

= Act of Independence of Lithuania =

The Act of Reinstating Independence of Lithuania (Lithuanian : Lietuvos Valstybės atkūrimo aktas) or Act of February 16 was signed by the Council of Lithuania on February 16 , 1918 , proclaiming the restoration of an independent State of Lithuania , governed by democratic principles , with Vilnius as its capital . The Act was signed by all twenty representatives of the Council , which was chaired by Jonas Basanavičius . The Act of February 16 was the result of a series of resolutions on the issue , including one issued by the Vilnius Conference and the Act of January 8 . The path to the Act was long and complex because the German Empire exerted pressure on the Council to form an alliance . The Council had to carefully maneuver between the Germans , whose troops were present in Lithuania , and the demands of the Lithuanian people .

The immediate effects of the announcement of Lithuania 's re @-@ establishment of independence were limited . Publication of the Act was prohibited by the German authorities , and the text was distributed and printed illegally . The work of the Council was hindered , and Germans remained in control over Lithuania . The situation changed only when Germany lost World War I in the fall of 1918 . In November 1918 the first Cabinet of Lithuania was formed , and the Council of Lithuania gained control over the territory of Lithuania . Independent Lithuania , although it would soon be battling the Wars of Independence , became a reality .

While the Act 's original document has been lost , its legacy continues . The laconic Act is the legal basis for the existence of modern Lithuania , both during the interwar period and since 1990 . The Act formulated the basic constitutional principles that were and still are followed by all Constitutions of Lithuania . The Act itself was a key element in the foundation of Lithuania 's re @-@ establishment of independence in 1990 . Lithuania , breaking away from the Soviet Union , stressed that it was simply re @-@ establishing the independent state that existed between the world wars and that the Act never lost its legal power .

= = Historic background and Council of Lithuania = =

Lithuania had a centuries long tradition of statehood following the coronation of Mindaugas the King of Lithuania .

After the last Partition of the Polish @-@ Lithuanian Commonwealth in 1795 , Lithuania was annexed by the Russian Empire . During the 19th century , both the Lithuanians and the Poles attempted to restore their independence . Lithuanians rebelled during the 1830 November Uprising and the 1863 January Uprising , but their first real opportunity arose when both Russia and Germany were weakened during World War I.

In 1915 , Germany occupied western parts of the Russian Empire . After the Russian Revolution in 1917 , Germany conceived the geopolitical strategy of Mitteleuropa ? a regional network of puppet states that would serve as a buffer zone ? and agreed to allow the Vilnius Conference , hoping that it would proclaim that the Lithuanian nation wanted to detach itself from Russia and establish a closer relationship with Germany . However , this strategy backfired ; the conference , held from September 18 ? 22 of 1917 , adopted a resolution that an independent Lithuania should be established and that a closer relationship with Germany would be conditional on Germany 's formal recognition of the new state . On September 21 , the 214 attendees at the conference elected a 20 @-@ member Council of Lithuania to codify this resolution . The German authorities did not allow that resolution to be published , but they did permit the Council to proceed . The Vilnius Conference also resolved that a constituent assembly be elected " in conformity with democratic principles by all the inhabitants of Lithuania " .

= = Path to the Act of February 16 = =

= = = Act of December 11 = = =

The Act of December 11 was the second stage in the progression towards the final Act of Independence . The first draft , demanded by chancellor Georg von Hertling , was prepared by the German Ministry of Foreign Affairs on December 1 . Further changes were jointly prepared by the German chancellery and by a delegation of the Council of Lithuania . The delegation 's members were Antanas Smetona , Steponas Kairys , Vladas Mironas , Jurgis ?aulys , Petras Klimas and Aleksandras Stulginskis . After discussion amongst the parties , a compromise was reached on the document 's text . The German representative , Kurt von Lersner , insisted that not one word be changed in the agreed @-@ upon text and that all the Council members sign the document .

After the delegation returned to Vilnius , a session of the Council was held on December 11 in order to discuss the Act . It was adopted without any further changes . Fifteen voted in favor of the Act , three voted against it , one member abstained , and one did not participate . It is not entirely clear whether every member of the Council signed this document . The Act was written in German , and apparently no official Lithuanian translation was prepared . Therefore , different sources provide slightly different translations . The Act of December 11 pronounced Lithuania 's independence , but also asked German government for protection (clause 2) and called for " a firm and permanent alliance " with Germany . Since the Act specified that the alliance was to be formed based on conventions concerning military affairs , transportation , customs , and currency , many Lithuanians argued that the Council had overstepped its authority : the September resolution adopted by the Vilnius Conference clearly demanded that a constituent assembly decide these crucial matters of state .

