

# Documents

## Lithuania: Can a Priest Chair the Parish Council?

*In all republics of the USSR, religious life is governed in practice by the 1929 Law on Religious Associations, revised in 1975. Before they can worship legally, religious believers must form a group or "association". This must consist of at least 20 formal members who must obtain a registration permit for their congregation and its "prayer-building". Art. 13 of the Law on Religious Associations states that "For the immediate fulfilment of functions connected with the management and use of religious property . . . the religious associations elect executive bodies from among their members by open ballot at general meetings . . ." The executive body (parish council) consists of three to five members.*

*The priest, referred to in the law as "the servant of a religious cult", is "hired" by the parish council. He is not regarded as the head of the parish but merely as the employee of the religious association. In the past, the Council for Religious Affairs has refused to allow priests to be elected to the parish council, although there is no legal impediment to this. The local authorities are entitled to refuse to accept any member of the parish council as a valid representative (Art. 14 of the Law, on Religious Associations).*

*The following document, entitled "The Struggle for Religious Freedom", is taken from the Chronicle of the Lithuanian Catholic Church, No. 40, 19 October 1979, pp. 49-58.*

On 20 April 1979 the chairman of Daugailiai parish council, Juozas Tarulis

of Mikalajunai village, died at the age of almost 80. On 30 April 1979 the district\* chairwoman A. Stanevičienė telephoned the pastor, Fr Petras Baltuška, to ask if a new chairman had yet been elected to the parish council. She was given the reply that this had not yet been done but that the question would soon be resolved. She then expressed an interest in who the candidate for the duties of chairman might be. The pastor replied:

– "Myself."  
– "You cannot be the chairman", said the startled chairwoman.  
– "Why not?" Fr Baltuška calmly asked.

– "You are a cult servant."  
– "No, I am not a cult servant but a priest. This is a great deal more than being a cult servant. Does anyone refer to you, in your duties as district chairwoman, as a district maidservant? Do they say: 'I was at the district office but could not find the district maidservant'? Does anyone call a doctor a hospital servant or is a swineherd called a pig servant? Is the regional chairman called the regional servant? No."

– "Well, I don't know about that. You have to consult the deputy regional chairman, Labanauskas. If he confirms your election . . ."

– "For as long as he says nothing to me, I shall say nothing to him, because this is

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\*"District" translates the term *apylinkė*, an administrative subdivision of the *raion* (region) in Lithuania. *Ed.*

an internal church matter", explained the priest.

During services on Sunday, 6 May 1979 it was announced that the members of the parish council would be meeting after Mass to discuss a number of church matters. The whole council attended, a total of 21 people. The meeting considered the question of assumption of the duties of chairman and the duties of other members and then wrote out the following report:

"We, the undersigned members of Daugailiai Roman Catholic religious community, at a general meeting on 6 May 1979 elected the following as members of the parish council:

1. Chairman – Baltuška, Petras, son of Rapolas
2. Secretary – Lumbe, Zenonas, son of Juozas
3. Treasurer – Seibutis, Vincas, son of Vincas...

In the presence of the council members, the pastor took over the duties of chairman of the parish council, on the basis of church canon law 1183, para. 1, in which it is stated: "Any persons brought together to administer church property, whether they be clergy or laymen, under the chairmanship of the local pastor (referred to in canon 1182) or the priest carrying out his duties, shall together comprise the parish administrative council."

The [decisions of the] synod of Panevėžys diocese, page 111, para. 560 read: "The chairman of the parish administrative council will always be the local pastor."

A report of the parish council meeting was sent by registered letter to the deputy chairman of the Utena Regional Executive Committee, J. Labanauskas.

On 29 May 1979 the district chairman informed the pastor by telephone that he was invited to Utena on 30 May at 9 a.m. to see deputy chairman J. Labanauskas. On arriving at the deputy chairman's office at the Executive Committee building, the pastor found not only the deputy chairman but also regional chairman Talmantas and regional procurator F. Levulis. The deputy chairman introduced the pastor to the procurator. When they were all seated at the table the deputy chairman started off in a raised tone:

– "Why do you infringe Soviet laws? Without our permission, you summoned a meeting and chose yourself to be chair-

man. The procurator is here, he will explain the laws to you. We warn you that for infringement of the law you will be made to answer according to the penal code."

