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Joanna Marszałek-Kawa

ORCID ID: 0000-0002-4201-8028

Nicolaus Copernicus University in Toruń

E-mail: kawaj@umk.pl

Protests in Lithuania in the Pandemic Era¹

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Słowa kluczowe: Policja, protesty przeciwko lockdownom, zarządzanie protestem, polityka sporu, kryzys koronawirusa, Litwa

Abstract

The COVID-19 caused a global crisis of an unprecedented scale. In order to contain the spread of the virus, governments took instant measures, adopting new legal regulations which included restrictions and limitations in the sphere of constitutional rights and freedoms. The aim of the paper is to discuss protesters' actions and their different forms, and to analyse the response of law enforcement officers who secured demonstrations. I undertook to find the answers to two fundamental research questions: What action did protesters take during the pandemic in Lithuania? What was the character and intensity of the surveillance, intimidation and presence of the police during demonstra-

¹ This research paper is a result of the research project Civil Disorder in Pandemic-ridden European Union. It was financially supported by the National Science Centre, Poland [grant number 2021/43/B/HSS/00290].

tions? The research covers the period from 11 March 2020, when the World Health Organization declared the pandemic, to the autumn of 2021, when anti-vaccine protests took place in Lithuania. In the study, I applied the institutional and legal analysis, as well as the qualitative source analysis.

Streszczenie

Protesty na Litwie w dobie pandemii

Pandemia COVID-19 wywołała globalny kryzys na niespotykaną dotąd skalę. W celu powstrzymania rozprzestrzeniania się wirusa rządy podjęły natychmiastowe działania, przyjmując nowe regulacje prawne, które zawierały ograniczenia i ograniczenia w sferze konstytucyjnych praw i wolności. O ile w pierwszej fazie pandemii społeczeństwa ze zrozumieniem akceptowały nowe zasady rządzące ich życiem, o tyle z czasem poziom zaufania do władzy malał. Celem artykułu jest omówienie działań protestujących i różnych ich form oraz analiza reakcji funkcjonariuszy organów ścigania, którzy zabezpieczali demonstracje. Podjęto się poszukiwania odpowiedzi na dwa podstawowe pytania badawcze: Jakie działania podjęli protestujący w czasie pandemii na Litwie? Jaki był charakter i intensywność inwigilacji, zastraszania i obecności policji podczas demonstracji? Badania obejmują okres od 11 marca 2020 r., kiedy Światowa Organizacja Zdrowia ogłosiła pandemię, do jesieni 2021 r., kiedy na Litwie miały miejsce protesty antyszczepionkowe. W opracowaniu zastosowano analizę instytucjonalno-prawną oraz jakościową analizę źródłową.

✱

I. Introduction

In the era of crisis caused by the SARS-CoV-2 pandemic, state authorities took measures to contain the spread of the virus that posed a threat to people's life and health. The adopted strategies were often in conflict with constitutional rights and freedoms. The imposed restrictions corresponded with the new, wide powers of state services, including the police, with regard to the surveillance of citizens. The challenging period of the pandemic directly and indirectly affected the personal and professional life of billions of people in the world. We still feel the effects of re-

strictions and other changes in various spheres. The regulations that governments adopted under enormous time pressure affected and still affect people's mental health, reinforcing a sense of fear and causing depression or even self-injury behaviour². They also influenced public sentiment – the level of trust in the government decreased and, despite prohibitions, people took to the streets and manifested their opposition to the restrictions. In many countries, the lack of a well-thought-out strategy and inappropriate communication with the society, which lacked social consultations concerning draft regulations, were conducive to the radicalization of social groups. What played an important role in this process were misinformation, conspiracy theories and politicians' deliberate actions aimed at gaining support through populist slogans.

The research problem of this paper concerns the assessment of the forms of protest used by demonstrators' and the operational methods of the police in the conditions of social disorder caused by pandemic restrictions. The aim of the paper is to discuss protesters' actions and their different forms, and to analyse the response of law enforcement officers who secured demonstrations. I undertook to find the answers to two fundamental research questions: What action did the protesters take during the pandemic in Lithuania? What was the character and intensity of the surveillance, intimidation and presence of the police during demonstrations? The research covers the period from 11 March 2020, when the World Health Organization declared the pandemic, to the autumn of 2021, when anti-vaccine protests took place in Lithuania. In the study, I applied the institutional and legal analysis, as well as the qualitative source analysis. I used the contents analysis technique, first of all, messages and announcements concerning the behaviour of protesters, as well as of uniformed services in the indicated period. The article draws on three kinds of sources – local, national and international media reports during the lockdown period. Additionally, I analysed information found on websites, webinars, online publications and social media.

² R. Jusienė, R. Breidokienė, S. Sabaliauskas, B. Miežiene, A. Emeljanovas, *The Predictors of Psychological Well-Being in Lithuanian Adolescents after the Second Prolonged Lockdown due to COVID-19 Pandemic*, "International Journal of Environmental Research and Public Health" 2022, vol. 19, no. 6, p. 3360, <https://doi.org/10.3390/ijerph19063360> (17.03.2023).

II. Restrictions in the law

The crisis situation caused by the spread of the virus dominated people's lives in the whole world, pushing other political and social problems into the background³. State authorities had to act quickly in the face of the growing threat to the health and life of their citizens. Toma Birmontienė and Jolita Miliuvienė point out that governments adopted different action strategies: some European countries immediately introduced a state of emergency, some opted for softer measures to prevent and control the spread of the virus, while others were in favour of softer restrictions of the recommendatory nature⁴.

Like other countries, Lithuania also passed legislation that increased penalties for the existing offences, aimed at regulating and curbing on protest activities⁵. In order to contain the spread of the SARS-CoV-2 virus, the government introduced safety principles which limited constitutional rights and freedoms, such as the freedom of assembly, religion or movement. The adopted policy of combatting the pandemic led, like in a number of other European states, to the weakening or even elimination – as Daly and Jones point out⁶ – of political institutions that are the pillars of the democratic system.

