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THESIS

**CHALLENGES TO DEMOCRATIC CIVILIAN CONTROL OF
THE SECURITY SECTOR AND THEIR EFFECTS ON
SECURITY: THE CASE OF FORMER SOVIET
CONSOLIDATING DEMOCRACIES**

by

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June 2021

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SOVIET CONSOLIDATING DEMOCRACIES**

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This comparative case-study analysis of civil-military relations (CMR) in Lithuania and Mongolia reveals similar challenges leading to ineffective and inefficient security governance that undermines public trust and confidence in strategic decisions made by those governments. Although the largely successful democratic transition in those former Soviet states has led to Western-style CMRs well defined in constitutional-legal terms, it has yet to achieve depoliticized security governance due to persisting political, socio-economic, cultural, and security legacies. These legacies, as well as a lack of underdeveloped or unutilized mechanisms and tools, thwart unbiased leadership and transparent management. Civil society in each of the countries studied lacks the essential capacity to contribute not only to effective oversight and public scrutiny, but to a judiciary free from corruption and capable of earning the public's trust. Similarly, the study finds these problems fully correlate with CMR challenges in the Republic of Georgia, another former Soviet state and consolidating democracy. Solutions recommended by this study include increased Western demand and support for further democratic progress, and the exploration of innovative ways to build public trust and confidence in security governance and the democratic way governance in general.

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TABLE OF CONTENTS

I.	INTRODUCTION.....	1
A.	MAJOR RESEARCH QUESTION.....	1
B.	SIGNIFICANCE OF THE RESEARCH QUESTION.....	1
C.	LITERATURE REVIEW	2
1.	Civil-Military Relations in Democracies.....	2
2.	Challenges to Democratic Consolidation in the Former Soviet States.....	5
D.	POTENTIAL EXPLANATIONS AND HYPOTHESES	8
E.	RESEARCH DESIGN	9
F.	THESIS OVERVIEW AND CHAPTER OUTLINE.....	10
 II.	 THE CASE OF LITHUANIA.....	 11
A.	OVERVIEW OF CMR DEVELOPMENTS SINCE INDEPENDENCE AND THE TRANSITION TO DEMOCRACY.....	11
1.	CMR Developments after the Transition	12
2.	The Executive and CMR	21
3.	The Legislature and CMR.....	28
4.	Judicial Review.....	31
5.	Informal Oversight	32
B.	ANALYSIS	32
1.	Requirements for Institutional Control Mechanisms.....	33
2.	Requirements for Oversight.....	34
3.	Requirements for Professional Norms	35
C.	CONCLUSION	35
 III.	 THE CASE OF MONGOLIA.....	 37
A.	OVERVIEW OF CMR DEVELOPMENTS SINCE INDEPENDENCE AND THE TRANSITION TO DEMOCRACY.....	37
1.	CMR Developments after the Transition	38
2.	The Executive and CMR	47
3.	The Legislature and CMR.....	51
4.	Judicial Review.....	53
5.	Informal Oversight	54
B.	ANALYSIS	55
1.	Requirements for Institutional Control Mechanisms.....	56

2.	Requirements for Oversight.....	57
3.	Requirements for Professional Norms	58
C.	CONCLUSION	60
IV.	ANALYSIS AND CONCLUSIONS	61
A.	TESTING THE HYPOTHESES	61
B.	COMPARATIVE SUMMARY.....	63
C.	CORRELATION OF FINDINGS WITH CHALLENGES OF DEMOCRATIC CIVILIAN CONTROL IN GEORGIA	65
1.	The Executive and CMR	67
2.	The Legislature and CMR.....	70
3.	Judicial Review.....	71
4.	Informal Oversight	71
D.	CONCLUSIONS AND RECOMMENDATIONS.....	73
	LIST OF REFERENCES.....	77
	INITIAL DISTRIBUTION LIST	89

LIST OF TABLES

Table 1.	Requirements for Democratic Civilian Control in Lithuania	33
Table 2.	Requirements for Democratic Civilian Control in Mongolia	56
Table 3.	The Applicability of Findings to Hypotheses	62
Table 4.	Requirements for Democratic Civilian Control in Georgia	65

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LIST OF ACRONYMS AND ABBREVIATIONS

CEE	Central and Eastern Europe
CMR	Civil-military relations
CRS	Congressional Research Service
DCAF	Geneva Centre for Security Sector Governance
DIBS	Defense Institution Building School
EU	European Union
GAGAS	Generally Accepted Government Auditing Standards
GAO	Government Accountability Office
GDF	Georgian Defense Forces
GTZ	German Development Corporation
IAAC	Independent Authority for Anti-Corruption
JGC	Judicial General Council
JTEC	NATO Joint Training and Evaluation Center
MND	Ministry of National Defense
NATO	North Atlantic Treaty Organization
NDC	National Defense Council
NDVF	National Defense Volunteer Forces
NGO	Non-governmental organization
NSC	National Security Council
NSDC	National Security and Defense Committee
OSCE	Organization for Security Cooperation in Europe
RSF	Reporters Without Borders
SAI	Supreme Audit Institutions
SDC	State Defense Council
SIS	Special Investigative Service
SNGP	Substantial NATO-Georgia Package
SSD	State Security Department
TI	Transparency International
USAID	United States Agency for International Development
VSND	Voluntary Service of National Defense

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I. INTRODUCTION

A. MAJOR RESEARCH QUESTION

Democratic civilian control over the security sector represents a core concern of the field of modern civil-military relations (CMR) and has largely determined the degree of success of democratic consolidation in post-Soviet space. Most of the former communist states have undergone painful and turbulent transitions from authoritarian rule to Western democratic models—with different degrees of success. Such states as Belarus or Kazakhstan have formed as solid autocracies and personalized regimes, while the Baltic States—Georgia, Mongolia, and Ukraine—are achieving considerable progress in democratic consolidation.

This thesis examines the existing challenges to democratic civilian control over the security sectors in consolidating democracies, focusing on former communist states. It outlines the essential strengths and vulnerabilities embedded in political systems, institutional frameworks, and cultural settings of two consolidating democracies with a significant communist past: Lithuania and Mongolia. Conclusions and recommendations in this thesis also reflect solutions to similar challenges in Georgia—another consolidating democracy with a significant Soviet past and the author’s home nation. **The primary research question of this work is: What are the challenges of democratic civilian control over the security sector?**

B. SIGNIFICANCE OF THE RESEARCH QUESTION

This thesis emphasizes the significance of institutional frameworks, transparent policy development, and implementation oversight as critical dimensions for democratic civilian control and observes a variety of factors leading to vulnerabilities undermining the process of democratic consolidation. The selected countries share a communist past, a continuous effort for democratic consolidation, and even though they are sharply different in terms of particularities of political systems, institutional frameworks, and cultural settings, they struggle with similar post-Soviet legacies that determine the specific character of their CMR. This thesis aims to contribute to the existing scholarship on

democratic civilian control and the process of consolidation in former communist countries. It provides insights for the development of optimal frameworks of democratic civilian control over the security sector, contributing to further analysis in terms of optimization of programs aimed at enhancing democratic consolidation in partner countries by and with the North Atlantic Treaty Organization (NATO), the European Union (EU), or the United States.

C. LITERATURE REVIEW

This literature review explores the scholarly debate on civil-military relations and democratic consolidation. It starts with an overview of the classical and more recent literature that sets essential boundaries of CMR in consolidated and consolidating democracies, as well as scholarly works addressing challenges of democratic consolidation in former Soviet states and contemporary security environments.

1. Civil-Military Relations in Democracies

A distinguished group of scholars argues that democratic civilian control over the armed forces ensures democratic stability. For Samuel P. Huntington, it is the so-called objective civilian control, which he equates to military professionalism that keeps the military away from politics.¹ Huntington, however, does not provide a framework for achieving civilian control and relies on the necessity of acceptance of civilian supremacy by the professional military. Peter Feaver also recognizes the importance of civilian control, which he explains using the “principal-agency theory” originally developed by economists. Feaver applies this approach to CMR in an attempt to determine causal relationships embedded in bureaucratic politics or relations between different branches of power.² Feaver argues that decisions and attitude of the military (the agent) significantly depend on anticipation of the punishment deriving from the failure to follow the orders issued by the civilian political authority (the principal). He illustrates his argument with a

¹ Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: The Belknap Press of Harvard University Press, 1985).

² Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University Press, 2009), <https://doi.org/10.4159/9780674036772>.

situation where the principal expects the agent to be working while the latter is doing something else, thus shirking. At the same time, he stresses that civilians are always uncertain whether the military follows their orders only.³

Overall, the “principal-agent” framework helps identify matters of civilian and military interaction influencing the quality of military subordination to civilian orders and measures the degree of ownership over the policymaking by the civilians while exercising their legitimate authority over the military. But these theories—which apply to consolidated democracies—do not help explain the challenges and opportunities for civilian control in developing democracies, since prospects of further consolidation are often undermined by the military due to the lack of acceptance of democratic values and practices, especially the ones related to democratic control of the security sector.

Another group of scholars discusses the challenges to—and opportunities for—achieving democratic civilian control in consolidating democracies. For example, Thomas Bruneau and Cristiana Matei posit that democratic civilian control over the security sector includes the following requirements: institutional control mechanisms (which include legislation, oversight instruments, and professional norms internalized in civilian-led security institutions); oversight (which involves formal organizations representing legislative, executive, and judicial branches of power but most importantly the independent oversight by the media, civil society, and international organizations such as NATO or EU); and professional norms (which include transparent personnel policies about such concerns as recruitment, education, and training).⁴ Bruneau and Matei further stress that challenges to democratic civilian control include high military prerogatives and lack of civilian interest and expertise in defense and security issues.⁵

³ Feaver, chap. 3.

⁴ Thomas C. Bruneau and Florina Cristiana Matei, *The Routledge Handbook of Civil-Military Relations* (Abingdon, UK: Routledge, 2013), 30, <https://doi.org/10.4324/9780203105276>.

⁵ Bruneau and Matei, 23–24.

These challenges lead to precarious or nonexistent reforms, as well as ineffective oversight by official authorities, civil society, or international organizations.⁶ Cristiana Matei and Carolyn Halladay agree with Bruneau and Matei and further stress that such difficulties, when not addressed properly, directly undermine the legitimacy and effectiveness of government institutions as well as subsequent oversight and control mechanisms, thus hampering further democratic progress.⁷ By highlighting an example of Indonesia where legislative oversight of the military simply does not exist, they underline significant factors of unformed or underdeveloped institutions that fail to ensure the needed quality of oversight and control over the security sector.⁸ What Matei and Halladay do not underscore are the high possibilities that in consolidating democracies increasing oversight and control may result in growing costs of its implementation in terms of investment of the scarce time, finances, and social capital, leading to compromises in terms of democratic consolidation.⁹

Narcis Serra agrees with the challenges to achieving democratic civilian control identified by Bruneau, Matei, and Halladay.¹⁰ Serra identifies a set of measures aimed at overcoming these challenges, including reducing the military autonomy by gradually adapting the legislation, solidifying defense policymaking as one of the core functions of the civilian government, and building up effective institutional links between the armed forces, parliament, civil society, and the academic world.¹¹ Overall, in light of the observed challenges in states falling under this category, these scholars conclude that the media

⁶ Bruneau and Matei, 27–29.

⁷ Florina Cristiana Matei and Carolyn Halladay, “The Control-Effectiveness Framework of Civil–Military Relations,” *Oxford Research Encyclopedia of Politics*, February 23, 2021, <https://doi.org/10.1093/acrefore/9780190228637.013.1874>.

⁸ Matei and Halladay, 6.

⁹ Matei and Halladay, 5–6.

¹⁰ Narcís Serra, *The Military Transition: Democratic Reform of the Armed Forces* (Cambridge, UK: Cambridge University Press, 2010).

¹¹ Serra, 66–89.

along with international organizations and credible judicial infrastructure are necessary for successful democratic consolidation.¹²

The reviewed literature defining the boundaries of CMR and realities of democratic transition and consolidation shows that the analytical focus and explanatory power of scholarly work have grown significantly since Huntington, as the security environment around the democratic world has evolved, especially since the end of the Cold War. Scholars mainly agree that democratic civilian control is the central aspect to be ensured and protected for consolidation into a solid democracy.

2. Challenges to Democratic Consolidation in the Former Soviet States

Recent studies reflect democratization and its accompanying realities in the former Soviet space, highlighting the significance of its positive outcomes for the countries that reported progress in democratic consolidation, while some have assessed the practical applicability of the aforementioned influential CMR theories by attempting to explain causal relationships determining the conditions for democratic progress or decline in former communist countries within the frames of the third wave of democratization.¹³

One group of scholars argues that trending illiberal interests and “predatory” elites perceive democracy as a threat, and therefore create impediments to democratic progress without directly challenging democratic institutions acknowledged by society. Licia Cianetti, James Dawson, and Seán Hanley, for instance, provide analysis to multiple scholarly contributions addressing cases of democratic backsliding in such former communist countries of Central and Eastern Europe (CEE) as Hungary, Poland, and the Baltic States.¹⁴ These scholars stress a decade-long trend observed in CEE states showing the concentration of excessive executive authority in hands of populist political groups

¹² Matei and Halladay, “The Control-Effectiveness Framework,” 11.

¹³ Allison Elizabeth Dolby, “The Successes and Failures of Democracy in the Post-Soviet Republics” (Master’s thesis, Monterey, California, Naval Postgraduate School, 2016), <http://hdl.handle.net/10945/50533>.

¹⁴ Licia Cianetti, James Dawson, and Seán Hanley, “Rethinking ‘Democratic Backsliding’ in Central and Eastern Europe - Looking beyond Hungary and Poland,” *East European Politics* 34, no. 3 (2018): 243–56, <https://doi.org/10.1080/21599165.2018.1491401>.

powered by “conservative-nationalist” ideology, actively striving for non-liberal practices and gradually dismantling democratic control frameworks and institutional checks and balances.¹⁵ In addition, they underline the need to transform an established perception indicating that problems in democratic consolidation are to be attributed not to the Soviet legacies, corruption problems, or ineffective institutions, but rather primarily to a growing populist political agenda aimed at undermining the idea of democratic rule itself.¹⁶ Furthermore, Cianetti reports on conditions of consolidation emphasizing the trade-offs regularly emerging between the elite interest to control resources as well as state institutions and the popular demand for a higher quality of democratization, eventually leading to a “stabilitocracy” rather than a consolidated democracy.¹⁷

More precisely, however, Cianetti, referring to cases of Latvia and Estonia, posits that the democratic process in these countries has been limited in terms of political space to challenge mainstream socio-economic policies and the degree of political inclusion of ethnic minorities, which has translated into political stability at the expense of democratic quality and led to decreased transparency and accountability.¹⁸ Other scholars, like Anna Vachudova, mostly agree and strongly suggest that backsliding is attributed to the rise of ethno-populist parties actively striving to mobilize votes and consolidate political power through manipulation with neo-liberal economic policies and aggregation of the immigrant threat.¹⁹ However, Paweł Surowiec and Václav Štětka, referring to the same group of scholars, argue that the “illiberal turn” is a global trend rather than a regional one, which has emerged thanks to the gradual and effective exploitation of the media environment by the illiberal elites, for instance, by using advertising as a tool to practice political

¹⁵ Cianetti, Dawson, and Hanley, 245.

¹⁶ Cianetti, Dawson, and Hanley, 250.

¹⁷ Cianetti, Dawson, and Hanley, 251.

¹⁸ Cianetti, Dawson, and Hanley, 252.

¹⁹ Milada Anna Vachudova, “Ethnopolitism and Democratic Backsliding in Central Europe,” *East European Politics* 36, no. 3 (July 2, 2020): 318–40, <https://doi.org/10.1080/21599165.2020.1787163>.

favoritism, distort the market, and streamline media to the government's agenda through censorship and ownership of compliant media actors.²⁰

In response to growing concerns reflecting recent trends of democratic decline in the former Soviet bloc, a group of scholars discusses the possibility that acknowledged democratization of former communist states has not actually taken place. For example, Steven Levitsky and Lucan Way stress the “myth of democratic recession” that has emerged due to false and exaggerated expectations and optimism relying on the temporary weakening of authoritarianism, and they point to the falsity of existing empirical data reflecting measurements of democratic progress in different states.²¹ They argue that in reality authoritarian weakening in post-Soviet states in the early 1990s is attributed to the severe socio-economic conditions or external vulnerabilities that emerged following the collapse of the Soviet Union, temporarily diminishing possibilities for the political, economic, and military application of the authoritarian rule.²² Overall, Levitsky and Way underline that autocrats in the early 1990s learned ways to manipulate elections and suppress the media, private sector, or civic groups, without undermining the regime's credibility at home or internationally. Moreover, the authors raise concerns that some cases classified as democratic progress toward consolidation never really stopped being non-democratic; therefore, there is no democratic recession to measure whatsoever.²³ Examples of these states, in their view, include countries like Georgia, Ukraine, or Kyrgyzstan, showcasing that democratic control frameworks in these states represent mostly a facade, rather than a solid base for democratic consolidation.²⁴

²⁰ Paweł Surowiec and Václav Štětka, “Introduction: Media and Illiberal Democracy in Central and Eastern Europe,” *East European Politics* 36, no. 1 (January 2, 2020): 1–8, <https://doi.org/10.1080/21599165.2019.1692822>.

²¹ Steven Levitsky and Lucan Way, “The Myth of Democratic Recession,” *Journal of Democracy* 26, no. 1 (January 7, 2015): 45–58, <https://doi.org/10.1353/jod.2015.0007>.

²² Levitsky and Way, 50.

²³ Levitsky and Way, 51.

²⁴ Levitsky and Way, 50.

Marc Plattner disagrees with conclusions drawn by Levitsky and Way. Also referring to analysis by Francis Fukuyama and Larry Diamond,²⁵ Plattner argues that not all data that has measured democratic progress in the world can be disputed, neither can factors such as lack of good governance or poor rule of law be blamed solely as a driver for a democratic decline.²⁶ Instead, Plattner strongly suggests that what is observed is the gradual stagnation of democratic prestige in the world generated by the socio-economic impact from global economic downturns impacting even advanced democracies. In addition, he underlines that the growing powerful authoritarian influence exercised by China, Russia, and others learning from them—for example, Iran and Saudi Arabia—often cooperate in ways that not only undermine democratic confidence but shift the geopolitical balance between democracies and their authoritarian adversaries.²⁷

D. POTENTIAL EXPLANATIONS AND HYPOTHESES

Based on the previous literature, I propose the following three hypotheses. First, I hypothesize that military “shirking”—as explained by Feaver—is one of the challenges to democratic civilian control in former Soviet countries. The armed forces’ refusal to carry out the missions assigned by the civilian authorities weakens democratic civilian control.²⁸ Second, I posit that continued military prerogatives—as explained by Serra, Bruneau, Matei, and Halladay—also challenge democratic civilian control, because the military remain the de facto defense and security decision makers, which in a democracy should be a civilian prerogative.²⁹ Third, I hypothesize that lack of civilian expertise in defense and security matters or insufficient interest in military reforms, which—as emphasized by

²⁵ Larry Diamond, “Facing Up to the Democratic Recession,” *Journal of Democracy* 26, no. 1 (2015): 141–55, <https://doi.org/10.1353/jod.2015.0009>; Francis Fukuyama, *Political Order and Political Decay: From the Industrial Revolution to the Globalization of Democracy*, First paperback edition. (New York: Farrar, Straus and Giroux, 2015).

