

## The secret supports of Mongolian democracy

Fish, M. Steven; Seeberg, Michael

*Published in:*  
Journal of Democracy

*DOI:*  
10.1353/jod.2017.0011

*Publication date:*  
2017

*Document version:*  
Accepted manuscript

*Citation for published version (APA):*  
Fish, M. S., & Seeberg, M. (2017). The secret supports of Mongolian democracy. *Journal of Democracy*, 28(1), 129-143. <https://doi.org/10.1353/jod.2017.0011>

Go to publication entry in University of Southern Denmark's Research Portal

### Terms of use

This work is brought to you by the University of Southern Denmark.  
Unless otherwise specified it has been shared according to the terms for self-archiving.  
If no other license is stated, these terms apply:

- You may download this work for personal use only.
- You may not further distribute the material or use it for any profit-making activity or commercial gain
- You may freely distribute the URL identifying this open access version

If you believe that this document breaches copyright please contact us providing details and we will investigate your claim.  
Please direct all enquiries to [puresupport@bib.sdu.dk](mailto:puresupport@bib.sdu.dk)

## **Mongolian Democracy's Organizational Weapon**

*M. Steven Fish is professor of political science at the University of California, Berkeley.*

*Michael Seeberg is assistant professor in the comparative politics section of the department of political science and public management at the University of Southern Denmark.*

### *Abstract*

In postcommunist Eurasia, a region littered with failed democratic experiments and frozen autocracies, Mongolia stands out. Mongolian democracy remains robust despite the country's poverty and geographical location. The key to understanding its success even in the presence of unfavorable structural conditions is its powerful civil society. From the first sign of political opening in 1989 to the present day, autonomous interest groups and social movements have helped keep officialdom honest, or at least nervous, and the polity open. Yet Mongolian democracy now faces stiff challenges that promise to test civil society's capacity for protecting fledgling democratic institutions.

Well into the fifth decade of the Third Wave of global democratization, we know that getting to democracy is, relatively speaking, the easy part. Sustaining it is more difficult. From Russia to Thailand and from Mali to Turkey, initial breakthroughs to open politics have been aborted as security services or high-handed executives have scrapped civil liberties and returned to rigged elections.

In postcommunist Eurasia, a region littered with failed democratic experiments and frozen autocracies, Mongolia stands out. Not only did it make a clean break with its authoritarian past when its Soviet-style regime collapsed at the beginning of the 1990s, but it has avoided backsliding as well.

Mongolia's most recent parliamentary elections on 29 June 2016 confirmed its status as a democracy. The contest met exacting international standards for propriety. It was administered efficiently using electronic voting, which made possible public announcements of the results as they came in on the night of June 29. The system virtually eliminated the danger of fraudulent vote-counting and bolstered the credibility of the process.

As in previous contests, two parties predominated: the Mongolia People's Party (MPP), the successor to the communist Mongolian People's Revolutionary Party (MPRP), and the Democratic Party (DP), the relatively liberal party of change founded at the outset of the transition in 1989-90. In 2016 the MPP won resoundingly, capturing 65 of 76 seats. During the prior session of parliament (2012-16), the DP had held a narrow plurality and led a broad coalition. The alternation in power was typical: Of the seven contests held since democratization commenced, four have produced a turnover.

The 2016 election was not without its problems, including a last-minute switch in the electoral system. Electoral rules in Mongolia are notoriously fluid. With the exception of the

2012 contest, elections have been based on a majoritarian principle. The 1992 and 2008 elections used the block vote, with voters in 26 districts casting 2, 3 and 4 votes, depending on district size, for the same number of seats in parliament. Elections in 1996, 2000, and 2004 had used a pure first-past-the-post electoral system in 76 districts. The 2012 elections followed a mixed formula: Forty-eight seats were allocated by plurality vote in 26 electoral districts with district magnitudes ranging from 1 to 3, while 28 seats were awarded via proportional representation based on party lists. The amendments to the electoral law in 2016 reinstated a pure majoritarian system with 76 single-member districts (SMDs), the same rules that had been in place during the 1996, 2000 and 2004 contests.<sup>1</sup>

Revisions in electoral rules do not *per se* violate democratic norms, but relentless volatility and changes on the eve of the balloting come dangerously close to doing so. In March 2012, the Constitutional Court affirmed the mixed majoritarian/proportional format, but in April 2016 the Court ruled that PR was unconstitutional, and parliament swiftly switched back to a pure SMD system. The biggest cause for concern was that parliament, in amending the electoral law in December 2015, dropped a provision that forbids rule changes within six months of the election. The move opened a loophole for very late changes, which were made in May 2016. If Mongolia's electoral practices suffer from a real flaw, it is chronic inconstancy and last-minute adjustments in the rules. Greater consistency and a ban on eleventh-hour changes would make an otherwise sound electoral system better.

