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# Republik of Lithuania

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# REPUBLIK OF LITHUANIA

(Lietuvos Respublika)

*By Jeffrey K. Hass, Ph.D.*



## The System of Government

Formally Lithuania is a republic. The national government is composed of three branches—executive, legislative, and judiciary. Lithuania has a stronger presidency than the other Baltic countries and is referred to as a “presidential democracy” that has come to resemble the French system, where the president presides over policymaking and the parliament (Seimas) is weakened by divisions between several parties and factions; however, this strength may be illusory for institutional reasons.

### EXECUTIVE

Lithuania did not initially have a president after independence from the Soviet Union; instead, the country had a prime minister and a speaker of parliament. Before 1993 the prime minister ran the government—essentially heading the bureaucracy and implementing policy—and was joined by the speaker of parliament (Vytautas Landsbergis in 1991–93) as head of state. However, Landsbergis felt himself to be a captive of parliament, which was particularly troublesome when the majority Sajudis coalition began to fragment. To free the figurative head of state from parliament, Landsbergis campaigned for a strong presidency that would head the executive branch, effectively taking the place of the prime minister. A presidential position was

created in the 1992 constitution, passed by a national referendum.

The president’s powers are, however, weak. As in other Eastern European countries, the president is a figurehead, representing Lithuania in the international arena. Along with this responsibility are the president’s powers to appoint and dismiss diplomatic personnel. However, the president is not as weak as in Estonia or Latvia, and presidential powers do extend somewhat beyond diplomacy. When a new government must be created, the president selects the prime minister for approval in the Seimas. The president has the use of a weak veto to send legislation back either to the Seimas for reconsideration or to the Constitutional Court to check the constitutionality of laws; only with an absolute majority can parliament override the veto. Further, the president has the power to dissolve the Seimas in two situations: when the Seimas refuses to approve the governmental budget within a 60-day period, and when parliament passes a vote of no confidence in the prime minister and his government. Such power of threat over parliament is a double-edged sword, however, for parliament also holds the right to call early presidential elections, and a parliament following in the footsteps of one dissolved by the president may decide to call early elections as punishment.

Formally the president is picked by popular election, except in 1993, when the Seimas chose the president. (This is the opposite of Estonia.) A president may serve only two terms in office. To be elected, a candidate must win more than 50 percent of votes cast, and

50 percent of registered voters must participate in the election. If fewer than 50 percent of voters cast ballots, then the candidate with the most votes (plurality) wins, unless the number of votes received is less than one-third of votes cast. If no candidate wins a majority (or more than one-third for a weak voter turnout), the two candidates who garnered the most votes move on to a second round held within two weeks, where the winner needs to receive only a plurality.

While the president is an important figure, he is also not, strictly speaking, the head of the executive. While he performs executive duties, he is almost above politics. The head of the executive branch (meaning the head of the state bureaucracy of police, ministries, and representatives of the federal government) is the prime minister, who is formally the head of the government. The prime minister is assisted in policy and administration by his deputy ministers and heads of ministries, who together make up the Council of Ministers.

## LEGISLATURE

The legislative branch is headed by parliament (Seimas), a unicameral body that holds the majority of political power. As in the other two Baltic countries, parliament is the most important governmental body. Parliament holds the most power of all three branches of government, it has the final say on legislative matters, and it both wields greater responsibilities than the executive and holds the power of accountability over the executive to a much greater degree than in most Eastern European countries.

The Seimas is made up of 141 seats, which come up for election every four years. Of these seats, 70 are