²⁶ Marc F. Plattner, “Is Democracy in Decline?,” *Journal of Democracy* 26, no. 1 (January 2015): 5–10, <http://dx.doi.org.libproxy.nps.edu/10.1353/jod.2015.0014>.

²⁷ Plattner, 8–10.

²⁸ Feaver, *Armed Servants*, chap. 3.

²⁹ Bruneau and Matei, *The Routledge Handbook*, chap. 3; Matei and Halladay, “The Control-Effectiveness Framework,” 5–6; Serra, *The Military Transition*, 66–69.

Bruneau, Matei, and Halladay—arrests defense reform and defense decision making progress.³⁰

E. RESEARCH DESIGN

This work studies existing challenges to democratic civilian control of the security sector, standing in the way of successful democratic consolidation in Lithuania and Mongolia, and evaluates the correlation of those conditions with observed challenges to democratic civilian control in Georgia. The comparative case study method is applied to analyze and compare the degree of effectiveness of democratic civilian control frameworks over the security sector in Lithuania and Mongolia, by measuring the standard set of CMR policies and institutional frameworks acknowledged by scholars as necessary for successful democratic consolidation. The provided analysis is built upon the control-effectiveness framework by Bruneau, Matei, and Halladay addressing institutional control mechanisms, inculcation of professional norms, and oversight by the legislative and judicial branches as well as civil society.

The primary aim is to identify optimal solutions and facilitate effective policy development, executive decision making, and productive civil-society participation. The research seeks to reflect the needs of all post-communist societies striving for successful democratic consolidation. This thesis refers to such primary sources as national constitutions and legislation, governmental documents, national security concepts, military doctrines or development strategies, orders, and decrees, as well as the relevant foreign and security policy documents of Lithuania, Mongolia, and Georgia, including significant non-governmental reviews and surveys. The research relies on existing theoretical frameworks responding to the modern requirements of understanding the nature of civil-military relations and its significance in terms of the successful democratic consolidation process, highlighting fresh views, and responding to contemporary security challenges. It addresses several historic and scholarly publications evaluating the status and conditions of

³⁰ Feaver, *Armed Servants*, chap. 3; Bruneau and Matei, “Towards a New Conceptualization of Democratization and Civil-Military Relations,” *Democratization* 15, no. 5 (2008): 909–929, <https://doi.org/10.1080/13510340802362505>; “Matei and Halladay, 5–6.

democratic consolidation in the post-communist world since the Soviet collapse, existing dynamics, and the characteristics of the CMR in selected states.

F. THESIS OVERVIEW AND CHAPTER OUTLINE

The thesis is comprised of four chapters. Chapter I has introduced the major research question, explained the significance of this research, and presented a literature review, as well as some explanations and hypotheses for answering the thesis question. Chapter II is a case study of Lithuania's CMR, reflecting reforms, successes, and challenges to democratic civilian control. Chapter III is a case study of Mongolia reflecting reforms, successes, and challenges to democratic civilian control. Chapter IV provides the comparative analysis of Lithuania and Mongolia and evaluates their application to the research hypothesis. This chapter also provides a comparative summary based on the case study findings and includes a brief overview of the conditions for democratic civilian control in Georgia, reflecting the correlation of findings with CMR challenges in Lithuania and Mongolia. The chapter also offers a conclusion and recommendations.

II. THE CASE OF LITHUANIA

This case study highlights the influence legacy post-Soviet tendencies exert on democratic civil-military relations in Lithuania and identifies essential impediments to the democratic CMR at different levels throughout security governance. The CMR in Lithuania has evolved based on Western anticipations of democratic control of the armed forces and aimed at excluding military intervention into politics. The effort to regain independence and achieve democratic transition occurred simultaneously. The CMR democratization backed by intensive Western advice and support led Lithuania to address principles of democratic civilian control through legislation, strategic documents, or military doctrine. But the post-Soviet legacy of political interference through institutional domination over security governance weakens democratic control and undermines the credibility of the State Defense Council (SDC), the minister of defense, or high-ranking military commanders. This trend obstructs the oversight by the parliament (the Seimas). While the judiciary is burdened by corruption, civil society at large lacks public support and the capacity to influence the security decision-making process in the country in a meaningful way. Insufficient and ineffective parliamentary oversight, a corrupt judiciary, and weak public scrutiny through media and non-governmental organizations (NGO) leave existing problems mostly unchecked.

A. OVERVIEW OF CMR DEVELOPMENTS SINCE INDEPENDENCE AND THE TRANSITION TO DEMOCRACY

The 1992 constitution of Lithuania establishes a semi-presidential parliamentary republic as well as a clear legal basis for democratic control.³¹ The strategic intentions and priorities to which the president, government, and the Seimas agreed resulted in a Lithuanian civilian-led national command, a civilian defense ministry staffed mostly by civilians, and defense staff subordinated to the defense minister. Subsequently, in Lithuania, a clear civilian-led chain of command and military staff subordinated to the

³¹ Parliament of the Republic of Lithuania, “Constitution of the Republic of Lithuania,” Pub. L. No. 11, § 8 (1992), <https://e-seimas.lrs.lt/portal/legalAct/en/TAD/TAIS.21892>.

ministry of national defense are implemented according to constitutionally legal terms in line with major Western conceptual imperatives. In post-independence Lithuania (since 1991), the political elite and the society at large showed a strong desire for Western-style democratic reforms despite numerous political, socio-economic, and security challenges. Thus, the aspiration for democratic CMR was at the center of legal and structural reforms, which significantly contributed to Lithuania's successful integration into NATO and the EU.

1. CMR Developments after the Transition

Between the two world wars in the 20th century, from 1918 to 1940, Lithuania enjoyed independence but was burdened with political instability, high military influence over politics, and officers striving for greater power and higher posts.³² In 1940, Russia forcibly established Soviet rule in Lithuania and put an end to national CMR, resulting in disbanded armed forces, many members of whom were executed, imprisoned, or exiled to Siberia's concentration camps.³³ The interwar illiberal traditions of military command and leadership have played little role in shaping CMR in post-Soviet Lithuania, despite some political effort to revive them.³⁴ But the experience of Sovietization has generated a significant legacy that impedes the successful post-Soviet democratization of Lithuania.

The period of Soviet rule introduced a repressive culture of centralized Communist Party control over security decision-making at all levels. As Thomas Durrell Young emphasizes, the Soviet approach in terms of military decision-making was antithetical to

³² Grazina Miniotaite, *Democratic Civil-Military Relations: Soldiering in 21st Century Europe* (Florence, USA: Taylor & Francis Group, 2012), 168–69, <http://ebookcentral.proquest.com/lib/ebook-nps/detail.action?docID=958355>.

³³ Andrew Cottey, Timothy Edmunds, and Anthony Forster, "The Second Generation Problematic: Rethinking Democracy and Civil-Military Relations," *Armed Forces & Society* 29, no. 1 (October 1, 2002): 115–16, <https://doi.org/10.1177/0095327X0202900103>; Miniotaite, *Democratic Civil-Military Relations*, 169.

³⁴ Vaidotas Urbelis and Tomas Urbonas, "The Challenges of Civil-Military Relations and Democratic Control of Armed Forces: The Case of Lithuania," in *Democratic Control of the Military in Postcommunist Europe: Guarding the Guards*, ed. Andrew Cottey, Timothy Edmunds, and Anthony Forster (London: Palgrave Macmillan UK, 2002), 114, https://doi.org/10.1057/9781403905239_6.

the Western understanding of defense governance.³⁵ The Soviets made decisions based on historical military data backing the rigorous scientific/algorithmic approach to military planning and execution. The whole approach was based on the experience of World War II, reflected in military doctrine, and any changes to it were decided at the highest political level and would apply to all the Soviet Union.³⁶ After the Soviet collapse, Lithuania rebuilt its armed forces and other security services essentially from scratch, reforming the Soviet professional background and military infrastructure left over after the withdrawal of the Soviet military units, which were stationed on Lithuanian soil until late 1993.³⁷ The withdrawal was slow and problematic; for instance, Lithuanian Air Force leadership openly criticized the government due to the insufficient response to violations of Lithuanian airspace by Russian military aircraft, a frequent event that aimed at further complicating the process.³⁸

In these realms, paramilitary formations such as the Voluntary Service of National Defense (VSND) and the Riflemen Union (Sauliu Sajunga) operated under very limited executive or parliamentary control. The scarcity of funding and narrow political interests caused regular conflicts between these formations and political or military leadership.³⁹ The VSND engaged in the two-month-long mutiny in 1993 and called for even greater autonomy from the Ministry of National Defense (MND) and demanded the removal of some civilian and military leaders from their posts. After long political debates and opposition, the new minister of defense Linas Linkevicius initiated a process that

³⁵ Thomas-Durell Young, *Anatomy of Post-Communist European Defense Institutions: The Mirage of Military Modernity* (New York: Bloomsbury Publishing, 2017), 15.

³⁶ Thomas-Durell Young, "Legacy Concepts: A Sociology of Command in Central and Eastern Europe," *Parameters* 47, no. 1 (2017): 17–18, https://nps.primo.exlibrisgroup.com/permalink/01NPS_INST/1gqbqb3/cdi_gale_infotracademiconefile_A506655032.

³⁷ Robert A Vitas, "Civil-Military Relations in Lithuania," in *Civil-Military Relations In The Soviet And Yugoslav Successor States*, ed. Constantine P. Danopoulos and Zirker Daniel (Routledge, 1996), 76, <https://doi.org/10.4324/9780429046780>.

³⁸ Anthony Forster, Timothy Edmunds, and Andrew Cottey, *Challenge of Military Reform in Postcommunist Europe Building Professional Armed Forces, One Europe or Several?* (London: Palgrave Macmillan UK, 2002), 109, <https://doi.org/10.1057/9781403914293>.

³⁹ Vitas, "Civil-Military Relations in Lithuania," 110.

reorganized the VSND into the National Defense Volunteer Forces (NDVF) and fully integrated it into the armed forces by 1998, marking the end of such disputes in Lithuanian CMR.⁴⁰

The transition to the market economy had triggered an economic and financial crisis, which left the security sector severely underfunded.⁴¹ The MND lacked funding for military uniforms, housing, or salaries.⁴² The newly formed Lithuanian army's officer corps was comprised mostly of officers with Soviet education and volunteers organized under the mission of unconditional territorial defense. Despite the large initial presence of former Soviet officers in the Lithuanian military, the newly formed Lithuanian government believed that the Soviet-trained officers had inherited the problems of the Soviet military culture and could not serve as a model of honor, discipline, or integrity.⁴³

Consequently, enthusiastic civil servants inexperienced in defense governance, as well as officers with insufficient military backgrounds, organized the civilian defense leadership and management.⁴⁴ Weak legal regulation of daily civil-military interaction in conditions of low funding and lack of civilian defense expertise often led to conflicting interpretations over who had the authority to decide on policy and who was responsible for implementing policy, triggering internal divisions and dissatisfaction within the defense organization.⁴⁵ The civil-military interaction aimed more at gaining higher influence and power, rather than enhancing democratic defense governance. The defense leadership often neglected the military chain of command, directly interfering in the selection and

⁴⁰ Urbelis and Urbonas, "The Challenges of Civil-Military Relations," 112.

⁴¹ Andrius Krivas, "Armed Forces and Society in Lithuania," in *Soldiers and Societies in Postcommunist Europe: Legitimacy and Change*, ed. Anthony Forster, Timothy Edmunds, and Andrew Cottey (London: Palgrave Macmillan UK, 2003), 112–28, https://doi.org/10.1057/9780230523081_7.

⁴² Urbelis and Urbonas, "The Challenges of Civil-Military Relations," 110.

⁴³ Vitas, "Civil-Military Relations in Lithuania," 77.

⁴⁴ Miniotaite, *Democratic Civil-Military Relations*, 173–74.

⁴⁵ Urbelis and Urbonas, "The Challenges of Civil-Military Relations," 110.

promotion of the military to ensure favorable appointments.⁴⁶ Not surprisingly, essential military personnel decisions were made based on political considerations rather than on professionalism, and disputes between the high military command and civilian leadership have occurred regularly. In 1996, the government decided to integrate the MND and the defense staff under one structure. The integration initiative was driven politically, supposedly to exercise better control of the military decision-making, but even though this decision caused some initial frustration in the military, the outcome has proven to be positive as it helped normalize civil-military interaction and eliminated duplications and functional collisions between the military and civilian staff.⁴⁷

Furthermore, the MND developed procedural guidelines such as the Officer Career Concept and the Guidelines of the Minister of National Defense to regulate education and training, standard career requirements, and management principles in the armed forces.⁴⁸ In parallel, since 1994 the comprehensive upgrade of military training and education infrastructure has continued to be at the center of efforts since Lithuania joined the NATO Partnership for Peace program (PfP).⁴⁹ NATO, the United States, the UK, France, and Germany have been actively supporting the education and professional development of Lithuanian defense civilians and the military staff, providing expert support and allocating slots in their respective educational institutions.⁵⁰ This process solidified institutional democratic civilian control over the armed forces, subsequently improving the Lithuanian military's public image by 2002.⁵¹ In parallel, however, controversies reflecting

⁴⁶ Tony Lawrence and Tomas Jermalavičius, *Apprenticeship, Partnership, Membership: Twenty Years of Defence Development in the Baltic States* (Tallinn: International Centre for Defence Studies, 2013), 157.

⁴⁷ Natalie Mychajlyszyn and Harald Von Riekhoff, *Evolution of Civil-Military Relations in East-Central Europe and the Former Soviet Union* (Santa Barbara CA: ABC-CLIO, 2004), 126.

⁴⁸ Dalia Prakapienė and Romas Prakapas, "The Evaluation of the Military Career Structure in Lithuania," *Socialinis Darbas*, September 1, 2017, 89–106.

⁴⁹ The National Defence School was upgraded to the Lithuanian Military Academy (LMA), Training and Doctrine Command (TRADOC) established in 1998, trained conscripts and non-commissioned officers transformed into training and personnel command (TRAPEC) in 2008. The Baltic Defense College (BALTDEFCOL) was established within the frame of Baltic cooperation in 1999 and is in Tartu, Estonia.

⁵⁰ Miniotaite, *Democratic Civil-Military Relations*, 173.

⁵¹ Urbelis and Urbonas, "The Challenges of Civil-Military Relations," 122–23.

problematic military procurement decisions have occasionally emerged in the media, contributing to the volatility of public support towards increased defense spending.⁵²

The Minister of Defense Juozas Oleka in 2007 declared the priority of creating an attractive organizational environment to motivate soldiers' professionalism.⁵³ In addition, mission command became the central principle in the first military doctrine adopted in 2010, after a decade-long debate revealing limited conceptual comprehension of Western military doctrine.⁵⁴ The doctrine defines mission command as the fundamental warfare principles that the Lithuanian armed forces follow, demanding creativity from service members capable of flexible, pragmatic, and decentralized implementation of a given task in line with the strategic intent under the single chain of command.⁵⁵ These efforts have significantly enhanced democratic military culture in Lithuanian armed forces, which contributes to the organization of a civilian-led national chain of command. Consequently, the new Lithuanian armed forces evolved through the adoption of the legal framework that determines the democratic control of the military as an overarching principle for defense governance.⁵⁶

The constitutional-legal basis is centered on attributes developed mostly through the adoption of Huntington's model of objective civilian control.⁵⁷ The following key legal acts, developed with intensive international support and advice, incorporate essential

⁵² Urbelis and Urbonas, 123.

⁵³ Grazina Miniotaite, "The Normative Construction of the Military in Lithuania" (Frankfurt, Germany: Peace Research Institute, 2007), 17, http://www.hsfk.de/fileadmin/HSFK/hsfk_downloads/LITHUA_14.pdf.

⁵⁴ Deividas Šlekys, "Intellectual Reflection and Civil-Military Relations in Lithuania," *Lithuanian Annual Strategic Review* 13, no. 1 (December 1, 2015): 215–41, <https://doi.org/10.1515/lasr-2015-0011>.

⁵⁵ Krašto apsaugos ministerija, "Lithuanian Military Doctrine." (Information Provision Service, General Affairs Dept., Ministry of National Defence, 2010).

⁵⁶ Urbelis and Urbonas, "The Challenges of Civil-Military Relations," 112.

⁵⁷ Urbelis and Urbonas, 115–16.

prerequisites for national security policy development and planning, executive control, and parliamentary oversight to ensure democratic civilian control of the security sector.⁵⁸

1. The Law on the Basics of National Security (1996) stipulates that the defense of Lithuania shall be total and unconditional. It envisages the development of defense and security institutions or capabilities in full compliance with principles of democratic control. The democratically elected civilian government is responsible for the development and implementation of policy for total defense and the civilian control of the armed forces. The government, the civilian minister of national defense, and the commander of the armed forces are accountable to the parliament (Seimas). The state security and defense institutions should implement defined by the government policies through the engagement of citizens, their associations, and organizations.⁵⁹
2. The Law on National Defense System Organization and Military Service (1998) defines detailed roles, duties, and responsibilities reflecting the Lithuanian strategic chain of command and clearly restricts military involvement in politics.⁶⁰ The law prohibits service members from publicly disagreeing with official policies defined by the state, implying the public's expectation that the military will maintain loyalty to the legitimate representatives of the state — a fundamental prerequisite for democratic CMR aimed at preventing military intervention in politics through, for instance, a coup d'état.

⁵⁸ Algirdas Gričius and Kestutis Paulauskas, "Democratic Control of the Armed Forces in Lithuania," *Connections. The Quarterly Journal (English Ed.)* 1, no. 4 (2002): 35, <https://doi.org/10.11610/Connections.01.4.04>.

⁵⁹ Parliament of the Republic of Lithuania, "VIII-49 Law on the Basics of National Security of Lithuania" (1996), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.120108?jfwid=nz8qn8i8i>.

⁶⁰ Parliament of the Republic of Lithuania, "Lithuania - Law on the Organisation of the National Defence System and Military Service," Pub. L. No. VIII-723 (1998), http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=59852&p_country=LTU&p_count=411&p_classification=22.10&p_classcount=17.