= = = Act of January 8 = = =

When peace talks started between Germany and Russia in 1918 , German authorities asked the Lithuanian representatives to prepare two notifications of independence ? one for Russia , in which Lithuania 's ties with Russia would be denounced and nothing would be mentioned about an alliance with Germany , and a version to be released in Germany that would essentially repeat the Act of December 11 . The Council decided to amend the first part of the Act of December 11 . Petras Klimas included a sentence calling for the Constituent Assembly . Another important development was the statement that democratic principles would be the basis of the new state 's governance , something that was declared by the Vilnius Conference , but omitted in the Act of December 11 . The second part , mentioning the " firm and permanent alliance with Germany " , was completely omitted . Its final version was approved on January 8 , 1918 , the day that U.S. President Woodrow Wilson announced his Fourteen Points . In its essence , the Act of January 8 did not differ from the Act of February 16 .

However , Ober Ost , the German military administration , rejected the changes . On January 26 , in compliance with the earlier request , the two versions of the notification were approved , but they did not include the changes of January 8 . The texts were prepared based on the Act of December 11 . These concessions to the Germans created tensions among the council members . Four members ? Mykolas Bir?i?ka , Steponas Kairys , Stanis?aw Narutowicz and Jonas Vilei?is ? resigned from the Council in protest . Chairman Antanas Smetona , who supported the Act of December 11 , stepped down . Jonas Basanavi?ius , who would later be called the patriarch of independence , was elected chairman .

= = = Act of February 16 = = =

Germany failed to recognize Lithuania as an independent state , and the Lithuanian delegation was not invited to the Brest @-@ Litovsk negotiations that started on December 22 , 1917 between the Central Powers and Russia in order to settle territorial claims . During the first and final official joint session between the Council and the German authorities , it was made clear that the Council would serve only as an advisory board . This situation gave additional backing to those Council members who were seeking independence without any ties to other countries . The prime concern at this point was to invite back those members who had left the Council . Negotiations were undertaken that led

to the reformulation of previous versions of the Act .

The four withdrawn members demanded that the Council return to the Act of January 8 and omit the mention of any alliance with Germany . After heated debates that lasted for several weeks , on February 15 , at 10 o 'clock am , the new revision of the Act was ready . It included , with minor stylistic changes , wording of the Act of January 8 and promulgation and notification , drafted on February 1 . Promulgation and notification do not carry legal weight and do not change the meaning of a legal document . The Council , including the withdrawn members , was invited to return the next day for its finalization . On the next day , February 16 , 1918 , at 12 : 30 pm , all twenty Council members met in the room of Lithuanian Committee for Support of the War Victims , at 30 Didžioji Street in Vilnius . The building has since been known as the House of the Signatories (Lithuanian : signatarų namai) and houses a museum . The Council first voted to approve the first part , the first two paragraphs up to the word drauge , of the Act . This section was approved unanimously . The second part , however , did not receive support from the four withdrawn members because they were not satisfied with the word " finally " in describing the duties of the Constituent Assembly (in " ... the foundation of the Lithuanian State and its relations with other countries will be finally determined by the Constituent Assembly ... ") . They were afraid that this word would give a pretext for the Council to usurp the powers of the Constituent Assembly , while the majority argued that the word simply expressed the non-negotiable and non-appealable nature of the future Assembly 's decisions . Therefore , the Act was unanimously approved en bloc but did not have full pledged support from all twenty men .

= = Final text of the Act = =

= = Path to the Act : graphic representation = =

Note : the colors of the functional sections correspond to the colored lines in the original text above .

= = Aftermath = =

= = = Lithuania = = =

Soon after the signing , the Act was taken to Germany and handed to parties in the Reichstag . On February 18 , the text was reprinted in German newspapers , including Das Neue Litauen , Vossische Zeitung , Taegliche Rundschau and Kreuzzeitung . In Lithuania a text of the proclamation was prepared for printing in newspapers , particularly in Lietuvos aidas , the Council 's newspaper established by Antanas Smetona ; but the German authorities prohibited this publication . Although the majority of the copies of the issue were confiscated , the newspaper 's editor , Petras Klimas , managed to hide about 60 of them .

On March 3 , 1918 , Germany and the now Bolshevik Russia signed the Treaty of Brest-Litovsk . It declared that the Baltic nations were in the German interest zone and that Russia renounced any claims to them . On March 23 , Germany recognized independent Lithuania on the basis of the December 11 declaration . However , in substance , nothing had changed either in Lithuania or in the Council 's status : any efforts to establish an administration were hindered . This situation changed when the German Revolution started and Germany lost the war in the fall of 1918 ? it was no longer in a position to dictate terms . The Council of Lithuania adopted the first provisional constitution on November 2 . The functions of government were entrusted to a three-member presidium , and Augustinas Voldemaras was invited to form the first Cabinet of Ministers of Lithuania . Complete international recognition took several years ; the US affirmed it on July 28 , 1922 .