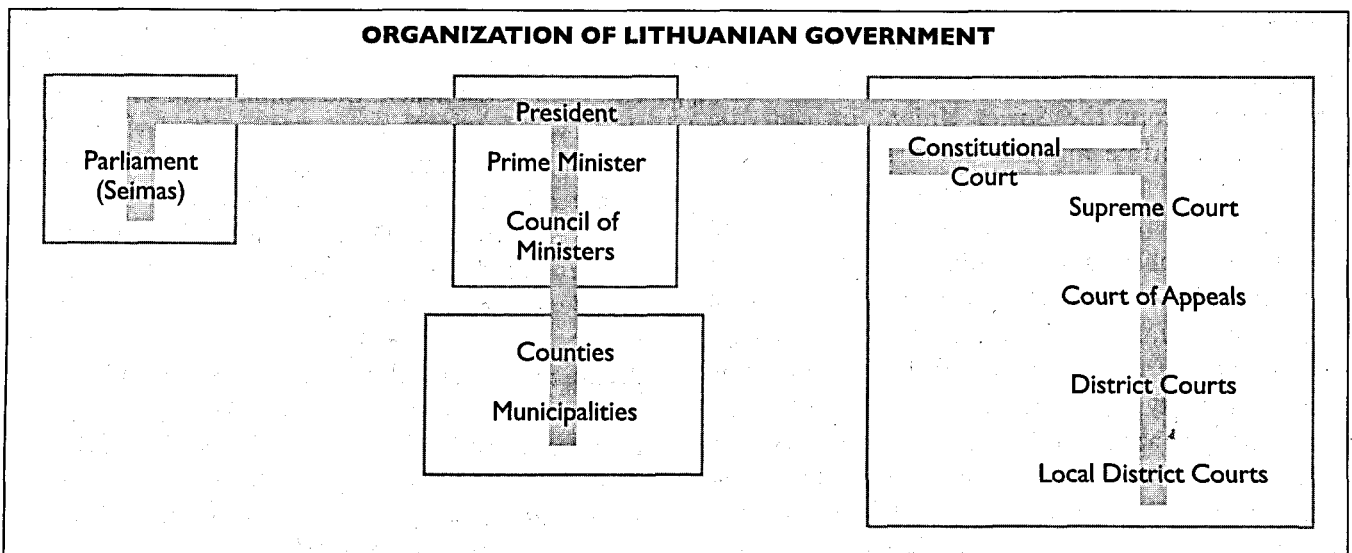
reserved for party lists and 71 for single-member voting. That is, 71 deputies are chosen in single-mandate elections (where individuals campaign against each other and are chosen by local voters), and 70 are chosen on the basis of votes cast for political parties. For the single-mandate positions, a candidate must win more than 50 percent of votes cast; otherwise, a runoff between the top two is held.

For the party lists, a party must receive 5 percent or more of the total votes cast (except for the 1992 elections, when the barrier was 4 percent); the barrier is 7 percent for coalitions of parties running together. Those parties or coalitions that do not overcome this barrier do not receive any of the 70 party-specified places; a party or coalition that *does* overcome the barrier receives a proportion of seats equal to the proportion of votes it received out of votes cast for parties that overcame the barrier. (This means that if some parties do not overcome the barrier, a successful party's seats will be a percentage of 70 greater than its percentage of total votes received; consequently, a vote cast for a party that does not overcome the barrier is a wasted vote.) Finally, parties representing ethnic minorities do not need to overcome the 5 percent barrier.

## JUDICIARY

Lithuania's judiciary follows the civil law tradition of continental Europe; precedent does not play an important role in judicial review or in defining laws and policies. Instead, court decisions are made for individual cases of conflict or contestation. The three levels of courts, which are local, district, and the Court of Appeals, are the stages through which conflict between

**ORGANIZATION OF LITHUANIAN GOVERNMENT**



parties or prosecution of criminals moves. Local courts are the first stage, and appeals move up the judicial ladder. Above the Court of Appeals is the Supreme Court, whose decisions either on criminal cases or on arbitration between conflicting parties is the final judgment.

In general, only the Constitutional Court has the power to review legislation. Expressly created for this purpose and separate from the other courts, the Constitutional Court is based on the American model of the Supreme Court. In Lithuania, the Constitutional Court acts as a watchdog for rights and freedoms from a vantage point beyond the everyday political process. Other courts neither review nor interpret legislation. Courts act as arbitrators in cases of legal conflict, applying the law to individual cases (there is no precedent, as in Anglo-American common law), and mete out justice in the case of criminal trials.

Three of the nine members of the Constitutional Court and all members of the Supreme Court are nominated by the president and must be confirmed by the Seimas. According to the constitution, members of the Constitutional Court serve for a nine-year period, and every three years three judges must come up for reappointment.

