

The Old Baltic Faith Romuva movement and state recognition

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Abstract

This article describes the efforts by the Old Baltic Faith Romuva movement to gain official state recognition from the government of Lithuania. By analysing the existing legal basis for such recognition and the national parliament's reluctance to grant this status to the Romuva, it highlights the dynamics of the relationship between the state and religious minorities in Lithuania. The case study describes the difficulties faced by (non-Christian) religious minorities seeking recognition and reveals various problematic issues in the process: discrepancies in the basis for a such recognition; political decision making based not on legal but on cultural and worldview aspects of the issue; and the Roman Catholic Church's ability to influence the process.

Keywords

Contemporary paganism, religion and state, religious minorities, state recognition, Lithuania.

1. Introduction

On 19 September 2023, the Seimas (Lithuania's *parliament*) declined to approve a draft resolution on granting state recognition to the Old Baltic Faith religious community known as the Romuva.² The Seimas later refused to take up an alternative draft resolution, which would have confirmed officially that it was not

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2 Lietuvos Respublikos Seimo 2023 m. rugsėjo 19 d. rytinio plenarinio posėdžio nr. 302 protokololas nr. SPP-302 [The protocol no. SPP-302 of the morning plenary meeting of the Parliament of the Republic of Lithuania on 19 September 2023, no. 302]. Available at: <http://tinyurl.com/53xf65p7>.

granting recognition to the Romuva.³ This was not the first attempt by this religious association to gain recognized status.

The Romuva gained the status of a “non-traditional” religion in 1995, after the Law on Religious Communities and Associations⁴ was passed in Lithuania in the same year. According to Lithuanian law, when a religion has been registered for 25 years, it can receive state recognition, as well as financial support from the state, provided that it has good standing in the society. The Romuva’s pursuit of legal recognition started in 2017. It has been a long and disputed process that is still not complete. The case of the Romuva reveals the difficulties of religious minorities seeking state recognition in Lithuania, as well as the process of change in the relationship between the state and non-traditional religions.

2. The Romuva movement

The Romuva movement is one of the main contemporary pagan denominations in Lithuania. Based on local ethnicity and folklore, the Old Baltic Faith⁵ Romuva⁶ movement envisions the reconstruction of a pre-Christian religion. There have been various studies on the Romuva’s religious worldview and practices (Ramanauskaitė 2002, 2002a; Strmiska 2005, 2013; Delis 2006, Pranskevičiūtė 2014; Aleknaitė 2018; Ališauskienė 2023). More recently, academic interest in the Romuva’s pursuit of state recognition has increased. E. Kūris and D. Pūraitė-Andrikienė (2024) wrote on legal issues of the Romuva case in relation to the decision by the *European Court of Human Rights*. The authors discussed improvements of the model of individual constitutional appeal as one way to address this legal situation and other similar cases in the future. Further publications are expected from M. Ališauskienė, E. Aleknaitė and R. Pranskevičiūtė-Amoson.

3 Lietuvos Respublikos Seimo nutarimo „Dėl atsakymo suteikti valstybės pripažinimą Senovės baltų religinei bendrijai „Romuva““ projektas nr. XIVP-3071 (2023) [Draft resolution of the Parliament of the Republic of Lithuania, No. XIVP-3071 (2023) “Regarding the refusal to grant state recognition for the Old Baltic religious community Romuva”]. Available at: <http://tinyurl.com/bdzdvg9m>; Lietuvos Respublikos Seimo 2023 m. rugsėjo 19 d. vakarinio posėdžio nr. 303 stenograma [Transcript of the Parliament of the Republic of Lithuania, evening meeting on 19 September 2023, No. 303]. Available at: <http://tinyurl.com/4zyfhw36>.

4 Lietuvos Respublikos religinių bendruomenių ir bendrijų įstatymas [The Law on Religious Communities and Associations of the Republic of Lithuania]. Available at: <http://tinyurl.com/mc9edh7b>.

5 The term *Old* (i.e. native) *Baltic Faith* is often used to describe Lithuanian, Latvian and Belarusian pre-Christian religion.

6 In the movement, the name Romuva generally refers to the main Old Baltic sanctuary Romovė or Rikojotas, situated in Prussia, which was active in the 6th century. Therefore, the contemporary use of “Romuva” is described by the movement’s adherents as a “sacred place, sanctuary,” or “light and peace” (Trinkūnas 2000:8). The word Romuva does not refer to native Lithuanian religion in general but only to this particular group, one of the biggest pagan organizations.

The Romuva religious community was first registered with the Lithuanian Ministry of Justice on 20 May 1992. Romuva leader Jonas Trinkūnas was ordained as the *krivis* – the supreme priest of the Old Baltic Faith community – in Vilnius in 2002. In this way, the tradition of the institution of the *krivis* (the supreme priest of Lithuania) was restored. After Trinkūnas passed away, his wife, Inija Trinkūnienė, was elected as the *krivė* (the feminine form of *krivis*) on 23 November 2014.