David Mead indicates that “lockdown [meaning the immediate closure of hospitality settings, restaurants, shops and retail outlets, sports and cultural centres, schools and kindergartens, etc.] brought significant problems, in terms of transparency and certainty”⁷. In Lithuania, as it was the case in Po-

³ G. Pleyers, *The Pandemic is a Battlefield. Social Movements in the COVID-19 Lockdown*, “Journal of Civil Society” 2020, vol. 16, iss. 4, p. 296, <https://doi.org/10.1080/17448689.2020.1794398> (19.03.2023).

⁴ T. Birmontienė, J. Miliuvienė, *Competition of State Powers during the COVID-19 Pandemic*, “Teisė” 2022, vol. 123, p. 25, <https://www.zurnalai.vu.lt/teisė/article/download/28079/27348> (16.03.2023).

⁵ M. Lee, *Policing the Pedal Rebels: A Case Study of Environmental Activism under COVID-19*, “International Journal for Crime, Justice and Social Democracy” 2021, vol. 10, no. 2, p. 158, <https://doi.org/10.5204/ijcjsd.1887> (17.03.2023).

⁶ T.G. Daly, B.Ch. Jones, *Parties versus Democracy: Addressing Today's Political Party Threats to Democratic Rule*, “International Journal of Constitutional Law” 2020, vol. 18, no. 2, p. 509, <https://doi.org/10.1093/icon/moaa025> (19.03.2023).

⁷ D. Mead, *Policing Protest in a Pandemic*, “King's Law Journal” 2021, vol. 32, iss. 1, p. 97, <https://doi.org/10.1080/09615768.2021.1885323> (17.03.2023).

land, too, the criminalization of participation in protests in the form of high financial penalties for breaking the existing ban on assembly or stigmatizing demonstrations in state mass-media failed to stop protesters⁸.

A woman returning from Verona, Italy, was the first coronavirus case in Lithuania, confirmed on 24 February 2020⁹. Lithuania terminated the state of national emergency on 1 May 2022¹⁰. “On 26th of February, the state level emergency on COVID-19 threat was declared. Prior to that, recommendations for travellers were issued on 28 January by the Ministry of Foreign Affairs, advising against travel to China. Border controls were implemented on 14th March at 6 p.m. The first national lockdown in Lithuania was in effect from 16 March 00:00, when, pursuant to the government order, the quarantine regime was announced (initially until 30 March, prolonged until 13 April). The temporary internal border control was extended until 14 May, 6 p.m. The right of individuals to leave and enter Lithuania was restricted”¹¹. In the successive weeks and months, more restrictions concerning road, air and sea transport were imposed. The government also introduced new limitations in the spheres of the labour market, education, culture and sports¹².

As it was mentioned earlier, on 14 March 2020, the Government adopted Resolution No. 207 declaring quarantine on the territory of the Republic of Lithuania, under which it resolved “to declare the tertiary (absolute preparedness) level of preparedness of the civil protection system and declare quarantine on the entire territory of the Republic of Lithuania”. Resolution ‘On Declaration of Quarantine in the Territory of the Republic of Lithuania (Dėl

⁸ J. Rak, *Policing Anti-government Protests during the Coronavirus Crisis in Poland: Between Escalated Force and Negotiated Management*, “Teorija in Praksa” 2021, vol. 58 (Special Issue), p. 599.

⁹ Baltic News Network, *Coronavirus: Lithuania Declares State Emergency*, 2020, February 26, <https://bnn-news.com/lithuania-introduces-state-of-emergency-to-prepare-for-possible-coronavirus-arrival-210825> (16.03.2023).

¹⁰ *Korona Stop, Requirements and recommendations*, 2022, May 5, <https://koronastop.lrv.lt/en/covid-19-related-restrictions-1> (16.03.2023).

¹¹ A. Slapšinskaitė-Dackevičienė, L. Miščikienė, M. Štelemėkas, *Measures in Other Sectors*, 2021, December 14, <https://eurohealthobservatory.who.int/monitors/hsrcm/all-updates/hsrcm/lithuania/measures-in-other-sectors> (19.03.2023).

¹² *Ibidem*.

karantino Lietuvos Respublikos teritorijoje paskelbimo) was valid until 16 June 2020, regulating in detail the functioning of the sphere of public and private life¹³. The restrictions, such as stay-at-home orders and lockdowns, which covered a number of areas (among others, social distancing, the freedom of movement, work, education, health, and other public services), were in effect for a far longer period pursuant to the declaration of the state of emergency adopted by the Government of the Republic of Lithuania¹⁴.

As Toma Birmontienė and Jolita Miliuvienė indicate, “the parliament was not always actively involved in the deliberation on the imposition of measures meant to deal with the pandemic, which, inter alia, restricted human rights and freedoms [...] there is no delegated legislation in Lithuania”¹⁵. This is confirmed in a number of judgments of the Constitutional Court. According to Birmontienė and Miliuvienė – “The laws effective in Lithuania grant the government the right – at the time of a pandemic – to institute a special legal regime, the imposition of which does not require a parliamentary approval or adoption of a law. Such provisions are included in the Act of the Republic of Lithuania on Civil Protection, determining governmental powers to declare a state of emergency, and the Act of the Republic of Lithuania on the Prevention and Control of Human Contagious Diseases, which entitles the government to declare a state of quarantine”¹⁶.

¹³ Government of the Republic of Lithuania, Resolution ‘On Declaration of Quarantine in the Territory of the Republic of Lithuania, No. 207 on 14 March 2020. Valid from 2020 March 15, <https://www.e-tar.lt/portal/en/legalAct/73c0b06066311eabee4a336e7e6fdab> (16.03.2023).

¹⁴ FRA, *Coronavirus Pandemic in the EU – Fundamental Rights Implications*, 2020, July 2, https://fra.europa.eu/sites/default/files/fra_uploads/lt_report_on_coronavirus_pandemic_july_2020.pdf (17.03.2023); see also: Government of the Republic of Lithuania, Resolution ‘On Declaration of State-Level Emergency’, No. 152 on 26 February 2020. Valid from 26 February 2020 <https://www.e-tar.lt/portal/en/legalAct/50a2ef10d8ce11eb9f09e7df20500045> (17.03.2023).

¹⁵ T. Birmontienė, J. Miliuvienė, *op.cit.*, pp. 27–28.