## REGIONAL AND LOCAL GOVERNMENT

Lithuania consists of 10 counties and 60 municipalities; the latter have directly elected councils. These councils sit for a term of two years and upon convocation select an executive board, which acts as the head of the local-level executive—responsible for implementation of local policies and of national laws and policies handed down by the Seimas. Recently, local authorities have battled with the central authorities for more autonomy in decision making. Reminiscent of the Soviet era, the central government in Vilnius had increased its presence in localities, even with the prime minister appointing governors. Also, local officials have been unhappy with the Lithuanian tax system (which gives collection power to the central government) and with the dearth of funding coming the locals' way from Vilnius; because of the way taxes are collected, the lion's share goes to Vilnius and then is redistributed to the regions.

## The Electoral System

Before the 1992 elections the important political players were the Lithuanian Communist Party and

its successor, the Lithuanian Democratic Labor Party (LDLP), and Sajudis, the nationalist movement for liberation of Lithuania from Soviet domination. At the top of politics (in the Supreme Soviet), Sajudis, which is not a party but a movement of several nationalist parties, was the most powerful, while the LDLP controlled political offices at the local level. Sajudis was headed by Vytautis Landsbergis, whose nationalist defiance of Mikhail Gorbachev set the tone for Lithuanian politics up to the failed August 1991 coup in the USSR.

Landsbergis and Sajudis attempted to pass a law denying office to any who had held some position within the Communist Party. Landsbergis's confrontational tactics, however, backfired; Sajudis suffered a surprising defeat in the 1992 parliamentary elections, and the LDLP went on to become the party of power in Lithuania. This change in power occurred for several reasons: because of Landsbergis's anti-Communist virulence; because the LDLP had a stronger presence in the localities; because conflicts within the movement had led to political paralysis and conflict in the Seimas; because of the negative effects of economic reform; and because the LDLP, while preferring more gradualist economic reforms and compromise and moderation with Russia, remained committed to Lithuanian independence and held a more moderate rhetorical line. A vote for LDLP was not a vote for return to the pre-1991 status quo but rather for a kinder, gentler Lithuania.

In 1992 the LDLP received 42.6 percent of votes and 73 seats in the Seimas, to only 30 seats for anti-Communist Sajudis. However, LDLP was less than competent with economic reforms, and a severe banking crisis in 1995 led to their defeat in 1996. In that year the right-leaning faction of Sajudis returned in a new form, the Homeland Union/Conservatives of Lithuania coalition (Tevynes Sajunga/Lietuvos Konservatoriai, TS-LK). Homeland Union had a stable ruling government until 1998, when policy differences created tensions between Prime Minister Gediminas Vagnorius and newly elected president Valdas Adamkus. Vagnorius resigned in 1998 and was replaced by Vilnius mayor Rolandas Paksas, who resigned five months later after a scandal over the sale of an oil firm. While Homeland enjoyed some stability, their austerity policies bred popular backlash. In the 2000 elections the Social Democratic coalition, uniting four leftist parties and led by the LDLP, appeared to be triumphant. However, a centrist coalition led by the Lithuanian Liberal Union and New Union managed to scrape up just enough votes for a majority in parliament and the

chance to form a new government. However, this ruling coalition lasted only eight months, and it collapsed from internal discord over energy privatization. New Union joined with the new Lithuanian Social Democratic Party to form the new government. Meanwhile, Homeland Union's fortunes continued to fade: in contrast to its dominance in 1996, when it had 70 seats, after 2000 the party had only nine.

In the 2004 elections no party won a majority of seats in parliament, although a new party, the Labor Party (Darbo Partija; DP), emerged with the most number of seats, 39. The DP joined a new coalition government led by the Social Democrats. Algirdas Brazauskas, who had been prime minister since 2001, carried on in the position following the 2004 elections. Valdas Adamkus won the presidential election.

Voting for a party does not mean voting for a particular ideology or policy. This leads to the interpretation that Lithuanians do not vote for political programs but rather for appealing personalities. (Some observers claim that all Baltic peoples have been antiparty since independence in the 1990s, ignoring party appeals and platforms.) As in the other two Baltic nations, parties in Lithuania are connected more to the personalities of those leading them.

## The Party System

Lithuania's parties fall on a typical spectrum from left to right, although there remains instability, with parties likely to go into sudden decline.