Today, according to leaders of the community, the Romuva consist of around 30 officially registered or informally existing community centres (also called Romuvas) situated in various towns and peripheries in Lithuania and other countries, including Great Britain, Norway and the USA. Communities are represented by the elders – *vaidilas* who belong to the *Vaidilas Circle*. Members of the movement claim that *vaidilas* are experts in old beliefs and rites. They lead rituals and perform family rites at wedding, name-giving and funeral ceremonies. Individual Romuva communities focus on celebrations of calendar dates (related to the cycle of astronomical solstices and equinoxes), family events and national holidays. There are also other pagan groups that do not belong to the Romuva (Pranskevičiūtė 2013).

According to data from the 2001 Lithuanian population census, 1,270 of the nation's 3,483,972 citizens (0.04 percent of the population) classified themselves as believers of the old Lithuanian religion. The 2011 census showed significant growth in this figure, indicating that 5,118 of 3,043,629 citizens (0.17 percent of the population) identified with the old Lithuanian religion.⁷ In 2021, 3,917 of 2,810,761 citizens (again 0.17 percent of the population) identified as such.⁸ During this period, the Romuva became the largest religious minority of non-Christian origin in Lithuania and one of the largest ethnic religions in Europe.

3. Law and religion in Lithuania

The 1992 Constitution of the Republic of Lithuania (Lietuvos Respublikos Konstitucija) stipulates the equality of all people before the law. Freedom of religious belief and practice, together with freedom of thought and conscience, is embed-

7 7 lentelė. Gyventojai pagal religinę bendruomenę, kuriai save priskyrė, 2001 ir 2011 metais. Gyventojai pagal tautybę, gimtąją kalbą ir tikybę. 2011 m. gyventojų ir būstų surašymas [7 table. Population in 2001 and 2011, according to self-assigned religious community. In *Population according to nationality, native language and belief. Population and Housing Census in Lithuania, 2011*]. Available at: <http://tinyurl.com/znaphzf8>.

8 When interpreting the data in the 2021 census, one must keep in mind that the data-gathering methodology changed with that census. The change raises new challenges for the use of recent statistical data in scientific research.

ded in Article 26.⁹ Article 29 forbids the granting of privileges or discrimination on grounds of religion.¹⁰

According to the Constitution, there is no state religion in Lithuania; the state and the church are separate. The state does not use its power to determine the nature of its relationship with religious groups.

However, Article 43 mentions a differentiation of religious communities based on the criterion of traditionality.¹¹ Communities are differentiated into state-recognized ones and other churches or religious organisations:

The State shall recognise the churches and religious organisations that are traditional in Lithuania; other churches and religious organisations shall be recognised provided that they have support in society, and their teaching and practices are not in conflict with the law and public morals.

Despite some statements (Plumpa 2001:36-37) that the provision of the Constitution regarding recognition of traditional churches and religious organizations does not give them state status and therefore does not contradict the Universal Declaration of Human Rights (1948), the differentiation itself implies and strengthens a variation in the status of religious communities in Lithuanian society.

The Law on Religious Communities and Associations of the Republic of Lithuania¹² deepened the initial differentiation among religious communities indicated

9 „Minties, tikėjimo ir sąžinės laisvė yra nevaržoma./Kiekvienas žmogus turi teisę laisvai pasirinkti bet kurią religiją arba tikėjimą ir vienas ar su kitais, privačiai ar viešai ją išpažinti, atlikinėti religines apeigas, praktikuoti tikėjimą ir mokyti jo./Niekas negali kito asmens versti nei būti verčiamas pasirinkti ar išpažinti kurią nors religiją arba tikėjimą./Žmogaus laisvė išpažinti ir skleisti religiją arba tikėjimą negali būti apribota kitaip, kaip tik įstatymu ir tik tada, kai būtina garantuoti visuomenės saugumą, viešąją tvarką, žmonių sveikatą ir dorovę, taip pat kitas asmens pagrindines teises ir laisves./Tėvai ir globėjai nevaržomi rūpinasi vaikų ir globotinių religiniu ir doroviniu auklėjimu pagal savo įsitikinimus“ (Lietuvos Respublikos Konstitucija 1992, 26 straipsnis). [“Freedom of thought, conscience, and religion shall not be restricted. Everyone shall have the right to freely choose any religion or belief and, either alone or with others, in private or in public, to profess his religion, to perform religious ceremonies, as well as to practise and teach his belief. No one may compel another person or be compelled to choose or profess any religion or belief. The freedom to profess and spread religion or belief may not be limited otherwise than by law and only when this is necessary to guarantee the security of society, public order, the health or morals of people, or other basic rights or freedoms of the person. Parents and guardians shall, without restrictions, take care of the religious and moral education of their children and wards according to their own convictions” (Article 26, 1992 Lithuanian Constitution)].

10 „Įstatymui, teismui ir kitoms valstybės institucijoms ar pareigūnams visi asmenys lygūs. Žmogaus teisių negalima varžyti ir teikti jam privilegijų dėl jo lyties, rasės, tautybės, kalbos, kilmės, socialinės padėties, tikėjimo, įsitikinimų ar pažiūrų pagrindu“ (Lietuvos Respublikos Konstitucija 1992, 29 straipsnis). [“All persons shall be equal before the law, courts, and other state institutions and officials. Human rights may not be restricted; no one may be granted any privileges on the grounds of gender, race, nationality, language, origin, social status, belief, convictions, or views” (Article 29, 1992 Lithuanian Constitution)].