Changes in electoral rules are almost always driven by political considerations, and Mongolia's 2016 revisions were no exception. Leaders of the DP pushed the switch back to pure majoritarianism because they thought it would enable them and their smaller partners to cling to a parliamentary majority even if their opponents made gains in the popular vote. The electoral

engineers proved to be too smart by half: The new rules only magnified the MPP's victory, enabling it to claim 86 percent of seats, though its candidates won only 46 percent of the vote. The DP's parliamentary presence was decimated, with its candidates receiving 34 percent of the vote but just 12 percent of seats. Such artless machinations are not uncommon. In Palestine's 2006 elections, for example, changes in the rules backed by the ruling Fatah party ended up handing a disproportionate share of seats to Hamas, which gained a big majority in the legislature despite edging out Fatah by just three percent of the vote.

### **An Unlikely Democracy**

In Mongolia, despite these problems, competition was vigorous, the media open, and procedural irregularities few. All major players accepted the result.<sup>2</sup> The vote marked an unbroken quarter-century of democracy.

Mongolia presents a paradox. By the lights of conventional theories, it should not be a democracy at all. Scholars have found that geographical proximity to other democracies confers advantages, but Mongolia's closest neighbors, China, Russia, and Kazakhstan, are all autocracies. Mongolian democracy remains robust even in the face of potentially detrimental diffusion effects.

Mongolia is not just an overachiever in its neighborhood; it does well globally compared to other countries at its level of development. Greater wealth has long been associated with more open politics, and Mongolia is not a rich country. Its per capita income of about \$12,000 at purchasing power parity is less than half of Russia's and roughly equivalent to the figures for Jordan and Egypt. Among Third Wave democratizers with incomes per capita of \$15,000 or less, only Mongolia, Benin, and São Tomé e Príncipe have been rated free by Freedom House in

every annual survey for the past twenty-five years.<sup>3</sup> Mongolia represents a remarkable case of robust democracy amid material scarcity.

This unbroken streak is especially noteworthy given the lopsided majorities and single-party-led governments that elections often produce in Mongolia. In many new democracies, the capture of a large majority by a single party is often followed by a systematic effort to rig the system to guarantee that party's perpetuation in power. Hungary under Prime Minister Viktor Orbán and Turkey under Prime Minister and now President Recep Tayyip Erdoğan are two prominent examples. In Mongolia, however, even though one or the two major parties has held an overwhelming majority in parliament much of the time, neither has used its advantage to rig the system. Part of the reason may be in the existence of a directly elected president who enjoys a real veto (a two-thirds supermajority is required to override it) and who has often hailed from the rival party to the parliamentary majority. Most power in Mongolia is vested in parliament and the prime minister is the most powerful politician, but the president's veto power, as well as his leading role in judicial appointments, gives him some countervailing authority. The current president, Tsakhiagiin Elbegdorj, is a DP stalwart who can be expected to resist overreaching on the part of the new MPP government. That said, Elbegdorj will leave office in mid-2017 and could be replaced in the June 2017 presidential election by an MPP politician, leaving the entire government in the hands of a single party.

In the past, the presidency and the parliament have sometimes been under the control of the same party. In 1996-97 and 2012-16, the DP was fully in charge, and in 2000-2004 and 2008-2009 the MPP was in control, yet democracy survived. Politicians have tinkered with election rules but have done nothing to lock in one party's dominance, and the losers generally accept the results. Even when there is little pushback from within the system, elites in power tend to respect

the rules. The MPP's virtual monopoly today is cause for concern, but there is precedent for democracy persisting despite single-party dominance.

One key to maintaining pluralism even in the presence of such potentially unfavorable conditions is Mongolia's powerful civil society. The absence of pushback from within the system does not leave officials unconstrained, since they must grapple with a host of pressures from below. While analysts have noted that postcommunist polities tend to have relatively weak civil societies, Mongolia is an exception.<sup>4</sup> From the first sign of opening in 1989 to the present day, autonomous interest groups and social movements (here often jointly referred to as civil society organizations, or CSOs) have helped keep officialdom honest, or at least nervous, and the polity open. Their vigor provides a key to understanding the persistence of democracy.

### **Civil Society and Democracy**

A rich civil society has long been seen as a boon to democracy. Alexis de Tocqueville attributed the robustness of the democracy he found in Jacksonian America in part to Americans' inclination to band together into self-constituted organizations for every conceivable cause. Contemporary Tocquevillians such as Robert Putnam also see spirited nonstate associations as democracy's ally.<sup>5</sup>

Not all scholars tout a strong civil society. Some argue that extremist, fanatical, or destructive CSOs are as likely to emerge as benign ones. The skeptics often adduce Weimar Germany, which was rich in nonstate associations at the time of Hitler's rise. They see restive, well-organized masses as at least as great a threat to democracy as are high-handed elites.<sup>6</sup>

There is no doubt that civil society can include bad apples, and strong CSOs are no substitute for sturdy state institutions. But empirical support for the case against a strong civil

society is paltry, and arguments that emphasize the “lessons of Weimar” have an anachronistic ring. In the postwar world, democratization has been derailed far more frequently by governing elites—typically chief executives—than by unruly grassroots movements.<sup>7</sup> There is a reason why Russia’s Vladimir Putin, Belarus’s Aleksandr Lukashenko, Kazakhstan’s Nursultan Nazarbaev, and other autocrats work so assiduously to thwart the emergence of potent CSOs: They know that societal lethargy and demobilization suit their interests. The last thing they want to face is an assertive, well-organized civil society.

