DEFINING BELONGING: CITIZENSHIP AS A FORM OF ETHNIC INCLUSION AND EXCLUSION. THE CASE FROM POST-SOVIET LITHUANIA

Darius Daukšas

ABSTRACT
The aim of this article is to deconstruct the notions of blood and blood-kinship or Lithuanian descent, as it is understood in state institutions that apply the Lithuanian Law on Citizenship in practice. In particular the article will discuss how the state classifies people, how it fixes or destroys its relations towards different ethnic groups, and what ideas and criteria are employed in fixing this relationship. The starting point of this study is the Law on Citizenship, which creates or destroys the relationship of the state toward individuals and communities. I will not only deal with the textual representations of the Law on Citizenship, but will also take a look at the discussions in the Seimas (Parliament) of Lithuania while the Law of Citizenship has been processed and will present the opinions of politicians who were active in passing it. I will also try to show the instrumentality of the ideas around the notion of descent which in my point is more cultural rather than biological.
KEY WORDS: socio-cultural anthropology, belonging, citizenship, ethnic inclusion, ethnic exclusion, Post-Soviet Lithuania, Law of Citizenship.

ANOTACIJA
Pilietybės tema socialinėje antropologijoje tik pastaruoju metu sulaukia didesnio dėmesio. Pastarajam susidomėjimui nemažą įtaką turėjo Sovietų sąjungos iširimas ir naujų valstybių Vidurio ir Rytų Europoje su savo pilietybės įstatymais atsiradimas. Šių valstybių priimti nauji pilietybės įstatymai verčia iš naujo peržiūrėti ir permąstyti pačią pilietybės sampratos prigimtį, kuri iki šiol buvo neatsiejama nuo pilietinių teisių ir pilietinio dalyvavimo valstybės gyvenime. Tuo tarpu etninis principas naujuosiuose pilietybės įstatymuose verčia keisti šį požiūrį į pilietybę ir valstybingumą apskritai. Šiame straipsnyje mus domina, kaip minėta giminystės ir 'kraujo' samprata yra nustatoma suteikiant Lietuvos pilietybę lietuvių kilmės asmenims, t. y. kaip nustatoma Lietuvos pilietybės įstatyme apibrėžta lietuvių kilmė. Ištyrus visą lietuvių kilmės nustatymo procedūrą, išaiškėjo, kad tie kriterijai visiškai ar iš dalies nesiremia giminystės ryšiais, kaip yra apibrėžta pačiame pilietybės įstatyme.
PAGRINDINIAI ŽODŽIAI: sociokultūrinė antropologija, pilietybė, etninis priskyrimas, etninis atskyrimas, posovietinė Lietuva, pilietybės įstatymai.

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I would like to start the discussion with the extracts from two different Lithuanian periodicals. The first one is from the most widely circulated daily newspaper in Lithuania "Lietuvos rytas" of 2003 and the latter is from the journal "Pasaulio lietuvis" of 1993 the journal of "World Lithuanians Community" which deal mostly with issues of emigrant Lithuanians:

> "Until now, presidents Algirdas Brazauskas and Valdas Adamkus have, by special decree, conferred citizenship to a number of people who are not connected to our country by blood-ties." (Lietuvos rytas 2003. 3. 29)

> "A Citizen of Lithuania is one who is constantly residing in Lithuania and Lithuanians residing outside Lithuania despite the fact of his/her depart from Lithuania, where and when he/she was born, whatever generation he/she is, and what country citizenship he/she holds in present time. The idea of Lithuanian – Lithuanian origin, blood kinship" (Pasaulio lietuvis 1993: 10).

The most evident from those examples is the idea that civil membership (citizenship) requires some kind of ethnic relatedness to a particular country. Citizenship is thought together with ethnicity and the idea of Lithuanian is defined within the ties of blood and blood kinship. To some extent the same kind of understanding is expressed in Lithuanian Law on Citizenship of 2002: "A person whose parents or grandparents or one of the parents or grandparents is or was Lithuanian and the person considers himself Lithuanian shall be considered as being a person of Lithuanian descent"[1].