11 The initial criterion of traditionality in the Constitution was developed further in the Law on Religious Communities and Associations, relating to historical, spiritual and social heritage (Ališauskienė 2023:103).

12 Lietuvos Respublikos religinių bendruomenių ir bendrijų įstatymas, 1995 spalio 4 d. Nr. 89-1985 [Law on Religious Communities and Associations of the Republic of Lithuania, 4 October 1995, No. 89-1985]. Available at: <http://tinyurl.com/mcgedh7b>.

by Article 43, as well as describing a model for cooperation between state and religious organizations. It divides religions into three groups: “traditional” religious groups supported by the state, “recognized” religious groups, and other religious groups, which must register with the government to gain legal status. The first group consists of nine traditional religious communities and associations which constitute a part of Lithuania’s historical, spiritual and social heritage and receive special benefits. These groups are the Roman Catholics, Greek Catholics, Evangelical Lutherans, Evangelical Reformed, Russian Orthodox, Old Believers, Jews, Sunni Muslims and Karaites (Article 5 of the Law). The second group receives state recognition as religious organizations, provided that they do not contradict the Constitution or the law. The requirements for religious associations seeking state recognition are provided in Article 6 of the Law (Article 6). Currently, four “recognized” religious communities and associations receive more limited benefits: the Evangelical Baptist Union of Lithuania, the Seventh-day Adventist Church, the Pentecostal Evangelical Belief Christian Union, and the New Apostolic Church of Lithuania. The third group (other religious communities and associations) must follow the requirements provided in the Law (Article 11) in order to register with the government and gain legal status.

The differentiation of religious communities and the criteria for different treatment contained in the Law on Religious Communities and Associations have been criticized extensively (Vaišvilaitė 2001:127-129; Ališauskienė and Glodenis 2013:23-24; Ališauskienė 2023:101-107). These criteria appear to be historical, but not legal. For example, not all religious communities which existed during the interwar period and had the status of recognition as state religions received the same status under the new law (Vaišvilaitė 2001:128; Ališauskienė 2023:105). It may be that the creators of the law were referring to a specific image of historical Lithuania (most probably, the Grand Duchy of Lithuania) (Aliulis 1993; Vaišvilaitė 2001:127-129).

The differentiation of religious communities has had significant consequences. For instance, some religious communities, instead of seeking to establish a clear relationship with the state, have been forced to prove their cultural and historical value (Vaišvilaitė 2001:128). Moreover, from a legal perspective, the state’s approach to traditional religious communities granted *de facto* recognition is not clear (Vaišvilaitė 2001:128). It has been suggested that the path from registration to state recognition should be the normal means by which a religious community develops a relationship with the state (Vaišvilaitė 2001:129).

4. The Lithuanian religious landscape

According to 2021 census data, religious diversity has been increasing in Lithuania. However, in terms of the population distribution based on affiliation with

a religious community, no substantial changes have occurred. Seventy-four percent of Lithuanians indicated affiliation with the Roman Catholic community in 2021, representing only a modest change from the 77 percent who identified themselves as Catholics in 2011. Four percent indicated that they were Orthodox, and other religious communities claimed no more than 1 percent of the population, 6 percent (down from 9.5 percent in 2001 and 6.1 percent in 2011) said they did not belong to any religious group, and 14 percent (up from 5.4 percent in 2001 and 10 percent in 2011) did not indicate their religion. New religious communities represented among the Lithuanian population were Deists, Gaudiya Vaishnavism, Witches, Rastafarians and Theosophists.¹³

In 2021 (as well as in 2011), the largest religious denominations in Lithuania were Roman Catholics, Orthodox, Old Believers, Evangelical Lutherans and Evangelical Reformed.¹⁴ Reports have been usually focused on the largest religious groups without much attention put to minority religions, or to people who do not identify with any religious group. This situation is also noticeable in studies of nontraditional, minority religions. For example, ethnographic research dedicated to the analysis of religious diversity in Lithuania was accomplished in urban and rural territories, through observation within religious minority communities, and through analysis of contemporary narratives (Ališauskienė and Schröder 2011). According to this research, Catholicism has become the foundation for virtually all discussion about religion and morality in Lithuania, and therefore discussion about religious diversity and secularism occurs only within this discourse.

5. Granting state recognition

5.1. *The procedure and previous experiences of religious communities*

Non-traditional religious associations, when they have been registered for 25 years, may ask to be recognized by the state, as well as to receive financial support from the state, provided that they meet the requirements stipulated by the Law on Religious Communities and Associations (Article 6, paragraph 1). The requirements include being a part of Lithuania's historical, spiritual, and social heritage, having customs and creeds that do not contradict law and morals, and

13 Oficialios statistikos portalas. 2021-12-21. 2021 m. gyventojų ir būstų surašymo pagrindiniai rezultatai [main results of 2021 Lithuanian Census of Population and Housing]. Available at: <http://tinyurl.com/37yes2ef>.