Mongolia’s postcommunist experience illustrates the trouble vigorous CSOs can cause for rulers who would prefer electorates that remain ignorant and manipulable, underprivileged groups that are resigned to their fate, and government operations that are safely shielded from pesky public prying. In fact, from the outset of transition Mongolia’s muscular civil society has differed starkly from Russia’s anemic one, which helps explain why Mongolian democratization has been so much more successful.<sup>8</sup> Mongolian civil society engages in all the democracy-enhancing functions that Tocqueville identified in early 19<sup>th</sup>-century America. Examining four of those functions and the groups that perform them illustrates how a vibrant civil society sustains democracy despite unfavorable structural conditions.

### **Checking and Monitoring State Power**

Perhaps the best-known function of civil society is pushing back against the state, and Mongolian democracy was born amidst an upsurge of popular movements to resist the Soviet-type regime and carve out spaces for free expression. The demonstrations that would quickly help topple the regime started in the provincial capital of Hovd, on 7 December 1989. This illegal gathering led to the founding of the Mongolian Democratic Union, the Democratic

Socialist Movement, and the New Progressive Union. In the spring of 1990, after rolling waves of mass protests and hunger strikes, the country's new prodemocratic parties met with the MPRP and got it to renounce its monopoly on power, grant civil liberties, release political detainees, and hold free national parliamentary elections. While MPRP candidates won the July vote, the popular uprising had already helped reduce the Party to a party. Due in large part to the push from below, Mongolia held its first free elections at the same time that the countries of Eastern Europe held theirs, over a year before the demise of the USSR.<sup>9</sup>

Controlling state power once democracy takes hold requires less romantic but no less vital efforts, and few causes are less glamorous or more important than curtailing officials' ability to shield their actions from public scrutiny. Officials often press for a degree of secrecy in government operations that goes far beyond the requirements of national security. Ensuring that they have to live with uncomfortably high levels of transparency is an ongoing struggle in all democracies, but is essential for sustaining an open political regime.

In Mongolia, as in all fledgling democracies, establishing rules and norms that ensure citizens' access to information is a tall order, but several organizations have pressed the cause and racked up real accomplishments. One is Globe International (GI), a nonmembership NGO founded in 1999. It has received funding from the Open Society Institute, the Swiss Agency for Development and Cooperation, and USAID.

GI launched its efforts in 2002 with a year-long project called "The Right to Know: Freedom of Information." It organized workshops and seminars in addition to a roundtable with parliamentarians. It established links with Article 19, a British human rights organization that takes its name from the part of the UN Universal Declaration of Human Rights that enjoins the right "to seek, receive, and impart information and ideas through any media regardless of

frontiers.” In 2004-2005 GI published several guidebooks on freedom of information and deepened its work with parliament and with the Ministry of Justice and Home Affairs. The ministry agreed to work with a draft law on freedom of information drawn up by GI lawyers and their international partner, Article 19.

Unsurprisingly, the push to enact sweeping legislation ensuring public access to government operations elicited something less than frenzied enthusiasm on the part of governing elites. In 2005-2006, the cabinet discussed submitting a draft law to parliament but decided to postpone action pending the need for more study of information security issues. In 2007, a group of five progressive MPs submitted a draft law to their colleagues but parliament did not take action. In 2008, the government included a proposed law on freedom of information in its Action Plan for 2008-2012. To many politicians, freedom of information seemed like the kind of thing that should end up in that long-beloved graveyard of nice things that will never really happen, the Four or Five Year Plan.