The constitution set the State Defense Council (SDC) as a key democratic mechanism for strategic political decision-making and governance of the security sector. The council is represented by the president (head of the council, and the supreme commander of the armed forces), the prime minister, the chairman of the Seimas, the minister of national defense, and the commander of the armed forces.⁶¹ The military defense strategy (2002–2004), the national security strategy (2002), and the Military Strategy (2012–2016) emphasize democratic civilian control as a fundamental principle for the Lithuanian defense and security decision-making. The SDC has approved these documents developed by the government, controls the implementation, and recommends changes when deemed necessary.⁶²

Notwithstanding the SDC's constitutional role, it lacked institutional capacity to enhance consensus between its members. In 1999, political divisions rose between then-President Valdas Adamkus and the rest of the political spectrum, including the cabinet and the minister of defense, over the candidacy of a new commander of the armed forces.⁶³ The lengthy political dispute finally was resolved as the president agreed to replace the nomination through compromise, only after receiving assurances that the initial nominee would be appointed as a deputy commander.⁶⁴ The compromise favored a retired U.S. army colonel John Kronkaitis, who had returned to Lithuania to support the buildup of the armed forces in line with Western standards.⁶⁵ In another instance, in 2005, the president initiated changes aimed at reshaping the constitutional arrangement of the SDC to transform it into the National Security Council (NSC), but was rejected by the government even before the submission to the Seimas. The NSC would include wider political

⁶¹ Parliament of the Republic of Lithuania, Constitution of the Republic of Lithuania, sec. 140.

⁶² Lawrence and Jermalavičius, *Apprenticeship, Partnership, Membership*, 153.

⁶³ Mychajlyszyn and Riekhoff, *Evolution of Civil-Military Relations*, 121.

⁶⁴ "Lithuanian-Americans to Hold Governmental Posts," *Bridges*, 23, no. 1 (February 1999), http://elibrary.lt/resursai/Ziniasklaida/Pasaulio_lietuviu/JAV/bridges/1999-0102.pdf.

⁶⁵ Tribune News Services, "Retired U.S. Colonel Appointed to Lead Nation's Military," chicagotribune.com, accessed April 19, 2021, <https://www.chicagotribune.com/news/ct-xpm-1999-06-13-9906130363-story.html>.

representation and authorize the commander of the armed forces to perform as a military adviser on solely military aspects of the security governance.⁶⁶

The Seimas has evolved as the principal body to oversee defense planning and spending.⁶⁷ Also, the Seimas has exercised a formal responsibility to oversee other security agencies such as the ministry of the interior, which includes police and state border guards, State Security Department (SSD), and Special Investigation Service (SIS).⁶⁸ The power to decide upon budgetary allocations has enabled parliamentary control over development and acquisition plans, or the overall defense resource management through activities of the National Security and Defense Committee of the Seimas (NSDC).⁶⁹ However, initially such authority could not be exercised by the NSDC effectively due to the lack of knowledge and expertise in defense matters.⁷⁰ Thus, initiatives prepared by knowledgeable civilian defense officials were mostly approved by the Seimas without making any changes or critical analysis.⁷¹ Since then the Seimas has progressed in its capacity to work through all defense plans or security-related legislation, and the NSDC has occasionally been able to initiate state audits to verify the actual implementation of the defense budget.⁷² But, there has been limited development of practical tools that would ensure regular accountability by the government and control over the implementation of parliament's decisions.⁷³

The independent judiciary has been essential for the government to exercise objective democratic control. For instance, the constitutional court has played a significant

⁶⁶ Lawrence and Jermalavičius, *Apprenticeship, Partnership, Membership*, 158–60.

⁶⁷ “Parliament of the Republic of Lithuania, VIII-49 Law on the Basics of National Security of Lithuania.

⁶⁸ “Parliament of the Republic of Lithuania.”

⁶⁹ Mychajlyszyn and Riekhoff, *Evolution of Civil-Military Relations*, 130–31.

⁷⁰ Gricius and Paulauskas, “Democratic Control in Lithuania,” 40.

⁷¹ Gricius and Paulauskas, 40.

⁷² Mychajlyszyn and Riekhoff, *Evolution of Civil-Military Relations*, 131.

⁷³ Gricius and Paulauskas, “Democratic Control in Lithuania,” 35.

role in terms of interpreting the constitution and has clarified issues affecting the democratic CMR balance in Lithuania, for example, the powers of the president as commander-in-chief and of the Seimas.⁷⁴ Nonetheless, the core challenge of corruption has persisted at the lower-level courts in the Lithuanian judiciary, and the issue of judicial independence is a matter of concern, especially since 2006 when allegations arose of political bias by the council of judges over the selection or the performance of judges.⁷⁵ The anti-corruption service of Lithuania continues to investigate and prosecute corrupt judges and their affiliates.⁷⁶ The negative effects of corruption and mismanagement in Lithuanian courts have encouraged non-compliance and a non-enforcement culture within state institutions and led to high corruption risks and military procurement scandals.⁷⁷

Productive informal oversight conducted by vibrant civic groups and media could notably mitigate the gap created by the judiciary and encourage the de-politicization and objectivity of the security governance. Indeed, civil society in Lithuania developed as free and independent, supported by Western civic groups and organizations; however, it struggled to play an active role and contribute to the productive oversight of defense and security governance.⁷⁸ The persisting civic passivity by the Lithuanian society has been a core challenge for civil society, which can be attributed to the legacy mentality of informal engagement with the government and mistrust towards mass civic movements or associations. Public focus on the armed forces and its civilian decision-makers was sharpened mostly by the cases of mismanagement or disciplinary issues occasionally

⁷⁴ Mychajlyszyn and Riekhoff, *Evolution of Civil-Military Relations*, 115.

⁷⁵ Lithuanian Radio and Television (LRT), “Lithuanian Media Watchdog Moves to Ban Russian TV Channel for Incitement to War,” Lithuanian Radio and Television (LRT), October 29, 2020, <https://www.lrt.lt/en/news-in-english/19/1264184/lithuanian-media-watchdog-moves-to-ban-russian-tv-channel-for-incitement-to-war>.

⁷⁶ Lucy Papachristou, “Lithuania Detains 26, Including Top Judges, for Corruption,” Organized crime and corruption reporting project, February 22, 2019, <https://www.occrp.org/en/daily/9270-lithuania-detains-26-including-top-judges-for-corruption>.

⁷⁷ Julija Kiršienė and Editā Gruodytė, “The Highest Rate of Public Trust in Judiciary in Twenty Years in Lithuania: Trend or Coincidence?,” *International and Comparative Law Review* 19, no. 1 (2019): 125–45.

⁷⁸ Gricius and Paulauskas, “Democratic Control in Lithuania,” 46.

emerging in the newspapers, while public interest and support over the development of the armed forces and its capabilities have remained notably low by rating the military below mass media, the president, and the church.⁷⁹

The media has played a minimal role to compensate for the negative legacy trend in public disinterest in defense matters.⁸⁰ The MND initiated a line of publications addressing matters of national defense and promoting the activities of Lithuanian military culture. Thus, the MND actively, but with limited success, strived to build effective social interaction formats between the wider public and the military.⁸¹ Yet, the persuasive power of publications has remained low, and the attention of the Lithuanian public has been more drawn to smaller incidents, rather than to military exercises or their performance, which can be attributed to the lack of military expertise by the media and its overall professional immaturity.⁸²

2. The Executive and CMR

Security institutions in Lithuania, including the armed forces, operate under legacy conditions of institutional domination by the presidents and politically biased strategic decision-making at the national command level.⁸³ The president as the supreme commander of the Lithuanian armed forces exercises a joint authority of command over the security sector together with the government through the SDC. The president appoints the commander of the armed forces, which the Seimas must approve, and the land forces commander, which the defense minister must approve; the president also decides, based on

⁷⁹ Urbelis and Urbonas, “The Challenges of Civil-Military Relations,” 122.

⁸⁰ Civitas, “Map of the Civil Society in Lithuania,” Civil Society Institute, 2006, 5–6, <http://www.civitas.lt/en/research/2755/>.

⁸¹ Gričius and Paulauskas, “Democratic Control in Lithuania,” 45.

⁸² Gričius and Paulauskas, 45.

⁸³ Deividas Šlekys, “Defence Politics and Reshaping of the Lithuanian Semi-Presidential Regime” (ECPR General Conference, Hamburg, Germany: University of Hamburg, 2018), 5–6, <https://ecpr.eu/Events/PaperDetails.aspx?PaperID=42585&EventID=115>.

the minister's suggestion, the promotions to the highest military ranks.⁸⁴ The defense policy implementation, including international defense cooperation, is the ultimate responsibility of the defense minister.⁸⁵ The joint executive authority between the president and the minister of defense hinders effective strategic decision-making and triggers diverging interpretations of these authorities or the needed decisions. The politicization of the decision-making process limits the effective utilization of military education and training received through existing educational capacity and Western support to develop rational policies.⁸⁶

Presidents with strong charisma and decisiveness can take solid initiative, overcome political resistance, and change the course of the defense and security agenda in the country to capitalize on the emerging crisis, while the constitutional authority of the SDC lacks actual power to prevent the politicization of the national security decision-making process. Deividas Šlekys observes that presidential influence rose to its highest point in 2014 as President Dalia Grybauskaitė, while responding to the Crimean crisis, made a surprise political move and announced the intention to reinstate conscription abolished in 2008 for the sake of professionalization and optimization of defense spending.⁸⁷ Consequently, the minister's institutional credibility was significantly undermined and neglected by the president through her announced intentions regarding the reintroduction of conscription based on the advice of the chief of defense, whom she consulted directly. The defense minister responded to the apparent isolation by publicly expressing skepticism over the matter, even though he formally agreed to the decision of the SDC initiated by the president.⁸⁸

⁸⁴ Gricius and Paulauskas, "Democratic Control in Lithuania," 37–38.

⁸⁵ Gricius and Paulauskas, 38.

⁸⁶ Miniotaite, *Democratic Civil-Military Relations*, 173.

⁸⁷ Šlekys, "Lithuanian Semi-Presidential Regime," 22–25.

⁸⁸ Šlekys, 11.

The SDC, as the principal body formed to support the president as the supreme commander of the armed forces, enhances the inter-agency coordination on security.⁸⁹ The SDC approves strategic documents, or initiates necessary changes to them, and is responsible for generating sound defense and security recommendations and submitting them to the Seimas for approval.⁹⁰ The constitutional-legal framework tasks the SDC with formal responsibility to ensure consensus building and effective strategic security decision-making, involving all major actors eligible to determine the country's security agenda. The commander of the armed forces, as a member of the SDC, participates in security decision-making and contributes to domestic and foreign policy development. Furthermore, the SDC is responsible for coordinating activities between the SSD and the military intelligence services belonging to the MND.⁹¹

Nevertheless, the SDC, as the consensus-building mechanism, has lacked the actual capacity to prevent unilateral political actions by the president despite its traditional effectiveness in terms of decision-making or political influence. Also, SDC activity decreased from 2005 through 2013, due to a diminished focus on defense and security matters shortly after the integration into the alliance was achieved.⁹² As Nortautas Statkus highlights, despite the SDC being the highest political body formed to make strategic decisions, it lacks administrative resources to make such decisions and oversee their implementation regularly.⁹³ Moreover, as Tapio Raunio and Thomas Sedelius observe, the established political culture in Lithuania favors “strong leadership and presidential

⁸⁹ Parliament of the Republic of Lithuania, “VIII-209 Law on the State Defense Council of the Republic of Lithuania” (1997), <https://e-seimas.lrs.lt/portal/legalActEditions/lt/TAD/TAIS.38353>.

⁹⁰ Miniotaite, *Democratic Civil-Military Relations*, 170.

⁹¹ Lawrence and Jermalavičius, *Apprenticeship, Partnership, Membership*, 193.

⁹² Deividas Šlekys, “Lithuanian Military Transformation and Changing Efficiency of Defence,” in *Lithuania in the Global Context: National Security And Defence Policy Dilemmas* (Vilnius, Lithuania: General Jonas Žemaitis Military Academy of Lithuania, 2020), 309.

⁹³ Nortautas Statkus et al., *Lithuania in The Global Context: National Security and Defence Policy Dilemmas* (Vilnius, Lithuania: General Jonas Žemaitis Military Academy of Lithuania, 2020), 363, <https://epublications.vu.lt/object/elaba:68867305/68867305.pdf>.

activism,” meaning that popular presidents do not require any coordination bodies such as the SDC to exert their influence.⁹⁴

The civilian defense minister leads the organization and management of the national defense system (NDS), consisting of the MND, the commander of the armed forces and the defense staff, the armed forces, education and training institutions, defense infrastructure, or the state enterprises established by the MND. In times of war, the border police, special police force, and organized civilian resistance groups are subordinated to the MND.⁹⁵ Yet the potential for political polarization at the national command level generates spillover effects at the lower levels of civil-military interaction between the minister of defense and the highest military commanders. This observation reflects situations when relatively lower-level commanders bypass superiors, such as the commander of the armed forces, to arrange meetings with the defense minister or the president while seeking higher political leverage.⁹⁶ As Tony Lawrence and Tomas Jermalavičius observe, inconsistencies in the competencies of the military command have regularly turned into division over command-and-control issues between the commander of the armed forces and the rest of the high military command. Furthermore, when the relationship between the minister and the commander of the armed forces becomes tense, the minister often tends to interact with lower-level commanders and chiefs directly.⁹⁷

In addition, the director-general for capability and armaments in MND has led the process of strategic planning since 2009.⁹⁸ As the director-general took over the process of strategic planning, however, the commander of the armed forces was left without the direct organizational capacity to perform effectively, and thus to advise the minister on the

⁹⁴ Tapio Raunio and Thomas Sedelius, “Shifting Power-Centres of Semi-Presidentialism: Exploring Executive Coordination in Lithuania,” *Government and Opposition* 54, no. 4 (October 2019): 637–60, <http://dx.doi.org.libproxy.nps.edu/10.1017/gov.2017.31>.

⁹⁵ Miniotaite, “The Normative Construction of the Military,” 11.

⁹⁶ Lawrence and Jermalavičius, *Apprenticeship, Partnership, Membership*, 155.

⁹⁷ Lawrence and Jermalavičius, 155.

⁹⁸ Lawrence and Jermalavičius, 156.

same strategic matters of planning or defense resource management.⁹⁹ On the other hand, despite the important role the director-general plays to ensure effective and efficient management of the defense organization, the director-general faces complicated interactions derived from the position's subordination to the minister while being accountable to military leadership, which can further hinder credible decision-making and effective democratic control.¹⁰⁰

At the same time, the threat of corruption remains mostly unmitigated due to the underdeveloped or unutilized mechanisms of internal control. The inspector general in MND is responsible for building integrity in defense, including the effective response to whistleblowers.¹⁰¹ The Code of Ethics for Lithuanian soldiers, adopted by the defense minister's order since 2005, defines the main requirements for ethical conduct, which are the "respect for the man and the state, patriotism, and citizenship, political neutrality, justice, legitimacy, responsibility, subordination, confidentiality, honesty, mutual trust, selflessness, impartiality, exemplariness."¹⁰² Nevertheless, the Lithuanian chapter of Transparency International (TI) reports that the anti-corruption system in Lithuanian defense is perceived through a purely institutional prism, leading to merely a mechanical application of legal provisions and detailed rules, which can be bypassed by those interested, while uncorrupt individuals are posed to comply to detailed restrictions, especially in security institutions.¹⁰³ These difficulties are further burdened by the lack of effective tools for whistleblower protection, obsession with legal assurances and control, along with the legacy culture of non-cooperation. Furthermore, although overall anti-

⁹⁹ Lawrence and Jermalavičius, 156.

¹⁰⁰ Lawrence and Jermalavičius, 156.

¹⁰¹ Transparency International, "Lithuania, Government Defence Anti-Corruption Index," Transparency International, 2015, <http://government.defenceindex.org/countries/lithuania/>.

¹⁰² Parliament of the Republic of Lithuania, "V-561 Regarding the Approval of the Lithuanian Soldiers' Code of Ethics" (2005), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.256186?jfwid=mmceoni7l>.

¹⁰³ Algimantas Čepas, "National Integrity System Assessment Lithuania," *Policy File* (Lithuania: Transparency International, 2012), <https://www.transparency.org/en/publications/national-integrity-system-assessment-lithuania-english1>.

corruption plans are being implemented, more must be done to introduce anti-corruption training of the military and civilian staff tailored to organizational needs, especially for those responsible for the management of procurement and personnel.¹⁰⁴

The officer career concept (2012) has updated the career framework and defines detailed steps for career development based on consideration of officers' characteristics, skills, and potential. Individual potential must be assessed objectively by higher command, aiming at harmonization of individual needs and aspirations with the necessities of the Lithuanian defense.¹⁰⁵ Also, *The Guidelines of the Minister of National Defense* (2012–2017) prioritize improvements in terms of officer career planning and organization to enable better utilization of the individual service member's potential and skills. These guidelines also emphasize the need for increased effort to upgrade administrative, management, and communication skills among higher military ranks and their role in the career planning of their subordinates.¹⁰⁶ Notwithstanding the mentioned effort to address career management needs and priorities, Romas Prakapas's analysis shows that Lithuanian officers lack initiative and faith in the selection process and position assignment due to low transparency, even though formal procedures for individual career development and planning are in place. Furthermore, Prakapas reports that almost a third of respondents complained of being evaluated subjectively and that the assessment method is problematic.¹⁰⁷ Despite the mentioned efforts and capacity building, the actual service environment in the military units is unsupportive of active learning and sufficient transfer of knowledge, which are essential for universalization of democratic norms and values

¹⁰⁴ Prakapienė and Prakapas, "Military Career Structure in Lithuania," 95.

¹⁰⁵ Prakapienė and Prakapas, 95.

¹⁰⁶ "Guidelines of the Minister of National Defense," Ministry of National Defense Republic of Lithuania, 2012, https://kam.lt/en/defence_policy_1053/important_documents/planning_document_guidelines_of_the_minister_of_national_defence_2012-2017.html.