14 Data for the years 2001 and 2011 have been accessed at 7 lentelė. Gyventojai pagal religinę bendruomenę, kuriai save priskyrė, 2001 ir 2011 metais. Gyventojai pagal tautybę, gimtąją kalbą ir tikybą. 2011 m. gyventojų ir būstų surašymas [7 table. Population in 2001 and 2011, according to self-assigned religious community. In *Population according to nationality, native language and belief. Population and Housing Census in Lithuania, 2011*]. Available at: <http://tinyurl.com/2naphzf8>. Data for the year 2021 have been accessed from "Religinės bendruomenės" [religious communities]. Oficialios statistikos portalas. Gyventojų ir būstų surašymai [Census on Population and Housing]. Available at: <http://tinyurl.com/5n8nusun>.

having support in the society. The Ministry of Justice assesses whether an association meets those requirements and delivers its conclusion to the Seimas. The Seimas then decides whether to grant state recognition by adopting a resolution after reviewing the Ministry of Justice's conclusion on the matter (Law on Religious Communities and Associations, Article 6, paragraphs 2 and 3).

Previously, the Seimas granted state recognition to several religious communities, including the Evangelical Baptist Union of Lithuania in July 2001,¹⁵ the Seventh-day Adventist Church in July 2008,¹⁶ the Union of Pentecostal Churches of Lithuania in November 2016,¹⁷ and the New Apostolic Church of Lithuania in March 2017.¹⁸ The resolutions on the Evangelical Baptist Union of Lithuania and the Union of Pentecostal Churches of Lithuania were adopted with little or no debate among members of the Seimas.¹⁹ In the other two cases, before the adoption of resolutions, some discussions occurred, with an emphasis on their good relationship with the Catholic Church. Statements that the religious associations had received positive views from the Catholic hierarchy were presented as a reason for granting approval, even though the applicants met all the official requirements.²⁰

15 Lietuvos Respublikos Seimo 2001 m. liepos 12 d. nutarimas Nr. IX-464 „Dėl valstybės pripažinimo suteikimo Lietuvos evangelikų baptistų bendruomenių sąjungai“ [Resolution of the Parliament of the Republic of Lithuania No. IX-464, 12 July 2001, “On Granting State recognition to the Evangelical Baptist Union of Lithuania”]. Available at: <http://tinyurl.com/5d7he92b>.

16 Lietuvos Respublikos Seimo 2008 m. liepos 15 d. nutarimas Nr. X-1721 „Dėl valstybės pripažinimo suteikimo Septintosios dienos adventistų bažnyčiai“ [Resolution of the Parliament of the Republic of Lithuania No. X-1721, 15 July 2008, “On Granting State recognition to the Seventh-day Adventist Church”]. Available at: <http://tinyurl.com/444dn5ea>.

17 Lietuvos Respublikos Seimo 2016 m. lapkričio 3 d. nutarimas Nr. XII-2730 „Dėl valstybės pripažinimo suteikimo Lietuvos Respublikos evangelinio tikėjimo krikščionių sąjungai“ [Resolution of the Parliament of the Republic of Lithuania No. XII-2730, 3 November 2016, “On Granting State recognition to the Union of Pentecostal Churches of Lithuania”]. Available at: <http://tinyurl.com/yp5es7jz>.

18 Lietuvos Respublikos Seimo 2017 m. kovo 30 d. nutarimas Nr. XIII-269 „Dėl valstybės pripažinimo suteikimo Lietuvos naujai apatašų bažnyčiai“ [Resolution of the Parliament of the Republic of Lithuania No. XIII-269, 30 March 2017, “On Granting State recognition to the New Apostolic Church of Lithuania”]. Available at: <http://tinyurl.com/mr3rb9xc>.

19 Lietuvos Respublikos Seimas. Trisdešimt penktasis (86) posėdis. 2001 m. gegužės 17 d. Seimo nutarimo „Dėl Valstybės pripažinimo suteikimo Lietuvos evangelikų baptistų bendruomenių sąjungai“ projektas Nr. IXP-390 (*pateikimas*) [Parliament of the Republic of Lithuania. Thirty-fifth (86) session. Draft resolution of the Parliament, 17 May 2001, No. IXP-390, “On granting state recognition to the Union of Evangelical Baptist Communities of Lithuania” (*submission*)]. Available at: <http://tinyurl.com/yc5573x6>; Lietuvos Respublikos Seimas. IX (rudens) sesijos rytinio posėdžio Nr. 389 stenograma. 2016 m. lapkričio 3 d. Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Lietuvos Respublikos evangelinio tikėjimo krikščionių sąjungai“ projektas Nr. XII-2035(2) (*priėmimas*). [Parliament of the Republic of Lithuania. Transcript of the morning meeting of the ninth (autumn) session, No. 389. Resolution of the Parliament of the Republic of Lithuania No. XII-2035(2), 3 November 2016, “On granting state recognition to the Union of Pentecostal Churches of Lithuania” (*adoption*)]. Available at: <http://tinyurl.com/36ayauct>.