Now abundantly aware that more years of vigorous advocacy would be necessary, GI pulled together an alliance of ten NGOs into a lobbying coalition as part of a larger project dubbed Better Access to Reduce Corruption. In 2009, the president of GI and the director of the Open Society Forum met with the MPs who had submitted a draft law two years earlier and the participants agreed to write a new draft law. After another year of roundtables, public presentations, coalition-building, draft-law revisions, and intensive lobbying, the government approved Resolution No. 143 on information transparency and submitted its own draft law to parliament. In mid-2011, almost a decade after GI initiated its Right to Know campaign, parliament enacted the Law on Information Transparency and Right to Access Information.<sup>10</sup>

The statute is a remarkable achievement. It requires that the government’s budgets, finances, and procurement activities be made public, and it specifies how agencies are to release information. It stipulates that all government funds allocated to the media, including expenditure on advertising, be a matter of public record. It grants all citizens and legal entities the right to request information and obliges officials to respond within seven working days. The law includes provisions for shielding highly sensitive information, as is standard in even the most open polities. Abuse of such provisions by power holders is universal in authoritarian regimes, which typically promise their citizens a bouquet of rights and then eviscerate them with dubiously broad interpretations of exemptions for “security” and “the public interest.”<sup>11</sup> Over the half-decade since its passage, however, Mongolia’s law has shown that it has real teeth. It might even be affecting the way the government operates. In Transparency International’s yearly Corruption Perceptions rankings, Mongolia has posted notable gains every year since the law was passed, moving from the 34<sup>th</sup> to the 57<sup>th</sup> percentile in the global rankings between 2011 and 2015.<sup>12</sup>

The law certainly would never have been enacted without tenacious pressure from GI and allied CSOs—especially since freedom of information is rarely pursued by governing elites and has little allure to most members of the general public.

Few things are more important for sustaining democracy than keeping government operations open. Voters, after all, can act only on information they have; the quality of their choices depends on how much they know about their leaders’ behavior in office. What is more, politicians’ probity is always a function of how much they must reveal. Groups such as GI advance democracy by keeping voters in the know—and politicians on notice.

### **Assisting the State**

While monitoring and checking state power is an important function of civil society, the relationship between civil society and the state can be cooperative as well as antagonistic. GI's work on drafting a law on freedom of information is an example of how an autonomous organization can use its expertise to help the state make policy. Another case of a nonstate organization that assists the state in policy making is the Mongolian National Federation of the Blind (MNFB). It has gone a step further, assuming burdens that otherwise would fall to the state but that state agencies have failed to shoulder effectively.

The MNFB, founded under communist rule in 1978, functioned as most "popular" organizations did in Soviet-type regimes: It ostensibly represented popular interests but actually was controlled entirely from above. Like other such groups, it did more to create the appearance of advocacy than actually to engage in it. In 1993, however, shortly after the demise of the Soviet-type regime, the MNFB became independent. Thereafter it became a dynamic defender of the interests of the blind and of disabled people more generally, as well as a real help to the state in advancing their welfare. Assistance from abroad has been crucial: The MNFB is funded by a grant from the Danish International Development Agency.

The MNFB started flexing its muscles during the middle of the 2000s, when it staged hunger strikes to call attention to the plight of the disabled. In Mongolia, as in many developing countries, the disabled have often been hidden away and had their access to employment and public services severely restricted. The hunger strikes raised public awareness, leading in 2012 to the creation of a Department for Development of Persons with Disabilities Protection within the Ministry of Population Development and Social Protection.

The hunger strikes also prompted the government to invite representatives of the MNFB to assist parliamentary committees with drawing up legislation. The group subsequently used its

access to develop a relationship with official bodies that enabled it both to press its cause in the corridors of power and to assist official bodies with making and implementing laws. In 2013, the MNFB took over drafting a new law and identified a champion of its cause among MPs, Oyun Sanjaasuren. Oyun headed the parliamentary working group that drew up the final draft, and she then carried the bill into the legislature for consideration.

In February 2016, parliament passed the Law on the Rights of Persons with Disabilities, which aims to eliminate discrimination and to integrate people with disabilities into mainstream society. The new law promotes understanding of disability among officials and the general public. It stipulates measures to improve the living and working conditions of the disabled, requiring enforcement of standards in buildings, infrastructure, and public transportation. It also defines the rights of people with disabilities to education, work, health, and social protection.

At the time the law was enacted, the leader of the MNFB, Gerel Dondow, became a special adviser to Mongolia's president on the rights of the disabled. Her status affords her full access to parliament and the right to interact freely with MPs, and it gives lawmakers a direct line to a leader of the disabled who can offer information and advice on policy. The MNFB increased its efforts both to pressure and to aid policy makers when it established under the city council of Ulaanbaatar a Council of the Disabled Person, with 15 members from the city council and seven representatives from CSOs representing the disabled.