¹⁶ *Ibidem*, p. 27; see also: Constitutional Court of The Republic of Lithuania, Ruling of 13 December 2004, file ref. no. 51/01–26/02–19/03–22/03–26/03–27/03, <https://lrkt.lt/en/court-acts/search/170/ta1279/content> (17.03.2023); Constitutional Court of The Republic of Lithuania, Ruling of 29 September 2015, file ref. no. 19/2013, <https://lrkt.lt/en/court-acts/search/170/ta1279/content> (19.03.2023).

III. Forms of protests

It is obvious that life in the pandemic was not easy and the complex everyday reality was even more complicated by a wide scale of control and surveillance determined by new law regulations, which introduced social distancing, the monitoring of disease and respecting the stay-at-home principle¹⁷. The SARS-CoV-2 pandemic effectively remodelled many aspects of our life both in the private and public sphere. As Maciej Kowalewski indicates, it also contributed to the intensification of the phenomenon referred to as “accelerated authoritarianism”. It highlighted and exacerbated a number of social problems in the sphere of rights and freedoms, such as racial inequalities, women’s rights and the blocking of migratory movements. Opposition to restrictions, such as curfew, limits on the presence of people in open spaces, the ban on assembly, the obligation to wear masks, business lockdown, led to mass protests, which adopted various forms, from those organized on the Internet, through sometimes theatrical and disruptive forms of nonviolent protests, painting monuments, happenings or other forms of civil disobedience, to large-scale street demonstrations¹⁸.

Protests against the introduced bans and restrictions organized during the pandemic were widely commented. Politicians of ruling parties criticized demonstrators on public media, blaming them for the acts of vandalism and provoking riots, although protests largely did little to disrupt citizens’ everyday lives and focused more on raising awareness¹⁹.

According to the authors of the report, in Lithuania “the right to demonstration was restricted during the quarantine from 16 March 2020 to 16 June 2020. From 1 June 2020 to 16 June 2020, cultural, entertainment, sports and other outdoor events were allowed with the maximum of 300 participants (excluding performers, organizers, instructors and service personnel), while ensuring the distance of at least one meter between the spectators, except for spouses, close relatives, adoptive parents, adoptive children, guardians and

¹⁷ D. Mead, *op.cit.*, p. 107.

¹⁸ M. Kowalewski, *Street Protests in Times of COVID-19: Adjusting Tactics and Marching ‘as Usual’*, “Social Movement Studies” 2021, vol. 20, iss. 6, pp. 758–759, <https://doi.org/10.1080/14742837.2020.1843014> (17.03.2023).

¹⁹ M. Lee, *op.cit.*, p. 157.

carers. The decree of the State Commander of National Emergency Operations specified that the two-metre physical distance had to be kept, [...] personal hygiene recommendations had to be posted at the entrance, and staff members and participants with the symptoms of COVID-19 were not allowed to enter the event”²⁰.

The analysis of media reports reveals that during the pandemic the biggest demonstrations took place in the capital of the country and they were organized in response to restrictions introduced by the government. What should be pointed out is that we observed the escalation of protests in the second wave. The feeling of fatigue caused by the restrictions increased the frequency of street protests. Prolonged lockdown policies and new COVID-19 regulations, such as employers’ right to sack employees who do not have a valid COVID-19 vaccination certificate, triggered social unrest. While in the first phase of the pandemic, people were disciplined enough to abide by the government restrictions, even when they were eased in summer, the second wave brought the increasing popularity of conspiracy theories and the intensification of tensions caused by the sluggishness of authorities. This led to street protests, the scale of which grew after new regulations were introduced, such as the one concerning COVID-19 passports. It should be emphasized, however, that although protests in Lithuania became more frequent, only a small part of the society took part on them. They had not a mass character as it was the case in France or Greece, for example.

Pandemic protests were mobilized and organized with the help of Facebook, blogs, and Twitter. Some of them were jointly prepared by different organizations and groups. This required mutual consultations regarding priorities and demands to be made²¹. Protests in Lithuania were organized by a network of different non-governmental organisations and individual activists from all walks of life²². What should be stressed, social concerns during the

²⁰ FRA, *Coronavirus Pandemic in the EU...*, see also: Ministry of Health of the Republic of Lithuania, Decree ‘Due to Conditions for the Organization of Culture, Entertainment and Other Events’, No. V-1462, 15 June 2020. Valid from 17 June 2020, <https://www.e-tar.lt/portal/lt/legalAct/1125c9b0af1311eab9d9cd0c85e0b745/WnoKPBHNjo> (21.03.2023).

²¹ Ch. Tilly, S. Tarrow, *Contentious Politics*, 2nd ed., New York 2015, p. 35.

²² L. Eriksonas, *Lithuania’s Opposition Takes Sides in Response to Populist Protests*, “Weekly Briefing” 2021, vol. 43, no. 1, p. 3, <https://china-cee.eu/2021/10/12/lithuania-political-briefing-lithuanias-opposition-takes-sides-in-response-to-populist-protests> (17.03.2023).

pandemic were expressed in a variety of forms. Demonstrations were usually held in cities, mostly parks, streets, squares, and in front of state authority buildings. People expressed their disapproval in the form of “mass demonstrations, rallies, Internet-based calls to action, as well as charivaris (rough music used to make noise and express demands), and marches”²³.

As it was mentioned earlier, while during the first wave of the pandemic the public opinion accepted the government restrictions with understanding, the prolonged pandemic fuelled social tensions. In 2021, a few demonstrations with several thousand people were organized in Vilnius. The participants protested against restrictions connected with COVID-19 passports and vaccinations. The organizers, among demands addressed to the government also stood against the adoption of the Istanbul Convention.

Protests took the form of blockades of key points, public buildings, streets. They were held in front of important institutions, such as the Lithuanian parliament.

In March 2021, an anti-lockdown rally was organized in the centre of Vilnius. There were several hundred participants, who protested against the activity of the state and raised banners with slogans, such as: “Stop the eradication of Lithuania,” “Television is the real virus,” or “We are conscious”. Protests against the government’s decision to impose mandatory COVID-19 testing for schoolchildren also took place in Kovno.