20 Lietuvos Respublikos Seimas. Šešiasdešimt penktasis (449) posėdis. 2008 m. liepos 15 d. Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Septintosios dienos adventistų bažnyčiai“ projektas Nr. XP-1461(2) (*pateikimas*) [Parliament of the Republic of Lithuania. Sixty-fifth (449) meeting. Resolution of the Parliament of the Republic of Lithuania No. XP-1461(2), 15 July 2008, “On granting state recognition to the Seventh-Day Adventist Church” (*submission*)]. Available at: <http://tinyurl.com/38c7m8v8>; Lietuvos Respublikos Seimas. II (pavasario) sesijos rytinio posėdžio Nr. 41. stenograma. 2017 m. kovo 30 d. Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Lietuvos naujai apatašų bažnyčiai“ projektas Nr. XII-2412(2) (*priėmimas*) [Parliament of the Republic of Lithuania. Transcript of the morning meeting of the

There have been two cases in which the Seimas did not grant state recognition to a religious association despite the conclusion of the Ministry of Justice that the associations met the requirements. The first case involved the United Methodist Church of Lithuania. The Ministry of Justice submitted a favourable recommendation to the Seimas in 2001. On 16 January 2002, the Committee for Human Rights of the Seimas approved the request of the Lithuanian United Methodist Church for state recognition (Delfi 2002a). After the submission, the Seimas approved and began considering the draft resolution on 23 May 2002 (Delfi 2002b). However, the process did not continue beyond that point, and the decision has been pending for more than 20 years. There have been some reflections on this situation and what could be done to change it. For example, in 2019, the Ministry of Justice mentioned that the United Methodist Church could have advocated for its application in the Seimas, but the group had not done so. Commenting on the situation, Methodist minister Remigijus Matulaitis said a rejection would devastate the morale of the Methodist community, and thus the group decided to wait until after parliamentary elections in 2020 to consider advocating for the proposal in parliament (U.S. Embassy in Lithuania 2020:9-10). As much time has passed since the initial application, probably a new application will have to be initiated if the United Methodist Church again wishes to pursue state recognition.

The second case belongs to the Romuva, which has been seeking recognition since 2017. The Seimas did not agree to grant recognized status but has not given any legal explanation to the applicants. Making no decision regarding the Romuva has left the religious association in a state of legal uncertainty, as will be further discussed below.

There have been no cases yet in which a religious association lodged a national appeal against a decision or non-decision of the Seimas. According to the Law on Religious Communities and Associations, there has been no legal obligation to grant recognition to a religious association; the authorities have been free to make their decision. Generally, until May 2023, when Article 6 of the Law on Religious Communities and Associations was amended²¹ to clarify the procedure of seeking state recognition, it was possible for the Seimas not to reach any conclusion even if a religious association appeared to meet the formal requirements.

Moreover, the legality of a decision or non-decision by the Seimas is not controlled by any other legal body; the Seimas is supposed to control itself. According

second (spring) session, No. 41. Resolution of the Parliament of the Republic of Lithuania No. XIP-2412(2), 30 March 2017, "On granting state recognition to the New Apostolic Church of Lithuania" (*adoption*). Available at: <http://tinyurl.com/2k6fraun>.

21 Lietuvos Respublikos religinių bendruomenių ir bendrijų įstatymo Nr. I-1057 6 straipsnio pakeitimo įstatymas. 2023 m. kovo 23 d. Nr. XIV-1829 [The law, 23 March 2023, No. XIV-1829, on the amendment to Article 6 of the Law on Religious Communities and Associations of the Republic of Lithuania, No. I-1057]. Available at: <http://tinyurl.com/2aaepypz>.

to the law, there is an obligation for the Seimas to decide on such issues within three months. If there is no decision, a new proposal may be submitted by a member or a group in the parliament for consideration of the Seimas. In this case, the Seimas should continue efforts towards granting state recognition.

There has been a third case with a different outcome as well. In 2017, the Jehovah's Witnesses requested the Seimas to grant state recognition. On 21 November 2022, the Ministry of Justice issued a recommendation that the Seimas reject this application. The Ministry of Justice concluded that, although the Jehovah's Witnesses association had sufficient support in society, its teachings against military service fell short of the country's constitutional standard of public morals. Furthermore, the Ministry of Justice found that the association's teaching on blood transfusion was in conflict with both Lithuanian law and public morals. The Jehovah's Witnesses appealed to the administrative court to annul the Ministry of Justice's negative recommendation to the Seimas on 21 December. They asked the court to annul the Ministry of Justice's recommendation because, they stated, they were not given a chance to participate or comment during its preparation (U.S. Embassy in Lithuania 2023). However, in March 2023, the administrative court rejected the appeal, stating that the contested conclusion of the Ministry of Justice in itself does not affect the legal status of the applicant, since its legal status is affected only by the decisions made by the Seimas regarding the recognition of the religious community. The court stated that the community is not precluded from presenting its explanations to the Seimas, which will make the final decision on the applicant (BNS 2023).