In addition to interacting with the state in a manner that has reshaped the way officialdom deals with the disabled, the MNFB has established a nationwide apparatus to provide services and employment for the blind. The MNFB has 9500 members and a paid staff of 52, with branches in each of Mongolia's 21 provinces. It runs its own center for teaching braille and the use of computers, and employs some of those it serves in a printing operation that produces

books in braille. It has its own radio station, staffed by the blind and the partially sighted. It also runs a factory employing the blind and the partially sighted that produces the *gers* (yurts) that many Mongolians use as dwellings.<sup>13</sup>

The MNFB furnishes a noteworthy case of how a CSO can enhance the quality of legislation and public service provision and thereby help the state overcome information and resource constraints. Left to their own resources, government officials lacked the expertise and motivation needed to push for legislation that would really help the disabled. The MNFB stepped in to draw up the draft legislation that lawmakers subsequently used as the basis for what would become the Law on the Rights of Persons with Disabilities. As might be expected in a developing country like Mongolia, the government also lacked the resources to create a substantial number of jobs for blind and other disabled people. So the MNFB set up its own enterprises, providing gainful employment for people who might otherwise have had no job prospects at all. By assuming such tasks itself, the MNFB engages in burden-sharing with the state, relieving pressure on state agencies and bolstering the regime's legitimacy.

Without the efforts of the MNFB, the disabled and their families might feel excluded from the corridors of power as well as the workplace. As it is, however, they have developed a stake in the stability of a political order under which they have made real gains.

The MNFB also shows how some organizations with roots in the Soviet era were able to become real vehicles for the representation of popular interests under a democratic regime. In many other postcommunist countries, public organizations that have roots in the communist era have either withered or remained tools of the state. Mongolia's MNFB shows that organizations that did more to mimic representation than to advance popular interests during Soviet times can

become autonomous and assertive in an open polity—even while they continue to assist the state and enhance regime legitimacy.

### **Pushing Back against Powerful Economic Interests**

A strong civil society can check powerful interests in society as well as guard against an overweening state. An example is the Ongi River Movement (ORM) and its successor organization, the United Movement of Mongolian Rivers and Lakes (UMMRL), which has scored victories on behalf of Mongolia’s nomadic peoples against large mining corporations.

The ORM was founded in 2001 in three provinces through which the Ongi flows. The group’s mission was to reverse the desiccation of the Ongi River system and Ulaan Lake. The river system originally spanned 435 kilometers, but intensive gold mining activity reduced it to just 100 kilometers and led to the drying up of Ulaan Lake. The Konrad Adenauer Foundation, an NGO affiliated with Germany’s Christian Democratic Party, provided start-up support, and the movement subsequently attracted funding from the Asia Foundation, USAID, Mercy Corps, and the Open Society Forum.

In 2002, the ORM sponsored a study that concluded that mining activities had diverted a dozen rivers and prevented them from flowing properly into the Ongi. The group presented its findings to key parliamentarians and lobbied the Ministry of Nature and the Environment to conduct its own investigations. The following year, ORM leaders sent a letter to Mongolia’s president and submitted a petition to the prime minister urging action to restore the river system. The appeal was signed by 1200 people, most of whom resided in the districts affected by the devastation.

The movement's activity picked up steam in 2004. In the spring, two thousand activists held a protest march tracing the entire 435-kilometer length of the original path of the Ongi River and organized twelve public rallies along the way, including one at a gold mine. The media provided extensive coverage of the events, which generated widespread public sympathy. Following the march, the ORM and a governmental agency, the Mineral Resource and Petroleum Authority (MRPA), conducted a joint tour of gold mining sites. They were joined by governors of three affected districts as well as by representatives of the mining companies. The MRPA then commissioned a comprehensive study into the causes of river and lake depletion. The ORM strengthened its lobbying power by recruiting a group of parliamentarians to act as advisers and improve the organization's ties with government agencies. The ORM grew and acquired allies in civil society dedicated to environmental protection.<sup>14</sup> In 2008-2009, the ORM and affiliates came together to form the UMMRL, which sent activists, accompanied by officials and academic specialists, through every region of Mongolia to delineate environmental protection zones and negotiate new arrangements with affected local populations.

The time was ripe for governmental action, but curbing the power of the mining companies was no small task. When parliament dragged its feet on legislation, the UMMRL launched a hunger strike. At the same time, UMMRL activists worked with sympathetic MPs to draft legislation. The result was the so-called "law with the long name": the Law to Prohibit Mineral Exploration and Mining Operations at the Headwaters of Rivers, Protected Zones of Water Reservoirs and Forested Areas.<sup>15</sup>

Even after the law was passed, another round of radical action was required to force its implementation. In May of 2011, hundreds of nomadic herders traveled to Ulaanbaatar and staged a hunger strike in Chinggis Square in the heart of the capital. In October Mongolia's

Supreme Court heard a case brought by the UMMRL, and issued a decision obligating the government to enforce a ban on mining in river and forest areas. This essentially forced the government to begin seriously implementing the “law with the long name.”<sup>16</sup>

The tug of war continues between the organizations of nomads and their supporters, on one side, and politicians who are continually being enticed by well-endowed mining interests on the other. This conflict has become a permanent feature of Mongolia’s contentious political landscape. In February 2015, the government took up amendments to the “law with the long name,” prompting a new round of hunger strikes and demonstrations. Despite the protests, on the eve of the Mongolian New Year, with public scrutiny of government in abeyance, parliament quietly passed amendments that eased some restrictions on the mining companies.<sup>17</sup>