On 15 May 2021, the so-called Big Family Defence March was organized in Vilnius by the Movement of Families, led by activist Raimondas Grinevičius. The organization was involved in a number of anti-lockdown protests in Lithuania and identified themselves as anti-establishment. Thousands of people took part in the march, including the representatives of a few opposition parties. The organizers called for defending so-called traditional values and emphasized that the aim of the protest was to show disapproval of the parliament’s plans to ratify the Istanbul Convention and to express objection to “aggressive genderist propaganda” and legitimizing same-sex civil partnership. According to the participants of the protest, the Istanbul Con-

²³ J. Rak, *From Mobilization to Demobilization: Dynamics of Contention in the Austerity-driven Slovenia*, “Środkowoeuropejskie Studia Polityczne” 2018, vol. 3, p. 55; see also: K. Rezmer-Płotka, *Policing Civil Disorder in Pandemic-Driven Bulgaria*, “Political Life” 2022, vol. 3, pp. 58–59.

vention was more than just “a document of the Council of Europe aimed at fighting violence against women”²⁴. The demonstration was held in accordance with the law, under which “public events remain restricted under quarantine rules, they do not apply to political rallies”. As Vilnius Municipality spokesman Karolis Vaitkevičius pointed out, “the right to peaceful assembly can only be restricted under exceptional circumstances, such as in the state of war. However, participants are still expected to observe social distancing rules and should wear face masks”. Similar slogans were proclaimed at rallies organized in June²⁵.

In July 2021, demonstrators took to the streets of Klaipėda and Dieveniškės, expressing their opposition to the government’s migration policy. Protests were also held on the Belarusian border. On 26 July 2021, during the rally at the Rūdinkai military training ground, the protesters set tyres on fire and injured two officers. On 29 July, approximately 400 people gathered outside the government building to protest against plans to establish a migrant camp in Dieveniškės²⁶.

The most serious riots, which included fighting the police, took place during the protest against vaccinations on 10 August 2021. The protesters objected to the introduction of new coronavirus restrictions, such as the so-called “opportunity passport”²⁷, Lithuania’s national immunity certificate, or the European equivalent, which was required to access a range of services, including shopping malls, restaurants and cafes, or public events²⁸. Makeshift gallows

²⁴ G. Vitkauskas, *Police Gear up for Another Anti-vaxx Rally in Vilnius, Intent on Preventing Riot Repeat*, 2021, August 25, <https://www.lrt.lt/en/news-in-english/19/1475571/police-gear-up-for-another-anti-vaxx-rally-in-vilnius-intent-on-preventing-riot-repeat> (17.03.2023).

²⁵ J. Šuliokas, *Planned Rally against ‘Genderist Propaganda’ Electrifies Lithuania*, 2021, May 12, <https://www.lrt.lt/en/news-in-english/19/1407354/planned-rally-against-genderist-propaganda-electrifies-lithuania> (21.03.2023).

²⁶ D. Platūkytė, *Deep Dive into Lithuania’s Emerging Protest Culture*, 2022, August 22, <https://www.lrt.lt/en/news-in-english/19/1472661/deep-dive-into-lithuania-s-emerging-protest-culture> (17.03.2023).

²⁷ The Opportunity Pass (Galimybų Pasas) was suspended on 5 February 2022. See: M. Gaučaitė-Znutienė, *Lithuania Suspends Covid Certificates – What You Need to Know*, 2022, February 5, <https://www.lrt.lt/en/news-in-english/19/1605682/lithuania-suspends-covid-certificates-what-you-need-to-know> (17.03.2023).

²⁸ A. Stankevičius, S. Jakučionis, *Several Thousand in Vilnius Protest Vaccination Pass, Erect Gallows for ‘Traitors’*, 2021, August 10, <https://www.lrt.lt/en/news-in-english/19/1466067/several-thousand-in-vilnius-protest-vaccination-pass-erect-gallows-for-traitors> (23.03.2023);

were built outside the National Library near the parliament building with the inscription “For Lithuania’s Traitors”²⁹. The demonstrators remained outside the Seimas, blocking the exits from the parliament and the driveway into the building’s internal courtyard. They were throwing stones, bottles and flares at police officers and the vehicles in which politicians were evacuated. The mob shouted slogans such as “Stop discrimination,” “F**k the National Certificate” and chanted “Disgrace, disgrace”³⁰. The new law was seen as discriminating and its opponents even went as far as to compare it to the Nazi persecution of Jews.

One of the protesters argued: “We need to protect the state, the Constitution, to defend our rights, the right to have a free choice. We have to fight for our rights not to be restricted, irrespective of whether a person wants to get vaccinated or not. Finally, vaccination means taking part in an experiment”. According to the demonstrators, the government did not care about citizens and vaccinations led to the segregation of people.

During the demonstration organized by Astra Genovaitė Astrauskaitė and other opposition politicians, MP Dainius Kėpenis read a statement of the Lithuanian Farmers and Greens Union, the biggest opposition party: “We call for renouncing the strategy of intimidating people and, instead of using a rhetoric that divides the public into two Lithuanias – vaccinated and non-vaccinated – we call for an adequate public vaccination promotion campaign based on science and positive motivation”³¹.

A five-thousand strong crowd surrounded the parliament building, not letting parliament members to leave. The demonstrators demanded the dissolution of the parliament and the resignation of the government. During the protest, they used pyrotechnical devices. Several of them got injured (eight participants of the demonstration also needed medical assistance)³². 18 officers – 12 police officers and six officers of the Public Security Service (VST) – were also injured.

LRT.lt, Lithuania Looks to Bar Unvaccinated People from Non-essential Shops and Services, 2021, <https://www.lrt.lt/en/news-in-english/19/1462820/lithuania-looks-to-bar-unvaccinated-people-from-non-essential-shops-and-services> (23.03.2023).

²⁹ A. Stankevičius, S. Jakučionis, *op.cit.*

³⁰ *Ibidem.*

³¹ *Ibidem.*

³² LRT.lt, *Protesters Clash with Police as Rally Outside Lithuanian Parliament Turns Violent*, 2021, <https://www.lrt.lt/en/news-in-english/19/1466554/protesters-clash-with-police-as-rally-outside-lithuanian-parliament-turns-violent> (17.03.2023).