¹⁰⁷ Prakapienė and Prakapas, "Military Career Structure in Lithuania," 102.

throughout the command authority at all levels.¹⁰⁸ The space for the practical realization of gained knowledge or developed skills is limited due to the restrictive legacy service environment and underestimation of the importance of continuous professional development by the military.¹⁰⁹

Institutional rather than cultural focus on mission command hinders cultural adaptation through military education and training that would further advance the inculcation of democratic professional norms and values in the Lithuanian military. Recent research focused on the evaluation system for factors affecting creativity in the Lithuanian armed forces shows that the comprehensive process of analysis, assessment, and response to conditions encouraging creativity in Lithuanian armed forces is yet to be introduced.¹¹⁰ Furthermore, Gražina Miniotaite reports flawed anticipation of democratic ways of management in the armed forces. Almost half of the respondents considered that democracy in the army is incompatible with the requirements of discipline and compliance, despite the number of norms regulating complaints or the reporting to higher levels, reflecting the mixture of modern and postmodern cultures and the post-Soviet legacy mentality in the Lithuanian military.¹¹¹ Miniotaite refers to the survey conducted by the Lithuanian Military Academy in 2009, revealing that despite the overall positive image of the Lithuanian military and disapproval of negative stereotypes about the military service, almost a third of respondents cited the factor of persisting corruption in the armed forces, powered by legacy bureaucracy and culture of secrecy.¹¹²

¹⁰⁸ Jurgita Raudeliūnienė, Ieva Meidutė-Kavaliauskienė, and Kęstutis Vileikis, "Evaluation of Factors Determining the Efficiency of Knowledge Sharing Process in the Lithuanian National Defence System," *Journal of the Knowledge Economy* 7, no. 4 (2016): 842–57, <https://doi.org/10.1007/s13132-015-0257-4>.

¹⁰⁹ Petra Hurbišová and Monika Davidová, "Towards Enhanced Security: Education and Development of Military Commanders within the Lithuanian and Austrian Armed Forces," *Journal of Security and Sustainability Issues* 5 (2016): 311–22.

¹¹⁰ Raudeliūnienė, Meidutė-Kavaliauskienė, and Vileikis, "Knowledge Sharing Process in the Lithuanian National Defence," 162.

¹¹¹ Gražina Miniotaite, "The Socializing Practices of the Normative Model of Soldier in Lithuania," PRIF Research Paper (Frankfurt, Germany: Peace Research Institute, 2008), 182, https://www.hsfr.de/fileadmin/HSFK/hsfk_downloads/Lithuania_2_01.pdf.

¹¹² Miniotaite, 182.

In addition, as observed by the Šlekys, a restrictive culture persists in the Lithuanian armed forces, preventing meaningful intellectual reflection on issues such as strategic aspects of war, defense policies, or underlying threats to national security, causing gaps in continuous improvement of military professionalism.¹¹³ Šlekys emphasizes that excessive institutional focus on democratic reforms has neglected traditions of intellectual reflection, taken for granted in Western societies since the evolution of CMR frameworks took place through an already established institutional basis for military professionalism.¹¹⁴ The intellectually restrictive character of civil-military interaction within the Lithuanian defense system affects the transfer of knowledge between service members and impedes the knowledge retention process in the Lithuanian military. Such transfer can be critical for unhindered internalization of democratic professional norms in the military culture, especially in conditions of high personnel turnover.¹¹⁵ At the same time, limited internal professional discussions with the military staff through the chain of command includes insufficient communication of new norms and regulations as well as a limited response to the concerns of service members while demanding unconditional loyalty to the issued policies.¹¹⁶

3. The Legislature and CMR

The Seimas approves overall organizational structure, size, and number and category of ranks for the armed forces and the NDVF.¹¹⁷ Since 2012, the law on intelligence stipulates that the SSD and the second investigation department are both accountable to the NSDC. With this amendment, the committee is authorized to receive reports or written explanations from the intelligence services and reflect deficiencies or act

¹¹³ Šlekys, “Intellectual Reflection,” 216.

¹¹⁴ Šlekys, 232.

¹¹⁵ Raudeliūnienė, Meidutė-Kavaliauskienė, and Vileikis, “Knowledge Sharing Process in the Lithuanian National Defence,” 162.

¹¹⁶ Stefan Kirchner and Vanessa Maria, “The Freedom of Expression of Members of the Armed Forces Under the European Convention on Human Rights In *Jokšas v. Lithuania*,” *Baltic Journal of Law & Politics* 7, no. 1 (2014): 12–28, <https://doi.org/10.2478/bjlp-2014-0002>.

¹¹⁷ Urbelis and Urbonas, “The Challenges of Civil-Military Relations,” 120.

in the prevention of violations. The NSDC exercises parliamentary scrutiny by organizing hearings, requesting governmental information, issuing audit reports, and initiating ad-hoc control or investigation commissions. Constitutionally the structure, internal rules, and procedures of the Seimas are defined by its statute, which also defines the role and responsibilities of the NSDC and other committees such as the committee on budget and finance and the audit.¹¹⁸ These committees are the essential instruments enabling the Seimas to oversee and control defense spending. Committees including the NSDC are configured based on the principle of proportional representation, considering the rights of the political minorities and the overall number of parliament members.¹¹⁹ The NSDC has the responsibility to decide upon initiatives reflecting matters of national security and defense, issue proposals, and make recommendations on defense policy development and improvements needed for its implementation. Besides, the ministry of finance reviews all defense expenditure plans, while parliamentary hearings on defense budget are open and information reflecting the planned spending is made available to the public.¹²⁰

Still, the NSDC lacks the legal power to initiate inspections or audits in these institutions.¹²¹ Therefore, the SSD and the second investigation department, which reports directly to the minister of defense, both mostly operate without any direct parliamentary oversight or engagement.¹²² Moreover, due to the weak procedural regulation on the matter, the Seimas lacks the institutional power to acquire secret information from security services, considering that such requests can be ignored by security institutions—even the MND—without facing any politically meaningful penalty.¹²³ Further, defense

¹¹⁸ Parliament of the Republic of Lithuania, “Statute of the Seimas of the Republic of Lithuania,” Pub. L. No. I-399, § 3 (1994), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/d9766070c2f511e883c7a8f929bfc500?jfwid=39x432mh7>.

¹¹⁹ Statute of the Seimas of the Republic of Lithuania, Article 49.

¹²⁰ Urbelis and Urbonas, “The Challenges of Civil-Military Relations,” 120.

¹²¹ Jasutis Grazvydas, “Essential Elements for Democratic Control of Armed Forces in Lithuania,” *Eastern European Security Research Initiative*, May 14, 2018, 46–48, <http://eesri.org/2018/05/assessing-the-essential-elements-for-democratic-control-of-armed-forces-in-lithuania/>.

¹²² Gricius and Paulauskas, “Democratic Control in Lithuania,” 42.

¹²³ Gricius and Paulauskas, 41.

procurement is often conducted through single-sourcing or secret procedures, while the procurement oversight mechanisms are insufficient to effectively scrutinize the process.¹²⁴

Despite close to exemplary legislation, the balance between secrecy and accountability has proven to be challenging for the Seimas to exercise effective oversight; thus, it often struggles to deliver practical results. Lawyers Edita Ziobiene and Gintaras Kalinauskas raise concerns that the number of parliamentary interpellations that were ignored by ministers has been growing and provide analytical evidence reflecting deficiencies in the statutory procedures and regulations of the Seimas and subsequent committees.¹²⁵ These scholars argue that several significant legislative-organizational factors hinder the very effectiveness of parliamentary oversight, such as the Statute of the Seimas. The latter lacks procedural clarity for parliamentary oversight, specific rules demanding proper responsiveness from the cabinet members and their attendance to committee deliberations, or provision of requested information while facing formal consequences if they fail to comply with the demands of the Seimas.¹²⁶ Ziobiene and Kalinauskas posit that investigations initiated by the NSDC can merely trigger political debate, but they lack the true capacity to conduct productive scrutiny when it comes to defense and security institutions, and therefore, oversight is rarely exercised effectively.¹²⁷ For example, parliamentary interpellation initiated by the NSDC requesting analytical reports in 2006, following the investigation focused on the SSD's undertakings, was essentially ignored.¹²⁸ Overall, mechanisms to enforce effective oversight over the security sector by the Seimas remain underdeveloped or unutilized.

¹²⁴ Matthew Steadman and Mia Paukovic, "Progress (Un)Made," Research paper (London: Transparency International, December 9, 2020), 2, <https://ti-defence.org/publications/defence-sector-corruption-governance-central-eastern-europe-cee/>.

¹²⁵ Edita Ziobiene and Gintaras Kalinauskas, "The Necessity of Parliamentary Oversight and the Main Subjects of Parliamentary Oversight in Lithuania: Permanent Committees of the Seimas," *Societal Studies* 1, no. 5 (2010): 23–39, <https://www3.mruni.eu/ojs/societal-studies/article/view/1350>.

¹²⁶ Ziobiene and Kalinauskas, 34–36.

¹²⁷ Ziobiene and Kalinauskas, 36.

¹²⁸ Ziobiene and Kalinauskas, 24.

4. Judicial Review

The constitutional court has acted in favor of the democratic CMR balance in the country. Nonetheless, a lack of transparency and accountability of the judicial establishment, especially at lower levels of judicial practice, generates high risks of corruption and is often exploited by narrow political or business interests. The low performance of the judiciary and constantly stagnating public trust and confidence were not left unquestioned and were followed by constant public criticism. The administration of Lithuanian courts has responded to the public criticism of the judicial practice by introducing more rigorous public communication policies, followed by an effort to apply technological solutions aimed at improving the transparency, effectiveness, and efficiency of courts.¹²⁹

The problem of independence and impartiality has been addressed by the international NGO Transparency International (TI), which assessed conditions in the Lithuanian judiciary in 2016. The TI report emphasized critical vulnerabilities in terms of corruption risks at all levels while recognizing that the rate of bribery in the judiciary is lower than in other institutions.¹³⁰ Also, several high-ranking judges have continued informal engagements with businessmen after their cases were settled in the court of appeals, while the council of judges applied no disciplinary measures in response to the unethical conduct.¹³¹ Such conditions generate a sense of mistrust in Lithuanian society at large including within the military towards the judiciary, encouraging informal ways of problem-solving and uncertainty in terms of the legal protection of individual rights or the fair treatment by the superiors.¹³²

¹²⁹ Kiršienė and Gruodytė, “The Highest Rate of Public Trust in Judiciary in Twenty Years in Lithuania,” 133.

¹³⁰ “Open Data to Fight Corruption – Case Study: Lithuania’s Judiciary,” accessed April 15, 2021, <https://www.transparency.org/en/publications/open-data-to-fight-corruption-case-study-lithuanias-judiciary>.

¹³¹ Open data to fight corruption, 5.

¹³² Stefan Kirchner and Vanessa Maria, “The Freedom of Expression of Members of the Armed Forces Under the European Convention on Human Rights In *Jokšas v. Lithuania*,” *Baltic Journal of Law & Politics* 7, no. 1 (2014): 12–28, <https://doi.org/10.2478/bjlp-2014-0002>.

5. Informal Oversight

Transparency International reports that the legal framework enabling access to public information is well implemented and shows a high response rate. Since 2013 the government has allowed the growth of civil-society actors by enabling citizens to divert their taxes and fund preferred NGOs, added by legislative initiatives and strategic documents strongly emphasizing the important public role of the civic sector.¹³³ The Western support aimed at civil-society capacity development as well as the government's efforts to support its effectiveness, however, are insufficient to neutralize the persisting civic passivity of Lithuanian society. The legal framework for the protection of whistleblowers remains weak, generating skepticism over possible repercussions for revealing problems.¹³⁴ Although the Seimas approves the budget for the Media Support Fund,¹³⁵ the current media environment in Lithuania is highly competitive and constantly faces a lack of economic adaptability in the conditions of a liberal economy, translating into excessive commercialization, notable socio-political polarization, and low media quality.¹³⁶ The military has complained that the media have been reluctant to deal with military issues and that defense matters are often side-lined.¹³⁷

B. ANALYSIS

The following analysis is built on the control-effectiveness framework and requirements developed by Bruneau, Matei, and Halladay addressing institutional control

¹³³ Erle Rikmann and Liisi Keedus, "Civic Sectors in Transformation and Beyond: Preliminaries for a Comparison of Six Central and Eastern European Societies," *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 24, no. 1 (2013): 161, <http://www.jstor.org/stable/42629797>.

¹³⁴ Steadman and Paukovic, "Progress (Un)Made," 3.

¹³⁵ Monika Petrulienė and Kristina Karlonė, "Media Funding Law Changes Labelled 'censorship' by Lithuania's Opposition," Lithuanian National Radio and Television (LRT), January 30, 2020, <https://www.lrt.lt/en/news-in-english/19/1137862/media-funding-law-changes-labelled-censorship-by-lithuania-s-opposition>.

¹³⁶ Kristina Juraite et al., "Lithuania : The Ideology of Liberalism and Its Flaws in the Democratic Performance of the Media," *The European Handbook of Media Accountability* (New York: Routledge, November 8, 2017), <https://doi.org/10.4324/9781315616353-19>.

¹³⁷ Miniotaite, *Democratic Civil-Military Relations*, 179.

mechanisms, inculcation of professional norms, and oversight by the legislative and judicial branches as well as civil society. Relevant values ranging from “low” to “high” for each requirement are assigned to None, Inconsistent, and Full application of the requirements for democratic control in practice. A summary of findings is presented in Table 1.

Table 1. Requirements for Democratic Civilian Control in Lithuania

Requirement	Institutional Mechanisms	Oversight	Professional Norms
Value	Medium	Low	Medium

1. Requirements for Institutional Control Mechanisms

Lithuania scores medium in the Institutional Control Mechanisms category. In line with NATO requirements, civilian authorities lead the national chain of command of the Lithuanian armed forces. The commander of the armed forces is subordinated to the minister of defense within clearly defined roles and responsibilities and participates in strategic security decision-making as a member of the SDC. The quality of military subordination to civilian orders eliminates risks of military intervention into politics. The military career management framework is based on the principle of individual career planning and development. Officers can follow a career goal communicated through higher command. Nevertheless, the institutional capacity of the SDC is insufficient and often results in declining coordination and lack of responsiveness to the national or collective security challenges. Such challenges are to be responded to with strategic decisions aimed at strengthening social resilience, optimal application of total defense policy, and effective strategic communication with the Lithuanian public.¹³⁸

Security institutions in Lithuania, including the armed forces, operate under legacy conditions of institutional domination by popular presidents and politically biased strategic

¹³⁸ Statkus et al., *Lithuania in The Global Context*, 363.

decision-making at the national command level.¹³⁹ The post-Soviet legacy expressed in political domination and interference in institutional autonomy has regularly undermined the credibility of the defense minister, top military commanders, and their relationships. These conditions, despite the constitutional-legal framework imitating the Western perception of democratic CMR, strongly enhance the restrictive culture of leadership and management at organizational levels, arresting objective policy development and credible internal control.¹⁴⁰ TI's reports since 2012 reflect no significant change in the anti-corruption area. Lithuania has been placed in the band C (moderate corruption risk) since 2015, while the inspector general in MND has been acknowledged as ineffective and non-transparent by the NGO.¹⁴¹

2. Requirements for Oversight

In the Requirements for Oversight category, Lithuania ranks low. The quality of democratic civilian control, organization of parliamentary oversight, and control as defined by the constitution and subsequent legislation depends more on the political leverage of political actors and the willingness of the government rather than on institutional checks and balances. The weak institutional capacity of the Seimas creates possibilities for high-profile political controversies involving top political leaders who pursue their political agendas through institutional domination, while security institutions operate under formal but ineffective parliamentary oversight.

Consequently, the Seimas has mostly served as the arena for political rivalry and populist debates, driven by further consolidation of executive power and control. Such a trend was specially empowered by popular presidents; thus, parliamentary oversight of the security sector is politically weak and mostly ineffective.¹⁴² The judiciary provides fair guarantees for democratic CMR balance in the country at the constitutional level; however,

¹³⁹ Šlekys, "Lithuanian Semi-Presidential Regime," 5–6.

¹⁴⁰ Lawrence and Jermalavičius, *Apprenticeship, Partnership, Membership*, 155–56.

¹⁴¹ Transparency International, "Lithuania, Government Defence Anti-Corruption Index," 1.

¹⁴² Lawrence and Jermalavičius, *Apprenticeship, Partnership, Membership*, 159–60.

at lower levels of interaction democratic civilian control is unsupported by credible and effective judicial oversight. Meanwhile, the civil society and media in Lithuania lack essential power and credibility to deliver meaningful results and exercise informal oversight over the decision-making in security institutions and respond to existing inconsistencies or demand improvements productively.

3. Requirements for Professional Norms

In the category of Requirements for Professional Norms Lithuania ranks medium. Lithuanian civilian and military leadership and staff have been given numerous opportunities at all levels to familiarize themselves with Western democratic norms, values, and practices.¹⁴³ Overall, the consolidated domestic and international effort has led to the development of necessary education and professional development capacity, built upon the concepts of Western military education that strongly enhances inculcation of democratic norms and values among the civilian and military staffs. By contrast, the politicization of the decision-making process at institutional and organizational levels hinders the effective utilization of military education and training received since regaining independence through Western support. As Romas Prakapas's analysis shows, Lithuanian officers lack initiative and faith in the selection process. Therefore, despite the number of norms regulating complaints or the reporting to higher levels, the mixture of modern and postmodern military culture supplemented by the post-Soviet legacy mentality of informal dealings has persisted in the Lithuanian military.¹⁴⁴

C. CONCLUSION

Lithuania's successful democratic transition since 1991 shows that CMR reforms in post-Soviet legacy conditions can be fully implemented only through comprehensive consideration of critical legacy impediments. These impediments reflecting the politicization of the security governance hinder full implementation of Western models of

¹⁴³ Vaidotas Urbelis, "Defence Policies of the Baltic States: From the Concept of Neutrality towards NATO Membership," NATO-EAPC Individual Fellowship Report (Vilnius, Lithuania: NATO, 2003), 11–12, <https://www.nato.int/acad/fellow/01-03/vaidotas.pdf>.

¹⁴⁴ Miniotaite, *Democratic Civil-Military Relations*, 182–83.

leadership, command, and management that enable liberal normative frameworks and credible foundations for democratic civilian control and military professionalism.¹⁴⁵ Such efforts, being antithetical to the Soviet legacies, have required cultural changes to decentralize leadership and management under credible internal control and public oversight. The Lithuanian reformers and Western advisors underestimated the scale and complexity of necessary cultural adjustments given the legacy mentality of large portions of Lithuanian society.¹⁴⁶ At the same time, the anti-corruption system in Lithuanian defense requires a robust civilian-military chain of command, high professionalism, and commitment to the public service to ensure transparency and accountability in management, be it in procurement, personnel, or finances. Without such a functioning system, potential corruption and the depletion of resources could lead to scandals that severely damage the image and overall legitimacy of the defense establishment.¹⁴⁷

Lithuania's defense and security have been under increased public attention and scrutiny since the Russian intervention in Crimea in 2014. This intervention served as a major wake-up call for Lithuanian society, considering its relaxed security stance after Lithuania's accession to NATO and the EU.¹⁴⁸ Defense and security matters have subsequently gained higher attention from the Lithuanian public and political elite, enabling a substantial rise in defense spending and political commitments for essential defense reforms. This trend offers new opportunities to reevaluate CMR challenges and improve upon the inconsistencies that hinder democratic civilian control in Lithuania.¹⁴⁹

¹⁴⁵ Thomas-Durell Young, "Impediments to Reform in European Post-Communist Defense Institutions," *Problems of Post-Communism* 65, no. 3 (May 4, 2018): 161–74, <https://doi.org/10.1080/10758216.2016.1220256>.

