth of science has the limits of its manifestation. In other words, there exist the boundaries of the quantitative growth which will sooner or later be reached. D.Price believed that it would happen not in the faraway future. The rates of growth in science will slower down until finally the limits of growth will be reached. The process of

this type is expressed by a logistic curve of the shape slightly resembling the letter S (see: Fig. 2). This curve demonstrates that the exponential function can be applied to describe only the initial phase of the whole process.

**Derek J. Price's prognosis of science growth (1956)**

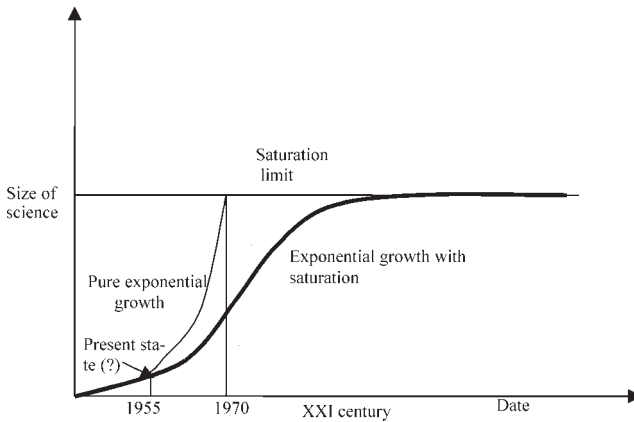


Fig.2.<sup>18</sup>

It is possible to argue about the exact shape of the science growth curve when the tendency of its exponential growth is "dying off", as well as concerning a more precise chronology, but it looks like those limits were finally reached during the last two decades of the century just gone: in some countries earlier, in some later. Whether it is by accident or not, but the end of the exponential growth of science coincided with the end of the Cold War. For the Big Science of the Soviet Union, this, as well as the collapse of the Soviet Union, was a catastrophe, the scope of which has not yet been evaluated. The discomfort caused by these events to the Big Science of the Western world leader – the US – and in particular to physics, which until that had been the leader of the Big Science, was not less substantial.

During the times of the Cold War, a considerable part of the basic research in the American physics was funded from the assets of the Defence Department (Pentagon), while the congressmen used to be invariably affected by the argument about the potential military significance of the research, for which the public funding was requested, as well as by the hints that otherwise Russians might be the first to develop new military technologies. In early eighties, the Pentagon, whose budget was being reduced, became less affluent, while the traditional argumentation addressed to the legislators lost their persuasive power. The Congress, dominated by the Republicans was at that time more concerned about the problems of the chronically deficit budget and the increasing state debt. The Big Science also fell victim to the policy of economising.

A blow of symbolic significance was dealt to the American Big Science in 1993, when the US Congress refused to assign funds for the funding of the Superconducting Supercollider which was “promoted” by a group of physicists headed by the Nobel prize winner Steven Weinberg. The Supercollider had to be erected in a 53-mile long underground tunnel under Waxahacie, Texas and cost 10 billion dollars. Not only researchers from other sciences refused to give support to Weinberg’s group, it received no backing from the greatest part of the physics community either, who considered their own research projects to be equally important and regarded as unfair the distribution of federal resources in order to satisfy the wishes of Weinberg’s group. In their dispute over the allocation of public assets for the funding of research, the conflicting groups of scientists also appealed to the public opinion by engaging for this purpose the press and other mass media. This very much resembled a betrayal of the traditional science autonomy principle in “publicly washing their dirty linen”, i.e. in looking for an arbiter from the outside to resolve internal conflicts of the academic community.

On the one hand, the resultant situation was favourable for the development of STS. In accordance with the traditions of the Western society, when dealing with social problems it is customary to start with looking for scientists-experts of the relevant field of science. When it became obvious that the Big Science itself entailed a huge social and financial problem, the role of experts was given to the representatives of science sociology, science economics<sup>19</sup> and STS. On the other hand, the new situation sparked discussions on the fundamental question, and precisely this is the focus of the present article: what must the science politics of a democratic society look like? It is obvious that without a well reasoned answer to this question of political philosophy no principled and consistent behaviour is possible in such situations like the one with the Supercollider.

## ***2. Paul Feyerabend’s academic populism***

The best option is to start summarising and analysing the answers to this question with the most radical one found in the works of the American science philosopher of Austrian origin P. Feyerabend (1924-1994). P. Feyerabend argued that the modern societies which called themselves free and democratic did not fully deserve the name of “free” and “democratic” societies until science there was separated from the state. At present its place in those societies is similar to that held by religion in the Middle Ages. A society cannot be called free and democratic where the state gives priority to one particular religion, supports its servants from the state treasury, where teaching of the doctrines of this religion is compulsory, and



where religious experts are consulted in advance before new laws are being drafted. A free society is a secular society, where the choice of religion or its confession is a private matter. A consistent implementation of the freedom of conscience, as the right to confess a religion or not to confess any religion at all, was one of the fruits of the epoch of Enlightenment. One of the aspects of Enlightenment was the liberation of science itself from the ideological control exercised by religion. Science, in the process of liberating itself from such ideological control was precisely that anti-religious power whose increasing authority contributed much to the success of secularisation.

Nevertheless, societies where religion was separated from the state did not turn into genuinely secular societies. The problem is that science, having assisted to restrict the role of religion, did not take long to occupy its place by turning into an authoritarian power in the modern societies not unlike Roman Catholic Church in the Mediaeval Europe. "Immense sums are spent on the improvement of scientific ideas. <...> Human relations are subjected to scientific treatment as is shown by education programmes, proposals for prison reform, army training and so on. The power of medical profession over every stage of our lives already exceeds the power once wielded by the Church. Almost all scientific subjects are compulsory subjects in our schools. While the parents of a six-year-old can decide to have him instructed in the rudiments of Protestantism, or in the rudiments of the Jewish faith, or to omit religious instruction altogether, they do not have similar freedom in the case of the sciences. Physics, astronomy, history *must* be learned; they cannot be replaced by magic, astrology, or by study of legends".<sup>20</sup>

P. Feyerabend maintains that such state of affairs in respect of science is incompatible with the idea of personal freedom and autonomy propagated in the Western states claiming themselves to be liberal democracies, which is also enshrined in their constitutional acts. By making teaching of the fundamentals of science compulsory, the state acts paternalistically and violates a person's freedom of choice. In financing scientific research with taxpayers' money, it breaches the principle of equality of all cultural traditions by giving priority to one exceptional tradition – scientific rationalism. In this case its behaviour is not unlike that of a state which uses public assets collected from its citizens who confess different religions for the promotion of one of those religions.

Why do the citizens-non-scientists themselves of those states that claim to be liberal democracies take the privileged status of scholars for granted? Feyerabend maintains that this can be explained by the fact that the class of scholars, having taken over from the Church the control of the system of education, has imbued the masses with the belief in the following assumptions:

"Assumption A: scientific rationalism is preferable to alternative traditions.

Assumption B: it cannot be improved by a comparison and/or combination with alternative traditions.

Assumption C: it must be accepted, made a basis of society and education because of its advantages." <sup>21</sup>

The aim of P. Feyerabend's philosophy of science ("epistemological anarchism") is to undermine the belief in those assumptions. The implementation of this aim would not fall short of the Second Enlightenment and could pave the way for a new secularisation. This secularisation would eliminate the danger posed by the "science chauvinism" to democracy and would mean a consistent disestablishment of science. In a totally secular and democratic society, the power or authority conferred on physicists and chemists would not be higher than that now enjoyed by the representatives of competing religious confessions, astrologers or advocates of the *New Age* cults.

P. Feyerabend does not pay much attention to the details of the institutional secularisation of science. Within the extent that he is writing about it, he is more interested in the content of education rather than the issues of research organisation. He supports such curricula where science theories are taught as "*historical phenomena*"<sup>22</sup>, i.e. the way at present religious doctrines are presented in the courses of religious studies, or philosophical theories in the courses of the history of philosophy: namely, as more or less interesting opinions rather than truths which must be believed. In academic curricula there should be represented alternative culture traditions on the grounds of multiculturalist parity. Students should not only study physics but likewise magic and witchcraft. All this ought to be regarded only as P. Feyerabend's advice, as it is the parents of the child themselves who are to make the final decision on what and how much the child should study (thus, he shouldn't take offence if parents decide to rather teach their children physics and chemistry). As an example worth emulating, P. Feyerabend considers the instances quite common in the US when school councils dominated by parents with fundamentalist Protestant views issue instructions to biology or astronomy teachers to present the ideas of Darwin or modern cosmological theories just as hypotheses in respect of which the texts of the Bible are maybe if not a superior than at least an equal alternative.<sup>23</sup>

As concerns scientific research, P. Feyerabend's attitude there is neither fully clear nor consistent. It would seem that disestablishment of science could only be understood in the sense that scientists in a secular state will have to be satisfied only with the support rendered by private persons or firms on voluntary grounds, for the acquisition of which they will have to organise large-scale campaigns not unlike those carried out by American religious organisations today in order to raise money for the maintenance of charity organisations supported by them. This could be the way how an extreme liberal libertarian (like Algirdas Degutis in Lithuania) sees it.

Nevertheless, a closer look into P. Feyerabend's writings reveals a different view. The philosophy of science policy he advocates is not liberal libertarian

but populist. P. Feyerabend does not deny at least one advantage of science over its competitors, and first of all magic. Namely, science excels magic and other prospective competitors as a basis for technology. Therefore, he considers it expedient to provide science with public assets without being afraid that disestablishment of science “will lead to a breakdown of technology. There will always be people who prefer being scientists to being the masters of their fate and who gladly submit to the meanest kind of (intellectual and institutional) slavery provided they are paid well and provided also there are some people around who examine their work and sing their praise. Greece developed and progressed because it could rely on the services of unwilling slaves. We shall develop and progress with the help of numerous *willing* slaves in universities and laboratories who provide us with pills, gas, electricity, atom bombs, frozen dinners and, occasionally, with a few interesting fairy-tales”.<sup>24</sup>

Thus P. Feyerabend does not deny the right of scientists to get state support, but he is strongly in favour of supervision exercised by laymen over the science financed from public assets. In practice, such supervision would mean that it would be for citizens-non-scientists but not for experts-scientists, i.e. representatives from a particular field of knowledge, to decide what research projects ought to be financed and how much, as well as to evaluate their results. “In a democracy an individual citizen has the right to read, write, to make propaganda for whatever strikes his fancy <...>. Assuming this right, a citizen has a say in the running of any institution to which he makes a financial contribution, either privately, or as taxpayer: state colleges, state universities, tax supported research institutions such as the National Science Foundation are subjected to the judgement of taxpayers, and so is every local elementary school. If the taxpayers of California want their state universities to teach Voodoo, folk medicine, astrology, rain dance ceremonies, then this is what the universities will have to teach. Expert opinion will of course be taken into consideration, but experts will not have the last word. The last word is the decision of democratically constituted committees, and in these committees laymen have the upper hand”.<sup>25</sup>

P. Feyerabend's inconsistency becomes obvious upon a more careful comparison of the secularisation of religion and the secularisation of science as advocated by him. Disestablishment of religion implies not only the elimination or limitation of the influence exerted by religion upon the state, but also the guaranteeing of the autonomy of religion in respect of the state. Religious communities in a democratic state are totally free from any interference on the part of the state into their internal affairs. Feyerabend's populist secularisation of science means, on the contrary, the elimination of the autonomy of science by making it subject to a more stringent control of the state, even though it is a democratic state. Whether it is a paradox or not, P. Feyerabend's populistically democratised state, free from any “science chauvinism”, would itself exert an authoritarian (if not totalitarian) control over science. The metaphor of a “scientist-slave” quoted above is eloquent enough. It could be

asked whether a state which fails to ensure the autonomy of science deserves to be called a democratic state more than that which interferes into the internal matters of the communities of its religious citizens?

P. Feyerabend would most probably retort that a scientist seeking for “freedom of research” ought simply to manage without taxpayers’ money, like the religious communities do. A scientist who is carrying out research at the expense of the taxpayers has to reconcile himself with a democratic control over his activity. But won’t the everyday reality of this “democratic control” resemble the relationship between the citizen Sharikov and professor Preobrazenskij as depicted by the Russian writer Michail Bulgakov in his novel “Heart of a Dog”? Such misgivings are fuelled by the following statements of the American philosopher: “from the general point of view, the authority of democratic decision is always superior to the authority even of the best specialists and most distinguished forums of the scientists.”<sup>26</sup> “Duly elected committees of laymen must examine whether the theory of evolution is really as well established as biologists want us to believe, whether being established in their sense settles the matter, and whether it should replace other views in schools. They must examine the safety of nuclear reactors in each individual case and must be given access to *all* the relevant information”.<sup>27</sup> And what is most important: is a free and autonomous science really a threat to democracy?

### ***3. Academic science – an archetype of the open society?***

An explicitly negative answer to this question is offered by the science policy philosophy, which can be called academic liberalism. To its “classics” can be attributed Karl Popper and Michael Polanyi, who wrote in his famous essay *The Republic of Science: Its Political and Economic Theory*: “<...> the community of scientists is organized in a way which resembles certain features of a body politic and works according to economic principles similar to those by which the production of material goods is regulated <...>. For in the free cooperation of independent scientists we shall find a highly simplified model of a free society, which presents in isolation certain basic features of it that are more difficult to identify within the comprehensive functions of a national body”.<sup>28</sup> Another proponent of this tradition was Max Weber, who considered academic freedom inseparable from value neutrality of science, vigorously defended by him.<sup>29</sup> The following two theses can be distinguished in the core of the philosophy of academic liberalism:

1. Science is an exceptional social institution and cultural tradition, the maintenance and development of which should be assigned to the support of the state.

2. The development of science can be most productive within the con-

ditions of science autonomy, i.e. in the presence of the freedom of research, which is not unlike the market that performs the most successfully when the state does not interfere with its functioning.

A free market is able to most effectively distribute resources by ensuring the production of optimal quantity of products within the given solvent demand and resources, while the autonomy of science ensures the uppermost possible expansion of human knowledge by supplementing it with new information. There certainly exists an essential and evident difference between the market and the science: in their transactions, the subjects of market relationships take risks with their property, while academics<sup>30</sup> are supported from public assets, and within the conditions of a consistently implemented science autonomy, they alone decide what and how to be studied.

How can such a freedom enjoyed by a part of the society – to be maintained by other citizens and to satisfy one's own curiosity at the expense of those others – be justified? Producers of knowledge, or researchers, deserve to be supported by the state because at least that part of their production which is customarily called "basic knowledge" is public good.<sup>31</sup> This is a kind of knowledge that, like a lighthouse or a foot-bridge, can bring benefit also to those who have not participated in its creation, while new consumers do not diminish its amount. An actor interested in a public good (new knowledge) finds it rational to "free-ride", i.e. stand by until the truth is found by others and then "free of charge" take advantage of the fruits of their sacrifice.

One of the ways to encourage human curiosity and passion for research is the patent law, which awards the inventor with the right of ownership to the use of his discovery. Such resolution of the problem, however, is valid only in respect of directly technologically applicable inventions which might attract an interested purchaser. Discoveries of this type is the speciality of the academic science twin – applied or industrial science. Academic science as a social institution is intended for the "production" of directly (right after the discovery) technologically inapplicable knowledge. Members of the academic community, supported by the state, are able to (if the state concerned is democratic) devote themselves unrestrictedly to the search of such "pure" truth.

How can academic freedom ensure the maximum productivity of this search? The mechanism of an "invisible hand" in the free market is disclosed by neo-classical economic theory. Similar attempts in respect of the academic science were made by the American sociologist Robert Merton in his institutional theory of science.<sup>32</sup> Entrepreneurs operating in the market are motivated by the endeavour to maximise their profit. Academics, apart from their desire to experience the joy of the quest for truth and the satisfaction of discovery, are motivated by the pursuit of fame and the desire to be recognised by their colleagues. Recognition can only be won by discoveries or by new original ideas likely to supplement the already accumulated treasury

of knowledge in a particular sphere of science. Academics are not indifferent to the pecuniary benefit either, though there is no direct link between their achievements in the search for new knowledge and material wellbeing. Every new discovery furnishes the scholar with additional fame and acclaim, though not necessarily with more money.

The same as with the freedom of market, which does not mean that an individual entrepreneur will produce, buy or sell whatever he chooses, the freedom of research does not imply that a researcher may study anything taken at random. He will engage in a study that best conforms to his skills and capabilities, and which (in the eventuality of success) will bring him the greatest acclaim. Otherwise, he will never be the first or will ever be recognised. In certain respects, competition among academics is even fiercer than the competition in business or sport. An entrepreneur "wins" when he derives profit, even though his profit may be lower than that of his competitors. Competition among academics is subject to the principle "the winner takes it all": the whole fame goes to the person who was the first to make a discovery – there are no silver or bronze medals in science.

Nevertheless, competition is not the only mechanism to ensure maximum productivity for an autonomous (free) science. The efforts of researchers to satisfy their ambitions guarantee their collective effectiveness also because they act within certain boundaries determined by the common rules of the game. Merton calls those constitutional rules of academic science, as a certain form of life, by the name of "institutional imperatives". He distinguishes four such institutional imperatives of science: universalism, "communism" (Merton's use of inverted commas), disinterestedness and organised scepticism.<sup>33</sup> These imperatives define what Merton calls the "science ethos", or simply ethics. The imperative of universalism compels a scientist to evaluate his colleagues knowledge claims – i.e. the works he presents as his contribution to the common granary of knowledge – on the basis of uniform standards without succumbing to a particularly personal, national, religious, political, etc. bias. "Communism" demands publicity in science and denies the right of private ownership to new knowledge. A scholar is obliged to publicise his new verified results without delay. The imperative of disinterestedness requires a scientist to be modest and forbids the strive for recognition by means of deceit and intrigues. In addition, disinterestedness implies the duty of a scholar to acknowledge all his "debts". The imperative of organised scepticism obliges a scholar to be critical in respect of himself and his colleagues. Upon noticing a mistake in his own results or those of his colleagues, a scholar is not permitted to keep silent, he must disclose it immediately.

Competition for recognition is precisely the feature which makes this scholarly "society in the society" resemble the market. The institutional imperatives of science are similar to the "rules of the game" in the democratic political process. This is first of all applicable to the imperatives of universalism and organised scepticism. The imperative of universalism is analogous to the prin-

ciples of equality before the law and the rule of law. Of equal importance for the similarity between the science ethos and democratic policy is the organised scepticism. Public criticism, unending hunt for mistakes and criticism are elements of both science and democratic policy environment. In a democratic state it is served by the organisation of political processes in the form of competition, where its participants are divided into the governing "position" and the opposition, which is constantly submitting the former to criticism, as well as by the freedom of expression.

All the similarities between this science community or "republic" and the big society or polity and their selective affinities are summarised by Karl Raimund Popper's famous idea of the "open society". It is the common denominator of the democratic society and free academic community. A similar opinion is also held by Mark Notturmo, one of the best experts of Popper's philosophy and its renown advocate in the Central and East European countries, "Popper likened the principles of the open society to the principles of scientific enquiry"<sup>34</sup>; "here it would be tempting to identify open society with the scientific society, or with the rational society. And Popper, no doubt, was inclined to do so".<sup>35</sup> Popper is not the only philosopher to model his ideal of the "big society" in accordance with the pattern of the "small society" of science. "Indeed, the most vividly drawn examples of democratic governance in the liberal tradition, as found in the writings of Mill, Dewey and Popper, are basically extended analogies from what they understood to be the normative structure of science."<sup>36</sup>

Irrespective of the type of a society, if there exists an academic community governed by the values of "science ethos", there exists the embryo of the open society. Due to its spirit of "organised scepticism", the academic science comprises an alien oasis of free thinking in non-democratic, especially in totalitarian, societies. Within a consistent Popperian approach, democratisation of a society would entail the application of some of the principles of academic community organisation and life outside its boundaries. From this perspective, the academic science itself looks less like the greatest threat to democracy, but rather more like its bastion, school, nursery, reserve, standard and archetype. This seems to be evidenced by recent events. "Like in Russia, science in the Baltic countries turned into an "incubator" of intellectual opposition to the totalitarianism, but unlike in Russia, the intellectual opposition here acquired also a national aspect. <...> It is also symbolic that the establishment of the Lithuanian *Sąjūdis* took place in the Academy of Sciences, initiated by the academic discussion about economic autonomy of Lithuania within the composition of the USSR. In the period between 1986 and 1990 (in particular in 1988-1989), when the ideas of revival were taken up by the masses, research institutes and universities became a powerful ideological and organisational engine for the liberation movement in the Baltic countries. It was no accident that in 1988 M. Gorbachev called the Lithuanian *Sąjūdis* a 'conspiracy of professors'".<sup>37</sup>



#### ***4. Stratification of academic community and the problems of justice in science***

On these gratifying memories I could end here if I were reading a report in a meeting on the occasion of some science institution's anniversary. However, from the perspective of science sociology, to finish by stating that it is precisely the science that is open society, we would remain with a too abstract and idealised view on the situation. What we have found, is a certain selective affinity between science and democratic values, and between the principles of science and market activity. The problem is not only in the existence of different democratic ideals (populist, liberal, republican). The vision of science as an open society presents only a certain idealised picture of the life of academic community, which depicts how a "perfect" academic community ought to act. Nevertheless, the reality of life in real academic communities may be essentially different.

This problem is comparable with the one found in the vision of efficiently functioning "perfect competition" market, as presented by the neo-classical economics. Even the most ardent supporters of market economy cannot help noticing that real markets are very often different from this theoretical ideal. "Real" markets are not always efficient. Economists and political philosophers often discuss the so-called "market failures". In order to eliminate such failures, some of them propose active intervention policy on the part of the state, while others view the market failures as the result of precisely such political attempts to rectify them. There is no agreement either over what should be regarded as the "failures of the market". In the eyes of a liberal libertarian, market is without market failures in the case of efficient (in the sense Pareto's optimum) allocation of resources. Populists do not find this sufficient. The most common fault populists find in respect of market is that it fails to ensure the "real" equality, i.e., the equality of opportunities (there are also those who would also want the equality of results). Conversely, a market set "free to act" creates and increases the abyss between the rich and the poor. Children of the rich have a better "starting opportunities" than the children of the poor by taking advantage of inherited privileges, which are viewed by the supporters of equal possibilities as not deserved. Sociologists call this phenomenon "class inequality".

Whether it has anything in common with the problem of democracy or not, is a disputable issue of political philosophy, the same as the concepts of "democracy" and "justice" themselves. If democracy is viewed from the standpoint of classical liberalism and understood as a political structure where the government can be subjected to criticism and peacefully replaced by means of free elections, then the problems of equality of opportunities and results related with the functioning of market economy have nothing in common with de-



mocracy. A different case is if democracy is to be perceived from the populist viewpoint – in the sense of “participatory” democracy. In a society where no equality of opportunities and results exists, such “real” democracy is not possible, as the possibilities of its members to participate and influence public decisions are too different. In this respect, the society, divided into the “power elite” (C. Wright Mills) and the mass, devoid of any real influence upon the process of public decision-making, is not “truly” democratic.

If academic science is measured by this populist concept of democracy, we will have to acknowledge it as a very undemocratic institution. The characteristic feature of science is elitism – the division of academic society into the academic elite, dominated by minority, and the majority, composed of “mediocrity” and academic marginals. Unlike the stratification created by the market, the basis for academic stratification is not economic differences but those of prestige. In other words, the academic community is divided not into classes, but into groups of status or castes, which made the foundation for the system of social stratification like that in the feudal society. The feudal estate structure with its lords, counts and barons is mirrored by the differences in academic rank and related privileges. The spirit of feudal personal dependence, even if not that between lords and serfs, then at least like between seniors and vassals, is customary to the relations between the heads of the majority of academic collectives and their subordinates, between professors and their doctoral students.

It would, nevertheless, be erroneous to judge about the hierarchy of the academic community prestige in accordance with the academic titles of their members. In addition to that formal hierarchy of prestige, there exists an informal one determined by the differences in academic productivity. In evaluating productivity, today’s science sociology and scientometry tend to distinguish between the quantitative and qualitative aspects. The quantitative productivity is indicated by the number of publications. Its qualitative aspect is more complicated to gauge. An ideal measurement tool for a scientist’s quality of production would enable to evaluate its “objective” importance. However, providing this objective importance is possible to be measured at all, it only could be done within a long-term perspective, which does not befall to every scientist while he is still alive. For the purposes of science sociology, it is necessary to be contented with substitutes to those ideal measurement tools. At present, it is customary to measure the quality of a scientist’s contribution by the citation frequency of his works. Such works are considered worthy which have been noticed and are often cited.

Whatever the shortcomings of this measurement tool, its value for the purposes of science sociology is in the provided possibility to quite precisely trace the shape of the informal hierarchy. The academic elite includes “famed”

researchers, who are often cited and referred to. Those are the researchers who are the most successful in competing for the reward, of which there is never enough for everyone and which is sought by academics – recognition in the academic community. Those who are able to accumulate more of this “symbolic capital” (Pierre Bourdieu), can convert it both into economic and political capital, by receiving invitations to render consultations for governments and private companies, or requests from parties which want to include them into their lists of candidates, etc. When the public assets intended for the needs of academic communities are distributed, the greatest part is allocated to the members of academic elite, i.e. for financing their research projects.

As a precise quantitative description of the distribution of academic community productivity can be considered the Lotka-Price Law which provides an inductive generalization of bibliometric data. In one of the wordings of this law, it is stated that in every scientific discipline half of the publications belong to the authors, the number of which is equal to the square root of the total number of the authors.<sup>38</sup> Thus, if, for example, during the next five years, there are 1 000 articles published in palaeontology journals with the total number of authors being 400, the Lotka-Price law implies that half of these articles (500) will be written by 20 authors. Another wording of this law states “that if  $k$  is the number of scientists who publish one paper, then the number publishing  $n$  papers is  $k/n$ ”<sup>39</sup>. The qualitative equivalent of the Lotka-Price Law is the so-called “Newton Hypothesis”. The great British physicist once modestly said that if he had seen further, it was by standing upon the shoulders of giants. The “Newton Hypothesis” implies that the progress of science is based upon the efforts of several exceptional personalities (“giants”, standing on each other’s shoulders).

Lotka-Price Law has important implications for the problem of equality in science. Let us not forget that academics are people who enjoy the right to satisfy their curiosity being maintained from taxpayers’ assets. From the point of view of the taxpayers, academics are expected to justify such privilege with productivity. If the real progress of science can be guaranteed by just a handful of “giants” from a selective club, why not then shrink the academic community down to the size of this selected club? With all the unproductive or poorly productive “dwarf” members of the academic community driven out, the inequality in science would be significantly reduced (it would turn into a certain club of the Olympus Gods, where you can only be “the first among equals”), taxpayers’ money would be saved, while the progress of science (almost) would not suffer. This is precisely the way that a great number of science politicians suggest tackling today’s Big Science problems, optimistically viewing the future. In their opinion, the elitist character of science guarantees that there will be no slackening in the progress of cognition even upon science as an institution reaching the limits of its growth.

An opposite vision of the progress of science to the one expressed by the "Newton Hypothesis" may be suggested in the metaphor of a "giant standing on the hill of dwarfs". In literature it is known as the "Ortega Hypothesis" in honour to the Spanish philosopher Jose Ortega y Gasset, who formulated it with clear precision in his book *The Revolt of the Masses*. The Spanish philosopher wrote: "For it is necessary to insist upon this extraordinary but undeniable fact: experimental science has progressed thanks in great part to the work of the men astoundingly mediocre, and even less than mediocre. That is to say, modern science, the root and symbol of our actual civilisation, finds a place for the intellectually commonplace man and allows him to work therein with success. <...> A fair amount of the things that have to be done in physics or in biology is mechanical work of the mind which can be done by anyone, or almost anyone. <...> The work is done under one of these methods as with a machine, and in order to obtain quite abundant results it is not even necessary to have rigorous notions of their meaning and foundations. In this way the majority of scientists help the general advance of science while shut up in the narrow cell of their laboratory, like the bee in the cell of its hive, or the turnspit in its wheel".<sup>40</sup> The "Ortega Hypothesis" was repeatedly submitted to verification by using bibliometric data from the most diverse science areas.<sup>41</sup> An absolute majority of scientists consider it without foundation, others believe it to have been refuted.

Yet, it is not the only argument that could be relied upon by an opponent to the "democratisation" of science by the way of radically reducing the number of scientists. There still is an ongoing discussion in the STS concerning the co-called "marginality" hypothesis which was more precisely formulated by Thomas Gieryn and Richard Hirsch.<sup>42</sup> This hypothesis summarises the science history facts which indicate that radically new theories of science are often launched by scientists whose status during their most creatively active period of life is not even that of mediocre individuals but rather of marginals in their field of science. New results are often achieved within an intersection of disciplines, while the researchers pursuing them are often viewed as cranks in their fields, and dilettantes in those areas where they break into.

The reluctance in getting rid of "dwarfs" and thus turning out of the academic community the prospective "giants" can also be buttressed with those facts from the history of science which show that radically new scientific ideas are often far from immediately duly evaluated or their authors receive acclaim. It is not uncommon that scientists appear on the Olympus only after their death or after they have already changed their profession. "The history of science abounds in instances of basic papers having been written by comparatively unknown scientists, only to be neglected for years. Consider the case of Waterston, whose classical paper on molecular velocity was rejected by the Royal Society as 'nothing but nonsense'; or of Mendel, who, deeply disappointed by the lack of response to his historic papers on heredity, re-

fused to publish the results of his further research; or of Fourier, whose classic paper on the propagation of heat had to wait thirteen years before being finally published by the French Academy".<sup>43</sup>

The history of political philosophy abounds with thinkers who maintain that social inequality is an evil which has to be exterminated by one or another way, e.g. by levying taxes on intelligent and talented people in favour of those incapacitated by nature or fate. However, it is hardly possible to find a scholar or researcher who would view the unequal distribution of prestige in an academic community *per se* as an evil which ought to be diminished.<sup>44</sup> Finally, nobody forces to choose the profession of a scientist, as achievement in science is only one of the many ways to seek recognition in the society. It would seem that a person who chooses the profession of a scientist and finds himself in the place of an academic marginal, could only feel regret about having chosen a profession (or a research problem) for which his talent and industry have appeared to be insufficient.

Nevertheless, the majority of those science failures hold a different opinion. A typical character found in an academic community is such a researcher who maintains that his contribution is undeservedly not recognised or insufficiently recognised, or that it is not his fault that his talent as a researcher could not be realised. It is true that there is no direct link between the productivity of a scientist and his belonging to the academic elite. The way to the academic elite is paved not by just any kind of productivity, but by the productivity that is evaluated and acknowledged by other members of the academic community. Thus, the issue of justice in science is first of all the issue of fair distribution of recognition. It would seem that justice is necessitated by the very principle of universalism as a fundamental element of science ethics: equal contributions to the treasury of scientific knowledge ought to be evaluated equally, irrespective of who have made them.

It was already R. Merton who systematically analysed the systematic divergence from this universalistic ideal, typical to the social reality of academic communities and called it the "Matthew effect". The naming implies reference to the place in the Gospel of Matthew which explicitly enough expresses the essence of the matter: "For unto every one that hath shall be given, and he shall have abundance: but from him that hath not, even that which he hath shall be taken away".<sup>45</sup> This phenomenon is also known by the name of "cumulative advantage". Merton defines it as follows: "The Matthew effect consists of the accruing of greater increments of recognition for particular scientific contributions to scientists of considerable repute and the withholding of such recognition from scientists who have not yet made their mark."<sup>46</sup>

There could be distinguished several situations where the "Matthew effect" is evident. First, it is much easier for the articles of renowned authors, or the authors working in prestigious science institutions, to appear in prestigious

science journals than for those written by unknown authors. It was very illustratively evidenced by an experiment made by Douglas Peters and Stephen Ceci a couple of decades ago. They took twelve articles published in prestigious psychology journals and written by American psychology celebrities from psychology departments of prestigious universities, replaced their names by non-existent names of authors allegedly working in “low-rank” universities and sent those articles to the same journals where they had been published. Only three out of 38 editors and reviewers recognized the articles as having already been published. Out of the nine articles which remained unrecognized only one was accepted for publication.

Second, the “Matthew effect” is also operative in respect of articles that have already passed through the barrier of reviewing. Articles written by famous authors have better chance to attract the attention of readers and be cited (thus bringing their authors even higher acclaim) than the works of new authors. Hence, the one who has already joined the “academic elite”, can easily stay there and even amplify his symbolic capital even though his new works may be lacking of new ideas, or he is no longer publishing anything at all.

Third, it takes less effort and time for celebrities to get grants for their new research, than it is necessary for obscure researchers. Applications submitted by celebrities working in “elitist” science institutions have a better chance to be satisfied than the research projects prepared in the same way but submitted by a team of researchers from the universities situated “in the middle of nowhere”. Those who belong to the academic elite and those who do not are separated by an invisible wall which resembles the social barriers of the class or estate society. The “Matthew effect” in science is very similar to the “cumulative advantage” elements in the free market: the rich are getting richer, while the poor are becoming even poorer; a poor person without a “starting capital” finds it incomparably more difficult to earn his first million than it is for the owner of one million to make his second million.

### ***5. Academic liberalism and the Big Science***

Is the “Matthew effect” an evil inherent in academic science which ought to be combated by measures of intervention similar to those which are recommended by many political philosophers for the elimination of real or alleged market failures? Actually, something is being done in the practice of the contemporary science organisation in order to alleviate this effect. Thus, for example, a number of science journals employ the so-called “blind” reviewing, where the reviewers do not know (though predominantly they can easily guess) the identity of the author. In analysing the problem in essence, it should not be forgotten that “what may be best for science may turn out not to be so good for

scientists".<sup>47</sup> The same is also true in respect of the status inequality in science discussed above, as well as about the "Matthew effect". Where these phenomena are functional in regard of science goals, i.e. they facilitate augmentation of new knowledge and reduction of the number of blunders, then they are of positive and acceptable character. In terms of science goals, people are only tools, resources. Thus, in assessing the "Matthew effect", we ought to find out whether it does not obstructs the pursuit of science goals.

There can hardly be an unequivocal answer to this question. In some circumstances the "Matthew effect" may have positive, in others negative consequences for the goals of science. In short, if the science elite recruitment system operates in such a way that only the most talented are able to join its ranks, than instead of creating obstacles, the "Matthew effect" is more likely to facilitate the pursuit of science goals. As evidenced by research, the graduates of "prestigious" universities, who had their dissertations prepared under the guidance of celebrities in the relevant sphere of science, have the greatest chances to break into the science elite and acquire fame as researches. The support of a famous scientific adviser paves the way for the articles of a young researcher to appear on the pages of prestigious science journals and helps to draw the attention of influential reviewers to his first book. If the system of recruiting the staff of young researchers operates in such a way as to ensure that only the most talented are accepted to the prestigious universities, and only the most gifted of those talented become the disciples of the celebrities, then the "Matthew effect" can only facilitate the development of science.

In that case, the "Matthew effect" helps the best ones faster and with less input of time and energy to acquire the necessary funds for research, and makes the circulation of scientific information easier and more expeditious, while the best research has a more rapid access to the press and attracts attention. However, if the door to the doctoral studies in Harvard are opened by the capacities not exceeding those of others, but rather by some other factors, the phenomenon of "cumulative advantage" turns into an obstacle for a more accelerated development of science. Science is not able to recruit the best human resources or employ them to the best advantage. According to the famous researchers of stratification in science Jonathan R.Cole and Stephen Cole, the character of the "Matthew effect" depends on whether the cumulative advantage is "an outcome of the unequal distribution of talent, which tends to cluster at the prestigious centers, or is 'talent' a result of the unequal distribution of resources and facilities?"<sup>48</sup>

Most of the scholars in the study of science maintain that the situation of the contemporary Big Science is more precisely described not by the first but rather by the second disjunction of the above quotation. Thus Steve Fuller, whose proposals for the reform of academic science institutions will be discussed in the following chapter, wrote, "my first piece of advice is to regard

predictability that an Ivy League or Oxbridge degree will bring scientific success in the same spirit as Marxist and institutionalist economists have regarded the stability of the major corporate dynasties or oligopolies in capitalism – that is, as symptomatic of inequities in the way science has come to be institutionalized, not a sign that science managed to sort out the wheat from the chaff”.<sup>49</sup> He is far from alone in believing that the vision of the open society offered by academic liberalism is no longer able to reflect the reality of the contemporary Big Science. This reality to a greater extent resembles a view presented by a monopolistic or oligopolistic market rather than that of a free one.

According to critically inclined scholars in the study of science, the freedom of science in the Big Science is gradually turning into a myth, as the science, while growing bigger and more expensive, is becoming increasingly dependent upon the providers of funds. Apart from other things, this also implies that success in science becomes more and more dependent not on the talent of a researcher, but upon that kind of talent which is expressed in the ability to acquire funds for the increasingly expensive research. In the Big Science, “the seat of ‘real’ creativity’ would seem to lie in the tactics one uses to sustain funding and earn credibility, especially given the growing number of competitors who are trying to do exactly the same thing. Any organizational sociologist would conclude from this that the character of scientific work has changed to the point that the scientist’s primary function is now a sophisticated form of publicity-seeking and record keeping that enables others, both scientists and non-scientists, to legitimate or delegitimize certain courses of action”.<sup>50</sup>

The famous contemporary British philosopher of science John Ziman, who writes *inter alia* a lot about the issues of science organisation, states that the kind of academic science as analysed by Merton is a disappearing, if not already an extinct, phenomenon.<sup>51</sup> The Big Science of today is a post-academic science, the ethos of which is essentially different from the academic science ethos described by R.Merton. Academic science is undergoing transformation into post-academic, where, with the science growing bigger and more expensive, its representatives are increasingly being guided not by the values of academic universalism, “communism”, disinterestedness and organised scepticism, but rather by institutional imperatives of the academic science twin – industrial applied science and engineering. The industrially-applied, and at the same time post-academic, science is proprietary, local, authoritarian, commissioned and expert. This means that the knowledge it creates does not necessarily have to be public; it deals with local technical problems without expanding the general understanding. Applied researchers, as well as “post-academic” scientists, working under the guidance of managers, who are not scientists, execute commissions on how to resolve certain practical problems. They are valued not for their personal creativity, but rather for the knowledge and expertise necessary for the solution of those particular problems.<sup>52</sup>



And still, if we keep remembering that scientists exist in the world not for the sake of decorating the world with themselves like some fancy flowers, but rather for the purpose of increasing the scope of knowledge with new (preferably useful as well) knowledge and for eliminating blunders, then the changes brought about by the expansion of the Big Science not necessarily ought to be viewed negatively. It is not clear whether closer ties between science and practice are detrimental for the progress of cognition; quite probably, it is an opposite case. If the “freedom of science” is perceived not as a freedom to choose the questions for study, but rather as a researcher’s duty to be guided by exceptionally cognitive values in the search of the answers to those research questions, then it is not less characteristic for the “commissioned” science than for academic.<sup>53</sup> If the customer wants true answers to his questions (which, regrettably, is not always the case, especially in social sciences), then the commissioned character of the research completely fails to interfere with the freedom of research understood in this way. Likewise, the monopolies or oligopolies in science do not necessarily have negative consequences on the progress of science. As in the case of monopolies in the market economy, it is important whether they are natural or artificial (political). Finally, if social costs incurred in the attempt to overcome the “Matthew effect” in science by ensuring the best “starting positions” for the most gifted exceeded the benefits of such reforms (measured by a more rapid progress of science), then the “Matthew effect” ought to be acknowledged as an unavoidable deficiency of science which might be considered as remediable only by utopians.

Nevertheless, the emergence of the Big Science, and especially its limits of growth crisis, with the description of which the article was started, has really raised a whole range of new questions, the answers to which may not be supplied by the classical philosophy of academic liberalism. The main attention in this philosophy is devoted to the upholding of the value and importance of science autonomy. It ignores the issues determined by the division of the academic community itself into a whole range of disciplines and spheres of research, the number of which is increasing with the progress of science. With the research getting more expensive, competition for the public resources both among different disciplines and within the disciplines themselves is becoming fiercer. In distributing resources within disciplines, the allocating agencies traditionally apply the system of the so-called “peer review”: applications are subjected to the assessment of other representatives of the same discipline, preferably of those who are the best specialists in the research area concerned. The latter are mostly concentrated in a few of the “prestigious” science institutions and are closely connected by social ties.

All this increases the probability of processes analogous to the collusions of oligopolists in the market. Projects of the “competitors” are given the green light,



thus expecting reward in the future when the latter find themselves in the position of reviewers. A different behaviour of a reviewer is likely to incur his colleagues' revenge when he finds himself in the situation of an applicant. In addition, people working in the fund allocating agencies are very often connected with the applicants by social ties, as they are often graduates of the same "prestigious" universities and have worked there. The ultimate expression of this system is that in today's America, 50 per cent of federal budget allocations for scientific research is divided among 30 universities (in total there are about 2 500 institutions of higher learning in the US). This is just another manifestation of the "Matthew effect" alongside with the expression of monopolism and oligopolism in science.

As it was already mentioned, monopolism and oligopolism do not necessarily impede the progress of science (they can even have an accelerating effect). Namely, in those instances where the participants of such oligopolistic deals are more talented than their contestants and the research projects presented by them are "objectively" the best. It is not difficult to guess that the representatives of "non-prestigious" research institutions who constantly lose at such competitions have different views and, if not publicly then behind the scenes, call the academic elite thriving on "cumulative advantage" as "mafia" engaged in plundering and squandering of public assets. Would it be possible to improve the existing procedures employed for the allocation of institutional funds in order to make them at least not less effective than the currently existing and at the same time devoid of any grounds for suspicion about scientist "mafias"?

There is especially much complication involved in allocating insufficient resources between different disciplines of science. Who and on what ground would be able to "objectively" evaluate their comparative importance for the progress of science? A typical example of such conflict may be the debate between the opponents and proponents of the Supercollider in the US, with which we have started analysing the relationship between academic science and democracy. What would a democratic resolution of conflicts of this type look like? A cynic could say that finally the assets are allocated in accordance with the comparative power. It is precisely this discipline the representatives of which have more power that gets the most of the funds; the same stands true in respect of the arrangements within separate disciplines. Due to its tautological character (if power is gauged by the frequency of winning and this frequency is explained by a greater power), such answer is not satisfactory. Even if accepted as satisfactory for a statement about science sociology facts, it would nevertheless leave open quite an interesting problem of the philosophy of science policy. It is analysed in the works of Steve Fuller, in particular in his new book *The Governance of Science: Ideology and the Future of the Open Society*, which has evoked not only a substantial attention from reviewers but also a discussion on the Internet.<sup>5 4</sup>

## 6. *Academic republicanism of Steve Fuller*

Republicanism is a tradition of political philosophy which, as demanded by increasing numbers of political philosophy historians and theoreticians, ought to be distinguished from related but not identical currents – populism and liberalism.<sup>55</sup> The republican “civic” understanding of democracy is the searching for the golden mean between the populist participatory and liberal elitist “competitive” concepts of democracy. Unlike the populists, republicans perceive as a hindrance to democracy not any other, but only the inherited property inequality, i.e. the inherited “cumulative advantage”. Their inheritance obstructs the renewal of the governing elite by preventing entrance for talented representatives of the lower strata. The “remedy” they suggest is a high tax on inheritance. Differently from liberals, the republicans do not consider free, contestable elections as a sufficient condition for democracy, they link it also with civic virtues of citizens expressed in their active interest in public life, membership in voluntary associations, participation in the activity of local government institutions. Consequently, the republicans regard the freedoms of expression, assembly, association, etc. not as rights, but as (civic) duties: a citizen is expected to openly express his opinion, join in associations, etc.; the “genuine” democracy can only exist where those duties are exercised (like in Athens of the times of Pericles, in Rome until the Principate, in Machiavelli’s Florence, in 19<sup>th</sup> century’s Great Britain, at the time when the United States were being created; the legacy of this time is the US Constitution as one of the most outstanding monuments of republican political thought). Republicans consider as their ideal such establishment where citizens do not depend on anybody’s good will, i.e. wilfulness, and make attempts to separate this conception of republican freedom from the liberal “negative” understanding of freedom.

By using the conceptual resources of republican political philosophy as foundation, S.Fuller designs his philosophy of science policy in which he is looking for the mean between academic populism or communitarianism and academic liberalism.<sup>56</sup> He views the analysis of the philosophical foundation for the “knowledge policy” as one of the three fields of operation for “social epistemology”, as he calls it. He defines social epistemology itself as “an interdisciplinary project that mobilizes the empirical resources of the ‘sociology of knowledge’ (understood very broadly to range from cognitive social psychology, through the sociology of science, to the social history of ideas) for the purposes of informing a normative philosophy of science”<sup>57</sup>. The scope of this article does not allow to delve either into the views of S.Fuller in other “fronts” of social epistemology (namely, metatheory and “empirical research program”<sup>58</sup>) or into the extensive and comprehensive analysis of the situation in today’s philosophy and sociology of science presented by him, i.e. into the theoretical foundation of his conception of science policy.<sup>59</sup>

I will highlight only the most important fact: S.Fuller extensively relies on science metatheories, which were in one or another aspect inspired by the famous book of Thomas Kuhn *The Structure of Scientific Revolutions*. The view on science presented by T.Kuhn was essentially different from that offered by Popper and Merton. T.Kuhn argued in particular that during periods of "normal" (i.e. non-revolutionary) development, academic communities far more resemble "closed" than open societies. T.Kuhn maintained that the virtue of a "normal" scientist is not so much an unlimited criticism, but rather a stubborn belief in the accepted truths of the fundamental theory by ignoring research findings that might threaten the existing paradigm as temporary "abnormalities" possible to be overcome in the future. T.Kuhn also highlights the fact that in everyday activity of "normal" scientists, the importance of R.Merton's abstract science institutional imperatives is surpassed by specific rules and norms of separate disciplines which compose the "tribal culture" of the discipline concerned. Dogmatic loyalty to the "tribal values" of one's discipline renders it a closed solidary "community of faith"<sup>60</sup>. S.Fuller relates Kuhn's conception of science with communitarianism in political philosophy.<sup>61</sup>

As it is known, however, in his philosophy of science T.Kuhn did not analyse much (at least explicitly) the issues of the philosophy of science policy. Therefore, the true representative of the "communitarian" (or rather, populist) philosophy of science policy, with whom S.Fuller is engaged in a debate, is P.Feyerabend. Even though in some aspects S.Fuller's views are quite similar to those of P.Feyerabend, he tries to avoid emphasising this dangerous and scandalous relationship and tends to stress the similarity of his views to K.Popper by adopting his "open society" concept.<sup>62</sup> S.Fuller concurrently claims himself to be a defender of academic freedom and supports the "secularisation" of science propagated by P.Feyerabend. S.Fuller defines academic freedom as "the right to be wrong". This right does not exist in the "communitarian science", where a scientist is not expected to publicly express a "politically wrong" (unacceptable for the "nation", "people" or for politicians talking on their behalf) opinion, and it is no longer present in the "liberal science" which S.Fuller identifies with today's Big Science functioning in accordance with the principles of market economy. A researcher who publicly acknowledges himself wrong loses his symbolic capital and risks to be refused funding for research. The "truth regime" which endows a scientist with the real right to be wrong and enables him to take risks only in regard of ideas rather than his social existence or even life and, at the same time, reinforces his courage as a researcher, is typical of the "republican science".

Like P.Feyerabend, S.Fuller defines secularisation of science as its separation from the state. Unlike Feyerabend, he suggests that disestablishment ought to be applied only in respect of the production of new knowledge, but not the distribution of knowledge. Production of knowledge should be privatised while its distribution must remain public, in addition to that, those distributive functions must be ex-

panded.<sup>63</sup> In support of this proposal, S.Fuller recalls<sup>64</sup> the hypothesis of the “limits of scientific cognition” advanced by the American philosopher Charles Peirce, then developed and promoted in today’s philosophy of science by other American philosopher Nicholas Rescher.<sup>65</sup> This hypothesis can hardly be avoided by a philosopher who has a realistic view on the concept of science theories and reality, and maintains that the existent natural science theories are an approximately correct reflection of this reality (this is done by the so-called “scientific realists”). If “objective truth” exists, then can its cognition be an endless process? If such a truth exists, it can be discovered: thus there is nothing else to be discovered afterwards (unless, certainly, we have managed to forget our previous discoveries). Can a geographer of today re-discover America? If the existent natural science theories are approximately true, is it then possible to expect a radical renovation of our scientific world view comparable with the Copernicus revolution in astronomy?<sup>66</sup> A further progress in cognition may only imply local correction and specification of this world view, not unlike the correction, modification and specification of the existing maps of America. The problem is that in this process of making the map more accurate, there surfaces the law of “diminishing productivity”. As long as the fundamental physical world outlook remains unchanged, every additional bit of expenses incurred in its elaboration results in fewer and less significant bits of new knowledge. Any map can be made more accurate and detailed ever further and further, but the problem is whether the result covers the expenditure. Will such a map be useful to anybody, except its compiler himself? The same stands true for the fundamental science: even though its further progress always remains possible, it is increasingly less “paying off”.

It is necessary to note that the tendency of diminishing productivity of input may be supported even without resorting to epistemological presumptions, which are not difficult to be disputed (especially for a philosopher). A similar thesis was defended by the “father” of science history and scientometry D.Price, already mentioned above.<sup>67</sup> He argued that achievements in science grow as cubic root of a number, where the number is the size of science. It means that if we want to double scientific knowledge, we will have to increase the number of researchers and the expenditure on science research not by two but by eight times. D.Price explains this tendency by the increase in the scope of knowledge which has to be consumed by anybody who wants to break into the front echelons of research and the related specialisation which produces increasingly narrower and less flexible specialists.<sup>68</sup>

From the tendency of the diminishing productivity of input for the production of new scientific knowledge, S.Fuller draws a conclusion that public assets, as allocated now for basic research, could yield a higher economic effect if they were channelled for a better utilisation of the already existing potential of basic knowledge: with a view of making the existing knowledge easily accessible for everybody who might need it. This means the re-allocation of assets for

the development of education, libraries, electronic databases, archives, i.e. public information infrastructure.<sup>6 9</sup> "Among the 'distributional functions of government that would be expanded, two stand out: (1) the testing of knowledge claims and products for validity, efficacy and safety, coupled with the regular mass publication of those results; (2) the institution of 'citizen education in science' that would empower students to critically engage with science-based issues in public forums, alongside the wider provision of such forums."<sup>7 0</sup>

S.Fuller proposes to privatise the production of new knowledge, i.e. to transfer it to corporations, charity organisations and other groups of interest, and encourage them by means of tax privileges to publicise such knowledge. He suggests providing grants only for the studies related with the issues of public policy (e.g. whether smoking is really dangerous for health) and for the development of public information infrastructure (I can't help suspecting that most probably he also includes there the research in his own field, i.e. STS). In respect of other research, he proposes to relinquish the practice of allocating grants from public assets and adopt a system of prizes, thus reviving the system of remuneration for scientific achievement popular during the period of the Enlightenment in the 18<sup>th</sup> century, when academies used to grant prizes to those scientists who were the first to resolve a publicly announced scientific problem. This means that scientists would be rewarded not for their effort but for the results.

S.Fuller argues that secularisation of science is not likely to have any malignant impact on the progress of science, on the contrary, its effect will only be stimulating. When the state stops rendering financial support to religious groups, they start promoting their ideas far more vigorously, enliven the religious life, and finally collect more private donations than the allocations they might have got from the state budget. Similarly, the secularisation of science might encourage scientists to "turn to masses", educate them, explain the importance of their projects, and thus make the work of scientists an object of interest for the ordinary "people from the street". S.Fuller wants to know why "people from the street" are extensively interested in the outcomes of football or basketball championships, thus turning in the long run into connoisseurs of football, basketball or chess, but they take no interest in the achievements of scientists. If professional sport, which is a huge assets "generating" business, can exist on private funds, why can't secularised science succeed there? To continue with S.Fuller's idea: why can't scientists be "stars" like Sabonis or Zidan, and earn as much for selling their name to be used in advertising? Why are those TV channels doing well which broadcast sport competitions and religious programmes (in US there are dozens of religious TV channels), but there are none willing to provide a permanent platform for the representatives of the world of science and technology?

S.Fuller suggests state agencies to start initiating public gamble, similar to the betting organised before the beginning of sport competitions or

championships. Like the sport fans who stake at such competitions which horse will be the first at the finish, or what result a team will show at the nearest championship or competition, similarly science fans could stake on who will be the first to resolve certain important problems of science. S.Fuller argues that after a while, ordinary people would become interested in the problems of cosmology or quantum mechanics not less than they are now curious about the condition of Sabonis's foot. A part of assets collected in this way could be used for financing research, while the foundations which support that research could base their decisions on the information about stakes put by the science fans – on what they stake and how much.