As these 2015 amendments to the “law with the long name” show, the UMMRL and its allies do not win every battle. Still, for scattered and impoverished rural communities such as Mongolia’s nomads to score real victories against immensely wealthy multinational companies is a noteworthy achievement. Despite some setbacks, the UMMRL and its allies have succeeded in halting dozens of destructive mining operations that threatened rivers and lakes in the Ongi River Basin, thereby protecting large swaths of pastureland used by nomads.<sup>18</sup> Such David-beats-Goliath moments are rare in developing countries—and, for that matter, in advanced industrialized democracies as well. Nearly all of Mongolia’s urban population is no more than two generations removed from the desert and the steppe, and more than a third of Mongolians still live in these areas. Checking the mining companies’ takeover of the land preserves a millennia-old way of life and slows the influx of people from the countryside into Ulaanbaatar, where they often face dim prospects.

The UMMRL, together with other grassroots environmental organizations that it has spawned, inspired, and supported, helps make democracy work for many of Mongolia's nomads. Even in the face of mighty business firms indifferent to the delicate ecosystems that sustain the country's traditional communities, the UMMRL fights for the perpetuation of a way of life that is intimately tied to what it means to be Mongolian. It also deters the takeover of the state by mining interests that can readily afford to ingratiate themselves financially with every one of Mongolia's 76 MPs—and a few ministers to boot. It would be hard to imagine a movement more directly and powerfully bolstering democracy.

### **Articulating and Pressing Social Demands**

Advancing the interests of traditionally underprivileged groups against the powerful is one of the most significant functions of CSOs. The UMMRL does this by pushing back against the mining companies that threaten the nomads' grasslands. Other organizations assist disadvantaged groups without necessarily confronting a corporate or government opponent. In some cases, the foe is ignorance, shame, and silence.

The National Center against Violence (NCAV) is such an organization. It has raised public consciousness about violence against women and advocated legislation that has reshaped the way the law deals with the problem. It has 18 branches throughout the country, runs six shelters, and employs a staff of twenty. The Asia Foundation was one of the first organizations to provide funding for the NCAV's activities.<sup>19</sup>

The NCAV was founded in 1995 by an alliance of three women's groups: The Liberal Women's Brain Pool, Women for Social Progress, and the Mongolian Women Lawyers Association (MWLA). The NCAV brings the age-old and rampant problem of domestic violence

out of the shadows. Its early efforts included conducting a survey of 5,000 respondents, as well as a large follow-up survey. It then carried out studies of child abuse in 2001 and of elder abuse in 2003. Its research strategy and methods are bold and imaginative, involving not only high-quality surveys but also extensive interviews and the use of hospitals' forensic records.

Armed with information drawn from its studies, the NCAV has transformed public discourse about violence against women. Its leaders appear in the electronic and print media, conduct public seminars, and relay letters from victims of domestic violence to high-ranking public officials. At the beginning of the century it began to move into electoral politics. In the run-up to the 2000 parliamentary elections, it teamed up with the MWLA to urge candidates to include a promise to advance legislation against domestic violence in their platforms. In 2003, the NCAV published a summary of the findings from all of its previous studies and set about using the information to push for new legislation.

Officialdom responded. Shortly after publication of the document, parliament set up working groups composed of representatives from the police, the courts, the prosecutor's office, and the media. The NCAV director, Enkhjargal Davaasuren, and MWLA director Chinchuluun Naidandorj assumed key leadership positions on the working groups. In 2004, parliament's Legal Affairs Standing Committee brought in the directors of the NCAV and the MWLA to address MPs and make the case for stringent new legislation. The result was the Law on Fighting Domestic Violence, jointly sponsored by 19 MPs (a quarter of all members) and passed by unanimous vote in May 2004.<sup>20</sup>

The law requires police to accept and file complaints of domestic violence, visit the sites of incidents, interrogate offenders, and bring victims to a hospital or a shelter. It also provides for sanctions against offenders, including expulsion from the home; prohibitions on the use of joint

property, on contacting victims, and on access to minors; and compulsory training aimed at behavior modification.<sup>21</sup>

Groups such as the NCAV and the MWLA buttress democracy by giving otherwise voiceless people—in this case, victims of domestic violence—a stake in the democratic regime. Even when people might feel powerless and left behind by politicians, advocacy organizations such as the NCAV and the MWLA give them a voice.