The deputy chairman gave the pastor a typewritten sheet of paper on which the warning was set out and told him to sign. The pastor read this but refused to sign, saying that he had infringed no law, for Art. 16 of the Law on Religious Associations states: "Meetings (sessions) of religious community executives and auditing organs and of believers' groups take place without the need to inform government organs or to obtain their permission."

The deputy chairman started to mock him: "Don't you have enough power?"

After this remark the pastor asked for the discussion to be adjourned until the following day, as he had not brought a tape recorder to record this discussion. The deputy chairman felt insulted and leapt to his feet shouting:

– "You want to blackmail us!"

– "No one will let you do any recording even if you do bring a tape recorder", the chairman added in a raised voice.

– "But you can record my statements", the pastor remarked calmly.

– "Why do you need a recording?" asked J. Labanauskas.

– "So that I can show the believers on Sunday what was said here and how it was said." The pastor explained further: "I have infringed no law, for Article 52 of the USSR Constitution and Article 50 of the LSSR Constitution state clearly: 'In the USSR the Church is separated from the State'."

Chairman Talmantas burst with rage: "Don't you know what separation means?"

– "And what does it mean?" asked the priest.

– "That you haven't got the right to interfere in state matters."

– "And who gave you the right to interfere in church matters?" asked the pastor. "Where in the Constitution is it stated that you are allowed to interfere in our affairs and that this or that is forbidden to us? This paragraph of the Constitution covers it all: if the Church is separated, then it is separate. A representative of justice, the procurator, is taking part in our discussion. If he took part in a case where a man was divorced from his wife, he would not leave the man with the right to terrorize

his former wife or the wife to terrorize her ex-husband. Separated means separated."

The pastor showed them the church canons and synod books, the USSR Constitution and LSSR Constitution, and the Law on Religious Associations, and explained that on appointment by a bishop, a priest arrives in a parish to bury the dead, baptize infants, visit the sick, hear the confessions of believers, etc., whether he wishes to or not. He is also obliged to assume the duties of parish council chairman, for this is laid down by the canons and synod. The priest showed the chairman the regulation books but the latter merely glanced at them and pushed them aside saying: "They are old. The Soviet government has not confirmed them."

- "Chairman, you have rejected the canons and synod", continued Fr Baltuška, "and in accordance with your logic I now reject this Constitution, for the Vatican has not confirmed that either."

The chairman read out Art. 12 of the Law on Religious Associations: "General meetings of religious associations and of believers (other than church services) take place in regions or towns with the permission of the executive committee of the council of workers' deputies."

The pastor explained: "Only if these meetings take place for the discussion of special matters, e.g. to organize a congress, build a new church, or go on a particular journey, for example to Moscow for the Olympiad next year and put on a show there with a religious programme. At present the Pope is visiting Poland, and let us say that 1,000 parishioners of Daugailiai wanted to go there to meet him. In that case it might be necessary to ask your permission to call a meeting of all parishioners to discuss such a journey. But in this case — the assumption of a parish council chairman's duties — it is a local and purely internal church matter."

Apart from this, we are not concerned here with a law. Please tell me, Chairman, where is it stated here that this is the law? This is only an order. It differs from a law as an order from a soldier differs from an order from a General. One must always obey a General, but not a soldier, when they pronounce on the same matter. The Constitution is the General. That is why its cover bears the text: 'Basic Law'. An order cannot contradict the Constitution."

The meeting in question was solely for

acceptance of the duties of chairman and the enrolment of new members to replace those who had died. The pastor had not done away with the committee: it continued to exist and would do so in future.

The deputy chairman produced the report of the parish council meeting and said:

- "Please don't send us this kind of thing. As you see, I have written on it that it is not valid."