This extract is not the whole Lithuanian Law on Citizenship is about. This is just one paragraph which allows acquiring Lithuanian Citizenship for persons of Lithuanian descent. There are also the other paragraphs which grant Lithuanian citizenship via naturalisation and etc.

The aim of this article is to deconstruct the notions of blood and blood-kinship or Lithuanian descent, as it is understood in state institutions that apply the Lithuanian Law on Citizenship in practice. In particular the article will discuss how the state classifies people, how it fixes or destroys its relations towards different ethnic groups, and what ideas and criteria are employed in fixing this relationship. The starting point of this study is the Law on Citizenship, which creates or destroys the relationship of the state toward individuals and communities. I will not only deal with the textual representations of the Law on Citizenship, but will also take a look at the discussions in the Seimas (Parliament) of Lithuania while the Law of Citizenship has been processed and will present the opinions of politicians who were active in passing it. I will also try to show the instrumentality of the ideas around the notion of descent which in my point is more cultural rather than biological. In this I agree with M. Nic Craith who insists on the idea of citizenship as having a cultural dimension. By this she means that both the concept of citizenship and culture operate in a communal context and imply some relationship between individual and community and each variant of nationalism places great emphasis on the majority culture, but places it differently (Nic Craith 2004).

The article is based on the ethnographic data which was collected during fieldwork in a small town of Kuršėnai in North-West Lithuania. The fieldwork was conducted in the framework of the EC project: "Public Understanding of Genetics: A Cross – Cultural and Ethnographic Study of the "New Genetics" and Social Identity".

Why Citizenship?

I would like to begin with an ethnographic example. I was talking with a 31-year old man. He had a job in a secondary school. We talked about how he understood tautiškumas[2].

> *What, in your opinion is the meaning of the word tautiškumas?*
>
> *Tautiškumas* is… Well… It is a lot of… For example, I'm a Russian, born in Lithuania; a Russian, in Russia – it would seem that each place has its own local citizenship.
>
> *Citizenship?*
>
> Yes. For example, I am a Lithuanian, you are a Lithuanian. Maybe there's a Russian working in our school that is born in Russia. He is a Russian. Not local.
>
> *But what if he's a Lithuanian citizen?*

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[1] Valstybės žinios 2002, Nr. 95 – 4087.
[2] The words of ethnic belonging and of nationhood in the Lithuanian language are treated under one word of *tautiškumas* (translated as nationality and ethnicity), whose meaning covers both and could be identified and separated only according to the context.

> Well, yes. Of course, you understand that these days' people can change their passports, for example. I think after four years or so. Then they can change their citizenship, a Russian can become a Lithuanian. I think, if he wants to, he can.

It was apparent that the understanding of ethnicity and citizenship overlapped. The interviewee used an ethnic category as Russian, denoting ethnic belonging and the formalization of belonging to a particular state structure, a category of passport in describing both citizenship and ethnicity. In his mind, citizenship and ethnicity consist of: place of birth (territory) and a self-determination. One can change from Lithuanian to Russian by self-determination, through the process of changing citizenship. These two components imply that citizenship and ethnicity are understood in terms of belonging and membership. On the one hand, a person is considered to be Lithuanian or Russian, because he is born in particular place and territory, and in this he has no choice. On the other hand, he can make the decision to become a Lithuanian from a Russian just by changing his passport, and his will here is considered to be the pivotal point. Changing citizenship is to some extent seen as crossing the borders of ethnic categorization as well.

But analytically, those two categories are not the same. Generally, ethnicity in anthropology is more related to social organization, with concern of how groups set other groups apart or derive a sense of 'we' or 'us', while citizenship contains more formalized aspects, and "[…] should be understood as a set of rights and corresponding obligations enjoyed equally by everyone who is a citizen of the community in question" (Miller 2000: 82).

This overlapping understanding of ethnicity and citizenship has been observed in public debates in the mass media, resulting from the introduction of the Law on citizenship of Lithuania. The Law on Citizenship was understood as a way of classifying people according to ethnic categories as it was mentioned in the beginning.