The vigor of such CSOs might explain why, even when Mongolians overwhelmingly express disapproval of the government, they consistently support the democratic regime. Surveys conducted by Mongolia’s leading polling agency show a decline of confidence in the economy and the quality of government over the past several years. Yet in a spring 2016 survey, 67 percent of respondents say that “governance through democratically elected representatives of the people” is “good” or “rather good,” while just 21 percent consider it “rather bad” or “bad.”<sup>22</sup> The most recent wave of Asian Barometer surveys, conducted in 2014, largely corroborates these findings. To be sure, not all its findings are unequivocally favorable. Asked whether “democracy is always preferable” or “authoritarian government can be preferable,” 44 percent affirm the first option and 35 percent the second. The numbers show that over a third of Mongolians conceive the possibility that authoritarianism might be better than democracy. Some other survey items, however, more unequivocally affirm popular commitment to democracy. Asked whether they believe that “democracy may have its problems, but it is still the best form of government,” 82 percent agree versus just 16 percent who do not.<sup>23</sup>

### **Current Challenges**

Despite its muscular civil society, Mongolian democracy faces immense challenges. One is the dominance of a single party. The dedication of the ruling MPP to pluralism is not in question at the moment, but neither can it be taken for granted. After the party's electoral triumph in 2016, it took all 16 ministerial positions itself. Single-party hegemony can pose a challenge to open government under the best of conditions. And it is difficult to argue that Mongolia faces the best of conditions. Its neighbors' aversion to democracy in their vicinity has only grown in recent years. Russia in particular is investing heavily in international autocracy-promotion.<sup>24</sup>

Mongolia's current economic crisis might make it especially vulnerable to pressures and enticements from abroad. The recent slump in commodities prices has left the country in need of financial help, and some Mongolian leaders are eyeing China as a potential alternative to the IMF.<sup>25</sup> If Mongolia is to avoid falling under the sway of neighbors who have little but contempt for democracy, Western-led financial institutions will need to commit to supporting the country's sagging finances.

The dramatic expansion in the mining of gold and other precious metals poses its own set of challenges. Governing elites typically have an especially hard time controlling themselves in resource-rich economies, often with grim consequences for democracy. In Russia, the colossal official corruption that resource wealth fueled in the 1990s led many ordinary people to decide that democracy was no barrier to being ripped off by their rulers. The experience soured Russians on democracy and boosted the appeal of a leader who pledged to reduce corruption and break the oligarchs' control over the state, whatever the consequences for democracy. What is more, as Russia's new post-Soviet reformers helped themselves to lucre from oil, their interests in open government waned; they had too much to hide.<sup>26</sup>

A Russian-style scenario is conceivable in Mongolia, but the vitality of civil society gives Mongolian democracy an advantage. Transparency watchdogs such as GI and its allies certainly have not eliminated corruption, but they have pried open government budgets, finances, and procurement practices, helping to prevent the kind of extortionate free-for-all seen in Russia and so many other resource-rich economies. Militant grassroots environmental protection organizations such as the ORM and the UMMRL resist the capture of the state by mighty multinational mining companies. Groups such as the MNFB aid the state in policymaking while pressing the demands of a social group whose interests have traditionally been overlooked. The NCAV brings painful social problems out of the shadows and advances the interests of an immense but until recently silent social group, victims of domestic violence. Mongolia's potent civil society sector may not be sufficient to ensure that country's remarkable democratic experiment will continue to prosper, but it has been an indispensable component of its success so far.

---

The authors are grateful to Jørgen Elklit, Ts. Davaadulam and Meloney Lindberg for invaluable comments on earlier drafts of this article, and to J. Burmaa, S. Mina, O. Nyamtaivan, D. Undrakh and Ts. Uranchimeg for facilitating our field research in Mongolia. We are also indebted to the people we interviewed in Ulaanbaatar in December 2012 (Fish) and June-July 2015 and June-July 2016 (Seeberg). They include P. Badamragchaa, O. Batbayar, O. Bayanselenge, Peter Blunt, J. Boldbaatar, A. Dolgion, G. Dondow, S. Ganbaatar, D. Ganbat, R. Gonchigdorj, D. Jargalsaikhan, Brian Koontz, D. Munkh-Ochir, H. Naranjargal, S. Oyun, B. Purevjav, E. Sukhbaatar, D. Sukhgerel, L. Sumati, P. Tsetsgee, G. Tuvshinzaya, K. Urmukh, Ashleigh Whelan, G. Zandanshatar, and D. Zorigt.

<sup>1</sup> Ch. Enkhbaatar, D. Solongo, P. Amarjargal, and Tom Ginsburg, *The Role of the Constitution of Mongolia in Consolidating Democracy* (Ulaanbaatar: Munkhiin Useg, 2015): 39-40.

<sup>2</sup> OECD/ODIHR International Election Observation Mission, *Mongolia, Parliamentary Elections, 29 June 2016: Final report*, online at <http://www.osce.org/odihr/elections/mongolia/271821>.

<sup>3</sup> Freedom House, "Individual Country Ratings and Status, 1973-2016," online at <https://freedomhouse.org/report-types/freedom-world>.

<sup>4</sup> Grigore Pop-Eleches and Joshua Tucker, "Associated with the Past? Communist Legacies and Civic Participation in Post-Communist Countries," *East European Politics and Societies* 27, 1 (January 2012): 45-68.