All this idyllic situation should be most probably understood as a republican utopia or a programme maximum defining the final goals of the democratisation of Big Science. The matter is that apart from this vision, S.Fuller offers several more strategies for the "democratisation of science", which, at least at the first glance, contradict this vision as they are based on the assumption that the state finances not only the distribution of scientific knowledge, but its production as well. Those are proposals how to democratically "close" old areas of research. There the problem is that scientists usually seek to get financing for research in such areas where they have accumulated the greatest expertise and the adequate human capital. Nevertheless, the longer the problems in that area are studied, the stronger is the expression of the above-mentioned law of the diminishing productivity (this area of research becomes exhausted). A continuation of the research demands increasingly more assets which could produce a more significant effect if used for the study of other problems. The evaluation of such projects is entrusted to those the "most competent". These are the specialists engaged in the study of similar problems who measure the value of the project only in terms of its cognitive importance for the progress of a certain special area.

Firstly, S.Fuller suggests recalling the proposals for the science policy reform formulated in the 1970s by a group of young German scholars of the study of science, who were working in Starnberg, in the Max Planck Institute (now closed) dealing with the problems of industrial society (the Institute was headed by Jürgen Habermas).<sup>71</sup> On the basis of T.Kuhn's science development theory, the scientists from Starnberg Institute proposed to make a distinction between "mature" and "non-mature" sciences. "Non-mature sciences" were considered the sciences in the pre-paradigm state, revolutionary and early post-revolutionary state. Those sciences, according to the Starnbergers, ought to be provided full and unrestricted freedom of research (again, I can't help noticing that this privileged category includes the "native" disciplines – sociology and philosophy – of these scholars themselves). A different attitude is taken in respect of sciences in their maturity, i.e. those sciences, the researchers of which are becoming increasingly deeper entangled in the mesh of

“puzzles” – special problems, understood and interesting only for a dwindling circle of specialists. The Starnbergers’ recommendation in respect of such disciplines was their “finalization”, which meant the suspension of academic autonomy of those disciplines by a purposeful intervention on the part of the state (first of all, by means of financial levers) by diverting the efforts of their representatives to deal with important practical problems, the resolution of which calls for the inter-disciplinary cooperation of representatives from several different disciplines (e.g. the problem of cancer or AIDS).

In his other two proposals, he advises to radically expand the role of non-specialists-laymen in evaluating research projects. It is not the populistically democratic control of science proposed by P.Feyerabend. S.Fuller emphasises that any scholar-specialist is a dilettante and layman in respect of “alien” areas. At the same time, they are not exactly the dilettantes, as Bulgakov’s Sharikov and Shwonder, or even Nikolai Nosov’s Know-Nothing<sup>72</sup>. S.Fuller is convinced that they possess enough competence and civic virtues to perform the role of the democratic community in exercising control over scholars-specialists (at least at the beginning – until science turns into an object of interest for the society, as is now the case with sport). This, precisely, is the principal idea of S.Fuller’s academic “civic republicanism”: the participation of wide circles of the academic community and their political activity must counterweigh and limit the authoritarianism of specialist cliques, mafias, clans and that of state officials in allocating resources for research. Like P.Feyerabend, S.Fuller is also an advocate of “participatory” democracy. However, S.Fuller’s “participatory” democracy (at least in the beginning) is only the democracy of an academic community. Referring again to the characters of Michail Bulgakov or Nikolai Nosov, Feyerabend’s democratisation of science would mean the subordination and accountability of “Know-Alls” to Sharikovs and Shwonders and Know-Nothings, while Fuller’s democratisation – the inter-accountability between “Know-Alls” themselves.

S.Fuller believes that with the resource allocation process having undergone such democratisation, the old research projects, continued by inertia and with “diminishing productivity”, will have far less chance than the projects characterised by two advantages: 1) Cross-disciplinary relevance: the higher the costs incurred in the implementation of projects, the greater importance for other areas of study is expected from their results.<sup>73</sup> The requirement of cross-disciplinary relevance is based on the economic principle of opportunity cost: by investing resources into one project, we relinquish the opportunity to realise other, alternative projects. Thus, in evaluating a research project, we have to find out what side effects it will cause to the development of other research. Will those consequences “cover” the loss experienced by other areas of study because the scientists working there were denied of the possibility to imple-



ment their projects? In other words, scientists working in other areas have the right to claim compensation for the lost opportunity to implement their projects by asking how the results of those researchers who have won the resources will be meaningful to their field of study. In the case of a consistent application of this principle, priority ought to be given, for instance, not to that project of physicists the results of which are interesting only for physicists, but to that which, though presenting not much interest for the physicists, would produce new knowledge significant for the research of biologists and chemists.<sup>74</sup>

The principle of “compensation” also serves as a basis for the other – 2) epistemic fungibility – advantage which must be characteristic for study projects that are successfully competing for public assets in democratised (in republican way) science. Only in the cases related with first advantage, the “wronged” scientists are compensated with the results of other areas important for their own research, while fungibility entails a possibility for researchers from other areas to participate in the research project proposed by the applicant, or make use of the equipment or other infrastructure necessary for the implementation of that research project. As an example of an expensive research project devoid of either advantage, Fuller presents the already mentioned project for the building of the Supercollider. Fuller argues that, apart from lacking any importance for the progress of other disciplines, it would have permitted to acquire only such results in physics itself which were important exclusively for the specialist of only one branch of physics (called “high energy” physics).

According to S.Fuller’s advice, the principles we have just discussed (finalisation, cross-disciplinary relevance and epistemic fungibility) should be immediately taken as guidelines for state agencies involved in the allocation of assets for scientific research. Their consistent implementation could be ensured by the republican democratisation of academic community promoted by him which would confer decisive importance in such decision-making on the wide masses of the “Know-Alls”, and would in the long run involve also the “science fans” into the process of consideration and decision-making. S.Fuller advocates the maximally extensive politicisation of this process, in order to make it similar to what we now observe as the reality of the “big democracy”. This entails formation and disintegration of party coalitions, competitions, TV debates, voting. S.Fuller misses all these issues in the self-governance of today’s academic communities, “whose sociological character most closely resembles that of an elite gerontocracy”<sup>75</sup>

In the republican science, researchers, when competing for resources, ought to form coalitions with specialists from other fields, while the logic of the formation and disintegration of such coalitions would spontaneously implement the principles of cross-disciplinary relevance and epistemic fungibility; research projects ought to be discussed in open forums, where the authors of competing



projects would submit each other to critical “examination”. Debates held in such forums could be broadcast by special TV channels, as is the case now with the TV channels which specialise in the broadcast of music, sport or religious programmes. Finally, a gamble for the expected outcome of the research could serve as an equivalent for voting; the gamble, eventually starting to involve increasingly wider circles of citizens would arouse interest not unlike that caused by the rates of shares on the exchange or events in a basketball championship.

### ***7. In lieu of conclusion: what kind of advice could Fuller give to Lithuanian academics<sup>76</sup>?***

The proposals, submitted by S.Fuller concerning the republican reform of science, leave a whole range of questions unanswered. It is quite obvious that such a reform, by involving wider circles of academic community into the allocation of resources, would significantly limit the influence of the academic elite on this process and most probably would reduce the lion’s share enjoyed by the elitist institutions of science. Concurrently, it would at least to some extent restrain the “Matthew effect”. Still, what impact is this all likely to have on the progress of science? As we have already seen, it can be hampered by the “Matthew effect” only in those instances when the system of recruitment to the academic elite does not ensure that it is supplemented by “the very best”, denies the most gifted persons the opportunity of applying their talents, etc. In other words, when those who at present are working in elitist universities, as well as those who get assets for their research due to their social ties (“acquaintances”), are not “the very best” (or the grant-winning research projects submitted by them). Wouldn’t S.Fuller’s republican democracy in science end if not in the dictatorship of Sharikov’s and Shwonder’s, then at least in that of the envious “grey associate professors” (a term used by Lithuanian Academic Jonas Kubilius)?

In addition, is it possible to expect that the republican democracy of science will avoid the problems faced by mass democracy in the “big society” – widespread passiveness and disinterest in public affairs? What could induce the members of the academic community, engrossed in their research, waste their time by getting involved in the intricacies of academic politics? The theory of public choice, which analyses political processes on the basis of an assumption that their participants are rational egoists, concludes that those actors who are not interested in a certain public good, find it individually rational not to participate in the costs of its creation when the individual participation costs exceed the value of their causal contribution in the creation of that good.<sup>77</sup> Expressed in the terms of the game theory, they are in the situation of the Prisoner’s dilemma, where the dominant strategy is disregard of “common” or “public” welfare. A classical example of this situation: a voter who

desires a particular party to win finds it not individually rational at all to vote, as the importance of his vote is vanishingly small: if "his" party wins, it will win even without his vote, if it loses, his one vote will not save it either. By not going to the polls, he will save a couple of hours of his precious time. Why should an academic (who finds time even more precious) be guided by different considerations when faced with the necessity to choose: to work at his scientific research or go to a "public forum" to discuss how much assets should be allocated for his science branch?

According to the republican political theory, the key for the resolution of this problem is political virtues which warrant for cooperative behaviour of individual actors. Actually, republicans do not rely solely on virtues. A republican regards civic activeness as a duty, therefore he would suggest to punish those who do not participate in elections or fail to watch public debates. But even in such cases it is necessary for the majority of citizens to possess civic virtues, i.e. fulfil their civic duties voluntarily. Otherwise, the republican democracy could turn into a tyrannical "dictatorship of virtue" where an ordinary citizen would only perform his "public duty" under the fear of penalties.

As concerns our problem (won't the progress of science suffer?), the following is important: if we could rely on the assumption that members of the academic community, or the majority of them, are known for their civic virtues, then, most probably, there would be no reason to be concerned about the outcomes of the republican democratisation of the allocation process of public assets. Research projects would be evaluated not in accordance by particularistic but rather by universalistic criteria. Nevertheless, can we really make such an assumption? I have presented here above a view that an academic community could be considered a prototype of an open society. Whether the members of academic community really excel their compatriots by civic consciousness (they turn out to vote more actively, participate in various associations, are interested in political life), is an empirical question. There is hardly any doubt about the answer being positive (though differences could be expected among separate countries). Still, is it an essential difference? Can the civic culture of an academic community to a great extent exceed the civic culture of the society within which it exists? Fuller's writings leave unanswered several other ambiguous questions. For instance: it is not absolutely clear whether Fuller's democracy in science is really capable of ensuring a researcher's "right to be wrong", which he presents as a basic feature of the republican democracy. A scientist who publicly acknowledges his error will loose his high ratings in the "gamble of science" thus diminishing his chances to get assets for new research.

It is interesting that none of the participants in the Internet discussion on S.Fuller's proposals raised this question. Whatever criticism was expressed there, it was about the lack of consistency and detail in his proposals. Very typical in this aspect was a reproach expressed by one of the participants in the discussion that his proposals were not presented in the form acceptable

for a lawyer, i.e. they are not draft laws that could be submitted for the deliberation at the Congress.<sup>78</sup> In a country like the US, Fuller's republican reform could perhaps evoke a greater number of positive than negative outcomes. The matter is that research there is to a significant part privatised or financed from non-governmental funds anyway. And if the thirty universities that are considered to be the best really deserve to win 50 per cent of federal grants, as they manage to do now, then, with Fuller's reforms being implemented, they could hardly be expected to win fewer prizes.

A different matter is in those countries where almost all science is "public", subject to meagre financing, and where the "civic virtuousness" both of their citizens and academics is rather doubtful. Lithuania could also be included there. A view presented by Fuller's ideal of republican science through the prism of experience from life in the academic community of this country, looks more like a peculiar utopia. Nevertheless, some of his considerations concerning institutional reforms seem to be worth discussing.

1) State scientific research institutes that work in the field of applied sciences and engineering could and should be privatised, e.g. turned into research corporations, the shares of which are sold and quoted on the stock exchange. If their scientific production has market value, than they could and should lead a successful existence and at the same time direct their activity to those issues that are really important. An example here could be the successfully working today private sociological research firms (e.g. "Baltijos Tyrimai" and "Vilmorus") in Lithuania.

2) The Lithuanian State Studies and Science Foundation ought to try out, at least as a pilot project, restructuring, in accordance with S.Fuller's proposal, of science financing by reducing the amount of grants and increasing the number of prizes or awards. It is worth emphasising that reference here is made not to the awards of the kind that are annually granted by the Lithuanian Committee of Science Awards by announcing a contest where researchers can submit their works. I mean here the awards-prizes which could be granted to researchers who submit the best evaluated proposals on how to resolve certain relevant social-economic problems. For instance, how to implement the reform of pensions (or that of science itself). A similar procedure could be applicable to the drafting of new laws or law codes – by announcing contests with the participation of groups of interdisciplinary researchers and, certainly, lawyers. Alternative drafts which, together with the materials of preparatory research, ought to be published at the expense of the organiser of the contest, should be discussed at public debates with the participation of the members of the Seimas Committees, where the representatives of contesting creative groups could submit each another's proposals to critical evaluation. Incentives could be provided for those who submit reform proposals (at the same time increasing their sense

of responsibility) in the form of naming the drafts after the heads of the research groups which submitted them (and won the contest) (e.g. the Law by Elena Leontjeva or Margarita Starkevičiūtė).

3) In the science policy of Lithuania, it is expedient to consider as top priority not so much the creation of new knowledge, but rather the improvement of its distribution, i.e. development of information infrastructure for the purpose of making the new information “produced” by the world science generally accessible. The assets, saved upon privatisation of applied scientific research institutions and restructuring the institutes involved in the basic research, ought to be allocated to libraries, which are now in a deplorable situation with no funds at their disposal to purchase science publications issued abroad and to pay for the subscription of science periodicals. Likewise, it is not possible to fully utilise the possibilities provided by electronic communication networks until libraries are capable of paying for the use of paid electronic databases (namely such databases accumulate truly valuable and updated scientific information). The creation of “information society” in Lithuania should start from the modernisation of libraries.

4) I have started my article with the reference to the discussion on the criteria for evaluating social sciences and humanities held in the *Kultūros Barai*. Perhaps the greatest discontent among the participants of the discussion was caused by the fact that the expert group for evaluating the performance of the research institutes of social sciences and humanities included representatives from natural sciences. Viewed from the perspective of S.Fuller’s civic republicanism, such situation ought to be welcomed not condemned. A specialist in physics or chemistry, evaluating the work of a Lithuanian language specialist or that of a philosopher, is not a Sharikov or Shwonder, but a representative of “another tribe” able to encourage a self-critical glance to some of the customs of the “native” tribe and its socially self-constructed “reality”. It, certainly, should not be a one-sided game. If a similar inspection were decided to be performed in respect of research institutions of exact sciences, representatives of humanities and social sciences ought to be duly represented in the commission authorised to carry out the examination.

#### NOTES AND REFERENCES

<sup>1</sup> Much attention to this issue is given in particular in the newspaper *Mokslo Lietuva*.

<sup>2</sup> See: “Ar valstybė turi mokslo plėtros viziją?” (Round-table at the Editor’s Office with the participation of R. Apanavičius, D. Kuolys, E. Gudavičius, B. Savukynas, A. Bumblauskas), *Kultūros barai*, 1998, No.3-4; “Humanitarinio ir socialinio mokslo vertinimo kriterijai. Diskusija”, *Kultūros barai*, 1999, No.2; Kubilius V. “Kaip pasverti humanitarinius mokslus?”, *Kultūros barai*, 1999, No.5; Kuolys D. “Apie kitamokslis ir jø politika”, *Kultūros barai*, 1998, No.4; Martinaitis M. “Kuo bus sveriamas Lietuvos mokslas (Diskusija apie mokslo reform1)”, *Kultūros barai*, 1998, No. 8/9; “Mokslo kaita Lietuvoje: principai ir perspektyvos (lò R. Pavilionio, I. Veisaites, A. Øtromo, E. AleksandraviØiaus, G. MaØeikio, L. Donskio, R. Raudo pasisakymø *Santaros-Øviesos*

konferencijos diskusijoje)", *Kultūros barai*, 1998, No. 8/9; Nekrašas E. "Humanitarinių ir socialinių mokslų specifika", *Kultūros barai*, 1999, No.1; Rubavičius V. "Mokslotikumas", 'objektyvumas' ir scientistinė ideologija", *Kultūros barai*, 1999, No.10; Samalavičius A. "Humanitariniai tyrimai ir jų vaidiniai (Diskusijos apie mokslo reformą apibendrinimas)", *Kultūros barai*, 1998, No. 5; jo paties: "Universiteto idėja (Diskusija apie mokslo reformą)", *Kultūros barai*, 1998, No. 7; jo paties, "Mokslas, tyrimai ir akademiniai mitai. Apie humanitarinių mokslų vertinimo kriterijus". *Kultūros barai*, 1999, No.11-12 ir

<sup>3</sup>See: Endnote 2.

<sup>4</sup> See, e.g. Fuller S. *Philosophy, Rhetoric and the End of Knowledge: The Coming of Science & Technology Studies*. Madison: University of Wisconsin Press, 1993.

<sup>5</sup> Lithuanian readers can get acquainted with the works of its representatives through an easier accessible collections of articles in Russian published still in the Soviet times: *Научная деятельность: структура и институты*. Сборник переводов. Сост. Мирский Э. М., Юдин Б. Г. Москва: Прогресс, 1980; *Коммуникация в современной науке*. Сборник переводов. Сост. Мирский Э. М., Юдин Б. Г. Москва: Прогресс, 1976.

<sup>6</sup> Apart from this index, there also exist the *Social Sciences Citation Index* as well the *Arts & Humanities Citation Index*. See: <http://www.isinet.com/isi/products/citation>.

<sup>7</sup> Its most prominent specialist and promoter is Professor Ona Voverienė of the Faculty of Communications of Vilnius University. Since 1998 the periodical *Mokslotyra* (Science Studies) has been published in Lithuania. The best insight into bibliometric study methods is offered by: Voverienė O. *Bibliometrija*. V.: Mokslo aidai, 1999. See also: Налимов В. В. *Наукометрия. Изучение развития науки как информационного процесса*. М.: Наука, 1969.

<sup>8</sup> See: Woolgar S. *Science: The Very Idea*. Chichester: Ellis Horwood, 1988. P. 41.

<sup>9</sup> Almost all of the publications in *Mokslotyra* are based on bibliometric methods.

<sup>10</sup> This is the attitude pursued by the representatives of what I refer to as the "Edinburgh School" in the "new" science sociology (B. Barnes, D. Bloor)..

<sup>11</sup> Such attitude is most typical for the feministic and postcolonial STS, the representatives of which prefer the name of "Critical and Cultural Studies of Science and Technology". About the directions of STS, see: Hess D. J. *Science Studies: An Advanced Introduction*. N. Y.: New York University Press, 1997.

<sup>12</sup> Books by Fuller: *Social Epistemology*. Bloomington: Indiana UP, 1987; *Philosophy of Science and Its Discontents*. New York: Guilford Press 1989; *Philosophy, Rhetoric and the End of Knowledge: The Coming of Science & Technology Studies*. Madison: University of Wisconsin Press, 1993; *Science*. University of Minnesota Press, 1997; Thomas Kuhn. *A Philosophical History for Our Times*. Chicago: The University of Chicago Press, 2000; *The Governance of Science: Ideology and the Future of the Open Society*. Buckingham: Open UP, 2000. S. Fuller is the founder and editor of the journal *Social Epistemology: A Journal of Knowledge, Culture and Policy* (published by Taylor & Francis Ltd. Publishing house in London)

<sup>13</sup> Feyerabend P. *Against Method*. New Left Books, 1975..

<sup>14</sup> Feyerabend P. *Science in a Free Society*. London: New Left Books, 1978. Lithuanian readers were presented with a critical view on Feyerabend's ideas of "epistemologic anarchism" still in "those" times by Skirmantas Jankauskas. See: Jankauskas S. "Kelyje į epistemologinį anarchizmą." *Problemos*. 1983. No. 29. P. 74-80; Jankauskas S. "Mokslo istorijos racionalus rekonstravimas: problema ar pseudoproblema?" *Problemos*. 1984. No. 32. P. 97-106. The same issue of *Problemos* also included an article by Feyerabend translated by S. Jankauskas "Rationality of Inquiry" See: ibidem, p. 107-117.

<sup>15</sup> Certainly, before that there were also some episodes of research performed in the spirit of the Big Science. As an example there can be mentioned geographical expeditions organised by states in pursuit of not only scientific but also political purposes. About the specifics of the Big Science and its emergence, see: Price, Derek J. de Solia. *Little Science - Big Science*. N. Y.: Columbia UP, 1963.

<sup>16</sup> See: Price D. "The Exponential Curve of Science". In: Barber B., Hirsch W. (Eds) *The Sociology of Science*. Westport, Conn.: Greenwood Press, 1962. P. 516-524. The article was first published in the *Discovery*, 1956, Vol. 17, p. 240-243. See also by the same author: *Science since Babylon*. New Haven: Yale UP, 1961..

<sup>17</sup> Adapted from: Price D. "The Exponential Curve of Science". P. 518.

<sup>18</sup> See: Ibidem. P. 521.

<sup>19</sup> A classical work in the field of "knowledge economics" is: Machlup F. *The Production and Distribution of Knowledge in the United States*. Princeton: Princeton UP, 1962. Analytic review of the more recent research in the economics of science, see: Diamond Jr., A. M. "The Economics of Science", *Knowledge & Policy*, 1996, Vol. 9, Nr.2/3. P. 6-50; Stephan P. "The Economics of Science", *Journal of Economic Literature*, 1996. Vol. 34. No. 3. P. 1199-1236. Both sources are also available in the electronic EBSCO database.

<sup>20</sup> Feyerabend P. *Science in a Free Society*. P. 74.

<sup>21</sup> Ibidem. P. 78.

<sup>22</sup> See: Feyerabend P. *Against Method*. P. 301..

<sup>23</sup> Feyerabend P. Preface to the German edition of *Against Method*. Reference is according to the Russian translation of this text, unavailable in a German original here in Vilnius: Фейерабенд П. *Избранные труды по методологии науки*. М.: Прогресс, 1986. С. 131-132.

<sup>24</sup> Feyerabend P. *Against Method*. P. 299-300. .

<sup>25</sup> Feyerabend P. *Science in a Free Society*. P.86-87.

<sup>26</sup> Feyerabend P. Preface to the German edition of *Against Method*, in Фейерабенд П. *Избранные труды по методологии науки*, С. 136.

<sup>27</sup> Feyerabend P. *Science in a Free Society*. P. 96.

<sup>28</sup> Polanyi K. *Knowing and Being*. Chicago: University of Chicago Press, 1969. P. 49.

<sup>29</sup> See: Weber M. "Science as a Vocation", Gerth H.H. and Wright Mills C. (Eds) From Max Weber: Essays in Sociology. N.Y.: Oxford UP, 1971. P. 77-128.. See also: Norkus Z. "Mokslo vertybinio neutralumo problema XX a. filosofijoje (M. Weberis, analitinė mokslo filosofija ir metaetika, kritinė teorija)", *Problemas*, 2000, No. 59. P. 9-40.

<sup>30</sup> I use the word "academic" not in the meaning of a scholarly title, I refer here to a "member of academic community", a "professional scientist"

<sup>31</sup> Cmp.: Arrow K. "Economic Welfare and the Allocation of Resources for Invention". In: Nelson R. R. (Ed.) *The Rate and Direction of Inventive Activity: Economic and Social Factors*. Princeton: Princeton UP, 1962. P. 609-625.

<sup>32</sup> See: Merton R. K. *The Sociology of Science. Theoretical and Empirical Investigations*. Chicago: The University of Chicago Press, 1973.

<sup>33</sup> See: Ibidem, p. 267-278. In my discussion of the institutional imperatives of science, I also rely upon the interesting comments of John Ziman. See.: Ziman J. *Real Science. What It Is, And What It Really Means*. Cambridge: Cambridge UP, 2000. P. 28-55. Merton's disciple Bernard Barber added to Merton's list of institutional imperatives of science two more: rationalism and emotional neutrality.

<sup>34</sup> Notturmo M. A. *Science and the Open Society. The Future of Karl Popper's Philosophy*. Budapest: CEU Press, 2000. P. 13.

<sup>35</sup> Ibidem. P. 6.

<sup>36</sup> Fuller S. *The Governance of Science*. P. 31.

<sup>37</sup> Masiulis K. "Mokslas totalitarinėje visuomenėje", *Politologija*, 1996, No. 1(7). P. 141-142.

<sup>38</sup> See: Hess D. *Science Studies: An Advanced Introduction*. N.Y.: New York University Press, 1997. P. 72. See also: Allison P.; Price D. de Solla; Griffith B.; Moravcsik M.; Stewart J. "Lotka's Law: A Problem in Its Interpretation and Application". *Social Studies of Science*. 1976. Vol. 6. P. 269-276; Egghe L. "An Exact Calculation of Price's Law for the Law of Lotka". *Scientometrics*. 1987. Vol. 11. P. 81-97.

<sup>39</sup> Stephan P. "The Economics of Science", Footnote 10 (EBSCO publication).

<sup>40</sup> Ortega y Gasset J.. *The Revolt of the Masses*. N.Y.: Norton, 1932. P. 122-123.

<sup>41</sup> The "Ortega Hypothesis" was discussed in a special issue of the journal *Scientometrics* (1987. Vol. 12, No. 5/6). See also: Kretschmer H. "Measurement of Social Stratification: A Contribution to the Dispute of the Ortega Hypothesis", *Scientometrics*, 1993, Vol 26. P. 97-113; Kretschmer H., Müller R. "A Contribution to the Dispute on the Ortega Hypothesis", *Scientometrics*, 1990, Vol. 18. P. 43-56.

<sup>42</sup> See: Gieryn Th., and Hirsch R. "Marginality and Innovation in Science". *Social Studies of Science*. 1983. Vol. 13. P. 87-106.

<sup>43</sup> Merton R. *The Sociology of Science*. P. 456-457.

<sup>44</sup> P.Feyerabend is concerned only about a too high prestige of the caste of scholars in the "big community", he is not at all interested in social stratification in the academic community itself.

<sup>45</sup> The Gospel of Matthew, 25:29.

<sup>46</sup> Merton R. K. *The Sociology of Science*. P. 446.

<sup>47</sup> Fuller S. *The Governance of Science*. P. 41.

<sup>48</sup> Cole J. and Cole S. *Social Stratification in Science*. Chicago: University of Chicago Press, 1973. P. 75. Cit. according to: Hess D. *Op. cit.* P.59.

<sup>49</sup> Fuller S.. *Op. Cit.* P. 27.

<sup>50</sup> Ibidem. P. 43.

<sup>51</sup> See: Ziman J. *Real Science*. P. 56-82.

<sup>52</sup> See: Ibidem. P. 78-79.



<sup>53</sup> Cmp. Norkus Z. "Mokslo vertybinio neutralumo problema XX a. filosofijoje (M. Weberis, analitinė mokslo filosofija ir metaetika, kritinė teorija)". P. 16.

<sup>54</sup> See: <http://maelstrom.stjohns.edu/CGI/wa.exe?A1=ind0007&L=hayek-l>

<sup>55</sup> See first of all: Pettit Ph. *Republicanism. A Theory of Freedom and Government*. Oxford: Clarendon Press, 1997; Pocock J. G. A. *The Machiavellian Moment: Florentine Political Thought and the Atlantic Tradition*. Princeton, N. J.: Princeton UP, 1975; Skinner Q. *The Foundations of Modern Political Thought*. Vol. 1-2. Cambridge: Cambridge UP, 1978; Sunstein Cass R.. *After the Rights Revolution: Reconceiving the Regulatory State*. Cambridge, Mass.: Harvard UP, 1990; Sunstein Cass R. *The Partial Constitution*. Cambridge, Mass.: Harvard UP, 1993; Sunstein Cass R. *Democracy and the Problem of Free Speech*. N.Y.: Free Press, 1993; Braithwaite John. *Crime, Shame and Reintegration*. Cambridge: Cambridge UP, 1989; Braithwaite J. and Pettit Ph. *Not Just Deserts: A Republican Theory of Criminal Justice*. Oxford: Oxford UP, 1990.

<sup>56</sup> Its main document is Fuller's book *The Governance of Science*.

<sup>57</sup> Fuller S. "Epistemology Radically Naturalized: Recovering the Normative, the Experimental, and the Social". In: Giere R. N (Ed.) *Cognitive Models of Science* (Minnesota Studies in the Philosophy of Science, Vol. 15). Minneapolis: Un-ty of Minnesota Press, 1992. P. 427.

<sup>58</sup> See: Ibidem.

<sup>59</sup> S.Fuller's analysis of social epistemology and its comparison with other social epistemology projects is the theme of the doctoral dissertation prepared by Audronė Rimkutė, doctoral student of the Department of Philosophy of the Faculty of Philosophy, Vilnius University.

<sup>60</sup> As it is emphasised by Mark Notturmo (in the book *Science and the Open Society. The Future of Karl Popper's Philosophy*), K. Popper regards criticism as the key feature of science, while T.Kuhn – "communitarian solidarity". In developing this science vision of T.Kuhn's, representatives of the "new" science sociology attempted to present such explanations of the disciplinary community consensus which could do without the "metaphysic" concepts of truth, rationality, justification etc.

<sup>61</sup> In his previous book *Social Epistemology*, Fuller refers to Kuhn's science philosophy as "totalitarian". See: Fuller S. *Social Epistemology*. P. 6.

<sup>62</sup> At the same time, distorting it. Thus Fuller sees participatory democracy as an attribute of an "open society", which is very remote from Popper's concept. See: Fuller S. *Governance of Science*. P. 30. That Fuller is more interested in usurping the popular "open society" concept is also evidenced by the fact that in his first major book published in 1989 he himself associates K.Popper's science philosophy with "classical liberalism". See: Fuller S. *Social Epistemology*. P. 6.

<sup>63</sup> See: Fuller S. *The Governance of Science*. P. 104-105.

<sup>64</sup> See: *Ibidem*, P. 36, 91, 105-106. See: by the same author *Social Epistemology*. P. 73-74.

<sup>65</sup> See: Rescher N. *Peirce's Philosophy of Science*. South Bend, IN: Notre Dame Press, 1978; by the same author: *Scientific Progress*. Oxford: Blackwell, 1979; by the same author: *The Limits of Science*. Berkeley, CA: University of California Press, 1984.

<sup>66</sup> It is worth noting that Steven Weinberg, while campaigning for funds to build the Supercollider, argued that it would enable to create the "final" theory of physics. See: Weinberg S. *Dreams of Final Theory*. N.Y.: Pantheon Books, 1992.

<sup>67</sup> See: Price D. "The Exponential Curve of Science". P. 522.

<sup>68</sup> See: Ibidem.

<sup>69</sup> See: Fuller S. *The Governance of Science*. P. 107.

<sup>70</sup> Ibidem. P. 105.

<sup>71</sup> See: Schaefer W. (Ed.) *Finalization in Science*. Dordrecht: Reidel, 1983.

<sup>72</sup> Know-Nothing and Know-All are heroes from the children tale books by the Russian film producer and writer Nikolai Nosov (born in 1908) which were widely read in the USSR.

<sup>73</sup> The first to formulate this principle was the American physicist Alvin Weinberg (not to be confused with Steven Weinberg). See: Weinberg A. "Criteria for Scientific Choice", *Minerva*, 1963, Vol. 1, P. 159-171.

<sup>74</sup> See: Fuller S. *The Governance of Science*. P. 139.

<sup>75</sup> Ibidem. P. 134.

<sup>76</sup> I would like to remind that the word "academic" is used here not as a title but in the meaning of "a member of academic community", a "professional scientist".

<sup>77</sup> See e.g.: Lichbach M. I. *The Cooperator's Dilemma*. Ann Arbor: University of Michigan Press, 1996.

<sup>78</sup> See: Robin Hanson, 2000. 07. 24. [http://maelstrom.stjohns.edu/CGI/wa.exe?A2=ind0007&L=](http://maelstrom.stjohns.edu/CGI/wa.exe?A2=ind0007&L=hayek-1&F=&S=&P=11810)  
hayek-1&F=&S=&P=11810 (2001.08.20)

# **PUBLIC ADMINISTRATION AND PUBLIC POLICY ANALYSIS**





# IMPLEMENTATION OF PUBLIC POLICY IN LITHUANIA: EUROPEANIZATION THROUGH THE “WEAKEST LINK”

*Vitalis Nakrodis, Ramūnas Vilpišauskas*

## *Introduction*

Attention to the appropriate implementation of public policy is not a new subject for the scholars and policy makers in the Western democracies. The focus on the creation of conditions for successful implementation of public policies became evident during the course of 1970s in the USA, and later in Western Europe. Before then, most political scientists focused their attention on the policy making and policy content, leaving the implementation of decisions made aside, usually treating the implementation process as a matter of a technical-administrative nature. Interest in this “missing link” of policy process came from the dissatisfaction with such a state of policy analysis and acknowledgement, that policy making and decisions taken do not by themselves guarantee their implementation and that it is often at the stage of implementation that different obstacles arise which prevent from achieving the initial goals.

During the last several decades, many scholarly works have focused their attention on defining the criteria for successful implementation of policy, singling out the main variables influencing the process of implementation and their relative significance<sup>1</sup>. The main issues addressed in these studies concern the observation that in many cases the actual results of policy implementation do not meet the initial expectations, and the factors accounting for the mismatch between initial goals and actual results. For example, one of the pioneering studies of policy implementation produced by Pressman and Wildavsky departed from the dissatisfaction by the results of decisions made in the US federal institutions being implemented on the state level.

More recently, similar issues have been analyzed in the context of other democratic political systems, including the problems of policy implementation in the multi-level system of European Union. Most of the debates among scholars addressing the issue of implementation in the EU

focus on how serious is the problem of implementation and what factors account for inappropriate implementation of EU legislation by the member states<sup>2</sup>. While the issue of implementing EU legal norms in its member states has a clear normative aspect in achieving the objectives of the EU, it has also increasingly become important in the emerging literature on Europeanization<sup>3</sup>. It is not surprising that with increasing scholarly focus on how the EU impacts on its member states, their formal and, in particular, informal structures, the process of actual implementation of EU decisions, transforming direct and indirect EU influence into the impact on domestic policies, politics and polities becomes the crucial one.

Tracing more accurately the trajectories of EU impact on its member states allows to shift the debate about the effects of European integration on nation states on a qualitatively new level by integrating the insights from policy analysis and other disciplines into the study of European integration. Despite its inconclusiveness concerning the actual convergence of policy process and structures in the EU member states (or rather, prevailing consensus regarding the lack of convergence) it adds important insights into understanding better the factors which impact of public policy outcomes of European countries.

The importance of the actual implementation of EU norms has been also recently acknowledged in the studies of the process of EU accession in its impact on candidate Central and Eastern European countries (CEECs)<sup>4</sup>. Understanding of the actual impact of the EU on implementing public policies in CEECs is important for several reasons: it allows to determine better the extent of EU's impact and, consequently, the actual benefits and costs of EU accession; it provides an important input into the debates on the impact of external actors, in particular international organizations, on the process of transition in the CEECs and the emerging modes of governance in these countries; it also offers a path towards better understanding of the interaction between different domestic and external variables in the policy outputs in CEECs and draws our attention to the issues so far almost completely ignored by the scholars of political and economic transition.

It should be noted that the increasing focus of the European Commission on the actual implementation of EU *acquis communautaire* in the candidate countries as a precondition for their accession into the Union, has been probably the most important factor behind increasing focus on implementation of public policies among policy makers and analysts alike in CEECs. The attention to implementation issues has been itself an important sign of the Europeanization of governance structures in CEECs, although the gap between rhetoric and policy outcomes or between the concerns and their translation into the actual improvement of implementation record remains unclear.

This article aims at contributing towards better understanding of factors which determine the failures of public policy implementation in CEECs. It is based on the analysis of four cases studies which we conducted in Lithuania in order to test the hypotheses regarding the relative importance of a number of factors for the appropriate implementation of policies<sup>5</sup>. Our aims here are quite modest. We do not present an explanatory framework of policy implementation and the impact of the EU. Nor do we aim at generalizing our observations for the CEECs. What we do here is by employing the insights of the studies of public policy implementation to focus on a number of factors that we think are important in implementing public policies in Lithuania, determine their relative importance and the effects of the EU. The next step is to conceptualize the findings by using the insights of Europeanization literature and provide a comparative analysis of CEECs in order to address the question of convergence in the candidate countries.

We start with the observation that currently as a result of too much emphasis on the policy making stage and insufficient focus on their implementation there is a process of "legal inflation" taking place in Lithuania (and other CEECs) when new legal norms are adopted or previous ones amended in order to attract voters attention or focus on the problems of secondary importance. Moreover, the needs for the rapid transposition of EU *acquis communautaire* contribute to the overcrowding of political agenda. At the same time, some acute problems of the society remain unresolved, because too little attention is given to the appropriate institutional structure of policy implementation, in particular coordination and accountability of public institutions, incentives and motivation, agreement between the main actors. Policy implementation often becomes a "missing link" between the policy making and evaluation of the results. Due to the presence of this "missing link" not only the actual public issues are not addressed, but the society is increasingly skeptical and mistrustful of public institutions or the EU.

We have undertaken four case studies of implementing concrete policy decisions: regulation of fixed network services, land reform, the Sunrise initiative for the deregulation of business environment and decommissioning of the Ignalina nuclear power plant. The case studies have been selected on the basis of several factors – their place on the political agenda and public attention, the presence of failures in the process of policy implementation, divergence of public policy areas, connections with the process of integration into the EU – the presence of EU pressure and its divergence in terms of formal instruments of Europeanization (inputs into the policy process). It should be noted, that although the process of decommissioning of Ignalina nuclear power plant has just started and will continue for several decades, the case has been chosen mainly because it can illustrate how the variables present during the stage of policy making such as a need to ensure the broad agreement among the main actors on the nature of the problem and its solution can later influence its implementation.

It should also be noted that selected case studies are biased towards the practice of bad policy implementation. This bias is not accidental; identifying the problems of policy implementation is one of the main reasons for selecting these cases. This should also provide the basis for presenting the policy recommendations which could be applied to other cases of inappropriate policy implementation (such as education, health care or pension system reforms). The concerns which inspired this study as well as its objectives in terms of providing policy recommendations strengthen its normative aspect (which is common by nature to most studies of policy implementation failures). This, however, should not prevent it from contributing to positive analysis of public policy in CEECs and the process of their Europeanization.

The text below presents the model used in the analysis, the variables which are discussed and which explain the peculiarities of policy implementation and the main conclusions of the study.

### ***Framework of policy implementation analysis***

Policy implementation studies are frequently based on the assumption that a public policy can be disaggregated into various constituent stages. This approach towards the analysis of public policy has been strongly contested, as different stages of public policy may overlap in practice and therefore some scholars prefer to talk about policy evolution rather than implementation<sup>6</sup>. However, we use it in this study of policy implementation for methodological purposes in order to determine features and conditions of different public policy stages.

In this study the public policy is divided into four broad stages:

1. *Issue identification and agenda-setting* – in this stage issues and problems are identified and included in the agenda. Agenda is defined as a list of issues and problems to which the government is paying attention at some point of time, agenda-setting is the process of narrowing this list of questions.

2. *Policy formulation and decision making or policy adoption* – this stage consists of two steps: policy formulation, when proposals are developed to solve problems on the agenda, and policy adoption, when responsible institutions adopt these proposals. During this stage objectives, measures, sources of finance and other features of public policies are defined together with the framework of policy implementation.

3. *Policy implementation* – this stage starts after a public policy decision is adopted and aims at achieving its objectives during a particular period of time. It is useful to draw a distinction between the implementation of political and administrative decisions.

4. *Policy monitoring and evaluation as well as feedback* – this stage involves monitoring of public policy and evaluation of its outputs and effects. In addition, feedback allows to translate lessons learned during the policy implementation into the improvement of public policy.

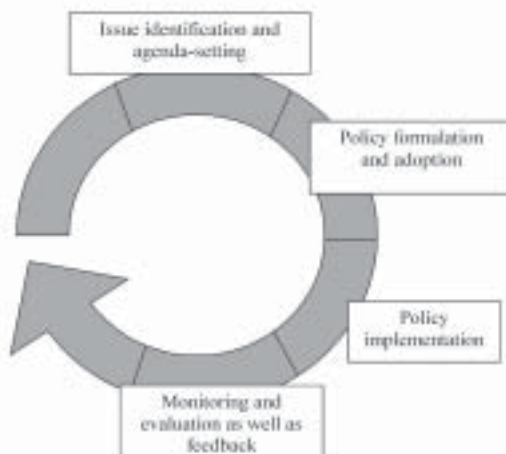


Figure 1. The stages of the public policy process.

In this paper policy implementation is defined as actions by public or private actors (or their groups) aimed at achieving objectives adopted. In other words, each policy is a hypothesis concerning the initial conditions and outputs, whereas *implementation is the process of interaction between objectives and actions implementing them*<sup>7</sup>.

It is obvious that the success of policy implementation should be assessed on the basis of particular criteria. This study employs *effectiveness* – the extent to which expectations have been justified or initial objectives have been achieved – *as the main criterion of successful policy implementation*. In addition, efficiency – or the relationship between results achieved and resources consumed – can be applied as a criterion to determine successful policy implementation, but the main emphasis here is on the effectiveness of policy implementation.

However, in order to assess policy effectiveness, it is not sufficient to determine whether policy aims and objectives have been achieved in practice (the top-down approach). Some policies have no clear aims and objectives, some objectives may be incoherent and contradictory. Also, to satisfy electoral promises or requirements of interest groups and international organizations, policy-makers tend to formulate symbolic objectives, whose achievement is not feasible. Therefore, in this study policy effectiveness is also analyzed according to the extent to which beneficiaries of public policies (ordinary citizens or societal groups) are satisfied with policy outcomes and results (the bottom-up approach).

It is assumed that successful policy implementation depends on two main factors - the capacity and willingness of policy actors to adopt and implement adopted decisions.<sup>8</sup> These factors can be further categorized

into more detailed conditions affecting both the capacity and willingness to implement adopted decisions. For instance, the willingness to implement is facilitated by clearly defined responsibility and accountability, support from policy implementation agencies, interest groups and a whole society, whereas the implementation capacity is facilitated by clearly defined aims and objectives, adequate causal theory, adequate system of co-ordination and feedback and sufficient resources of policy implementing agencies.

In relation to stages of the public policy process outlined above, conditions of successful policy implementation can be divided into two main sets – conditions related to the stages of agenda-setting and in particular policy-making as well as conditions related to policy implementation and monitoring/evaluation. It is assumed that the first two stages of the public policy process affect policy implementation in a significant way.

The main factors necessary for effective policy implementation and linked to the initial policy decision are as follows:

1. Clear and consistent objectives, expected results and priorities shared by main actors of the policy process;
2. Adequate causal theory linking objectives with measures of policy implementation. This theory may depend on social, economic and cultural environment as well as prevailing ideology;
3. Legal-institutional structure of implementation, co-ordination and monitoring/accountability, taking into consideration learning opportunities and feedback.

Conclusions of the policy implementation literature show that support of policy implementing agencies is one of the most important conditions for successful implementation.<sup>9</sup> A number of factors necessary for effective implementation and linked to the implementation stage define the capacity and willingness of policy implementation:

1. Resources at the disposal of implementing agencies (money, time, qualification and skills, the application of strategic planning and other measures contributing to effectiveness);
2. Support or resistance from interest groups, society, media, implementing institutions and other actors (somewhat similar to veto players). Support/resistance may in turn depend on the distribution of resources, relevant behavioral changes (adaptation pressure) and prevailing ideas (policy paradigms) held by interest groups;
3. Changes in social, economic and political context affecting opportunities to implement decisions adopted earlier<sup>10</sup>.

One can expect that policy implementation will be successful provided that these conditions are met in practice. Although the importance of some conditions is widely understood (in particular, resources of implementing

agencies), the study addresses conditions for effective implementation (in particular, institutional set-up of policy implementation) that are often neglected in Lithuania and other CEECs and discusses how these conditions are affected by the EU factor. What follows are the main conclusions from our case studies and overall conclusions addressing on the relative importance of the conditions for the successful implementation of policy decisions<sup>11</sup>.

### ***Case study 1: Provision of fixed network services***

Regulation of fixed network services in Lithuania was unsuccessful until the middle of 2002. Most conditions necessary for effective policy implementation were not satisfied:

*Clear objectives and priorities.* There were no clear objectives of the telecommunications policy, therefore, commitments of the Lithuanian telecom stated in its license can be regarded as causes justifying the telecom's exclusive rights to supply fixed network services. To receive more revenue from the telecom's privatization, the Lithuanian government awarded very favorable conditions to the company (relatively long period of exclusive monopoly rights, right to increase tariffs by 10 per cent and rate of annual inflation, etc.). Finally, no adequate regulation structure was established before the telecom's privatization in order to protect consumers' rights from the possible abuse of monopoly powers.

*Adequate causal theory.* To achieve implicit goals of telecommunications policy, the government opted for the theory of exclusive rights to supply fixed network services rather than the theory of market competition. In addition, measures of regulation were not applied adequately due to legal inconsistencies (e.g. marginal prices of fixed network services revoked by the A. Kubilius government were not consistent with relevant provisions of the telecom's license) or the absence of legal definitions (e.g. the telecommunications legislation provided no clear definition of internet telephony).

*Institutional structure of policy implementation.* Performance of the Ministry of Communications in the area of regulation was not successful due to many reasons (insufficient independence from the government, participation in the telecom's board, insufficient resources, etc.). After the establishment of the Communication Regulation Service (CRS) co-ordination between the Ministry of Communications and the CRS was not effective (e.g. regulating institutions did not agree on the re-negotiation of "price caps" as well as the introduction of connection tax) partly due to the unclear and inconsistent distribution of functions between regulating institu-



tions. Performance of the Competition Council was only effective with regard to competition control, the exercise of price control was not effective because of favorable conditions set out in the telecom's license as well as inconsistent position of the government with regard to the application of marginal prices for fixed network services.

*Resources.* The CRS did not start its activities until August, 2001. However, staff of the CRS did not have relevant qualifications and experience as well as necessary equipment in particular in the area of non-radio services. Therefore, the CRS was not able to perform its functions in an effective way (e.g. there delay in adopting rules with regard to the common use of telecommunication infrastructure).

*Support/resistance from interest groups.* Various interest groups applied their pressure on regulatory institutions by different means. After the telecom's decision to increase tariffs consumers and organizations representing their interests started to protect their interests more intensively. However, more pressure originated from telecommunication companies during the policy-making and implementation stages. For instance, during the policy implementation companies' complaints allowed the CFS and the Competition Council adopt significant regulatory decisions. However, disagreements among telecommunication companies during the policy-making stage did not allow the government and parliament to define the legal status of internet telephony.

*Changes in the environment.* Limited revenues of consumers prevented the telecom from further increases of tariffs (social factor); opposition forces took advance of market regulation deficiencies and the telecom's abuse of monopoly powers (political factors); due to fast technological progress regulation of telecommunications was lagging behind the current situation (technological factor).

Finally, Lithuania's accession to the EU generated very strong pressure on telecommunications' regulation – the European Commission recommended the government to establish an independent regulator (political factor) which was explicitly linked to the closing of the relevant negotiations' chapter. A new set of EC telecommunication directives with a stronger emphasis of market competition provided an ideological background for market liberalization in Lithuania (ideological factor). However, the insistence of the European Commission on the adoption of an old framework of telecommunications regulation by Lithuania before applying a new package of EU telecommunication directives is likely to have a negative impact on the stability of legal environment and complicate the achievement of objectives of regulatory policy.

### *Case study 2: The case of land reform*

The land reform, which continues for more than a decade, has been short of achieving its objectives (for example, lagging behind the schedule) for the following reasons.

*Clear objectives and priorities.* Although there has been an agreement among the main political actors concerning the main general goals of the reform – to restore the rights of citizens to their property and to create conditions for the development of agriculture, their positions on the priorities and concrete measures differed. Different ruling parties have been giving priorities to the different groups of society (previous owners or current tenants) during the course of the restitution of property rights. Therefore, with changes in government, the reform measures were constantly altered, sometimes even halting the reform for half a year (as it was done after elections in 1996). The final date of accepting the requests for the restitution has been postponed many times, the object of the reform was altered as were the conditions of compensation. These constant changes created uncertainty and slowed down the reform process. In 2001, the share of the land to which the rights have been restituted has been estimated at 79 percent of total land, the conditions for the competitive agriculture according to most analysts have not been created yet.

*Adequate causal theory.* In this case the main causal link is the adequacy of measures undertaken to their objectives – restitution of property rights and conditions for the development of agriculture. Although the reform of such a scale is influenced by many important factors, and therefore mistakes are difficult to avoid, it could be maintained, that the main measures showing the inappropriate understanding of causal relations were very limited size of land given back to the owners, limits on the use of land, late removal of restrictions for foreigners to buy land (and still existing barriers for foreigners and legal entities to acquire agricultural land). Besides, only in 1997 the conditions for private companies to undertake the work of land measuring were created. It is very likely, that the application of these restrictions has weakened the incentives for more efficient agricultural activities and thereby complicated the achievement of reform objectives.

*Institutional structure of policy implementation.* The implementation of land reform depends on many institutions. First, it was implemented by Agrarian reform services and regional privatization commissions, with the participation of regional councils, State land institute, Ministry of Agriculture. The division of functions was not clear and consistent. Later the first two institutions have been reformed, the responsibility for the land reform

have been given to the county administrators, the control was exercised by the Ministry of Agriculture, with its internal structure being reformed.

In addition, the legal basis of the reform has been complicated. In order for the main law on Land reform and the Law on restitution of property rights to be applied, a number of other legal changes had to be made. According to their legal status: a) the Article 47 of the Constitution restricting the sale of land to foreigners and legal entities had to be amended; b) the Law of land and the Law of land rent had to be adopted; c) the government had to issue decrees on the rules of compensation, their terms, the institutional structure and responsibilities of land measuring, etc., d) Minister of Agriculture had to order the implementing institutions to prepare necessary documents; the county administrators had to determine the schedule of measuring works, approve the projects, provide information on land available, etc., e) the rules on keeping the files, use of documents and other rules had to be prepared. Thus, the implementation of the reform has been dependent on the coordination and work of many institutions including the Parliament, the Government, Ministries, county administrations. This complicated structure of institutional coordination as well as frequent legal changes following changes in the government further complicated and slowed down the reform.

*Resources.* In the case of land reform, it is not only the resources of implementing institutions – financing and qualifications of personnel – which are important, but also funds allocated for the compensation. It is the latter category of funds which has been constantly lacking. For example, in 1998 instead of planned 50 million litas, the state budgetary allocations equaled only 30,8 million litas, in 1999 instead of planned 100 million litas only 27,3 million litas were allocated from the budget, (later additional 30 million were provided). In 2000, 27 million litas were allocated, in 2001 it amounted to only 15 million litas. If we take into account that the sums allocated had to cover commitments made in previous years, it could be stated that the lack of financial resources proved to be a significant barrier for the effective implementation of land reforms. Currently, about 1,2 billion litas is still needed for the compensation of property. Although initially Lithuanian authorities committed themselves to the European Commission to disburse this money by 2006, later this deadline has been postponed for 2009.

*Support/resistance from interest groups.* The main interest groups supported the overall objectives of the reforms, but had diverging opinions concerning the priorities. Land owners union claimed that priority should be given to the former owners and those who inherited their rights. These claims were supported by the Conservative Party, which have been altering

the reform process accordingly after coming to power. Although the tenants have not been so well organized, other parties, in particular, left wing parties, for example, Lithuanian Democratic Labor Party, later Socialdemocrats, gave priority to their interests. However, the analysis illustrates relatively minor impact of the interest groups on the implementation of land reform. However, their influence might increase, although it will be based on the different cleavage. Those interest groups, mainly some farmers, who oppose the removal of barriers to sales of land to foreigners, could influence further progress of land reform and other related policy goals (such as EU accession).

*Changes in the environment.* Land reform has been in particular vulnerable to political changes. Almost every new government has been altering the rules, institutional structure and priorities of land reform. This has been slowing down the reform and created the atmosphere of uncertainty. At the same time, frequent changes in institutional and legal framework reduced the transparency of the process and accountability of implementing institutions, thereby creating conditions for corruption and abuse (some facts of which have been revealed recently). Changes in economic environment have also complicated the reform. For example, after the economic crisis in Russia in 1998, the worsening budgetary situation complicated the reform by limiting possibilities for compensations.

It should be noted, that with the membership negotiations approaching, European Commission has been exercising and increasing indirect pressure on the implementation of land reform through critical evaluations in the annual progress reports. For example, it was due to Commission's pressure that the Parliament in 1999 adopted the resolution committing itself to complete the process of restitution by 2001. The implementation of land reform until October 2000 was announced to be a national priority. However, despite EU pressure, those commitments have not been fulfilled because of the factors discussed before. Moreover, the EU pressure was only indirect because this area falls into the broad category of “functioning market economy” criteria and is not regulated by the EU *acquis* (except for the cases when it discriminates against EU member states' residents).