During my interviews I observed that the legal aspect of citizenship interlaced with that of ethnic belonging in my interviewees' minds. Another man, who was a teacher of age 46 presented another example:

> *"What factor decides whether a person is of one 'tautiškumas' or another?*

> "Well, from the legal point of view, I think 'tautiškumas' is determined by law. If it is by law, then, I think, it is determined by the father. If the father decided he is Russian, then they register you as a Russian, by *tautiškumas*. At least that is how it used to be as far as I can remember. You should check this, because I think maybe these laws have changed somewhat now. I really don't know, and can't comment on it, but I think that it is these laws that decide a person's *tautiškumas*. But, looking at the biological angle, I really couldn't answer you."

The interviewee's comment on *tautiškumas* evidently is influenced by Soviet legislation and its system of passports, where ethnic belonging had to be fixed according to *pater jus*. However, what I stress is the fact that interviewee does not use the notion of 'citizenship', and dealt with the question as concerned with *tautiškumas*. He also opposed the idea of juridical categorization introducing the aspect of fixity into biological idiom.

Understanding Citizenship in Central and Eastern Europe

Until the recent years the definition of citizenship has not been problematic. For two centuries citizenship and nationality have been political Siamese twins. (Heater 2002: 95) Citizenship was

framed by the nation-state model. This model seemed to be valid since it had become an almost universal form of political community from the end of the 19th Century. Citizenship, democracy and the nation-state were synonymous concepts. However, the recent developments in the field of citizenship in East and Central Europe and increasing immigration after WW II in West Europe led to the crisis of national paradigm of citizenship.

In order to develop the theoretical approach it is significant in my view to pay attention at the geopolitical context of Lithuania which I see to be a part of a wider theoretical discussion of 'civil West' and 'ethnic East'. The social science scholars working on post – communist Europe have widely taken on board the dichotomy of 'civil West' and 'ethnic East'. This approach however is not a recent development in the field of social science. Hans Kohn has developed this division between 'West' and 'East' in 1944 (Thomas 2002: 326) and latter it became largely accepted by scholars working on East and Central Europe after the fall of the Soviet Union. There is a huge amount of works illustrating this approach (see Giordano 1997; Barrington 2000; Karklins 2001). One of the most influential in the field is Roger Brubaker. His famous work 'Citizenship and Nationhood in France and Germany' (1992) has shown the different types of citizenship politics of inclusion and exclusion in France and Germany as resulting from different understandings of nationhood. He speaks about different types of citizenship regulations in France and Germany, and he insists on the idea that the different understanding of nationhood in France and Germany influenced the different regulations of citizenship. According to him French understanding of nationhood has been state-centred and assimilationist, the German understanding has been Volk – centred. It was because that in Germany, unlike France, national identity developed before the nation state and was conceived as organic cultural, linguistic, or racial community (Brubaker 1992: 1). The states in East and Central Europe like Germany has developed the understanding of nationhood before the nation state and it was based upon the idea of nation as cultural and linguistic community. It was also that up to the end of the Second World War, the National States of East Central Europe considered themselves to be the political – territorial expression of an ethnic group defined by a common culture and language, as well as by the same origins and genealogy (Giordano 1997: 186). After the break of the Soviet Union these states rejected the Soviet model of citizenship and tend to restore the concepts of nationality/citizenship which were in force in the pre-socialist period and was based upon the idea of 'Volk' (Giordano 1997: 186).

According to Brubaker, "institutionalized definitions of nationhood […] not only played a major role in the disintegration of the Soviet state, but continue to shape and structure the national question in the incipient successor states" (Brubaker 1994: 47). Some other scholars have also noticed that continuity "[…] there was a surprising degree of consensus about the ideas related to the nation and the state, even among politicians at different ends of the political spectrum. A solid case can be made that elites in the newly independent states are generally starting with an ethnic definition of the nation. […] the Soviet legacy will continue to have a significant impact. The word for nation is understood by Russians […] to mean a large, ethnically defined nation. Likewise, "Estonian" means "ethnic Estonian" to Estonians and Russians" (Barrington, 2000: 278). For that reason that nation is defined in ethnic terms "Poles are not seen as Lithuanian even if they have citizenship. They are Poles with Lithuanian citizenship." (Barrington 2000: 279). I would partly agree with W. Kymlicka (2000) when he proposes the concept of nation - building in order to understand the recent processes in East and Central Europe. Lithuania is involved in that process of nation-building which is more complicated than just discussion of 'civil West' and 'ethnic East'.