5.2. *The case of the Romuva*

The Romuva was registered as a religion with the government in 1992 and gained recognition as a "non-traditional" religion in 1995. Since 2017, the community has been seeking to obtain the status of a state-recognized religion. As mentioned before, Lithuanian law requires 25 years of existence before a religion can receive recognition by the state, accompanied by eligibility for financial support.

The conclusions reached by the state institutions were positive towards the Romuva. The Ministry of Justice concluded that the Romuva met the criteria for state recognition: they had been functioning in Lithuania for more than 25 years, their teachings did not violate the law or public morals, and they had sufficient public support.²² The Ministry's conclusion was delivered to the Seimas for review and action. In April 2018, a group of Seimas members presented a draft

22 Lietuvos Respublikos Teisingumo Ministerija. 2017-12-29 Nr. (8.3.44 E) 7R-9547. Dėl išvados valstybės pripažintos religinės bendrijos statuso suteikimo senovės baltų religinei bendrijai „Romuva“ klausimu pateikimo. [Ministry of Justice of Lithuania, 29 December 2017, No. (8.3.44 E) 7R-9547. "Regarding the submission of the conclusion on the issue of granting the status of a state-recognized religious community to the Old Baltic Romuva religious community"]. Available at: <http://tinyurl.com/msw24t2s>.

resolution proposing that the Romuva be granted the status of a state-recognized religious association. The draft was examined and supported by the Law Department of the Seimas Registry, by the Seimas Committees of Culture, of Human Rights, and of National Security and Defence, and by the national government (*European Court of Human Rights* 2021:4-5).

The subsequent process revealed ambiguity in the legal application by the state institutions (e.g. positive conclusions by the Ministry of Justice at the same time as decisions by court institutions in Lithuania and Europe regarding the Romuva were disregarded by the members of the Seimas), along with an imbalance of power between politicians and non-Christian religious minorities. The Romuva fulfilled all legal requirements to receive state recognition, but the vote by the Seimas was based largely on cultural and worldview factors, not legal aspects. The Roman Catholic Church played an active role in seeking to influence the decision-making process towards denial. Meanwhile, contemporary scientific research on religious minorities and the perspectives of religious studies scholars were not considered. Overall, the process of granting state recognition was marked by elements of legal incompetence and by pro-Christian political claims in the Seimas.

Several debates were held in the Seimas before the decision was made. In one of these debates, on 25 June 2019, several members of the Seimas spoke in support of the draft proposal and mentioned that various institutions had found that the Romuva met the criteria for state recognition. Some emphasized the connection between the beliefs professed by the Romuva and the history and traditions of Lithuania. Some referred to the importance of freedom of religion and pluralism of beliefs in a democratic society. Of those members of the Seimas who spoke against the draft, several raised doubts as to whether the Romuva had been operating long enough and whether they had sufficient public support. An argument was made that it was too early to grant state recognition, but that the question could be discussed again in the future, after more time had passed. It was also pointed out that the Romuva could already function as a religious association and hold religious services, and that the question of state recognition did not concern matters of freedom of religion but only the granting of additional privileges (*European Court of Human Rights* 2021:2-3).

The Roman Catholic Church sought to influence the parliament's decision, as well as urging the Ministry of Justice to reconsider its conclusions regarding the Romuva (Tubys 2019). A letter from the Lithuanian Bishops' Conference (on behalf of the Roman Catholic Church in Lithuania) opposed granting state recognition. This letter was sent on 26 June 2019 to one of the Seimas members, who later shared it with more than 80 fellow members. "The letter, which was subsequent-

ly made public, asserted that state recognition of Romuva as a religion would unduly mislead Lithuanian citizens and discriminate against all other religious communities” (U.S. Embassy in Lithuania 2020:9-10).

On 27 June 2019, the Seimas decided not to grant the Romuva the status of a state-recognized religion. Recognition as a “traditional religion” was rejected by the authorities, who contended that uninterrupted continuity with the pre-Christian Lithuanian religion could not be proved. When talking to the media, some members of the parliament said the Romuva did not present a counterargument to the claims raised in the letter from the Lithuanian Bishops’ Conference, and others said they viewed the Romuva as a cultural organization rather than a religious institution (U.S. Embassy in Lithuania 2020:9-10). Nevertheless, the authorities did not provide a reasonable and objective justification for treating the Romuva differently from other religious associations that had been in a similar situation, and the members of the Seimas who voted against the granting of state recognition did not remain neutral and impartial in exercising their regulatory powers. Moreover, the Seimas did not agree to grant the status of state religion but did not make any decision regarding the Romuva, leaving the religious association in the stage of legal uncertainty. The day after the Seimas vote, the Ministry of Justice received a letter from the Lithuanian Bishops’ Conference, expressing counterarguments against the Ministry’s position on the Romuva (Tubys 2019). The rejection of the Romuva’s request caused other religious organizations to hesitate before advocating for their applications (U.S. Embassy in Lithuania 2020:9-10).

Subsequently, the Romuva took their case to the European Court of Human Rights. In *Romuva v. Lithuania*, the court ruled in favour of the Old Baltic Faith community and said that the Seimas had violated Article 9 of the Convention for the Protection of Human Rights and Fundamental Freedoms; Freedom of Thought, Conscience and Religion (*European Court of Human Rights* 2021).