### ***Case study 3: Performance of the Sunrise Commission***

The advisory Sunrise Commission was established in 2000 to improve business conditions. The Commission has been very productive – it prepared about 200 sets of proposals in the first two years of its operation. However, more than 50 per cent of proposals have not been implemented due to various reasons. Since implementation of the Commission's propos-

als is the responsibility of the government, it indicates policy implementation failures by the government.

*Clear/consistent objectives and priorities.* The purpose of the Sunrise Commission was to improve business conditions and remove unnecessary market restrictions. However, in practice ministries and other public administration institutions also followed other goals, some of them clearly contradicting the purpose of the Sunrise Commission. Therefore, ministries and other institutions did not include measures aimed at improving business conditions in their action plans or even proposed measures exacerbating unfavorable business conditions. Also, very frequently priority was attached not to the improvement of business conditions, but to increasing budget revenues or higher control of business activities.

*Adequate causal theory.* The Commission and the government did not share common principles and values. To improve consistency of efforts, a proposal with regard to principal provisions of the Sunrise Commission was prepared. However, it was not implemented. Sometimes the Commission formulated proposals without specifying of goals and outputs sought or in the absence of research on business conditions business representatives could not always provide clear proposals how to improve business conditions.

*Institutional structure of implementation.* The advisory Commission did not have sufficient authority. However, one of the main reasons of unsuccessful implementation was deficiencies in the multi-level institutional structure of implementation. In particular, it is necessary to emphasize long process of co-ordination among interested parties. Moreover, accountability for the implementation of proposals was not sufficient, because ministries and other public administration institutions were not obliged to report to the Sunrise Commission on the implementation of various proposals in the first two years of its operation.

*Resources.* Institutions implementing proposals of the commission did not have sufficient resources, including financial resources to implement proposals requiring additional public expenditure. However, it must be noted that apart from financial resources such factors as insufficient number of civil servants or unstable nature of the civil service limited the effective implementation of the Commission's proposals.

*Support/resistance from interest groups.* Sometimes interest groups did not agree on means to improve business conditions, e.g. trade unions objected proposals concerning the liberalization of Lithuania's labor market, whereas efforts of some groups were directed at exposing their competitors' 'unfair and better' conditions rather than improving general business environment. Also, frequently there was no support for improving business conditions from officials in institutions implementing proposals of the Sunrise

Commission – sometimes implementation was the responsibility of officials who earlier carried out measures exacerbating business conditions.

*Changes in the environment.* Although the Sunrise Commission was partly established as a result of changes in the economic and political environment following Russia’s economic crisis, frequent changes of the government affected performance of the Sunrise Commission in a negative way. After every government’s change the Commission’s activities stopped until its composition and operating procedures were renewed by a new government in office. Implementation of many proposals (e.g. liberalization of import licenses or changes in the certification system) has been directly linked to Lithuania’s obligations vis-à-vis the EU or the WTO.

#### ***Case study 4: The case of decommissioning Ignalina nuclear power plant***

Decommissioning of the Ignalina nuclear power plant (INPP) is not a typical case of policy implementation, because it is not implemented at the moment of writing and its implementation is likely to take place at least several decades. However, despite this seemingly premature analysis there are several reasons for choosing this case study.

First, the analysis in this study is based on the assumption that what is happening during the stage of policy making can have an essential impact on the implementation process. The case of decommissioning INPP illustrates in particular how important the stage of decision making is and ensuring the agreement among the main actors on the objectives and measures of policy. As the analysis of this case illustrates, disagreements among the main political actors on the degree of insecurity of the INPP and the schedules of closing down its two reactors can create difficulties for the appropriate implementation of the decisions even before these decisions are made. The presence of disagreements concerning the need and the terms of decommissioning the INPP provides the basis to predict difficulties during the stage of implementation.

Second, the case of decommissioning the INPP is illustrative of the development of Lithuania’s relations with the EU. This issue is among the most important ones on the agenda of Lithuania’s accession into the EU and has a big symbolic meaning in the domestic politics of the country. Besides, negotiations between Lithuania and the EU on the issues of INPP provide important insights on negotiations of the accession as well as predictions on the bargaining dynamics after the EU enlargement. It is likely that the asymmetries of bargaining power between the EU and Lithuania will remain after the accession. This is going to have an impact on the implementation of decisions taken

in the EU with the participation of Lithuanian representatives. When the decisions are made under the conditions of disagreement it is very likely that the disagreements will be shifted towards the process of implementation during which dissatisfied interest groups will attempt to distort the implementation to meet their own interests.

It is possible to predict now how the factors present during the process of policy making are going to impact on the process of decommissioning the INPP in the future.

*Clear/consistent objectives and priorities.* One of the most important features of the decision making on the decommissioning of the INPP is a clear disagreement among the policy actors concerning the decisions made and the interpretation of the commitments, which has been narrowed only as a result of linking the accession into the EU with the closure of the INPP.

*Adequate causal theory.* The agreement on the terms of decommissioning the INPP depends directly on the estimates of the degree of insecurity of the power plant and the estimates of the impact of its closure. On both issues there is no clear agreement between the main political actors and interest groups. In other words, the causal theory on which the need to decommission the INPP is based (insufficient degree of security) is constantly questioned, the alternative scenarios are often being suggested and debated. Debates are taking place on the length of functioning of the INPP, the possibilities to improve its security and more specific issues such as the length of using the cartridges of fuel. Often debates on INPP are framed as debates on the future of nuclear energy in Lithuania. Although many experts during the course of the decade have been evaluating the security of the INPP, no unanimous agreement concerning its security has been reached. It should be noted that supporters of both earlier and later closure of the INPP are appealing to the "technical-scientific" arguments.

*Institutional structure of implementation.* Several features of the institutional structure of decommissioning the INPP make its implementation more complicated. They include the multilevel structure of coordinating the actions between regional, national and international actors, different sources of funding and complicated structure of accountability.

Taking into account that only the first measures for the preparation of decommissioning the first reactor of the INPP (although already behind the schedule) are made, it is too early to evaluate the impact of resources, interest groups and changes in environment on the implementation of the process. However, some forecasts could be made.

First, financial and expert resources are necessary for the decommissioning of the INPP (time in this case is a fixed factor, although Lithuanian government is linking the dates of closing down the INPP with the amount



of the financial support from the EU). However, it is most likely that the exact amount of resources will be determined during the course of the negotiations and it is likely that enough resources will be committed. The broader impact of decommissioning the INPP will depend on the creation of conditions for the entry of new electricity producers and suppliers, in particular the linking of Lithuanian energy system with a larger energy market (first Baltic, and later West European or Nordic electricity exchange).

Second, even before the decision on decommissioning the second reactor of the INPP was made, the groups opposing this decision have become evident. These include interest groups directly related to the functioning of the INPP (its employees, schools preparing the nuclear energy specialists, etc.), which are going to experience a negative effects. A number of policy actors have been exploiting this issue to attract the attention of voters, in particular with the presidential elections campaign approaching in December 2002. The resistance to the closure of the second reactor on the term suggested by the EU arises from both strategic calculations of domestic political actors as well as their convictions concerning the “true” arguments. Since it is very likely that the EU is not going to change its position, it is possible that the groups dissatisfied with the decision will attempt to influence the process during the course of implementation or demand certain concessions.

Third, although the process of decommissioning the INPP could be altered by changing economic conditions, the most important are likely to be changes in political environment. On the one hand, the accession of Lithuania into the EU will reduce the pressure of the Union because the main instrument of the pressure – the accession into the EU – will be lost. This might reduce the incentives for the appropriate implementation. It should be noted, though, that the EU will retain such instruments of pressure as financial support or shaming. On the other hand, in the case of the negative outcome of referendum on EU membership in Lithuania, the government might also initiate the review of the process and alter the process of decommissioning the INPP. However, the EU would preserve such powerful instruments as the perspectives of EU accession and financial support to soften the negative impact of the decommissioning.

### ***Conclusions***

Complications during the implementation of policy decisions are common to all democratic systems. Lithuania is not an exception in this sense. However, it could be stated that implementation of decisions becomes the most complicated stage of policy process in Lithuania due to several reasons: (1) the inherited legacy of the previous political system (the ‘path dependency’),



where most public issues used to be addressed in a formal-legalistic manner, by adopting new laws or establishing new commissions rather than focusing on policy outputs and results; (2) the scale and pace of transition reforms and accelerating integration into the EU, which resulted in the emphasis being placed on policy-making rather than implementation; (3) changes in the economic and political environment (such as the impact of Russian economic crisis in 1998, or relatively frequent changes in government).

Difficulties of implementing policy decisions can be “programmed” already in the policy-making stage. Unclear policy aims and objectives was one of the most significant problems of policy implementation. For instance, there were no clear objectives in the case of telecommunications. Even where policy objectives were clearly defined, in the implementation stage priority was given to other objectives. For instance, ministries and other public administration institutions did not follow the objective of better business conditions promoted by the Sunrise Commission. Or in order to receive more revenue from the telecom’s privatization, the Lithuanian government awarded very favorable conditions to its foreign buyer. Finally, there were cases of incoherent policy objectives. For instance, during the course of land reform different political parties favored different groups of the society (the owners versus tenants of property).

Also, the study identified several examples of inadequate causal theory. For example, the case of Lithuanian telecom regulation shows that implementation of regulatory framework was unsuccessful because of the provisions of the telecom license (policy objectivess), establishing the exclusive rights rather than market competition (causal theory) and delayed establishment of the Communications regulatory institution (institutional structure of policy implementation). the government. Due to the lack of agreement concerning the causal theory the decommissioning of the INPP could also face implementation difficulties in the future.

It is a widely shared view that most often failures of policy implementation could be explained by the lack of resources (financial or human). For example, European Commission in its regular reports on the progress of candidate countries focuses mainly on the budget, number of staff and their qualifications when assessing pre-conditions for the implementation and enforcement of the *acquis*. The importance of financial and human resources is particularly pronounced in the context of fast processes of economic transition and accession to the EU. However, one should not overestimate the importance of resources – there is always a lack of them. The analysis of this study shows that despite the importance of resources, the impact of other factors could even be more significant. In particular, too little attention has been given so far to the institutional structure of policy implementation.

Complicated implementation system involving numerous policy actors was an important policy implementation problem in all the analyzed cases. Also, regulation of fixed network services was not successful in part due to the absence of clear and coherent distribution of functions between the Ministry of Communications and the Communications Regulation Service. In the case of decommissioning the Ignalina nuclear power plant there was no clear responsibility for co-ordinating socio-economic problems of decommissioning among various policy actors. Other significant institutional problem of policy implementation was insufficient accountability for policy implementation. For instance, ministries and public administration institutions were not sufficiently accountable to the Sunrise Commission in the implementation of its proposals concerning better business conditions. Finally, institutional policy implementation systems lacked sufficient stability – this problem was the most acute in the process of land reform, but it also played a negative role in the cases of telecom regulation and the Sunrise Commission.

Often important negative role was played by the inability of main political actors to reach the agreement concerning main policy goals. For example, in the case of the Sunrise Commission several competing aims could be observed. A conflict between the objective of higher budgetary receipts on the one hand and the objective of better business conditions on the other negatively affected the process of implementing proposals of the Sunrise Commission. Similar difficulties can be forecasted in the case of decommissioning the INPP. Frequent changes of the government led to changing policy priorities during the course of land reform.

During the last decade the role of the interest groups have been changing. Their impact on policy-making as well as policy implementation was weakened initially by the transition reforms. However, in recent years with increasing capacity to organize and stabilizing channels of influence, the impact of interest groups has been increasing. In cases when the interest groups cannot influence the decisions being made or remain unsatisfied with their content, their pressure on implementing institutions and resulting distortions of policy are very likely. This can be said about the future decommissioning of the INPP which, in the absence of constant control and monitoring on the highest political level, could be delayed or distorted in some other way by the interest groups.

The resistance of the interest groups and implementing institutions (the latter often being the case when their own functions and resources are being reformed) could be minimized with the appropriate institutional structure of policy implementation. The mechanisms of accountability, transparent and simple coordination structure are particularly important in this context. More institutional structure is complicated, opaque and poorly

accountable, more opportunities are there for the narrow interest groups to distort the process of implementation. However, it should be said that in some cases the role of the interest groups could also be positive. For example, as the case of Lithuanian telecom regulation shows, interest groups can act as the channel of information and triggers of legal complaints.

In some cases, changing policy environment have delayed and otherwise distorted effective policy implementation. These changes can in particular harm the sustainability of implementation results. Frequent changes of government have been the most important negative factor in this respect. The negative impact of political changes can be reduced somewhat by the appropriate institutional structure. However, often changes in government also bring changes in the institutional structures of policy implementation. This happened more than once during the process of land reform and during the activities of the Sunrise Commission.

Currently, the ability to manage the accession process and postpone the accession is the main threat at the disposal of the EU. This sanction played an important role in the policy implementation in Lithuania from an indirect pressure in the case of land reform to a more direct import of regulatory model in the case of Lithuanian telecom regulation to a direct pressure in the case of decommissioning the INPP. However, although the EU factor increases the stability of policy process and policy implementation in particular, it does not guarantee the success of implementation. Often the EU suggests only broad policy guidelines rather than detailed legal-institutional templates. Moreover, some policy measures suggested by the EU could be inappropriate for Lithuanian at the current stage of economic development or could be distorted during the process of implementation because of other factors (interest groups or inappropriate institutional structure).

Although the EU affects many public policies in Lithuania, its impact has been quite diverse. In the fields of exclusive or shared competencies the EU has exerted a strong positive effect on policy implementation through different sectoral chapters of the *acquis*. The implementation of the reform measures in the policy fields, where EU competencies are only complementing those of the member states (such as health care, social protection or education) has been slower than average. The lack of the EU pressure can be one of the factors which explain the lack of progress in these fields. However, other possibility – that less resources are left for these important areas because most of them have been mobilized for the preaccession and accession measures – should not be discounted. Besides, as it was said, because of the differences in the level of economic development between the EU and Lithuania, the implementation of some *acquis* might suffer from the choice of inappropriate causal theory or could be distorted by other factors.

However, the EU has also influenced policy implementation in Lithuania horizontally by promoting the introduction of internal audit, external performance audit and multi-annual budget, monitoring and evaluation of public programmes co-funded by the EU, fight against corruption, professionalisation of civil servants, consultation with stakeholders, etc. The impact of these horizontal issues is not limited to the sectoral policy fields, where the EU has exclusive or shared competence, but extends to other policy fields and even other tiers of government. Finally, the exercise of ex-ante control by the European Commission in the accession process contributed to the development of procedures concerning monitoring and reporting the implementation record (although usually focusing on outputs and results rather than long-term impact). For instance, Lithuania, like other accession countries, monitored and reported to the European Commission the implementation of legal or institution-building measures outlined in the National Programme for the Adoption of the Acquis.

Lithuania's membership in the EU will increase the importance of policy implementation. The member states are responsible for the implementation of decisions made by the EU institutions at the EU level. In cases of non-implementation or implementation failures the EU can apply legal sanctions to the EU member states. Infringement procedures may be initiated against member states that have breached EU law in the cases of non-transposition, incorrect or improper implementation of directives and non-compliance with the European Court of Justice's (ECJ) judgements. The legal proceedings can even lead to financial penalties imposed by the ECJ. In addition to legal sanctions, non-implementation and implementation failures can seriously undermine the trust and confidence in non-complying member states in the EU decision-making process.

Membership in the EU will also make the process of implementation more complicated. The number of chains in the institutional structure will increase, e.g. in some cases several actors and levels of government will share responsibility for policy implementation. Also, domestic interest groups with limited capacity to lobby decision-making in Brussels are likely to target the process of implementation at the domestic level. Also, in the short term weakened conditionality and a shift from ex-ante to ex-post control exercised by the European Commission may reduce the pressure on actual policy implementation in Lithuania.

However, in the medium and long term more elaborate procedures of control (e.g. legal infringement proceedings that can be triggered by the legal activism of companies and citizens affected by non-implementation or implementation failures) can reinforce the willingness to implement policy decisions taken at the EU level. Finally, it is very likely that the EU itself

(partly in response to its eastward enlargement) will devote more attention to the actual implementation of its policies rather than new grand initiatives of European integration.

### NOTES AND REFERENCES

<sup>1</sup> The most well know examples of scholarly analysis include Pressman, J., Wildavsky, A. *Implementation: How Great Expectations in Washington are dashed in Oakland*. – Berkley: University of California Press; Mazmanian, D. A., Sabatier, P. A. *Effective Policy Implementation*. – Lexington, Ma.: Lexington Books. – 1981; Hoodgwood, B. W. Gunn, L. A. *Policy Analysis for the Real World*. – Oxford: Oxford University Press. – 1984.

<sup>2</sup> See, for example, Dimitrakopoulos, D., Richardson, J. *Implementing EU public policy* // Richardson, J. (ed.) *European Union. Power and Policy-making*. – London: Routledge. – 2001. – p. 335-356; Borzel, T. A. *Why There Is No "Southern Problem": On Environmental Leaders and Laggards in the EU* // *Journal of European Public Policy*. – 2000. – vol. 7. – no. 1. – p. 141-162.

<sup>3</sup> For just a few examples of Europeanization literature see Cowles, M. G. Caporaso, J., Risse, T. (eds.) *Transforming Europe: Europeanization and Domestic Change*. – Ithaca, NY: Cornell University Press. – 2001; Sverdrup, U. *Europeanization and Implementation of Community Legislation – a Nordic Model?* // Paper prepared for the ECPR Joint Sessions of Workshop in Turin, Italy, 22-27 March 2002; Featherstone, K., Radaelli, C. (eds.) *The Politics of Europeanization*. – Oxford: Oxford University Press. – Forthcoming.

<sup>4</sup> See in particular Grabbe, H. *How Does Europeanization Affect CEE Governance? Conditionality, Diffusion and Diversity* // *Journal of European Public Policy*. – December 2001. – vol. 8. – no. 4. – p. 1013-1031; Maniokas, K. *EU Enlargement and Europeanization: When a patchwork becomes a blueprint*. – Draft PhD dissertation. – June 2002. As H. Grabbe has stated, "the implementation stage is critical to understanding how the EU has affected policy and policy-making in CEE: it is the interface between domestic and foreign policy, and it determines the impact of conditionality. The EU's influence on detailed policy formation and implementation is mediated by domestic actors, and determining the manner and extent of this mediation requires empirical enquiry" (Grabbe. H. *Europeanization Goes East. Power and Uncertainty in the EU Accession Process* // Featherstone, K., Radaelli, C. (eds.) *The Politics of Europeanization*. – Oxford: Oxford University Press. – Forthcoming. – P. 13 of the second draft).

<sup>5</sup> Vilpišauskas, R., Nakrošis, V. *Implementation of public policies in Lithuania: analysis of the "missing link"*. – Vilnius: Institute of International Relations and Political Science. – 2002. – Forthcoming. The project has been financed by the Open Society Foundation in Lithuania.

<sup>6</sup> The debate regarding the value of separating policy process into a number of sequential stages has been usually framed as a debate between rationalist and incrementalist ("muddling through" to use Lindblom's famous term) approaches towards the study of public policy. See Lindblom Ch. E., Woodhouse E. J. *The Policy-Making Process*. – New Jersey: Prentice Hall, - 1993; Majone G., Wildavsky A. *Implementation as Evolution* // H. Freeman (ed) - *Policy Studies Review Annual* – 1978.

<sup>7</sup> Van Meter, Van Horn quoted by Ham. Ch., Hill, M. *The Policy Process in the Modern Capitalist State*. – London: Harvester Wheatsheaf. – 1993. – p. 98; Pressman and Wildavsky quoted in Parsons, W. *Public Policy. Introduction to the Theory and Practice of Policy Analysis*. – London: Edward Elgar Co. – 1995. – p. 415 (Lithuanian edition by Eugrimas in 2001).

<sup>8</sup> For a similar starting point see Nicolaides, P. *Enlargement of the European Union and Effective Implementation of Its Rules*. – Maastricht: European Institute of Public Administration. – 2001. We also share with Nicolaides an emphasis on the importance of institutional structure of policy implementation on its outcomes.

<sup>9</sup> Sabatier P. A. *Top-Down and Bottom-Up Approaches to Implementation Research: A Critical Analysis and Suggested Synthesis*. – *Journal of Public Policy*. – No. 6. – 1986. – p. 28.

<sup>10</sup> We synthesize these six factors from a number of studies of policy implementation, in particular, writing by Hogwood and Gun and Sabatier (see references above).

<sup>11</sup> We acknowledge the significant input of S. Broga, A. Didenko and M. Palionis into the process of data collection for the case studies. The full list of references used for the case studies is available from the authors and is not included here.

# DISMANTLING POLITICAL-ADMINISTRATION NEXUS IN LITHUANIA

*Haroldas Brokaitis*

## *Introduction*

Lithuania being a transition country, probably of all the transition aspects evolution and transformation of Lithuanian public administration received the least academic attention. Such situation clearly contrasts with state of affairs in the respective European milieu, which features abundance of academic and practitioners discussion on the ongoing administrative reforms. Quick overview of local publications reveals low, although growing interest in public administration research in Lithuania. It is, however, mostly oriented towards public policy research<sup>1</sup>, or tends to be preoccupied with more micro level issues such as public service delivery or effectiveness of public managers' work<sup>2</sup>. Moreover, in these few contributions which do address Lithuanian civil service all too frequently political arm of the executive and bureaucracy are treated together, thus ignoring peculiarities of their interrelations; that is, there were no attempts to distinguish between two levels – political and public administration – with prevailing tendency to focus on the political level officials<sup>3</sup>.

Hence this article endeavours to provide some insights into one prevalent topic of the aforementioned discussion on the ongoing administrative reforms – interrelation between political and administration levels. In the case of Lithuania this field remains largely under-researched, although in many aspects it is a precondition for assessing and understanding ongoing public administration reforms in the country. Public administration reform itself is an ongoing, continuous process, never ending even in the west European countries with relatively efficient bureaucracies. At the same time reform process is inseparable from politics, which form a context for the reform, but are also influenced by its outcomes. Reforms have impact on the very nature of politics within the public sector, especially on the relationship between civil servants and their nominal political masters<sup>4</sup>.

The article overviews the possibilities to categorise the relationship between political level and bureaucracy, reviews the experience of other European countries in this field during the last decades and assesses the situation in Lithuania. One case study is used as an illustration of the importance of the issue: a recent amendment to the Law on Government, which changed the status of high-level officials in a declared attempt to make Lithuanian bureaucracy more effective and politically neutral. The very issue of relationship between political level and bureaucracy is analysed using two dimensions – *clear separation between politics and administration* and *improving control by the political level over the bureaucracy* – which are frequently referred to as the main objectives of public administration reform. The main aim of the article is to establish the extent to which these objectives are relevant in Lithuanian case, and how likely is their accomplishment by the ongoing public administration reform. The underpinning argumentation borrows on several theoretical insights as well as the aforementioned overview of the Western countries' experience.

### ***Understanding relations between politicians and bureaucracy***

The comprehensive analysis of the ways politico-administrative relations are conceptualised in the academic literature is not the aim of this article, not least for the reason that there is quite a multitude of such conceptualisations. In a broad sense the latter can be imagined as a continuum, where various possible constellations of relations between bureaucracy and political level fall within to extremes<sup>5</sup>:

- Weberian (so-called classical) system, with an “ideal type” bureaucracy preoccupied with implementation of public tasks (that is, administration) and totally separated from politics;
- ‘bureaucratic government’ – the situation, which features usurpation of power by bureaucracy (i.e., subduing political level by bureaucracy) – the interpretation not very distant from Niskanen’s understanding of bureaucracy dominating the politicians by controlling information.

Present in these pure, ideal types of politico-administrative relations are two main dimensions, which also dominated the parlour of public administration reforms in Western countries during last decades:

- separation of political and administrative functions, and
- control of politicians over bureaucracy.

As mentioned, the notion of *clear separation between politics and administration* comes from classical writings by Weber, also Woodrow Wilson, and stands out as a recurrent issue in recent public administration reforms in Western countries. It has however more normative character, since (in



reality of a modern state) bureaucracy not only applies the policies elaborated by the political level, but also is always involved to some extent into rule making. On the other hand, boundary between management and politics is not exactly the same as the one between civil servants and politicians. Politics is defined by the processes involved (most popular definition of politics being “who gets what, when and how”) and not by people (elected v. non-elected) or place (parliament v. ministry). That is, political activity is defined as the one which involves the exercise of power, especially the mobilisation of resources in order to achieve a chosen set of ends, where the interest of various parties concerned potentially or actually conflict<sup>6</sup>.

Therefore, even “neutral” public servants in the Westminster-type system, though they attempt to stay “neutral” and avoid “party politics”, nevertheless frequently by definition engage in political processes to the extent that they are involved in bargaining, negotiating and deploying the aforementioned resources (money, information, etc.) in order to improve the chances of success for policies and programmes with which they are associated<sup>7</sup>. This idea closely follows the well-known Dunleavy’s bureau-shaping model, which rejects the traditional public choice budget maximisation models of bureaucratic behaviour and argues that senior bureaucrats are concerned to maximise the status, therefore they are most interested in policy advice functions. At the same time, the very idea that a bureaucrat is likely to take (political) decision precipitates the need to strengthen political scrutiny of this process: hence the importance of the other aforementioned dimension in recent public administration reforms.

Nevertheless, before turning to that next dimension, it is important to ascertain that political “neutrality” of bureaucracy is a very important aspect in analysing politico-administrative relations, mainly as a part of broader body of research, which focuses on analysing impact of structure, for example, formal rules permitting public servants to be politically involved<sup>8</sup>. General patterns of recruitment as well as ability of officials to switch between political and career posts as their career progresses play an important role in relations between political level and bureaucracy. As it will be shown later in this article, the tradition in this respect varies considerably among the Western countries. Moreover, there are also more individualistic research approaches, like role theory elaborated by Aberbach, Putnam and Rockman<sup>9</sup>, which (based on the large body of interviews) develops concepts of “classical” and “political” civil servants, where the former express their confinement to purely administrative functions (thereby following the classical tradition of separating politics and administration), while the latter claim more important role in policy making and the need for greater political involvement by civil servants. That is, politico-administrative divide can be argued to be influenced both by structure and agent, his/her preferences, attitudes.



Declarations by the politicians that they should be able to exert *greater control over the bureaucracy* are another frequent argument in reforming public administration. Increasing complexity of issues tackled by the modern state presupposes expanding the scope of tasks (and therefore, influence) delegated to bureaucracy. On the other hand, bureaucratic autonomy is still seen as contrary to the principle of democratic legitimacy that requires elected politicians to retain control<sup>10</sup>. The issue of controlling the bureaucracy is tightly intertwined with distance between political level and career civil servants. It is obvious that in most cases a minister (as politician) would not manage everything just by himself/herself, therefore a certain degree of reliance on someone else (e.g., his/her political advisers, etc.) is required. This serves as a source for another dilemma embedded related to the issue of control. Political control would be the best when the controller understands the issue, but is somewhat distant from the controlled: therefore, controllers coming from outside (e.g., political background) are more likely to ensure loyalty, and ones from civil service – quality, what concerns issues being controlled.

When it comes to theorising the issue of control, the most popular in many aspects emerges to be plethora of theoretical thinking and empirical testing<sup>11</sup> around the principal-agent model. This derivative from public choice theory features parsimony so characteristic for rational choice based models and is frequently applied to analysing delegation of power. The model does offer some useful insights into the problem of political control of the bureaucracy. As principal-agent model generally assumes that conflict of interests exists between principal and agent – such conflict being the essence of delegation problem – certain theoretical suggestions can be derived from it as to how to eradicate this conflict ex-ante<sup>12</sup>. First, one can try to ensure alignment of the preferences of agent and principal; in the case of political control of the bureaucracy this can be done, for example, by allowing cabinet ministers to name the personnel at the top of the civil service<sup>13</sup>. Another possibility would be to “politicise” the civil service by allowing civil servants to affiliate with political parties, whereby steady flow of personnel between political and administrative positions is achieved<sup>14</sup>. The differing practice in Western countries concerning these theoretical propositions is overviewed in the next section of this article.

### ***Politicians and bureaucrats in the Western countries***

A long tradition of public administration reform in the Western countries is enriched with genuine differences in ways that two main dimensions of this article – clear separation between politics and administration, and strengthen-

ing political control over the bureaucracy – are being treated. What concerns *separation between politics and administration*, most actual life examples fall between the pure ideal types described in the previous section. While situation in the United Kingdom is frequently specified as the one, where politics and administration are traditionally clearly separated, a recent analysis maintains that public servants retain a key role in policy-making in this country, and even the latest reforms failed to alter the boundary between politics and administration in any substantial way<sup>15</sup>. Similarly, while rhetoric to separate functions of politics and administration was central in contemporary public administration reforms in France, the long established practice of intermingling – i.e., senior public servants going to politics (and occupying political posts) and returning to career civil service – was not changed. However, as this article does not aim at comprehensive analysis of the situation in Western countries, it should suffice to notice that clear separation between politics and administration seems to be more of a normative claim in public administration reforms than reality of everyday policy process.

Nevertheless, the very notion of separating political level and bureaucracy tends to turn into a fundamental problem. A recent comparative account<sup>16</sup> of public administration reforms in Western countries summarises that political level officials tend in their rhetoric to identify the public administration as a part of the problem, and not as a part of the solution. Obviously, such source of problems needs to be extinguished: hence the dominant parlour of reforms concentrating on decreasing powers of bureaucracy, cutting its size, etc., that is, on decreasing comfort level of the bureaucrats. Therefore, it appeared that public administration reforms were frequently more biased to simply preventing, limiting negative bureaucracy tendencies, rather than to creating positive leadership. More interestingly though, comparative analyses repeatedly claimed that in many cases even such reforms did create more power for bureaucrats, thus potentially increasing tensions between political and administrative level officials.

Similarly, the overview of Western public administration reforms reveals that the issue of *greater control over the bureaucracy* is frequently regarded both as an end in itself and as a means to implementing party policy. For example, in the United Kingdom capacity of Prime Minister's office was enhanced, ministers made more active use than hitherto of their right to influence senior bureaucratic appointments and much greater use was made of specially recruited ministerial advisers<sup>17</sup>. Interestingly, however, it appeared that desire among politicians to increase their influence over the civil service was coupled with avoiding responsibility for the bureaucracy's actions.

Yet the tradition of controlling the bureaucracy varies across the countries substantially. Coming back to the aforementioned proposition by the

principal-agent model, that ministers should be able to name the personnel at the top of the civil service if they are to ensure its loyalty, it should be noted that ministers capability to do so varies: while it remains hardly possible in the United Kingdom, in Belgium ministers can appoint senior civil servants, but cannot dismiss them, and in France the former are largely able both to appoint and dismiss senior civil servants<sup>18</sup>. Likewise, while affiliation of career civil servants with political parties and their movement between political and administrative spheres is possible in France, Germany or Norway, it is extremely rare in Denmark or United Kingdom.

However, limiting the analysis to the aforementioned two dimensions in politico-administrative relations arguably leads to a narrow and unrealistic view of the problems in these relations. Rather than emphasising the problems, one can try to generalise how new public management tendencies influenced public administration reforms in various countries. Two suggested basic variants of such reforms could be (1) reforms aimed at *let* the managers (i.e., public servants) manage, and (2) reforms aimed at *make* the managers manage<sup>19</sup>. The first type would include countries like Australia, Netherlands, Sweden, Denmark, which feature strong professional public administration in traditional sense, and the main aim of the reforms would be to relinquish managers of various constraints, thereby enabling increase in quality of public administration. The second type (countries, where influence of 'new public management' ideas has been the most pronounced, i.e. New Zealand, the United Kingdom, etc.) reforms are more geared to compel managers to become more responsive and productive by breaking bureaucratic monopolies, stimulating officials to be more efficient at public services delivery level. But then public administration reforms in much larger number of countries, post-communist transition states included, seem to fall in yet another category, as they are mostly aimed at *making the managers*<sup>20</sup>. That is, in the Central and East European countries, but also in some present EU member states like Greece, Spain, Italy, or Portugal strong traditional bureaucracy did not exist, since symbiosis between political level and bureaucracy was prevalent. Therefore, in many respects public administration in these countries needs to be developed, before commencing with 'new public management' type of reforms there. It is also argued that namely braking the aforementioned symbiosis is one of the main preconditions for development of the professionalised public administration, which can then be made (or let) manage effectively and efficiently<sup>21</sup>.

### ***Dismantling politics-administration nexus in Lithuania***

Following the ideas presented in the previous section, it would be difficult to question that Lithuania is most likely to fall into the third group

of countries, where professionalised public administration still needs to be created. One of the key-factors to understanding such situation would be historical experience of the country. The analysis of the Soviet period public administration along the established two dimensions – control over the bureaucracy, and separation of politics and administration – reveals quite unique situation, the influence of which Lithuanian public administration still experiences.

What concerns control over the bureaucracy, during the Soviet period communist party machine was extensively used as a means of political control. This had a number of consequences; for example, any distinction between party officials (political level) and bureaucrats became blurred, and it was common and even required for the same individuals to hold both party and state offices<sup>22</sup>. Hence, bureaucrats were expected to be politically committed rather than neutral: political reliability and loyalty to (or membership in) communist party was required of bureaucrats, while the party had effective control of all key appointments in the state administration. In this sense post-soviet bureaucracy was heavily “over-politicised” in terms of personnel policy<sup>23</sup>.

Moreover, while in the Western tradition executive combines both governmental and administrative functions, under the Soviet system its functions were primarily limited to the latter: one can argue that separation between politics and administration was close to ideal in that situation, i.e. communist party made policy decisions and administrative apparatus implemented them. Therefore, as policy-making capacity of executive (and therefore, bureaucracy) used to be very weak, post-communist states (Lithuania included) inherited “under-politicised” civil service in policy-making terms: that is, ministerial administration was not geared to towards the preparation, assessment and authoritative resolution of policy alternatives<sup>24</sup>.

These general characteristics continue to have a very influential imprint on the contemporary Lithuanian public administration. It was strengthened by another feature inherited from the Soviet times – international isolation of the system; i.e., public administration system was largely closed, which implicated absence of international contacts and sharing of experience (for example, for the Western countries OECD served that purpose), and hence – non-awareness of any alternatives in organising the public administration<sup>25</sup>. Moreover, lack of any substantial administrative tradition in Lithuania strengthened inclination to reform public administration after the country regained its independence.

The fact that old public administration system seemed largely unacceptable, and therefore subject to ongoing reforms, contrasts the fact that

politicians' interest in administrative design or reform has been persistently low. Although this is not something uncommon in other European countries as well<sup>26</sup>, still it astonishes that most electoral programmes of the Lithuanian parties do not contain any consistent approach towards the public administration reform issue<sup>27</sup>. Moreover, wherever bureaucracy is mentioned in electoral programmes of parties, the trend is clear to favour negative attitude towards it: e.g., need to control growing bureaucracy, to cut its size, etc.

Lithuanian politicians formally argue that national public administration is being reformed and improved by making more neutral, effective and responsive, frequently referring to one or another law passed or amended (namely, Law on Government in 1994 and its subsequent amendments or Law on Civil Service in 1999 and its amendments) as a proof for that. However, Goetz and Wollmann observe that in the case of Central and East European countries there is more or less systemic gap between declared legislative intent and the actual practice of public administration<sup>28</sup>, and the same seems to apply to the Lithuanian case. Some even warn against overestimating the importance of passing a civil service law in a country, since the law alone has seldom been the expected catalyst for the stabilisation, de-politisation and professionalisation of the civil service<sup>29</sup>. This is especially true what concerns personnel policy, i.e. ability to shield it from influence of ruling political party, thereby laying the grounds for professionalisation of public administration. Since central to the notion of professionalism is the assertion that what defines the professional is precisely the fact that he or she is accountable only to his or her peers<sup>30</sup>, and thus immune to any political influence. Subsequently, the situation in Lithuania, where the practice of any ruling party (or coalition) to appoint their affiliates not only to senior, but also to middle- and low-range career civil service positions still prevails, does not constitute an exception: even though some more advanced countries, like Hungary, have started their civil service reforms already in 1990, the inherited problems of over-politicised personnel policy remain there<sup>31</sup>.

Nevertheless, the case of amending the Law on Government in the spring of 2002 offered an interesting occasion for closer examination of politico-administrative relations in Lithuania, as it represented one of the very few occasions when different political actors expressed rather well-structured views towards ongoing public administration reform. First drafted by a team from academic environment, the draft amendment was then repeatedly altered to be finally squeezed into an official draft by the Government, which was then passed by Seimas (Lithuanian Parliament). The amendment gained considerable attention due to the fact that it was then vetoed by the President<sup>32</sup>: it underlined the importance of the law at least due to the reason that this was one of the few President's vetoes that

year (in fact, only the third one in 2002). The amendment was then repeatedly passed by Seimas, thereby overturning veto of the President.

The amendment of the Law on Government provided for a number of various changes, however, for the purposes of this article the most interesting of them concerned changing the status of senior level officials in a ministry from politically-appointed ones to career civil servants. As a result, the number of viceministers was reduced to one per ministry, and instead of them the posts of one state secretary<sup>33</sup> and several undersecretaries<sup>34</sup> were established in each ministry. When passing the amendment, the ruling coalition of social democrats and social-liberals claimed that it should ensure stability of the highest echelon of bureaucrats. Moreover, a preceding draft Conception of the amendment claimed that there are problems in interrelation between policy-formulation and administration level in ministries, which preclude from ensuring the required quality of policy decisions formulated and adopted. Although the Conception itself did not clearly explain how such a problem of quality could be solved, from reading the document it seems that a part of the solution was thought to be entrenchment of minister's cabinet as entity responsible for political control of bureaucracy<sup>35</sup>.

Similarly, in his decree vetoing the amendment of the Law, the President argued for the need to ensure the stability of civil service as one of the conditions for effective public administration<sup>36</sup>. The solution for that however was sought in clear separation of political and administrative functions: it was proposed that all the vice-ministers posts were converted into undersecretaries' positions, so that there is not even one vice-minister left in a ministry. It became therefore unclear, who would be charged with the function of political control of bureaucracy: apparently the whole responsibility for that was placed with a minister. In a broader sense under-secretary was also to delegated the task to control how effectively and efficiently civil servants operate in a field of administration delegated to him/her by the minister.

To summarise, from the theoretical point of view both the proposal by ruling coalition and one by the President were quite similar (despite the mutual accusations that the structure of the highest level in a ministry proposed by the other side has no precedent in Europe<sup>37</sup>), with the latter emphasising clear separation of political and administrative functions, and the former – improved political control of bureaucracy. However, as described in this article above, clear separation of political and administrative functions is hardly possible in a modern state, therefore it remains more of a normative claim, the case of Lithuania included.

It was rather typical for Lithuania that the reform was not based on any broad agreement of wider circle of ruling and opposition parties. Instead

opposition parties were quick to declare that the amendment of the Law was aimed at installing ruling parties' affiliates into highest career civil service positions<sup>38</sup>. The actual outcome of the reform what concerns personnel largely supported such accusation, as there was very little change in the highest level of civil service. There are presently 13 positions of state secretaries and 39 posts of undersecretaries in all the ministries, and there were only 4 'new' persons appointed to them (all of them having background as director of a department of the same or other ministry) as a result of the reform. All others occupying the remaining positions previously were viceministers (30), advisers to a minister (2), secretaries of a ministry or their deputies (15)<sup>39</sup>, despite the claim that open and fair contests were organised to occupy these newly established positions. Any intention that the implemented rearrangement should foster "neutrality" of the highest rank civil servants *vis-à-vis* parties<sup>40</sup> was further weakened by recent occasions when several state secretaries and undersecretaries became actively involved in electoral campaign of the social democrat candidate for the upcoming President elections.

This only supports the earlier remark that in the case of Central and Eastern Europe there is more or less systemic gap between declared legislative intent and the actual practice of public administration. It also illustrated very well that it is important to distinguish between ideal types of regime and "real public service regimes, as embedded in nationally specific historical and institutional contexts which condition the nature of regime response to reform"<sup>41</sup>, in the case of Lithuania these contexts including the aforementioned heritage from the Soviet period and the lack of national public administration tradition. It was therefore quite natural that some observers mentioned that the reform had a clear tendency to copy a ministry structure existing in one given European country, without any deeper analysis of the indigenous conditions<sup>42</sup>. That is, interesting was rather frequent reference in the political debates to experience of other, Western European countries, without any deeper insight or analysis of the issue, thus ignoring the fact that direct transfer of a given set of provisions produces varying outcomes in different countries (e.g., see how the same 'new public management' ideas took different forms in the ongoing public service reforms in Britain, France and Germany<sup>43</sup>).

On the other hand, it appears that there are hardly any problems related to the political control of bureaucracy in Lithuania. Obviously, growing complexity of public policy reduces the effectiveness of traditional command-and-control techniques of government bureaucracy; nevertheless, in the case of Lithuania such techniques seem to be able to ensure almost '100 per cent' control. Such interpretation follows from the fact established by



Evans and Evans that rate of implementing government directives/orders exceeds 85 per cent, that is separate ministries and their staff routinely comply with and follow directions of the Government<sup>44</sup>. However, it is more quantitative than qualitative evaluation, since meeting the deadline of the Government directive/order frequently becomes the single most important aspect of his/her work for an average Lithuanian civil servant. However, the qualitative side of public policy clearly suffers from such an orientation<sup>45</sup>.

Therefore, it seems that most important public administration reform issue in Lithuania should be 'making of managers'. Most Lithuanian civil servants have internalised the value of following the directions of their political leaders; however, they need to develop their professional values of autonomy, capacity to formulate and present their own ideas, that is, they need to become managers. This is not to say that the aforementioned two dimensions – separation of administration and politics, and control over bureaucracy – are not important in such a reform. As it was mentioned, braking the existing symbiosis between politics and administration in the field of personnel policy is one of the main preconditions for development of the professionalised public administration. Since otherwise the civil service personnel policy remains substantially "over-politicised", as the latest reform illustrated.

What concerns political control over bureaucracy, the last reform clearly changed the balance between political and career civil servants in the highest ranking positions of a ministry. It is very probable that the present constellation in the longer run may contribute to professionalisation of bureaucracy, since at least formally career bureaucrat at present is accountable only to his/her peers. Nevertheless, this positive effect is again hindered by the still existing "over-politicised" personnel policy of the civil service. Moreover, it is unclear whether the present arrangement will withstand the change of ruling party/coalition in the Parliament. As the experience of other countries indicates, in the absence of institutional and political safeguards, formal reorganisations are vulnerable to defection and policy reversal<sup>46</sup>. This is very likely in the Lithuanian case with regard to the analysed adjustments to senior civil servants level, since it was clear that there was no broad political agreement among the parties concerning the reform.

### ***Concluding remarks***

Public administration reform in Lithuania is ongoing and continuous, which is influenced by the lack of administrative tradition and discontent with heritage from the Soviet times. However, the reform itself lacks (political)



direction, but also academic attention, and acknowledgement that present processes are heavily influenced by rather recent historical experience: policy-wise Lithuanian public administration is “under-politicised”, while its personnel policy remains “over-politicised”.

Therefore, the need to create managers is the most important aspect that should be considered in the future public administration reform. The issue of separation between politics and administration is especially sensitive here, since there is an assumption that public administration strategies, which favour clear functional and organisational delineation of administrative and political functions rather than fostering ‘political craft’ among civil servants is likely to aggravate the problem of public administration being “under-politicised” in policy formulation terms. This is due to the increased dangers that political level then tends to view bureaucracy as a danger, which needs to be restricted and controlled, rather than positive resource, which could be employed for more effective policy-making<sup>47</sup>. Moreover, full de-politisation of civil service is not necessarily something to be fully achieved, since (especially) senior bureaucrats operating at the interface of politics and administration should entertain ability to match both professional policy competence and political skills. Nevertheless, appointments to middle- and lower-range positions of civil service shall be shielded from the political influence to the best possible extent.

Obviously, promoting the aforementioned ‘political craft’ among bureaucrats would presume increased delegation of functions to them, which might seem very sensitive issue from democratic legitimacy point of view. Interestingly, however, Nakrodis in his study comes to very similar conclusions that there should be more accountability delegated to the civil servants<sup>48</sup>, but just from another angle – to improve the accountability (primarily, indirectly – via the Parliament) of the Government. This suggests that increased delegation of power to bureaucracy and decrease of democratic legitimacy does not necessarily represent one-way relationship.

Ultimately, the analysis of Lithuanian case in this article raises a question to what extent post-communist public administration should be analysed through the concept lenses of the Western experiences, thereby viewing post-soviet administrative practices as a some kind of deviant case (which is going to be rectified in the near future through the processes of modernisation and Europeanization), or some kind of *sui generis* case, the comprehensive understanding of which is subject to close scrutiny of traditions originating from Soviet times and subsequent transformation processes. That would be an issue of a broader research; however, initial assessment would hint that analysis of political – administrative relations in Lithuania is heavily dependent on proper understanding of historical heritage, which

puts Lithuania in one group with other post-communist countries, thus making straightforward comparisons with Western experience or direct importing of the latter into national context intricate.

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<sup>1</sup> See, for example, contribution by R. Vilpiūskas and V. Nakrošis in this Yearbook.

<sup>2</sup> See research by A. Raipa; for example, Raipa A. "Ekspertø sistemos ir viešųjų programø vertinimas" (Experts' systems and evaluation of public programmes) // Politologija 1:17 (2000): 61-83.

<sup>3</sup> For example, for the purposes of his study on the evolution of the administrative accountability system in Lithuania Nakrošis assumes that public administration is just incorporated in the notion of Government. See Nakrošis, V. "Evolution of the Administrative Accountability System in Lithuania", in Jankauskas A. (ed.), *Lithuanian Political Science Yearbook 2000*. Vilnius: Institute of International Relations and Political Science, 2001.

To a large extent the same applies to Evans and Evans account on improving government decision-making systems in Lithuania, see Evans, A., Evans, G. "Improving government decision-making systems in Lithuania and Latvia" // Journal of European Public Policy 8:6 (December 2001): 933-959.

<sup>4</sup> Peters, B.G., Pierre, J. "Civil servants and politicians: The changing balance", in B.G. Peters, J. Pierre (eds.) *Politicians, Bureaucrats and Administrative Reform*. London: Routledge, 2001, p. 2.

<sup>5</sup> See Peters, B.G. "Politicians and bureaucrats in the politics of policy-making", in J.-E. Lane (ed.) *Bureaucracy and Public Choice*. London: SAGE, 1987, p. 255-282.

<sup>6</sup> Pollitt, C., Bouckaert, G. *Public management reform: a comparative analysis*. Oxford: Oxford University Press, 2000, p. 135.

<sup>7</sup> Ibid., p. 135-136.

<sup>8</sup> See Peters, B.G., Pierre, J. "Civil servants and politicians: The changing balance", in B.G. Peters, J. Pierre (eds.) *Politicians, Bureaucrats and Administrative Reform*. London: Routledge, 2001, p. 4-5.

<sup>9</sup> See *ibid.*, p. 3-4.

<sup>10</sup> Döhler, M. "Institutional Choice and Bureaucratic Autonomy in Germany" // West European Politics 25:1 (January 2002), p. 102.

<sup>11</sup> For good overview, see Gilardi, F. "Principal-Agent Models Go to Europe: Independent Regulatory Agencies as Ultimate Step of Delegation". Paper presented at the ECPR General Conference, Canterbury (UK), 6-8 September 2001.

<sup>12</sup> That is, various ex-post controls like reviewing, monitoring the work of bureaucracy or challenging it in the courts are not analysed here.

<sup>13</sup> Huber, J.D. "Delegation to civil servants in parliamentary democracies" // European Journal of Political Research 37 (2000): 399-400.

<sup>14</sup> Ibid.

<sup>15</sup> Marsh, D., Richards, D., Smith, M.J. *Changing Patterns of Governance in the United Kingdom Reinventing Whitehall?* Basingstoke: Palgrave, 2001, p. 155-180.

<sup>16</sup> Peters, B.G., Pierre, J. "Civil servants and politicians: The changing balance", in B.G. Peters, J. Pierre (eds.) *Politicians, Bureaucrats and Administrative Reform*. London: Routledge, 2001, p. 8.

<sup>17</sup> Pollitt, C., Bouckaert, G. *Public management reform: a comparative analysis*. Oxford: Oxford University Press, 2000, p. 83.

<sup>18</sup> Huber, J.D. "Delegation to civil servants in parliamentary democracies" // European Journal of Political Research 37 (2000): 399.

<sup>19</sup> Kettl, D.F. "The global revolution in public management: driving themes, missing links" // Journal of Public Analysis and Management 16:3 (summer 1997): 446-462.

<sup>20</sup> Toonen, T. "The comparative dimension of administrative reform", in B.G. Peters, J. Pierre (eds.) *Politicians, Bureaucrats and Administrative Reform*. London: Routledge, 2001, p. 195-196.

<sup>21</sup> Ibid., p. 196.

<sup>22</sup> Smith, B.C. *Bureaucracy and Political Power*. Sussex: Wheatsheaf Books Ltd., 1988, p. 100-102.

<sup>23</sup> Goetz, K.H., Wollmann, H. "Governmentalizing central executives in post-communist Europe: a four country comparison" // *Journal of European Public Policy* 8:6 (December 2001): 865-866.

<sup>24</sup> Ibid., 865-866.

<sup>25</sup> With exception of several EU PHARE or SIGMA funded experts, visiting Lithuania.

<sup>26</sup> Döhler, M. "Institutional Choice and Bureaucratic Autonomy in Germany" // *West European Politics* 25:1 (January 2002): 108.

<sup>27</sup> With some minor exceptions, e.g., party programme of the Lithuanian Liberals Union for the parliament elections in 2000.

<sup>28</sup> Goetz, K.H., Wollmann, H. "Governmentalizing central executives in post-communist Europe: a four country comparison" // *Journal of European Public Policy* 8:6 (December 2001): 880.

<sup>29</sup> Verheijen, T. *Administrative Capacity Development: A Race Against Time*. The Hague: Scientific Council for Government Policy, Working Document 107, p. 29, cited in <sup>29</sup> Goetz, K.H., Wollmann, H. "Governmentalizing central executives in post-communist Europe: a four country comparison" // *Journal of European Public Policy* 8:6 (December 2001).

<sup>30</sup> Carter, N. "Performance Indicators: 'backseat driving' or 'hands off' control?", in D. McKevitt, A. Lawton. *Public Sector Management: Theory, Critique and Practice*. London: SAGE Publications Inc., 1994, p. 216.

<sup>31</sup> See Vass, L. "Politicians, bureaucrats and administrative reform in Hungary", in B.G. Peters, J. Pierre (eds.) *Politicians, Bureaucrats and Administrative Reform*. London: Routledge, 2001, p.83-92.

<sup>32</sup> Arguably, the President's veto came as a surprise for the ruling coalition. See Ignatavičius, T. "Valdanėioji dauguma sieks revanšo prieš Prezidentą" // Lietuvos rytas, 10 April 2002.

<sup>33</sup> State secretary of a ministry is thereby the highest-level career civil servant, responsible for administering the ministry.

<sup>34</sup> The number of undersecretaries varies from 1 to 6, each of them responsible for a given area of ministry's competence.

<sup>35</sup> *Conception on new version of the Law on Government of the Republic of Lithuania*, draft, unpublished.

<sup>36</sup> "Prezidentas grąžino Seimui pakartotinai svarstyti Vyriausybės įstatymą", statement from the Press Office of the President; 8 April, 2002.

<sup>37</sup> "Pareiškimas dėl Seimo atmeto Prezidento veto", statement from Violeta Gaižauskaitė, the President's Spokesperson; 18 April, 2002.

<sup>38</sup> "Prezidentas vetavo Vyriausybės įstatymo pataisą", Baltic News Service, 8 April 2002.

<sup>39</sup> One position was vacant at the time of writing the article.

<sup>40</sup> As it was shown earlier in the article, this is probably the only type of neutrality possible, since otherwise political functions permeate bureaucracy, therefore neutrality of administrators vis-à-vis politics is unlikely.

<sup>41</sup> Clark, D. "Public Service Reform: A Comparative West European Perspective" // *West European Politics* 23:3 (July 2000): 37.

<sup>42</sup> See Varanavičius, D. "Prieštaringa reforma" // *Atgimimas*, 19-25 April, 2002, No. 15 (700).

<sup>43</sup> See Döhler, M. "Institutional Choice and Bureaucratic Autonomy in Germany" // *West European Politics* 25:1 (January 2002): 101-124; Clark, D. "Public Service Reform: A Comparative West European Perspective" // *West European Politics* 23:3 (July 2000): 25-44.

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<sup>45</sup> See Lithuanian public policy analyses, e.g., contribution by Vilpiūšauskas and Nakrodis in this book.

<sup>46</sup> See Christensen, J.G., Pallesen, T. "Institutions, distributional concerns, and public sector reform" // *European Journal of Public Research* 39 (2001): 179-202.