Despite the different approaches to the Eastern and Central Europe existing in the literature some aspects interlace in most of them. Firstly, most of the scholars acknowledge the different developments in Eastern and Central Europe in the field of legislative politics (which include the promotion of language of ethnically dominated group, ethnic principle in the laws of citizenship, the special legislation towards ethnic minorities and so on) from the West Europe. Secondly, many of the scholars point out on the particular historical development in the East and Central Europe. By this they mean that the essentialist understanding of ethnicity that dominated in the nineteenth century still prevails in the Eastern and Central Europe. There, the dominant understanding of ethnicity as a natural phenomenon was introduced in the period between Humanism at the end of eighteenth century and nineteenth century Romanticism. One of the most influential figures in the development of this understanding was Herder whose ideas provoked resonance on local intellectuals of Eastern and Central Europe. This influence has made the understanding of nation state as based on the concept of 'Volk', understood as an ethnic entity and not as a union of citizens (see Giordano 1997: 179; Heater 1999: 106; Roepstorff and Simoniukštytė 2001: 150, Karklins 2000: 225).

Lithuanian Law on Citizenship

The Law on Citizenship of the Republic of Lithuania was adopted after the re-establishment of Independence in 1990, and came into power in 1991. It included the notion of persons of Lithuanian origin. But it was not specified. The specification and the question of 'émigré' became the central in further debates on the Law of Citizenship in 1990-1991. Later amendment of 1994 introduced the definition of the notion of Lithuanian origin: "A person, whose parents or grandparents, or one of the parents or grandparents are Lithuanians, and the person himself admits that he considers himself Lithuanian, shall be considered a person of Lithuanian origin".[3]

At that time there were conceptualised two categories of persons, which were related to Lithuanians in emigration: persons who had Lithuanian citizenship until June 15, 1940 (day of Soviet annexation) and those who were classified under ethnic criterion. It appeared according to this law that ethnic belonging was transmitted along filiation lines. The official who worked on this project later explained that "[…] the ethnic criterion is being considered keeping in mind that Lithuania is the only State for Lithuanians. Conferred according to the principle of *tautiškumas*. […] those Lithuanians, for example, who renounce their citizenship – are one thing. But there are Lithuanians who left Lithuania during the course of the previous century, but have preserved their ethnic roots. When such a person returns to Lithuania, I think it only logical that there should be certain exceptions made to ease the process of settling the question of citizenship".[4]

The further amendment in 2002 introduced the principle of double citizenship for the persons of Lithuanian descent[5]. The editing of legal definitions went together with the editing of the official English translation of the idea -"a person of Lithuanian origin". In 2002 it was changed into "a person of Lithuanian descent". Now it stands as: "A person whose parents or grandparents or one of the parents or grandparents is or was Lithuanian and the person considers himself Lithua-

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3   Valstybės žinios, 1995, Nr. 86 – 1940.
4   *Lietuvos Respublikos Aukščiausios Tarybos pirmojo šaukimo ketvirtoji sesija: Stenogramos.* 1995. 43: 284-285.
5   Valstybės žinios, 2002, Nr. 95 – 4087 (official translation).

nian shall be considered as being a person of Lithuanian descent;"[6] What is significant there is that in the Lithuanian version of the Law in both cases it sounds the same "lietuvių kilmės asmuo". The difference appears in the official editing of the English translation, and I would consider this as significant in clarifying the meaning. The clarification of the aspect of lietuvių kilmės asmuo while moving from 'origin' to 'descent' should be considered as a shift towards establishing a close meaning for the legal understanding of who is Lithuanian. Although in all Lithuanian editions of legal texts "lietuvių kilmės asmuo" is a person whose origins are from a particular line of descent but its common meaning embraced the aspect of a particular place. But the appearance of the notion 'descent' brings new nuances into the legal understanding of who is Lithuanian.