¹⁴⁶ Young, "Legacy Concepts," 33.

¹⁴⁷ Ben Magahy and Mark Pyman, "Ethics and Business Conduct in Defence Establishments: An International Review," *Journal of Military Ethics* 9, no. 1 (2010): 57–76, <https://www-tandfonline-com.libproxy.nps.edu/doi/full/10.1080/15027570903523065>.

¹⁴⁸ Šlekys, "Lithuanian Military Transformation," 310.

¹⁴⁹ Šlekys, 310.

III. THE CASE OF MONGOLIA

This case study reflects the post-Soviet political, institutional, and cultural legacies that generate essential impediments to effective and efficient security governance and democratic CMR in Mongolia. The Mongolian armed forces and other security institutions operate in legacy conditions of frequent politicization practiced through single-party domination over the legislative and executive branches. Such a trend generates a permanent need to utilize institutional authority for the consolidation of political power. The president addresses the need for higher power or authority by dominating the NSC, while the parliament deals with political corruption through the highly politicized and corrupt judiciary. The prime minister manages the government, remaining mostly unchecked by the parliament, the judiciary, and the democracy-oriented civil society that lacks the essential capacity to overcome barriers and exercise effective public scrutiny.

A. OVERVIEW OF CMR DEVELOPMENTS SINCE INDEPENDENCE AND THE TRANSITION TO DEMOCRACY

CMR in Mongolia has undergone a post-Soviet transition aimed at the protection of its national security interests through active international engagement and contribution to the global peacekeeping effort. These interests derive from Mongolia's historic conditions of being landlocked between two authoritarian regimes of China and Russia. Therefore, democratic progress has been achieved through balancing the relationships with neighbors and the delicate implementation of the diplomatic "Third Neighbor" policy. With this policy, Mongolia has actively striven for bilateral and multilateral cooperation with the Western democratic world in the political, economic, defense, cultural, and humanitarian spheres.¹⁵⁰ Consequently, Mongolia has achieved considerable progress while reforming its armed forces and reshaping its Soviet legacy social interaction at the operational and tactical levels. In this process, civilian and military security perceptions have been harmonized around the central role of peacekeeping, and therefore, the

¹⁵⁰ Munkhbayar Bayarsaikhan, "How Should the Mongolian Government Keep Balance between Maintaining Its National Security and Pursuing Economic Benefits" (Master's thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2019), <https://apps.dtic.mil/sti/citations/AD1104914>.

introduced reforms have not faced any notable backlash from the militaries' part, enhanced by the communist past of subordination to civilian-political orders.¹⁵¹

1. CMR Developments after the Transition

Historically, Mongolian military traditions have evolved dynamically since the 13th century. The Mongol empire employed more than a million armed men to ensure Mongolia's military dominance over world trade and politics right until its gradual disintegration in the 14th century and eventual domination over Mongolia by the Manchu Qing Dynasty in the 16th century.¹⁵² In this period of historic evolution, early Mongolian military culture has been formed through a firm and innovative application of centralized control and decentralized operational-tactical command of the military forces.¹⁵³ This approach positioned Mongolian soldiers and commanders as engaging a life-long military service through a "life of arms" as opposed to a "profession of arms," performed under strict requirements of loyalty to the Khan, and included constant training, preparation, and commitment to advance the Mongol imperial interests.¹⁵⁴

The individualistic character of the nomadic warrior was incorporated into the culture of discipline and unity of effort, closely resembling modern Western anticipations of command and control. Command relationships were managed in line with administrative regulations reflecting matters of individual, decentralized resource management, and performance.¹⁵⁵ At the same time, a merit-based personnel selection system operated in

¹⁵¹ Geneva Centre for the Democratic Control of Armed Forces (DCAF) and Ulaanbaatar Center for Policy Studies, *Security Sector Reform and Governance in Mongolia: Almanac* (Ulaanbaatar, Mongolia: Aurug, 2017), 44–45, <https://www.dcaf.ch/security-sector-reform-and-governance-mongolia-almanac-2017>.

¹⁵² Turtogtoh Janar, "A Basis of Mongolian Defense Policy and Armed Forces for Self-Defense," in *Advances in Military Sociology: Essays in Honor of Charles C. Moskos*, ed. Giuseppe Caforio, vol. 12 Part 2, Contributions to Conflict Management, Peace Economics and Development (Bingley, UK: Emerald Group Publishing Limited, 2009), 329, [https://doi.org/10.1108/S1572-8323\(2009\)000012B019](https://doi.org/10.1108/S1572-8323(2009)000012B019).

¹⁵³ Matthew J. Schultz, "Discarding the Mongol Way of War: A Geostrategic Analysis of the Mongol Expeditions to Conquer Japan" (Ft. Leavenworth, KS: U.S. Army Command and General Staff College, June 14, 2019), 30, <https://apps.dtic.mil/sti/citations/AD1085436>.

¹⁵⁴ Schultz, 126.

¹⁵⁵ Schultz, 31.

the Khan's army to support the high demand for discipline and individual as well as unified combat readiness. Leaders, fighters, and specialists were selected and assigned to their duties based on the assurances of loyalty, high potential, and trust. Such a system produced soldiers with a high degree of professionalism, who increased their proficiency and gained experience through continuous and demanding military campaigns.¹⁵⁶

The modern Mongolian army was established in 1921 and fought along with the Red Army against rebels, Japanese and Chinese units on different occasions. When the Soviet socialist revolution reached its culmination, the Russian Red Army pressed forward to neutralize all counter-revolutionary threats posed by the White Army, including those remaining in Mongolia—a development actively supported by Mongolian society as it moved through a narrow path of survival to its national sovereignty and independence.¹⁵⁷ During Soviet times, similarly as in Lithuania, the Mongolian security sector was fully integrated into the Soviet security apparatus, operating under centralized Communist Party control. In contrast to their Lithuanian counterparts, the Mongolian officers could hold high posts while managing the armed forces; however, such management was conducted under strict centralized Soviet planning and supervision.¹⁵⁸ Under Communist Party rule, remarkable historic military traditions based on loyalty, high morale, and credible leadership underwent forceful ideological and intellectual oppression into the coercive culture of unconditional subordination. The longstanding political control by the Communist Party and its management resulted in military obedience achieved under the systemic and unrestricted threat of intimidation.

As Soviet pressure gradually decreased by 1989, anti-communist sentiments grew and Mongolian intellectuals pushed for intensified political and socio-economic discussions that evolved into pro-democracy demonstrations, eventually ending with the political agreement to hold the first multiparty elections in Mongolia. At the same time,

¹⁵⁶ Schultz, 45–46.

¹⁵⁷ Suraya Amin Basu, “Mongolian People’s Republic,” 12, *World Wide Journal of Multidisciplinary Research and Development*, no. 4 (2018): 46, www.wwjmr.com.

¹⁵⁸ Basu, 49.

public skepticism powered by the absence of an external military threat after the Soviet Union's collapse and growing socio-economic turmoil in the country undermined funding and political support for the development of the armed forces.¹⁵⁹ In the early post-Soviet transition, considering a past marked by centralized Communist Party control enforced by the secret police and ideological indoctrination, the Mongolian military lacked credibility and public support. Therefore, already by the early 1990s, the culture of direct political party control over the military represented the major post-communist legacy hindering the democratization of civil-military relations in Mongolia.

The ministry of defense has struggled with a lack of professionalism and defense expertise in civilian staff who have suffered from low salaries and status, relative to the active or former military who served in the defense organization.¹⁶⁰ The average rate of leadership change in the ministry of defense, which has taken place once every two years since 1996, has left ministers without the effective institutional capacity or the political authority to perform their duties.¹⁶¹ The armed forces have also been underfunded, and thus conscription, as well as military service and careers in general, have been perceived as something to be avoided, further degrading the effectiveness of the armed forces.¹⁶² Nevertheless, the adoption of the constitution ended debates over the existence of the armed forces and introduced democratic civilian control with a central focus on territorial defense. Formal duties and responsibilities at the level of national command have been clearly defined and civilian supremacy has been adopted as the central principle of security governance in Mongolia. In line with the traditional national approach, the state security

¹⁵⁹ Bruneau and Matei, *The Routledge Handbook*, 205.

¹⁶⁰ Gerel Myagmarjav, "Reform, Modernization and Perspective of the Security Organization of Mongolia" (Master's thesis, Naval Postgraduate School, 2005), 79, https://nps.primo.exlibrisgroup.com/permalink/01NPS_INST/ofs26a/alma991002727389703791.

¹⁶¹ DCAF. *Almanac*, 50.

¹⁶² Bruneau and Matei, *The Routledge Handbook*, 211.

imperatives form the foundation for subsequent domestic and foreign policies or strategies aimed at the good performance of Mongolia both at home and internationally.¹⁶³

At the same time, the lack of needed equipment, necessary language skills, legacy military education, and training have challenged the peacekeeping reorientation of the Mongolian military, while some officers have perceived peacekeeping as detrimental to military readiness.¹⁶⁴ Bruneau and Matei posit that at the beginning of defense reforms, the peacekeeping concept got rejected since both politicians and the military had no essential knowledge of modern peacekeeping needs and military professional requirements.¹⁶⁵ Still, military advice and support provided by the United States, the Organization for Security and Cooperation in Europe (OSCE), NATO, and Japan have reversed Mongolian political and military perceptions regarding peacekeeping.¹⁶⁶ Access to professional military education and training provided by the United States has further expanded the understanding of modern requirements for democratic CMR, multinational missions, or peacekeeping operations. Since then, the Mongolian armed forces have contributed to missions in Iraq, Sierra Leone, Kosovo, South Sudan, Chad, and Afghanistan.¹⁶⁷

The peacekeeping role and the international humanitarian support have become the central peacetime duties for Mongolian armed forces. Principles of political neutrality and subordination to the civilian orders are emphasized in relevant legal acts and regulations, aimed at further improvement in professional, psychological, and physical readiness required for multi-national deployments and higher compatibility with Western armed

¹⁶³ Damba Ganbat, Rollin F. Tusalem, and David Da-hua Yang, “The Mass Public and Democratic Politics in Mongolia,” in *How East Asians View Democracy*, ed. Yun-han Chu et al. (New York Chichester, West Sussex: Columbia University Press, 2015), 139–60, <https://doi.org/10.7312/chu-14534-008>.

¹⁶⁴ Bruneau and Matei, *The Routledge Handbook*, 206.

¹⁶⁵ Bruneau and Matei, 211.

¹⁶⁶ Christopher Pultz, “The Role of Peacekeeping in Mongolia’s Military Strategy: A New Paradigm for Security,” *Asia Policy*, no. 17 (2014): 127–46, <http://www.jstor.org/stable/24905258>.

¹⁶⁷ Pultz, 17–23.

forces.¹⁶⁸ Subsequently, the complementarity of civil-military anticipations regarding the future development of the armed forces, despite its core mission of territorial defense, has largely revolved around the goal of strengthening the peacekeeping credibility and international image of Mongolia.¹⁶⁹

As the result, the Western concept of military professionalism has been introduced without any notable resistance or tension from the military side.¹⁷⁰ The “Fundamentals of the State Military Policy” (1998), subsequent government action-plans, and other policy documents have defined peacekeeping as an integral part of the declared defense policy.¹⁷¹ The legal framework regulating defense matters and subsequent mechanisms for the democratic civilian control over the armed forces were developed to ensure rapid adaptation to the contemporary security needs and challenges while considering historic political and socio-economic conditions in Mongolia. The following legal acts shape the democratic CMR framework in Mongolia:

1. The Law on Civil-Military Service Duties and Legal Status of Military Personnel, the law on ensuring the National Security of Mongolia, and the Law on the National Security Council of Mongolia were adopted in 1992, along with the Law on Defense of Mongolia (1993), and Law on Pensions and Benefits for Military personnel (1994).¹⁷²
2. The first legal document reflecting the Basis of the State Military Policy, the Law on the State of War, and the Law on Mobilization was approved by the parliament in 1998, followed by the Law on Armed Forces (2002), the Law on the Legal Status of the Ministry and Law on Government Agencies (2004) that defines administrative responsibilities and roles of

¹⁶⁸ DCAF. *Almanac*, 45.

¹⁶⁹ Bruneau and Matei, *The Routledge Handbook*, 212–13.

¹⁷⁰ Bruneau and Matei, 209.

¹⁷¹ Bruneau and Matei, 206.

¹⁷² DCAF. *Almanac*, 14.

the Ministry of Defense and the General Staff of Armed Forces. Legal acts adopted in 1998, such as the Law on the State of Emergency, Law on the State of War, and Law on War authorize the NSC to take over the full control of the state capacity in times of state emergency or war, if approved by the parliament.¹⁷³

3. The Defense Law of Mongolia initiated by the president in 2016 prohibits the employment of the military against the interests of the state and Mongolian society at large. The same year parliament expanded the roles of the armed forces by adopting an armed forces law. This law is set to regulate Mongolian armed forces' involvement in the management of the strategically valuable copper mines and the prevention of conflicts between representatives of large groups of foreign labor performing in Mongolian mines. Also, the law regulates the role of the armed forces in contributing to the build-up of major state infrastructure without affecting the quality of Mongolia's self-defense.¹⁷⁴
4. The law on the legal status of military personnel and the Law on Military Service defines the categories of officers, NCOs, conscript, professional, and alternative military service personnel as the active duty, as well as the mobilization reserve, while professional forces represent a central capacity for the self-defense of Mongolia.¹⁷⁵

These legal acts also address matters of defense organization and management, military service and training, mobilization, military rank system, etc., determined to ensure the protection of the Mongolian state, its sovereignty, and territorial integrity, while all state institutions are legally bound to participate in the safeguarding of state.¹⁷⁶ The

¹⁷³ DCAF, *Almanac*, 38.

¹⁷⁴ Major Abai Kanad, "Mongolian Defence Policy" (Canadian Forces College, May 2019), 13, <https://www.cfc.forces.gc.ca/259/290/308/305/kanad.pdf>.

¹⁷⁵ DCAF, 43.

¹⁷⁶ DCAF, 17.

parliament has updated the Basis of Defense Policy of Mongolia in 2015, and adopted subsequent legal amendments in the mentioned acts, including the new Defense Law of Mongolia initiated by the president. Introduced amendments responded to the urgent needs of defense optimization in line with contemporary and global technological, informational, security, and economic threats or tendencies.¹⁷⁷ Amendments to the Law on Military Service and the Law on Legal Status of Military Personnel, made in 2016, define a mixed system of conscription, professional force, and alternative service. Furthermore, the law has clarified that military ranks can be assigned only by military organizations and further emphasizes principles of political neutrality and military subordination.¹⁷⁸

The constitution sets the president as the commander-in-chief, who leads the government in matters of defense and security through the NSC.¹⁷⁹ The NSC includes the prime minister and the speaker of the parliament, which on the other hand is posed to provide supreme legislative support and control over the quality of implementation by the government.¹⁸⁰ In essential terms, the president, the speaker of the parliament, and the prime minister are responsible for the implementation of a legally binding National Security Concept, first adopted by the parliament in 1994. The prime minister, and thus the government as a whole, is responsible for defense capability development and modernization in line with national security needs.¹⁸¹ The parliament is responsible for exercising democratic civilian control over the armed forces, along with the defense-related committees, the prime minister, and the civilian defense minister.¹⁸²

¹⁷⁷ DCAF. *Almanac*, 18.

¹⁷⁸ DCAF, 19.

¹⁷⁹ “The Constitution of Mongolia,” article 32, accessed January 28, 2021, https://www.conscourt.gov.mn/?page_id=842&lang=en; Janar, “A Basis of Mongolian Defense Policy and Armed Forces for Self-Defense,” 331.

¹⁸⁰ Thomas C. Bruneau, Florina Cristiana (Cris) Matei, and Sak Sakoda, “National Security Councils: Their Potential Functions in Democratic Civil-Military Relations,” *Defense & Security Analysis* 25, no. 3 (September 1, 2009): 259, <https://doi.org/10.1080/14751790903201406>.

¹⁸¹ DCAF, 32.

¹⁸² Jargalsaikhan Mendee, “The Democratic Civilian Control of the Mongolian Armed Forces: The State IH Hural” (Master’s thesis, Naval Postgraduate School, 2000), 11, <https://calhoun.nps.edu/handle/10945/9367>.

The parliament of Mongolia (the State Great Hural) is constitutionally empowered to determine the basis for and initiate changes in the security and defense policies on its own accord. The parliament is the major institutional stronghold for democracy in Mongolia, along with a constitution that enables parliament to occasionally overcome the influence of popular presidents or neutralize debilitating effects of single-party dominance over the government and president portfolios.¹⁸³ Also the parliament exercises its oversight authority through parliamentary hearings and deliberations of highest state representatives, capable of obtaining all necessary documentation, mostly through the standing committees, subcommittees, and parliamentary oversight groups. Nonetheless, a high level of political corruption has undermined parliament's credibility and effectiveness in utilizing existing instruments for parliamentary control and oversight of the security sector.

The post-Soviet judicial system, like other branches of governance in Mongolia, faces the same challenges of politicization and corruption. Furthermore, intensive expert and technical assistance have been directed from the United States Agency for International Development (USAID) and German Development Corporation (GTZ) since 1990, which aimed to enhance impartiality and professionalism through the institutional development of an effective and efficient judiciary.¹⁸⁴ Mongolia's traditional judicial experience includes military courts, which were acting upon the principle of collective decision-making performed by mostly unqualified judges or prosecutors.¹⁸⁵ Military courts were dissolved in 1993 by the parliament, and military justice was transferred under the prerogative of civil courts, positioned to be impartial and subject only to the central judicial legislation.¹⁸⁶

¹⁸³ Sergey Radchenko and Mendee Jargalsaikhan, "Mongolia in the 2016–17 Electoral Cycle: The Blessings of Patronage," *Asian Survey* 57, no. 6 (December 1, 2017): 1033–34, <https://doi.org/10.1525/as.2017.57.6.1032>.

¹⁸⁴ Sebastian R. Astrada, "Exporting the Rule of Law to Mongolia: Post-Socialist Legal and Judicial Reforms," *Denver Journal of International Law and Policy* 38, no. 3 (2010): 484.

¹⁸⁵ DCAF, *Almanac*, 115.

¹⁸⁶ DCAF, 115–16.