Meanwhile, a group of members of the parliament contacted the Lithuanian Constitutional Court, questioning whether the provision of the law under which religious associations may apply for state recognition following a period of 25 years from the date of their initial registration was in conflict with the Constitution. After examining the matter, the Constitutional Court decided that there was no such conflict (Constitutional Court of the Republic of Lithuania 2021).

The Constitutional Court not only examined this question but also decided regarding the time period, established in the same paragraph of Article 6 of the above-mentioned law, upon the expiry of which other (non-traditional) religious associations may reapply for state recognition in cases where the Seimas has refused to grant state recognition. The Constitutional Court held that the provision stating, “If the request is not satisfied, it may be resubmitted following a period

of 10 years from the day on which the request was not satisfied,” in Article 6, Paragraph 2, was in conflict with the Constitution (Constitutional Court of the Republic of Lithuania 2021). This decision corresponded to a growing call in Lithuania for a change in the law on religious communities. The current period of 25 years of registration before a religious association can seek state recognition has been considered necessary to determine whether the instruction and rites of a particular religious community are contrary to laws and morality, but this determination could be made in a much shorter time period.

The question of state recognition for the Romuva was pushed back to the end of 2021, when the proposal was prepared and registered in the Seimas.²³ On 21 April 2022, a discussion in the context of freedom of thought, conscience, and religion with the title “Legal and Historical Aspects of Granting State Recognition to Religious Communities” was held in the Seimas (Lietuvos Respublikos Seimas 2022:305-313). There were presentations on equal human rights to profess a religion, peculiarities of freedom of religion and belief in Lithuania, manifestations of stigma and intolerance, characteristics of religious communities, and essential differences between organizations operating in the field of religious communities and culture. The results of the European Court of Human Rights and the Constitutional Court of the Republic of Lithuania were presented as well. However, the parliament members did not focus on the issues presented, and they mostly raised questions unrelated to the presentations, such as questioning the authenticity of Romuva practices or their consistency with historical tradition (Lietuvos Respublikos Seimas 2022:311-313).

On 29 September 2022, one more consideration of the Romuva proposal in the Seimas again did not lead to a final vote regarding state recognition of the Romuva (Bieliavska 2022). After no vote occurred on this day, the Romuva announced that they were turning to the Committee of Ministers of the Council of Europe, requesting enhanced supervision of the implementation of the decision by the European Court of Human Rights (Andrukaitytė 2022). Nevertheless, despite the result of the 29 September 2022 deliberations, the resolution was still considered as having a chance in the Seimas, as the members of the parliament had not rejected it but had returned it to the initiators (the Committee for Human Rights) for improvement. The resolution regarding recognition of the Romuva was re-registered in October 2022.²⁴ Subsequently, amendments to Article 6 of

²³ Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Senovės baltų religinei bendrijai „Romuva“ projektas XIVP-893(2) [Draft of the Seimas resolution “On granting state recognition to the Old Baltic religious community Romuva”, XIVP-893(2)]. Available at: <http://tinyurl.com/59v632ys>.

²⁴ Lietuvos Respublikos Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Senovės baltų religinei bendrijai „Romuva“ projektas nr. XIVP-893(3) (2022) [Draft of the Seimas resolution “On granting state recognition to the Old Baltic religious community Romuva”, No. XIVP-893(3) (2022)]. Available at: <http://tinyurl.com/4xh9krxu>.

the Law on Religious Communities and Associations were prepared (approved on 23 March 2023, taking effect at the end of May 2023)²⁵ to clarify the procedure for seeking state recognition. These changes were intended to change the legal situation in which a religious community that seeks state recognition and does not receive a vote on the proposal remains in a legal vacuum, with no decision being made. As the result of adopting these amendments, the Seimas would now be obliged to adopt some resolution regarding the approval or disapproval of the Romuva's request and, in case of a disapproval, to indicate the reasons for that decision. Moreover, if the Romuva disagreed with this decision by the Seimas, they should be able to file an appeal.

However, on 19 September 2023, after newly rejecting (while implementing the decision of the European Court of Human Rights) the draft resolution to grant state recognition to the Romuva,²⁶ the Seimas refused to take up an alternative draft resolution, the adoption of which would have confirmed officially that it was not granting recognition.²⁷ The parliament members also referred this alternative draft resolution for further elaboration. On 15 January 2024, the Romuva appealed for the second time to the European Court of Human Rights, expressing concern about the failure by the Seimas to respond to the previous clarifications of that court about not granting state recognition (BNS 2024).

There are several reasons for the poor treatment the Romuva has received. One reason is the imperfect legal language regarding freedom of religion and belief in Lithuania, both within the laws and in the Constitution. The mechanism of state recognition as a political rather than an administrative process implies some initial difficulties. Despite successful adoption of earlier resolutions, the fact that these questions of human rights and equality before the law are resolved by the Seimas on a case-by-case basis is problematic. Also, the legitimacy of certain acts still cannot be verified in the Constitutional Court of the Republic of Lithuania. This paves the way for the European Court of Human Rights to receive more such petitions like the one submitted by the Romuva (Kūris and

25 Lietuvos Respublikos religinių bendruomenių ir bendrijų įstatymo Nr. I-1057 6 straipsnio pakeitimo įstatymas. 2023 m. kovo 23 d. Nr. XIV-1829 [The law on the amendments to Article 6 of the Law on Religious Communities and Associations of the Republic of Lithuania, 23 March 2023, No. XIV-1829]. Available at: <http://tinyurl.com/2aaepypz>.