I will not go deep in the historical developments of this law but will shortly conclude that almost all the changes in all editions of legal texts of the Law of Citizenship were made with a purpose of integrating the persons of Lithuanian descent. All these editions eventually moved towards the establishing of making the exception - double citizenship of those persons of Lithuanian descent. The evolution and shift from one legal conceptualisation to another was achieved by establishing priorities in the contested discourse of two aspects of belonging: civil and ethnic. It also explicated the aspect of parenthood as way of transmission of ethnicity. However Lithuania is not an exceptional with the practices of integrating of co-ethnics. The similar practices are familiar in Central and East Europe. Some authors describe this phenomenon in terms of kin-state which challenge modern norms of statehood (see Fowler 2003; Stewart 2003). B. Fowler takes two elements of statehood – territoriality and citizenship as a framework for analysis of 'modern' and 'post-modern' forms of statehood. In 'modern' statehood these two elements are closely related. Citizenship and territoriality is held together by the assumption that citizens are physically presented on the territory of state (Fowler 2002: 13). 'Post-modern' states are no longer fully sovereign within their frontiers; "these frontiers are more porous; and trans-state phenomena challenge states' position as the sole actors within the international system." (Fowler 2002: 14) The phenomena she calls 'kin-state' is the argument of deviation from 'modern' norms of statehood to 'post-modern'. Kin-state phenomena is a quite a recent phenomena and it is often used to explain the developments in the field of citizenship politics in East and Central Europe.

In below I will try to show that the notion of Lithuanian descent itself is more cultural rather than biological. I will present some findings from the Ministry of the Interior's Immigration Department which implements the law in practice.

How Lithuanian Descent is "Made"

The legal definition of Lithuanian descent implied that a person should be considered Lithuanian by descent and he/she passed bureaucratic procedures. The administrative management of citizenship meant the administrative management of ethnicity. As such when he/she "declares that he considers himself Lithuanian". That means that according to this paragraph Lithuanian ethnicity is equal to Lithuanian citizenship with two conditions. First, it has to be proved according to criteria. Second, the person should declare that he/she consider himself/herself Lithuanian.

The establishment of criteria of how to define 'Lithuaniness' was a part of political debate of the Law on Citizenship in the Seimas: "[…] The wish of the Nationalist (Tautininkai) fraction to purify Lithuania, purify the Lithuanians' blood, is good and understandable, but perhaps we should re-

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[6] Valstybės žinios, 2002, Nr. 95 – 4087.

member that Lithuanians have managed to preserve their Lithuaniness not by virtue of parliamentary decrees or some such decisions, but preserved it through their language, their songs, their Lithuanian character […] Well, I doubt that you could prove to an emigrant that he is a pure Lithuanian or a half-pure one. Let's say, his mother is Lithuanian, and the father is not. How can you prove it by the surname? Say, it's my surname, and that's all there is to it. I don't know what roots my colleague A. Rudys (direct translation of the name would be, A. Brown) ascribes to his name, but I assume it stems from the nickname Rudis (or – The Brown One). One is brown, the other –not. ("Rudis" in Lithuania generally means someone with red hair.) Well, only Lithuanians are capable of calling each other such names. Today, things having fallen out the way they have, a different *tautiškum*as is written in my passport. I'm not upset about it. There's nothing I can do. I'll die here. If you don't deport me. I have a calling-card here in my hand. I'll read it to you. This person has been here, in the Supreme Council (Aukščiausioji Taryba) – Paul Martik. He's really Povilas Martinkus, originally from the Manor of Telšiai. And how can you prove that his father is Lithuanian."[7]

During the course of my fieldwork I observed the way these problems were actually dealt with, when I talked with State officials who implement the law in the Ministry of the Interior's Immigration Department. I was told of the various aspects of how the law is applied in real life. In practice, there are various ways of proving of one's ethnic belonging. Usually, it is a set of components such as names, surnames, religion, place of birth or residence, activities in which the person or his relatives took part in, and inscriptions in various documents containing indications of ethnic belonging.

To obtain citizenship a person has to present a set of records where his Lithuanian descent is proven. But there are not many cases when those records present a full set of components. In the majority of cases the State officials have to decide according to one or two criteria. In such situations the question of priorities seems to be significant.