- "But we don't need your recognition. We are merely informing you that the council exists, and the interpretation you put on our report isn't important to us. This is a church parish council and we have no need for it to be recognized by atheists."

- "The elections must be by a general vote."

- "They were. The whole parish council took part and all the believers present at church knew about it. But a church isn't a theatre where people shout at each other. Where is there a hall where all the believers could be called in and by what means? In towns there are, after all, parishes to which 50 or 60,000 people belong, in Kaunas and Vilnius for example. Where are the halls that could accommodate all the believers and who will provide them? Do you elect the regional administration during the 1 May demonstration? No. The church canons and diocesan synod oblige me to be chairman."

- "This is according to the Vatican", the chairman remarked.

- "Yes, because we are believers. We conduct ourselves in accordance with the Vatican's orders, and you follow the Kremlin's orders. But you stand outside the boundaries of the religious communities and therefore you have no right to form the parish council. Where is the logic in this? Are atheists to form believers' councils? Do we, believers, set up your committees — regional or district? No. The Church is separated from the State and that means it is separated. That's all there is to it."

The procurator who had been silent throughout now intervened:

- "Religion is contrary to communism."

- "But this is not a law, it is ideology. Where is it stated in the laws that religion is contrary to communism?"

- "The Pope blessed Hitler", said the

deputy chairman, attempting to help the procurator.

– “The Pope not only blessed Hitler but also the Chairman of the USSR’s Supreme Council of Ministers, Podgorny; the Minister of Foreign Affairs, Gromyko; and the daughter of Khrushchev and wife of *Pravda*’s editor Adzhubei who was so entranced by Pope John XXIII’s goodness that she wept as she left her audience with him.”

– “Did you see Khrushchev’s daughter being blessed?” Talmantas ejaculated.

– “And did you, sir, see the Pope blessing Hitler?” asked the pastor. “If state leaders or their delegates meet the Pope to discuss matters of State, to proffer credentials or to make courtesy calls, it doesn’t mean that the Pope also blesses each one. We, for instance, have gathered together here; does that mean I am now blessing you? As to the fact that the Pope was visited by Podgorny and Gromyko, I can show you photos from the press of communist countries.”

– “You will have to obey Soviet law and please don’t try to stop us next Sunday (3 June) from conducting elections within the Daugailiai religious community. You have done this for two Sundays by conducting strong propaganda during sermons which have almost been political”, said Labanauskas.

– “I don’t go in for politics”, replied the pastor. “If I were to say to people: take up axes and go off to chop up the regional chairman, his deputy or people who hold even higher positions, I would be indulging in politics.”

– “You can pray and hear confessions, nobody forbids this. The Constitution guarantees the freedom of cult observance and freedom of atheist propaganda”, the chairman explained to the priest.

– “And why do we only have the freedom of cult observance and you have freedom of atheist propaganda? Let’s change places. Why do you persecute us and discriminate against us? We are not slaves, not African negroes”, the pastor protested.

– “No one persecutes you. Produce even a single case in the USSR where you are being persecuted”, said Talmantas in self-justification.

– “Where then are our press and our radio programmes? Why then do you atheists form church parish councils? We know ourselves how to form them.”

– “We are the government and must

therefore know everything”, the deputy chairman roared.

– “You only received your authority from the basic law, the Constitution, and this says that the Church is separated from the State. We sent you the report on our meeting for your information.”

– “Your mind still contains a lot of bourgeois ideas, concepts from the days of Smetona”, the deputy chairman said.\*

– “What is the bourgeoisie to me? If it is applicable to me it applies to you too”, the pastor said, “for we are, it seems, of the same age. All we have in common with the bourgeoisie is that it was then that we got our first pair of trousers.”

– “We have the right to dismiss unsuitable members from the council”, boasted Labanauskas, to illustrate his power.

– “Naturally. If you, sir, dislike someone’s nose, or someone else’s ears, then you’ll find no one suitable even in a thousand”, replied Fr Baltuška.