<sup>5</sup> Alexis de Tocqueville, *Democracy in America* (New York: The Library of America, 2004); and Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ: Princeton University Press, 1994).

- 
- <sup>6</sup> Sheri Berman, “Civil Society and the Collapse of the Weimar Republic,” *World Politics* 49, 3 (April 1997): 401-429; and Ariel C. Armony, *The Dubious Link: Civic Engagement and Democratization* (Stanford, CA: Stanford University Press, 2004).
- <sup>7</sup> M. Steven Fish and Jason Wittenberg, “Failed Democratization,” in Christian W. Haerpfer, Patrick Bernhagen, Ronald F. Inglehart, and Christian Welzel, eds., *Democratization* (New York: Oxford University Press, 2009): 249-65.
- <sup>8</sup> M. Steven Fish, *Democracy Derailed in Russia: The Failure of Open Politics* (New York: Cambridge University Press, 2005).
- <sup>9</sup> International Republican Institute and the Zorig Foundation, *How Democracy Was Born in Mongolia* (Ulaanbaatar: Munkhiin Useg, 2015), online at [http://www.iri.org/sites/default/files/democracy\\_book\\_i\\_-\\_xs\\_size.pdf](http://www.iri.org/sites/default/files/democracy_book_i_-_xs_size.pdf).
- <sup>10</sup> Globe International, *Freedom of Information*, online at <http://globeinter.org.mn/old/en/emech/index.php>.
- <sup>11</sup> United Nations Educational, Scientific and Cultural Organization, *Assessment of Media Development in Mongolia*: 27, online at <http://unesdoc.unesco.org/images/0024/002453/245364e.pdf>
- <sup>12</sup> Transparency International, *Corruption Perceptions Index*, online at <http://www.transparency.org/research/cpi/overview>.
- <sup>13</sup> “Blind to the Blind: The Struggle for Opportunity in Mongolia,” *UB Post* (Ulaanbaatar), June 13, 2013.
- <sup>14</sup> Linda Beck, Toby Mendel, and Jeff Thindwa, *The Enabling Environment for Social Accountability in Mongolia* (Washington, D.C.: World Bank, 2007): 75-78.
- <sup>15</sup> Rivers Without Boundaries, *The Short History of The Law With the Long Name*, online at <http://www.transrivers.org/documents/rivers-and-mining/the-short-history-of-the-law-with-long-name/>.
- <sup>16</sup> International Rivers, *Protect Mongolian Rivers from Mining*, online at <https://www.internationalrivers.org/blogs/227/protect-mongolian-rivers-from-mining>
- <sup>17</sup> Yes To Life, No To Mining, *Hunger Strike And Protest: Mongolian Government Gives Green Light To Hundreds Of Mining Projects*, online at <http://www.yestolifenotomining.org/hunger-strike-protest-mongolian-government-gives-green-light-hundreds-mining-projects/>.
- <sup>18</sup> “The Goldman Environmental Prize: Ts. Munkhbayar,” online at <http://www.goldmanprize.org/recipient/tsetsegee-munkhbayar/>.
- <sup>19</sup> For information on the NCAV, see “National Center against Violence,” online at <http://safefuture.mn/en/news.php?action=content&id=1>; and “Asian Network of Women’s Shelters,” online at <https://shelterasia.org/national-center-against-violence-mongolia/>.
- <sup>20</sup> Beck et al., *The Enabling Environment for Social Accountability in Mongolia*: 60-64.
- <sup>21</sup> Department Of State, Bureau of Democracy, Human Rights and Labor, *2005 Human Rights Report: Mongolia*, online at <http://www.state.gov/j/drl/rls/hrrpt/2005/62653.htm>.
- <sup>22</sup> Sant Maral Foundation and Konrad Adenauer Stiftung, *Politbarometer* #15(49), March 2016, online at [http://www.santmaral.org/sites/default/files/SMPBE16.Mar%20\(updated\).pdf](http://www.santmaral.org/sites/default/files/SMPBE16.Mar%20(updated).pdf).
- <sup>23</sup> Asian Barometer, Wave4 Survey, online at <http://www.asianbarometer.org/survey/wave4-mongolia>.

---

<sup>24</sup> Larry Diamond, Marc F. Plattner, and Christopher Walker, eds., *Authoritarianism Goes Global: The Challenge to Democracy* (Baltimore: Johns Hopkins University Press, 2016).

<sup>25</sup> Andrew Benard, "Why Chinese Money Is Not the Answer to Mongolia's Woes," *The Diplomat*, October 20, 2016, online at <http://thediplomat.com/2016/10/why-chinese-money-is-not-the-answer-to-mongolias-economic-woes/>.

<sup>26</sup> Fish, *Democracy Derailed in Russia*: 127-134.