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**INTERNATIONAL RELATIONS AND  
EURO-ATLANTIC INTEGRATION PROCESS**



# MILITARY TRANSIT OF THE RUSSIAN FEDERATION THROUGH THE TERRITORY OF THE REPUBLIC OF LITHUANIA

*Ėslovas Laurinavičius, Raimundas Lopata, Vladas Sirutavičius*

## *Introduction*

It is maintained that the military transit poses a threat to Lithuania's security and may create an obstacle for Lithuania in its endeavour to join NATO. Supporters of such attitude believe that with Lithuania becoming a NATO member, the military transit would also turn into the *Alliance's problem* in its relations with Russia. Thus, this gives rise to a seemingly logic questions why would the Alliance need one more problem in its relations with Russia?

In the summer of 1996, the famous analysts of the RAND Corporation Ronald D. Asmus and Robert C. Nurick, explaining the guarded position assumed by NATO member states in regard of the Baltic states' membership, wrote *inter alia*:

"Kaliningrad (*Kaliningrad factor – authors' note*) and Russian military presence there only reinforce these concerns. The former East Prussia was incorporated into USSR under Stalin at the end of the Second World War. It is now a strategic military outpost, albeit one of uncertain long-term value. Troops from the former Soviet Union withdrawn from both the Baltic states and Eastern Europe have been stationed there. The issue of transit rights for Russian military through Lithuania evokes memories of past corridor arrangements in the region that proved to be the source of subsequent conflict. NATO enlargement to Baltic states would, in effect, encircle a piece of Russian territory, one that continues to host a major concentration of Russian military power.

These negative factors are not meant to suggest that Baltic states should not or never will join NATO. But the Baltics' unique circumstances make them a special case..."<sup>1</sup>



In one of her numerous articles on the Kaliningrad Oblast of the Russian Federation, Lyndelle D. Fairlie, Associated Professor of San Diego University, California, emphasises:

"In my opinion, Russia and Lithuania have been, relatively speaking, successful in negotiating transit arrangements and the bilateral nature of these agreements has kept policy issues at a relatively "low politics" regional level. If one follows the Landsbergis suggestion\*, one elevates these issues to "high politics" negotiations between Russia and NATO. That might work out fine if the partnership agreement between Russia and NATO works and cooperation continues. However, there is also the risk that transit access issues between Kaliningrad and mainland Russia could repeat the problems of Berlin in the Cold War, meaning "access" could either be a problem or not be a problem depending on who wished to use the area as barometer of tensions. To this author, it seems unwise and unnecessary to take the risk of elevating transit access issues to a "high politics" level of negotiations between Russia and NATO. Carrying this argument to its logical conclusion, this author favours keeping Lithuania involved in neighbourly cooperation such as Partnership for Peace but this author also thinks that Lithuania should not be admitted to NATO."<sup>2</sup>

In the period between 1995 and 1997, Christian Wellmann was also fond of indicating that the Kaliningrad factor turned the position of the Baltic states in general and that of Lithuania in particular into "a strategically unfavourable sandwich position and allows to instrumentalize – if so wanted – transit issues as a pretext for challenging transit states"<sup>3</sup>.

Referring to the future of the military transit, it is necessary to emphasise that the issue is still on the discussion level. At the present time, armaments and military personnel are being transported through Lithuania under a special agreement with Russia. The agreement is based on Lithuanian legislation approximated with the *acquis*. During the visit of the Lithuanian President Valdas Adamkus to Moscow in late March 2001, the Russian side unsuccessfully demanded to change the regime of the military transit through Lithuania, i.e. the Kremlin attempted to legitimise it pursuant to "international law"<sup>4</sup>. Such efforts had a certain effect as they provoked a corresponding discussion in Lithuania.

The discussion revealed that influential members of the Lithuanian parliament and analysts regard the issue of the Russian military transit to Kaliningrad as one of the most serious unresolved questions within the context of the Lithuanian integration into NATO. In interviews published in the weekly "*Atgimimas*", they emphasised that Russia's attempts to "play" the Kaliningrad card were only natural. They were convinced that Lithuania had to make every effort possible to avoid instability in the region, thus

creating the most favourable conditions for the country to become a member both of NATO and the European Union<sup>5</sup>.

The references mentioned above in fact submit the essential arguments to prove that the military transit of the Russian Federation through the territory of the Republic of Lithuania proves to be problematic. The present study challenges the presented arguments:

a. the juxtaposition of the "high" and "low" politics is groundless, as it will be proved by the analysis that the latter neither contradicted nor complicated the former;

b. references to historic precedents of military transit in the region are likewise baseless as there was an essential difference between the contexts of the precedents concerned.

## 1. MILITARY TRANSIT OF THE RUSSIAN FEDERATION THROUGH THE TERRITORY OF THE REPUBLIC OF LITHUANIAN: HISTORIC AND POLITICAL SCIENCE PROFILE

### ***1.1. Disintegration of the Cold War system and the fate of the USSR occupational army in Central Europe***

At the end of the 20<sup>th</sup> century, the block of states under the dictate of the Soviet Union, which from the late forties had had been involved in the tug-of-war with the West, disintegrated and the political system dominating therein collapsed. In discussing the concrete reasons of the downfall, there are usually distinguished internal and external factors. The following should be attributed to the internal factors: economical weakness (rigid central planning system and incapacity for modernisation) aggravated by the economic stagnation in the 1970s and 1980s, as well as the political-ideological and economic reforms of Michail Gorbachev; the external factors included the increased pressure from the part of Ronal Reagan's administration<sup>6</sup>.

The collapse of the USSR and the Soviet camp meant the end not only for the Cold War but also for a whole period in the history of international relations.

It is necessary to emphasise here that even while the Cold War was still existing, the bipolar system of international relations experienced fundamental transformation brought about by economic and technological changes. Its effect on international relations could be described as a hitherto unknown and continuously increasing mutual interdependence of states and, on the other hand, the emergence of regional power centres. All this was automatically undermining the bipolar international system. In addition,

alongside with states, important participants in international relations became supranational and subnational entities. Thus it meant that international policy turned into a considerably more complex and complicated phenomenon than it used to be.

The end of the Cold War turned into a phenomenon which mirrored the geostrategic transformation of the world on all levels (global, regional, local; international system as well as international institutions and organisations; national state and its structure, etc.). The withering away of Communism as a political power and the development of democracy brought about changes in the political cartography as well as in the relations between major states.

Despite the heated and still ongoing discussions in respect of what is replacing the bipolar system of the Cold War, and where the global power changes are likely to lead, it is hardly possible to doubt the prevailing effect made upon this transformation process by the development of the relationship between the West (US/Western Europe) and the East (USSR/Russia).

The West (US/Western Europe) – East (USSR/Russia) relationship could be described as a struggle between marine and continental powers determined by geopolitical regularities. The former would comprise the so-called Atlantic region united by the Western civilisation which was institutionalised by the North Atlantic Treaty Organisation (NATO) and the European Community/European Union. The latter – the East – would include the Eurasian region institutionalised by the Warsaw Pact Organisation/Commonwealth of Independent States. Within the political-ideological framework of international relations this was developing through the doctrine of containment and the modifications of the global revolution concept, the so-called Free World crusades against the Empire of Evil, the victories of the Socialist system and the deepening crises of Imperialism, or moderate or even friendly coexistence based on the balance of power.

In the concrete diplomatic practice that would resemble a pendulum swinging from hostility (tension and confrontation) to friendliness (détente and atmosphere of cordiality). This cycle was characterised by a multi-step movement from hostility to trust and support: military tension – détente (reduction of tension) – restoration of friendly relations – entente (agreement between states) – appeasement – union<sup>7</sup>. This model enables to relatively identify the direction of the geostrategic transformation process.

It is obvious that during the 1989 crisis in Central Europe, the Kremlin chose the course towards a reduction of tension and establishment of close cooperation with the West thus recognising the principles of self-determination, non-aggressiveness and non-interference, and refrained from

the use of force. This once again evidenced that the USSR was withdrawing from the area where it could no longer bear the geopolitical pressure – the Euro-Atlantic area. But the most explicit illustration was the political crisis that engulfed the USSR on 11 March 1990 when Lithuania proclaimed its independence. This act signified that Lithuania (as well as other Baltic states) belonged to Europe though its implementation was hampered by the factual dependence to the USSR.

In the meantime, the velvet revolutions of Central Europe gained particular momentum based on euphoric belief in the fast “return to Europe”. Their optimism was fuelled not only by the success of revolutionary transformations but also by the response of the West. The upsurge of good will and even enthusiasm triggered by the changes in the Soviet foreign policy induced the West to offer a “hand of friendship” to the countries of the former socialist camp (Poland, Czechoslovakia, Hungary, Bulgaria, Romania) and the USSR. They all were invited to establish regular diplomatic relations with NATO and strengthen cooperation with the West.

The end of this period was crowned by the successful 2 + 4 negotiation which paved the way for the unification of Germany on 3 October 1990 and *de facto* incorporation of the former German Democratic Republic into the European structures. It should be emphasised that the democratic unification of Germany on 1 July 1991 also resulted in the formal collapse of the Warsaw Pact Organisation, though already on 19 November 1990, the Paris Charter envisaged a new European security architecture shaped under the influence of all these transformations.

Within the context of all these events and transformations, there surfaced the issue of the fate of the Soviet army in the Western Europe. Approximately in the period of mid 1990 and early 1991 there started the withdrawal of the Soviet army from the countries of the region. The withdrawal of the army from Czechoslovakia and Hungary, where it was comparatively not numerous, went quite smoothly. The major problems emerged in relation with the pullout of the Soviet army from the territory of the former German Democratic Republic, as the greatest part of the Western Group army was deployed in that country. In essence, there were two major routes available for the withdrawal of the army: by sea (by ferries via Klaipėda port) and by land, through the territory of Poland. In January 1991, in response to the statement made by General V.Dubinín, Chief Commander of the Northern Group army that Moscow intended to withdraw its troops through the territory of Poland irrespective of whether an agreement was reached with the government of that country, the Polish government stopped several military trains with armaments and personnel on the Polish-German border denying their entry into the Polish territory.

It was, most probably, namely after the January events in Vilnius, that the Soviet government and military commandment started procrastinating the issue of army withdrawal from Poland. The signing of an agreement on the procedure of transit through the territory of Poland of the army withdrawn from Germany was also repeatedly delayed<sup>8</sup>.

Poland managed to reach agreement over these issues only in the spring of 1992 already with the Russia governed by B.Yeltsin. During the visit of the Polish President L.Wałęsa and Foreign Minister K. Skubiszewski to Moscow on 22 May 1992, several treaties and agreements were signed, including agreements on the withdrawal of the "former Soviet Union army" from the territory of Poland and the transit through the territory of Poland of the army withdrawn from Germany. The latter agreement subsequently made the foundation for the 18 November 1993 agreement already between Lithuania and Russia "On the Transit of the Troops and Military Cargo of the Armed Forces of the Russian Federation Withdrawn from the German Federal Republic through the Territory of the Republic of Lithuania", which is often known as the "German Transit Rules".

It is important to emphasise that this "German Rules precedent" in itself implies temporariness as it refers to the Russian military transit withdrawn from Germany.

On the other hand, it should be noted that neither the 1992 Lithuanian-Russian verbal agreement on the Russian military transit nor the 18 November 1993 agreement (see more below) mentions the Kaliningrad Oblast of the Russian Federation, they just refer to the Russian military transit from Germany. Thus could be inferred that in 1992-1993 Moscow still had no definite attitude concerning the future of the Kaliningrad Oblast (maybe there were even plans to conclude a deal with Germany concerning that territory similar to that made with Japan over the Kuril Islands<sup>9</sup>). It looks like Russia was at that time most concerned about securing the possibility for its army to eventually use the territory of the Republic of Lithuania. This could be additional evidence that the issue of military transit to/from Kaliningrad was not an independent question.

### ***1.2. Circumstances of the SSSR military withdrawal from the Republic of Lithuania***

In the aftermath of the botched Moscow putsch on 19-21 August 1991, the balance of power between the USSR and the RSFR started rapidly changing in favour of the latter. At the same time it was paralleled with a change in the relations between Lithuania, which then was already recognised internationally, and Russia which was taking over the rights of the USSR

position in the world and turning into a world power. It could be easily predicted that within this dynamics of the change of powers, Lithuania would find increasingly difficult to negotiate with Russia, and first of all, on the withdrawal of occupational army.

### ***1.2.1. Lithuanian diplomatic measures***

It should be emphasised in reference to these measures that Vilnius was first of all seeking for the mediation of international community in the negotiations. Thus, for example, already on 18 December 1991, Landsbergis appealed to NATO Secretary General Manfred Wörner with the requested for mediation, observers, etc. The response that came was negative: the negotiations were suggested to be bilateral. A similar answer was also received from the CSCE. Nevertheless, the Western states and structures rendered a definite political and moral support to Lithuania in implementing sovereignty in its own territory.

The requirement of Lithuania concerning the withdrawal of the foreign army from its territory was supported in the international forums of the summer of 1992 – meeting of NATO foreign ministers, CSCE Preparatory session in Budapest, G-7 Meeting in Munich<sup>10</sup>.

Personal contacts of the state leaders were also taken advantage of. On 17 January 1992, V. Landsbergis went to Moscow to meet the President of the Russian Federation B.Yeltsin and presented him with the January 13<sup>th</sup> Medal. Yeltsin promised to first of all withdraw the army from Lithuania. At the same time, it was agreed on the formal status of the army: the term “occupational army” was relinquished as the Russian side found it offensive. Instead, the formula “withdrawing army under the jurisdiction of the Russian Federation” was adopted. Finally, a preliminary mutual commitment was undertaken to prepare within a period of one year an agreement upon the army withdrawal. Personal contacts of the leaders had a positive role in the subsequent negotiation process as well.

During the negotiation process, it was also resorted to public diplomacy or the direct democracy. On 16 June 1992, a referendum was held in Lithuania on the withdrawal of the army and compensation of damages (positive response was received from about 70 per cent of those voting). The Lithuanian side used the results of the referendum as leverage against Russia.

### ***1.2.2. Negotiation process***

The first meeting of the delegations of both countries took place in Vilnius on 31 January 1992, and there the Russian Deputy Prime Minister

Sergej Shachraj raised an issue of a possibility for some USSR military objects important to Russia to remain in the territory of Lithuania for a certain time. The Lithuanian side rejected this request without considering it, and demanded all military formations to be pulled out already in 1992. The Russian delegation found this deadline unacceptable. The communiqué signed after the meeting recorded just an agreement to start the withdrawal of the army from Lithuania in February 1992, with the procedure of withdrawal and the time limit for its completion to be further negotiable.

The Lithuanian delegation was more active in the negotiations than the Russian party. In early February 1992, draft agreements were prepared and submitted to the Russians. The main negotiations between experts were carried out on 11-14 February 1992 in Vilnius, on 18-19 March in Moscow and on 23-24 April in Vilnius. However, no reconciliation of positions upon the draft agreements proposed by Lithuania was reached, as Russia was not prepared to accept the main provisions of Lithuania.

In the process of the negotiation, Lithuania built its arguments upon the fact of the Soviet occupation of Lithuania and its forceful incorporation into the USSR, hence the resultant unconditional international obligation of Russia to withdraw the occupational army. The standpoint taken implied negotiations not on the withdrawal of the army *per se*, but on its time limits and procedure. Therefore, the final word was supposed to be not with Russia, but with Lithuania. Meanwhile Russia wanted to tie the arising of its duty to withdraw the army exclusively with the signature of the agreement, and tried to make the withdrawal subject to various conditions. In other words, Russia was maintaining the same attitudes it had adopted in respect of intended agreements upon the army with the CIS republics.

The Russians demanded legitimisation of the status of their army's interim presence in our territory and the representation of the army itself in the negotiations. This was categorically rejected by the Lithuanian delegation which held that the Russian army, as being unlawfully present in Lithuania, could not be a subject of law but only constitute an object of negotiation. Nevertheless, the Lithuanian delegation agreed to recognise the fundamental human rights of the persons serving in this army. Thus, the subsequent negotiations regulated only the rights of the persons belonging to the withdrawing army, but not those of the army or its formations.

Russians wanted to provide for a wide range of freedom for the withdrawing military formations, its jurisdiction in regard of them, Russia's right of ownership to military objects, and demanded compensation for them. They were seeking to legitimise at least a part of the military personnel in Lithuania with their citizenship rights and housing guarantees ensured. Russians also sought to obtain financing for the installation of new deployment



sites in Russia. The Lithuanian delegation rejected these demands and counter-demanded alongside with the time limits and procedure of the military withdrawal to resolve within the framework of the negotiations the issue of compensation of damage. Lithuania claimed *inter alia* the armaments and military property of Lithuania seized in 1940 to be compensated with new armaments and military equipment necessary to restore the Lithuanian military potential. Though the Russians did not deny the reasonableness of this demand, at the end of the negotiations they nevertheless refused to sign the agreed clauses upon the compensation of damage.

It likewise took a long time to agree upon the time limits for the army withdrawal. Therefore on 30 June 1992, the Lithuanian state delegation for the negotiations with Russia officially submitted its own detailed timetable for the withdrawal of all military formations of the former USSR from the territory of Lithuania by 31 December 1992. The timetable was worked out by calculating the amount of cargoes, the relevant demand for railway carriages, and in conformity with the technical capacity of the Lithuanian railways. The Russians found it unacceptable.

With the negotiations having reached an impasse, it was decided to hold a referendum in Lithuania in order to enable the nation itself to express demand for unconditional withdrawal of the USSR army and compensation of the damage caused by the USSR. Such referendum took place on 14 June 1992. There is no doubt that it also contributed to the fact that in Article 15 of the CSCE Helsinki Summit Declaration on 10 July 1992 a call was inscribed to conclude, without delay, appropriate bilateral agreements, including timetables, for the early, orderly and complete withdrawal of foreign troops from the territories of the Baltic States. Within the procedure of adopting the Helsinki Summit Declaration, the head of the Lithuanian delegation Vytautas Landsbergis read the "Explanatory Statement" which became an official document of the Summit meeting. Lithuania, relying on the demands of the June 14<sup>th</sup> referendum, stated in this Statement that Russia as an inheritor of the USSR's duties and rights would be obliged to fulfil the duty transferred thereupon to eliminate all the consequences of the 1940 occupation, including the duty to compensate for the damage caused by the occupation.

In the aftermath of the Helsinki Summit, Russia resorted to the tactics of pressure in respect of the Baltic states. On 6 August 1992, the Russian Foreign Minister Andrej Kozyrev invited to Moscow the Foreign Ministers of the three Baltic states and submitted a number of requirements as a precondition for the military withdrawal. In addition to several conditions for military withdrawal raised previously during the negotiations, he presented an additional demand to relinquish claims for the compensation of damage inflicted by the USSR in the period between 1940 and 1991.



The Russian Federation also demanded “to guarantee transit rights in respect of military cargoes to Kaliningrad”<sup>11</sup>. Lithuania treated all these requests as possessing a character of ultimatums, unlawful, baseless, and therefore unacceptable. In late August 1992, Russia rescinded most of its groundless conditions and demands, and paid regard to Lithuanian arguments. This enabled both sides to reach a compromise and arrive at a consensus over most of the points in the agreement. The key positions of Lithuania in the negotiations were protected. The process of negotiation became easier and more constructive also due to the fact that in Russia the initiative from the Ministry of Foreign Affairs was taken over by experts of the Ministry of Defence who belonged to a progressive group of officers “Shield”.

The final round of the arduous negotiations was carried out with the representatives of the Russian Foreign Ministry in Moscow and ended early in the morning of 8 September 1992. The Russian delegation was headed by the Russian Deputy Minister for Foreign Affairs Vitalij Churkin and Ambassador Viktor Isakov. The result of the round was 7 completely agreed and ready to be signed agreements, including the agreement on the timetable for the army withdrawal. However, during the closing meeting between the heads of the Lithuanian and Russian delegations in the Kremlin in the evening of the same day, Russia decided to sign only three of the agreed documents.

Even though only the withdrawal timetable was signed, in 1993 there were no more negotiations on the pullout of the Russian troops from the territory of Lithuania. The agreements on the timetable and procedure of withdrawal signed on 8 September 1992 were sufficient for the withdrawal of the troops, and they were duly carried out. It was also acknowledged on the international level (e.g. by the United Nations General Assembly resolution unanimously adopted on 25 November 1992) that these agreements on the timetable and procedure of withdrawal were sufficient. The subsequent dialogue between Lithuania and Russia was no longer about the procedure or time limits of the military withdrawal, but just concerning the Russian demands to revise for its benefit the 8 September 1992 agreements in order to satisfy the earlier claims which Russia had abandoned during the September negotiations. Thus the negotiations from October 1992 onwards were exclusively over new negotiations. For this purpose Russia increased political pressure by proclaiming *inter alia* suspension of the withdrawal. Nevertheless, Lithuania withstood and preserved unchanged the positions achieved during the previous negotiations.

### ***1.2.3. Fulfilment of the timetable***

On 29 October 1992 already, Yeltsin signed an ordinance to suspend military withdrawal from the Baltic states. On 2 November Landsbergis

telephoned Yeltsin who gave his personal promise that the troops would be withdrawn from Lithuania by 31 August 1993.

In 1993, further negotiations were held over a political agreement. According to a preliminary arrangement, the Lithuanian President A. Brazauskas had to go to Moscow on 5 August 1993 and sign a treaty. However, at the very last moment the visit was called off. Russia refused to include into the treaty a clause on the compensation for damages, in addition, it also raised new demands: to allow the Russian military to sell the property in their hold; refused to compensate for the armaments seized from Lithuania; demanded Lithuanian citizenship rights for the military personnel, etc.

On 17 September, Russia repeatedly announced that it was suspending the withdrawal of troops. The Lithuanian Ministry of Foreign Affairs responded with a protest. Then on 22 September, Russia made a public announcement that it would honour the timetable for the withdrawal of troops from Lithuania, though it put all the blame on Lithuania for the failures in the negotiation over a political agreement.

On 30 August, A. Brazauskas telephoned Yeltsin who reassured that the withdrawal timetable would be complied with. On 31 August, the Russian army was withdrawn.

To summarise, it could be stated that Lithuania was the only country from the Central and Eastern European and the Baltic states which did not grant the withdrawn occupational army any legal status. On 31 August 1993, the army left Lithuania bearing the same legal status which it had on entering the country on 15 June 1940. Thus, the Holy Father, who came with a visit five days later, kissed the free Lithuanian soil.

Nevertheless, it is also necessary to note that Lithuania failed to achieve an acceptable political agreement on the withdrawal of the army. The withdrawal timetable recorded just the existing state of affairs reflecting the sensitive balance between Russia, already a major power, Lithuania, as a sovereign state in the neighbourhood of Russia, and the international community, with only moral influence on the regulation of the Russian-Lithuanian relationship.

### ***1.3. 1994-1995 negotiations between Vilnius and Moscow over a military transit agreement***

After the completion of the Russian military withdrawal from Lithuania, the relations between Lithuania and Russia entered a new stage in late summer of 1993. Though formally Moscow started demanding a conclusion of an agreement on military transit to/from the Kaliningrad Oblast of the Russian Federation through the territory of Lithuania already in 1992, the

Lithuanian government in protection of the country's sovereignty *rejected such an idea*<sup>12</sup>. Instead, the official Vilnius and Moscow made a verbal agreement that there would be no complications for the movement of the Russian Federation troops to and from the Kaliningrad Oblast. It is very important that in choosing this particular model, Vilnius was coordinating its actions with NATO and the U.S.<sup>13</sup>. At that time the Russian military were satisfied with such arrangements, as more important for them was the issue of the army withdrawal.

Namely within this context, the procedure of the Russian military transit through the territory of Lithuania was starting to take shape.

Apart from the military transit, there was a number of other issues to be dealt with: compensation for the damage caused by the Soviet occupation and annexation; regulation of mutual trade and economic relations, etc. It should be emphasised that Moscow in essence acknowledge the absence of levers in its disposal to retain Lithuania within the framework of the Soviet legitimacy, nevertheless it was making consistent effort to hold Vilnius in the sphere of its influence.

Russians, apparently, related the implementation of this aim first of all with the resolution of the issue of military transit through the territory of Lithuania. Even though Lithuania was now free from the presence of the Russian army, it nevertheless was surrounded with it from all sides. On the one hand there was movement from the West to the East as the army was being withdrawn from the East Germany, and on the other hand there was some movement from the East to the West, as Russia had to ensure supply of its military formations concentrated in the Kaliningrad Oblast. In addition, military forces of the Russian Federation were continued to be deployed in Latvia (and Estonia). It should be noted that a part of the Russian army withdrawn from Latvia and Estonia was channelled to the Kaliningrad Oblast.

Hence, it is understandable that already from January 1993 Lithuania "agreed to allow Russia" to use Klaipėda port in transporting its military formations from Germany "homeward bound as well as to/from Kaliningrad"<sup>14</sup>.

During the negotiations between Lithuania and Russia, which took place in mid September 1993, it was essentially agreed on the Russian military transit from Germany through Lithuania alongside with a compromise over payments for it. It was also agreed over the cooperation in the area of air, sea and river transport. Finally, on 4 November the Lithuanian President A.Brazauskas went to Moscow for his first official visit where he met with the RF President B.Yeltsin. In the course of negotiations important agreements were discussed, though they were not signed due to technical obstacles. Therefore, it was agreed that the RF Prime Minister Victor

Chernomyrdin would come to Vilnius in mid of November to sign these documents.

As it was agreed, on 18 November, the RF Prime Minister Victor Chernomyrdin arrived to Vilnius for an official visit. He noted that in the course of negotiations mention was also made about military transit from Russia to Kaliningrad through the territory of Lithuania. He stated that it was decided that agreements for regulating all the issues related with military transit would be signed already in the first quarter of 1994. Ten agreements were signed on the same day, the most important of which was the agreement signed by the Lithuanian and Russian Prime Ministers A. Ąlepevičius and V. Chernomyrdin on economic relations which granted Lithuania the most-favoured-nation status in trade and ensured tax free transit of goods through the territories of the countries concerned.

It should be noted that another equally important agreement was signed to regulate transit transportation of Russian armed forces and military cargoes withdrawn from Germany through the territory of the Republic of Lithuania, as well as an agreement providing for relevant tariffs and payments. This agreement established the procedure for the movement of the Russian army through the territory of Lithuania which was expected to become effective from 18 November 1993, but be valid not longer than until 31 December 1994.

This constituted the famous November 1993 "Agreement Package" which has since been regulating a whole range of areas of the Lithuanian-Russian relationship. Nevertheless, the implementation of the agreements was far from easy. The rules regulating the passage of the Russian army through the territory of Lithuania came into effect immediately. Though the ratification of the agreement on the most-favoured-nation status in trade which was important for Lithuania continued to be delayed in fact all through 1994. As the agreement between Lithuania and Russia on the passage of the Russian army through the territory of Lithuania was effective only until 31 December 1994, all through the year of 1994 Russia was actually pressing Lithuania to sign a special transit agreement granting Russia special rights to freely execute military transit to/from the Kaliningrad Oblast through the territory of Lithuania by rail, air and road transport.

In late 1993 and early 1994, Russia submitted to Lithuania several draft agreements on military transit. Upon having analysed those draft agreements and "having assessed the possible consequences of the military transit", the Lithuanian working group for talks with the CIS states, already in March 1994 decided that "no bilateral or multilateral agreements on military transit should be signed with individual countries" and proposed to prepare uniform rules on the transportation of military and hazardous

cargoes through the territory of Lithuania approved by the Government and valid for all countries<sup>15</sup>.

Moreover, it should be noted that in late 1993 and early 1994, there occurred important changes in the Lithuanian internal and foreign policy. Under the pressure from the opposition and in response to the outcome of the December 1993 Joint North Atlantic Council and WES Council meeting, the Seimas of Lithuania adopted a resolution on 23 December 1993 which recommended the Government to submit an official request for Lithuania to be accepted to NATO and prepare the foreign policy conception of the country<sup>16</sup>. On 4 January 1994, the President of Lithuania Algirdas Mykolas Brazauskas sent a letter to NATO Secretary General Manfred Wörner with a formal request for membership in NATO.

An interesting fact is that on the same day – 4 January – the Embassy of the Russian Federation in Vilnius prepared a note to the Lithuanian Ministry of Foreign Affairs with a request to explain “the order for the issue of permits for military transit transportation from Latvia and Estonia to/from the Kaliningrad Oblast”, as from 1 December 1993 Lithuanian authorities allegedly were not dealing with those issues. On 6 January already the Lithuanian Embassy in Moscow received a note prepared (on 5 January) by the Russian Ministry of Foreign Affairs stating that “transit transportation of military units through the territory of the Republic of Lithuania to the Kaliningrad Oblast and back have recently become complicated.” Pending the conclusion of an agreement on the military transit, Moscow requested Vilnius not to hinder the transportation of military units<sup>17</sup>.

On 19-20 February 1994 an incident occurred on the border of Lithuania. Without due permission to do so, Russia sent a train with military cargoes. The train was detained by Lithuanian officials. As soon as on 28 February, the head of the Lithuanian negotiating team Ambassador Virgilijus Bulavas informed that Lithuania was going to prepare its own regulations on military transit while in the interim the procedure which was previously valid in respect of the Russian army withdrawn from Germany was to be applied<sup>18</sup>.

On 9 March 1994, the Lithuanian Government adopted a decision pursuant to which, pending the approval of the regulations on transporting dangerous and military cargo, such transit transportation was in the interim to be regulated by the 18 November 1993 agreement and protocol on Russian military transit transportation from Germany via Lithuania. The Russian side found such position *unacceptable*.

Instead of agreeing with the general regulations on transporting dangerous and military cargo proposed by Lithuania, Russia continued demanding a special political agreement tailor-made for Russian military

transit to Kaliningrad. Thus in a meeting of working groups in June 1994, the head of the Russian delegation tried to convince the head of the Lithuanian working group for talks with the CIS states that Lithuania ought to abandon the attitude based on emotions, use propaganda to convince the society, and sign a "political document" with Russia. The Russian side argued that on this occasion Russia could not decide the issue in the same way as it dealt with the withdrawal of the army, i.e. without an agreement<sup>19</sup>.

The requirement of Russia to sign a political agreement was met with a particularly strong resistance on the part of the opposition political forces. They believed that by signing a political agreement with Russia on military transit, Lithuania would automatically be included into the Russian military-political sphere of influence and find itself under certain political commitments in respect of Russia, while the Lithuanian freedom of manoeuvre on international scale would be considerably more restricted and far more dependent on Russia than before. Under the pressure of the right parties, the Lithuanian Government also decided to give up political agreement and just limit itself to adopting unilateral technical transit regulations. Seeing the lack of support on the Lithuanian side to its proposal, Russia in its turn started finding fault with the technical regulations proposed by Lithuania.

Thus no definite agreements were reached in the first half of 1994. In pursuit of its own goals, Russia continued postponing the ratification of the economic agreement signed on 18 November 1993 and started issuing threats that it would limit gas and oil supply and apply other *measures of economic pressure*. The doubling of taxes on import to Russia could be attributed to the latter. The Lithuanian Prime Minister A.Đlepevičius characterised such economic policy of Russia as aggressive and hinted about a possibility of limiting electric power supply to the Kaliningrad Oblast. Double taxation applicable to the export of Lithuanian goods to Russia was disadvantageous not only for Lithuania but likewise to Russia itself. On 19 August, the Moscow Mayor Jurij Luzhkov visited Vilnius and promised to encourage the Russian Government to renew relations with Lithuania. The Mayor expressed his concern about the notable decrease in the exports of relatively cheap Lithuanian goods to Moscow brought about by double taxation. The same was reiterated by Vladimir Shumeiko, Chairman of RF Federation Council who visited Vilnius on an official two-day visit on 5 September. He acknowledged Russia's delay in granting Lithuania most-favoured-nation status in trade. He maintained that the document would have to come into effect before the agreements on visa-free travel and military transit were signed.

In the summer of 1994, Vilnius prepared the final version of the regulations on military transit and sent it to be evaluated by foreign experts who concluded that Lithuania's position in unilaterally establishing regulations on the military transit could be justified by the fact that it was requesting no military transit through the territory of the Russian Federation<sup>20</sup>. On 16 September a meeting of the Lithuanian and Russian delegations was held in Vilnius which was also attended by the President of the Republic of Lithuania A.Brazauskas. The head of the Russian delegation, deputy Foreign Minister S.Krylov noted that Moscow was awaiting for the draft agreement prepared by Lithuania and would welcome an expedited completion of the work. The President expressed a similar attitude by stating that the agreement on military transit was expected to be prepared without delays and lengthy discussions.

On 29 September 1994, the Lithuanian Prime Minister A.Šleževičius announced that the regulations on transit transportation of dangerous and military cargo through the territory of Lithuania were prepared by the Government. On 3 October these regulations were approved by the Government Resolution No. 938<sup>21</sup>. The process of discussion of the issues of military transit was accompanied by constant reproaches to the Lithuanian Labour Democratic Party (LLDP) from the part of the opposition concerning a possible loss of independence and the "ambiguous" position in respect of Moscow. The opposition maintained that the ambiguity of the Government's political position on this issue and the confidentiality of negotiations, where vital decisions for Lithuania were taken just by a narrow circle of persons, presented a great danger. "Still the question remains", spoke the leader of the opposition V.Landsbergis in the conference held by the Conservative party on the issues of transit on 12 November 1994, "how far are the leaders of Lithuania gone with their obscure promises and commitments"<sup>22</sup>.

It was most probably late in the autumn of 1994 that Lithuania's position in negotiations finally took shape, the essence of which could be described as follows: military transit should not be stopped, negotiations should continue, though avoid entering into any binding agreements with Russia and submit the regulation of transit to the rules established by Lithuania on sovereign grounds. Such attitude of Lithuania was also supported by the US Deputy Secretary of State Lynn E.Devis who visited Vilnius on 26 October 1994. During her visit she stated, "I believe that whatever is the decision, it would not prevent Lithuania from becoming a full member of European political and military organisations, nevertheless the issue ought to be resolved in such a way that it would not impair the sovereignty of your country [Lithuania]"<sup>23</sup>.



It is, however, necessary to note that the attitude of other Western countries towards the Russian military transit via Lithuania was different from the American position. Thus, on 21 December 1994 the German Embassy to Lithuania promulgated a statement on behalf of the European Union states where the official Vilnius was invited to conclude an agreement with Russia<sup>24</sup>.

The following day after L.Davis's statement, A.Ėlepievičius announced that the regulations adopted by Lithuania were to come into effect on 1 January 1995, and "they were not subject to negotiation with any foreign state"<sup>25</sup>. On 28 October, this position was reiterated by A.Brazauskas.

Nevertheless, Russia continued to pressurise Lithuania into signing an agreement on military transit, and refused to acknowledge the regulations established by Lithuania on 3 October. On 11 November, the Russian negotiation delegation headed by Isakov visited Lithuania. No agreement was nevertheless reached at that time either. On 17 November, A.Ėlepievičius repeatedly announced that the unilateral regulations on transit established by the Government of Lithuania were to come into effect on 1 January 1995<sup>26</sup>.

The next round of negotiations was held in Moscow in late December 1994. The Lithuanian negotiating group was headed by A. Januška, Secretary of the Ministry of Foreign Affairs, and the head of the Russian negotiators was S.Krylov, Deputy Minister for Foreign Affairs. It looked like no agreement would be reached that time either. The Russian side based their arguments on the fact that the military transit from Germany was over, and demanded a new agreement to guarantee that the order of transit was changed only by means of bilateral negotiations. The Lithuanian delegation refused to accept such a position. Vilnius offered an outcome from the impasse by suggesting a return to the idea of the exchange of notes. Thus it would enable to continue applying the old transit procedure established by the agreements of November 1993, which meant postponing the enforcement of the October 1994 regulations, concurrently rendering unnecessary any formal bilateral agreement.<sup>27</sup> After this suggestion, the Russian delegation asked for an adjournment of the negotiation.

Finally, in the aftermath of the negotiations of the Lithuanian Foreign Minister P.Gylys held in Moscow on 18 January 1995, it was announced that the Lithuanian Government extended for the benefit of Russia the period of validity of the military transit rules established on 18 November 1993 by the agreement between the Governments of both countries on the transit of Russian army and military cargoes withdrawn from Germany via Lithuania. According to P.Gylys, those rules were expected to be effective until the end of 1995, subject to prolongation. The Lithuanian Foreign Minister maintained



that it was a victory for both sides. He insisted that the differences between the regulations in force from January 1995 and those adopted by the Government in the autumn of 1994 were only of technical character. The new regulations were expected to be more specific and provided for the possibility of transit by air. Flights over the territory of Lithuania were allowed exceptionally upon special permits. In explanation why the new transit regulations did not come into effect on 1 January, P.Gyls stated. "It was not a categorical attitude of Lithuania, just a negotiating position"<sup>28</sup>.

In response to the concession made by the Government of Lithuania by extending the validity of the so-called "German" regulations, Russia finally allowed the implementation of the most-favoured-nation regime in the trade with Lithuania. On 18 January 1995, the Lithuanian Ambassador to Russia R.Kozyrovičius received two notes of the Russian Ministry of Foreign Affairs. One of them informed about the coming into force of the agreement on trade and economic relations signed on 18 November 1993, effective on the date of the presentation of the note concerned. By its other note, the Russian Ministry of Foreign Affairs notified about Russia's consent with the proposal of the Lithuanian Government to further apply the existing procedure of transporting dangerous and military cargoes through Lithuania.

How should the agreement established in the notes of 1995 be assessed? At that moment, this agreement was treated as a compromise. This kind of assessment could be supported by the fact that Vilnius did not manage to make Moscow accept the regulations on military transit adopted by Lithuania, while Moscow was not able to make Vilnius sign a political agreement on military transit.

However in retrospect, the exchange of notes which took place on 18 January 1995 ought to be regarded as a victory of the Lithuanian diplomacy. The fact is that the notes were based on the agreement of 18 November 1993 which fixed military transit of the Russian Federation from Germany and did not legitimise the military transit through the territory of Lithuania to/from Kaliningrad. This means that with the completion of the "German" transit, Moscow had no legal grounds to claim that the Russian military transit via Lithuania was legitimised permanently (in practice, from the 18 November 1993 agreement there remained in force only a protocol supplement concerning the technical aspect<sup>29</sup> – transit – of the process; it was naturally replaced by more detailed regulations on military transit adopted by the Government of Lithuania on 3 October 1994<sup>30</sup>).

It is also very important to emphasise that the exchange of notes did not have the effect of international agreement. It only testified, and still does, a certain state of consensus between the two countries. There is still more to it. Having in mind the sequence in the exchange of notes (Lithuania

was first), it is obvious that Russia in essence agreed with the unilateral decision of Lithuania (to grant **temporary** permit in respect of the military transit of the Russian Federation).

In answer to an eventual question how Lithuanians managed to gain a victory of this kind, it is possible to highlight several factors: the context of the negotiations with Russia over military transit was under the influence of Lithuanian policy factors – opposition pressure upon the Government<sup>31</sup>; equally significant was also the contribution of the Lithuanian negotiators whose position was favourably evaluated by Americans<sup>32</sup>.

## ***2. Regulation of the military transit of the Russian Federation through the territory of Lithuania and its practical execution***

As it was mentioned above, the agreement between the Governments of the Republic of Lithuania and the Russian Federation “On the Transit of Troops and Military Cargo of the Armed Forces of the Russian Federation Withdrawn from the German Federal Republic through the Territory of the Republic of Lithuania” (18 November 1993) intended to regulate military transit of the Russian Federation through the territory of the Republic of Lithuania to/from Kaliningrad operates on the basis of a political ritual.

In practice, there *de facto* operates the “Regulations for Transportation of Hazardous and Military Cargo of Foreign States through the Territory of the Republic of Lithuania” approved by the Government of the Republic of Lithuania Resolution No. 938 adopted on 3 October 1994. This Resolution was modified on 6 June 1997 by the following acts: Government of the Republic of Lithuania Resolution No.572 “On the Authorised Representative of the Government of the Republic of Lithuania for Military Transportation through the Territory of the Republic of Lithuania”; Government of the Republic of Lithuania Resolution No.691 (“On Partial Amendments to Resolution for Transportation of Hazardous and Military Cargo of Foreign States through the Territory of the Republic of Lithuania”<sup>33</sup>) of 19 June 2000; Government of the Republic of Lithuania Resolution No. 695 “On Partial Amendments to 3 October 1994 Resolution No 938 of the Government of the Republic of Lithuania for the Approval of the Regulations for Transportation of Military Cargo of Foreign States through the Territory of the Republic of Lithuania” of 11 June 2001 and “On Recognition as Invalid Resolution No. 572 of 9 June 1997 “On the Authorised Representative of the Government of the Republic of Lithuania for Military Transportation through the Territory of Lithuania”; Government of the Republic of Lithuania Resolution No.63 of 17 January 2002 “On Partial Amendments to 3 October 1994 Resolution No 938 and on the Recognition as Invalid Resolution No. 97 of 20 January 1995”<sup>34</sup>.

These amendments served to improve the practical execution of the military transit of the Russian Federation through the territory of Lithuania (the institutional framework for the process of the Russian military transit was determined, e.g. the Transportation Service of the Lithuanian Ministry of Defence was the institution responsible for planning, coordination and control of the execution of military transit, regulating the issuance of single-use permits, etc.).

Some of the amendments to the Government Resolutions mentioned above are related with the process of Lithuania's accession to the European Union. On 17 January, the European Commission stated that the current military transit was regulated by special agreements between Lithuania and Russia and underlined the necessity to review those agreements within the context of enlargement, having in mind the Lithuanian commitments within the framework of the implementation of European Union directives on the transportation of hazardous cargo, likewise the Lithuanian commitments in implementing the Schengen *acquis*. It is worth mentioning that the EU does not introduce any definite requirements, and the issue of military transit is not included in the negotiations chapters.

The entire practice of the Russian military transit via Lithuania proves that despite sporadic events (arrival of unscheduled transports; untimely submission of additional plans; cases of transports bearing no longer existent forwarding company codes; instances when the cargo specified in the plans does not conform to the items indicated in the cargo documents; parts of transport separated in the result of a breakdown arrive without cargo documents; instances of the failure of commanders to check in with the Commandant's Headquarters) Lithuania has formed quite an efficient and functional mechanism for the regulation/administration of the military transit.

It should be noted that the military transit of the Russian Federation via the airspace of the Republic of Lithuania is also regulated. This is determined by the Republic of Lithuania Law on the State Border and Protection Thereof and the Regulations on the Use of the Airspace of the Republic of Lithuania. These documents establish the procedure for such transit flights (procedure for obtaining permits, form of application, routes, etc.). It is necessary to state that Lithuania still lacks the necessary instruments to adequately determine the content of the cargo under transportation.

### **3. Past and present cases of military transit in the international practice**

It is obvious that in determining whether the Russian military transit to/from the Kaliningrad Oblast is a unique case, regard should be given of comparative analogues.

Such analogues are not difficult to find, and they may even be divided into several groups.

First, the group attributable to the "Russian experience". The following cases might serve as concrete examples: Bosphorus – Dardanelles, "East Chinese Railway" and Port Arthur, Finland's Porkkala – Udo, Transdnestr, etc. The other examples would be the military transit by rail from Germany to Eastern Prussia through the "Polish corridor", West Berlin, Gibraltar, Alaska<sup>35</sup>.

In general, disregarding details, cases of military transit could be classified in accordance with three principles:

a) if the states belong to the same security structure, i.e. they pose no threat to each other, or the threat is minimal: in such cases military transit of one of them via another does not cause any major political problems and traditionally is administered on the technical level (e.g. U.S. – Canada); though it should be emphasised that in each case a political decision may eventually be taken<sup>36</sup>;

b) if countries belong to different defence structures, i.e. they present a threat or a likely to present threats to each other, in such case military transit of one country through the territory of the other is essentially a matter of political will of the latter (e.g. passage of Russian military vessels through the straits controlled by Turkey<sup>37</sup>);

c) if one of the states imposes its will upon another state, in such cases both the military transit and its political instrumentation is in essence the expression of the will of that first state (e.g. Russian railway through the territory of China, Porkkala-Udo case<sup>38</sup>).

Nevertheless, it is necessary to emphasise that within this particular context of the Russian military transit to/from Kaliningrad, reference is traditionally made to two historic analogues: the so-called Danzig corridor and the West Berlin corridor. Like any other case, the two ones mentioned above existed in different historic contexts and varied in concrete historic details. However, the principal issue cannot be ignored – both the Danzig and West Berlin corridors connected organic territories of Germany. In other words, the transit issues at that time were based on the organic link of those territories with Germany and were founded on the historic dependence of those territories. Meanwhile the link of the Kaliningrad Oblast with Russia has a historically determined limited context. In fact, the former East Prussia with Königsberg was ceded to the Soviet Russia in the aftermath of the Second World War to ensure the subordination of the East Baltic region to the Soviet Union. Moscow had never had any other historic rights to that territory. Hence, any references today to the allegedly existing organic link between the oblast and the continental Russia would concurrently imply

the continuing dependence of the East Baltic region to Russia. As now the independence of Lithuania, as well as other states of the East Baltic Sea region is unquestionable, the present independence of the Kaliningrad Oblast may be regarded as a certain historic atavism, as a specific situation, the problem of which falls exclusively under the remit of the Russian Federation, as for example, the Falkland Islands is a problem of Great Britain. In other words, in resolving the problem of its connection with the Kaliningrad Oblast, the Russian Federation has neither historic nor any legal basis to encroach upon the sovereignty of the Baltic States<sup>39</sup>.

### *Conclusions*

To start with, the research shows that the juxtaposition of the so-called “high” and “low” politics in the literature devoted to military transit of the Russian Federation to/from the Kaliningrad Oblast through the territory of the Republic of Lithuania lacks foundation. It has been proved that the currently existing concrete – military transit – issue and its regulation was determined by the position of Western states, and first of all that of the U.S. In other words, the signals sent at certain periods by Washington to Vilnius played a truly significant, perhaps even crucial role.

A formal analysis of the issue would testify that the presently operating Russian military transit to/from the Kaliningrad Oblast through the territory of the Republic of Lithuania constitutes no legal-political grounds to encumber Lithuania’s Euro-Atlantic integration.

The course of the transit history evidenced a dilemma. On the one hand, the Russian Federation was seeking to formalise the military transit by a political agreement, thus actually retaining Lithuania in its sphere of influence. Moscow tried to realise this endeavour by relating it primarily with economic issues, thus procuring a sufficiently strong support in Lithuania itself.

Another tendency: Lithuania’s efforts to stay away from political commitments to Russia over transit and resolve this issue within the competence of Lithuania’s will.

A certain compromise between these two tendencies was the 18 January 1995 exchange of notes. These notes “enframed” a certain *status quo* by recording the existing state of affairs – the Russian military transit was executed in accordance with the so-called German Rules (endorsed by the 18 November 1993 agreement) which regulated the order and procedure of essentially the same kind of transit.

In the course of time, the practice of the military transit of the Russian Federation to/from the Kaliningrad Oblast via Lithuania underwent evolu-

tion and started to be executed pursuant to the regulations approved by the Government of Lithuania "On Transportation of Hazardous and Military Cargo of Foreign States through the Territory of the Republic of Lithuania" (No.938 of 3 October 1994, with some derogation). It should be emphasised that the order provided for in these Regulations was getting more stringent, i.e. the amendments introduced by the Government of Lithuania on 19 June 2000, on 11 June 2001 and on 17 January 2002 prescribed a stronger dependence of the Russian military transit via the territory of Lithuania upon Lithuania's decisions. In such a way Lithuania emphasised its political will to honour commitments in relation with the Euro-Atlantic integration.

It is necessary to stress that this "German rules precedent" *per se* conditioned temporariness, as it referred to the transit of Russian troops withdrawn from Germany. Consequently, there is in essence no legal agreement between the Republic of Lithuania and the Russian Federation to legitimise the Russian military transit to/from Kaliningrad via the territory of Lithuania. The factually operating transit constitutes an issue decidable within the discretion (arbitrary competence) of Lithuania.

In the broader perspective of political methodology, this issue calls forth the following observation. In the written works upon the military transit of the Russian Federation through the territory of the Republic of Lithuania, there surface several essential mutually contradictory attitudes: one view is that the Russian military transit via Lithuania may eventually cause consequential problems, the "burden" of which should not be forced upon NATO; meanwhile the others maintain that it is precisely NATO which should resolve the issue of the relevant Russian military transit.

It is necessary to state that neither of the versions actually manages to pinpoint the *structure and essence* of the problem under discussion. The statement that NATO applicants should not have any problems with their neighbours does not seem to be a constitutional provision of NATO. It is unlikely that this principle was applicable in respect of the founding states, or any other country that joined NATO later (e.g. GFR). The matter is that the NATO countries are in essence democratic states with a more or less extensive potential of democratic experience (certainly, Greece and Turkey could be an exception; though a separate political decision was made in their respect). Thus the nucleus of NATO consisted of democratic states which had on their own formed a mechanism for deciding economic, social, political and other problems, while their internal system did not present any outward aggression. Essential problems for those countries could be externally forced upon them, so basically that was the reason for their unification into a defensive block.

The criterion of “having no problems with neighbours” appeared only in the aftermath of the Cold War, when NATO started expanding into the Central and Eastern European region. The countries located in that region had no democratic potential mentioned above, while their capability to resolve their problems by themselves, the more so without imposing them upon other states, was unlikely. Thus the above criterion might imply that the new NATO candidates are supposed to at least minimally have implemented the principles of internal and external democratic coexistence. Most obviously, this is how the content of the “having no problems with neighbours” criterion should be interpreted. It certainly does not mean that the countries of Central Europe which conform to that requirement can escape problems forced upon them from the outside. This is exactly the eventuality which gives them impetus to join NATO.

The same methodological principle could be used to interpret/explain the issue of Russian military transit to/from Kaliningrad via Lithuania. In other words, Lithuania must conduct itself as a democratic state on all levels of its relations with Russia: starting with the highest institutional level and finishing with cooperation in the establishment of border crossing points. If Lithuania ensures sufficiently effective performance of democratic institutes, if its economy is a transparent market economy, and Lithuania avoids getting entangled in the web of corruption and smuggling, then problems with the military transit through its territory may arise exclusively from the Russian side. This problem may be of significance not only for Lithuania but eventually also for other democratic states, including NATO.

Obviously, this methodological principle is not able to act on its own without taking in regard the geopolitical area. If the balance of powers in the region turns not for the benefit of democracy, it is obvious that all the efforts of Lithuania to manage its affairs in a democratic way will be rendered futile. On the other hand, even if within the prevalence of democratic forces, Lithuania itself started generating problems, its integration into the structures of democratic states would become problematic.

### ***Possible scenarios and recommendations***

The views presented above make it possible to shape a pattern of the following possible scenarios of Russian military transit to/from the Kaliningrad Oblast through the territory of the Republic of Lithuania. It is necessary to note from the outset that the fate of those scenarios will in general depend upon the geostrategic constellation.

The first scenario (pessimistic). In the event of fracture of the Euro-Atlantic integration axis, i.e. the retreat (being ousted) of the United States



from the continent of Europe, it is possible to state with conviction that Lithuania's possibilities to withstand Russia will be reduced to the minimum. In other words, Lithuania would be deprived of any defences against Moscow's pressure to legitimise Russian military presence in Lithuania.

The second scenario (optimistic). If Lithuania becomes a full and equal member of the Euro-Atlantic structures, i.e., it becomes a NATO and EU member state, the threat from the part of Russia to escalate the so-called Russian military transit question would be reduced to the minimum.

The third scenario (moderately optimistic). If the international system takes such a course of development that the Russian Federation is also involved in the Euro-Atlantic integration process, it is possible to predict that Russia would retain possibilities to manipulate the issue of the Russian military transit already within the context of the NATO block. Lithuania would most probably be recommended by the West to arrange the legal side of the military transit of the Russian Federation through its territory. Nevertheless, even in such an instance, there is no serious grounds to maintain that manipulation of this kind might present any real threat to the security of Lithuania.

There is no reason to believe that the West in general – and especially the U.S. in particular – that did not recognise the right of Russia to dominate in Lithuania even at the time when Moscow had the factual power to do so, would suddenly allow the Kremlin to do this with Lithuania having become a NATO member. A real threat in the latter case could be posed only by certain pro-Russian lobbyist groups in Lithuania resorting to economic or any other pragmatism (first of all in the energy sector).

It could be stated that the currently operating military transit of the Russian Federation through the territory of the Republic of Lithuania to/from the Kaliningrad Oblast causes no problems on the political level. Nevertheless Moscow is regularly stirring up the issue by claiming that transit of this kind is allegedly not regulated under international law. The refusal of Vilnius to accept this argument is based on the circumstance that the practical execution of the Russian transit through the territory of Lithuania causes no complications, while the pressure exerted by Moscow to form legal foundation for its transit through Lithuania is groundless.

This situation relatively defines the *status quo* of the Russian military transit. It should be noted that if the first of the scenarios of the international environment development described above is realised, apart from its political will, Lithuania would have no instruments available to influence the eventualities of Russian military transit through its territory.