– “What are ears and noses to me?” retorted the offended deputy chairman.

– “And what is the bourgeoisie to me that you should throw it at me?”

– “I wouldn’t want to live abroad”, the deputy chairman declared.

– “Nor I”, responded the hitherto silent procurator.

– “You will only find decadence and rubbish there”, the deputy chairman continued. “I think that we have had a civilized discussion”, he concluded.

– “Thank you”, said the pastor as he rose and then left the office.

The whole conversation had been conducted at a level of about 80 decibels.

On the same day, two parish council members, treasurer Vincas Seibutis and member Jonas Jocys, were summoned to Utena, by a letter sent through the district offices, to see deputy chairman J. Labanauskas. The deputy chairman received them alone and told them that he had called in the pastor of Daugailiai but had been unable to come to terms with him. The problem was as follows: it was necessary to elect a new parish council chairman. When Jonas Jocys remarked that a chairman had already been chosen and that they regarded him as a good one,

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\*Smetona was head of the independent Lithuanian government before Lithuania was incorporated into the USSR in 1940.  
Ed.

the deputy chairman jumped up and shouted: "How many classes did you complete at school? Don't you know the law?" The deputy chairman ordered them to go to the district offices immediately after their return and to come to an agreement regarding the date of the election and choice of candidate for chairman. He added that it was necessary to choose a believer, for if they chose some drunkard or murderer the regional authorities would not recognize him. The men returned home.

On 1 June 1979 the district secretary Indrašiene phoned the pastor and informed him that she had been ordered by the district chairwoman to let him know that the election was to take place the ensuing Sunday in the church or the church precinct. The pastor was permitted to participate.

- "When will the service end?" she asked.

- "There will be no elections either in the church or its precinct. If you try to carry anything like this through, you will be thrown out by physical force. As to the time of commencement or ending of services, that is our affair."

- "Must I write out an announcement and stick it to the door?" asked the secretary.

- "There will be no announcement, no election. The parish council exists, the chairman has been elected, the regional authorities have been informed and that's all", replied the pastor.

- "You can't be chairman", squealed the secretary.

- "Why not?" asked the pastor.

- "I don't know, but you can't."

At 8 a.m. on 3 June of this year, the district chairwoman pinned the following announcement to the precinct gate and church door:

"Attention

On 3 June, soon after the service, a general meeting of believers will take place in the Daugailiai House of Culture. The meeting will discuss the husbandry\* and financial situation of

the Daugailiai religious community. We invite all believers to attend this meeting.

Utena Regional Council of People's Deputies (Executive Committee)."

During his sermon the pastor explained to all believers in the church that the church had no farm\* and as far as finances were concerned, all dues had been paid most punctually. All repairs that had been carried out and all material necessary for repairs had been procured in shops and not through *blat*† and the receipts had been obtained for everything. The church did not even buy a needle without getting a receipt, for the accounts were checked each year by the regional authorities.

During the service the district chairwoman had come to the church door to ensure that the notice she had pinned up was still there. She found that, since the door opened outwards, the notice was hidden between the door and the church wall. She therefore closed the church door, but the people opened it again. She then took the notice off the outside of the door and pinned it to the inner side. The people merely smiled on seeing the notice as they left the church. No meeting took place. Only one old lady was present.

On 4 June 1979 district officials distributed notifications to all houses in Daugailiai township and postmen delivered them to outlying houses. These were on official paper, bearing a crest and the round seal of the Utena Regional Executive Committee, and summoned people to a general meeting of the religious community to be held in the Daugailiai House of Culture at 6 p.m. on 7 June 1979. They were signed by the Utena Regional Executive Committee.

No meeting took place — only three women attended. The pastor informed believers that if any attacks were made on the church or its parish council, everything would be openly relayed each Sunday to the believers.

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either farm, economy or administration in Lithuanian. *Tr.*

\*The pastor was indulging in a play on words. The term translated as "husbandry" is *ukine*, which can mean

†The Russian word for black market activities. *Tr.*