There was a case where a person from Argentina applied for citizenship, based on the paragraph of Lithuanian descent, and presented a set of documents. He defined himself as Lithuanian. But according to his surname and his father's name, he was Jewish. His father's name took precedence over the other records in which he was identified as a Lithuanian. His claim to citizenship under Lithuanian descent was denied. He was later granted Lithuanian citizenship under a different paragraph, because his father was a Lithuanian citizen before 1940. Evidently the question of personal belief that one was Lithuanian was not given priority in the procedure of re-establishing Lithuanian descent. The management of ethnicity in the context of the Law of Citizenship established the objective approach to ethnic belonging in cultural components such as surnames, religion, a pertinent bureaucratic notation, territory and so on. Kin relatedness, the cultural significance of which according to the Law was evident, was added as confirmation of ethnic belonging when descent was established. There was, for example, a case when a woman from Germany requested to establish her Lithuanian descent. It appeared that her and her parent's surnames were German, and their religion was Protestant (the majority of Lithuanian population is Catholic). Her Lithuanian descent was established only when the inscription of 'Lithuanian' was found in one of her grandparent's passports.

The objectification of ethnicity even included the aspect of territory in its ethnically and nationally conceptualized form. There was a woman from Byelorussia who wanted to establish her

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Lithuanian citizenship. She could not present any documentary evidence of her ethnicity because there was paragraph on 'ethnicity' before the World War II, and she was born in 1919. She was unable to present any documentation about her kin's ethnic belonging or any other records from her CV about being 'Lithuanian'. Even her surname sounded more like Byelorussian or Polish. Finally, there was only one criterion which was crucial in obtaining citizenship under the paragraph of "Lithuanian descent." She lived in a historically ethnic territory of Lithuania, which today belongs to Byelorussia.

However, in this as in all cases, despite the objectified cultural criteria there was the second aspect without which citizenship under the paragraph of "Lithuanian descent" could not be established. It was a personal confirmation in which he/she identified himself/herself as Lithuanian. A person had to write down a declaration that he/she considers himself/herself to be of Lithuanian descent. That is, an applicant has to formalize his ethnic belonging by writing such a declaration in free-hand and signing it. Thus a person whose 'Lithuaniness' is proven by a document, and who, according to required conditions has a legal right to be 'a person of Lithuanian descent,' has to sign a paper that he considers himself Lithuanian. I see the signing of the paper as signing a treaty for membership, which is both civil and ethnic membership. I would call this an aspect of 'contracted ethnicity'.

Instead of Conclusions

To sum up I would like to add that the instrumentality and management of ideas around *tautiškumas* (which include both ethnicity and nationality) and ethnic principle which exist in the Lithuanian Law on Citizenship involve an aspect of majority culture. This aspect of majority culture is recognized in the practices of implementation of the law in practice and in the public discourse. *Tautiškumas* appears to be the axis around which the ideas about ethnic and national identity are structured. By this was meant that the category of Lithuanian descent that at first sight might be explored using ethnic categories based on blood and kinship is instead being applied by the state institutions using cultural categories of religion, surnames, language etc.

However, the principle of granting the citizenship to co-ethnics without requirement to take up residence is a quite new phenomenon in New Europe which needs a deeper exploration and more angles. This exploration needs more analytical tools as I tried to show in this article than just seeing the process using theoretical dichotomy of 'civil West' and 'ethnic East'.

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APIBRĖŽIANT BENDRUMĄ: PILIETYBĖ KAIP ETNINIO PRISKYRIMO IR ATSKYRIMO FORMA. POSOVIETINĖS LIETUVOS ATVEJIS

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S a n t r a u k a

Pilietybės tema socialinėje antropologijoje tik pastaruoju metu sulaukia didesnio dėmesio. Pastarajam susidomėjimui nemažą įtaką turėjo Sovietų sąjungos iširimas ir naujų valstybių Vidurio ir Rytų Europoje su savo pilietybės įstatymais atsiradimas. Šių valstybių priimti nauji pilietybės įstatymai verčia iš naujo peržiūrėti ir permąstyti pačią pilietybės sampratos prigimtį, kuri iki šiol buvo neatsiejama nuo pilietinių teisių ir pilietinio dalyvavimo valstybės gyvenime. Tuo tarpu etninis principas naujuosiuose pilietybės įstatymuose verčia keisti šį požiūrį į pilietybę ir valstybingumą apskritai.