The civic sector in Mongolia is characterized as active and growing in numbers. This image, however, does not necessarily imply the timely delivered practical results when it comes to the political, financial, or administrative civic capacity aimed at enhancing democratic checks and balances in Mongolia. For instance, an effort to enable the state to introduce key legislation on the freedom of public information in 2005, which required an alliance of ten NGOs to unite under a wider anti-corruption agenda, struggled with controversial political-procedural maneuvers that delayed the process of adoption as much as possible.¹⁸⁷

The scarcity of pro-democracy civic activism significantly derives from the fact that Mongolian society has suffered totalitarian regime suppression under Communist Party rule. As soon as party propaganda and media censorship were lifted, civil society encouraged by the democratic environment reemerged in Mongolia in a dynamic and politically influential manner, and thus quickly garnered acknowledgment by international organizations and Western counterparts.¹⁸⁸ In contrast to other post-Soviet states, however, Mongolia due to its geographical location was limited in possibilities to join international organizations promoting democracy such as NATO or the EU. Thus, the popular support for democracy in Mongolia has been mostly self-empowering, aiming at preserving sovereignty and national identity.¹⁸⁹ This reality has led to weaker public demand for further institutional enhancement of the civil society, which has lacked effective instruments to influence the decision-making process in the country democratically and deliver tangible results.

The legacy culture of restrictive control over the mainstream media has formed through a century-long process of press and media development in Mongolia, including the last two decades of freedom and relative independence from the total political control

¹⁸⁷ M. Steven Fish and Michael Seeberg, “The Secret Supports of Mongolian Democracy,” *Journal of Democracy* 28, no. 1 (2017): 133–34, <https://doi.org/10.1353/jod.2017.0011>.

¹⁸⁸ Radchenko and Jargalsaikhan, “Mongolia in the 2016–17 Electoral Cycle: The Blessings of Patronage”; Mendee Jargalsaikhan, “Civil Society in a Non-Western Setting : Mongolian Civil Society” (University of British Columbia, 2012), 17, <https://doi.org/10.14288/1.0072898>.

¹⁸⁹ Jargalsaikhan, “Civil Society in a Non-Western Setting,” 12.

exercised by the Communist government, aimed at escaping the image of a servant to state ideological propaganda. Fundamental rights for freedom of speech and expression, as well as the right to be informed, are guaranteed by the Mongolian constitution and subsequent legal acts that also prohibit state ownership or censorship of the media. Nevertheless, the media in Mongolia is caught between political and business interests, and thus has lacked public trust and confidence.¹⁹⁰ Overall, the politicized media lacks credibility and public service focus, posing additional challenges to democratic civilian control over the security sector in Mongolia.

2. The Executive and CMR

CMR in Mongolia unfolds in conditions of continuous rivalry between the two major political groups, the reformed former communist Mongolia's People's Party and the Democratic Party. Despite political stability in terms of peaceful transfer of power, longstanding single-party domination over the branches of power and direct political control at lower levels of governance generates fundamental impediments to democratic civilian control of the security sector. Also, notwithstanding the impressive ability of the Mongolian people to adapt to new complex realities in a rapidly consolidated democratic spirit in the country, the problem of corruption persists in all sectors of governance, occasionally increasing whenever the economic tempo accelerates, and additional income incentivizes corrupt appetites.¹⁹¹

As the chair of the NSC, the president provides guidance to the government on national security issues, proposes a declaration of a state of emergency or war to the parliament, and upon its approval the president is responsible to lead the crisis management process in the country. In parallel, the president enhances inter-agency security cooperation between the executive and judicial branches, while the political party membership gets suspended during the execution of presidential duties and responsibilities, aimed at

¹⁹⁰ Reporters Without Borders (RSF), "Law & Media Mongolia," Media Ownership Monitor, 2016, <http://mongolia.mom-rsf.org/en/context/law/>.

¹⁹¹ OECD, "Anti-Corruption Reforms in Mongolia" (Paris, France: Anti-corruption Network for Eastern Europe and Central Asia, 2019), 12, <http://www.oecd.org/corruption/acn/OECD-ACN-Mongolia-4th-Round-Monitoring-Report-2019-ENG.pdf>.

enabling bipartisan unity of action and national security collaboration.¹⁹² The national security concept further defines the responsibilities and authority of NSC.¹⁹³ High attention to the effectiveness and efficiency in times of emergency and crisis management gives the president authority to extend the NSC framework and transform it into a higher committee. This authority is set to ensure effective and efficient decision-making and coordination while employing scarce state resources in line with legal norms and requirements.¹⁹⁴

At the same time, the president is equipped with the right to propose the peacetime NSC composition to the parliament if needed.¹⁹⁵ In peacetime the NSC is tasked with regular review of the national security concept and subsequent legislation, to provide directions and solutions to the challenges of practical implementation of the defined security agenda based on factual research and analysis. Such reviews aim to reinforce national unity through ensuring constitutional human rights and freedoms, protecting national cultural heritage, as well as preserving the intellectual capacity and genetic pool of Mongolia. The NSC leads state defense policy development and makes structural-organizational decisions regarding the armed forces and initiates changes reflecting Mongolia's national interests and security needs.¹⁹⁶

Also, the chief of staff of the armed forces and the head of the general intelligence agency report directly to the NSC, which is supported by a group of experts, advisors, and reporting staff, led by the NSC secretary and office.¹⁹⁷ The rest of the high political spectrum, such as the chairman of the standing committee, and the party leaders are eligible

¹⁹² DCAF, *Almanac*, 33.

¹⁹³ Embassy of Mongolia in the Kingdom of Sweden. "National Security Concept of Mongolia," chap. 2, accessed January 30, 2021, http://stockholm.mfa.gov.mn/index.php?option=com_content&view=article&id=161%3Anational-security-concept-of-mongolia&catid=5%3A2010-02-05-02-15-34&Itemid=14&lang=mn.

¹⁹⁴ DCAF, *Almanac*, 33.

¹⁹⁵ DCAF, 33.

¹⁹⁶ DCAF, 35.

¹⁹⁷ DCAF, 35.

to participate in NSC meetings for additional national security consultations, while final decisions by the NSC are made based on consensus.¹⁹⁸ Cabinet members are managed in a centralized manner by the prime minister, who is bound to execute the president's directives, while the defense ministry is determined to initiate a defense capacity development process such as the mid-term defense reform programs or policies. These policies are set to increase the effectiveness and efficiency of the armed forces within the defined roles and missions by seeking NSC's approval, which later submits recommendations to the parliament for voting.¹⁹⁹ At the same time, to expand political leverage even further the president initiated changes in 2016 to increase the NSC's authority, but the parliament decided not to act upon it and sent it back to the president. These dynamics reflect the culture of politicization of security decision-making at the level of national command, practiced by the president, the chairman of the parliament, and the prime minister, who is often associated with the same political party as the president, and thus, the political balance between the branches of power provided by the NSC mostly serves to coordinate narrow single-party political interests.²⁰⁰

Bruneau, Matei, and Sakoda, referring to several years of interaction with Mongolian representatives, posited in 2009 that the unique configuration of the NSC aims at the balance of political power and prevention of one-man rule in the country. Such balance is enhanced by the national security documents developed and adopted with the United States' support, aimed at improving the NSC's capacity to coordinate many state institutions, all responsible to contribute to national security.²⁰¹ Nevertheless, concerns have been raised in terms of reforms of the intelligence services and their deficient capacity for policy implementation and effective and efficient accomplishment of defined roles and

¹⁹⁸ DCAF, 36.

¹⁹⁹ Narankhuu Turbat, "What Can Mongolia Learn from the Experiences of Other Democratic Countries That Have Set up Systems for Defense Policy Planning?" (Master's thesis, Naval Postgraduate School, 2007), 54, <https://calhoun.nps.edu/handle/10945/3567>.

²⁰⁰ DCAF, *Almanac*, 40.

²⁰¹ Bruneau, Matei, and Sakoda, "National Security Councils," 259.

missions.²⁰² DCAF observes inconsistencies in the existing setting highlighting that the president chairing the NSC is problematic, since it is not a structural part of the executive branch, and the prime minister is represented in the council without any other cabinet member, including the minister of defense.²⁰³ Besides, made decisions despite being formally advisory, in practice, all institutions are procedurally obliged to report on the progress to NSC regularly.²⁰⁴

The lack of effective organizational capacity of the ministry of defense derives from the absence of political will to decentralize defense governance to a degree that would enable the constant effort of the ministry to be translated into the credible national defense or the military strategy.²⁰⁵ Thus, the political leadership in the ministry serves as an instrument to exercise centralized political control over the defense bureaucracy and administration, rather than to ensure comprehensive defense policy and strategy development through the control of the budgetary and procurement process in conditions of objective civilian control. The MOD controls only part of government defense budget allocations and even though the portfolio is owned by the minister, the chief of general staff has full control over the operational expenses and can authorize the spending three times higher than the minister.²⁰⁶ In addition, frequent turnover of defense ministers leads to a replacement of essential management with outsiders, even placement of civilians in the armed forces as commissioned officers. Political affiliations of such personnel have undermined military professionalism and led to the politicization of civil-military interaction beyond the ministry of defense.²⁰⁷ These problems are not compensated by

²⁰² Bruneau, Matei, and Sakoda, 259.

²⁰³ DCAF, 40.

²⁰⁴ DCAF, *Almanac*, 40.

²⁰⁵ Myagmarjav, "Reform, Modernization and Perspective," 80.

²⁰⁶ Myagmarjav, 79.

²⁰⁷ Bruneau and Matei, *The Routledge Handbook*, 215.

politically unbiased oversight, since audit reports are a mere formality, despite the well-defined functional and organizational capacity of the state audit in Mongolia.²⁰⁸

Western values-based education and training in the English language have become a matter of key developmental choice for Mongolian officers and NCOs. This trend gradually replaces elements of Communist party control in military career planning or decision-making, even though some nostalgia towards Russian military culture and equipment still can be observed.²⁰⁹ Also, continuous assistance provided by the United States has equipped Mongolian civilian and military leadership with fresh ideas for modernization, especially in terms of peacekeeping roles and missions.²¹⁰

3. The Legislature and CMR

The parliament determines the basis and initiates changes into security and defense policies on its own accord.²¹¹ The parliament approves the annual state budget in line with the Law on Rules of Procedure of the State Great Hural through four pre-defined phases. The Parliament has the formal power to act and change NSC setting to streamline it with international best practices, but no such action has been observed so far.²¹² Also exercises its oversight authority through parliamentary hearings and deliberations of highest state representatives, capable of obtaining all necessary documentation, mostly through the standing committees, subcommittees, and parliamentary oversight groups. Such groups are created regularly and along with the State Audit Office conduct oversight at the organizational levels.²¹³ The main source generating relevant data and reporting necessary

²⁰⁸ DCAF, 27.

²⁰⁹ Jargalsaikhan Mendee, “Asymmetrical Military Socialization: Mongolia as a Case Study,” *Armed Forces & Society* 39, no. 2 (April 1, 2013): 318, <https://doi.org/10.1177/0095327X12441323>.

²¹⁰ DCAF, *Almanac*, 45–46: Mongolia has deployed more than 12,000 personnel through 16 missions in 14 countries, successfully engaging in multinational peace support operations. Regular training and exercise provided by the Joint Training Center of Mongolian Armed Forces has conducted more than a dozen international joint exercises just in 2015, on the way to acquiring the status of the regional center.

²¹¹ DCAF, 21.

²¹² DCAF, 40.

²¹³ DCAF, 24.

for effective parliamentary oversight is the financial performance and compliance audits conducted by the National Audit Office performing according to the Law on State Audit. This office along with regular financial audit evaluates management quality and procedural gaps in terms of effectiveness and efficiency.²¹⁴ The intelligence and other special services are subject to oversight by a special subcommittee, which approves their budgets as well.²¹⁵ Audit reports and recommendations are regularly submitted to the relevant committees, but no measures have been reported in response to provided recommendations, turning them into a mere formality, thus standing committees have not exercised their powers to a needed extent.²¹⁶ No specific procedure is defined for the defense budget, as it proceeds similarly to other sectors, while the standing committee on the budget has a final say, turning the latter into a prime decision-maker on the defense policy after all. Also, at times, temporary working groups set to prepare defense budget proposals fail to reach consensus, thus creating delays or failing to discuss the proposed defense budget at the plenary session of the parliament.²¹⁷

The Geneva Centre for Security Sector Governance (DCAF) observes that despite existing mechanisms established to enhance democratic checks and balances, giving the parliament formal powers to demand and control the government's effectiveness and efficiency, the number of such activities has been notably low since 1992.²¹⁸ For instance, the prime minister had reported to the committee only once by 2012, and the defense minister had done the same in 2015, while the intelligence services have appeared before the standing committee only twice.²¹⁹ When it came to decisions on matters of social security and well-being, however, the standing Committee on Security and Foreign policy acted with determination and rejected the government's proposal on reducing

²¹⁴ DCAF, 26–27.

²¹⁵ DCAF, 25–26.

²¹⁶ DCAF, *Almanac*, 27.

²¹⁷ DCAF, 25–26.

²¹⁸ DCAF, 21.

²¹⁹ DCAF, 21.

compensations to military personnel initiated in the state budget in 2016, repeating the same action in 2017.²²⁰ Nevertheless, as Marc S. Jacob and Greta Schenke report in 2019 through analysis of conditions of institutional trust in Mongolia, public trust towards the Mongolian parliament is traditionally lower than that of the directly elected president representing a single person, while the perception of corruption further degrades institutional trust towards the parliament.²²¹

4. Judicial Review

The five-year-long institutional development strategy was set to achieve independence, responsiveness, transparency, and accountability of the Mongolian judiciary.²²² The Judicial General Council (JGC), which is a separate body within the judicial system, is constitutionally set to guarantee the independence of judges, while being responsible for the organizational performance of the courts; however, the president and the parliament continue to gain political leverage over the judiciary.²²³ Judicial reforms lack public focus and scrutiny, which traditionally has been more oriented on the government's actions aimed at overcoming immediate socio-economic challenges. The three-tier system of courts is specified by the Constitution and includes the supreme court, courts of appeal, and first instance courts, all covered by the National Anti-Corruption Strategy (2016–2023) and aimed at progress in terms of transparency, independence, and integrity of the judiciary.²²⁴

Nevertheless, the president is involved in all key career decisions, for instance, in the case of the appointment of heads and members of the Judicial Qualifications and Ethics Committees or when the nominations for the role of supreme court judges are first agreed

²²⁰ DCAF, 28.

²²¹ OECD, “Anti-Corruption Reforms,” 12.

²²² Heike Gramckow and Frances Allen, “Justice Sector Reform in Mongolia: Looking Back, Looking Forward” (Washington, DC: World Bank, 2011), 4–5, <http://hdl.handle.net/10986/18323>.

²²³ OECD, “Anti-Corruption Reforms,” 52.

²²⁴ OECD, 24.

to with the parliament and finally submitted to the president for approval.²²⁵ In 2019 the concerted action of the president and the parliament led to further limitation of judicial independence through legal amendments granting “the president, prime minister and the speaker of parliament the authority to dismiss both these positions and all judges without justification before their terms of office expire”.²²⁶ Due to the poor quality of judicial decisions, public trust and confidence in the judiciary have undergone a notable decline since 2005. The Independent Authority for Anti-Corruption (IAAC), despite several high-level convictions or the ongoing investigations, has lacked independence and thus credibility.²²⁷ Single-party domination involves the political affiliation of judges with members of the parliament and government, performing with the communist legal psychology.²²⁸ At the same time such post-Soviet legacies as passive civic engagement, a corrupt and politicized judiciary, as well as free but politically or financially biased media are unable to exercise objective scrutiny or build public trust in security institutions.²²⁹

5. Informal Oversight

The Western democratic world has acknowledged the state of civil society in Mongolia as vibrant and dynamically growing; however, only a few works have addressed the study of civil society in Mongolia comprehensively.²³⁰ Steven Fish and Michael Seeberg observe that the adoption of the Law on Information Transparency and Right to

²²⁵ OECD, 52.

²²⁶ Boldsaikhan Sambuu and Aubrey Menarndt, “Here’s How Democracy Is Eroding in Mongolia,” *The Washington Post*, April 3, 2019, <http://libproxy.nps.edu/login?url=https://www.proquest.com/blogs,-podcasts,-websites/here-s-how-democracy-is-eroding-mongolia/docview/2202987057/se2?accountid=12702>; Aubrey Menarndt, “In Mongolia, Proposed Legislation Endangers Civil Society,” *The Washington Post*, November 7, 2019, <http://libproxy.nps.edu/login?url=https://www.proquest.com/docview/2312718176?accountid=12702>.

²²⁷ OECD, “Anti-Corruption Reforms,” 24.

²²⁸ Astrada, “Exporting the Rule of Law to Mongolia,” 485.

²²⁹ Mijeddorj Batchimeg, “National Security of Mongolia: Past, Present & Future,” *Mongolian Journal of International Affairs*, no. 17 (2012): 15.

²³⁰ Dulam Bumochir, “Mongolia,” in *Routledge Handbook of Civil Society in Asia*, ed. Akihiro Ogawa (Abingdon: Routledge, 2017), 97, https://nps.primo.exlibrisgroup.com/permalink/01NPS_INST/ofs26a/alma991005481497003791.

Access Information has led to practical results, affecting established governance practices such as secretive budgets and finances, and the state procurement process, reflected in improved global rankings by 2015, and the authors remain optimistic of further progress if civil society continues its consolidation in Mongolia.²³¹ Nevertheless, notable concerns have been raised by Mongolian human rights activists in response to the draft law initiated in 2019 that mimics restrictions on civil society in Russia, Poland, and Hungary.²³² This initiative implies monitoring of NGOs in terms of foreign financial donations and support, through the Civil Society Development Council. Meanwhile the methodology that would determine the credibility of foreign-funded NGOs is unclear, raising fears that new institutions will serve as instruments for the suppression of politically undesired organizations or civic groups.

The media environment in Mongolia mostly operates under self-censorship and its funding relies on the ongoing political attitude of the government or the political and business elite in general.²³³ The principles of transparency and of accessibility to private media shareholder information are addressed in the national security concept, however, the DCAF study addressing the question “Why are journalists not interested in getting involved in investigative journalism?” reveals that nearly 90 percent of journalists would avoid such a field due to the high risks of intimidation and life-threatening physical or legal suppression, while no protection is guaranteed by the media owner and because reports produced are eventually disregarded by the law or the courts.²³⁴

B. ANALYSIS

The following analysis is built on the control-effectiveness framework and requirements developed by Bruneau, Matei, and Halladay addressing institutional control

²³¹ Michael Seeberg, “Democratization in Clan-Based Societies: Explaining the Mongolian Anomaly,” *Democratization* 25, no. 5 (July 4, 2018): 135, <https://doi.org/10.1080/13510347.2018.1425294>.

²³² Menarndt, “In Mongolia,” 1–2.

²³³ Reporters Without Borders (RSF), “Mongolia : Defamation Suits and Self-Censorship,” RSF, accessed March 26, 2021, <https://rsf.org/en/mongolia>.