With the course of events under the second scenario, the instruments at the disposal of Lithuania would include a consistent implementation of



MAP and the accompanying measures with the support of Western democratic structures.

In the case of the third scenario, under which Lithuania could be recommended to provide legal framework for the military transit of the Russian Federation through the territory of the Republic of Lithuania, it is obvious that Moscow would again seek a relevant political agreement. In this event, the position of Vilnius ought to be unequivocally oriented towards a refusal of annual renewing of the military transit on the basis of the notes of 18 January 1995, which in essence bears only ritual character. Vilnius would have to demand the military transit through its territory to/from Kaliningrad to be both factually and formally-legally carried out on the basis of its (Lithuania's) internal jurisdiction. The key formal argument to support this position might be the circumstance that the notes concerned are based on the 18 November 1993 agreement between the Republic of Lithuania and the Russian Federation upon the transit of the latter's army withdrawn from Germany. This agreement in particular documented the transience of the process concerned by *de facto* defining the period of validity of the agreement itself.

#### NOTES AND REFERENCES

<sup>1</sup> Asmus R. D., Nurick R. C. *NATO Enlargement and the Baltic States in Survival*. – 1996 Summer. – Vol.38 – No. 2. – P.122-123.

<sup>2</sup> Fairlie L.D. Kaliningrad – Recent Changes in Russia's Exclave on the Baltic Sea. – The unpublished paper presented for the participants of the first round-table discussion "The Future of Kaliningrad Oblast" organised by the Institute of International Relations and Political Science, Vilnius University and Lithuanian Foreign Ministry. – September, 1998. – P.6.

\* Vytautas Landsbergis, then the Chairman of the Seimas of the Republic of Lithuania, said that, "the alleged political problem – Russian military transit to the Kaliningrad enclave – ... will disappear when Lithuania becomes a NATO member". – Fairlie's note.

<sup>3</sup> Vellmann K. Kaliningradskij eksklav Rosiji na pereputje o vzaimosvazi mezhdru ekonomicheskim razvitiem i politikoj bezopasnosti in Kaliningradskaja Oblast. – Segodnia, Zavtra. – Moskva, 1995. – S. 62-63; Wellmann Ch. The Kaliningrad Oblast in the Context of Baltic Sea Region Security. – Draft version. 1997. – P. 7-8.

<sup>4</sup> Prezidento V.Adamkaus vizito į Maskvą kontekstas ["The Context of the President V.Adamkus' Visit to Moscow"] // Lietuvos Rytas. – March 2001.

<sup>5</sup> Atgimimas. – Vilnius, 13 April 2001.

<sup>6</sup> Besides, the commenced process of USSR's reform (disintegration) was promoted by a whole range of decisions taken at various levels. For instance, on the global level, the G-7 Group adopted a resolution to finance the development of new democratic structures in the so-called socialist camp in order to ensure the smoothest possible adaptation to the transformation process; on the local level such were the decisions of the Gorbachev administration to create the fertile soil for the sprouts of market economy (the so-called co-operative movement, etc.). Besides, the Soviet nomenclature was the first to take advantage of all this.

<sup>7</sup> It is necessary to note here that every step is not irreversible. See: Craig G.A., George A.L. *Force and Statescraft. Diplomatic Problems of our Time*. – New York, Oxford: Oxford University Press, 1995. – P.103-116, 118-136. Similar attitudes are presented by Barry Buzan who argues that, "in

defining regional security, the principal element that must be added to power relations is the pattern of amity and enmity among states. By amity I mean relationships ranging from genuine friendship to expectations of protection or support. By enmity I mean relationships set by suspicion and fear. Separating these two poles is a broad band of indifference and/or neutrality, in which amity and enmity are either too weak to matter much, or else mixed in a way that produces no clear leaning one way or the other". – Buzan B. *People, States and Fear. An Agenda for International Security Studies in the Post-Cold War Era.* – New York, London, Toronto, Sydney, Tokyo, Singapore: Harvester Wheatsheaf, 1991 (2<sup>nd</sup> ed.). – P. 189 – 190.

<sup>8</sup> Clark D. *Poland and Soviet Troops in Germany in RFE/RL, Report on Eastern Europe.* January 25, 1991, P.40-44.

<sup>9</sup> It should be noted that even in April 2001, the Russian State Duma held public hearings on the issues of the Kurils and Kaliningrad Oblast. See: Public Hearings Kurils, Kaliningrad held in Moscow. – ITAR-TASS. – April 17, 2001.

<sup>10</sup> Vitkus G. *Lietuvos ir Rusijos santykiai 1990-1996 m* [Lithuanian-Russian relations in 1990-1996]. // *Politologija.* – 1997. – No.1 (9). – P.65.

<sup>11</sup> Bungs D. *Progress on Withdrawal from the Baltic States in RFE/RL, Research Report.* – June 18, 1993. – Vol.2. – No. 25. – P.52.

<sup>12</sup> In January 1993, Ė.Stankevičius, head of the Lithuanian state delegation for the negotiations with Russia, informed the Lithuanian Foreign Minister P.Gylys about a draft agreement on the military transit submitted by the Russian delegation in the negotiations which included proposal for Lithuania "to award Russia with the right of free military transit through the territory of Lithuania to the Kaliningrad Oblast, likewise to allow military transit transportations of the Russian armed forces withdrawn from Germany". See: Archives of the Lithuanian Ministry of Foreign Affairs (LFM Archives). See also: Krickus R. *The Kaliningrad Question.* – Lanham, Maryland and Littlefield, 2002. – P. 62.

\*The authors want to express special appreciation to the authorities of the Lithuanian Ministry of Foreign Affairs and the personnel of the Archives of the Ministry for the presented opportunity to research the Archives.

<sup>13</sup> From the authors' interview with the then Minister of Defence Audrius Butkevičius. 13 February 2002.

<sup>14</sup> Baltic News Service, January 21, 1993

<sup>15</sup> Pastabos apie kariną transitą [Comments on the Military Transit]. – LMFA..

<sup>16</sup> Lopata R., Vitkus G. *NATO: vakar, šiandien, rytoj* [NATO: Yesterday, Today, Tomorrow]. – Vilnius, 1999. – P.242.

<sup>17</sup> See: LMF Archives. The Lithuanian Ministry of Foreign Affairs answered to those Russian notes only on 14 March. In its note to the Embassy of the Russian Federation, the Lithuanian Ministry of Foreign Affairs stated that transportation of military cargoes was regulated by the November 1993 agreements.

<sup>18</sup> BNS, 28 February 1994.

<sup>19</sup> At the same meeting the regulations on military transit prepared by Vilnius were presented to the Russian delegation. The Russian officials in essence approved them though concurrently put forward several requests of their own: passage of 2-3 trains a year with army conscripts through the territory of Lithuania; military transit by road; no customs control for military transport.

<sup>20</sup> See: LFM Archives.

<sup>21</sup> Government of the Republic of Lithuania Resolution "On the Approval of Regulations for Transportation of Hazardous and Military Cargo of Foreign States through the Territory of the Republic of Lithuania". 1994.

<sup>22</sup> Landsbergis V. *Derybos vienam atsiklaupus? [Negotiation with One Party on his Knees?]* // *Lietuvos Aidas.* – 1 December 1994.

<sup>23</sup> Extracts from a book to be published by Ė.Stankevičius presented to the authors for use in the present work.

<sup>24</sup> Ibidem

<sup>25</sup> Ibidem

<sup>26</sup> Vitkus G. *Lietuvos ir Rusijos santykiai 1990-1996m.* [Relations between Lithuania and Russia in 1990-1996] // *Politologija.* – 1997. – No.1(9). – P.89.

<sup>27</sup> LMF Archives.

<sup>28</sup> Minsitrui – lanksti politika, o opozicijai – vėl apgaulė [Flexible Policy for the Minister, Deceit again for the Opposition] // *Lietuvos Rytas.* – 19 January 1995.

<sup>29</sup> Sirutavičius V., Nekrašas E., Lopata R. (eds.). Svarbiausios Lietuvos Respublikos tarptautinių sutarčių [Basic International Agreements of the Republic of Lithuania]. – Vilnius, 1997. – P. 190 – 199.

<sup>30</sup> Lietuvos Respublikos Vyriausybės 1994 m. spalio 3 d. nutarimas Nr. 938 [Resolution No.938 of the Government of the Republic of Lithuania adopted on 3 October 1994] // Valstybės žinios. – Nr. 78-1478.

<sup>31</sup> The authors' interview with V.Landsbergis, then the leader of the Seimas opposition, 20 February 2002.

<sup>32</sup> The authors' interview with the then Secretary of the Ministry of Foreign Affairs A.Januška, 19 February 2002.

<sup>33</sup> Valstybės žinios – No.51 – 1464

<sup>34</sup> It is stated *inter alia* in this Resolution of the Government of the Republic of Lithuania that "It shall be forbidden to execute military transit through the territory of the Republic of Lithuania where this constitutes violation of sanctions established by the UN, EU or OSCE, or it is required by the national interests of Lithuania, international agreements or the commitments of the Republic of Lithuania. No reasons have to be given for a refusal to issue a permit on the grounds specified in the present Point".

<sup>35</sup> Gaddis J.L. We Now Know. Rethinking Cold War History. – Oxford: Clarendon Press, 1997. – P. 113-151;

<sup>36</sup> E.g. Having decided to take retorsion against Libya in 1986, the U.S. and Great Britain found themselves in the situation where their bombers were denied passage both by GFR and France through their relevant territories. See: Discussion "Tranzito geopolitika"[Transit Geopolitics] in *Atgimimas*. – 3 August 1994. – No.31.

<sup>37</sup> Chernomorskije prolivy [The Black Sea Straits]. – Moscow, 1999.

<sup>38</sup> Nevakivi J. Finnish Security policy in Geostrategic perspective in Arteus G., Nevakivi J. (eds.). Security and Successity. – Stockholm: Forsvarshogskoons Acta, 1997. – P. 22 – 24.

<sup>39</sup> Furthermore, the languid attitude of the Kremlin in dealing with the social-economic problems of the Kaliningrad Oblast only demonstrates the fact that Moscow in essence realises certain temporariness in Kaliningrad's belonging to the Russian Federation.

# CONCEPT OF EUROPEANISATION AND ITS PLACE IN THE THEORIES OF THE EUROPEAN INTEGRATION

*Klaudijus Maniokas*

## *Introduction*

Nowadays a lot of attention has been given to the issue of the impact of the European integration to the member states of the EU and to the other states outside the borders of the European Union as well as to respective adaptation of the states to the EU or the European integration. The attempts to more clearly define main characteristics of the impact of the European integration and the adaptation of the states to it i.e. to europeanisation become more and more frequent. However, it is common knowledge that the discipline of the studies of europeanisation is just under the development, thus the indetermination of the definitions and conceptual discussions are typical to this discipline<sup>1</sup>.

One thing is usually clear to everyone that europeanisation is related to the European integration and to the impact of the result of this process which stands for the European Union with its all formal and informal institutions and decisions that influence member states or even the countries outside the borders of the EU. This is the first principal evidence that could be taken for the defining of the phenomenon of europeanisation. The previously mentioned evidence is frequently taken as the one and the only by many researchers of europeanisation who even do not try to look for more detailed definitions<sup>2</sup>. The evidence is obtained by the eliminating the research on europeanisation from much more developed studies on the European integration that usually attempt to simply answer into the question which of the decisions are take to the European level and why it is being done like that. In fact, recently europeanisation is described simply not as the impact but "the emergence and development of different governance structures that are well-established at the European level"<sup>3</sup> in many significant works on the theory and practice of europeanisation. They do speak

about the influence of europeanisation but this concept becomes a bit marginal<sup>4</sup>. The other descriptions of europeanisation that are found in the literature of europeanisation range between the previously mentioned two extremities: europeanisation is being defined as the transfer of the sovereignty to the EU *de jure* and sharing of power among national governments and the EU as well as the process in which the areas of the domestic affairs more and more become the object of the formation of the European politics and then, the expanding of the respective political space over the borders of the member states<sup>5</sup>.

Respectively, dependent variables are certain policy or institutional decisions taken at the level of the European Union, whereas independent variables are the factors of the policy of domestic affairs. In fact, main theoretical discussion is being elaborated not about the object of research but rather about the explanatory power of different dependent variables.

The initial definition of the studies of europeanisation is obtained by the contra- posing of the studies of europeanisation with the field of the EU and with the studies of the European integration. Therefore, the studies may be called " feedback"<sup>6</sup> or the studies of the "second image reversed"<sup>7</sup> that are typical for their explanation from the top to the bottom contra- posing it to the approach of the European integration studies which is usually from the bottom to the top<sup>8</sup>. Thus, naturally the question arises why this correlation has been studied only in the last decade of the twenty-century. It seems that it may be related not only to the specific features of the discipline but also due to the predominant theories of the European integration. Thus, we are going to dwell upon this issued in the course of this study.

Although, the contra-posing of the europeanisation with the studies of the European integration has already negatively defined the area of the research, it is still necessary to have more detailed and positive definition of this phenomenon. First, we do need to analyze the role of the European institutions and the decisions taken at the European level or, in other words; we do need to find out what is the dependent variable of the research in this area. The second question is about the results of such impact and their possible generalizations. The third issue is about the mechanisms of the influence.

### ***1. The Complexity of the Phenomenon of Europeanisation and Potential Levels of Its Analysis***

First of all, it is evident that the analysis of the phenomenon of europeanisation is quite complicated due to its complexity. Over four decades the European integration has affected many spheres that solely used to be

under the competence of the state. Respectively, the impact of the European integration becomes so multiple and complex that is difficult to distinguish its main trends and forms. Empirically, the impact of the European integration usually is analyzed based on the main systems of the state, such as: political, economic, legal, social systems and etc. or based on the differentiation of the spheres of the public policy i.e. policies of agriculture, trade or social policy. The significance or the importance of the impact of the European integration to respective system or the area of the policy is being motivated by the depth of the integration in one or the other system or area of policy. Thus, the biggest part of all research is devoted to the studies of the most integrated parts of the policy i.e. to the policy of agriculture, sector of agriculture, the policy of trade and trade itself as well as to the policy of competition and to the growth of economics, which is being influence, by the conditions of the competition. The previously mentioned division of the field of the analysis and the choosing of the criterion for the importance of the respective field could be called direct choosing and division. The biggest shortcoming of it is insufficient attention to the relations between different areas of the policy and the systems of the state. Besides, it does not motivate any theoretical generalizations.

On the other hand, the distinguishing of the field of the research on the europeanisation and the theoretization of the europeanisation itself of was quite complicated process for a long period of time because of the factors that were related not only to the very nature of the phenomenon but more with the factors that could be referred to the area of sociology. For decades the studies of the European integration were related to the area of international relations, thus the theories of international relations as well as the object of the research and its instruments were also defined as belonging to the previously mentioned sphere. However, systems of national politics were attributed to the studies of comparative politics and management with their already defined object and methods<sup>9</sup>. The relations between these disciplines were very weak. The weakness of the interdisciplinary relations was determined or, at least, the significance of the results of the European integration was doubted by many experts of the comparative politics. The latter issue became evident only after the establishment of the European Union, and more importantly, it gained the importance after the idea of common monetary and economic union was materialized. Thus, the impact of the European integration and the decisions taken at the European level became even more vivid and undeniable after the previously mentioned union was realized in practice. Currently, the complexity and newness of the area of the research is not giving the possibility to define solely the field of the research of europeanisation, and respectively, it is not easy to determine the

independent variable either. However, we can notice two distinct tendencies. First of all, experts have reached the consensus regarding the determination of quite clear and distinct levels of the analysis. In addition, the main object of the research more and more is referred to the level<sup>11</sup> of domestic structures or to the institutions how they are defined in the works of new institutionalism<sup>10</sup>.

The most recent studies on the europeanisation and on the object of europeanisation analyze them i.e. try to answer what is being europeanised on the levels of public policy and inner or macro- political structures<sup>12</sup>. The previously mentioned levels are also divided into the level of political system or polity and into the level of politics<sup>13</sup>, or similarly, they are divided into policy structures that described as structures depending on certain sector and into the systems of inner structures<sup>14</sup>.

The special attention should be given to the studies that analyze europeanisation of different states usually without even mentioning this term and without any exactly defined levels of the analysis. Some of the researchers of europeanisation express some doubts regarding the plausibility of the level of the analysis and the explanatory power of the studies on this subject<sup>15</sup>. However, this type of analysis does prevail in quite large part of the literature on europeanisation<sup>16</sup>.

All the previously mentioned classifications are based on the implicit or explicit definition of europeanisation that is being referred as the impact of the EU to the national states. The previously mentioned impact could also be divided into direct and indirect impact<sup>17</sup>. The indirect impact of the European integration<sup>18</sup> could be identified with the definition of the structural influence. The latter could be defined as the impact that changes not only the nature of the separate systems of the state or the operation of areas of public policy but also it could influence the very organizational logic of the states and, this way, the europeanisation is being referred as the process<sup>19</sup>. Structural impact or influence could be analyzed through examining decision-making process, the change of the balance of power in the institutional system and through the contents of the public policy. Similarly, the influence of the European integration could be defined analyzing different levels of the formulation and implementation of decisions in the first case. In addition, one can generalize it as the variation of the division of work between the EU and national states<sup>20</sup>. It is clear that the EU is influencing the formation of the agenda of the decision making<sup>21</sup> and taking over the considering of certain questions i.e. it acts negatively and positively influencing the agendas of national governments<sup>22</sup>. Formally, the implementation of the decisions is an exclusive right of the national states, of course, with certain exceptions. However, the analysis of the implementation of the

decisions that are executed with the legal acts of the EU recently is treated as one of the main mechanisms of europeanisation and the methods of the determination of the results<sup>23</sup>. The studies of europeanisation as the balance of power usually are related to the most evident changes: the increasing of the power of executive authority and the changes in the forms of the representing of the interests. Sometimes, europeanisation is being referred to the increasing of the autonomy of the state in respect to the public<sup>24</sup> or to the problem of the lack of democracy<sup>25</sup>. Although, the evaluation of the forms of the representation of the interests has more than one meaning. On the other hand, it is emphasized that the influence of the decisions of the EU and the system of the EU institutions that is receptive of the influence of the groups of interests foster the establishment of the groups of interests at the European level. Moreover, national groups of interests change their strategy and Brussels gains much more significance in their activities. However, as the influence of the EU to the formation of agendas and to the power of decision-making is increasing, the balance of the power of national groups of interests changes and traditional political communities disappear in the national politics. Groups of interests which are not very successful in their national political communities start quite actively operating through the institutions of the EU, whereas those groups that works very successfully in their national systems lose their former influence as the competence of one or the other sphere is being transferred the institution of the EU. Respectively, one may notice the tendency of moving towards more pluralistic representation of the interests<sup>26</sup>.

The biggest part of the research on europeanisation is based on the institutional analysis i.e. it analyzes europeanisation very broadly as the rules of social game<sup>27</sup>. In addition, the studies on europeanisation focus on the research of public policy, especially on its structures<sup>28</sup>. The previously expressed ideas could be explained by the evidence of the results of europeanisation and the impact of it, especially in the most integrated areas. It is possible to state that the efficiency of europeanisation i.e. the evidence of the impact of the decisions taken at the European level mainly influences the level of the analysis that has been chosen. Thus, the largest part of the studies on europeanisation focuses on europeanisation on public policy where the changes are most evident<sup>29</sup>.

There are less of studies in the field of the analysis of europeanisation on the level of political systems. Usually, they deal with the influence of the European integration to national state and its functioning. The object of such analysis are legal and administrative systems including the styles of administration and politics, territorial division, representation of interests, citizenship and collective understanding of national states<sup>30</sup>. The other au-



thors distinguish political institutions, systems of public administration, intergovernmental relations and legal structures<sup>31</sup> or, if to be more precise, the division of formal structures of power, the instruments of control and achievement of political objectives, traditions of solving of fundamental problems, interaction between the state and the public and the process of aggregation of public interests and mediation through political parties on that particular level<sup>32</sup>.

Numerous books are devoted to the studies of europeanisation of administrations of national states. They emphasize the involvement of national administrations into the formation of policy networks that do step outside the boundaries of the national states. The participation of the representatives of national administrations in the work of various groups, conferences and forums functioning on different levels of the EU is exponentially increasing, thus this tendency fosters the openness of the administrations towards new form and contents of policy as well as creates certain environment of socialization. Some of the scientists describe this particular feature as the hypothesis of institutional convergence which focuses on the formation of new political and epistemic society in the EU expanding the space of the traditional forming of national policy with transnational networks of politics<sup>33</sup>. Literature that dwells on so-called Euro-institutions i.e. specially established administrative structures for the formation of the European policy could be described as the subgroup of studies analyzing the adaptation of administrations<sup>34</sup>.

All previously mentioned objects of systematic analysis of europeanisation are obviously related to the efforts to refer them to the changes of the national states. However, it is clear that "the analysis of such dimensions is always selective and can not include all aspects of "the state"<sup>35</sup>. I suggest tackling this problem (you will see it later on) with the introducing of the metaphor of the form of the state. Although, at present it is important to state that the defining of the object of europeanisation on the systemic level is not very precisely settled.

## ***2. Europeanisation as a process and a result***

The possible trend of europeanisation is influencing the distinguishing of the levels of the analysis and the efficiency of the research on europeanisation on these levels<sup>36</sup>. Nevertheless, it is necessary to define europeanisation as a process and a result instead of determining the tendencies of changes via the degree of europeanisation as inertia, absorption, transformation and retrenchment<sup>37</sup> as well as at the same time defining the organizational result of changes. All definitions of europeanisation could rela-

tively be divided into two groups: 1) definitions emphasizing "europeanisation" as the process with certain distinct logic, 2) definitions focusing on the results of europeanisation.

One of the first definitions of europeanisation that has very significantly influenced the establishing of this particular definition in the academic literature was given by Ladrech who described europeanisation as "the process which so greatly changes the form and the tendency of policy that political and economic dynamics of the EC becomes a part of organizational logics of the national policy and the forming of the national policy"<sup>38</sup>. Ladrech states while basing his definition that europeanisation is primarily differentiated from internationalization and globalization with its distinct geographical boundaries and existing characteristics of national organizations that formally and informally play the role of the mediator in the process of adaptation. Europeanisation is not limiting itself only with the member states of the EU<sup>39</sup>, on the contrary I am arguing in my study that the essence of europeanisation is the best understood outside the EU. Ladrech is emphasizing the reorientation of national policy and organizational logics of its formation and respectively, is also focusing on the nature and a form of the adaptation process rather than on its results.

The emphasis on the results is typical to the other group of the definitions of europeanisation. Olsen's definition<sup>40</sup> could illustrate that group. He describes europeanisation as homogenization, standardization and generally as convergence that "decreases the diversity of models of thought, behavior and organization"<sup>41</sup>. He gives the possibility to summarize the influence of the European integration to different public policy areas and to the main institutes of national states through putting many issues into a question whether the convergence of the form and contents of decision making, different areas of public policy, groups of interests and relations of the state institutions as well as the other relations defining the organization of the states is really functioning.

The main shortcoming of the result-oriented definition is the one that it could only serve as a hypothesis of the research but not as a ground of the analysis<sup>42</sup>. It is very difficult to find empirical reasoning for the hypothesis of convergence. Similar conclusions that are found in the literature on europeanisation deny the hypothesis of convergence<sup>43</sup>. The primary problem of process-oriented definitions is the necessity to define the organizational logics of the process or, in the other words, the definition of europeanisation presupposes certain logics of the process of the European integration that is not very evident and on which is not possible to rely on without any reservations. The references of Ladrech to rational theory of adaptation and changes related to the actors of the decision making process

i.e. political parties, organized groups of interests, agencies of administration and state structures and the changes in the principles, norms and institutional organisations<sup>44</sup> of the decision making systems at most can explain what is the organizational logics but does not answers how that logics is changing with the European integration.

Two previously mentioned definitions of europeanisation focus the attention of the researchers on different problems. Though the definition of europeanisation relying on the hypothesis of convergence defines a result not as the result of certain europeanisation but as the process that determines certain not very strictly defined model of social activity, it certainly provokes questions not only about the mechanisms and conditions of convergences but also questions what and where it converges. The process-oriented definition at the same time presupposes the question what determines different levels of adaptation of separate national states to the European Union, and it initiates the comparative analysis of the processes and national structures of decision making as well as the definition is oriented towards the mechanisms of europeanisation.

On the other hand, the definitions of europeanisation differ not only by the fact whether they emphasize the result or the process but also due to unequal treatment of active i.e. planning phase and passive or, in the other words, adaptation phase of the process. Procedural definition focuses on the passive kind of the European integration i.e. the impact of the European integration to the country participating in the process. This description does not consider the active side of europeanisation i.e. the projection of the interests of national states into the process of decision making in the European Union<sup>45</sup> However, differentiation between adaptation and the projection of the interests of national states on the European level enables us to avoid of the misunderstandings that are typical to certain attempts to analyze europeanisation of national policy<sup>46</sup>. Such confusion could be caused by the efforts to analyze europeanisation as the influence of different member states to the process of decision-making at the European level as well as treat it as the adaptation of the EU member states to the decisions taken at the level of the EU. In this case europeanisation is understood as the adoption of common decisions and rules at the European level, and as the adjustment of the national policy to the previously mentioned common decisions. These two problems should be very clearly and strictly distinguished only in order to have the possibility to analyze the correlation of these two processes<sup>47</sup>. If europeanisation is being describe by its "passive" meaning, thus, its relation with the first process or, in the other words, with the decision making at the European level could be defined as the "feedback" i.e. the impact of the preferences that are formed in the national process of decision making of different states and that are also influenced by the

decisions taken at the European level to the same preferences and to the national decision making process itself. Respectively, the differentiation between the active and passive dimensions of the process gives the possibility to more clearly relate the logics of europeanisation with the theories of the European integration. Alternatively, the previously mentioned differentiation of this study is also important due to the fact that it enlightens the features of europeanisation in the candidate countries. Candidate countries should give much more attention to the impact of the EU because they are not participating in the decision making process and can not reduce possible discrepancy between the institutional model implicated by the decisions of the EU and internal structures.

The duality of the reception and planning of europeanisation as the process and as the result is being described by the thesis of Wessels who calls it "institutional convergence" that emphasizes one of the main aspects and mechanisms of europeanisation with its help transferring the impact of the European integration to the national institutions, especially to the structures of policy forming of the member states of the EU<sup>48</sup>. The latter idea raises the problem of the level of europeanisation and the object of the impact. Wessels and many other authors do understand and analyze europeanisation as the adaptation of administrative structures. Such definition of the object of europeanisation is based on the evidence of institutional changes as well as on often not reflected and discussed premises that are characteristic to the methodology of political sciences which emphasizes institutions and their changes<sup>49</sup>.

The differentiation between the levels of analysis and the object, tendency, nature (passive and active) and impact of europeanisation does not solve notional problems of europeanisation. The risk to expand the scope of this notion and respectively, the danger to lose discriminative capacity is immense<sup>50</sup>. In addition, the question could also be raised whether europeanisation is only related with the changes of the sector or system or possible could be related to the changes of the whole state, and respectively, whether it is possible to analyze the differences of europeanisation of separate states<sup>51</sup>. The scope of the notion of europeanisation could be easier controlled by defining its place in the context of the theories of the European integration and by avoiding its identification with the other notions.

### ***3. Theoretical interpretation of europeanisation: a problem of feedback***

In order to find out the original sources of the term "europeanisation", it is important to find out how this term might be interpreted in the context of the principal theories of European integration. Then, I would try to

prove that a phenomenon of europeanisation lacks theoretical attitude due to the object of research itself and theoretical assumptions and not only because of the factors related to scholastic sociology. Through the analysis of the object of European integration theories, I would like to prove that an explicit concept of europeanisation is not characteristic to the just-mentioned theories; however, the concept might be reconstructed by means of the above-discussed meanings of a process and a result.

First, it shall be noted that European integration theories are more about explaining, why European integration takes place and what the results are, and not about the impact of European integration on participating countries. Respectively, the major discussions are about who are the key actors of the integration process: states or cross-border groups of interests and European institutions; and about how to explain the logic of integration: should it be viewed as an autonomous, independent from a state spillover process or as rational negotiations based on member-states preferences determined by mutual economic interdependence; or, if to look for a happy medium, as an interaction of three different levels, i.e., regional, national and European<sup>52</sup>. In European integration theories the issue of how European integration affects the member states is only a secondary one in the best case. To put it another way, a dependent variable of European integration theories or studies are decisions made on European level, which could essentially be explained by the processes going on in national or transnational political arena; respectively, the characterisation of classical integration studies found in europeanisation literature, is described as a direction from the bottom to the top.

Though it could not be denied that the domination of such a trend in research or attitude was influenced by poor interaction between the disciplines of international relations and comparative politics and by an already established ascription of European integration to the field of international relations studies on one hand, and conditional indifference of national political arena to the results of European integration on the other hand<sup>53</sup>, such an explanation is not sufficient enough. The importance of the results of European integration to the national politics was obvious until the tenth decade, both from the point of view of negative and positive integration<sup>54</sup>. It is enough to remember the project of internal market creation or the legislation of European Communities on environmental protection. Furthermore, the problem of the influence of international environment to a national political system has been defined and seriously attempted to solve much earlier in the international relations studies<sup>55</sup>. In search of a satisfying answer, which would help to understand the phenomenon of europeanisation itself, we should briefly dwell on the prevailing assumptions of the Euro-

pean integration theories, in order to reconstruct the implicit understanding of europeanisation as of a process and results.

The subject on which most of researchers of European integration have agreed so far is an immense and furthermore increasing interdependence, especially economic one, of national states. This is a principal realia of the 20<sup>th</sup> century, and especially of the second half of it, which manifests itself through nearly uncontrolled movement of capital and a much freer movement of services, goods and persons<sup>56</sup>. Thus, European integration is first of all viewed as a response to an increasing economic interdependence, which compels the national states to revise both content and formation of their national policies, and also questions the effectiveness of a national state as of the form of social organisation.

It is also agreed that European integration could be deemed as the whole of regimes in various fields of politics, bind by the same participants and the system of common institutions. However, there is no final consent so far on should the European integration be treated as a political system, which is a very popular approach currently, for the research of which the same analytical instruments as for the research of comparative politics should be applied<sup>57</sup>. The radical divergence of approaches starts when explaining why European integration generates results of one and not of another kind.

Neo-functional interpretation of European integration is based on hypothesis of integration logic independent from national states, and this logic is supported by organised interstate group of interest, having stake in that and by European Union institutions, and is implemented by trans-national actors<sup>58</sup>. Haas and Lindberg<sup>59</sup>, the authors of the above paradigm, are of the opinion that European integration based on transfer of some vitally important economic sectors of national states to supranational control of technical kind is an alternative to national level of resolution of economic matters and a solution to an inadequacy problem of a national state. This theory, which matched the general notion of the theory of liberal economic trade on the factors influencing economic growth and, which interpreted a social action on a basis of social pluralism presumptions<sup>60</sup>, deemed European integration as a new way to organise the society, exceeding national borders and being more progressive and more suitable in conditions of economic interdependence.

In the context of this paradigm the issue of the consequences of European integration to a national state is an outcome of the aforesaid assumptions and thus needs not further analysis. If the model and the essence of European integration, i.e. supranational technocratic administration, is a new way to organise the society, then a matter of the impact of European integration to a national state is only a matter of time for the existence of a

“classical” Western European state. European integration manifests itself in the delegation of national state functions to supranational institutions and this is a linear progressive process, which should be over with creation of a new super state formation.

Theoreticians, who continued neofunctional tradition, and, who are associated with historical institutionalism, played an important part in interpretation of neofunctional logic of integration through the term “feedback”<sup>61</sup>. They expanded the mechanism of economic expansion by adding a political one, and the essence of the latter is based on the notion that previous decisions made on the European level significantly changes national preferences, and, thus foster the further integration.

The first consecutively developed theory of European integration was criticised a lot within the last decades; however, any other attempt to explain the logic of integration was based on the theoretical framework of it. To put it another way, the theory was and still remains if not the background for further researches so at least an unavoidable reference.

The further development of European integration theories might be evaluated as a reaction to neofunctional theory of European integration, and as an attempt to picture European integration as an organisational structure or model substituting a national state. Historians of European integration significantly contributed to an alternative interpretation and development of alternative assumptions. The contribution of researchers of economic history and representatives of the international relations discipline is especially significant, as they returned a “normal” status of international relations to European integration. The above-mentioned researchers share classical opinion about a national state as the major actor of international arena.

The historians of economics while reconstructing the after-war history of Western Europe, proved that European integration first of all was a creation of diplomatic and political elite of national states who was concerned about national interests and not about abstract ideas of the humankind progress or economic effectiveness<sup>62</sup>. The above-mentioned facts along with further development of European integration stimulated the overestimated approach to the role of national states and established the primacy of national states in the process of integration. All the aforesaid laid the background for an alternative paradigm, i.e. the so-called liberal theory of inter-governmental European integration. This theory interpreted integration as a conditionally coinciding result of national states interests and preferences based on them<sup>63</sup>.

Moreover, the framework of organizational logics of the integration has been remade within the framework of this paradigm. The integration was

describe not only as linear progress during which supranational institutions have changed the national state but also as the objective of the national state itself to start the economic modernization in the conditions of the increased economic interdependence<sup>64</sup> or as the reorganization of the state under the same conditions of interdependence<sup>65</sup> that even strengthen the autonomy of the state in the respect to the public<sup>66</sup>. Respectively, it was stated that this reorganization was carried on as the radical change of the functions of the national states but as the redefinition of these functions trying to maintain national political consensus<sup>67</sup>. Europeasation is described not as the change of the national state but rather as an organizational supplement to it which is only possible among the states that do have similar national domestic policy and that do seek to reach similar political consensus in that particular context.

The previously mentioned factor has been especially significant in the history of the European integration. The European integration as the economic integration could only be implemented because of the fact that the function of the national state had been expanded after the Second World War, particularly in economic and social areas. National welfare state became the foundation for the national political consensus in the Western Europe. This particular state has also changed the form of national identity. National economic policy did not limit itself only by the redistribution of incomes; it also had to formulate the strategy of economic growth that had to foster the economic potential of every member of the society<sup>68</sup>.

While summarizing the generalizations of two brief interpretations of europeanisation that are predominant in the theories of the European integration and in the paradigms of europeanisation in which it is understood as the outcome of the impact of the European integration on the national states, it is possible to claim that europeanisation of the national state in the sense of the result is equal to the decline of the national state itself if looking from the perspective of neofunctionalistic paradigm. The national state is being changed by more ideal form of the organization of the society which is based on supranational governance. Europeasation means the reorganization of the functions of the national state expanding them outside the borders of the state. Thus, europeanisation as it is as a reaction to neofunctionalism that initiated intergovernmental paradigm. Europeasation as the impact of the European integration to the states that are participating in the integration is not the main problem of the theories of the European integration as described in the first and in the second case. At most, europeanisation emerges as the secondary issue explaining how the European integration is changing the initial "rules of the game" with which it started functioning.



Neofunctionalism has a characteristic statement about the process in the sense of mechanisms that the process of the European integration strengthens itself and maintains the integration with non-governmental actors. They are as follows: international business groups and regions. Their interests are aggregated and represented by supranational actors, especially by the European Commission. The latter not only aggregates but also promotes new notion of the interests based not on the national but on the European identity. Therefore, europeanisation as a process in neofunctionalistic theory of the European integration is understood like autonomous expanding logics supporting the process of integration and which decreases the autonomy of national decision making and transferring this process to the level of the EU. It is being argued that this kind of europeanisation changes the identity of the actors of the European political arena as well as the interests. Besides, as it has been already mentioned, the "feedback" comes in action which explains why national preferences converge into the direction of the fostering of the integration. The theory of the intergovernmental negotiations of the European integration limits the aggregation of the interests by the national political arena. The process of the integration is based on the formation of national preferences on the national level and on the intergovernmental negotiations that are carried out in respect of these preferences.

This way the question of europeanisation could be treated as the adaptation of the logic of the change of the interests that is characteristic to the neofunctionalistic understanding of the European integration to the formation of the preferences on national political arena as it is defined in the intergovernmental theory. Alternatively, the question about the europeanisation is given to the theory of intergovernmental European integration in order to answer about the possible variation of national preferences. It is based on the argument that the researchers emphasizing intergovernmental negotiations and the role of the national interests do not consider the fact that the preferences of the national governments are not fixed i.e. that preferences and their background or, in the other words, national interests are not evident and set. It is being stated that the process of the European integration itself determines and influences the national preferences, and that the national preferences are being constructed based on the ideas, including the ideas that in themselves are the result of the European integration<sup>69</sup>. Thus, europeanisation as the process acquires the features of so-called "feedback" problem in the European integration as it is being presented in the theoretical discussion on the logics of the European integration.

Researchers who focus on the constructive character of the preferences<sup>70</sup> claim that the process of the European integration so immensely changes the ideas and identities on which the national preferences and interests are

being constructed that the European integration becomes the process of the feedback and, this way, supports itself. On the other hand, the ideas and identity of the actors of the European integration are the unconscious result of the process that has taken place before. The result is further depending on the self-understanding<sup>71</sup> of the actors that is being influenced by that feedback, and which changes the conditions of the structural integration of Europe this way. Respectively, the problem of europeanisation is a part of the larger problem whether europeanisation is static or dynamic. Maravcsik answering into the critics about the static nature of the intergovernmental paradigm claims that rational liberalism and the theories of international political economy that is based on it address the feedback<sup>72</sup>, but also says that despite this particular role it is not changing the essence of the arguments about the predominance of material economic interests in the formation of the national preferences because the ideas initiated by the feedback and the changes of the identity directly coincide with the intentions of the state. Maravcsik admits that structural adaptation and all other economic changes initiated by the feedback help to lock in the integration in Europe in the best case<sup>73</sup>.

Thus, neofunctionalism that implicitly treats europeanisation as the change of the identity of different groups of the society, including executive elite, and that initiates the establishment of new form of the organization of the society i.e. political community of Europe. In this case, europeanisation is not very significant and, moreover, it is not relevant in the perspective of liberal intergovernmental negotiations. If it is so, it is necessary to answer into the question how europeanisation has become important and relevant and why so much attention has been given to it in the past decade.

The answer into this question is related to the emergence of the third theoretical perspective. The latter is not as homogenous as the neofunctionalism and the theory of liberal intergovernmental negotiations are but still it primarily focuses on the role of the institutions and typical attitude towards the EU as a political system supplementing national political systems in the way that they form multidimensional political and governance space of Europe in which the decisions are taken on separate levels of that particular governance space<sup>74</sup>. The attraction of such attitude is caused by the fact that it lets to cross over the main question of the theories of the European integration i.e. the question who are the key actors. The representatives of this theoretic perspective start not from the actors but do see the European Union as the arena<sup>75</sup> in which the national governments, groups of interests and supranational actors participate in the chain of decision making on the different levels and influence the decisions themselves.

Not only the change of the direction of the attitude has had huge impact on the formulation of the problem of europeanisation but also it has been important the emphasizing of the other logics of social activity. The latter could be summarized in relating it with the switching from the actors towards the structures based on preeminence and from the explanations of social activity oriented into appropriateness towards the explanations oriented into the outcomes<sup>76</sup>. One can admit the importance of the institutions and logics of suitability. Only then, the question raises about the influence of the European integration to the national institutions.

Alternatively, it is being argued by many researchers of europeanisation that the impact of the European integration to the national state could be considered as a separate case of international environment or to be more precise a single case of the influence of the international organizations to the national state<sup>77</sup>. They are both very widely analyzed in the studies of international relations and in the international political economy. Moravcsik is also referring to them and stating that so-called studies of the feedback are not relevant to the results of the European integration because basically they are just emphasizing and strengthening the preferences of the national actors but they are not changing them<sup>78</sup>. However, if one can agree with the irrelevance of the feedback to the results of the European integration, still it does not mean that it is necessary to agree with the irrelevance of the feedback to the internal changes of the national state.

In fact, if one admits that attitude to see the tendency towards the European integration and to its result i.e. the European Communities and later on the European Union as the political system and not only the specific international organization, at the same time emphasizing the aspect of multidimensional governance and using the instruments of the comparative politics, it is necessary to evaluate the role of the discipline of international relations in the fostering of better understanding of the importance of the international context for the internal changes. The previously described attitude has had the biggest influence to the formation of the field of studies of europeanisation.

The formulation and analysis of this problem in the international relations is related with the name of Rosenau<sup>79</sup>. His ideas and works have given the possibility to reduce the limits between home affairs and foreign policy in the studies of international relations. The notions of "linkage politics", "penetrative system" and "adaptation politics" were introduced by him, and helped to conceptualize the link between the international environment and national political system. The notion of "penetrative system" presented by Rosenau in 1966 is particularly relevant to our study. He defines it as: "it is the system in which the members who do not belong to the national

system directly and actively participate in the shaping of public values with the help of the members of that society or they mobilize the support to the objectives and aims of the society"<sup>80</sup>.

The studies<sup>81</sup> on the impact of the international environment or, to be more precise, of the international organizations show that the international influence is really important to the internal changes, but the changes do depend on particular issue area and on the characteristics of the national state: political stability of the system, the nature of internal political system, the relations of the groups of interests with the government and so on. This particular impact is being described as creating new opportunities and new limitations<sup>82</sup> and that is necessarily leads to the "analysis of domestic politics"<sup>83</sup>. Respectively, the latter needs the instruments of the comparative politics but not the studies of international relations.

The attempts to integrate the analysis of international environment and domestic politics that have appeared in the nineties could be divided into three groups<sup>84</sup>. The first notion describes the integration by two levels of the game<sup>85</sup>. The second notion uses the metaphor<sup>86</sup> of the second-image reversed, and the third one is based on the scheme of the domestication of the international politics<sup>87</sup>. However, apart from the problem of interdisciplinarity of the notions and instruments, the other difficulty that aggravates the formulating of more precise conclusions about the impact of the international environment to the national state is characteristic to these attempts i.e. causality. It means that it is very difficult and sometimes even impossible to differentiate between the impact of the international environment and the endogenous factors i.e. the changes inside the national political system in that type of studies. Despite the previously mentioned fact, many studies on the international sources of the inner changes do focus on certain changes without analyzing the characteristics of the political system. The studies only dwell on the characteristics that are relatively independent from it. First of all, it is vulnerability of economics and the possibility to do the influence. Thus, for example, the politics of the member states of the EU is being modeled based on these two variables<sup>88</sup>.

The problem of causality is also relevant in this study, especially it is appropriate while trying to explain the impact of the international environment not to one particular area but on the whole, to the mode of the changes<sup>89</sup>. However, some of the works while analyzing this impact use the instruments of the international relations and comparative politics and also the instruments of the theories of modernization but it is quite difficult to distinguish endogenous and exogenous factors. Despite the previously mentioned fact, even this particular study is also supporting the thesis that the international environment can consolidate certain changes of the national

political system, for example, they can ensure irreversibility and characteristics of the transition of the state to the democratic political system. The latter characteristic of the impact to the national political system is particularly emphasized in the studies of international political economy that do deal with the different reaction of the states to the increased economic interdependence. The previously mentioned studies and their results are going to be discussed in the part that deals with the topic of convergence. Now it is possible to say that corporatism that has been typical to small Western European countries<sup>90</sup> and that has been taken as the feature of the national political system which promoted the flexibility of economics was also fostered by the international economic environment<sup>91</sup>.

The studies of international relations that only emphasize the analysis of the behavior of the adaptation of the states and especially, focusing on "adaptive acquiescence"<sup>92</sup> also do need special discussion. "Adaptive acquiescence" is related not to the international organizations but more to the pressure of large countries to small and weak ones to adapt to them in the context of international relations. However, the relevance of it is very little in our study. The object of the research may seem similar i.e. adaptation of the states which is of the "adaptive" nature as well as the question of the mechanisms is also treated in a very similar way but the changes of the national states are only interesting for such studies as much as they can explain the foreign policy which "receives", fosters and reacts them.

### *Conclusions*

At present one can notice the enlarged scope of attempts to explain the phenomenon of europeanisation, which is being understood as the European integration, or the impact of the European Union to its member states. However, there are still a number of methodological discussions in that kind of works. The discussions argue about the definition of europeanisation and, at the same time, this fact shows the freshness of this type of studies. This study argues that it is possible to overcome certain methodological difficulties by very clearly defining the level of the analysis of europeanisation and by separating europeanisation as a result and as a process as well as by determining the place of this phenomenon in the theories of the European integration.

The ignoring of the phenomenon of europeanisation in the theories of the European integration could be explained by the weakness of the interdisciplinary relations between comparative politics and the theories of international relations, by relative unclearness of the impact of the European Union up to the treaty of Maastricht as well as by the specificity of the

premises of the theories of the European integration. The article states that the phenomenon of europeanisation was not very important or not relevant in the predominant the perspectives of neofunctionalism and in intergovernmental negotiations for a very long time. The representatives of neofunctionalism who related the European integration with a new type of the state thought that its impact to the national state was not very significant, whereas the authors of the paradigm of intergovernmental negotiations it seemed irrelevant because could not adjust the results of the process of the European integration. New institutionalism and multidimensional analysis of the forming of the policy of the European Union have made a great impact to the problem of the phenomenon of europeanisation in the context of the theory.

#### NOTES AND REFERENCES

<sup>1</sup> Hix and Goetz, 2001; Radaelli, 2000; Schmidt, 2001; Borzel and Risse, 2000; Cowles, Caporaso, and Risse, 2001.

<sup>2</sup> the example could be Hix and Goetz, 2001.

<sup>3</sup> Cowles, Caparoso and Risse, 2001,3.

<sup>4</sup> Radaelli, 2000; Schmidt, 2001.

<sup>5</sup> Europeanisation is defined this way by Ladrech, 2001,3.

<sup>6</sup> Moravcsik, 1999; Diaz, 1999.

<sup>7</sup> Gourevitz, 1978.

<sup>8</sup> Borzel and Risse, 2000; Faulkner, 2001.

<sup>9</sup> Hix and Goetz, 2001.

<sup>11</sup> Europeanisation could be related to the definition of adaptation and to the other difficulties of its definitions. Mouritzen (1988, 26) dwells upon the process of adaptation and on the definition of the result as well as tries to answer into the question whether it is behaviour or the result of the behaviour.

<sup>10</sup> March and Olson, 1989; Olson, 1996.

<sup>12</sup> Radaelli, 2000.

<sup>13</sup> Borzel and Rise, 2000.

<sup>14</sup> Cowles, Caparoso, and Risse, 2001, 5.

<sup>15</sup> Cowles, Caparoso, and Risse, 2001, 5.

<sup>16</sup> Kazenstein, 1997; Faulkner, 2001; Lavdas, 1997. However, the studies of that kind usually pay their attention to one or a few segments of the policy or the areas of public policy.

<sup>17</sup> Hix and Goetz, 2001

<sup>18</sup> The classification of direct and indirect outcomes could be illustrated by the list given by Preston. The outcomes of the integration of the states in the EU are divided as follows: direct, indirect, economic and political. Direct economic outcomes are subdivided into: 1) removal of tariff barriers on import and export, 2) applying of competition of state aid policy, 3) applying of the mode of the Common Agriculture policy (CAP) and 4) participation in the Structural Funds. Respectively, indirect economic outcomes are divided into: 1) reorientation of trade, 2) restructurisation of agriculture and industry, 3) regional implications, 3) new framework of the EC for the process of internal reforms, 4) applying of the criteria of the convergence of the European Monetary Union. Direct political outcomes are: 1) primacy of the law of the EC over the national law, 2) direct applying of the law of the EC, 3) changes of the status of constitution and constitutional national parliament, 4) participation in the decision making process of the Communities. Indirect political outcomes consist of: 1) reorientation of foreign policy, 2) changed models of policy forming and implementing, 3) new models of the representing the interests. This enumeration is , of course, not absolutely thorough. The

influence of the EC is much broader i.e. it embraces more policy areas and it more deep. Preston, 1997, 114.

<sup>19</sup> The definition of the structural impact is being use here similarly to the way how it is treated in the political economy of international relations, for example as it used by Gilpin, 1998, p. 118-119 ; or Strange, 1998, p. 44-45. She refers to the changes of certain mode that consists of institutions and the rules of the game that define their interaction.

<sup>20</sup> Meny, 1996, Meny, 2001-he especially focuses on this particular aspect of europeanisation.

<sup>21</sup> It is common knowledge that the most of the decisions on the regulations of economic activities are taken at the European level.

<sup>22</sup> The form of such impact is dominating in the areas that are not fully integrated i.e. there is no object of the method of the Community. A part of justices and home affaires and co-ordinatin of common foreign and security policy as well as co-ordination of employment policy after the Amsterdam Treaty could be taken as examples. It could be related to so-called method of open co-ordination that has been applied to the policy of employment and to adjusting of the economic policy. The essence of this method is the determination of general objectives and intermediate results as well as the monitoring of their general achievement. Some experts claim that this method is the key method of the decision making in the EU after the enlargement. However, it is necessary to notice that it is similar to well-known intergovernmental co-operation that is typical to international organizations. See Grabbe, 2002 b. The impact of the EU to national agendas of candidate countries is much broader and deep as it is already stated in the first part of this study.

<sup>23</sup> Duina, 1999.

<sup>24</sup> Moravcsik, 1994.

<sup>25</sup> Lipper, Umbach, and Wessels, 2001; Grabbe, 2001b.

<sup>26</sup> Meny, 1996, 13; Schmitter, 1996; Hix and Goetz, 2001.

<sup>27</sup> Usually many authors who are inspired by the ideas of new institutionalism refer to the definition of North on institutions that is given by Levi and Cook, 1990.

<sup>28</sup> Cowles, Caparoso, and Risse, 2001 define the independent variable.

<sup>29</sup> Radaelli, 2000.

<sup>30</sup> Cowles, Caparoso, and Risse, 2001, 5.

<sup>31</sup> Radaelli, 2000,8.

<sup>32</sup> Heritier, Knill, and Minger, 1996, 336.

<sup>33</sup> Wessels, 1996.

<sup>34</sup> Wright, 1996. Maniakas (1999) examines the differences between Euro-institutions in member states and candidate countries.

<sup>35</sup> Heritier, Knill, and Minger, 1996, 336.

<sup>36</sup> Radaelli, 2000.

<sup>37</sup> Radaelli, 2000, 14.

<sup>38</sup> Ladrech, 1994, 68-88.

<sup>39</sup> The attempt to limit the definition by the geographical boundaries is not the only one. For example, Morlino, 1999, often quoted Radaelli, 2000, Borzel and Risse, 2000; Schmidt, 2001.

<sup>40</sup> Olsen, 1996.

<sup>41</sup> Olsen, 1996, 261.

<sup>42</sup> The idea of convergence is formulated by Meny, 1996, 1.

<sup>43</sup> Ladrech, 1994, 70; Caparoso, Cowles, and Risse, 2001; Heritier, Knill, and Mingers, 1996.

<sup>44</sup> Ladrech, 1994, 71-72.

<sup>45</sup> Bulmer and Burch, 1999.

<sup>46</sup> Rhodes and Mazey, 1998, 5-6.

<sup>47</sup> Such differentiation between two sides is predominant in the study of Heritier, Knill and Mingers, 1996. However, the relation between these processes is not revealed.

<sup>48</sup> Wessels, 1996.

<sup>49</sup> Johansson, 1999.

<sup>50</sup> Radaelli, 2000.

<sup>51</sup> Katzenstein, 1997; Bulmer and Burch, 1999, Petersen, 1996; Faulkner, 2001.

<sup>52</sup> Kohler-Koch, 1997.

<sup>53</sup> Hix and Goetz, 2001. The scope of the structural and institutional changes and the need to explain new reality is being referred as the founding cause of the other social sciences, for example of

sociology. See Friedland, 1969.

<sup>54</sup> Scharpf, 1996.

<sup>55</sup> Katzenstein 1984, 1985, 1997; Gourevitch, 1978, Putman, 1988, Mouritzen, 1988.

<sup>56</sup> Besides, Moravcsik specifically distinguishes the increase of intra-industry trade in the Western Europe after the Second World War. Moravcsik, 1999. 3.

<sup>57</sup> One of the best discussions on this subject is given in Wright and Menon, 2001.

<sup>58</sup> Haas, 1957 or especially, Haas, 1964.

<sup>59</sup> Lindberg, 1963.

<sup>60</sup> Cowles, Caparoso, and Risse, 2001, 13.

<sup>61</sup> Pierson, 1996; Sandholz and Stone Sweet, 1998.

<sup>62</sup> Milward, 1994.

<sup>63</sup> Moravcsik, 1993. At the same time, it is necessary to note that the foundations of the paradigm of intergovernmental negotiations were laid much earlier. Hoffmann wrote much about that. See Hoffmann (1966) "Obstinate or Obsolete? The Fate of the Nation State and the Case of Western Europe", *Daedalus*, 95, 892-908, Hoffmann (1995) "The European Sisyphus: Essays on Europe 1964-1994, London and Boulder, CO: Westview.