=== The Act ===

Two copies of the Act were signed : the original and a duplicate . The original was given to Jonas Basanavičius to safeguard and protect . The original was never published or used in any public matters ; its existence was first mentioned in the press in 1933 . The whereabouts of the original remain unknown . The duplicate was used in day to day business , and was stored in the president 's archives until June 15 , 1940 , the day when Lithuania received an ultimatum from the Soviet Union and lost its independence . After that date the document disappeared . Neither the original nor the duplicate has been located ; historians and adventurers continue to hunt for it . In 2006 , a team of engineers searched the walls of the former house of Petras Vileišis . Two facsimiles of the duplicate were produced , one in 1928 and the other in 1933 . The 1928 facsimile is a closer reproduction of the Act in its original state ; there are spelling errors , and the background is visually " noisy " , while the 1933 facsimile shows the Act in an " improved " condition .

=== The signatories ===

Most of the signatories of the Act remained active in the cultural and political life of independent Lithuania . Jonas Vileišis served in the Seimas and as mayor of Kaunas , temporary capital of Lithuania ; Saliamonas Banaitis was involved in finance , opening several banks . Among the signatories were two future Presidents of Lithuania , Antanas Smetona and Aleksandras Stulginskis . Jonas Basanavičius , chairman of the Council of Lithuania , returned to an academic life , pursuing his research in Lithuanian culture and folklore . Five signatories died before World War II started ; three died during the Nazi occupation . Those who did not emigrate to Western countries became political prisoners after Lithuania was occupied by the Soviet Union .

Aleksandras Stulginskis and Petras Klimas were sent to prison in Siberia by Soviet authorities , but survived and returned to Lithuania ; Pranas Dovydaitis and Vladas Mironas were also sent to Siberia but died there . Kazys Bizauskas disappeared during the summer of 1941 while being transported to a Soviet prison in Minsk ; he is presumed to have been shot along with a number of other prisoners . Donatas Malinauskas was deported to Russia on June 14 , 1941 .

Several of the surviving signatories emigrated . Jurgis Šaulys and Kazimieras Steponas Šaulys died in Switzerland . Antanas Smetona , Mykolas Biržiška , and Steponas Kairys emigrated to the United States and are buried there .

== Legacy ==

The Act of February 16 proclaimed the re-establishment (atstatyti) of the Lithuanian state , making it the successor to the Lithuanian historical state , the Grand Duchy of Lithuania . In this respect the Council deviated from the resolution adopted by the Vilnius Conference which called for establishment (sudaryti) of a Lithuanian state . However , it was made clear that the new state would be quite different from the old Duchy : it was to be organized only in ethnic Lithuanian lands (except for Vilnius region which was majority Polish) and was to be governed by democratic principles , as opposed to the multi-ethnic Duchy that had been ruled by aristocracy . The termination of the ties binding Lithuania to other states was addressed to Germany , Russia , and Poland , all of which had their own plans for the country . Even though not addressed directly , the Act renounced any attempt to resurrect the former Polish-Lithuanian union .

The Act of February 16 , 1918 , is the legal basis for the existence of present-day Lithuania , both during the interwar period and since 1990 . The Act became one of the key elements during the restoration of Lithuania 's independence from the Soviet Union in 1990 . A paragraph in the Act of the Re-establishment of the State of Lithuania , delivered on March 11 , 1990 , stated :

This formulation emphasized the continuity of the two legal Acts . The Act of February 16 , 1918 and its successor , the Act of March 11 , 1990 , are regarded as two of the most important developments of Lithuanian society in the 20th century .

February 16 in Lithuania is now an official holiday . On this day various ceremonies are hosted all

across Lithuania . The 2014 commemoration included laying flowers at the signatories' graves in Rasos Cemetery , awarding the Lithuanian National Prize , the hoisting of the three Baltic States' flags at Daukantas Square , dedicated concerts at Cathedral Square in Vilnius and at the Lithuanian National Philharmonic Society hall , and the lighting of 16 fires along Gediminas Avenue .

In 1992 , an award was established in honor of Jonas Basanavičius , who led the Council of Lithuania when the Act of February 16 was signed . The Jonas Basanavičius Prize is bestowed for distinguished work within the previous five years in the fields of ethnic and cultural studies .