Three of them were taken to hospital to receive surgical help. The mob damaged eight vehicles, too. The police detained 26 rioters³³, who – as Saulius Gagas, the chief of the Vilnius County Police Commissariat, said – “took unlawful action, damaged police vehicles, caused physical pain to officers, and hurled stones at an ambulance”³⁴. As a result of investigation, several participants of the demonstration were charged with the illegal possession of firearms and ammunition. 85 people were ordered not to leave the country and to report to the police at regular intervals”³⁵. Moreover, as the chief prosecutor of the Vilnius Regional Prosecutor’s Office Justas Laucius said, “one person was accused of organizing the riot, as specified in Art. 283 sec. 2 and 1 of the Criminal Code and was also charged with public incitement to violate the sovereignty of the Republic of Lithuania”³⁶. The police also detained the leaders of the protest, including Antanas Kandrotas, an Internet personality, also known as Celofanas (Cellophane)³⁷. One of the participants of the protest in August wrote on Telegram that he and his friends and colleagues had been infected with the SARS-CoV-2 virus through the tear gas fired by the police. The police responded to this accusation on their official Facebook profile in the following way: “If the police used gas with the coronavirus, then we would like to reassure that next time (if needed) we will use gas with vaccines”³⁸. It should also be added that on 4 Sep-

³³ BNS, *Lithuanian Prosecutors Seek Arrest Warrants for 26 Suspects in Riot Case*, 2021, <https://www.lrt.lt/en/news-in-english/19/1467704/lithuanian-prosecutors-seek-arrest-warrants-for-26-suspects-in-riot-case> (17.03.2023).

³⁴ BNS, *Police Detain 26 People During Riots Outside Lithuanian Parliament, 18 Officers Injured*, 2021, <https://www.lrt.lt/en/news-in-english/19/1466717/police-detain-26-people-during-riots-outside-lithuanian-parliament-18-officers-injured> (16.03.2023).

³⁵ BNS, *Eighty-five Named Suspects in August Riot Near Lithuanian Parliament*, 2021, <https://www.lrt.lt/en/news-in-english/19/1535216/eighty-five-named-suspects-in-august-riot-near-lithuanian-parliament> (17.03.2023).

³⁶ I. Steniulienė, *One Person Accused of Organising August 2021 Riot at Lithuanian Parliament*, 2023, January 9, <https://www.lrt.lt/en/news-in-english/19/1862709/one-person-accused-of-organising-august-2021-riot-at-lithuanian-parliament> (16.03.2023).

³⁷ BNS, *Police Detain Three Leaders of August Riot Outside Lithuanian Parliament*, 2021, <https://www.lrt.lt/en/news-in-english/19/1492501/police-detain-three-leaders-of-august-riot-outside-lithuanian-parliament> (17.03.2023).

³⁸ Baltic News Network, *Vilnius Protest Claim of Getting Virus from Tear Gas Joked about by Lithuanian Police*, 2021, August 20, <https://bnn-news.com/vilnius-protest-claim-of-getting-virus-from-tear-gas-joked-about-by-lithuanian-police-227567> (17.03.2023).

tember 2021 the Lithuanian Family Movement (LFM) organized a counter – demonstration in response to a first-ever LGBTQ march in Kaunas³⁹.

The same organization held a big rally on 10 September 2021 against the restrictions for those who did not have immunity certificates, the requirement to wear face masks at schools and other measures to contain the spread of the pandemic. It also protested against the initiative to introduce gender-neutral civil partnership and the ratification of the Istanbul Convention⁴⁰. The demonstrators held Lithuanian national flags and banners with slogans “No to animal passports” or “George Soros out of Lithuania”.

During the protest, the organizers played the videorecording of the greeting from the representatives of the Fidesz, the party of Hungarian Prime Minister Viktor Orbán. A German politician from the right-wing AfD party also spoke to the crowd. According to the demonstrators, “issues such as the immunity certificate or the ratification of the Istanbul Convention, which divide the society, should be put up for referendum”. They also expressed their opposition to “mandatory vaccination and teaching about homosexuality”. The participants sent up smoke flares, but the demonstration ran without any major incidents. A few people were inquired in connection with the possession of pyrotechnical devices⁴¹.

Povilas Aleksandravičius, associate professor at the Faculty of Human and Social Studies at Mykolas Romeris University pointed out, “Many of the rallies and riots of the last decade were the effect of a common sense of uncertainty. There are ongoing processes in the world that people find hard to understand, and, thus, they are afraid of them. The new global order is in the making. The old models of living and social systems that existed in the 20th century, are collapsing or assuming new forms”. [What is more], according to Aleksandravičius, “Advanced technologies open up possibilities that a common person can barely comprehend, but

³⁹ L. Jegelevičius, *Tensions Grip Lithuania, but Will They Trigger Rise of Nationalists?*, 2021, September 2, <https://bnn-news.com/bnn-analyses-tensions-grip-lithuania-but-will-they-trigger-rise-of-nationalists-227974> (21.03.2023).

⁴⁰ BNS, *Several Thousand Rally Against Covid Policies and LGBT Rights in Central Vilnius*, 2021, <https://www.lrt.lt/en/news-in-english/19/1493156/several-thousand-rally-against-covid-policies-and-lgbt-rights-in-central-vilnius> (21.03.2023).

⁴¹ *Ibidem*.

there are also loads of strange fantasies about it. What is most important is that the attitudes of consciousness are changing. The values of tomorrow will not be the same as they were in the 20th century⁴². Aleksandra-vičius adds “organizations are weak in Lithuania, and, therefore, rallies are more spontaneous, being organized by individuals. This complicates negotiations, as Ramonaitė noted⁴³.”

IV. Police action during demonstrations

The authors of the Human Rights Report 2020 (HRR) indicate that the Constitution of the Republic of Lithuania of 25 October ensures “the freedoms of peaceful assembly and association, and the government generally respected these rights, except for some organizations associated with the Soviet period⁴⁴. Under art. 36 of the Lithuanian fundamental law, “Citizens may not be prohibited or hindered from assembling unarmed in peaceful meetings. This right may not be limited otherwise than by law and only when this is necessary to protect the security of the State or society, public order, the health or morals of people, or the rights or freedoms of other persons⁴⁵.”