<sup>64</sup> Moravcsik, 1999, 491.

<sup>65</sup> Milward, 1994.

<sup>66</sup> Moravcsik, 1994.

<sup>67</sup> Such explicit explanation is typical for Milward. However, all theory of Moravcsik relies on the process of the forming of the national preferences. Its aim being to satisfy the interests of local groups as well as this way to guarantee the stability and continuity of the governance.

<sup>68</sup> Milward, 1994, 438.

<sup>69</sup> See the discussion on this question in Diez and Moravcsik, 1999.

<sup>70</sup> As it has been already mentioned they are differentiated from the traditional neofunctionalists that are described as historic institutionalists or constructivists. The distinguishing characteristics are very well presented in Risse-Kapen, 1996.

<sup>71</sup> Moravcsik, Diez, 1999, 358, 379.

<sup>72</sup> He relies on liberal theories of international trade that prove that, for example, the liberalization of trade fosters structural changes of economics that, at the same time, promote the formation of interests that are more favorable for the liberalization of foreign trade. Moravcsik, Diez, 1999, 380-381.

<sup>73</sup> Moravcsik, 1999, 490.

<sup>74</sup> This attitude became popular in the present decade and is mainly presented in Andersen and Eliassen, 1993. Interesting arguments also give Kohler-Koch, 1996.

<sup>75</sup> Kohler-Koch, 1996, 190.

<sup>76</sup> Theoreticians of europeanisation do identify themselves based on two logics of new institutionalism: logic of consequentialism and logic of appropriateness. See Borzel and Risse, 2000.

<sup>77</sup> Radaelli, 2000; Borzel and Risse, 2000.

<sup>78</sup> Moravcsik, Diez, 1999.

<sup>79</sup> Rosenau, 1970.

<sup>80</sup> Rosenau, 1966, 65.

<sup>81</sup> Karns and Migts, 1987.

<sup>82</sup> Karns and Migts, 1987, 457. The latter was used as the main description of the impact of the European integration by Hix and Goetz, 2001. At present it is still being employed in the literature of europeanisation, especially dealing with the impact of the European integration to the national politics. See Ladrech, 2001.

<sup>83</sup> Gourevitch, 1978, 900.

<sup>84</sup> Caparoso, 1997, 3.

<sup>85</sup> related with the name of Putnam, 1988.

<sup>86</sup> Gourevitch, 1978.

<sup>87</sup> it is predominant in the international relations and the European law studies.

<sup>88</sup> Petersen, 1996.

<sup>89</sup> Pridham, 1991.

<sup>90</sup> Here we have to speak in the past tense.

<sup>91</sup> Katzenstein, 1984, 1985.



<sup>92</sup> *Adaptive acquiescence* – this particular term belongs to Mouritzen. We have in mind his adaptive politics theory. The previously mentioned author, Rosenau and Petersen who presented the theory of adaptive behavior have worked in this field. The latter was also employed in the analysis of the European politics of member states of the EU. Mouritzen, 1988.

# LITHUANIA'S SECURITY AND FOREIGN POLICY STRATEGY\*

## INTRODUCTION: STRATEGIC OVERVIEW OF LITHUANIA

### *Importance of Lithuania and the Region*

Lithuania straddles two important European sub-regions: the Nordic-Baltic and the Central European, and it borders on the Russian centered Commonwealth of Independent State (CIS). These three sub-regions are characterized by significant diversity in terms of political stability, democratic progress, and economic development. While the first two zones are steadily becoming an essential part of a "Greater Europe," the CIS area remains essentially unpredictable and a potential source of instability. In order to consolidate the Baltic-Central European regions and to generate stability eastward toward the CIS area, Lithuanian security is vital for the progress of European integration. This itself is an important American strategic interest.

Lithuania forms a link between North and Central Europe: Lithuania's position enables the country to play a major role both in north-south and west-east relations. Unlike the West-East division that has engendered persistent conflict between Europe and Russia, northern and central Europe have remained closely interconnected throughout modern history. There are no major issues of dispute, whether over territory, minorities, maritime access, military posture, strategic resources, or international trade between countries in the two regions.

However, during the Cold War, the two zones were internally divided and territorially incomplete. Both Central and Northern Europe were fractured by the East-West conflict and by the hegemonic ambitions of the Soviet Union. Central European coherence was finally consolidated with the entry of Poland, Hungary, and the Czech Republic into the North Atlantic Treaty Organization (NATO) in 1999. Similarly, the process of Northern European consolidation

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\*The contributors to this White Paper included: Raimundas Lopata, Ėslovas Laurinavičius, Evaldas Nekrašas, Ramūnas Vilpišauskas, Vytautas Radčvilas, Egidijus Motieka, Vladas Sirutavičius, Tomas Janeliūnas, Janusz Bugajski, Ilona Teleki, and Borut Grgic.

will be completed by the inclusion of the Baltic States into the key security institution, the NATO alliance, as well as in the evolving continental political-economic alliance, the European Union (EU).

Lithuania spans the Baltic-Central European region. The Central European and Baltic regions overlap in terms of historical experience, continental identity, cultural continuity, political evolution, and economic development. The Baltic littoral has for centuries constituted a component part of the continental core, and each of the three Baltic states have been part of wider European dominions, whether German, Swedish, Danish, or Polish. Lithuania itself is one of the oldest states in Central Europe and the Polish-Lithuanian Commonwealth once constituted one of the largest European kingdoms. Lithuania's traditions, cultural values, political structure, and economic activities closely resemble those of other Central European states that were afforded the opportunity to develop into thriving and prosperous democracies.

Soviet occupation between 1940 and 1991 stifled the economic development and national security of the Baltic states. After the disintegration of the Soviet Union in 1991, Lithuania's position as a bridge between the Baltic and Central European regions has been revived and reinforced. Lithuania maintains close relations with its two northern Baltic neighbors, Latvia and Estonia, is a primary strategic partner for Poland, has established highly productive ties with Germany and the Scandinavian countries, maintains a policy of active engagement *vis-à-vis* Russia, Belarus and Ukraine, and plays an increasingly important role in the Baltic and northern European region as a whole. Due to its far-reaching economic and political reforms and its extensive cooperation with neighbors, Lithuania has established itself as a springboard for democratic and free market transformation eastward: to Russia, Belarus and Ukraine.

The Baltic Sea region is not a discrete geographic unit separate from nearby European zones. Indeed, the Baltic littoral consists of three closely interconnected geo-strategic components: the NATO states of Germany and Poland, the secure neutrals of Sweden and Finland, and the three NATO aspirants of Estonia, Latvia, and Lithuania. The neutrals themselves are likely to become Alliance members in the decade ahead. The Baltic region also includes Russia's northwest regions of Kaliningrad and Leningrad.

The strategic significance of the Baltic Sea region revolves around three main issues. First, it forms the core of north central Europe, a link between three land masses – the Scandinavian, Central European, and North East European. As Central Europe's only inland sea, the Baltic forms a vital hub of transportation and commerce across the heart of the European continent. Second, the Baltic region is an important zone of trans-national cooperation

that links disparate states, ethnicities, cultures, and social systems and provides the foundation for more extensive and intensive cooperation, harmonization, and integration. And third, the Baltic Sea region is the primary geopolitical and economic area where Russia meets the West (the European Union and NATO), both of which are enlarging.

The Baltic Sea region contains enormous potential, including rich natural and human resources, a highly skilled labour force with a high-tech orientation, excellent transit opportunities, and an environment attractive for investment. The region has become an example to other parts of Europe for promoting closer regional cooperation. EU membership for the Baltic states will positively influence this process and many issues that are now regulated by separate legislation will be resolved according to EU law. This will leave ample space for trilateral Baltic co-operation as the three Baltic countries will be better able to address their common interests within the EU.

The permanent security of the Baltic Sea region is a vital component of European security. Its completion and assurance would guarantee uninterrupted communications, trade, and population movements and boost prosperity throughout a wider region. It would promote confidence and enhance cooperation between all Baltic littoral states and their neighbors. It would also contribute towards new Russia- NATO relationship and closer cooperation between Russia and the EU. And it will thereby significantly contribute to the emergence of a united Europe. Ultimately, the concept of "regional security" has limited value without a broader form of inter-regional and continental security guaranteed by the most effective trans-Atlantic security organization. In reality, the regionalization or compartmentalization of security could undermine the urgency of NATO membership, weaken the trans-Atlantic link, and actually promote regional uncertainty and instability.

## EU AND NATO INVOLVEMENT

EU and NATO initiatives in the Baltic region are complementary, particularly through the EU's Association Agreement (AA) and NATO's Membership Action Plan (MAP). With regard to the AA, the Copenhagen European Council in 1993 decided that associated countries would become members of the Union when they met specific membership criteria. These include the stability of institutions guaranteeing democracy, the rule of law, human rights and protection of minorities; the existence of a market economy and the capacity to cope with competitive pressure and market forces within the EU; and the ability to assume the obligations of membership including adherence to political, economic and monetary union. To this effect, the European Commission established an AA with Lithuania

on 12 June 1995, which outlines a framework for Lithuanian integration and measures that the Lithuanian government must implement.

NATO's MAP process, introduced in 1999, was designed to assist all NATO aspirants in developing their armed forces and military capabilities so they could operate with the Alliance under its new Operational Capabilities Concept (OCC). The MAP cycles laid out specific priorities and targets for NATO candidates that could be measured by the Alliance and would enhance military reforms and inter-military interoperability. MAP encouraged inter-ministerial coordination, parliamentary involvement, and international cooperation. The MAP process proved instrumental in preparing aspirant countries for the rigors of NATO membership. Lithuania has made significant progress in pursuing economic and political reforms. It has consolidated its democratic institutions, instituted legal reforms, and opened its economy to outside competition. Vilnius has also assumed responsibility for promoting regional stability by coordinating with neighbors on issues such as border controls, military interoperability, and economic development.

Lithuania has been instrumental in formulating a Baltic position *vis-à-vis* accession into NATO and the EU. Through membership in both organizations, Lithuania's regional role will substantially increase. Lithuania can play a leading role in securing the Baltic-Central European region, by further engaging with Russia and Belarus and decreasing the potential for destabilization. Lithuania initiated the "Vilnius 10" initiative, a body that aims to coordinate efforts by Northern, Central, and South East-European candidate states to enter the NATO Alliance. Lithuania's central role demonstrates its commitment to being a security coordinator for a much wider European region. As a member of NATO and the EU, Lithuania's constructive role will expand in identifying issues of common concern and seeking bilateral and regional approaches.

## 1. INDEPENDENT LITHUANIA

### *Historical Overview*

The origins of Lithuanian statehood can be traced back to the 13<sup>th</sup> century and the rule of King Mindaugas, a chieftain who in 1236 managed to unite several disparate tribes into a single entity. In 1385, the Grand Duke of Lithuania Jagiello married the Polish Queen Jadwiga: the Polish-Lithuanian Commonwealth played a significant role in Eastern Europe until in the 18<sup>th</sup> century when it was divided by more powerful neighbors - Russia, Germany, and Austria. The foundation of the joint state was also undermined by internal conflicts based on emerging ethno-linguistic divisions.

The First World War intensified national tensions, as Lithuania's Conservative and Christian Democrat leaders regarded Poland as an obstacle to the country's development. Some looked for support to Russia whereby Russia's role would increase while reducing the German and Polish influence in the Baltic region. Lithuanian Conservatives expected to overcome Polish dominance in Vilnius and German prevalence in the lower Nemunas lands. They believed that this would create the preconditions for renewing Lithuania's independence. Lithuanian Liberals, largely members of the People's Party and the Social Democrats, had a more moderate attitude toward Poland and were skeptical about Russia, but eventually adopted the Conservative line.

During negotiations after the Bolshevik coup in Russia in October 1917, the Entente states encouraged the declaration of independence by the Baltic nations, which hampered German expansion eastwards and the spread of Bolshevism westwards. On the initiative of the Lithuanian Liberals, the Declaration of the Independence of Lithuania was proclaimed on 16 February 1918. The defeat of Germany in World War One paved the way for the Council of Lithuania to form a government. At the same time, there was no longer any barrier against Polish expansion.

The first government of Augustinas Voldemaras promoted a multi-ethnic or civic principle for internal policy and neutrality in foreign affairs. The transitional constitution established the inviolability of private ownership and sought a concord with the Polonized nobility. Voldemaras's hopes for a "new world order" through the League of Nations were not fulfilled as there was no guarantor of such an arrangement. German and Russian weakness increased the influence of a revived Poland which failed to understand the liberal tendencies in the Lithuanian government and tried to force the Council of Lithuania out of political life. In the summer of 1920, During the Polish-Soviet war, Lithuania retreated from its position of neutrality and adopted a more favorable attitude toward Moscow. When Moscow lost the war, Poland seized Vilnius in October 1920 and posed a serious threat to the independence of Lithuania.

The efforts of the League of Nations to extinguish conflicts in Eastern Europe proved futile, as it did not possess sufficient tools of influence. Lithuania realized that Russia did not feel bound by the Riga agreement signed with Poland in October 1920. Hence, Polish dominance in the region was only temporary. This led both sides oppose any concessions, and thus exacerbated the conflict. The situation was aggravated by the resolution of the Klaipėda problem. Lithuania, in its attempts to avoid any commitments that would benefit Poland, rejected agreement proposed by the Entente states and in 1923 decided to militarily occupy Klaipėda. The stalemate on the international level was mirrored by Lithuania's domestic problems. Social radicalism radiating from Russia affected the formation of the state's legal foundation. In the 1920

parliamentary elections, the moderate conservative program of the Nationalists was defeated. The 1922 Constitution demonstrated moves towards a parliamentary dictatorship. Meanwhile, the land reforms intensified ethnic tensions and impeded the resolution of the conflict with Poland.

Following the Liberal victory in the 1926 elections, the country's problems became more acute, and a presidential coup was staged on 17 December 1926. In the 1930s, with the world moving toward a new war, the self-defense potentials of small states rapidly decreased and they became the objects of intrigues between the major powers. On 22 March 1939, Lithuania was forced to cede Klaipėda to Germany, and in October 1939 it succumbed to Soviet pressure and allowed Red Army bases in its territory. In the summer of 1940, the Union of Soviet Socialist Republics (USSR) encountered practically no resistance as it occupied and eventually incorporated Lithuania in accordance with the modified German-Russian (Ribbentrop-Molotov) pact of August 1939.

The Soviets compelled Lithuania to accept military bases on its territory and they gave Vilnius to Lithuania after it was captured from Poland during the September 1939 campaign. Nazi Germany occupied Lithuania between 1941 and 1944 and exterminated most of the country's Jewish population. Moscow restored its control in 1944 as Berlin lost the war. Spontaneous military opposition against Soviet re-occupation lasted until the middle of the 1950s. After re-occupying Lithuania, the Soviets deported approximately 282,000 people, 70,000 fled to the West, and over 20,000, who were allegedly disloyal to the regime, were murdered. The Soviets also ethnically "cleansed" Vilnius from Poles and Klaipėda from Germans.

The Lithuanian nation became demoralized under Soviet rule. Although the armed resistance was a genuine national liberation movement, Moscow sought to discredit it by alleging that some of the fighters were guilty of collaboration with the Nazis. After the Soviets quelled the armed resistance, the struggle continued in the underground. However, the majority of Lithuanians attempted to reconcile themselves to Soviet rule and tried to alleviate the most extreme manifestations of this imposed dictatorship while developing immunity to Communist ideology.

Although the Soviet system remained totalitarian, it underwent some evolution. In the initial period until Stalin's death in 1953, local political structures were demolished, people were deported to Siberia, while "cadres" from Russia flocked into Lithuania. During the 1960s, the repression somewhat subsided, with a reduction in the percentage of immigrants in positions of authority, and a revival of some elements of traditional culture. Despite its totalitarian character, the Soviet regime provided some possibilities for the development of a local economy and culture in Lithuania as an administrative unit.

### ***Regaining Independence***

Lithuania became the first "Soviet" republic to proclaim its independence on 11 March 1990 in the aftermath of the growing crisis in Moscow. The driving force behind Lithuania's liberation movement was memories of the independent state that was violently obliterated in 1940. These memories survived through family narratives, history books, and by the attempts of Soviet ideology to wipe them out. The memories were enlivened by the fact that the Western countries, above all the United States, regarded Soviet rule in Lithuania, Latvia, and Estonia as illegal. Washington did not recognize the annihilation of Lithuania in 1940.

Before promoting the restoration of statehood for the Baltic countries, it was necessary to reach international agreement over basic principles. The Final Act of the Helsinki Conference in 1975, which provided for the principle of the inviolability of borders, signified a turning point. The Act provided for the recognition of existing borders and the use of force was outlawed as a method of changing them. Borders could be altered only if democratic rules and the right to self-determination were respected. The Helsinki process established new international principles but it remained unclear how these principles would work in practice once the process of democratization began.

Soviet leader Mikhail Gorbachev launched reforms in the Soviet Union in the late 1980s. Under pressure from the Baltic intelligentsia and a segment of the Russian intelligentsia, he became convinced that he was too weak to shatter public opposition to Communism while historical truths remained hidden. The secret Molotov–Ribbentrop protocols from 1939 was the most vulnerable blank-spot that directly concerned the Baltic states. Soviet ideology suffered devastating blows from the exposure of Moscow's foreign policy crimes, which helped to spur the processes of democratization. The difficult questions revolved around the consequences of this emancipation. They could help Gorbachev to remove some high-ranking Soviet officials, but they could also threaten the territorial integrity of the USSR. Moscow reformers decided to take the risk, believing that the political turmoil in the Baltic republics would subside.

In 1989, owing largely to impulses from within the USSR, the disintegration of the Soviet empire in Central-Eastern Europe began. National movements in Lithuania, Latvia, and Estonia were in the vanguard of democratization. At the end of 1989, almost every former "Socialist Republic" had its sovereignty restored. U.S. secretary of state James Baker announced that the issue of borders had to be resolved in accordance with the Helsinki principles. Soon afterwards two directly interested parties, the Chairman of the Lithuanian parliament Vytautas Landsbergis and Poland's Foreign



Minister Bronislaw Geremek, made similar statements, thus minimizing the likelihood that a revision of borders would take place.

In early 1990, Gorbachev attempted to consolidate power by enacting changes in the Soviet constitution and establishing the Office of State President. He also issued threats against Lithuania that in case of secession, the Soviet authorities would dispute Lithuania's rights to Vilnius and Klaipėda. On 24 February 1990, democratic elections were held for the Lithuanian Supreme Council. Representatives of the democratic independence movement, *Sąjūdis*, received an absolute majority of votes. Thus, in a formal sense, the institution set up by the Soviet authorities became a genuinely democratic representation of the Lithuanian people.

Lithuania could have chosen one of two routes toward independence. The first was the "constitutional option." On 7 February 1990, the Supreme Council passed a resolution that the declarations of 1940, on the basis of which Lithuania became a part of the Soviet Union, were unlawful. The resolution proposed that the USSR enter into bilateral negotiations on restoring Lithuania's independence, but Moscow did not react to the proposal. If Lithuania had taken this path, it would have had to solve the issue of restoring independence directly with Moscow on the basis of the Law of Secession. Passed on 15 March 1990 at the Soviet Congress of People's Deputies, this Law contained provisions, which made the law more apt to be referred to as that of "non-secession."

The second option was "restitution." According to this option, the entire Soviet period had to be outlawed and Lithuania had to be restored along the lines of the inter-war Constitution. The logic of this option inspired expectations that the international recognition of Lithuania would be re-established *ipso facto*. This second option was chosen and signals coming from the U.S. influenced the decision. For half a century, Washington stood by its policy of non-recognition and kept alive the hope of the Baltic states that they would once again become independent. Yet the signals were sometimes ambiguous. At an official level, Washington advised Lithuanians to remain moderate and warned that should real conflict with Moscow erupt, no assistance was to be expected. Unofficially, however, Vilnius was urged to act resolutely and this advice was followed.

Soon after the Lithuanian Supreme Council adopted the Declaration restoring independence on 11 March 1990, it became clear that the U.S. had no immediate intention of recognizing Lithuania and that only moral support was to be expected from abroad. The U.S. administration described its position as driven by the provision that recognition required an entity to control its territory. At a more fundamental level, the U.S. was not prepared to enter into a

serious discussion with Moscow on the restoration of Lithuania's independence, as this would have affected major changes throughout the region.

In the autumn of 1990, the international environment became favorable for Moscow to use repression against Lithuania. However, open aggression was not applied as a democratically elected government was functioning in Lithuania. The Kremlin had to engage in camouflage to discredit the Lithuanian authorities. Pro-Moscow elements, with the help of Soviet military forces, were given the role of restoring law and order. However, during the bloody events of January 1991, the world witnessed Soviet soldiers killing unarmed Lithuanians trying to bloc access to governmental institutions. Gorbachev was forced to halt the repressive measures as the international community displayed opposition to Soviet actions.

The processes of democratization in Moscow gave further impetus for the independence struggle. Part of the Soviet elite, with Boris Yeltsin as their leader, understood that Gorbachev's vision of a "renewed Soviet Union" was illusory. They decided to establish parallel power structures and denounce Soviet ideology. Lithuania's decision to open a dialogue with Yeltsin strengthened this tendency. On 29 July 1991, Landsbergis and Yeltsin signed a Treaty in Moscow. According to this Treaty, the two countries, on the basis of the principles of the Final Act of the Helsinki Conference, recognized each other to be rightful subjects of international law and sovereign states. Moreover, the Treaty established the necessity to "remove those consequences of annexation of 1940, which violate the sovereignty of Lithuania."

On 19 August 1991, Soviet reactionary groups tried to depose the democratic structures by force, but the Moscow putsch failed. The events demonstrated the failure of Gorbachev's vision of a "renewed USSR." The initiative was taken by Yeltsin who recognized the applicability of the Helsinki principles in the Soviet Union as well. Thus, the regime of international relations based on the Helsinki principles crossed the borders of the former Soviet Union. In the aftermath of the August 1991 putsch Lithuania was recognized by the international community and the greatest threats to independence were overcome.

### ***Political Developments***

With the proclamation of restored statehood on 11 March 1990, Lithuania embarked on its path toward a modern democracy. In the late 1980s the pre-war political parties started to recover, yet the highest legislative institution, the Supreme Council of Lithuania (*Seimas*), elected in February 1990 during Soviet times, only remotely resembled a Western-type parliament. It included many members of the Lithuanian Communist Party (LCP), which in Decem-

ber 1989 broke away from the Communist Party of the Soviet Union. Many of these activists subsequently left the LCP. The majority of parliamentarians did not belong to any political party and a clearly defined opposition was absent. Due to conditions of acute confrontation with Moscow, which refused to recognize the Lithuanian state, an open and organized opposition to the parliamentary majority and its Chairman Vytautas Landsbergis would have been regarded as disloyal to the newly restored state.

From 1990 until 1992, the key task of the Supreme Council was to implement statehood by passing new laws and establishing appropriate institutions, including a Ministry of Foreign Affairs, which in Soviet times performed a decorative function, and a Ministry of Defense. Practically all political power was concentrated in the *Seimas* and it regarded the institutions of executive power with mistrust. Although the formation of parliamentary factions started quite soon, these generally were not representative of existing political parties. Instead, the factions spawned the formation of new parties. The key task of the Supreme Council was to implement statehood by establishing appropriate institutions, including a Ministry of Foreign Affairs, which in Soviet times performed a decorative function, and a Ministry of Defense.

In March 1990 the leader of *Sąjūdis*, Vytautas Landsbergis, was elected chairman of parliament and played an important role in efforts to restore Lithuanian statehood. He proved tough and stubborn in dealings with the Soviet Union and was very active in West, seeking support for Lithuania's cause. By the end of 1991, the internal political situation underwent a rapid change and the so-called "New Majority" coalition emerged in parliament. It turned against Landsbergis and Prime Minister Gediminas Vagnorius. *Sąjūdis* became increasingly sectarian while it lost popular support; two years later it practically disappeared from the political scene. In July 1992, parliament sacked premier Vagnorius who was replaced by Aleksandras Abišala. There was broad agreement about the need for new elections, and for a permanent constitution to replace the Provisional Basic Law of the Republic of Lithuania adopted by parliament on 11 March 1990.

The Provisional Basic Law had several shortcomings. More than 60 amendments were adopted during the following two years. The Law determined that Lithuania was to be an independent and democratic parliamentary republic but the functioning of the state was hampered without a coherent instrument of governing. The need for a new and permanent Constitution became acute after Lithuania was recognized by the international community. Two draft constitutions were produced: one resulting from the work of the Constitutional Commission, established by the Supreme Council, and the other proposed by *Sąjūdis*. The first was a draft constitution for a parliamentary republic, the second for a presidential republic.

After *Sąjūdis* leaders lost control of parliament, it became clear that the Supreme Council would not accept a strong presidency. Supporters of Landsbergis aimed to adopt, through referendum, a draft law on the presidency on the basis of which the president would have extremely wide powers. Members of the "New Majority" argued that such a president would become a dictator and did not want Landsbergis to dominate political life. In the referendum only 42% voted for a strong presidency.

On 25 October 1992, the new Constitution was adopted by popular vote. It presented a clearer definition of human and civil rights. A Constitutional Court was introduced, thus strengthening the third branch of government and applying the principle of the separation of powers. The Lithuanian president had a relatively wide range of mostly nominal powers. The President shaped foreign policy by setting basic policy issues, implementing them together with the Cabinet. He or she appointed the Prime Minister, upon parliamentary approval, and approved the composition of the government. The President was the Commander-in-Chief of the armed forces and headed the State Defense Council. In domestic policy, presidential powers were more limited and although the President possessed a right to dissolve parliament, a newly elected parliament could also announce an early presidential election. The new Constitution created a firm basis for Lithuania's statehood and played a stabilizing role in political, economic, and social developments.

In the October 1992 parliamentary elections, the Landsbergis-led forces won only 52 out of 141 seats. The Democratic Labor Party (DLP) (former pro-independence Communists) won 73 seats and held an absolute majority. The main opposition parties became the newly founded Homeland Union (Lithuania's Conservatives), led by Landsbergis and Vagnorius, and the Christian Democrats, led by the former Minister of Foreign Affairs Algirdas Saudargas. The 1992 election campaign, unlike the 1990 vote, was a confrontation between two opposing and clearly defined political forces. The DLP was indebted to its popular leader, Algirdas Brazauskas, regarded as a relatively liberal communist who understood Lithuanian aspirations. In February 1993, Brazauskas was elected President by popular vote. In March 1993, the care-taker government, under Bronislavas Lubys, was replaced by a permanent government under the new leader of the DLP, Adolfas Šleževičius.

In the following years political tensions substantially subsided. Russian troops were pulled out of Lithuania in August 1993. There were several significant achievements in foreign policy. Cooperation with the other two Baltic states was strengthened. A treaty with Poland was signed during the first visit by the President of Poland to Lithuania in the spring of 1994 and was ratified by both parliaments in the fall of that year. This treaty opened up new opportunities for cooperation not only with Poland but also

with other Visegrád countries. In January 1994, Lithuania was one of the first countries to sign the Partnership for Peace (PfP) with NATO and became an associate member of the EU in January 1995.

The opposition did not question the main goals of Lithuania's foreign policy – integration into the EU and NATO – but was concerned about the development of relations with Russia, especially with the problem of military transit to and from the exclave of Kaliningrad. From 1993, Russia's military transit to Kaliningrad was based on a temporary agreement, which expired on 31 December 1994. Russia was eager to conclude a new arrangement. Many Lithuanian politicians were convinced that this would bind Lithuania to Russia politically and militarily thus violating the Constitutional Act on the Non-Alignment of Lithuania to Post-Soviet alliances. On 18 January 1995, Lithuania agreed that Russia's military transit would be continued according to regulations established in the 1993 agreement on the withdrawal of Russian troops from Germany.

In 1995, the Labor government faced mounting difficulties, as the bulk of the population did not feel any economic improvement. Some complained about the ineffectiveness of the tax system which resulted in delays in pension payments, the decay of the health care system, the rise of violent crime, the growth of foreign debt, and the diminishing rate of foreign investment. In the 1996 parliamentary ballot, the electorate voted overwhelmingly against the ruling party. The Social Democrats, Center Union, Liberals and other small parties aspiring to form a strong center did not manage to gain substantial popular support. The Homeland Union and Christian Democratic Party formed a coalition government. Notwithstanding the economic difficulties, a constitutional transfer of power for the second time to the opposition signaled one more important step on Lithuania's road to democracy.

During the first years of statehood, a functioning party system was formed. The best organized was the DLP. Other parties included the Lithuanian Social Democratic Party, the oldest party in Lithuania, established in the 19<sup>th</sup> century and reborn in 1990. The right wing was represented by the Homeland Union (Lithuanian Conservatives), under the leadership of Landsbergis, and the Christian Democratic Party. The Center Union and the Liberal Union constituted the centrist bloc. The policies of successive governments, although representing different parties, demonstrated significant continuity in foreign policy, as well as in social and economic issues.

The 1997 presidential election was won by American-Lithuanian, Valdas Adamkus, whose greatest supporters were the centrist parties. His main rival was the former Prosecutor General Artūras Paulauskas who was backed by Brazauskas. The government headed by Gediminas Vagnorius resigned in 1999 with an ensuing split in the Conservative Party. The post of presi-

dent was briefly occupied by the Conservative Rolandas Paksas, who resigned after a few months as a result of a disagreement over the privatization of a major Lithuanian enterprise. In the parliamentary elections of 2000, the greatest number of votes were cast for the DLP-Social Democratic Coalition led by Brazauskas. The two parties merged to form the Lithuanian Social Democratic Party under the leadership of Brazauskas. Subsequently, the New Policy coalition, including Liberals, Social Liberals, Centrists, and the Modern Christian Democrats, formed a majority in parliament and established a new government. Paulauskas was elected Chairman of the *Seimas*. In 2001, the Social Liberals formed a coalition with the Social Democrats. Brazauskas became the Prime Minister of the new coalition government. Presidential elections were scheduled for the end of 2002.

The 1992 Constitution created a favorable basis for Lithuania's democratic development. Although in the semi-presidential or parliamentary-presidential republic there was a possibility of conflict between the President and the government, these conflicts have never been intense. Lithuania developed into a politically stable state that was successfully accomplishing its privatization program. The economy steadily grew and average living standards increased. The tensions that existed in 1990-1993 between Lithuanian and Polish minority leaders abated. There was little strain in relations between Lithuanians and Russians.

Improvements in the legal system have also significantly progressed with the adoption of the Civil Code and the Criminal Code. A National Anti-Corruption Strategy has also been devised to combat corruption. An exceptionally liberal law on citizenship was adopted in 1989 providing for an unconditional right for all permanent residents to become citizens. The attribution to the Lithuanian language the status of an official language did not provoke any major disputes, as an absolute majority of Poles and Russians were able to communicate in Lithuanian. An independent media was successfully functioning, while political, religious and non-governmental organizations could pursue their activities unrestricted. Solid foundations were also laid for Lithuania's civil society. The stable internal political situation created favorable conditions for implementing a consistent foreign policy. All parliamentary parties supported the strategic goals of Lithuanian foreign policy as well as the principles of economic development based on a market economy.

### ***Economic and Social Developments***

Lithuania has registered an annual Gross Domestic Product (GDP) growth rate of over 5%. It has decreased its current account deficit to 6% of GDP; achieved considerable fiscal and monetary discipline; decreased its inflationary pressure; almost completely privatized all sectors of the economy;

increased the private sector contribution to GDP to 72%; achieved a respectable level of foreign investment; maintained macro-economic stability; and limited state subsidization of the economy to 0.2% of GDP. A permanent national currency, the *litas*, was introduced in 1993. The rate of inflation substantially diminished, from 189% in 1993 to 35% in 1995. At the beginning of 1994, the *litas* was pegged to the U.S. dollar at a rate of four to one and this rate of exchange remained unchanged until February 2002 when the *litas* became pegged to the *Euro*.

In recent years, Lithuania has experienced a stable macro-economic environment with sustainable economic growth. After undergoing an economic recession during the initial period of structural reform following the financial crisis in Russia in 1998, the Lithuanian economy recovered in 2000 and entered a period of accelerating GDP growth of 5.9% in 2001. Growth was particularly impressive given that many of the world's economies were nearing a recession. Most forecasts predict a continuing GDP growth of around 4-5% in the coming years and about 5.6% by 2005.

The stable macro-economic environment has been crucial in creating conditions for economic growth. Inflation was reduced significantly after the mid-1990s and remained at a very moderate level, remaining below the EU average. The stable monetary policy, based on the currency board introduced in 1994, could be credited for rapid macro-economic stabilization. The stability and credibility of the monetary policy was tested when the national currency, the *litas*, was re-pegged from the U.S. dollar to the *Euro* in February 2002. This change took place smoothly and was judged a success by the International Monetary Fund (IMF) and independent rating agencies. The re-pegging of the currency constituted another step towards joining the EU, which is the main trading partner and source of foreign direct investment in Lithuania.

The relatively liberal foreign trade regime has been one of the main factors behind the recovery of the Lithuanian economy after the initial transition. The acceleration of foreign trade was one of the driving forces behind GDP growth in 2001. In 2000, Lithuanian exports grew by 27% while imports increased by 13% in comparison to the previous year. During 2001, Lithuania's exports grew by around 20% and imports by 16% in comparison with 2000. These were impressive indicators in the context of the slowdown of the world economy.

The EU accounts for approximately half of Lithuania's foreign trade turnover and its share has been increasing in absolute terms throughout the decade. This is the result of the liberalization of foreign trade policies, which took place in 1992-1993, and the reorientation of trade flows, as well as the gradual introduction of a free trade regime between the EU and Lithuania after 1995. If Lithuania's trade with other EU candidate countries is in-



cluded, the total share of foreign trade with a larger EU reached around 75%. Russia remained the fourth largest market for Lithuanian exports after Great Britain, Germany, and Latvia, and the main supplier of energy such as oil and gas. Lithuania's geographic position makes it a natural trading partner of both the EU and Eastern Europe and allows its companies to diversify their markets. The ability to diversify and to exploit comparative advantages allows for softening the impact of recession in some of the surrounding regions. The fact that Lithuania's exports to CIS increased by 46% in 2001 illustrates this diversification. The major exports to the EU include textiles, mineral products, machinery, chemical products, wood, and furniture.

Several features demonstrate the open nature of Lithuania's foreign trade regime. Currently, Lithuania has free trade agreements with almost 30 countries, including the EU, most EU candidate countries, and members of the European Free Trade Association (EFTA). Over 70% of Lithuania's trade takes place on the basis of the free trade regime, while the trilateral free trade area of the Baltic states is one of the few regional blocks that trades freely in industrial and agricultural products. The average import customs duty for industrial products applied by Lithuania (around 2.5%) is among the lowest in Central-Eastern Europe and lower than the ones applied by the EU.

At the end of May 2001, Lithuania became a member of the World Trade Organization (WTO). This was a logical extension of the open trade policies conducted since the start of the reforms. The process of liberalization took place parallel with privatization and the reduction of the role of state in the economy. After the first stage of voucher privatization in 1991 and the second stage of direct sales in 1995, above 70% of GDP was produced in the private sector. Privatization was one of the main methods for attracting foreign direct investment. The inflows accelerated in recent years and equaled 4.5% and 3.3% of the country's GDP in 1999 and 2000 respectively. The cumulative foreign direct investment inflows during the decade up to 2000 constituted about \$2.387 million. As of October 2001, total foreign direct investment comprised \$2.6 billion US, while the share per capita was \$746 USD. The largest part of foreign direct investment went to manufacturing (26.8%), the wholesale and retail trade (20.4%), financial intermediation (19.2%), and communication services (15.4%).

Privatization was accompanied by a reduction in the role of the state in the economy. Budgetary subsidies decreased from 1.7% of GDP in 1994 to 0.2% in 2000. The legal environment of the market was based on the competition law, harmonized with EU competition norms and the principles of regulation applied in the Single Market. The reduction of state participation in the economy contributed significantly to an increase in macro-economic stability. Measures



taken by several Lithuanian governments after the 1998 economic slowdown were particularly important for the reduction of the fiscal deficit and current account imbalances. Reduction of the fiscal deficit, by restricting public expenditures, was complemented by reductions in the state debt, which equaled 28.8% of GDP in 2000 and was expected to remain below 30% in the coming years. The reduction of fiscal imbalances combined with economic growth contributed to a significant reduction in the current account deficit.

A stable monetary policy, open trade relations, and a restrictive budgetary policy have contributed to macro-economic stability and economic growth. The main economic policy measures currently undertaken include the restructuring of the infrastructure sectors, such as energy, railways, and air transport; privatization and competition in sectors still under state monopolies; and the establishment of a regulatory framework in line with the EU's *acquis communautaire*. The privatization of the banking sector was completed in 2002 with the last state owned bank purchased by a foreign investor. The banking sector is dominated by foreign investors from EU countries. The increased credibility of government fiscal policies was evident in Lithuania's credit ratings being upgraded. In February 2002, both Moody's and Fitch rating agencies upgraded their ratings from stable to positive. They regarded Lithuania as having a stable macro-economic environment, credible monetary policies, and a positive economic outlook.

One of the remaining issues on the economic and social policy agenda is the relatively high level of unemployment. It peaked twice during the 1990s, reflecting the impact of structural changes in the economy as a result of initial liberalization and restructuring, and after the financial crisis in Russia and the sharp decrease in demand for Lithuanian products in CIS markets. However, signs of stabilization and a potential for a decrease in unemployment are now evident. The rate of unemployment will depend on economic growth rates and the creation of new businesses. Market entry is still hampered by complicated requirements for company registration and licensing, although steps to improve the regulatory environment are being undertaken under the *Sunrise initiative*. In 2001, the demand for labor recovered, indicating a potential for medium and long-term employment opportunities. The level of unemployment is expected to come down to 8.4% by 2005, according to the Lithuanian Ministry of Finance.

Although the standard of living is still considerably lower in Lithuania than in the EU, average monthly earnings increased during 2001 and exceeded \$250. The poverty level in Lithuania encompassed about 16% of the population in 2000, down from 18% in 1996. Expenditures on health and education increased throughout the decade from 7.8% of GDP in 1993 to 11.1% in

1999. Both the health and education fields are currently undergoing reforms aimed at making them more capable of meeting the needs of Lithuanian society, increasing the quality and efficiency of these services. During the 1990s, basic school enrollment increased to around 96%. Life expectancy at birth in Lithuania also increased slightly to the average of 72 years.

Each Lithuanian government has to maintain macro-economic stability and the country is catching up with the EU in terms of GDP per capita. Property rights are well established, privatization is nearing its completion, and the foundations for the institutional structure of market supervision based on EU principles are being laid. According to the European Commission Progress Report of 2001, Lithuania is a functioning market economy, which can cope with competitive pressure and market forces within the Union in the near term. In addition, Freedom House, in its 2001 Nations in Transit Report, concluded that Lithuania has established a solid foundation for a market economy and has made significant progress in the areas of macro-economic stability, privatization, and liberalization. Accession into the EU will further consolidate the market structures needed for sustainable economic growth.

### *Minority Issues*

National minorities are an important part of Lithuanian society and an integral part of Europe's cultural heritage. Minorities include groups that do not belong to the titular nation but have lived in the country for centuries and possess their own language. At present, national minorities constitute 18.2% of inhabitants (674,000). According to data from 1999, Lithuania's population reached 3,700,800 composed of the following ethnic groups: Lithuanians, 81.8% (3,026,800), Russians 8.1% (300,700), Poles 6.9% (255,300), Belarusians 1.4% (52,800), Ukrainians 1.0% (36,500), Jews 0.13% (4,900), other nationalities (Karaims, Tatars, Latvians, Roma) 0.7% (23,900).

The demographic proportions of the national minorities have remained stable and the natural rate of increase of all minority groups is similar. However the lifting of political barriers resulted in the emigration to the West of more than half (5,600) of the country's Jews during the first five years of independence. There was also a temporary increase in the emigration of the Russian minority to Russia and other CIS countries. Between 1989 and 1993, the population of Ukrainians and Belarusians decreased by 6%. After 1993, the emigration rates of ethnic groups slowed down.

Lithuania's national minorities can be divided into several groups. The *territorial minorities* have lived in a certain territory for a long period of time (Karaims and Tatars). The formation of geographically concentrated *frontier minorities* was determined by the change of state frontiers (Poles and Belarusians).

*Non-territorial minorities* include migrant ethnic groups (Jews and Roma). The creation of an independent Lithuania turned Ukrainians and some Belarusians into *post-colonial minorities*. There are also *economic migrants* who, in the post-war period, were resettled from Russia, Ukraine, Belarus, and the Transcaucasian countries. As a result, the Russian-speaking population is more urbanized and geographically scattered. Non-Russian people who became closer to Russians through a process of assimilation (Ukrainians, Belarusians, Kazachs) are often referred to under the collective name of Russian-speakers. Especially heterogeneous is the eastern and southeastern part of Lithuania.

Lithuania employs both legal and political tools to ensure the protection of national minorities. These are underscored by laws passed in compliance with international standards. All citizens are guaranteed human and civil rights as well as national minority rights enshrined in the Constitution and in laws on National Minorities, State Language, Education, Citizenship, Public Organizations, Public Information, Religious Communities and Associations, and Political Parties and Political Organizations. Lithuania has ratified the majority of international conventions related to national majorities, including the UN International Pact on Social, Economic and Cultural Rights, and the European Convention on Human Rights and Fundamental Freedoms. In 1995, Lithuania signed the Council of Europe Framework Convention for the Protection of National Minorities, ratified in 2000. Lithuania also recognizes the jurisdiction of the European Court of Human Rights and the European Commission on Human Rights.

Lithuania has concluded and ratified political agreements with Russia, Belarus, Ukraine, and Poland, which have included provisions on minority rights. Vilnius has also adopted a number of legal tools to ensure that minorities can preserve their identity and to encourage their participation in social life. Official integration policy consists of a framework of structural, cultural, and social measures. The level of structural integration is determined by legal status, political participation, education, qualifications, and social position. Lithuanian laws outlaw racial, linguistic, ethnic, or religious discrimination and protect the rights of citizens to foster their culture, religion, language, and traditions. As a result of a liberal citizenship policy under the 1989 Citizenship Law, all residents were enabled to acquire citizenship. Currently, most members of national minorities are citizens and enjoy the same legal status as Lithuanians.

Members of minorities are guaranteed the right to participate in political life by joining political parties and organizations, taking part in elections and referenda, or taking posts in the state government. Additional positive measures were applied to ensure adequate minority participation in political life. The Law on Elections to the *Seimas* enabled minority political

organizations to obtain mandates in parliament without the mandatory 4% vote limit applicable to other parties. Two Russian and two Polish political organizations were established in the early 1990s and their representatives have been elected to parliament and local government.

Nevertheless, some institutional barriers still obstruct national minorities from reaching parliament and they find it difficult to collect the required 5% of votes. Perceptions among the minority electorate that their representatives will have little impact in parliament also encourages political indifference. Minority groups tend to have weak organizational structures and few prominent leaders. The majority of Russians entrust their interests to influential leftist parties. Despite these obstacles, Lithuania's mixed electoral system enables minority representatives to be nominated to the general lists of other political parties.

The economic, political, and social transformations have affected all citizens. Most significantly, the changes were felt by Russians who after enjoying a dominant position during Soviet times found themselves in the status of a minority. The heavy industries, which used to employ many Russians, significantly cut back on labor. A process of social differentiation also remains visible within minority communities. The labor market has generally provided more opportunities for younger people who have learned Lithuanian and acquired educational qualifications, as well as entrepreneurs who maintain close relations with CIS countries. Minority integration is facilitated by knowledge of the official language. Already in 1994, about one third of Russians and a similar number of Poles had a good knowledge of Lithuanian. The total continues to increase so that language is not an obstacle to integration.

To promote the process of integration, Provisions for the Educational Development of National Minorities were implemented in 2001 alongside a project for the advancement of bilingualism in schools. Regarding the media, by 2001 there were 49 periodicals published in the languages of national minorities. Educational programs for national minorities are also broadcast by state radio and television and by private companies. Minority groups have established or joined various non-governmental organizations and cultural centers while the cultural projects of national minorities are often supported by the state.

Lithuania's national minorities do not show tendencies toward cultural assimilation. During the restoration of independence, the national upsurge enhanced their ethnic consciousness. Nevertheless, the majority of minority populations regard Lithuania as their cultural homeland and relate their political identity with that of the state. Minority aspirations have on occasion given rise to tensions with regard to cultural symbolism, the restitution of property rights, administrative restructuring, and political participation. A

new ethnic policy concept is expected to be prepared by the government by September 2002 to try and resolve outstanding ethnic problems.

One issue of concern is the situation of some Russians, including the unemployed, former officers, and pensioners, who find themselves on the lowest social level. In order to foster the civic activity of this marginalized population, the implementation of the 1996-2003 programs for the Social Development of eastern Lithuania and for the Support of the Cultural Activity of the National Minority Communities is now underway.

With regard to the Polish minority, their problems have been connected with the relationship between Lithuania and Poland. Relations with Poles residing in the frontier regions were only stabilized in 1994 after the signing of the Lithuanian-Polish agreement, which established a strategic partnership between the two countries. Poland rescinded its policy of pressurizing Vilnius in respect of the Polish *diaspora*, while Lithuania sought to create the preconditions for democratic rights among the Polish minority. Relations with Poles along the border regions could deteriorate following Warsaw's "Program on Poles Abroad" prepared in 2002. The Program commits Poland to supporting and financing organizations among the Polish national minority, which can act as intermediaries with the state authorities. Minority Poles could thereby exert pressure on both Vilnius and Warsaw.

In order to develop cultural pluralism, it is necessary to improve the social conditions of the Polish minority. This can be accomplished in south-eastern Lithuania by promoting profitable farm tourism. Alterations in territorial local government could also be undertaken by transferring some functions of the county administration to the Vilnius and Ąalėininkai municipalities. Polish demands over the status of the Polish language could be resolved by eliminating inconsistencies between currently existing laws. If the *Seimas* adopts a more liberal Law on National Minorities, the Polish language problem could be resolved in conformity with the provisions of the Council of Europe Framework Convention for the Protection of National Minorities and the Charter of Regional or Minority Languages.

The problem of land property restitution also needs attention as numerous obstacles persist in the restitution of ownership rights to immovable property. Discontent among Poles could be assuaged by more extensive representation in the central government through direct mandates in parliament and minority quotas in political parties. Another feasible solution might be to increase the number of constituencies in eastern Lithuania to expand Polish representation in the *Seimas*.

Vilnius was a prominent center of Jewish culture. Lithuanian Jews (Litvaks) compose a significant part of the world Jewish community. Less than 4,000 Jews currently reside in the country and the number continues to decrease as a result of

emigration and aging. During the period of national revival, the interests of Jews and Lithuanians coincided. Jews could freely express their national aspirations, establish organizations and institutions, including the State Jewish Museum and the Jewish Sholom Aleichem School. However, problems associated with the restitution of property also surfaced as well as questions about Lithuanian responsibility in war crimes during World War Two. It was necessary to tackle the problem of moral responsibility for the genocide against Jews and to accelerate investigations of cases related to war crimes. It was also essential to resolve issues related to the restitution of material property and the transference of items of cultural value.

On 2 May 1990, a Law on the Restoration of the Rights of Persons Repressed for Resistance against Occupational Regimes was passed. On 8 May 1990, Lithuania's Supreme Council adopted a Statement "On the Genocide of the Jewish Nation in Lithuania during the Hitlerite Occupation". It constituted an unconditional condemnation of genocide against the Jewish nation and expressed regret that among Nazi collaborators there were also Lithuanians. On 31 October 1990, parliament proclaimed September 23<sup>rd</sup> a day of commemoration of the Jewish genocide.

Addressing the Israeli Knesset in 1995, President Brazauskas, on behalf of the Lithuanian nation, made an apology to the Jewish nation. In May 1998, President Adamkus signed a decree on the establishment of an international commission for the investigation of crimes committed by the Nazi and Soviet occupational regimes. In the autumn of 1998, Lithuanian representatives joined the Washington Conference declaration condemning the Holocaust. In early 2002, the Ministry of Foreign Affairs instituted a post of Ambassador for Special Assignments whose responsibility was to pursue relations with the Jewish *diaspora*, Litvak communities, and to maintain relationships with the Jewish community in Lithuania.

All Lithuanian governments have paid due regard to Holocaust education, to the preservation of the Jewish heritage, and the perpetuation of the memory of victims. This theme is included in history textbooks. The Ministry of Education supports Jewish schools and maintains relations with Jewish organizations. In the Stockholm International Forum on the Holocaust in January 2000, Lithuania undertook a commitment to join the nine-country working group on Holocaust education.

The international community remains concerned over legal proceedings against persons charged with war crimes. Lithuania has been accused of avoiding the prosecution of Lithuanian citizens who collaborated with the Nazis. The proceedings of the case of Aleksandras Lileikis in 2000 were the focus of special attention. The Prosecutor General's Office possesses lists of persons who, according to Israeli institutions, were erroneously rehabilitated although they had participated in Holocaust crimes. Lithuania's Pros-

ecutor General's Office and the Supreme Court investigated the list of rehabilitated persons and abolished several unfounded rehabilitations.

The policy of property restitution is implemented in accordance with existing laws. These laws provide for restitution not only to Lithuanian citizens but also to the successors of religious organizations, which existed before 1940. Between 1992 and 1996, 26 buildings, which formerly belonged to Jewish religious organizations, were returned to Lithuania's Jewish community. Although there is still no law to regulate the restoration of property to non-religious organizations, in January 2002, Prime Minister Brazauskas formed a working group to submit draft laws for resolving problems related to the restoration of property to the Jewish community. The attention paid by Lithuania to its Jewish heritage is also evident in efforts undertaken by the authorities to rebuild the remains of the historical Vilnius Ghetto with the assistance of foreign investors.

A landmark political event was the international forum held in Vilnius on 3-5 October 2000. Its declaration acknowledged the mass looting of art and cultural valuables from Jews during the Holocaust, and appealed to governments to ensure that these cultural valuables be restored to their rightful owners. The *Seimas* also adopted an act of historical importance in the transference of torahs. In January 2002, 309 torahs preserved in the Lithuanian National Library were formally transferred to the Jerusalem Jewish heritage center "Hechal Shlomo".

About 3,000 Roma live in Lithuania, mostly concentrated in Vilnius, Kaunas, and Panevėžys. The Roma community faces serious problems in social security, education, health care, and sanitary supervision. Lithuania, together with other European countries, is seeking to improve their situation. The Council of Europe Parliamentary Assembly in 1993 adopted a Recommendation on the Roma in Europe and urged member states to take effective measures. In 2002, Lithuania started to implement a program for the integration of Roma into Lithuanian society; the program was approved by the government on 1 July 2000. The European Institute for Dispersed Ethnic Minorities was established in Vilnius under the auspices of the Council of Europe. The Roma and their eleven organizations are supported by the government's National Minority and Emigration Department.

## 2. LITHUANIA'S FOREIGN AND SECURITY POLICIES

### *Achievements and Challenges*

Over the past decade, Lithuania has reestablished its statehood after fifty years of foreign occupation. The country has steadily created its own foreign and security policy apparatus, including a professional foreign service and a



national security staff. Since it formally applied for NATO membership in January 1994, Lithuania's primary security and foreign policy objective is full integration in the North Atlantic Alliance. Vilnius explicitly rejected all other security options as unrealistic and destabilizing, including membership of the Commonwealth of Independent States (CIS), state neutrality, and non-alignment. All these options generated ambiguity and could have potentially undermined the country's pro-Western aspirations.

In meeting the challenges of NATO accession, Lithuania has transformed itself into a pluralistic democracy and a market economy governed by the rule of law. Moreover, in line with NATO requirements, Vilnius has established full civilian control over the armed forces as the founding principle of its defense establishment enshrined in the national constitution. Civilian control is evident in national defense legislation and in set procedures for decision-making on defense policy, organization, and management.

During its "security transition" Lithuania joined NATO's Partnership for Peace (PfP) program as the second Central-East European partner country and successfully realized the major criteria for NATO accession. The U.S. sponsored Kievenaar Report, sponsored by the Pentagon and the European Command in Stuttgart (EUCOM), concluded that of the three Baltic countries, Lithuania had the most credible NATO-compatible military force and was the closest to meeting the "objective requirements" for Alliance accession.

In October 2000, the Lithuanian parliament adopted a Memorandum on the Continuity of Foreign Policy stating that Lithuania sought an invitation to join NATO at the fall 2002 summit in Prague. The current government has committed itself to annually spending 2% of its Gross Domestic Product (GDP) on defense, as compared with 0.8% in 1997. In November 2000, the country's President appointed a Deputy Minister of Foreign Affairs to serve as the national coordinator for NATO integration, maintaining consistent interaction with all domestic, foreign, and international organizations dealing with NATO issues. Lithuania has also strengthened its diplomatic representation at the NATO Mission in Brussels, including in its specialized committees and agencies, and in its headquarters and commands.