Kai kurie autoriai etninio kriterijaus buvimą pilietybės įstatymuose aiškina ypatingu Rytų ir Vidurio Europos istoriniu kontekstu. Tai reiškia, kad dažnai istoriškai pirmiau susiformuodavo tauta ir tik vėliau valstybė – kaip, pavyzdžiui, Vokietijoje. Tai neišvengiamai turėjo įtakos ir pačiai sampratai, kas yra tokios valstybės piliečiai. Šiai sampratai būdinga teigti, kad valstybės piliečiai yra susieti „kraujo" ryšiais. Tam turėjo įtakos ir pati sovietinė teisinė sistema, kuri buvo griežtai suskirsčiusi gyventojus etniniu principu. Tai reiškė, kad pilietybė ir etninė priklausomybė buvo griežtai atskirtos oficialiame lygmenyje bei įrašytos į pasus. Taigi etniškumui instituciniu lygmeniu buvo suteiktas determinuotumo aspektas, kuris darė įtaką individualiam supratimui, kad etniškumas yra gaunamas gimstant bei perduodamas iš kartos į kartą, taigi nepakeičiamas. Gali būti, kad institucionalizuotas Sovietų Sąjungos suskirstymas į etnines grupes šiek tiek turėjo įtakos, kad iki šiol lenkas, gyvenantis Lietuvoje, nėra laikomas lietuviu, nors ir yra Lietuvos pilietis, bet veikiau palaikomas Lietuvos lenku.

Kai kurių Vidurio ir Rytų Europos šalių įstatymuose aiškiai išreikštas siekis integruoti bendratautiečius kelia iššūkį moderniai valstybingumo sampratai, pagal kurią valstybės teritorija ir jos piliečiai yra neatsiejami. Tuo tarpu įstatymuose matomas noras suteikti pilietybę neverčiant individo apsigyventi valstybės teritorijoje kuria post-modernią valstybingumo sampratą.

Ir Lietuvoje, jai atkūrus valstybingumą, galima aptikti tokių institucionalizuotų etniškumo apraiškų, kaip antai, dabartiniame Lietuvos Respublikos pilietybės įstatyme yra įrašyta lietuvių kil-

mės kategorija kaip išskirianti lietuvius iš kitų etninių grupių gaunant Lietuvos pilietybę išimties tvarka. Lietuvių kilmės asmeniu, pagal šį įstatymą, yra laikomas toks asmuo, kurio tėvai ar vienas iš tėvų, arba seneliai, ar vienas iš senelių buvo lietuviai ir pats asmuo pripažįsta save lietuviu. Pagal šį apibrėžimą matyti, kad lietuviška kilmė suprantama naudojant giminystės kategoriją ir eliminuojant teritoriją, tai yra operuojama etninėmis kategorijomis. Tai, atrodytų, patvirtina anksčiau minėtą tautybės ir pilietybės sampratą, paremtą „krauju", ką, beje, patvirtina ir dažnas tokios sampratos vartojimas viešajame diskurse. Tuo tarpu mus šiame straipsnyje domina, kaip minėta giminystės ir „kraujo" samprata yra praktiškai realiame gyvenime pritaikoma, nustatoma suteikiant Lietuvos pilietybę lietuvių kilmės asmenims, tiksliau, kaip nustatoma Lietuvos pilietybės įstatyme apibrėžta lietuvių kilmė. Tai yra mus domina valstybės institucijų naudojami etniškumo kriterijai. Panagrinėjus visą lietuvių kilmės nustatymo procedūrą, išaiškėjo, kad tie kriterijai visiškai ar iš dalies nesiremia giminystės ryšiais, kaip kad apibrėžta pačiame pilietybės įstatyme. Vietoj to lietuvių kilmei nustatyti yra naudojamos kultūrinės kategorijos, tokios kaip, pavyzdžiui, religija, pavardės, lietuviška veikla ar tiesiog įrašas kokiame nors dokumente „lietuvis".