According to HRR 2020/2021, in Lithuania, “The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements⁴⁶. What is more, “Except for persons arrested while committing a crime, warrants are generally required for arrests,

⁴² D. Platūkytė, *op.cit.*

⁴³ *Ibidem.*

⁴⁴ U.S. Department of State, *2020 Country Reports on Human Rights Practices: Lithuania*, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/lithuania> (19.03.2023); U.S. Department of State, *2021 Country Reports on Human Rights Practices: Lithuania*, n.d., <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/lithuania> (19.03.2023).

⁴⁵ *Lithuania's Constitution of 1992 with Amendments through 2019*, 2021, <https://faolex.fao.org/docs/pdf/lit129855.pdf> (17.03.2023).

⁴⁶ U.S. Department of State, *2020 Country Reports...*; U.S. Department of State, *2021 Country Reports...*; Konstytucja Republiki Litewskiej, https://biblioteka.sejm.gov.pl/wp-content/uploads/2016/01/Litwa_pol_010711.pdf, art. 20 (17.03.2023).

and judges may issue them only upon the presentation of reliable evidence of criminal activity. The police may detain suspects for up to 48 hours before formally charging them. Detainees have the right to be informed of the charges against them at the time of their arrest or their first interrogation. The government generally observed these requirements⁴⁷.

In emergency situations, it is especially important that the role and tasks of the police should be clearly defined. Owing to properly prepared and implemented powers, the police gained social legitimacy and support for their actions, including those within the scope of their new rights. According to David Sheldon, “regulations need to be implemented proportionately, fairly and without discrimination to prevent feelings of over- and unjust policing”⁴⁸. It is emphasized in the literature, that the police are “seen as a legitimate power holder, and that the use of their power is implemented in a fair and just way”⁴⁹.

The activity of the police, including their tactics and methods, are the subject of research of many scholars⁵⁰. There were a lot of studies the authors of which justify the thesis that there is a close link between the dynamics of crowd violence and public order policing. The following studies are worth mentioning here: Waddington⁵¹, P.A.J. Waddington⁵², Jefferson⁵³, M. King and D. Waddington⁵⁴.

⁴⁷ U.S. Department of State, *2020 Country Reports...*; U.S. Department of State, *2021 Country Reports...*

⁴⁸ D. Sheldon, *Policing the Pandemic: Maintaining Compliance and Legitimacy During Covid-19*, “King’s Law Journal” 2021, vol. 32, iss. 1, p. 25, <https://doi.org/10.1080/09615768.2021.1889809> (19.03.2023).

⁴⁹ *Ibidem*, p. 16.

⁵⁰ Among others: J. Earl, S.A. Soule, *Seeing Blue: A Police-Centered Explanation of Protest Policing*, “Mobilisation: An International Quarterly” 2006, vol. 11, no. 2; J. Earl, S.A. Soule, J.D. McCarthy, *Protest under Fire? Explaining the Policing of Protest*, “American Sociological Review” 2003, vol. 68, no. 4.

⁵¹ D. Waddington, *Policing Public Disorder: Theory and Practice*, Cullompton 2007.

⁵² P.A.J. Waddington, *Towards Paramilitarism? Dilemmas in Policing Civil Disorder*, “British Journal of Criminology” 1987, vol. 27; idem, *Strong Arm of the Law: Armed and Public Order Policing*, Oxford 1991.

⁵³ T. Jefferson, *The Case against Paramilitary Policing*, Buckingham 1990.

⁵⁴ M. King, D. Waddington, *Coping with Disorder? The Changing Relationship between Police Public Order Strategy and Practice. A Critical Analysis of the Burnley Riot*, “Policing & Society” 2004, vol. 14, no. 2; D. Waddington, M. King, *The Disorderly Crowd: From Classical*

What is particularly important in the context of the activity of the police in emergency situations are the findings of Donatelli della Porta and Herbert Reiter, who distinguish between policing protest styles across democratic systems, using the typology based on nine criteria. Thus, there are the following models of escalated force and negotiated management: 1) the degree of force used by police (brutal/soft), 2) the number of prohibited behaviours (repressive/tolerant), 3) the number of repressed groups (diffused/selective), 4) the police's respect for the law (illegal/legal), 5) the timing of law enforcement (reactive/preventive or pre-emptive), 6) the degree of communication with demonstrators (confrontational/consensual), 7) the degree of "adaptability" understood as the capacity to adjust to emerging situations (rigid/flexible), 8) the degree of formalisation of the rules of the game (informal/formal), 9) the degree of "preparation" (artisanal or improvised/professional)⁵⁵.

It should be stressed that in the literature on the subject scholars focus on the analysis of activities undertaken by the police and other state entities in order to curb public protests with the use of so-called hard repression, i.e., coercion, threats, bullying or surveillance. Among the particularly significant research here are the studies of Christian Davenport⁵⁶, Christian Davenport, Hank Johnston and Carol Mueller⁵⁷, Jennifer Earl⁵⁸ or Myra Marx Ferree⁵⁹.

Soft repression refers to the use of subtler, more peaceful techniques in order to de-escalate and marginalize resistance movements. Marx Ferree⁶⁰ distinguishes three loose and possibly overlapping categories of soft repres-

Psychological Reductionism to Socio-Contextual Theory. The Impact on Public Order Policing Strategies, "Howard Journal" 2005, vol. 44, no. 5.

⁵⁵ D. della Porta, H. Reiter, *The Policing of Protest in Western Democracies* [in:] *Policing Protest: The Control of Mass Demonstrations in Western Democracies*, eds. D. della Porta, H. Reiter, Minneapolis–London 1998, p. 4.

⁵⁶ Ch. Davenport, *How Social Movements Die: Repression and Demobilization of the Republic of New Africa*, New York 2015.

⁵⁷ *Repression and Mobilization*, eds. Ch. Davenport, H. Johnston, C. Mueller, Minneapolis 2005.

⁵⁸ J. Earl, *Tanks, Tear Gas, and Taxes: Toward a Theory of Movement Repression*, "Sociological Theory" 2003, vol. 21, no. 1.

