

# A CASE OF HISTORICAL LEGACY

This year on February 16, the Day of the Restoration of the State of Lithuania, four young men arrived at an official event in Klaipėda, carrying unusual placards. One of them depicted a 13th century ring with a swastika which had been found during excavations at the Kernavė castle mound; another a figure of a woman, a shining sun with a swastika in its middle, above her; a third a photograph of an enlarged swastika on its own, without the object that it would have marked.

At the request of the event participants, the swastika lovers were arrested and accused of propagating Nazi propaganda. The case was sent off for investigation to the court.

Four people, perhaps the same ones as in Klaipėda, carrying the same kinds of placards, merged into a procession by Lithuanian professional unions in Vilnius in May of this year. After the demonstration they carried the placards along

the entire Gedimino Avenue as far as the National Martyno Mažvydo Library, around the Lithuanian Parliament building, and then they drifted away. No-one had stopped them.

On June 17, 2008, the Lithuanian Parliament passed an amendment, No.X-1609, to the Law on Meetings in the Lithuanian Republic - addendum 5 to chapter 8 forbids the use and propagation of signs, symbols, flags and uniforms of Nazi Germany, the USSR, and the Lithuanian SSR, except in cases related to museums or education and art.

On May 18 of this year, the Klaipėda judges dismissed the case of the violation of an administrative law, claiming that swastikas are a valuable symbol of Balt culture, which were later appropriated and applied for their own devices by other peoples. The court decided that the image of swastikas on archaeological finds and ancient monuments is not forbidden.

The court's decision is noteworthy because the aforementioned addendum to the law does not refer to the use of the swastika per se. No-one can forbid either the swastika or its various versions, for the symbol did appear in ancient times. According to the Hindus, it is approximately five thousand years old. Images of the swastika appear on ancient Greek vessels, ornate Arabic garlands, mediaeval architectural decor, famous Persian carpet patterns, folk art designs, etc. In Lithuania the swastika appears on objects dating from the 13th century. It is therefore amateurish to claim that someone took from the Balts something that was known in various places on the face of the Earth even before the 13th century - and is nothing other than an attempt to evade an investigation of the essence of the problem.

Addendum 5 to the Law refers to the exhibition of the swastika that became a symbol of German

Nazism in 1930, to that version of the swastika that marked the 20th century's greatest crimes against humanity. That was the one that Seimas (Parliament) prohibited from public display and propagation - the four-pronged black swastika that Hitler's Nazis turned into their own symbol, the one that is hardly a sign of the sun, rather a symbol of destruction and death.

What is important to the four "defenders of the rights" of the swastika, who openly refused to obey the law, is not its historical legacy, but a desire to publicly mock the 57 million murdered victims of the Nazis. And the court, rather than endeavouring to uphold the law, basically investigated not the actions of the demonstrators and their rights and obligations, but the swastika as a national Lithuanian symbol. It in fact took on the study of history and art - anything, rather than the study of justice.

In refusing to evaluate the actions of the four young men from a legal stance, the court first of all demonstrated insufficient competency to investigate a case; se-

cond, it gave a sign to the country's extremist right forces that such actions can be continued and extended without punishment; and third, it insulted people who had lived through the Holocaust, and once again confirmed that it is not by chance that only one living Nazi criminal has been convicted in Lithuania - and even he was pardoned from carrying out a rightful sentence.

When he was handed a request to reconsider the decision by the court, the assistant to the Klaipėda district police chief said: "In our opinion, the court decision did not ascertain how placards with images of the ancient swastika can be used. Life shows that things must be analysed in detail. If it is not forbidden, then let the Lithuanian supreme administrative court explain how to behave appropriately with such swastikas so that Lithuanians don't upset the world. You can see the reaction to the decision by the Klaipėda district court. Neither the Jews nor the Russians are pleased."

And the Lithuanians?

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