²³⁴ DCAF, *Almanac*, 139.

mechanisms, inculcation of professional norms, and oversight by the legislative and judicial branches as well as civil society. Relevant values ranging from “low” to “medium” and “high” for each requirement are assigned to None, Inconsistent, and Full application of requirements for democratic control in practice. A summary of findings is presented in Table 2.

Table 2. Requirements for Democratic Civilian Control in Mongolia

Requirement	Institutional Mechanisms	Oversight	Professional Norms
Value	Low	Low	Medium

1. Requirements for Institutional Control Mechanisms

Mongolia scores low in the Institutional Control Mechanisms category. Despite existing institutional preconditions for democratic civilian control over the security sector in Mongolia, the highest executive political authorities have regularly politicized the governance process. The NSC serves the purpose of political power-balance and compromise between the president, the speaker of the parliament, and the prime minister. Thus, most of the security decisions are made at the highest executive and legislative levels, while the ministry of defense mostly serves the purpose of civilian-administrative control over the armed forces, rather than to exercise control over the budget and policy development or their implementation. The existing legal framework addresses matters related to the performance of the armed forces and quality of its overall management emphasizing civilian supremacy, political impartiality, discipline, effective and timely decision-making, rather than Western-style institutional control, decentralized management, or checks and balances.²³⁵ The direct political control or interference through lower levels of defense decision-making reflects Soviet-style political leadership and management rather than effective democratic civilian control.²³⁶

²³⁵ DCAF, *Almanac*, 48.

²³⁶ R.L. Worden, A.M. Savada, and H. Lohninger, “Mongolia. Organization since 1968,” Library of Congress Country Studies, 2004, <http://www.photoglobe.info/ebooks/mongolia/index.html>.

It can be argued that the overall institutional framework for national security in Mongolia may serve as an effective consensus-building mechanism; however, the utilization of the NSC as a political power-balancing mechanism can significantly affect objective and depoliticized security decision-making in the country. The NSC, along with its secretary and office, remain attached to the president, leaving the image more of a presidential institution rather than a politically neutral institutional mechanism for effective and efficient national security decision-making.²³⁷ Besides, even though the prime minister is the most influential politician in the country responsible for the government, the power to initiate or veto the legislation and confirm the prime minister or cabinet members gives the president strong formal and political grounds for supremacy.²³⁸ Furthermore, despite the defense ministry's legal authority as the primary source of defense policy and strategy development in the country, it lacks significant organizational capacity in terms of funding and human capital that would enable such delivery. At the same time, the minister of defense requires clear policy directives and support from the government, the president, the parliament, or the NSC to initiate institutional reforms.²³⁹

2. Requirements for Oversight

In the Requirements for Oversight category, Mongolia also ranks low. Despite the parliament's notable political power and ability to make critical interventions and decisions, as in the case of Lithuania, in Mongolia routine parliamentary oversight lacks effectiveness and efficiency. This challenge is attributed to existing mechanisms and procedures, which, notwithstanding the notable audit capacity and institutional checks and balances, do not allow comprehensive and timely oversight and effective response to the practical challenges. These challenges are directly attributed to the culture of single-party domination that restricts further development and effective utilization of existing

²³⁷ Khasbazaryn Boldbat, "National Security Council of Mongolia Promoting Civil-Military Relations" (Master's thesis, Naval Postgraduate School, 2004), 57–58, <http://hdl.handle.net/10945/1703>.

²³⁸ Mendee, "Asymmetrical Military Socialization," 14.

²³⁹ Turbat, "What Can Mongolia Learn," 80–82.

mechanisms and instruments for effective democratic civilian control.²⁴⁰ At the same time, political corruption has been a major problem in Mongolia, attributed mostly to political parties, which are perceived as the most corrupt institutions. Party financing aspects are unclear and existing loopholes in regulations of political party financing generate notable risks of illegal funding from unverified sources.²⁴¹

These risks are not mitigated by the informal oversight by civil society and the media. Western concepts of democracy, equal access to free-market relations, and transparent and accountable governance have been introduced in Mongolia through civic engagement focused on capacity development, advocacy, and lobbying for standards or requirements attributed to liberal democracy and funded mostly through international partners.²⁴² However, civic engagement in Mongolia is heavily complicated by the politicized judiciary and overall deficiency of resources for the civil-society capacity development, as reflected in the largely tolerated rise of corruption, lack of transparency, and accountability embedded in a culture of single-party domination.²⁴³ In summary, civil society in Mongolia is vibrant and robust in number but lacks essential strength to push back growing illiberal tendencies—notwithstanding the occasional progress and considering the lack of state funding and looming restrictions on foreign support.

3. Requirements for Professional Norms

In the category of Requirements for Professional Norms Mongolia ranks medium. Mongolian armed forces have undergone both a cultural and organizational makeover while implementing a policy for high-quality peacekeeping engagement. The institutionalization of peacekeeping as one of the core missions for the Mongolian armed forces has resulted in major achievements in terms of the democratization of CMR in

²⁴⁰ Julian Dierkes and Marissa Smith, “Mongolia’s New Parliament: Familiar Party, Fresher Faces,” *Diplomat*, June 25, 2020, <https://thediplomat.com/2020/06/mongolias-new-parliament-familiar-party-fresher-faces/>.

²⁴¹ OECD, “Anti-Corruption Reforms,” 12.

²⁴² Bumochir, “Civil Society in Asia,” 96.

²⁴³ Verena Fritz, “Mongolia: The Rise and Travails of a Deviant Democracy,” *Democratization* 15, no. 4 (August 2008): 785, <https://doi.org/10.1080/13510340802191060>.

Mongolia.²⁴⁴ The communist-style military command and control are gradually turning into the delegation culture, and the overall socialization process has distanced itself from the ideological and repressive party control and Soviet-style military doctrines. This process was strongly enhanced by political support and democratic acknowledgment in the Western world, especially the nonbinding, strategic support by the United States, and access to modern military education at all levels. Such access has allowed Mongolian armed forces to internalize democratic norms and values at operational and tactical decision-making levels, backed by active civilian leadership support.²⁴⁵

Nevertheless, democratic CMR enhanced only through the Westernization of military culture for the sake of successful peacekeeping and international recognition is insufficient for successful democratic control at the national command and sectoral level, which is necessary specifically in conditions of territorial defense and existing constitutional-legal basis. The rest of the security sector such as the police, border troops, and the intelligence services were not exposed to Western concepts and expert support, and thus have remained in legacy conditions of leadership and management antithetical to democratic norms and values. These services have been exposed only to the limited development offered by Russia and China that feed on examples of authoritarian security governance.²⁴⁶ In contrast to these organizations failing to protect the basic public good democratically, the armed forces in Mongolia enjoy the image of the most reformed and credible security institution.²⁴⁷ Such progress fails to have a spillover effect on the rest of the security sector due to the low degree of interoperability between security institutions.²⁴⁸

²⁴⁴ Bruneau and Matei, *The Routledge Handbook*, 204.

²⁴⁵ Mendee, "Asymmetrical Military Socialization," 309.

²⁴⁶ Bruneau and Matei, *The Routledge Handbook*, 214.

²⁴⁷ Bruneau and Matei, 214.

²⁴⁸ Bruneau and Matei, 214–17.

C. CONCLUSION

Even though the overall CMR legal framework in Mongolia is supportive of democratic defense governance, democratic progress stands at the sidelines of constitutional-legal imperatives rather than at the center of the initiatives that led to fundamental CMR reforms since the 1990s. Notwithstanding the dynamic post-Soviet legal reforms aimed at better organization and management of the military, challenges in the interactions between the ministry of defense and the military command are not addressed, highlighting the persisting culture of secrecy and inclination to keep defense and security matters away from the public focus.²⁴⁹ The longstanding single-party domination undermines the constitutionally acknowledged principle of democratic civilian control in objective terms and carries an embedded risk of constant politicization of the security institutions.²⁵⁰

Overall, the combination of significant internal political, cultural, and external economic-security trends determines the post-communist nature of the Mongolian CMR and reflects the pragmatic democratic choice made by the Mongol society. This pragmatism has led Mongolia to notable democratic, socio-economic, and security achievements while preserving its independence and gaining international recognition.²⁵¹ On the other hand, it seems that this pragmatism lacks an essential political stimulus aimed at a deeper level of national command impacting the entire security sector, and thus prevents credible security governance and further democratic consolidation. The political culture of single-party domination over security decision-making translates into illiberal and corrupt practices at institutional and organizational levels and impacting all state institutions, especially the judiciary and overall justice system. Positive trends reflecting the inculcation of democratic norms and values by the military at operational and tactical levels cannot neutralize the aforementioned legacy.

²⁴⁹ DCAF, *Almanac*, 20.

²⁵⁰ Bruneau and Matei, *The Routledge Handbook*, 215.

²⁵¹ Batchimeg, “National Security of Mongolia,” 15–16.

IV. ANALYSIS AND CONCLUSIONS

Notwithstanding their divergent paths to democratization, the common character of CMR challenges observed in Lithuania and Mongolia is a struggle to implement democratic civilian control because the highest political actors in those states have politicized security governance. Strong additional external and internal political, socio-economic, and security incentives are necessary to overcome existing legacies and enable further democratic security reforms and consolidation in the post-Soviet world. Painful post-communist democratic transition in these countries on one hand resulted in widely acknowledged foundations for democratic CMR but on the other developed insufficient executive, legislative, and judicial frameworks, failing to ensure depoliticized security governance. In all three cases, these frameworks lack effective tools to enable democratic civilian control at the institutional or organizational levels; the development of such tools requires long-term reforms, cultural adaptation, and credible change management. At the same time, the legacy of civic passivity weakens possibilities for informal oversight or public scrutiny of ongoing policies and their outcomes. These observations apply meaningfully to the author's home country of Georgia, as well.

To further depoliticized security governance in Lithuania, Mongolia, and Georgia, tailored support for uninterrupted democratic reforms provided by the Western democratic world is necessary. Otherwise, persistent illiberal political, institutional, or cultural legacies will most likely continue turning the national security governance into a space for narrow political power-balancing rather than objective security decision-making, risking the crisis of legitimacy and acceleration of the democratic decline in the post-Soviet space.

A. TESTING THE HYPOTHESES

The present research proves the first two hypotheses of this thesis incorrect because none of these former Soviet countries struggles with the lack of military subordination to civilian orders or “shirking” as explained by Feaver, nor do they reflect the high military prerogatives challenging democratic civilian control. The third hypothesis, addressing the

lack of civilian expertise and disinterest in defense reforms, stands partially correct. Table 3 summarizes the main findings.

Table 3. The Applicability of Findings to Hypotheses

Hypothesis	“Shirking”	High military influence/ prerogatives	Lack of expertise or interest in reforms
Applicability	Low	Low	Partial

Lithuania and Mongolia are similarly situated with regards to the first hypothesis of this thesis—that the armed forces’ refusal to carry out the missions assigned by the civilian authorities weakens democratic civilian control. Lithuanian military branches have increased their professionalism in Huntingtonian terms while striving for NATO membership. Similarly, the Mongolian civil-military interaction has been harmonized around the international peacekeeping role of the armed forces. In both cases, the military has largely acknowledged Western democratic values and norms promoting military subordination to civilian orders. Significant domestic and international efforts enabled post-Soviet cultural adaptation at lower levels of military command, while the legacy culture of communist-style obedience appears to have played in favor of unhindered civilian control at early stages.

The second hypothesis arguing that continued military prerogatives also challenge democratic civilian control because the military remains the de facto defense and security decision-makers—as emphasized by Bruneau, Matei, and Halladay—does not apply to Lithuania or Mongolia. This study reveals the partial relevancy of the third hypothesis, asserting namely that challenges to democratic civilian control over the security sector in Lithuania and Mongolia reflect the lack of civilian expertise in defense and security matters or insufficient interest in military reforms, which halts defense reform and defense decision-making progress. Indeed, the intensive Western effort in terms of education, training, and expert support to both countries over more than two decades translates into

the ability to successfully emulate Western practices, especially in Lithuania. Therefore, civilian defense leadership in Lithuania and Mongolia do not suffer from a lack of expertise, but more from an insufficient interest in deeper institutional and cultural reforms, which are largely discouraged by the legacy culture of direct political interference in leadership and management of the defense establishment. The strong presidential influence in Lithuania reaches lower levels of defense governance and undermines the institutional autonomy of the MND and the credibility of the defense minister, disrupting the military professionalism and subordination by directly interacting with lower-level military commanders. Frequent changes in leadership and staffs limit defense ministers and high military command from focusing on the long-term development of credible tools to manage resources effectively and efficiently or guarantee credible internal control.

On the other hand, in Mongolia, the civilian defense leadership is set to exercise mostly administrative control over the armed forces and fully depends on the decisions of the president and the NSC to initiate any policies or meaningful institutional changes. Notwithstanding the different degrees of centralization in both cases, decisions at national, institutional, and organizational levels primarily derive from political considerations and influence rather than objective developmental needs. The lack of political will and determination hinders anti-corruption reforms, delivering mostly mediocre results that are unable to neutralize corrupt practices persisting in all branches of governance, including the judiciary. Also, the political and financial bias of the media and pro-democratic civic passivity, in aggregate, create unfavorable conditions for further democratic consolidation in Lithuania and Mongolia, despite credible electoral systems and an established tradition of peaceful transfer of power.

B. COMPARATIVE SUMMARY

Post-Soviet democratic civilian control in Lithuania and Mongolia faces a lack of political will and determination to implement long-term democratic defense reforms and transformation. This major deficiency combined with political leaders' limited culture of delegation and decentralization, as well as a legacy inclination to exercise direct political control at lower levels of security governance, may lead to a crisis of legitimacy not only

for elected governments and the policy decisions they make but for the democratic way of the rule as such. This perspective underlines the higher importance of democratic CMR reforms in the post-communist space while facing the critical challenge of democratic decline in general.

Expectations that the evolutionary process of political, socio-economic, and cultural adaptation to Western democratic values would take place in post-Soviet space were based on the experience of democratic reforms in the Western hemisphere through the gradual process of democratization. This sort of evolutionary adaptation has provided Western nations with greater political time to prepare and communicate the change effectively, gain and maintain a sufficient and necessary degree of public trust and confidence in policies, and continuously learn from mistakes. Legacies antithetical to Western democracy burden this evolution in Lithuania and Mongolia; therefore, strong political consensus and determination are necessary, aimed at the long-term development of institutional mechanisms or toolkits that enable transparent and accountable security governance at all levels.

Lithuania created these mechanisms from scratch, while Mongolia adapted the Soviet-era ones; in both cases, such efforts lacked continuous and longstanding public interest in defense reforms and demand for democratic progress in all sectors of governance. Thus, political interference on lower levels of security governance has led to low organizational effectiveness and efficiency, politically biased personnel policies, a culture of excessive secrecy, and corruption in defense procurement, restricting the further practical implementation of democratic civilian control. At the same time, the intensive international support from the United States, NATO, and the EU aimed at strengthening the democratic stability and quality in Lithuania and Mongolia have motivated political elites to deal with long-term reforms and enhanced continuity of development. This support has also strengthened public confidence in the democratic process. Both in Lithuania and Mongolia, Western support and recognition have significantly contributed to the improved public image of the military, enabling increased funding and development. Nonetheless, if such support is provided without firm anticipation of the conceptual divide and continues

to encourage the culture of imitation and free-riding, it is less likely to result in objective civilian control or democratic progress.

C. CORRELATION OF FINDINGS WITH CHALLENGES OF DEMOCRATIC CIVILIAN CONTROL IN GEORGIA

Ultimately, this research makes clear that the challenges and legacies undermining democratic civilian control of the security sector in Lithuania and Mongolia strongly correlate with challenges observed in another post-Soviet consolidating democracy, Georgia. Table 4 summarizes the findings reflecting the status of challenges in Georgia.

Table 4. Requirements for Democratic Civilian Control in Georgia

Requirement	Institutional Mechanisms	Oversight	Norms
Value	Low	Low	Medium

As in the cases of Lithuania and Mongolia, Georgia has achieved considerable democratic progress recognized by NATO, the EU, and other partners actively supporting democratic security reforms in the country. CMR in Georgia is built upon the Huntingtonian model of objective civilian control. The post-Soviet constitutional-legal framework is supportive of democratic civilian control of security institutions; thus, the civilian political leadership leads the defense and security policy decision-making in the country.²⁵² At the same time, democratic civilian control of the security sector in Georgia closely resembles conditions observed in Mongolia reflecting the culture of direct centralized political control/interference exercised at all levels of security governance. Such interference undermines the adequate development of institutional control mechanisms and hinders the credibility of security institutions. This legacy thwart

²⁵² Mindia Vashakmadze, *The Legal Framework of Security Sector Governance in Georgia*, 7 (Tbilisi: DCAF – Geneva Centre for Security Sector Governance, 2016), 9–12, <https://dcaf.ch/legal-framework-security-sector-governance-georgia>; Parliament of the Republic of Georgia, “Constitution of Georgia,” accessed July 6, 2020, <http://parliament.ge/en/kanonmdebloba/constitution-of-georgia-68>.

transparent and accountable leadership and depoliticized management at organizational levels. The parliament, judiciary, civil society, and the media are unable to exercise objective and productive oversight or public scrutiny.

As in the case of Lithuania, substantial financial and expert support, provided through education and training programs provided by the United States, NATO, and other partners, has delivered tangible results at operational and tactical levels of civil-military interaction in Georgian defense.²⁵³ Moreover, the regular participation of Georgian forces in peacekeeping and anti-terrorist operations along with Western contingents has contributed to the increased professionalism of the Georgian military.²⁵⁴ Yet persisting post-Soviet legacies related to nepotism, corruption, and political interference by dominant political figures in the lower levels of the defense governance have undermined the CMR balance in the country, often turning into subjective control of the military.²⁵⁵ Throughout 2003–2019, problems related to the democratic defense institution building were insufficiently addressed at the level of NSC. Instead, such institution building has been dominated initially by the powerful president and, more recently, the prime minister, and the process was subject to frequent changes of secretaries as well as NSC staff members.²⁵⁶ Therefore, despite substantial support from Western partners to set up coordinating or advisory functions, the NSC has generated limited institutional capacity or credibility to enable objective, fact-based security analysis and decision-making.

Similarly, as in the case of Mongolia, the Georgian parliament's institutional authority for democratic oversight of the security sector is diminished by the government

²⁵³ Maka Petriashvili, "Defense Institution Building: The Dynamics of Change in Georgia and the Need for Continuity of Effort" (Master's thesis, Naval Postgraduate School, 2014), 26–28, https://nps.primo.exlibrisgroup.com/permalink/01NPS_INST/ofs26a/alma991005400301603791.

²⁵⁴ Petriashvili, 33.

²⁵⁵ David Darchiashvili and Stephen Jones, "Georgia: Warlords, Generals, and Politicians," in *Oxford Research Encyclopedia of Politics*, ed. David Darchiashvili and Stephen Jones (Oxford, UK: Oxford University Press, 2020), 1, <https://doi.org/10.1093/acrefore/9780190228637.013.1891>.