⁵⁹ M. Marx Ferree, *Soft Repression: Ridicule, Stigma, and Silencing in Gender-Based Movements* [in:] *Authority in Contention*, eds. D.J. Myers, D.M. Cress, Bingley 2004.

⁶⁰ *Ibidem*, p. 142.

sion: ridicule, stigma and silencing⁶¹. James Hoggett and Clifford Stott have indicated that police tactics can and do have the capacity to negatively impact upon crowd dynamics⁶².

Jan Jämte and Rune Ellefsen point out that after 11 September 2001 attacks in New York, “measures are being used to channel protests in new directions, to affect the public opinion of protestors, and to hinder mobilization through the discursive forms of soft repression, such as labelling and stigmatization”⁶³. We observe a retreat from the forms of repression based on coercion toward more communicative and negotiation policing, the evolution from ‘reactive’ policing grounded in threat and the use of force to more ‘proactive’ activities⁶⁴, from ‘escalated force’ towards ‘negotiated management’⁶⁵. Researchers indicate that soft repression actions are the most effective on the individual level. They trigger self-control on the part of activists, which makes it difficult for protesters to act and mobilize⁶⁶. What is more, as Donatella della Porta points out, soft repression may produce “backfire effects,” which will cause the further radicalization of the most active, militant groups of activists, organizing their operations with the use of increasingly exclusive and clandestine form⁶⁷.

The existing body of literature provides evidence that repressions against social movements are a decisive factor in their mobilization, creating new levels of civil disobedience⁶⁸. Scholars argue that the use of excessive repressive measures often increases the costs of protests and can be counterproductive. In some cases, however, repressions may lead to the demobilization or derad-

⁶¹ J. Jämte, R. Ellefsen, *The Consequences of Soft Repression*, “Mobilization: An International Quarterly” 2020, vol. 25, no. 3, p. 385, <https://meridian.allenpress.com/mobilization/article/25/3/383/444169/THE-CONSEQUENCES-OF-SOFT-REPRESSION> (17.03.2023); M. Marx Ferree, *Soft Repression...*

⁶² J. Hoggett, C. Stott, *The Role of Crowd Theory in Determining the Use of Force in Public Order Policing*, “Policing and Society: An International Journal of Research and Policy” 2010, vol. 20, iss. 2, p. 224, <https://doi.org/10.1080/10439461003668468> (21.03.2023).

⁶³ J. Jämte, R. Ellefsen, *op.cit.*, p. 383.

⁶⁴ J. Hoggett, C. Stott, *op.cit.*, p. 224.

⁶⁵ D. Waddington, *op.cit.*, p. 10.

⁶⁶ J. Jämte, R. Ellefsen, *op.cit.*, p. 384.

⁶⁷ *Ibidem*; D. della Porta, *Clandestine Political Violence*, New York 2013.

⁶⁸ J. Hoggett, C. Stott, *op.cit.*, p. 225.

icalization of protests – the causes have a complex and multi-aspect character and are directly related to, among others, the dynamics of protest forms, the measures taken by security services and their tactics, or the level of police knowledge⁶⁹.

“Protest policing styles draw upon the differentiation between tactics that range from coercion to negotiation”⁷⁰. In the literature, it is assumed that in the escalation model the police radically limit the right to organize and participate in peaceful gatherings. The police do not actually cooperate with protest groups and, as a rule, there is no communication in this field. What is more, coercive control methods are used against demonstrators. In the negotiation model of conflict management, in turn, the police acknowledge the constitutional right to peaceful assembly and communicate with protesters through peaceful measures, at the same time avoiding coercion⁷¹. Having examined the ways the police manage conflicts, Joanna Rak came up with the third, hybrid model of protest policing, which combines the characteristics of the two previous models, differing from them only in its configuration⁷².

It should be stressed that in the first year of the pandemic, Human Rights Watch reported a lot of excessive or disproportionate police activities related to these extended powers⁷³. As Murray Lee indicates, “when the COVID-19 pandemic broke out in 2020, a number of public health orders were issued to restrict civil activity, including protests. Thus, the police entered the period which could be referred to as the ‘state of emergency’”⁷⁴.

⁶⁹ Ch. Tilly, S. Tarrow, *Contentious Politics*, New York 2007.

⁷⁰ J. Rak, *Policing Anti-government Protests...*, p. 600; see also: P. Wang, P. Joosse, L.L. Cho, *The Evolution of Protest Policing in a Hybrid Regime*, “The British Journal of Criminology” 2020, vol. 60, no. 6.

⁷¹ D. della Porta, H. Reiter, *The Policing of Global Protest: The G8 at Genoa and its Aftermath* [in:] *The Policing of Transnational Protest*, eds. D. della Porta, A. Peterson, H. Reiter, Hampshire–Burlington 2006, p. 13.

⁷² J. Rak, *Theorizing Cultures of Political Violence in Times of Austerity: Studying Social Movements in Comparative Perspective*, London–New York 2018, p. 96.

⁷³ M. Lee, *op.cit.*, p. 159.

⁷⁴ *Ibidem*; see also: Human Rights Watch, World Report 2020. Events of 2019, <https://www.hrw.org/world-report/2020> (16.03.2023); G. Agamben, *State of Exception*, Chicago 2005.

Pandemic-related changes in legislation, while implemented for the protection of public health, defined the new, complex tasks of the police in the sphere of public order. As Maciej Kowalewski indicates, the pandemic and the regulations such as the stay-at-home order entail the need to adapt the existing tactics and/or the use of innovative tools in conflict resolution⁷⁵.

What undoubtedly plays an extremely important role in police operations are proper risk assessment and de-escalating actions, which help to maintain peace and order during protests. Anne Nassauer distinguishes four measures the application of which allows calming emotions and securing demonstrations in a peaceful way. They include: full communication and effective police management system; respecting territorial borders; avoiding escalation signs; proper recognition of the emotional dynamics of outbreaks of violence⁷⁶.

Demonstrations held in Lithuania were secured by the police, which rigorously upheld the introduced regulations restricting the freedom of assembly. Those who breached them were fined or even detained. For example, during the riots in Vilnius on 10 August 2021, the police used the following measures: pushing back a crowd by force (under the Law on Assembly, rallies are not allowed within 75 metres of the parliament building); an investigation into organising the riot; arresting aggressive protesters; tear gas; putting up fences around the parliament building before the protests⁷⁷.