26 Lietuvos Respublikos Seimo 2023 m. rugsėjo 19 d. rytinio plenarinio posėdžio nr. 302 protokololas nr. SPP-302 [The protocol no. SPP-302 of the morning plenary meeting of the Parliament of the Republic of Lithuania on 19 September 2023, no. 302]. Available at: <http://tinyurl.com/53xf65p7>.

27 Lietuvos Respublikos Seimo nutarimo „Dėl atsakymo suteikti valstybės pripažinimą Senovės baltų religinei bendrijai „Romuva““ projektas nr. XIVP-3071 (2023) [Draft resolution of the Parliament of the Republic of Lithuania, No. XIVP-3071 (2023) “Regarding the refusal to grant state recognition for the Old Baltic religious community Romuva”]. Available at: <http://tinyurl.com/bdzdvc9m>; Lietuvos Respublikos Seimo 2023 m. rugsėjo 19 d. vakarinio posėdžio nr. 303 stenograma. [Transcript of the Seimas of the Republic of Lithuania, evening meeting on 19 September 2023, No. 303]. Available at: <http://tinyurl.com/42yfhw36>. Parliament of the Republic of Lithuania. Transcript of the morning meeting of the second (spring) session, No. 41.

Pūraitė-Andrikienė 2024:194). One possible solution would be to revise the Constitution, but this option is not considered realistic (Kūris and Pūraitė-Andrikienė 2024:194). However, the Constitutional Court has access to some instruments which could be activated should the Court decide to use them. For example, an improved model for individual constitutional complaints could be applied (see Kūris and Pūraitė-Andrikienė 2024).

The other main reason why the Romuva have not received approval is that they are not a Christian community. They are treated negatively by the Roman Catholic Church in Lithuania, which frequently seeks to influence legislative decision making. For this reason, it is more difficult for the Romuva to achieve state recognition than for other organizations that could claim a good relationship with and support from the Catholic Church. In those instances, as noted above, the fact that these Christian associations had received positive evaluations from the Catholic hierarchy was presented as an argument for granting approval.²⁸

6. Conclusion

The process of considering state recognition of the Romuva community, which began in 2017 and is not yet resolved, reveals not only specific challenges experienced by the community, but also issues to be addressed regarding the relationship between the state and (non-Christian) religious minorities, including obstacles such as minorities face when seeking recognition.

The Romuva case has illustrated imperfections in the legal regulation of the freedom of religion and faith in Lithuania. The mechanism of state recognition as a political rather than an administrative process also raises various difficulties. In view of the fact that the parliament will most likely not change the laws or constitutional provisions governing such decisions, another possibility is that the Constitutional Court of the Republic of Lithuania could improve the existing model of filing individual constitutional complaints and apply it to the case of the Romuva and other cases.

28 Lietuvos Respublikos Seimas. Šešiasdešimt penktasis (449) posėdis. 2008 m. liepos 15 d. Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Septintosios dienos adventistų bažnyčiai“ projektas Nr. XP-1461(2) (*pateikimas*) [Parliament of the Republic of Lithuania. Sixty-fifth (449) meeting. Resolution of the Parliament of the Republic of Lithuania No. XP-1461(2), 15 July 2008, “On granting state recognition to the Seventh-Day Adventist Church”]. Available at: <http://tinyurl.com/38c7mv8v>; Lietuvos Respublikos Seimas. II (pavasario) sesijos rytinio posėdžio Nr. 41. stenograma. 2017 m. kovo 30 d. Seimo nutarimo „Dėl valstybės pripažinimo suteikimo Lietuvos naujajai apaštalių bažnyčiai“ projektas Nr. XIP-2412(2) (*priėmimas*) [Parliament of the Republic of Lithuania. Transcript of the morning meeting of the second (spring) session, No. 41. Resolution of the Parliament of the Republic of Lithuania No. XIP-2412(2), 30 March 2017, “On granting state recognition to the New Apostolic Church of Lithuania” (*adoption*)]. Available at: <http://tinyurl.com/2k6fraun>.

It can also be observed that many politicians approached this case from a Catholic perspective, favouring Christian religious communities over others. The situation reflects Catholic hegemony in the country, resulting in the fact that religious minorities are ignored or silenced (with the majority position being justified as the status quo) in Lithuania. In this case, religious minorities do not enter into discourse regarding their legal rights as equal players.

Decisions by the European Court of Human Rights and improvements of the appeal process established by the Constitutional Court of the Republic of Lithuania could strengthen the possibility that the Romuva may eventually gain state recognition. Their success could lead to the reopening of discussions and enhanced possibilities for other religious minorities as well, including the United Methodist Church of Lithuania and Jehovah's Witnesses.

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