## Major Political Parties

### LITHUANIAN SOCIAL DEMOCRATIC COALITION

(Lietuvos Socialdemokratu Koalicija)

This coalition was formed for the 2000 elections. Bringing together the most important left-wing parties under Prime Minister Algirdas Brazauskas's leadership, this bloc gained the most votes and seats, although they did not manage to form a majority coalition. Key players are the Lithuanian Social Democratic Party (Lietuvos Socialdemokratu Partija, LSDP), the Lithuanian Democratic Labor Party (Lietuvos Demokratine Darbo Partija, LDDP), and the leftist New Democratic Party and the Lithuanian

Russian Union. LDDP is the Communist party, but as in other post-Socialist countries changed its name and ideology. Their initial appeal came from promises of security in the context of economic collapse in the early 1990s, but their policies when in power did little to help the country. Recently the party has taken a pro-market role, supporting an export-oriented economy and privatization, although agriculture should receive state aid. While precise data are unavailable, LDDP has the largest popular base and grassroots structure of all Lithuania's parties. In the 2004 elections the coalition 20.7 percent of the vote and 20 seats in parliament, coming in third behind the DP and the Homeland Union. However, Brazauskas was able to retain the prime ministership at the head of a governing coalition.

### LABOR PARTY

(Darbo Partija; DP)

This party was formed in 2003 by Russian-born business tycoon Viktor Uspaskich. In the 2004 elections the party won the most seats in parliament, 39, and joined the coalition government led by Brazauskas. Uspaskich became the new economics minister, but he was forced to resign in 2005 when a state inspector ruled that his business ties to Russia represented a conflict of interest. However, the party remained part of the governing coalition.

### HOMELAND UNION

(Tevynes Sajunga)

The quintessential and original party on Lithuania's right is Homeland Union. The heir to Sajudis, Homeland ideology was anti-Communist and championed returning to prewar owners property confiscated after the Soviet invasion. However, Homeland Union gained a populist streak, seen in their advocacy of agricultural subsidies, increasing pensions, and raising state officials' salaries. In the 2004 elections the party won 14.6 percent of the vote and 25 seats.

### FOR ORDER AND JUSTICE

(Uz Tvarka Ir Teisinguma)

This coalition was formed prior to the 2004 elections and includes the Liberal Democrats and the Lithuanian People's Union, an offshoot of the Lithuanian Liberal Union. In the 2004 elections it won 11.4 percent of the vote and 11 seats in parliament.

## LIBERAL AND CENTER UNION

(Liberalu Ir Centro Sajunga)

This party was formed in 2003 from the merger of the Lithuanian Liberal Union, the Center Union of Lithuania, and the Modern Christian-Democratic Union. In the 2004 elections the party won 9.1 percent of the vote and 18 seats in parliament.

## UNION OF FARMERS AND NEW DEMOCRACY

(Valstieciu Ir Naujosios Demokratijos partiju Sajungos)

This conservative party is led by former prime minister Kazimiera Prunskiene. In the 2004 elections it won 6.6 percent of the vote and 10 seats in parliament.

## Minor Political Parties

Among the other smaller political parties in Lithuania are the Social Union of Christian Conservatives and the Young Lithuania and New Nationalists.

## Other Political Forces

Lithuania's entry into the European Union (EU) in 2004 will likely play a large role in the country's political process in coming years. Internally, the military does not interfere in the political process. Following a 2002 agreement labor unions gained important rights related to collective bargaining. The three major trade unions are the Confederation of Lithuanian Trade Unions, the Lithuanian Trade Union "Solidarity" (the

former Workers' Union), and the Lithuanian Work Federation.

## National Prospects

The first Soviet republic to challenge Soviet domination, Lithuania has undergone a bumpy transition to a democracy and capitalism, although the transition here has been smoother than in other former Soviet republics. While former Communists enjoyed a brief return to power (as in other Eastern European nations), they have since lost power to more nationalist promarket forces.

The Lithuanian government has pushed strong reform in privatization (industry and most housing) and fiscal discipline (reducing inflation). Lithuania relies on imports for its raw materials and fuel and has focused on creating an export economy. Prior to EU membership in 2004 the country experienced strong economic growth and low inflation. The entrance into the EU and NATO promises to offer Lithuania continuing economic development and some security vis-à-vis Russia.

## Further Reading

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