Agnė Bilotaitė, the Minister of the Interior, assessed that during the August riots “the police and Public Security Service officers avoided ‘critical mistakes’ and responded adequately to the situation and the information available at the time”. The police chief, in turn, said: “the officers used the so-called ‘Scandinavian model’ of de-escalating the situation and avoiding the use of force. This model will be employed in the future as well”⁷⁸.

⁷⁵ M. Kowalewski, *op.cit.*, p. 758.

⁷⁶ A. Nassauer, *Effective Crowd Policing: Empirical Insights on Avoiding Protest Violence*, “*Policing: An International Journal of Police Strategies & Management*” 2015, vol. 38, no. 1; R. Ellefsen, *The Unintended Consequences of Escalated Repression*, “*Mobilization: An International Quarterly*” 2021, vol. 26, no. 1.

⁷⁷ A. Masiokaitė-Liubinienė, *Police Launch Three Probes after August 10 Riot near Lithuanian Parliament*, 2021, August 26, <https://www.lrt.lt/en/news-in-english/19/1476391/police-launch-three-probes-after-august-10-riot-near-lithuanian-parliament> (16.03.2023).

⁷⁸ *Ibidem*.

During a lot more peaceful demonstration that took place on 10 September 2021, when 5,000 people gathered in Vilnius, the police used the following measures: two people were taken to the courtyard of the nearby Ministry of the Interior for questioning in connection with the possession of pyrotechnical devices; protective barriers were put up around the parliament building and a few surrounding streets were closed for traffic; the Lithuanian State Security Department warned about the increased risk of violence during the protest⁷⁹.

As Linas Eriksonas accurately points out, during the protests in Lithuania, organized “under the banner of defending individual rights, all sorts of grievances were voiced – from resistance to pandemic-related restrictions through opposition to the planned Law on Partnerships for all citizens, including the LGBT community, to the direct criticism of governmental public health policies and even foreign policy issues. Although the protest movement died out towards the end of September, it revealed that the political spectrum of the parliamentary parties did not fully reflect a wide array of views to be found in the society⁸⁰.

V. Conclusions

Monika Garbačiauskaitė-Budrienė describes the global health crisis caused by the SARS-CoV-2 virus as “a great example of people’s solidarity in the face of the pandemic, which, however, was also associated with social tensions”⁸¹.

Strategies formulated during the pandemic crisis, reflected in law regulations adopted by governments, varied across countries. They first of all included new arrangements for the functioning of society in an emergency situation, such as monitoring citizens’ activities, social distancing and stay-at-home regulations. All these restrictions triggered mass protests⁸².

⁷⁹ BNS, *Several Thousand Rally...*

⁸⁰ L. Eriksonas, *op.cit.*, p. 3.

⁸¹ M. Garbačiauskaitė-Budrienė, *Public Media and Democracy in Turbulent Times – Lessons from Lithuania*, 2022, January 7, <https://www.ebu.ch/news/2022/01/public-media-and-democracy-in-turbulent-times--lessons-from-lithuania> (17.03.2023).

⁸² M. Kowalewski, *op.cit.*, p. 762.

Research shows that “members of the political class in Lithuania agreed with their counterparts in all other EU Member States on three issues, namely, they leaned towards prioritizing the means for containing the virus but not at a great cost to economy; they were ambivalent about European integration and took a rather moderate position with regard to a fiscal union; and they were definitely in favour of scientific guidance and its role in policymaking, at least with respect to combatting the pandemic and measures to be taken”⁸³. Mass protests in August and September 2021, however, exposed mistakes in the government’s strategy of communication with the society, which led to growing tensions and people’s loss of confidence in authorities. Populist politicians of the non-parliamentary opposition as well as the representatives of nationalist and radical groups took advantage of this situation, addressing their slogans to unhappy citizens and exerting pressure both on the government and the parliamentary opposition.

There is no doubt – as D. Mead points out – that “the pandemic has highlighted the critical nature of police-public communications”. What is more, mistakes in communication and the lack of transparent and updated information about the introduced restrictions and bans often led to confusion and misunderstandings, making it difficult for citizens to use their legitimate freedoms and rights in this complicated pandemic situation. This contributed to growing tensions in the society and its susceptibility to conspiracy theories and populist slogans”⁸⁴. It should be emphasized, however, that protests organized during the pandemic sanitary crisis in Lithuania were a manifestation of people’s disappointment with the governing elites and democracy, as well as a reinforced sense of solidarity⁸⁵, based on joint action, which – as Geoffrey Pleyers puts it – constitutes the “seeds of future democratic revolutions and processes”⁸⁶. This attitude was reflected in the joint statement of Lithuanian media on fighting Internet misinformation about vaccinations. In February 2022, Arnas Marcinkus, the resident of the Lithuanian Online

⁸³ L. Eriksonas, *op.cit.*, p. 3.

⁸⁴ D. Mead, *op.cit.*, p. 106.

⁸⁵ J.A. Perković, T. Učakar, *Economic Crisis and the Crisis of National Identity in Slovenia: Toward A New Notion of Social Order*, “Nationalities Papers: The Journal of Nationalism and Ethnicity” 2017, vol. 45, no. 2, p. 304.

⁸⁶ G. Pleyers, *op.cit.*, p. 301.

Media Association, informed the public opinion that Lithuania's largest news outlets reached an agreement and "will remove public comments from their websites to combat COVID-19 misinformation. [...] We are showing solidarity with the state and society in the joint effort to neutralize the misinformation spread by anti-vaxxers. The success of the vaccination campaign must be our common cause, without excluding the government or the media. We all need solutions to get out of the pandemic" – said Marcinkus⁸⁷.

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⁸⁷ D. Darnel, *Lithuanian News Websites Delete Public Comments to Prevent COVID-19 Misinformation*, 2022, February 15, <https://www.ackilligundem.com/lithuanian-news-websites-delete-public-comments-to-prevent-covid-19-misinformation/?ajax=1> (19.03.2023).

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