Lithuania does not face immediate foreign military threats. Nonetheless, numerous new challenges to the country's security have arisen over the past decade. The majority of challenges are transnational in nature, including organized crime, trafficking, and smuggling, international terrorism, and environmental, medical, and infrastructural emergencies. To help counter these threats, Vilnius has proposed forming alliances with states that adhere to the same political, social, cultural, and moral values. The government has also endeavored to transmit these values to states whose transition process has been blocked. Participation in international bodies that promote



these values is a fundamental part of Lithuania's National Security Strategy.

All Lithuanian governments have displayed consistency in meeting the political and technical requirements of NATO membership. On the technical side, significant emphasis has been placed on preparing Lithuania's armed forces to be interoperable with NATO and contribute to Alliance missions in peace-support operations, crisis management, humanitarian relief, and collective defense. Military force structures have been reorganized and refurbished and a ten-year military modernization and procurement program prepared by the Ministry of National Defense in 1998 was approved by parliament in 2000.

In the pursuit of NATO interoperability, equipment has been obtained from Alliance states, including machine guns from Germany, infantry weapons from Poland, military radio equipment from the U.S., and air defense weapons systems from Sweden. Over 1,200 officers and soldiers have received specialized military training in several Western countries and an 11-week basic training program for conscripts has been designed by the U.K. Royal Marines. Lithuania's Military Academy is also in the process of reform to enhance professionalism and modernization. Substantial progress has also been achieved in English language training among Lithuanian staff officers. The training of professionals in Western institutions and their subsequent placement in key positions in the Lithuanian military greatly assists in the country's integration with NATO.

### ***Strategic Partnership with Poland***

Polish-Lithuanian relations have steadily and beneficially developed since both countries democratically ousted the Communists from power. Future relations cannot be decoupled from the fact that both states are on track to enter the European Union in 2004 and that Lithuania should soon become a full-fledged NATO member. The experience of both countries in developing a productive partnership may even be "exported" to other regions of Eastern Europe. Both countries can also play the role of experts on the "Eastern question" in the Euro-Atlantic structures. However, the primary practical task both at the bilateral and the regional level is to upgrade the transport and energy infrastructure since the effective connection of the Northern and Central Europe zones largely depends on the resolution of these issues.

Polish leaders have expressed support for Lithuania's determination to join NATO. On 15-16 June 2001, during his visit to Poland, U.S. president Bush praised Poland's efforts in supporting neighbors who aspire to NATO membership. On 13 February 2002, NATO secretary-general Lord George Robertson visited Warsaw and gave clear support for Lithuania at the upcoming NATO Summit. Polish officials have also extended their support for Lithuania's entry into the EU. On 8-9 November 2001, at an

international conference in Warsaw, President Aleksander Kwasniewski emphasized that since the 11 September terrorist attacks there are additional important arguments in favor of EU and NATO enlargement.

During 1997, three institutions were established for bilateral Polish-Lithuanian cooperation: the Consultative Committee of the Presidents of Lithuania and Poland, the Assembly of the Members of the Lithuanian and Polish parliaments, and the Lithuanian and Polish governmental Cooperation Council. Agreements under preparation between Warsaw and Vilnius include the Treaty on Persons Belonging to National Minorities, and the Writing of Names and Surnames. On 1 December 2001, at a meeting of Lithuanian and Polish foreign ministers, a decision was reached to sign the Treaty. Other common institutions include the Lithuanian-Polish Forum of Local Governments and the two states have concluded over 100 agreements in various fields.

With regard to trade, in 2001 Lithuanian exports to Poland amounted to \$286.4 million. In comparison to 2000, exports increased by 37.6%. In 2001 the total amount of Lithuanian exports to Poland constituted 6.2% of total Lithuanian exports. Poland occupied fifth place behind Great Britain, Latvia, Germany, and Russia. In 2001, Lithuanian imports from Poland amounted to \$309.05 million, making up 4.9% of the country's total. In terms of the amount of imports, Poland occupied third place behind Russia and Germany. In 2001, the turnover of Lithuanian-Poland trade amounted to \$594.45 million, whereas the trade balance was negative. As of 1 February 2002 there were 771 joint companies with Poland registered in Lithuania. Joint infrastructure projects have also been launched, including the building of the Via Baltica motorway, modernization of the Vilnius-Warsaw railway line, and a project on connecting the electricity systems. Once implemented these would promote the Baltic Rim concept and a unified EU energy market. The Vilnius-Warsaw motorway project has been submitted to the European Commission and plans are underway for a railway line from Kaunas to Warsaw.

In the military arena, on 5 February 2001 the two countries signed an agreement on defense cooperation, ratified by the Lithuanian parliament on 30 July 2001. On 15 July 2000 the Polish and Lithuanian Defense Ministries signed a protocol on cooperation from 2001 to 2003. The development of the LITPOLBAT military unit for international security and peace keeping has been the most important cooperative project. LITPOLBAT is the sole military unit in Lithuania which joins with a NATO state. It was established between the Lithuanian *Alytus* motorized infantry battalion and one of Poland's battalions from the 15<sup>th</sup> mechanized division. Since September 1999, a Special Task Force of the Lithuanian Army has participated in the NATO-led "Joint Guardian" operation in Kosovo as a composite part of a Polish battalion.

Lithuania has been engaged in the Danish-German-Polish military

cooperation triangle. Further engagement in the defense cooperation triangle of Poland-Denmark-Germany (3+3) is planned in line with the following working directions:

- Nomination of liaison officers in the Trilateral Polish-Danish-German land forces corps' NORTHEAST staff in Szczecin;
- Participation of military officers in the staff training exercises of the Polish-Danish-German trilateral for peace support operations;
- Participation in international sea forces cooperation in the Baltic Sea in line with the "Kiel Initiative."

With regard to national minorities, the most pressing issues facing the Lithuanian minority in Poland includes education, better operation of the Punszk border-crossing facility, and longer television and radio programs. The issues on the Polish side involve the preparation of the Treaty on the writing of names and surnames of the Lithuanian minority in Poland and the Polish minority in Lithuania, land restitution, and Polish minority education in Lithuania.

### ***Relations with Russia***

Contacts between Lithuania and the Russian Federation have developed since diplomatic relations were established on 29 July 1991. Several major agreements were signed and consultation mechanisms put in place. Regular meetings take place between the highest national authorities, including Presidents and Prime Ministers. Relations between the national parliaments have been slower to develop. The Russian *Duma* has failed to ratify several important bilateral agreements, although some positive shifts have been noted. During a presidential meeting in March 2001, the first roundtable discussion between the Lithuanian Institute of International Relations and the Moscow State Institute of International Relations took place, initiating a broader academic and political dialogue on issues of bilateral relations. Any understanding between the two societies is hardly possible in the absence of such a dialogue.

Russia is again becoming an important market for Lithuanian exports. After the shock of the 1998 Russian crisis, Lithuanian businesses are slowly returning to the Russian market. The main focus in Lithuanian-Russian economic contacts is infrastructure projects in the fields of transport, energy, environment, border post modernization, telecommunications, and information technologies. Both governments are fully aware that commercial ties and investments cannot continue without strong infrastructural development. Among others, the 2K project initiated by the two presidents is intended to connect the seaports of Klaipėda and Kaliningrad into a single,

smoothly functioning transport infrastructure system.

In the context of Euro-Atlantic enlargement, Lithuania has two major priorities: joining the Euro-Atlantic space and developing good neighborly relations with adjacent countries. The two objectives were complemented by a third: active regional cooperation. Membership in the EU will open up new opportunities for cooperation in such fields as commerce, transit, energy, and the movement of people. At a trilateral meeting on 6 March 2002 between Lithuanian, Polish, and Russian prime ministers, an agreement was reached that the three states would seek to coordinate their policies by using opportunities provided by EU enlargement. For aspirant states, EU membership carries a stringent time frame and strict requirements for reform. Accession has become a major incentive for all candidate nations. Russia does not have this incentive and Moscow limits itself to seeking "special solutions" and is concerned that EU enlargement may lead to the isolation of Kaliningrad. However, a study by Lithuanian experts on the effects of Lithuanian EU membership on cooperation with Kaliningrad, indicated that there would be only minor changes in the pattern of commercial cooperation and movement of people when visas are introduced for the citizens of Kaliningrad. Russia itself should be more active in reducing the isolation of Kaliningrad in the context of EU enlargement.

Measures must be sought to enable Russia and its regions to join the process of European integration, in order to avoid tensions in northeastern Europe. To a large extent, the development of Kaliningrad will depend on how much freedom the region will enjoy in its external relations, especially in economic relations with the EU; on how well the special economic zone established in 1996 will function; and on how much progress Russia makes in facilitating the movement of its nationals. With regard to EU-Russia discussions, flexible solutions must be sought that would combine EU legal requirements with the specific needs of Kaliningrad. For instance, there are possibilities for modernizing and expanding consular posts and border crossing facilities, and applying modern control and communications technologies.

Lithuania considers it necessary to strengthen cooperation with Russia in the areas of justice and law enforcement, with particular focus on the fight against international terrorism, trans-border organized crime, and trafficking in narcotics and arms. Lithuania also attaches importance in the fields of environmental protection, accident prevention, and elimination of the consequences of accidents. Lithuania has a common interest with Russia in regional economic growth. Much needed is the successful implementation of transport and energy infrastructure projects. Cooperation between seaports in Lithuania and Russia, the development of international transport corridors (such as the *Via Hanseatica*), and a long-term energy transmission project (a Baltic electricity grid) would help to remove existing obstacles to trade,

investment, and transit and contribute to the creation a common European economic area. Regular Lithuanian-Russian business roundtables would serve as a powerful instrument to promote economic cooperation.

Lithuania seeks to develop cross-border cooperation with Russia, and the Kaliningrad region has become a testing ground for this engagement. Lithuania is one of Kaliningrad's main trading partners and the second biggest investor in the region, with 426 joint ventures registered in the *oblast*. The local authorities of Lithuania are active in involving the Kaliningrad administration and its local authorities in regional activities. Vilnius cooperates successfully in environmental and health protection and regular contacts are maintained between parliamentarians and NGOs. Lithuania has launched training courses for administration officials and businessmen from Kaliningrad. EU enlargement will soon become a reality and the geographic position of the region underscores that the free movement of people is a sensitive issue. Before Lithuania adopts the Schengen requirements, Vilnius needs to decide with the European Commission, Russia, and Poland as to how the introduction of visas would influence the development of Kaliningrad and its relations with the surrounding region.

It is essential to guarantee effective border controls between Lithuania and Russia and to make sure that borders do not become an insurmountable barrier between citizens. Lithuania is working to counteract crime, smuggling and illegal migration along its borders and has sought Russian collaboration in these efforts by developing the infrastructure of border posts and improving cooperation between border, customs, and other relevant authorities. Vilnius has also reaffirmed the importance of concluding readmission agreements with Russia. Major potential also lies in implementing regional infrastructure projects in transport, energy, and environmental protection. Many of these have been included in the joint Lithuanian-Russian proposals for the EU Nordic Dimension Initiative.

### ***Lithuanian - Belarusian Relations***

The October 2000 parliamentary elections and the September 2001 presidential elections demonstrate that democratic change in Belarus is a long-term prospect. Lithuania supports actions undertaken by the international community to promote democratization in Belarus and uses any opportunity to encourage the Belarusian authorities to implement the recommendations of international organisations. Working together with NGOs, the Foreign Ministry has prepared a number of projects aimed at promoting democracy and strengthening civil society in Belarus. The isolation of Belarus would undermine the process of domestic reform and could lead to increasing contacts between Belarus and radical regimes outside the region. Moreover, isolation could spur repressive measures by Minsk against the opposition and the media, and interrupt

projects designed to promote civic society.

International organizations have the potential to promote human rights and democratic standards in Belarus and to encourage dialogue between government and opposition. The posture of the international community towards Minsk should depend on its willingness to anchor the country in the system of international democratic values. The current Lithuanian Chairmanship in the Committee of the Ministers of the Council of Europe has addressed the issue of Belarus and closely follows developments in the country.

Expanding contacts with Belarus would help to tackle issues pertinent to the entire region, such as organized crime, illegal migration, and environmental issues. The activities of the OSCE Advisory and Monitoring Group in Minsk, as well as projects aimed at promoting democratic development, remain valid. The Lithuanian authorities are eager to foster pragmatic bilateral relations with Belarus and to address a number of issues, which are urgent for Lithuania and other European countries. These include illegal migration, regional cooperation, and the promotion of direct contacts among municipalities. Furthermore, extremely useful would be EU programs and assistance from international financial institutions for cooperative projects with Belarus, especially those that deal with issues pertinent to the entire region, such as border control and modernization of border infrastructure. Lithuania has supported Belarus in requesting EU TACIS funds for border demarcation and modernization of the border-crossing infrastructure.

### ***Baltic States Cooperation***

There are numerous forms of cooperation between the Baltic states, including the Council of Baltic Sea States and the North-Baltic States, which encompasses eight countries and the three Baltic States, and the Vilnius 10 process initiated in May 2000 by Lithuania and Slovenia. The Council of the Baltic Sea States (CBSS) was established in 1992 in Copenhagen. Its architects viewed it as an informal regional political forum to promote integration. The Council has evolved into a regional political organization with definite objectives, structure, and secretariat. The CBSS has eleven member states (Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russia and Sweden) together with the European Commission. It covers issues ranging from humanitarian cooperation and civil security, economic coordination and integration, environmental security, and nuclear safety. Prime ministers of the eleven countries have established a group of special representatives to deal with combating organized crime and controlling infectious diseases.

In 1998-1999, at the time of Lithuania's presidency in the CBSS, issues related to

Kaliningrad were placed on the permanent agenda of CBSS proceedings. While recognizing that primary responsibility for the development of Kaliningrad fell to the Russian Federation, the region deserved special attention due to its geographic location between Lithuania and Poland, two future members of the enlarged EU. Lithuania welcomed the fact that Kaliningrad was placed on the EU agenda as this could contribute to resolving Kaliningrad's involvement in regional processes. Lithuania and Russia prepared 15, and later submitted 5, joint priority projects on cooperation with Kaliningrad to the Conference on the Northern Dimension Initiative on 9 April 2001 in Luxembourg.

The CBSS has extended its support to the EU's Northern Dimension initiative. The CBSS has also prepared the list of top priority projects designed for the region and intended for the Northern Dimension Action Plan. In implementing the Action Plan, the CBSS has made its structures and contacts with other regional organizations available to the European Commission. The preparation of joint projects between Lithuania and Kaliningrad for the ND Action Plan included ecology, healthcare (with a joint AIDS prevention center in Klaipėda and Kaliningrad), transport, and the training of border zone officers. In this context, securing the free movement of Kaliningrad residents after Lithuania and Poland introduce a visa regime becomes particularly important.

The CBSS has also dealt with "soft security" issues, such as environmental protection. Moscow attempted to put military cooperation and regional security initiatives on the agenda. However, the other states in the region placed defense questions in other forums such as NATO, because this corresponded with the principle of the "indivisibility of security." With the decisions on Baltic membership in NATO approaching, the fear of security "regionalization" has subsided. German representatives have also suggested that the CBSS give more consideration to defense matters and closer cooperation in crisis management and other areas.

Regional cooperation is one of the most important vectors of Lithuanian foreign policy and has been the main topic during Lithuania's presidency in the European Council. Lithuania submitted the topic for the 110<sup>th</sup> session of the European Council's Ministerial Committee. Presenting the CBSS as a successful pattern of regional cooperation, Lithuania has placed emphasis on regional cooperation in strengthening European unity and democratic stability. Its initiative is meant to develop cooperation between the European Council and different regional organizations. Vilnius will seek to expand discussions on regional cooperation in other international organizations including the OSCE and the UN, and plans to table a proposal for organizing a forum of regional organizations in Strasbourg.

The three Baltic states cooperate closely in various arenas and their initiatives have full support from the U.S. Baltic defense cooperation. Projects include the following:



- Joint peacekeeping battalion BALTBAT (main center in Adazi, Latvia; Lithuania's national center in Rukla; the North European countries and Great Britain are the main contributors);
- Joint sea-mines deactivation squadron BALTRON (communication equipment on the seashore in Estonia; main sponsors are Germany, Norway, and Denmark);
- Baltic airspace surveillance network BALTNET (regional center in Karmėlava near Kaunas with national centers in each Baltic state; leading nation - Norway; major support provided by the U.S);
- Baltic defense college BALTDEFCOL (based in Tartu, Estonia; trains senior military officers for national and international headquarters, including NATO, and is supported actively by all the BALTSEA sponsoring states);
- Joint participation in NATO-led operations: company-size infantry and reconnaissance contingents as part of the Danish battalion in the SFOR operation in Bosnia-Herzegovina;
- The security assistance Western states extended to the Baltic countries since 1997 has been coordinated through an expert-level Baltic Security Assistance Management Group. This BALTSEA mechanism includes the three Baltic states and fourteen sponsoring states including the U.S.

Numerous tasks remain for the Baltic states in better connecting Northern and Central Europe. This includes the integration of national energy networks into a single system, completion of the *Via Baltica* and *Rail Baltica* projects, the free movement of people, goods, and services, and more efficient border-crossing procedures.

### ***Nordic-Baltic Cooperation***

The Nordic states were the staunchest supporters of Baltic independence. Denmark in particular has actively campaigned for Lithuanian membership in the EU and NATO as evidenced during Prime Minister A.F. Rasmussen's meeting with President Bush on 25 March 2002. Denmark supports Lithuania in implementing NATO's Membership Action Plan (MAP) and has provided substantial material support for the Lithuanian army. About 500 soldiers were trained in Denmark for participation in international peacekeeping missions. At present 74 Lithuanians participate in the NORDPOL Battle Group

The Nordic countries, especially Denmark and Sweden, are among the largest investors in the Lithuanian market and by July 2001 this constituted 44% of all foreign investment. The Nordic states also dominate Lithuania's financial markets, including its banks. In the pursuit of the goal to integrate the Baltic states into regional structures, the Nordic countries have provided technical assistance in such areas as crime prevention, social affairs, environmental protection, agriculture, energy, education, and culture.



Regarding military cooperation, in 2002 Denmark's financial backing for Lithuania constituted 52% of its total for Eastern Europe. The Nordic states, and especially Denmark, support the Joint Baltic States Peacekeeping Battalion (BALTBAT). In accordance with a Memorandum of Understanding signed on 3 June 1994, the Ministers of Defense of the Nordic and Baltic states pledged to contribute to the formation of BALTBAT. They provide military training to infantry units and share their experiences in the fields of administrative and legal support. As part of the Danish battalion, in 1994 and 1995, three groups of Lithuanian military officers participated in the UN peacekeeping mission in Croatia.

On 30 August 2000, at the Middelfart meeting in Denmark, the Foreign Ministers of the Nordic and Baltic states reached agreement to call meetings of the Nordic and Baltic states Ministers the NB-8. In recent years, cooperation in the NB8 (5+3) framework has intensified on all levels. Officials of the Nordic states speak about the great importance of the NB-8 framework and look toward cooperation in such forums as the Northern Council of Ministers (NCM) and the Baltic Council of Ministers (BCM). At the end of 2000, the NCM released a New Strategy concerning cooperation of the Nordic states with neighboring countries. The NCM also carries out the framework program for cooperation with neighboring regions for the 2000-2002 period. This program is the basis for implementing annual projects *vis-à-vis* the Baltic states and adjacent regions of Russia.

### ***Lithuanian-NATO Relations***

In December 1991, NATO formed the North Atlantic Cooperation Council (NACC), which included the 16 Alliance members, most former Warsaw Pact states, and the three Baltic countries. NACC constituted the launching pad for Lithuania's evolving relationship with NATO and the country's readiness for accession has been recognized by Alliance leaders. NATO's Partnership for Peace (PfP) program was also viewed in Vilnius as an invaluable stepping stone toward NATO membership. In particular, the following points of progress have been registered:

- Lithuania has been successful in undertaking most of the necessary changes outlined in the MAP (Membership Action Plan) and has fulfilled many MAP requirements;
- Vilnius has made substantial progress along the lines stated in its NNIP (Lithuanian National NATO Integration Program). The NNIP was drafted by the Lithuanian government, with specific steps toward meeting NATO requirements as outlined in the MAP;
- Lithuania is viewed as a stable democracy; it has a free market economy

and has pursued cooperative relations with all of its neighbors, including Russia and Belarus;

- In March 2002, NATO's deputy Secretary General for Defense Planning and Operations visited Lithuania to help complete the last report on Lithuania's readiness to join the Alliance at the NATO summit in Prague. The report was presented to the NACC on 22 April 2002;

- On 23 May 2001, Lithuania's parliamentary parties signed a Defence Policy Agreement covering the period 2002-2004. The parties expressed their support for NATO integration and obliged themselves to maintain defense spending at the level of 2% of GDP. The document confirms the political consensus to strengthen Lithuania's military capabilities in order to be prepared for collective defense and participation in NATO and EU international operations as well as in crisis management and conflict prevention;

- By October 2002, Lithuania should have in place a fully interoperable and completely deployable mechanized infantry battalion, which can participate in Article 5 operations together with NATO forces outside the territory of Lithuania;

- By 2006, Lithuania plans to possess a fully interoperable Reaction Brigade (RB), which will be able to conduct Article 5 operations together with NATO forces within the territory of Lithuania;

- Three infantry battalions, a combat support platoon (engineering), a combat service support section (medical), a helicopter, two aircraft, two mine hunters, and training facilities at Rukla and Pabrade have been identified as available to the EU pool of forces;

- The BALTNET (Baltic Air Surveillance Network) provides a recognized air picture over the territory of the Baltic states, creating an effective air space monitoring and control system for the region. This will contribute to the expansion of NATO's integrated air surveillance and early warning systems.

### ***Lithuanian-EU Relations***

On 27 August 1991, the European Community recognized the independence of Lithuania. Diplomatic relations were subsequently established by Vilnius with all member states of the European Community. On 8 December 1995, Lithuania submitted its official application for membership to the EU and on 15 February 2000, Lithuania formally initiated accession negotiations. The country was also incorporated into the EU's Northern Dimension initiative in June 2000. In July 2001, Lithuania presented a revised National Program for the Adoption of the EU's *acquis communautaire*, in which it outlined the strategy for accession, including how to achieve the priorities of the Accession Partnership.

The European Council adopted its New Enlargement Strategy in November 2000. The "roadmap" contained in the strategy outlined a flexible framework, which would be adjusted according to the progress made by each applicant, to enable those who are best prepared to advance more rapidly in the negotiation process. The aim was to conclude the negotiations with the best-prepared candidates during 2002. Vilnius is aspiring to conclude its accession negotiations by the close of 2002. Lithuania's accession to the EU, as outlined in the 2001 Regular Report on Lithuania's Progress Towards Accession, includes the following points of progress:

- Lithuania has continued to implement the Europe Agreement and contributed to the smooth functioning of various joint institutions;
- Lithuania's trade with the EU has continued to increase. In 2000 exports rose by 21% and imports by 5%.
- Business investment has accelerated. In 2001, foreign direct investments in Lithuania rose by 14.2%. The largest investments came from Denmark, Sweden, Estonia, Germany, and the United States
- A second round of bilateral negotiations for trade liberalization will cover sensitive sectors in which current trade is low due largely to a high degree of tariff protection;
- Lithuania continues to fulfill the Copenhagen political criteria. (The European Council meeting in Copenhagen in June 1993, stipulated that certain political criteria need to be met for accession, including stable democratic institutions, the rule of law, human rights, and protection of minorities.);
- Lithuania has made considerable progress in the creation of a market economy, although it may face some difficulties in coping with competitive pressure and market forces within the Union in the medium term over the next five years;
- Lithuania has made substantial progress in terms of transposition and implementation in most areas of the *acquis*. While the degree of progress varies, the gaps are being reduced and in some areas Lithuania has achieved a high level of alignment.

Overall, Lithuania has made satisfactory progress in meeting the short-term and even the medium term priorities of the Accession Partnership. Vilnius has largely met several short-term priorities concerning economic criteria, the internal market, energy, and environment. Some priorities, notably in the field of agriculture, remain to be addressed in full. Lithuania has partially met most of the medium-term priorities, but further efforts remain, in particular as regards the management and control of EU funds.

### ***Lithuanian-American Relations***

Diplomatic relations between the United States and Lithuania were first estab-

lished in 1922. As a result of the Soviet invasion in 1940, thousands of Lithuanian refugees emigrated to the U.S. American support for Vilnius has been an important source of strength for Lithuanians, especially during the years of Soviet domination. Washington never recognized Lithuania's incorporation into the Soviet Union and diplomatic relations between the two countries were formally re-established in 1991. Approximately one million Americans of Lithuanian descent reside in the U.S., while the American government and NGOs have worked diligently to strengthen the U.S.-Lithuanian partnership. This relationship has three main pillars: governmental, military, and economic relations.

In August 1996, the U.S. Department of State designed the Baltic Action Plan (BAP) to promote closer bilateral cooperation in the areas of politics, economy, and security. The Plan commits U.S. governmental agencies to fostering stability and promoting economic and political reform in the Baltic region. In 1997, the Clinton administration established the Northern European Initiative (NEI) with the explicit goal of promoting economic and social cooperation across the region. Several environmental and educational projects were implemented under this initiative. Washington has also sought to bolster U.S. trade and investment.

Members of the U.S. Congress and numerous Congressional delegations have visited Lithuania in the period of 2000-2002. Additional official visits by U.S. government representatives have been conducted. U.S.-Lithuanian military relations are well developed. American military teams have conducted defense assessments and the Pentagon has provided military assistance through the Baltic Security Assistance Group (BALTSEA). This contributes in the implementation of joint Baltic military projects, such as the naval squadron (BALTRON), the Baltic Peacekeeping Battalion (BALTBAT), the Baltic airspace surveillance system (BALTNET), and the Baltic Defense College (BALTDEFCOL).

The U.S. military supports educational projects, joint training exercises, and military procurement initiatives. By early 2001, more than 1,000 Lithuanian officers and civil servants were trained in the top educational institutions in NATO countries, including the United States. American funding is also providing English language training to military personnel in Lithuanian military educational establishments. Lithuanian and American soldiers have participated in joint military exercises. Two exercises, "Winter Valley" and "Amber Valley", are held annually. In July 1998, more than 2,000 U.S. troops took part in a military exercise in Lithuania called the "Baltic Challenge."

In terms of economic relations, cumulative U.S. foreign direct investment (FDI) to Lithuania by the end of 2001 amounted to \$2.7 billion. This accounts for over 9% of Lithuania's total FDI. The two countries have

signed agreements on bilateral trade, investment, and double taxation. Lithuania also provides a base from which U.S. companies can export to Russia. The top U.S. investors in Lithuania are Williams International (\$150 million), Philip Morris (\$72.5 million.), Coca-Cola (\$31.5 million), Kraft Foods (\$31 million), Mars, Inc. (\$27 million), and Cargill (\$14.3 million).

The following bilateral agreements have been signed between the United States and Lithuania:

- 22 October 1991: Lithuania International Partnership Program Memorandum of Understanding;
- 28 October 1991: Investment incentive agreement;
- 7 February 1992: Master Grant agreement between the Ministry of International Economic Relations and the U.S. Trade and Development Program;
- 7 February 1992: Agreement concerning the program of the American Peace Corps in Lithuania;
- 7 June 1992: Agreement concerning the development of trade and investment relations;
- 12 November 1992: Agreement concerning fisheries off the coasts of the U.S.;
- 6 July 1994: Agreement on science and technology cooperation;
- 9 December 1994: Bilateral Work Agreement;
- 21 November 21, 1995: Security Agreement concerning security measures for the protection of classified military information;
- 15 January 1998: Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income;
- 16 January 1998: Charter of partnership among Lithuania, Estonia, Latvia, and the U.S.;
- 16 January 1998: Treaty on mutual legal assistance in criminal matters;
- 14 January 1998: Treaty for the encouragement and reciprocal protection of investment.

Decisions on NATO enlargement and the anti-terrorist campaign have added impetus to the Lithuanian-U.S. agenda. These issues are priorities for the 4 July 2002 session in Vilnius of the U.S.-Baltic States Partnership Commission, established in 1997. Following the January 2002 meeting between the President of Lithuania, Valdas Adamkus, and U.S. president George W. Bush, the latter repeated his support for NATO expansion "from the Baltic to the Black Sea." President Bush praised Lithuania's efforts to integrate into NATO and referred to the country as the leader of the candidates. Both the Chairman of the U.S. House of Representatives Dennis Hastert and U.S. secretary of state Colin Powell reiterated the commitment of the U.S.

administration to continue the process of NATO enlargement.

The main questions Washington and other NATO members have posed to the Vilnius Group states are the following: Will the Alliance become stronger if it accepts these countries and will their commitment to democracy and a market economy be durable? With regard to Lithuania, U.S. officials have paid the most significant attention to military reforms and defense financing. Washington has commended the transfer of sacred Torah scrolls by Vilnius to the Jewish community and has approved the trilateral meetings of the prime ministers of Lithuania, Poland, and Russia on the issue of Kaliningrad. During U.S. Senate hearings on 5 February 2002, attended by Secretary of State Colin Powell, Senator Jesse Helms asserted that he saw no reason why the most successful alliance in history should not incorporate Lithuania and other countries which share common values and interests. On 24 October 2001, the Freedom Consolidation Act 2001 was presented in the U.S. Congress and passed on 7 November 2001. The Act expressed support for NATO enlargement and empowered the U.S. administration to extend security support in 2002 to countries listed in the 1994 NATO Participation Act, with \$7.5 million due to Lithuania.

On 16 January 1998, the Presidents of the U.S., Lithuania, Estonia, and Latvia signed the Charter of Partnership. The Charter emphasized the common goal of integrating the three Baltic countries into all European and transatlantic institutions. The Charter carries political significance due to its recognition of the Baltic states as partners. It officially recorded American interests in the independence and sovereignty of the Baltic states and reiterated the U.S. commitment to assist Lithuania in the process of integration. The Charter also established a Partnership Commission, which meets annually to evaluate common efforts in meeting the goals of the Charter. The implementation of the Charter will be instrumental in the development of the strategic U.S.-Lithuanian partnership. Lithuania also continues to develop links with the Lithuanian-American community as an important aspect of its strategic partnership with the U.S.

### 3. A SECURITY BLUEPRINT FOR LITHUANIA

#### *Defining Lithuanian Interests*

State defense interests arise from the basic need to ensure internal security and protection against external threats. Security is understood not only as assurance for the survival of the state, but also as the freedom to seek the implementation of its internal and external goals. The security of Lithuania, like that of any other state, is determined by the protection of national

interests. The violation of vital interests would directly and significantly affect Lithuanian society and threaten the survival of the state. The following may be considered as vital interests for Lithuania:

- Sovereignty, territorial integrity, and a democratic constitutional system;
- Economic modernization and the prosperity of citizens,
- Respect and protection of human and civil rights and liberties; and
- Social stability in the state.

Primary interests are more specific, determined by the geopolitical situation of the state, its historical experience, and its social and economic development. The actual level of Lithuania's security can be assessed by the extent to which its primary interests are guaranteed. The majority of challenges to the security of Lithuania are of a trans-national character, while changes in the international system may significantly affect the vital interests of Lithuania. In the domestic sphere, primary interests are ones that determine the level of internal security, including guarantees of political and social stability and economic growth.

In 1994, Lithuania defined its key foreign policy priorities: to become a member of NATO and the EU, and maintain friendly relations with neighbors. These priorities were established in the principal laws, which determine the objectives of Lithuanian foreign policy and national security and reflect Lithuania's determination to gain the protection provided by collective security arrangements and ensure its political, social, and economic stability as a part of a regional union. Both NATO and the EU have undergone major transformations and the process of transformation continues. Lithuania will also participate in the transformation processes as a member. It is therefore important what kind of NATO and EU Vilnius visualizes in a long-term perspective, what kind of relationship between the EU and NATO would be most advantageous for Lithuania, and what would be the role of the U.S. and Russia *vis-à-vis* NATO and the EU.

After Lithuania submitted its application for NATO membership, it became clear that the Alliance was acquiring the features of an institution of political security. Every stage of NATO enlargement has offered political opportunities for Russia to become involved in NATO decision-making. In 1997, NATO established a NATO-Russia Permanent Joint Council. In May 2002, NATO formalized a new NATO-Russia Council that will enable Russia to participate in Alliance decision-making on terrorism, arms proliferation, and other common issues. Such NATO-Russian convergence arouses doubts in Lithuania whether NATO will remain a real security guarantor and whether Lithuania will remain partly in the Russian sphere of interests. Hence, Vilnius views with caution NATO's transformation into an organization of political security. Lithuania needs assurance that in the immediate



future the defensive functions of the Alliance will not lose their importance and Russia will not be provided with significant influence in NATO decisions that affect Lithuania's security.

What is Lithuania's position towards the changing relationship between the U.S. and its European allies? Since the founding of NATO, the U.S. has been a dominant member state both politically and militarily. During the last two decades, American politicians have repeatedly expressed their dissatisfaction over insufficient financial and military contributions of the European members for the implementation of NATO goals. Such criticism became pronounced: at the Munich Security Conference in February 2002, where it was stated that the future of the Alliance would depend on an increase in Europe's defense expenditure and an enhancement of its military potential. Such an approach is supported by Lithuania, as there is a growing American-European military and technological gap. However, increases in military expenditure by the Europeans would entail a reduction in social programs and such decisions require strong political will.

In 1993, the European Union announced its readiness to turn into a political and security union, with a Common Foreign and Security Policy (CFSP) that would take over the functions of the Western European Union (WEU). Even though the EU does not intend in the near future to expand its defense effort beyond the framework of the WEU goals defined in Petersberg in 1992, its determination to reduce dependence on the U.S. is becoming more pronounced. However, the formation of European military forces is hampered by the lack of separate resources, as well as by legal, financial, and technological constraints. Legal problems related to the deployment of an independent and unified European military force could only be resolved by a European Constitution, which the EU is unlikely to pass before 2004. In addition, there are political problems as individual EU countries have different attitudes towards these military efforts.

Lithuania must also plan to increase its security and defense commitments to the EU. This might create a complicated dilemma after Lithuania becomes an EU member, when it will need to coordinate its foreign policy in compliance with commitments to both NATO and the EU. Such compromise will be easier to achieve if the EU's security and defense policy becomes a pillar of NATO, but not where it becomes a basis for an independent military-political alliance.

The development of the NATO-EU relationship depends not only upon change in the goals of both organizations, but also upon shifts in relations between the U.S. and Europe. The economic interests of the EU and the U.S. are not identical and their competition, especially in the air-space industry and information technology, is extremely intense. Since the end of



the Cold War, European and American political priorities have also diverged. The anti-terrorist coalition formed in the wake of 11 September has been based on the existence of a common enemy. Nevertheless, it has become evident that the anti-terrorism campaign has enhanced the readiness of the U.S. to pursue its own foreign policy without assistance from European allies. This will transform relations between the U.S., NATO, and the EU.

The most unfavorable scenario for Lithuania would be if the U.S. manifestly disregarded the EU and took unilateral decisions on global protection. This could precipitate a rupture in NATO or the impotence of the Alliance, with a lasting impact on the primary security interests of Lithuania. A search for *ad hoc* partners based on the principle that the purpose determines the coalition, and agreements based on political calculations might become typical. Historic experience has shown that such an international system has brought especially painful consequences for Lithuania. Therefore, for Vilnius it is important that discussions between coalition partners do not alienate the strategic interests of the U.S. and the EU but promote coordination.

During the last century, Lithuania's prospects of remaining an independent state directly depended upon Russian or Soviet expansionism. These experiences make Lithuanian leaders exceptionally sensitive to any changes in Russian foreign policy. After the end of the Cold War, Russia's role in the international system has undergone substantial change. Moscow has lost its status as a great power, a development that is favorable for Lithuania. However, such a decrease of power is only reluctantly acknowledged in Russia itself. Russian imperial attitudes have not vanished and the supporters of expansionism are compelled to suppress their ambitions due to the country's internal problems. The current rhetoric and policies of the Russian authorities indicates that Moscow has decided to curb its geopolitical ambitions. For example, there is less opposition to Baltic membership in NATO. Nevertheless, Russia's retreat from what it regarded as its primary interests might be related to the necessity of concentrating on internal political consolidation and economic development.

NATO and EU membership ought to signal the permanent exclusion of Lithuania from any future Russian expansionist plans. Nevertheless, complete withdrawal from Russia's sphere of interest is hardly possible because of Russia's economic interests. The prospects for Russia to increase its economic power depend primarily on its relations with the EU, especially on the EU's need for Russian energy. Lithuania might be a possible route for the export of Russian oil and gas. Hence, Russia will maintain its economic and political interests in Lithuania, but the means it will employ remain uncertain. The most painful consequences for Lithuania might be provoked

by an aggressive policy, based on economic or political blackmail, intended to exert maximum influence on Lithuania's decision-making. Therefore, it is in Lithuania's interest to see Russia develop into a democratic partner, which adheres to the principles of a free market economy.

A key goal of Lithuanian policy is the strengthening of internal political, social, and economic stability. This includes the guaranteeing of security for public authorities and society, the stability of fiscal and monetary policy, economic development, the struggle against crime and corruption, the consolidation of civil society, the development of culture, growth of foreign trade, and integration into international organizations. Lithuania's fundamental interests in guaranteeing internal political security are related to protecting the constitutional structure, the stability of the political system, and the legitimacy of the government. Democracy also requires the active defense of civil interests and human rights. Of equal importance is a mass media, which reinforces the development of democracy and ensures freedom of speech. Social stability may be threatened by ethnic divisions. It is therefore important to maintain policies that guarantee the rights of minorities and enhance social tolerance.

Pronounced economic differentiation may also obstruct social and political development. One critical element of social security is removing the negative consequences of structural economic reforms and increasing living standards. Another key priority is the struggle against organized crime and corruption. These threats produce a negative impact on economic development and social relations. It is in the interest of the state to enhance the effectiveness and professionalism of law enforcement institutions. A major objective of national security is control over illegal migration that may destabilize society through an increase in unemployment or criminality. On the other hand, the continuous emigration of Lithuanians to the West may create undesirable social effects with a worsening proportion between qualified and unqualified workers and a slackening of economic growth. It is therefore important for Lithuania to enhance the motivation of citizens to remain in the country.

Favorable conditions must be maintained for economic growth. The greatest risks include irregularities in energy supplies, a decline of export competitiveness, and a decrease in the stability of the financial system and the state's external creditworthiness. The growth of industry and services requires a steady supply of resources and stable or expanding markets. Serious disruptions in the structure of resources would seriously threaten the economy. Threats to economic security include the possibility of economic sanctions and blockades. In 1990, Lithuania experienced an economic blockade applied by the Soviet Union. The 1998-1999 crisis in Russia had

serious consequences for Lithuanian exports and significantly slowed down GDP growth. These experiences compelled Vilnius to pay attention to the threats arising from resource supplies and the sustenance of export markets. Of primary importance is ensuring reliable energy supplies as Lithuania is dependent on imports of gas and oil from Russia. The Ignalina Nuclear Power Plant, which produces 70-80% of electrical energy, also receives its nuclear fuel from Russia. Thus, Lithuania's interests in economic security are to find alternative energy resources and to ensure a stable supply from Russia that would not depend on political circumstances.

Lithuania's small internal market determines the country's dependence on the development of exports. During recent years, there has been a considerable change in the direction of exports. In the aftermath of the 1998-1999 crisis in Russia, the bulk of the country's exports were channeled to the West. In 2001, exports to the EU made up 47.9% of the total. Further developments in the export market will be determined by Lithuanian accession to the EU. In the near future, the Russian market will also remain important. Thus, Lithuania seeks consistent growth in the EU and Russian economies and the increasing competitiveness of Lithuanian exporters.

The stability of the internal financial system and external creditworthiness determine the possibilities for capital creation and investment — vital driving forces of economic growth. Upon EU entry, Lithuania will need to ensure the compliance of its financial policy with the principles of the EU's monetary policy. The Maastricht Treaty determines the principal criteria to be met by EU states willing to join the European Monetary Union (EMU). Even though Lithuania is not obliged by the criteria of the Maastricht Treaty in the accession period, it has committed itself to implementing EU goals and pursuing a monetary policy in line with EMU conditions. In February 2002, Lithuania pegged its national currency to the *Euro*.

### ***Lithuania's Promotion of Regional Security***

With the end of the Cold War, four important factors have shaped security in Central-Eastern Europe: dissolution of the Warsaw Pact, disintegration of the Soviet Union, unification of Germany, and decisions by NATO and the EU to expand eastwards. The most visible consequence of the collapse of the Soviet Union and the socialist bloc was an increase in the number of political actors in the region. This process was marked by new frameworks and relations across the East-West divide, including Black Sea cooperation, the Central European Initiative, and Baltic cooperation. The restoration of Lithuanian independence was made possible by Europe's geo-strategic transformation. Between 1988-1990, even before the declaration of independence, a westward orientation

was acknowledged as a strategic goal, with an active international approach and a search for regional cooperation.

The creation of a security community has two possible models: "Bottom Up" and "Top Down." The first means that mutual sympathies and transnational ties develop over a long period of time. The second starts with a security vision from above, a common project, and common institutions. Lithuania has combined both models. In practice, this was underscored by attempts to establish strong bilateral relations and supra-national structures. The solidarity of the Baltic region existed throughout the whole period of occupation and gained in force when the Cold War eroded. During the transition period, the aim was to enhance regional integration between the three Eastern Baltic states. In 1990, the Council of the Baltic Sea States was established, in 1991 the Inter-parliamentary Baltic Assembly, in 1993-1994 the Baltic Council, the Baltic Council of Ministers, and the Free Trade Agreement. The Baltic states have taken a number of steps to strengthen defense cooperation and enhance their ability to operate effectively with NATO forces.

The restoration of Baltic independence reduced tensions within a broader European region, while their international cooperation has played an increasingly significant role. In 1989-1991, the newly emerging Russia provided Lithuania with much needed political support during the tragic events of January 1991 and after the signing of the Lithuanian-Russian Treaty on Inter-State Relations. Russia declared full recognition of the restored Lithuanian state, condemned the 1940 Soviet annexation, and recognized the right of Vilnius to choose its own defense and security by joining any international organization. Lithuania recognized the Russian Federation as a sovereign state and pledged to resolve the issues of citizenship for Russian residents.

Between 1992 and 1993, Lithuania arranged the withdrawal of foreign troops and resolved the issue of Russian military transit to Kaliningrad across its territory. Vilnius signed an agreement on state borders with Russia in 1997 and created the prerequisites for a direct connection with Kaliningrad. Upon assuming the chairmanship of the Council of Baltic Sea States (CBSS) in 1998, Lithuania became the first state to try and transform the problem of Kaliningrad into a positive example of cooperation and opportunity for promoting Russia's modernization. Lithuania has endeavored to make Kaliningrad into an opportunity for regional and European cooperation.

Vilnius has considerably reshaped the image of Kaliningrad and thus has contributed to regional security. This has been pursued through bilateral Lithuanian-Russian initiatives: in 1997 a working group for cooperation with Kaliningrad was established within the Lithuanian-Russian inter-governmental commission; in 1999 an intergovernmental agreement on cooperation between regional and local authorities in Lithuania and

Kaliningrad was signed; and in 2000 a bilateral Lithuanian-Kaliningrad Cooperation Council was established. The Nida Initiative of 2000 created a number of projects to further cross-border cooperation in various fields — political, social, economic, and environmental — reflected in the EU Northern Dimension Action Plan.

Lithuanian-Russian cooperation has enabled Lithuania to elaborate a strategy for the further development of cooperation with Moscow. Lithuania is prepared to build on its successful collaboration with neighbouring Russian regions and has an interest in regional economic growth. Vilnius is committed to promoting cooperation between Russia and Euro-Atlantic institutions even after the expansion of NATO and the EU.

With the far-reaching improvement in relations between Vilnius and Warsaw, Lithuanians and Poles have demonstrated how historical rifts can be overcome through reconciliation and cooperation. Warsaw views Lithuania as a strategic partner and supports its integration into all Euro-Atlantic structures. In 1992, Poland and Lithuania entered into a “strategic partnership,” institutionalised through inter-governmental bodies, the formation of a joint peacekeeping battalion (LitPolbat), cross-border cooperation, ties between local administrations, and joint energy and transportation projects. For Lithuania this strategic partnership provided an impetus for assuming the position of a geopolitical link between the Baltic, Central, and East European regions.

In 1992, Baltic-Nordic cooperation was initiated according to the formula “5+3.” This developed both within the framework of bilateral relations among Baltic and Nordic countries, and since 2000, in the Nordic Baltic 8 format. Lithuania actively participates in these initiatives and within the regional organization of the Council of Baltic Sea States (CBSS). Both the CBSS and NB8 have helped to knit this area with the region covered by the Barents Euro-Arctic Council. Lithuania’s strategic plan of integration with the West has included intensifying regional cooperation with all nearby states and expanding Baltic relations with other regions. One objective is to implement projects in the areas of energy, transport, economic cooperation, and international crime fighting. These projects can be expanded to the Caucasus and Central Asia.

On 5-6 September 1997, the Presidents of Lithuania and Poland initiated the Vilnius Conference with the participation of eleven Central-Eastern European presidents and the Russian prime minister. The conference was a strong appeal for the creation of an integrated Europe, and the dialogue initiated became known as the “Vilnius Process.” In May 2000, the nine NATO candidates gathered in Vilnius to express their commitment to a united Europe in alliance with the U.S. and Canada as the foundation for stability and security in the Euro-Atlantic region. The first meeting sponsored by the foreign ministers of all nine countries was later continued by

higher-level sessions. The 2001 Bratislava summit involved the participation of the Prime Ministers of the NATO candidate countries plus Croatia. "Vilnius 9" thus became the "Vilnius 10" process, which was continued at the 2002 Sofia summit of the heads of states of the candidate countries.

### ***Defining U.S. Interests***

The U.S. has several core interests in Europe, including the deterrence of any new imperial power from threatening peace and security, the prevention of proliferation of weapons of mass destruction, the assurance of European economic development and international trade with the U.S., the support of the European integration process, and the broadening of democratic rule and market economies in all European states. Within this wider context, the security and development of specific European sub-regions becomes especially meaningful. American interests in the Baltic region were clearly underscored with the signing of the Baltic-U.S. Charter, where the security of Lithuania, Latvia, and Estonia was closely related to the security of other Euro-Atlantic community members. Lithuania can strengthen American interests in Europe by acting as a reliable U.S. ally within the Alliance and promoting Washington's interests in security, trade, and business. Lithuania has the political will to use its diplomatic, economic, and military resources to this effect.

Washington and Vilnius possess a commonality of interests as evidenced in developments since Lithuania restored its independence. Washington has consistently supported the goals of democratic reform, the rule of law, a market economy, and integration into all European and Euro-Atlantic structures. American interests in Lithuania and the broader region are based on the fundamental objectives of fostering regional security, rooting out international terrorism, promoting foreign investment, encouraging economic cooperation and free trade, and combating organized crime and corruption throughout Central and Baltic Europe.

Washington has a direct interest in promoting Lithuania's entry into NATO, as this will assure the U.S. of a reliable ally in Europe. In sum, Lithuania's accession into NATO serves U.S. national interests for two core reasons. First, Lithuanian inclusion expands the sphere of security eastwards and northwards and serves as a valuable example for other states that extracted themselves from the Soviet Union. And second, Lithuania's membership in the EU will not weaken its ties with the U.S. Indeed, the processes of NATO and EU integration can strengthen and complement each other. Membership in one of these two organizations does not substitute for membership in the other.

### *Defining EU Interests*

The Lithuanian authorities have remained supportive the EU's European Security and Defense Policy (ESDP) as long as it develops as a European pillar of the NATO alliance and the U.S. remains closely involved in European security. As with other NATO members and aspirants, there is concern in Vilnius lest the ESDP leads to duplication, decoupling, or a diminution of NATO's effectiveness. ESDP must therefore complement NATO rather than compete with it. The Common Foreign and Security Policy (CFSP) and the European Security and Defense Policy (ESDP) address both "soft" and "hard" components of a comprehensive EU security approach. At the Nice and Gotenborg meetings, the European Council undertook to make the EU operational in the field of security, including peacemaking. At present, however, the EU is only capable of conducting limited crisis-management operations. Through the continuing development of the ESDP, the Union should be in a position to take on more demanding operations, as the assets at its disposal continue to develop.

In the coming years, the EU will concentrate on further European integration or "deepening." Structural reform will take place probably as early as the middle of 2003. The decision-making mechanisms will have to be redefined to better address new realities by serving a bigger Europe while increasing transparency and efficiency. In this context, EU enlargement seems an irreversible process and should begin as early as the end of 2002. The security benefits of enlargement include cooperation over border security, easier coordination of a regional approach, and access to EU capabilities to fight organized crime and corruption. Enlargement will have clear economic benefits. According to economic studies, even in the worst-case scenario, economic gains would be recorded through higher output and a rise in employment.

Lithuania's integration into the EU should promote all of these strategic European interests. It will enhance European security through the adoption of EU border and legal frameworks and through the Lithuanian National Security Strategy, which is compatible with the strategy outlined in the European Council Meeting in Laeken on 14-15 December 2001. There are also opportunities for investment in Lithuania and the Union remains Lithuania's main trading partner. Integrating Lithuania into a single market will enhance productive competition within the region by encouraging market reform in western Russia, Ukraine, and Belarus. Lithuania's economic engagement with the western part of Russia and Belarus will help decrease regional asymmetries that may fuel future regional instability.

Lithuania has been an active participant in the Finnish sponsored Northern Dimension of the EU's CFSP. This initiative has facilitated



agreements among the Nordic and Baltic states on major regional projects and their financing. Vilnius has supported and developed joint projects with all Northern Dimension partner states, including the Nemunas river basin environmental project with the participation of Sweden, Russia, and Belarus; negotiations over power system connections with Poland; and the "Rail Baltica" connection between Estonia, Latvia, Lithuania, and Poland.

The Council of the Baltic Sea States (CBSS), which was founded on the basis of a German-Danish initiative in 1992, has been assigned a more pronounced role in coordinating the EU's Northern Dimension projects. The Council coordinates activities in economic and technological cooperation, environmental and nuclear safety, transportation and communications, human rights and democratic institutions, and civil security and anti-crime initiatives. The CBSS identifies trade and investment barriers and promotes sub-regional and municipal cooperation. It also acts as a link between government and the private sector through its connection with the Baltic Sea Chamber of Commerce Association and the Business Advisory Council. The Council views private capital as the primary source for financing development in key areas.

#### 4. SECURITY THROUGH NATO

##### *NATO Enlargement Debate*

The role and future of the NATO Alliance has come under increasing scrutiny over the past decade. Politicians and analysts have expressed a range of opinions over NATO's size, scope, mission, and viability. NATO itself has shifted its primary strategic focus from the mutual defense of North America and Western Europe, and joint deterrence against a massive Soviet threat, to an increasing role in collective security, conflict management, crisis response, and institutional enlargement throughout the European continent. The next NATO Summit will be held in Prague in November 2002 and it promises to be a landmark event for at least six major reasons.

- First, policy makers will be drawing lessons from the 1999 NATO military campaign over Kosovo in which the inadequacies of European defense capabilities were glaringly exposed and pressing questions about burden sharing and power sharing were highlighted in the U.S.-European relationship.

- Second, discussions at the Summit will focus on the feasibility and applicability of the European defense pillar. In particular, questions will be raised about the interface between traditional Alliance structures and the ESDI (Euro-



pean Security and Defense Identity) in terms of decision-making, use of resources, and troop deployments.

- Third, the NATO Summit will take important decisions on enlargement. Whether NATO leaders decide on a small enlargement, a broad expansion, or a staggered accession by most aspirants, there will be a corresponding impact on NATO's strategy, structure, and mission.

- Fourth, Allied leaders will be expected to reassess the successes and shortcomings of their peace enforcement missions in both Bosnia-Herzegovina and Kosovo and to reexamine the content, practicality, and efficacy of NATO's New Strategic Concept. This will have major ramifications not only for the two NATO "dependencies" in South East Europe but for the prospect of future peacekeeping and state-building missions in the Balkans and elsewhere.

- Fifth, the Summit will deliberate on the evolving NATO-Russia relationship in light of the newly established NATO-Russia Council and the post September 11<sup>th</sup> anti-terrorism coalition.

- Sixth, the summit will focus on the progress of the Allied campaign against international terrorism and recommend new initiatives to maintain the counter-terrorism momentum. In this context, the military and political roles of the U.S. and its NATO allies will be closely examined.

The expansion debate is underway in Washington; both the Bush administration and the U.S. Congress are closely scrutinizing the qualifications of candidate countries. There are two major enlargement options for the fall summit — the tactical and the strategic. A tactical expansion, with the inclusion of Slovenia and Slovakia, requires little political vision and will simply complete the missing pieces in Central Europe. Much more compelling and visionary is a broader strategic enlargement that extends the size and scope of continental security to include the Baltic states and some Balkan countries. NATO enlargement may actually reinforce Alliance consensus. Unlike some arenas of dispute, agreement can be reached relatively swiftly as there are clear timetables for decision-making. A trans-Atlantic success could actually repair some difficult relationships damaged by recent trans-Atlantic disputes.