²⁵⁶ Darchiashvili and Jones, 13.

and powerful presidents as well as the prime ministers.²⁵⁷ Thus, parliamentary oversight of the security sector has been mostly superficial, politically biased, and ineffective. At the same time, the Georgian judiciary also lacks credibility and is regularly accused of political bias. The civil society, including the media, suffers from a low degree of public trust and confidence in the security sector due to deficient professionalism and political or financial bias in this area.²⁵⁸

1. The Executive and CMR

Although it is to a lesser degree in Lithuania than in Mongolia, in both cases the executive control is strongly influenced by the political interests of individual political leaders and their party. The national security decision-making at the level of the SDC in Lithuania is problematic due to the politicization of the process by the highest political actors, mostly by presidents. While in Mongolia the frequent changes of NSC secretaries, as well as staff members, further limits the institutionalization of depoliticized security decision-making at the level of national command. Similarly, in Georgia, because of continuous constitutional reforms, the NSC underwent yet another reshuffle and became a consultative body directly subordinated to the prime minister of Georgia in 2019.²⁵⁹ The aim is to support the highest level of national security decision-making as well as to exercise a major coordinating role in terms of national security policy development and planning.²⁶⁰

The 2019 constitution sets the president as the commander in chief of Georgian Defense Forces (GDF).²⁶¹ The president can act in defense and security matters, whether it be a declaration of war or a national emergency based only on the prime minister's

²⁵⁷ Darchiashvili and Jones, 13.

²⁵⁸ Freedom House, "Georgia: Freedom in the World 2021 Country Report," Freedom House, accessed March 19, 2021, <https://freedomhouse.org/country/georgia/freedom-world/2021>.

²⁵⁹ Darchiashvili and Jones, "Warlords, Generals, and Politicians," 16.

²⁶⁰ National Security Council of the Republic of Georgia, "National Security Council Members," accessed March 7, 2021, <https://nsc.gov.ge/en/COUNCIL/Members-of-the-Council>.

²⁶¹ Parliament of the Republic of Georgia, "Constitution of Georgia," chap. 4.

request and parliament's approval. In wartime, the formation of the national defense council (NDC) headed by the president is envisioned by the constitution; however, all essential executive decisions regarding the deployment of the armed forces or their employment lie under the prime minister's authority. Other members of the council are the speaker of the parliament, the defense minister, and the chief of defense.²⁶² In contrast to the wartime NDC, the reformed peacetime NSC under the prime minister has wider executive representation, including the ministers of internal and foreign affairs, the minister of finance, the head of the state security service, and the head of the intelligence service, but it excludes the speaker of the parliament.²⁶³ Nevertheless, the NSC still lacks institutional and organizational authority to enable depoliticized national security decision-making and control over the implementation of needed policies. These conditions resemble findings on the NSC in Mongolia and SDC in Lithuania, where despite wider political representation the decision-making can be highly politicized by the powerful leaders. Consequently, the national security decision-making process in Georgia risks being dominated by narrow political party interests in a highly centralized manner.²⁶⁴

Thomas Young observes that Georgia's notable advance in defense reforms surprisingly lacks a permanent secretary or director of staff to ensure separation of political leadership from management.²⁶⁵ David Darchiashvili in the same spirit posits that notwithstanding the achieved results and dynamic reforms, personality-based domination by President Saakashvili from 2004 to 2013 politicized defense governance regularly through his direct interference in military affairs and evolved into subjective control of the military.²⁶⁶ Frequent changes in defense leadership, management, and personnel also caused institutional and organizational unpredictability, which was accompanied by

²⁶² Parliament of the Republic of Georgia, chap. 8.

²⁶³ National Security Council of the Republic of Georgia, "National Security Council Members."

²⁶⁴ Levan Alapishvili, "Institutional Organization of Georgian National Security Assurance System, Actual Issues of Accountability and Oversight," *TSU Journal of Law* 1, no. 1 (2018): 215–16, <http://jl.tsu.ge/index.php/JLaw/article/view/2569>.

²⁶⁵ Young, "Legacy Concepts," 36–37.

²⁶⁶ Darchiashvili and Jones, "Warlords, Generals, and Politicians," 13.

political interference in purely military matters and disregarded the institutional authority of high military command.²⁶⁷ Moreover, serious accusations were made that intelligence services and surveillance were utilized against political opponents.²⁶⁸

Since 2013 a new political coalition under the leadership of billionaire Bidzina Ivanishvili has committed to the Euro-Atlantic path. Georgia signed an Association Agreement with the EU in June 2014. That same year the Substantial NATO-Georgia Package (SNGP) was initiated and aimed at achieving higher readiness and interoperability with NATO. Within the same framework in 2015, the NATO Joint Training and Evaluation Center (JTEC) and the Defense Institution Building School (DIBS) were established.²⁶⁹ These efforts aim at better institutionalization of democratic defense governance and increased professionalism of the GDF interacting with NATO in regular multinational exercises.²⁷⁰ Nonetheless, the matter of transforming the legacy practice of direct political control and management of security institutions, including defense, remains unresolved. The necessary frameworks for objective defense leadership or transparent and accountable management are underdeveloped; thus, increased military professionalism has a limited institutional impact on the overall democratization of civil-military interaction in Georgian defense. The Defense Integrity Index 2020 published by TI places Georgia in the band C, the same moderate corruption risk category as Lithuania.²⁷¹ TI identifies key challenges in terms of weak anti-corruption mechanisms, weak parliamentary oversight, insufficient

²⁶⁷ Darchiashvili and Jones, 16.

²⁶⁸ Darchiashvili and Jones, 13.

²⁶⁹ Ministry of Defense of the Republic of Georgia, “NATO-Georgia Cooperation,” accessed March 19, 2021, <https://mod.gov.ge/en/page/38/nato-georgia-cooperation>.

²⁷⁰ A. Kuimova and S. Wezeman, *Georgia and Black Sea Security. A Background Paper* (Stockholm: SIPRI, 2018), 5, <https://www.sipri.org/publications/2018/sipri-background-papers/georgia-and-black-sea-security>.

²⁷¹ Transparency International, “Georgia,” Government Defence Integrity Index, 2020, <https://ti-defence.org/gdi/countries/georgia/>.

budget transparency, use of opaque procurement procedures, and inadequate protection of whistleblowers.²⁷²

2. The Legislature and CMR

Single-party domination over the legislative branch in Mongolia and institutional weaknesses of the Seimas in Lithuania both result in underdeveloped or unutilized mechanisms for parliamentary oversight and control. Such conditions limit space to hold strong presidents and the government accountable for decisions made or their outcomes. Again, the quality of parliamentary control and oversight in Georgia correspond more with conditions of longstanding single-party domination in Mongolia exerted by the highest political leaders, whether it be a president, the prime minister, or the speaker of the parliament. DCAF experts, as well as other scholars, report that despite multiple legal provisions empowering the parliament to execute its control and oversight functions, such execution has been a weak and failed to turn into a routine process.²⁷³ The defense and security committee of the parliament has shown no “practice of thorough investigations on defense matters, defense budget, nor other independent actions—other than authorizing policies and actions taken by the Executive.”²⁷⁴ In addition, defense and security committee competence is mostly limited to budgetary control and has no essential authority to initiate audits or inspections in security institutions, while the high volume of secret procurements often has not been scrutinized effectively due to the lack of overall organizational capacity and qualified human resources.²⁷⁵

²⁷² Transparency International Georgia, “Georgia’s Results for the Government Defence Integrity Index 2020,” accessed March 19, 2021, <https://transparency.ge/en/post/georgias-results-government-defence-integrity-index-2020>.

²⁷³ Vashakmadze, *The Legal Framework*, 48–49.

²⁷⁴ Shalva Dzebisashvili, “Transforming Defence: Examining NATO’s Role in Institutional Changes of South Caucasus Countries (A Comparative Study of Armenia and Georgia)” (2016), 203, <https://pub.uni-bielefeld.de/record/2905945>.

²⁷⁵ Lika Sajaia and Sopo Verdzeuli, *Reform of the Security Service in Georgia: Results and Best Practices* (DCAF – Geneva Centre for Security Sector Governance, 2018), 82, <https://www.dcaf.ch/reform-security-service-georgia-results-and-best-practices>.

3. Judicial Review

In the cases of Lithuania and Mongolia, the judiciary lacks credibility, public trust, and confidence because of legacies that allege political or financial biases to judges and corruption, as well as legacy bureaucracy limiting the transparency and accountability of the judiciary. Similarly, the Georgian judiciary is characterized by an institutional weakness to resist political pressure and interference due to the politicization of judicial reform.²⁷⁶ Also, all efforts to improve upon the systemic deficiencies in the judiciary have been undermined by the constant resistance to reform from within the judiciary itself.²⁷⁷ Scholars report that the selection of Supreme Court members is a most challenging process since the transparency of the process is the major problem for the Georgian judiciary, considering that lifelong tenure was granted to the Supreme Court judges through a “highly dysfunctional and unprofessional” appointment process.²⁷⁸ At the same time, the Georgian chapter of Transparency International reports on corruption risks deriving from the flawed process of judicial appointments. TI emphasizes that the appointment of judges is conducted by a group of judges representing the High Council of Justice who enjoy excessive powers enabling the council to appoint and discipline judges in a selective and biased manner, overlooking the problematic professional background of some candidates.²⁷⁹

4. Informal Oversight

Civil societies in Lithuania and Mongolia struggle with the Soviet legacy passivity of civic engagement. Civic groups, notwithstanding international donor support, lack power and capacity to exercise productive informal oversight of the security sector. The media environment in both cases, despite being plural and diverse, often lacks

²⁷⁶ “Country Report, Georgia,” pt. 2/4.

²⁷⁷ Anna Rytel-Warzocha and Malkhaz Nakashidze, “Contemporary Challenges Facing Judicial Independence in Georgia” 4, no. 48 (December 11, 2020): 72, <https://doi.org/10.26881/gsp.2020.4.05>.

²⁷⁸ Rytel-Warzocha and Nakashidze, 86.

²⁷⁹ “Corruption Risks in Georgian Judiciary,” 2018, <https://www.transparency.ge/en/post/corruption-risks-georgian-judiciary>.

professionalism and public credibility due to political or financial bias. These conditions strongly resemble those in Georgia, where citizens are equally comfortable with political activity such as participation in elections, but mostly avoid memberships in mass organizations or associations.²⁸⁰ Also, a notable challenge for Georgian democratic civic groups is their severe dependency on external sources of financing due to the lack of culture for charity support or voluntary participation in civic movements in Georgian society.²⁸¹

Nevertheless, Freedom House reports that civil society in Georgia is “fairly robust:” some civic actors are included in policy discussions. Yet some face political pressure and public criticism by the government, including the judiciary, which was accused in 2020 of demonstrating governmental bias over the convictions of some activists.²⁸² These conditions are further exacerbated by the pluralistic but partisan media environment. For example, the public broadcaster is often accused by civic groups of pro-governmental agenda setting. Meanwhile, long-running politicized disputes over the ownership of some media outlets have undermined the media’s independent capacity. The press freedom watchdog Reporters Without Borders (RSF) has raised concerns over the government’s efforts to generate legal and institutional limitations on media independence in Georgia, for instance through The National Communications Commission that enjoys extended possibilities for surveillance and censorship of media content and production on the market.²⁸³ Overall, the civil society in Georgia, including the media, fails to exercise effective informal oversight and influence on the government’s decisions, and similarly fails to enable meaningful institutional changes that would advance Georgia to a higher quality of democratic civilian control.

²⁸⁰ Nino Pokleba, “Civil Society in Georgia: Expectations versus Reality,” *Southeast European and Black Sea Studies* 16, no. 2 (April 2, 2016): 240, <https://doi.org/10.1080/14683857.2016.1156344>.

²⁸¹ Pokleba, 241.

²⁸² “Country Report, Georgia,” pt. 2/4.

²⁸³ Reporters Without Borders (RSF), “Georgia : Pluralist but Not yet Independent.,” 2020 World Press Freedom Index, 2020, <https://rsf.org/en/georgia>.

D. CONCLUSIONS AND RECOMMENDATIONS

The Soviet legacy is reflected in politicized security governance and its impact on the quality of democratic civilian control in Lithuania, Mongolia, and Georgia. This legacy reveals a common post-Soviet pattern of problematic political, institutional, and cultural transformation from a highly centralized system of political control into the Western-style frameworks of decentralized leadership and management. Hence, although CMR reforms in Lithuania enjoyed popular public support inspired by NATO membership and security assurances, the focus on democratic defense reforms and modernization loosened as the membership was achieved, and mechanisms for democratic civilian control remain underdeveloped or unutilized.

In contrast with Mongolia, the Lithuanian national security decision-making at the SDC level includes the minister of defense and the commander of the armed forces, but this fact could not neutralize problems of subjective presidential interference on lower levels of defense governance that undermine the MND's institutional autonomy and credibility. Therefore, despite the development of a constitutional-legal basis for democratic civilian control, these achievements have had limited effect on transforming the legacy culture of political interference and institutional domination in Lithuania.

The Mongolian democratic transition has been mostly self-empowering, incentivized by specific geopolitical needs and a third-neighbor policy aiming at partnership with the Western democratic world. Nonetheless, the international acknowledgment of Mongolia's successful democratic transition was and remains insufficient to neutralize the negative effects of the longstanding Soviet-style single-party domination over all branches of governance in Mongolia. Similarly, despite being partially occupied by Russia, Georgia has made notable reforms that have enabled democratic progress inspired by prospects of NATO membership, but the state has struggled with continuity and institutional development due to the similar effects of longstanding single-party domination. Therefore, painful post-Soviet democratic transition in all three cases has resulted in acknowledged but insufficient institutional and organizational frameworks for depoliticized leadership and management that lack effective instruments or tools necessary for the implementation of democratic civilian control.

Several factors influencing the development of leadership and management instruments and tools in post-Soviet democracies can be outlined and generalized. First is the combined lack of political interest and time to implement long-term institutional reforms in line with requirements for democratic control. The factor of insufficient political interest and time is evident in frequent changes in defense leadership and management in all three countries. Moreover, the development of necessary instruments may require merely enough political time to mobilize electoral support for the next elections—usually through promoting populist or short-term policies—which indicates the embedded bias and conflict between short-term narrow political and long-term institutional or organizational interests.

Second, democratically elected governments cannot practically implement policies ensuring long-term democratic defense and security reforms partially due to the civilian defense leadership's significant political responsibility for the quality of organizational performance that outweighs policy outcomes alone. Notwithstanding the well-emulated Huntingtonian model promoting objective democratic civilian control in Lithuania or Georgia, such political responsibility may force leaders to embrace a highly centralized management style, which often translates into a similar culture in the military context. The direct political responsibility for defense organizational management fuels the need for informal interpersonal trust between political leadership and key civilian or military staff, especially those that are directly subordinated to the ministers. The need for such trust often translates into the inclination towards nepotism and other biased human resource management practices that prioritize political trustworthiness and reliability of subordinated staff, and relegate merit, professionalism, or high career potential to a secondary position of importance.

Third, the conflict between persisting legacies and Western models of de-politicized governance regularly turns into misrule and mismanagement that can strongly undermine public trust and confidence in the defense establishment or other security institutions. Overlooking the requirements for objective democratic control often results in strategic mistakes, followed by a subsequent inclination to hide them or blame previous leadership or government administrations for these mistakes. As observed in Lithuania,

Mongolia, and Georgia, as soon as new political leadership enters its official role, yet another cycle of challenges related to effectiveness and efficiency repeats itself. In such circumstances, not surprisingly, internal, and external strategic communication policies are mainly employed to enhance the future electoral viability of the political leadership, which is accomplished by communicating achieved mediocre results with the public in the best marketable way. Meanwhile, failure in such communication further damages the credibility of the defense establishments. Consequently, the introduction or optimization of additional mechanisms strengthening depoliticized leadership, decentralized management, and institutional checks and balances are necessary at different degrees in all three cases.

To strengthen the credibility of the security decision-making, a clear set of standards should be introduced at the level of national command. These standards must ensure transparent, fact-based, and rational strategic security decision-making through mechanisms such as the SDC in Lithuania or the NSC in Mongolia and Georgia. Such standards should also address principles and decision-making quality requirements at organizational levels in all security institutions, while the politically neutral directors-general or permanent secretaries, as civil servants, must be positioned to guarantee depoliticized and decentralized management and internal control.

These requirements strongly indicate the increasing significance of Supreme Audit Institutions (SAI), which are relatively independent of government control and act according to the objective quality standards. SAIs could play an important role in improving the quality of decision-making and building public trust and confidence in democratic security governance. For example, United States Government Accountability Office (GAO), which acts according to the Generally Accepted Government Auditing Standards (GAGAS), conducts systematic assessments of results delivered by federal institutions and their costs in frames of financial or performance audits, which are reported directly to Congress. Furthermore, consolidation of academic and research capacity could be critical for comprehensive and objective assessment of past, ongoing, and future policies or their effects. For example, the Congressional Research Service (CRS) provides comprehensive analytical support to the United States Congress and as an effective institutional support instrument helps Congress make objective and informed decisions. At

the same time, CRS work strengthens public confidence in the democratic process by guaranteeing that all-important matters to citizens will be covered and presented to the public. Comprehensive analytical support to the parliament, civic groups, and the media could enhance the productiveness of informal oversight for the security sector. Institutional tools such as CRS and the GAO closely correspond to critical needs to ensure democratic security governance, help reveal problems, find solutions in a transparent and accountable manner, and thus build public trust and confidence in successful post-Soviet democratic consolidation.

The quality of democratization of CMR, and thus the effectiveness of institutional mechanisms for democratic civilian control at all levels of security governance, is critical for further consolidation in post-communist democracies. The existing democratic framework in these countries is caught between the need for long-term development of credible mechanisms for democratic control and a legacy culture of politicized security governance derived from narrow political interests, lacking the appetite and time for such complex long-term policies. Therefore, the main driver for democratic progress in the post-Soviet world has been and remains the prospect of a Western democratic partnership that provides high political assurances and is tailored to practical needs developmental support. As a NATO member, Lithuania is expected to apply the relevant requirements for a higher quality of democratic civilian control and evolve effective institutional mechanisms over time. The factor of NATO membership can compensate for the lack of political time for long-term reforms and strengthen continuity of reforms through membership mechanisms. Nonetheless, unique and complex geopolitical and security conditions facing Mongolia and Georgia limit partners such as NATO or the EU from acting with more determination and further enhancing democratic progress in these countries. Therefore, despite a similar communist past or other commonalities, in terms of present-day challenges, the future trajectories of CMR democratization in Lithuania, Mongolia, and Georgia may diverge significantly.

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