The proponents of expansion view the inclusion of new members as contributing to stabilizing wider parts of the continent. Enlargement would also provide concrete inputs into future Alliance operations. The process of including new members has been increasingly viewed in NATO capitals both as inevitable and beneficial given the development of democratic governance and civil-military restructuring in the Central European states. Supporters of NATO expansion maintain that it is essential to stabilize countries beyond the immediate Central European zone by offering

membership in the only credible security structure that could defend their sovereignty on a permanent basis. Enlargement coupled with successful adaptation to handle new insecurities would also help eliminate nagging questions about NATO's strategy and purpose.

NATO's 1995 enlargement study underscored that any new members must commit themselves to joining its integrated structures and contributing to Alliance defense needs. In addition, newcomers must become increasingly militarily interoperable and allocate a sufficient portion of their budgets to defense purposes. Enlargement would entail a number of benefits by: providing a secure environment for consolidating democracy and market reform; promoting trade, investment, interdependence, and European integration; projecting security both eastward and southward as NATO assumed a direct interest in the stability and independence of neighboring states.

Critics of NATO expansion warned that enlargement would prove extremely costly, it would dilute NATO's capabilities and effectiveness, and alienate Russia by buttressing the anti-Western arguments of nationalist forces in Moscow. Some analysts eventually accepted a limited NATO enlargement into Central Europe but remained opposed to any further expansion eastward. They argued against an "open door" policy that would commit the U.S. to defending states in regions where NATO's vital security interests were not being challenged. Such strategically blinkered arguments gained limited currency among American and European leaders.

Several scenarios have been proposed regarding NATO decisions on enlargement at the upcoming summit. Most likely, a conditional invitation will be offered to most of the nine current aspirants. These states will first have to complete specific MAP (Membership Action Plan) requirements or some additional criteria. The final decision on enlargement is due to be announced on the eve of the Summit in October 2002.

Decision-makers will also be looking at the performance of the three newest NATO members (Poland, Hungary, and the Czech Republic) in meeting Alliance requirements. Their record has been uneven and although some claim that this may rebound negatively on the aspirants, in reality each candidate must be examined individually as was the case in previous rounds of enlargement. However, an assessment of the performance of the three newest members is valuable, particularly in discussing the utility of each new candidate. Two areas deserve special attention: military modernization and posture toward NATO.

Poland, Hungary, and the Czech Republic have made considerable advances in reforming their defense institutions. Some progress has been made in institutional restructuring, civil-military relations, and NATO com-

patibility employing small units. Nevertheless, military modernization remains a work in progress. It is unlikely that any of the three will complete their military modernization programs before 2005. Several areas require more intensive work, including force planning, budgetary commitments, the creation of a defense lobby and civilian specialists, restructuring of military personnel, constitutional and legal changes, pertinent national security and defense concepts, and proper defense planning.

The levels of support for the Alliance among the three Central Europeans after joining NATO remained largely unchanged. The Poles, followed by the Hungarians continue to demonstrate the strongest support for the alliance while the Czechs remain the weakest, with about 40% of the public fearing that NATO membership could get them entangled in a military conflict. In addition, while Czechs and Poles tend to be polarized over the issue on whether or not NATO membership guarantees their sovereignty, Poles are more certain that it does. Poles view Russia as the principle threat to their security and 60% believe that Russia will try to rebuild its influence in the region; hence, NATO is a guarantee of permanent security and independence.

Lithuania has similarities with Poland. Even though, Lithuania does not see a threat of invasion, it continues to be fearful of indirect and unwelcome Russian influences. As such, it sees NATO as a provider and not a detractor of security. Public support for NATO remains high amongst the Lithuanian public and government officials. Data indicates that the Lithuanian attitude towards NATO is similar to that of Poland. Given that Poland has so far proven to be a reliable ally, it is fair to conclude that Lithuanian membership will offer some obvious benefits from a reliable ally moving toward military integration and interoperability. Within the framework of the PfP, Lithuania is on par with the three Central European allies. It demonstrated strong public support for the U.S. led Kosovo operation and its military units were deployed in the KFOR mission. Vilnius has recently provided a fully maintained aircraft and its crew to the NATO operations in the Balkans.

### ***Lithuania's Strategic Importance for the Alliance***

As a member of the Alliance and all pan-European structures, Lithuania can make a valuable contribution in tackling and combating a host of security threats. There are several cogent arguments why Lithuania should be a front runner in the next round of NATO expansion:

- Lithuania formally requested NATO membership in January 1994 and all governments since then have focused on this overriding security priority. Lithuania entry will constitute an important breakthrough into

the former Soviet zone. It will help remove fears among former Soviet republics of a gray zone of instability stemming from exclusion from Europe's primary security system.

- Lithuania's inclusion would embrace a country that has made remarkable political and economic progress and largely settled its inter-ethnic disputes. Vilnius has no outstanding problems with its neighbors and has not faced the kind of Russian pressure that both Latvia and Estonia have been periodically subjected to over the past decade.

- Lithuania is a relatively small country of some four million inhabitants that will not become a burden on the Allies. Moreover, Vilnius is making strenuous efforts to adapt and modernize its military according to NATO standards, including the Membership Action Plan (MAP) requirements. Vilnius has made substantial progress in developing its command, control, and communications system, new force structures, professional military education, training and doctrine, logistics, and infrastructure. Alliance membership would enhance this process.

- Much like Poland, with whom it cooperates closely on both political and security issues, Lithuania promises to be a strong American ally and has a large and vocal *émigré* population in the U.S. Its inclusion would act as an enticement to other reforming states that the "open door" policy is not a mirage.

- NATO must be decisive in expanding the European security space, otherwise ambiguity fosters instability. Lithuania's exclusion would send a negative signal to all of Russia's neighbors, it could embolden Moscow's future ambitions, and make Vilnius more susceptible to Russian pressures through a variety of political and economic instruments. Just as Warsaw has developed a more stable relationship with Moscow since it joined NATO, Lithuania's relations with Russia are likely to further improve in the event of NATO membership. Russia can best be dissuaded from any future ambitions through a firm commitment to NATO expansion along the Baltic littoral. Lithuania's accession to the Alliance discourages nationalism on both sides.

- Although Lithuania may not be a major contributor to NATO's military structures, its membership would remove another potential source of insecurity along NATO's eastern border. Just as Germany urged Poland's inclusion in order to stabilize its eastern frontier, Poland now understandably has the same objective.

- Similarly to the new Central European members, Vilnius is not requesting the stationing of NATO troops on Lithuanian territory. It is not seeking to become a burden for the Alliance or for the U.S. It is simply asking for the same benefits and obligations as any current NATO member and is steadily establishing its armed forces along NATO lines.

- Lithuanian accession to NATO contributes to regional and international security. The country brings enormous regional experience and knowledge to NATO and has a positive influence on neighboring states. It can promote a European orientation in Kaliningrad, especially as the authorities in the enclave have not opposed Lithuania's NATO membership.

- Lithuanian democracy and its record on human and minority rights serves as a valuable example of development and stability, especially for the European CIS states struggling with the burdens and legacies of communism and Sovietism.

- Strategically, Lithuania occupies an important position for several major European transport corridors including the link between Russia and Kaliningrad. It has a well-developed network of roads and railways, while some major gas and oil pipelines pass through it. Lithuania possesses an oil terminal in the port of Butinge and the ice-free port of Klaipeda is situated in the central part of the Baltic coastline. Important telecommunications lines connect East and West European countries via Lithuania. The airfield at Siauliai is strategically significant because it has the capability to receive aircraft of all types, while Lithuania is the location of the Baltic Airspace Surveillance Coordination Center.

- Contrary to some speculation, Lithuania is not "indefensible." The question involves several misunderstandings. First, the Lithuanian military is prepared for national defense and capable of resisting an invading force for some period of time under the principles of mass mobilization and "total defense." Second, the primary purpose of a NATO Article 5 guarantee is to deter an invasion. Hence, NATO membership will make the question of defensibility largely redundant.

### ***Lithuania's Position in the Enlargement Process***

Lithuania benefits from widespread support for NATO accession among Alliance members. Poland is especially supportive, as this would bring definite strategic, political, and economic benefits. Indeed, Lithuania is the only Baltic state that borders a NATO member and its inclusion in the Alliance would be a logical geo-strategic progression for European security. Lithuania has registered steady progress in the accession process:

- At the NATO Madrid Summit on 8 July 1997, NATO leaders launched the enlargement process and referred to Lithuania, Latvia, and Estonia as aspiring members who had achieved substantial progress toward gaining entry. The Madrid Declaration was received in Vilnius as an invitation for Lithuania to seek full membership in NATO;

- Lithuania opened a Mission to NATO on 3 August 1997 to enhance political dialogue between Brussels and Vilnius;
- On 9 October 1997, the North Atlantic Assembly issued a resolution asserting that the process of NATO enlargement would not be completed until Lithuania and other Central-East European states became members;
- At NATO's Washington Summit in April 1999, Lithuania, Latvia, and Estonia were specifically mentioned in paragraph 7 of the Communiqué – a step that was received positively in Vilnius as a vindication of Lithuania's aspirations.

In the estimations of all Baltic leaders, the current international situation presents a unique window of opportunity for NATO accession. While Russia is in no position to oppose entry for any European state, and in recent months has acknowledged this inevitable evolution, NATO appears determined to expand the sphere of security northward, eastward, and southward. A key reason why Lithuania launched the "Vilnius 9" process was to mobilize all NATO aspirants to petition the Alliance for membership. Although the V-9 process officially started in 2000, the ground was laid in 1997 with the holding of the first regional conference in Vilnius. This developed into a tradition, and in 2000 one of these conferences was used to gather together the V-9 Foreign ministers. While initial meetings of the group in 1997 and 1998 were at the level of foreign and defense ministers, at the April 2001 meeting in Bratislava Prime Ministers from all NATO aspirants were in attendance. The Vilnius process has thereby contributed to regional cooperation and enhanced interaction with NATO states.

In February 2002, NATO Secretary General Lord George Robertson asserted that: "Lithuania is on the right road" toward membership. He underscored that Lithuania's key tasks for membership were the modernization of its armed forces, anti-terrorist activities, and the maintenance of democratic standards. Robertson informed Lithuanian defense minister Linas Linkevičius that Lithuania should have mobile and well-trained armed forces that would be able to participate with alliance forces in collective defense and peacekeeping operations. Lithuania's position on NATO enlargement has been clear from the outset: "The greater the number of countries invited in Prague, the better for a Europe whole and free."

### ***Domestic Support and Readiness***

There has been consistent consensus on security and foreign policy priorities by all Lithuanian governments since the regaining of independence. It is important for the public to see visible progress that would validate the government's commitment to internal reform and Euro-Atlantic

integration. If raised hopes are thwarted at the NATO summit, the Lithuanian public could become more prone to a sense of isolation. NATO admission would send a strong signal for the validity and continuity of political and economic reform.

There is absolute political consensus and overwhelming public support for Lithuania's NATO accession. Regarding the political elites, only some small groupings remain opposed to membership. These include leaders of the minority organization, the Russian Union, and some extreme nationalists with marginal political influence. These groupings would prefer to see Lithuania as a neutral state as their main concern is that Alliance accession could jeopardize contacts with Russia. Virtually the entire political spectrum is supportive of NATO accession, including the ex-communists. This has been underscored in agreements on national defense policy, such as the one signed by all major parliamentary parties in May 2001, and in the approval by parliament of consistent 2% GDP spending on Lithuania's military.

In cooperation with NGOs and the media, the government has kept the Lithuanian public well informed about issues of NATO policy, the advantages of Lithuanian membership, and its future responsibilities as an Alliance member. In polls taken in February 2002, only 21.1% of the Lithuanian population expressed opposition to NATO accession, and such views rest primarily on concerns over the question of increased defense costs. Opinion polls indicate that support for NATO entry is steadily growing while the number of undecided is decreasing. In December 2000, public support stood at 49%, while in February 2002 the figure reached 58.9%, while over 60% of citizens were positive about the possibility of Lithuania's invitation to join NATO. An even bigger majority perceives NATO as an organization promoting security and a safe investment climate.

In terms of political and military readiness, Vilnius has an Annual National Program that is approved by the government. It assesses progress in military development and defines concrete objectives and plans to enhance Lithuania's preparations for entry into NATO. In addition, Vilnius participates in the NATO Partnership for Peace (PfP) program and the Planning and Review Process (PARP), a mirror of NATO's force planning mechanism which identifies and evaluates force capabilities, interoperability issues, defense resources, and financial plans.

In this context, specific sectors of the military are being prepared for full interoperability with NATO and the state budget funds specific Partnership Goals (PG) that are coordinated with Brussels to help build Lithuania's defense capabilities. 66 PGs have been developed and tailored with the Alliance for the period 2001-2006 in order to support the MAP objectives, to improve military interoperability with the Alliance, and



enhance Lithuania's preparations for NATO membership. NATO evaluations of Lithuania's performance have been consistently positive although improvements are still necessary in a number of areas. In April 1999, Lithuania established a Coordination Commission for NATO Integration, a mechanism designed to improve the country's administrative capacity and coordination between government ministries. The Commission was empowered to prepare a National NATO Integration Program (NNIP), to report on preparations for NATO integration, and issue pertinent recommendations.

### ***NATO Advantages***

NATO membership will help to consolidating Lithuania's Western direction. The Baltic states are not "special cases" for NATO inclusion but normal contenders for the most important pan-European institutions. Each country should be judged according to its merits, achievements, and capabilities. Strategic interests and sovereign choices need to be respected: for former "captive nations" such as Lithuania security is above all a psychological factor that anchors the country in the Euro-Atlantic structure where its identity and interests lie. NATO membership is thereby a source of protection and a guarantee against any future threat of isolation.

NATO accession will encourage an increase in international trade and attract foreign investment to Lithuania especially as business will feel more secure. Poland and other Central European states benefited substantially from NATO membership in that investors felt less concerned over potential instabilities. An invitation to NATO will constitute a seal of approval for Lithuania's progress. In some respects, Lithuania is more important than either Latvia or Estonia in terms of its military capabilities, its significance for regional stability, its relations with Russia, and its link between Kaliningrad and Belarus. In addition:

- Vilnius possesses valuable training bases and exercise facilities and has a joint air space surveillance center that is to be connected with the NATO center and for which the U.S. and Norway have provided equipment. This will facilitate the Alliance with a vital four minutes extra time to respond in case of a threat across Lithuanian territory; and

- International terrorism poses a serious security threat to the global community. However, this threat is largely external to Lithuania as domestic conditions are not conducive for terrorism. Lithuania could become a potential target of international terrorism in which acts of sabotage may be directed against infrastructure or strategic targets, or against the interests of foreign partners in the country. The Baltic region may also become a transit country



or a training ground for international terrorism focused on the West. Hence, the integration of Lithuania in NATO and all its security networks will provide a more effective regional and international mechanism for combating trans-national terrorism.

### *Increasing Lithuania's Military Capabilities*

Vilnius is not simply concerned with self-defense capabilities as it seeks to produce military added value for the Alliance, including peace-support and humanitarian operations as in Bosnia-Herzegovina and Kosovo. In terms of purely military contributions, Lithuania is more qualified than Slovenia, one of the prime candidates for NATO inclusion. While some opponents of Lithuanian membership argue that the country is indefensible in the event of an attack, such arguments are rooted in the Cold War experience. Security and defense in the current era does not revolve around protection from conventional attack but in assuring stability and combating more pervasive or covert cross-border threats. In this context, Lithuania has developed a "total defense concept" in line with the new challenges facing Europe, and its security capabilities will need to be more closely coordinated with NATO allies to combat global threats.

- Lithuania currently has an armed force of some 12,000 troops and has been steadily modernizing its military structure and focusing on military specialization in such arenas as tactical intelligence;

- In terms of schooling and training, Vilnius has made substantial investments in educational standards at military establishments including its Military Academy. Lithuania participates in about 700 events annually in different areas of military and technical expertise. Over 1000 military officers and civil servants have been trained in the most prestigious institutions in NATO and partner countries. Lithuanian peacekeepers serving abroad upon return to their units are often promoted and are enabled to apply their knowledge and experience. This enhances the modernization and personnel interoperability of the Lithuanian military;

- Lithuanian representatives participate in about 140 activities annually within the framework of the PfP Partnership Work Program (PWP) and the Individual Partnership Program (IPP), including PfP military exercises. The priority areas within the IPP have been language training, command, control, and communications (C3), military education, training and doctrine, air space management and control, and logistics;

- A number of military initiatives have been undertaken by all three Baltic states in conjunction with NATO's PfP program, including the creation of a Baltic Peacekeeping Battalion (BALTBAT), which became effective in 1997

and has been coordinated through Nordic formations; a NATO-compatible regional airspace surveillance and coordination center (RASCC) was built near Kaunas in 1997 helping to integrate the joint capability of national systems; and a Baltic Naval Squadron (BALTRON) was established in 1998;

· On the technical and logistics side, Lithuania has reoriented its procurement plans toward NATO-compatible systems and has already purchased weapons and other equipment from Alliance states. These have included *Stinger* anti-aircraft systems, *Javelin* tank systems, as well as transport vehicles, tactical radios, coastal surveillance equipment, and anti-tank weapons. Lithuania is determined to remain fully oriented toward Western markets as its integration into NATO continues to develop.

### ***Lithuania's Contribution to Trans-Atlantic Security***

The Lithuanian authorities have committed themselves to an annual defense spending of 2% of the state budget for the next five years (2002-2007) and has proved successful in pooling state resources for defense purposes. It has made substantial technical-military preparations and its military reforms have remained a high priority. In the event that NATO membership is not forthcoming, this percentage may decrease and hurt Lithuania's military modernization program; this could diminish the country's chances for fulfilling the criteria for future NATO membership. The Lithuanian authorities understand that NATO membership carries both benefits and responsibilities. Vilnius has demonstrated that it is willing to share the burdens of accession in terms of costs and participation in NATO operations.

Upon regaining independence in 1991, Lithuania recreated its military virtually from scratch after disentangling itself from the Soviet Red Army structure. After ten years of concerted effort, spending, and reorganization, the country's military is largely compatible with that of the NATO alliance. Lithuania participates in a broad range of NATO programs in the civil, political, and military arenas. Through its involvement in NATO and UN lead peacekeeping operations, Lithuania has proven to be a positive contributor to "soft security" missions in particular. This complements the "Petersburg tasks" which outline the development of the EU's military capabilities along the "low end of military spectrum."

· In 1998, Baltic ministers ratified the use of BALTBAT on international missions in support of UN operations. Several BALTBAT platoons and companies have been deployed and rotated in Bosnia and Kosova within the Danish peacekeeping battalion. However, it has yet to be deployed as a full battalion;

· Vilnius has contributed to several important international missions in the Balkans since 1994 and over 1000 troops have served in the region. Lithuanian

platoons participated in the UNPROFOR mission in Croatia, and in the NATO IFOR (Implementation Force) and the SFOR (Stabilization Force) in Bosnia since 1996, serving with NATO's Danish Battalion;

- Lithuania took part in the AFOR mission to Albania in 1999 and contributes forces to NATO's KFOR mission in Kosova since 1999 as a component of the Polish battalion. Future participation in NATO and EU military deployments remains a high priority for Vilnius;

- Lithuanian policemen have served in the UN mission (UNTAES) in Croatia, in the UN mission (UNMIBH/PFP) in Bosnia, and in the UN mission (UNMIK) in Kosova since August 1999. Lithuania is also the only NATO candidate country that participates in a joint military unit (LITPOLBAT) with a NATO state, Poland;

- In the Baltic region, Lithuania has developed the Baltic Airspace Surveillance Network, which supplies surveillance data to military and civilian authorities and is technically prepared to exchange data with NATO, thus providing direct strategic value to the Alliance in North East Europe;

- Since the launching of the global anti-terrorism campaign, Lithuania has actively contributed to the American led operation. Vilnius fully supported the North Atlantic Council in the invocation of Article 5 of the Washington Treaty as a basis of common action, it joined the Action Plan of the EU Council, and took part in the Warsaw Conference of Central and East European heads of state in November 2001 that issued an Action Plan on Combating Terrorism. Lithuania granted permanent rights for the over flight and landing of U.S. military aircraft, adopted a National Action Program to Combat Terrorism in December 2001, increased state funds for the anti-terrorism struggle, and developed a series of joint regional measures with Latvia and Estonia. Lithuania also endorsed the adoption of the OSCE Bucharest Plan of Action on combating terrorism. Vilnius is prepared to share intelligence on terrorism with NATO states and partner countries;

- On 19 March 2002, the Lithuanian parliament gave the green light to sending Lithuanian troops to Kyrgyzstan to join the allied forces in the U.S.-led anti-terrorist operation. The unit is to be located at Manas Airport near Kyrgystan's capital, Bishkek. U.S. and allied military forces are using the airport as a base for operations in Afghanistan.

Since regaining its independence and reestablishing its military, Lithuania has participated in a number of NATO programs, organizations, and missions. It actively takes part in exercises of the Combined Joint Task Forces (CJTF) and maintains high-level and expert contacts within the format of the Euro-Atlantic Partnership Council (EAPC). In March 2001, Lithuania formally completed the second cycle of the MAP (Membership Action Plan) as stipulated by the Alliance for meeting the criteria for accession.

In the framework of the third cycle of the Planning and Review Process (PARP), between 2002 and 2006, Vilnius is in the process of implementing 66 Partnership Goals (PGs) in priority areas such as language training, C3 systems, logistics, and air defense to enhance its interoperability with NATO. 16 PGs were fully or partially implemented during the course of 2001. Vilnius has implemented a long-range ten-year National Security Enhancement Program and established some specific priorities between 2002 and 2006 that will benefit from assured government financing. These include the following initiatives:

- Creating a battalion size unit by the end of 2002 in readiness for NATO Article 5 operations and for operations outside Lithuania;
- Establishing a Reaction Brigade (Iron Wolf Brigade) by the end of 2006, as a well-equipped and well-trained force containing three battalions for deployment under NATO's Article 5 and other Alliance commitments;
- Deploying company size units for NATO and UN international peace support missions. Vilnius is also in the process of creating an Artillery Battalion and an Air Defense Battalion for homeland defense;
- Developing a modern infrastructure for the reception of any necessary NATO reinforcements in Central-Eastern Europe;
- Deploying two brigades for international peacekeeping duties by the close of 2002, and four brigades by 2006;
- By the end of 2006, Lithuania together with its two Baltic neighbors, plans to meet all the requirements for air-space control by making fully operational an effective air space monitoring and control system (the Baltic Regional Air Space Surveillance System). The national surveillance system supplies data for both military and civilian authorities and is already technically prepared to exchange data with NATO.

Lithuania seeks to be included in the Conventional Forces in Europe (CFE) Treaty, which specifies limits on military buildups and can assist in the military modernization process, as well as the Open Sky Treaty. Vilnius closely follows the CFE process and positively considers the option of accession to the revised Treaty. CFE membership for Lithuania would help provide Vilnius with frameworks for military development in synchrony with NATO that would assist in both planning and acquisitions. Lithuania supports and already adheres to the provisions of the Ottawa Convention on the prohibition of anti-personnel mines and seeks to prepare for the ratification and implementation of its conditions. Lithuania cooperates with foreign partners and international organizations in strictly applying existing international regulations limiting the proliferation of weapons of mass destruction. Vilnius regards international arms control regimes and confidence building measures as important elements of European security.

## 5. SECURITY THROUGH THE EUROPEAN UNION

### *EU Enlargement and Lithuania's Performance*

The EU has adopted the "Regatta" approach in bringing in new members. This is a framework based on the principle of differentiation. Eleven states are currently in the accession negotiation phase. The negotiations focus on any applicant's ability to take on all the obligations of a Member State of the Union and to apply the Community *Acquis* once they join. It also highlights immediate measures to extend the single market. Negotiations may be concluded even if the *Acquis* has not been fully adopted as transitional measures may be introduced after accession.

The Nice Summit in December 2000 welcomed the new enlargement strategy adopted by the Commission the previous month. The EU agreed on a number of contentious but highly significant issues. It reaffirmed the historic significance of the enlargement process and welcomed the principle of differentiation. The Summit also agreed on essential institutional reforms that had to accompany enlargement. Lithuania's progress as outlined in the 13 November 2001 Regular Report prepared by the European Commission has been noteworthy for the following:

- Lithuania continues to fulfill the necessary political criteria for EU accession, according to the accession partnership launched on 15 March 1998. Since 1997, Vilnius has made considerable progress in consolidating and deepening the stability of its institutions, guaranteeing democratic pluralism, the rule of law, human rights, and respect for and protection of minorities;
- Lithuania has made progress in reforming the public administration and the judiciary, where the administrative court system has been re-organized and made more effective. Implementation of the new administration law and the civil service law remain as high priorities;
- Sustained efforts are required in furthering the process of reform. In the field of corruption, Lithuania's progress should be sustained and reinforced through the ratification of the National Anti-Corruption Strategy;
- Lithuania is a functioning market economy and with additional structural reform, it can cope with the competitive pressure and market forces within the Union in the near-term;
- Unemployment remains high but Lithuania has made some progress in the area of financial and budgetary reform and the minimum wage was increased in the spring of 2002.

Throughout the past decade, U.S. leaders of both political parties have been at the forefront of those advocating a broader and deeper Europe. Washington does not see a contradiction between strengthening Europe

and enlarging it and there is bipartisan American support for EU enlargement. A failure of the EU to expand could erode American interest in Europe as a senior partner, and instead reinforce past patterns of privileged partnership with one or more European countries. Presidents George Bush, Bill Clinton, and George W. Bush, together with other prominent American leaders, have been at the forefront of those advocating a broader and deeper Europe. Voices within the American leadership have propagated the idea of double enlargement — paralleling NATO expansion with that of the EU — as the best strategy for promoting European stability. A double enlargement also promotes the development of a comprehensive and recognizable European Security and Defense Identity, which most view as beneficial to American interests.

Throughout the Cold War, Western Europe assumed an inward looking security identity. The EU's military posture was shaped almost exclusively by the notion that an external military challenge to territorial integrity is the greatest threat facing the region. Hence, the EU's military posture is defensive in nature and of limited strategic value to American force deployment. In order for the European states to reform their armies, so they can project force beyond the continent and stand alongside the U.S., the Europeans must be convinced that stability on the continent has been secured. By pursuing double enlargement, not only would Europe's northeastern, central, and southeastern sub-zones be secured through NATO membership, but they would also be increasingly stabilized through integration into the EU. As a result, the EU's inward looking security identity would acquire a broader and more global focus, giving the U.S. an increasingly viable and valuable partner.

Some voices in Western Europe fear that the East European democracies are seeking too close a relationship with the U.S. through NATO membership. Indeed, some contend that the European Security Concept and EU inclusion should be sufficient to secure Lithuania without expanding American interests on the continent and potentially threatening Russia. The position that both NATO and EU enlargement should be parallel and complementary processes will counter the supposition that NATO is becoming redundant. Unless and until the EU develops a viable and capable security structure, a prominent American presence in NATO, will remain indispensable.

### ***The Case for Lithuania's Membership***

On 12 June 1995, the Europe (Association) Agreement was signed between Lithuania and the EU. Lithuania was included in a group of countries aspiring to become members of the Union. On 8 December 1995, President Brazauskas

signed an official application for EU membership in a *Seimas* Statement which declared that "to join the cultural, political, economic, and security structures of Europe is Lithuania's historic aspiration." Vilnius realizes that EU enlargement enhances stability and accelerates the economic development of new members. Immediately after the restoration of independence, EU membership was asserted as a priority for Lithuania's foreign policy. It would invigorate the country's economic progress and increase its security.

Lithuania's identification with European values was preserved even during the most detrimental historic circumstances under Soviet occupation. Moscow attempted to erase Lithuania's individuality not only by methodically extinguishing the historic consciousness of its people and its cultural heritage, but also by attempting to prevent any promotion of Western liberal values. Other EU aspirant countries in Eastern Europe were subjected to similar pressure, although the consequences were less onerous as they managed to preserve some form of sovereignty. As a result, Lithuania's aspirations for EU entry are determined not only by narrow pragmatic interests, such as increases in the welfare of citizens, but are perceived by the cultural and political elites and by wide layers of society as facilitating the enhancement of Western identity.

For the countries of Central-Eastern Europe, integration into the EU is related not only to the prospect of adopting West European living standards. Integration is a factor for accelerating the post-Communist transformation process. The strategic direction of this process is clear: the construction of liberal democratic political structures and market economies. Political democracy and the principles of a market economy are well established in Lithuania but the process of civil society formation is incomplete. EU integration is a powerful factor for the consolidation of civil society and the constitution of a modern state. Lithuania was subject to the methodical elimination of any expressions of civil life and a market economy. Close cooperation with the EU facilitates the task of restoration. An evident expression of EU influence has been greater progress in all aspects of civil life since 1996 when the provisions of the *acquis communautaire* started to be implemented.

The importance of Lithuania's Euro-integration is linked with two factors - the geopolitical situation and the objectives of statehood. The possible consequences in the event that Lithuania fails to become an EU member can be outlined. Lithuania borders a region where the implementation of Western economic, social, and political values has been postponed indefinitely. Post-Communist societies are starting to take shape in the CIS although they will not become systems based on liberal democracy and free market principles. The most illustrative example of this evolution is Russia. A decade-long reform process was unable to facilitate the consolidation of civil society and ended with



a retraction from democratic principles. The liberalization of economic life did not prevent the gradual slide of the country towards authoritarian rule. These tendencies were fully revealed after Vladimir Putin became President.

Lithuania cannot isolate itself from the impact of Russian developments. If Lithuania became a "gray zone" between the EU and CIS, it could fall under the influence of oligarchic and quasi-democratic socio-political structures in the East. This would slow down the formation of civil society and undermine the consolidation of a liberal democracy. Hence, Lithuania's orientation toward the EU is regarded as critical factors in forestalling any unfavorable developments. Successful integration into the EU is important for the Union as well. With EU membership, Lithuania will acquire more opportunities to serve as a model of successful development and integration. It can also prevent the CIS border from turning into a new Iron Curtain. Lithuania's contribution in promoting cooperation with the CIS has been acknowledged by the EU.

### *Lithuania's Progress Toward Accession*

On 5 April 1990, the European parliament passed a resolution on Lithuania and official contacts were established. Even though the Community sympathized with Lithuania's drive for independence, this support was cautious. This was determined by the desire to preserve stability and the mistaken expectations connected with Gorbachev's *perestroika*. The situation changed after Lithuania restored its independence and gained international recognition, creating the prerequisites for closer cooperation with the EU. Lithuania received financial and technical assistance and concluded several economic agreements. A new momentum was injected by the Technical Assistance Agreement signed between Vilnius and the European Community on 21 December 1991, in accordance with which Lithuania started to participate in the PHARE program.

A Free Trade Agreement was signed between Lithuania and the European Community on 18 July 1994. Nevertheless, there was still no definite answer to the most important question for Lithuania – prospects for EU membership. A number of politicians in the West had grown accustomed to the notion that the Baltic countries were an inseparable part of the USSR. Such attitudes were reflected in the 1994 statement of the European Commission on negotiations with the Baltic states. Even though this document stated that negotiations over the Europe (Association) Agreements ought to be commenced, it also asserted that the exceptional strategic position of the Baltic states with respect to Russia necessitated a far more cautious approach.

All ambiguities concerning relations between Lithuania and the EU were finally eliminated on 12 June 1995 with the signing of the Europe



(Association) Agreement, which recognized the Lithuania's aspirations to become an EU member. The signing of this Agreement paved the way for Lithuania's full participation in the pre-accession Strategy for candidate countries, including legal harmonization, structural and political dialogue, technical assistance, and regional cooperation.

The EU's eastward expansion is an experiment of unprecedented scale and complexity. The new stage in European unification consists of joining two parts of the continent, which were for several decades divided by the Iron Curtain and have very different levels of development. The unpredictability of this integration process presents a range of practical and political problems for the member countries. The formal criteria for membership are fairly clear, including democratic political system; protection of human and civil rights; the resolution of minority problems; and establishment of market economies. However, in terms of economic development and administrative capacities, skeptics claim that the country is incapable of complying with EU membership requirements. The gap between formal EU membership criteria and the actual preparedness of candidates is considered to be an impediment to integration. Hence, a continuous political dialogue is necessary with progress measured by the annual Regular Reports of the European Commission. Lithuania has had such reports since 1996 and they are a stimulus for dialogue and action. The progress achieved in the official Accession Negotiations, which started on 15 February 2000, are another important criterion.

The second stage of Lithuania's progress toward the EU developed between the signing of the Association Agreement in 1995 and the Helsinki Summit of EU member countries and associated states at the end of 1999. The European Council approved the proposal of the European Commission to start accession negotiations with Lithuania and five other candidate states. On 28 July 1995, the Ministry of Foreign Affairs and Vilnius University established a non-profit organization, the Center for European Integration Studies, to help facilitate Lithuania's EU preparations by training specialists in EU politics, law, and economy, providing information, and initiating public discussion about European integration. On 8 December 1995, Lithuania submitted its official application for EU membership, which was accepted at the Second Meeting of the European Council in Madrid at the end of the year. A tangible expression of this approval was the establishment in Vilnius in March 1996 of the European Commission Delegation to Lithuania. The objectives of the Delegation were to maintain relations with the European Commission, disseminate information about the EU, and exercise supervision over PHARE program.

At the end of 1996, the Lithuanian parliament assembled a delegation for relations with the European Parliament. In February 1997, a Legal Bureau

was established by Lithuania's Ministry of European Affairs committed to ensuring the compliance of Lithuanian laws with EU legislation. In 1998 the Bureau was expanded into a Department of European Law. On 3 March 1997, the government approved the composition and regulations of the Delegation for EU Accession Negotiations. The government's European Integration Commission was also raised to ministerial level and placed under the authority of the Prime Minister. In May 1998, the Ministry of European Affairs was replaced by the European Committee charged with responsibility for coordinating the activities of ministries and other state institutions within the framework of Lithuania's EU integration. On 24 March 1999, the Center of the European Commission Delegation in Lithuania was opened. Its primary objective was to provide information about EU structures and functions.

Cooperation between Lithuania and the EU on the parliamentary level also developed. On 18 September 1997, with the purpose of developing contacts between the *Seimas* and the European Parliament, the parliamentary Committee on European Affairs was established. It was given responsibility for considering major issues related to Lithuania's policy toward the EU, including the EU Accession Strategy, to supervise the implementation of the National Law Approximation Program, and to exercise parliamentary control over public authorities who had entered into negotiations for EU membership. A new impetus for institutional development was registered on 1 February 1998 with the coming into force of the Europe Association Agreement between the EU and Lithuania. To ensure its implementation, an Association Council was established at the level of Foreign Ministers and became active in February 1998. A Joint Parliamentary Committee was also activated in September 1998. The establishment of these entities concluded the formation of the institutional network necessary for the development of accession negotiations. In early 2000, the President of Lithuania was empowered to appoint the Chief Negotiator with the EU.

The signing of the Europe (Association) Agreement invigorated implementation of the PHARE program. On 27 June 1995, the Technical Assistance Programme signed between Vilnius and the European Communities was ratified, to provide for more extensive Lithuanian involvement. In 1999, the EU decided to render financial assistance for certain priority areas such as strengthening institutional and administrative capacities, the internal market, justice and internal affairs, agriculture, the energy sector, employment, social affairs; and the environment. On 4 December 1999, the PHARE Support to European Integration in Lithuania Project was launched as one of the major projects in the area of administrative capacity.

The alignment of Lithuanian and EU law is one of the major conditions for Union membership. Close cooperation in this area was initiated in 1996, when the government approved the National Law Approximation Program. This established time limits for the transposition of EU legal provisions into relevant areas of Lithuanian legislation and specified the institutions responsible for the task. In September 1997, an amended version of the Program was approved providing measures necessary for completing EU legal provisions in enterprise rights, protection of private identity data, free movement of capital, public procurement, financial services, labour security, intellectual property protection, and free movement of goods. In March 1998, Vilnius submitted to the European Commission its National Plan for the Establishment of Institutions intended to enhance Lithuania's institutional and administrative capacity to implement the Community law.

In the 1999 Helsinki European Council, a decision was taken to start accession negotiations with the second group of candidate countries, including Lithuania. In April 1996, Lithuania was given a comprehensive Questionnaire prepared by the EU, which encompassed all areas of the *acquis*. It underscored that Lithuania had made considerable progress in democratic development, guaranteeing human, civil, and minority rights, instituting market principles, and conducting a large-scale privatization process. Macroeconomic stability had been accomplished and the financial system was stable. Lithuania had also managed to resolve all problems with neighbors.

Nevertheless, structural reforms had not been completed given Vilnius's limited financial resources. Insufficient administrative capacities, especially in the sphere of financial control, were also evident. In some administrative areas there were indications of extensive corruption and the public sector still dominated the country's economy. The agricultural sector remained unaffected by structural transformations despite the restored private ownership of land. A range of deficiencies was evident in the banking sector while the energy sector was practically unaffected by reform. A complex issue regarding the eventual closure of the Ignalina Nuclear Power Plant also emerged. No fundamental restructuring had been introduced in the system of taxes and custom tariffs, while insufficient control over Lithuania's borders, especially in the east, could potentially turn the country into a "transit" state for illegal migration and international crime.

In European Commission Reports in 1998 and 1999, it was noted that Lithuania complied with the political criteria of the Copenhagen Summit, while areas still in need of attention included the struggle against corruption and reform of the legal system. Regarding Lithuania's application for EU membership in 1997, the EU Commission concluded that Lithuania made

significant progress in establishing a market economy, but it "would face serious difficulties to cope with competitive pressure and market forces within the Union in the medium term." Although this conclusion was reiterated in the reports during the two following years, the economic stability of the country was also emphasized. In the 1999 Report it was noted that the sustained implementation of the remaining reform agenda would complete the establishment of a functioning market economy and enable the country to cope with competitive pressure within the Union in the medium term.

In the Commission Report of 1999, it was emphasized that Lithuania had made progress in the coordination of internal market laws, especially those related to public procurement, intellectual and industrial property, and free movement of capital and services. Lithuania registered advances in the approximation of laws in the field of transport and management of environment issues. Lithuania's efforts in the energy sector were evaluated positively: the country undertook the decommissioning of the Ignalina Nuclear Power Plant and to close Unit 1 by 2005, with Unit 2 due to be closed by 2009. Progress was also made in the area of financial control. In the public administration, Vilnius introduced a special law and developed necessary training programs. The reform of the legal system was continued with the establishment of administrative courts and the reorganization of the Prosecutor's General Office. The majority of institutions and agencies necessary for the implementation of the internal market *acquis* had also been created. The Helsinki European Council in 1999 adopted a decision to start negotiations with the second group of aspirant countries, with Lithuania included. The period since the start of negotiations may be considered the third stage in Lithuania's accession to the EU.

In December 1999 a new Accession Partnership was adopted and in May 2000 Lithuania submitted a newly structured National Program for the Adoption of the *Acquis* (NPAA), also called Lithuania's EU Accession Program. Assistance from the Union is also increasing. Since 2000, the country has been provided access to three instruments in preparing for membership financed by the EU — the PHARE, ISPA and SAPARD programs. 2000 may be considered as the turning point in the reform process. The adoption of the new Civil and Criminal Codes were landmark achievements. Significant progress was made in restructuring public administration with the application of a Law on the Civil Service. Measures were taken to combat corruption: in 2000 laws on Special Investigation Service, Lobbying Activities, and on the Compatibility of Public and Private Interests in the Civil Service were adopted. In the 2000 Report, the EU acknowledged for the first time that Lithuania could be regarded as a state with a functioning market economy and would cope with competitive pressure and market forces within the Union in the medium term.

The country's capacity in assuming membership obligations in accordance

with the relevant EU *acquis* chapters have expanded in all areas. Lithuania today is one of the negotiation leaders with 28 out of 31 chapters preliminarily closed. Negotiations over the remaining chapters, including agriculture, energy, regional policy, and budgetary regulations, will be more difficult. However, there prevails a basically optimistic attitude in Lithuanian society that there are no insurmountable obstacles, which might prevent the country from finishing the accession negotiations and becoming a full member of the European Union.

## RECOMMENDATIONS:

### *Political Initiatives*

- Intensifying cooperation between the U.S. and Lithuania in the framework of the Charter of Partnership between the U.S. and the Baltic states, by establishing a subordinate body to the Partnership Commission - a bilateral sub-commission. This would be responsible for concrete proposals on strengthening cooperation between Vilnius and Washington.
- Supporting political initiatives that increase the contribution of small European countries, such as Lithuania, to regional security. This would include special emphasis on combating organized crime, corruption, illegal migration, the spread of sensitive technologies, and improving intelligence and counter-intelligence capabilities. Within this context, it would be worthwhile to open an FBI branch in Vilnius.
- Supporting Lithuania's efforts to improve the system of protection for classified information. Lithuanian institutions must enhance their cooperation with U.S. special services in public relations, the implementation of public educational projects, and practical experience in maintaining the principles of confidentiality and transparency.

### *Regional Initiatives*

- Promoting public and private efforts in supporting Lithuanian governmental and NGO initiatives throughout the region. The common interest of the U.S. and Lithuania is to enhance trilateral Baltic initiatives and expand sub-regional integration through extension and institutionalization toward the northern European countries. This would help knit the Baltic Sea region with the area covered by the Barents Euro-Arctic Council. Synchronizing contacts between the EU's Northern Dimension Initiative and the Council of Baltic Sea States (CBSS) would promote regional cooperation. For instance, the planned regular ministerial meetings of the Northern Dimension states could be coordinated with the bi-annual summits of the CBSS.

- More active involvement of the U.S. in the Council of the Baltic Sea States, particularly in the areas of nuclear and radiation safety, combating organised crime, and crisis management. Foundations must also be laid for cooperation between the Council of the Baltic Sea States and the Black Sea Economic Cooperation Organisation.

- Supporting Lithuania's efforts to enhance cooperation with the Russian Federation and its regions, especially the north-west regions and Kaliningrad. Endorsing the idea promoted by Vilnius concerning free trade between the EU and Russia once the latter becomes a WTO member; for example, by joining energy grids and allowing for the unobstructed export of Russian oil via Lithuania to the West. Lithuania can play a significant role in U.S. policy toward Russia and thereby raise its political profile in Washington. Lithuania is in the most advantageous position of the three Baltic states as it does not have any unresolved bilateral political issues with Moscow.

- Fostering cooperation between Lithuania and Ukraine by applying the experience of Lithuanian-Polish cooperation, establishing joint Vilnius-Kyiv institution, such as a Council of Presidents, and Parliamentary and Governmental Cooperation Councils. These can also be expanded within the Lithuania-Ukraine Poland format. American investments should be encouraged in the realisation of Lithuanian-Polish infrastructure projects.

- Backing Lithuania's pragmatic relations with Belarus and the involvement of Minsk in the processes of regional cooperation and European integration. Western donors must be target specific constituencies, including women, youth, students, small businesses, and the intelligentsia. Closer ties between political parties in democratic countries with Belarusian counterparts should be encouraged. Attention should also be given to possible cooperation with the Belarusian *nomenklatura*, as this group is sometimes in conflict with the Lukashenka regime. Opposition media should be strengthened with the possibility of transmitting programs from neighboring countries. Greater emphasis needs to be placed on the local level outside the major cities to counter the tendency of isolationism. With local elections due in the spring of 2003, the approximation of Belarusian electoral legislation with that of Russia should be encouraged to help guarantee transparency in the election process. International donors should render assistance in preparing for these elections. There is an urgent need to coordinate the activities of various international organizations. The model of parliamentary troikas and Vienna technical conferences should be reintroduced. Greater emphasis should be given to donor coordination and a "basket fund" could be established to avoid duplication. Diplomatic representations in Belarus have a significant role to play in demonstrating that the West is not an enemy; for example, by visiting and aiding Chernobyl victims.

- Assisting Vilnius in offering the Transcaucasus and the CIS countries assistance and experience in creating democratic states, developing regional cooperation, and promoting relations with European institutions.

### ***Military and Security Initiatives***

- Lithuania can make a significant contribution to the evolving debate on NATO's future in the light of the new strategic constellations (global anti-terrorism campaign, NATO enlargement, technological and capabilities gap between America and Europe, the new NATO-Russia relationship). The "Vilnius Ten" initiative can become a basis for these deliberations and could generate some important recommendations.

- Lithuania must draw appropriate lessons from the performance of the three newest NATO members. It should display commitment and reliability in meeting NATO force goal requirements, budgetary needs, and institutional changes, while improving its general defense planning process and personnel policy. In all areas, Vilnius will require consistent external assistance and expertise.

- Lithuania needs to further develop its military and civil police forces, which are included in the UN register, as permanent standby forces. Lithuania can also take part in international agreements that constitute the basis of the multinational Standby High Readiness Brigade SHIRBRIG, which is scheduled to participate in UN operations, and take an active part in the brigade's operations.

- The U.S. can assist in buttressing Lithuania's public outreach program with improvements in information from the political elites on security goals and aspirations to the Lithuanian public. Current public support for NATO entry and for fulfilling the rigors of NATO membership can be increased. More intensive public dialogue is necessary on issues such as future security threats, the role of small states, alliance obligations, collective security, NATO and democracy, and security and regional initiatives.

- Military modernization can be enhanced alongside standardization and interoperability with NATO concepts, procedures, and capabilities. The training of Lithuania's territorial defense forces and reserves also needs to be augmented. A phased-in professionalization of the Lithuanian military will result in significant up-front expenditures, which should be offset by long-range cost efficiency. Progress in building a professional military and phasing out the conscript force while reducing the static territorial units will make the military increasingly interoperable with NATO. An NCO (Non Commissioned Officers) corps will need to be established and programs implemented to increase available human resources. Well-executed professionalization programs could



make military service attractive to wider sectors of the Lithuanian population and could also help offset unemployment.

- Develop within the broader ESDP initiative a stress on shared assets and infrastructure with EU members. This would avoid any waste of resources by evading redundant fixed assets and infrastructure and the duplication of effort in non-essential areas.

- Maintain military spending at 2%, as outlined in the Lithuanian National NATO Integration Program (NNIP). Through resource reallocation and greater efficiency in spending, Lithuania's target goal of ten years for modernization should be decreased. Vilnius needs to make a concerted effort to reach the force levels as set out in the NNIP.

- The BALTNET air surveillance system should be connected as soon as feasible with NATO's Air Defense System once all technical issues are resolved.

- Speed up the development of Lithuania's interoperable Reaction Brigade (RB), which will be able to conduct Article 5 operations together with NATO forces within Lithuanian territory. Lithuania's efforts to develop a substantial self-defense capabilities would help ease concerns that Lithuania will be a security debtor. The U.S. must continue supporting Lithuania's efforts in enhancing its military capabilities, by emphasizing better adaptability of Lithuanian armed forces in performing "out of area" operations and preparing for this purpose a special "Iron Wolf" Motorized Infantry Brigade by 2006.

- Washington can provide greater assistance for PfP exercises and other activities involving the Lithuanian military. This will enable Vilnius to more effectively employ its resources to promote interoperability with NATO. The U.S. can also enhance the U.S. National Guard partnership programs with Lithuania, which is of practical benefit in developing contacts, sharing skills and experiences, and providing training in the development of strong civil-military relations.

- With regard to education and training, Lithuania's Jonas Zemaitis Military Academy should expand its cooperation with military academies and other military institutes in the United States and Western Europe.

- Lithuania must sign an agreement with the United States on closer bilateral cooperation in combating terrorism.

- Continue the development of Lithuania's preventative capability through cooperation with NATO and the EU, and with other regional states (particularly Latvia, Estonia, Poland, and Russia). Increase participation in activities that support and promote allied interoperability and complementarity in peacekeeping.

- Further improve Lithuania's civilian capabilities for state or institution building - a top security priority of the EU - including forces capable of dealing



with day-to-day policing. The role of Lithuania's policemen in the UN Interim Administration mission in Kosovo (UNMIK) has proved noteworthy.

- Lithuania needs assistance in implementing and improving measures for the protection of state and military secrets. Particular attention should be focused on the verification system for confirming the suitability of personnel working with confidential information in compliance with NATO requirements and new technologies, as well as other areas related to protection of communications and informational systems.

- The U.S. should support the Lithuanian initiative to render assistance to the Caucasian and Central Asian countries in the development of bilateral cooperation and contacts with NATO, and share its experience of participation in various PFP programs.

- Lithuania can make a greater contribution in strengthening NATO's defense capabilities through its intellectual and technical potential. Within the framework of enhancing the defense relationship between the U.S. and Lithuania, it would be expedient to promote mutually beneficial cooperation in the field of high technology development.

### *Economic and Social Initiatives*

- The U.S. must promote trade and investment ties with Lithuania, while the Lithuanian government should continue to improve business conditions inside the country. One priority initiative would be to establish an American commercial bureau in Vilnius.

- Lithuania respects civil rights and only minor instances of violations have been reported. The exceptions have included police beatings, public access to information regarding human rights abuses, poor prison conditions, prolonged detention, human trafficking, gender discrimination, and wage discrepancies. Both the U.S. Department of State and European Commission have noted that "abuse of power" is a problem among police officers. Police training in conduct and human rights is needed to educate officers. Stiffer penalties for officers would deter them from taking advantage of the powers that they wield. Most government authorities cooperate with local NGOs and encourage visits by human rights groups. The only exception was the refusal of the Ministry of Interior to release information on police abuse and statistics on corruption-related activities. The Ministry has become more willing to share such information in recent years, yet few statistics and reports have been released. Guaranteed public access to such information is imperative for supporting democratic values.

- Poor prison conditions exist in Lithuania. New hygiene standards were introduced in November 1999 to combat this problem and a law was

adopted in September 2000 on the Statute of Service at the Department of Prisons, which transferred the Penitentiary Department from the Ministry of Interior to the Ministry of Justice. A European Commission Report emphasized the need to find structural solutions to further improve prison conditions. The government's new criminal code will contribute to these efforts by providing for milder penal sanctions and reducing the period of pre-trial detention. The number of family visits during pre-trial detention periods should be increased.

- Human trafficking, mainly in women and young girls, is problematic throughout the region. The International Organization for Migration (IOM) has reported that there is considerable trafficking through Lithuania. A law passed in 1998 criminalizes trafficking in human beings. In July 2000 the government instructed police at the borders to pay more attention to young women traveling abroad. Comprehensive training of border police and the institutionalization of procedures to reduce the number of trafficked women from Lithuania are necessary.

- The government has made strides in combating gender discrimination through its 1999 Law on Realization of Equal Opportunities for Women and Men and establishing the Office of the Ombudsman for Equal Opportunities of Women and Men. This office is a public organization, accountable to parliament, which oversees the law's implementation and investigates complaints of discrimination. More information is needed on the operations of this office and the outcome of complaints.

- The Constitution, together with the 1991 Law on Trade Unions, recognizes the right of all workers and employees to form trade unions. The Constitution provides for the right to receive just pay for work. The legal minimum wage has been stable, yet it does not provide a decent standard of living for many workers and families. The minimum wage is adjusted occasionally pending the approval of parliament. However, the minimum wage stipulations need to be comprehensively enforced.

- Friends of Lithuania in the U.S., with the encouragement of Lithuanian representatives, must help to strengthen American–Lithuanian economic, political, and cultural ties. In addition, individual groups of Americans with ethnic ties to the Baltic region should cooperate in advancing U.S. relations with all countries in the area. Equally important, Lithuania's vibrant and innovative NGO sector and academic community should further intensify its links with their counterparts in the U.S.



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## ABOUT THE AUTHORS

*Haroldas Brokaitis*, Doctoral Student, Institute of International Relations and Political Science, Vilnius University

*Alvydas Jokubaitis*, Professor, Institute of International Relations and Political Science, Vilnius University

*Ėslovas Laurinavičius*, Assoc. Professor, Institute of International Relations and Political Science, Vilnius University

*Raimundas Lopata*, Professor, Director, Institute of International Relations and Political Science, Vilnius University

*Klaudijus Maniokas*, Lecturer, Institute of International Relations and Political Science, Vilnius University

*Asta Maskoliūnaitė*, Doctoral student, Central European University (Budapest)

*Vitalis Nakrodis*, Lecturer, Institute of International Relations and Political Science, Vilnius University

*Zenonas Norkus*, Professor, Faculty of Philosophy, Vilnius University

*Vladas Sirutavičius*, Assoc. Professor, Institute of International Relations and Political Science, Vilnius University

*Egdūnas Raėjus*, Lecturer, Institute of International Relations and Political Science, Vilnius University

*Ramūnas Vilpišauskas*, Assoc. Professor, Institute of International Relations and Political Science, Vilnius University

Translators: *Violeta Stankūnienė*,  
*Giedrė Matelytė-Garbačiauskienė*.

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