

## **DEMOCRACY AND CIVIL SOCIETY IN MONGOLIA**

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Both theory and practice of promoting democracy and civil society are today very important topics of discussion in Mongolia not only in the press but in the society in general, since the grand objective of Mongolia is “building a humane, civil and democratic society”, as proclaimed in the 1992 Constitution. It could be said that besides constructive nationalism, democracy and civil society represent the ideal and ideological base in today’s post-communist Mongolian society. Overwhelming majority of the members of the society support democratic governance and vibrant civil society as the best ways of effective political and social development since they provide, not only in theory, but could also provide in practice the right of every citizen to participate in political decisions affecting his/her life and community.

Democracy. In the thirteen years since the adoption of the Constitution there has been no attempt to question the chosen path towards democracy, though due to lack of clearer vision of how to achieve that objective and lack of progress in such areas as responsive and accountable governance, rule of law and justice for all, some may start having second thoughts or doubts about effectiveness of democracy in Mongolia.

As a scholar in the national security area, I believe that in Mongolia, with a comparatively small population of 2.4 mln., democratic form of government and consolidation of democracy would strengthen its security both from the inside and outside. From the inside, more educated and empowered citizenship would provide a guarantee that the internal repressions of 1930s or 1960s would not be permitted to occur by the people itself, and that freedom would empower and energize the people, and externally, Mongolia would have far more friends and sympathizers abroad than a reclusive or ideologically driven society, and under democracy people would be more willing to support the government and the way of life from outside attempts to change the chosen path.

Mongolia is one of the countries that in 1990 chose democratic way of government as part of the third wave of world democratic movement. This choice of the people has found reflection in the country’s Constitution mentioned above. The enthusiasm of espousing democracy has not waned, though uncontested faith in it is weakening, especially due to the lack of progress in economic development, persistently high level of poverty and increase in

corrupt practices, especially in some sectors of the economy and many aspects of daily social life.

What has been achieved since 1992? Looking back at our brief history of democratic reforms, it could be said that the Mongolian people have clearly and firmly chosen a democratic form and system of government. Since then Mongolia has been regularly holding fair parliamentary, presidential and local elections. Though some concerns were raised as to some of the outcome of the parliamentary elections of 2004, nevertheless the people accepted its results. Therefore I believe that Mongolia can be rightfully considered as an electoral democracy. Moreover, all the requisite institutions of a democratic state have already been set up in the past 13 years. This is a big and impressive achievement in itself.

However, these institutions are not functioning as they are supposed to function, whether the civil society, the judiciary, political parties or the mass media. There is a constant struggle between filling these institutions with the required “democratic” content or using them to promote individual or narrow group interests. Thus I believe that if not checked, the intended democratic institutions could be turned into pseudo-democratic institutions for wielding personal or group influence, in which case a growing number of people would be disappointed in these institutions and by implication disappointed in democracy. This could result in greater social apathy. I stand to be corrected but there seem to be emerging signs of two distinct, parallel phenomena: nascent democratic culture, to which all the people look up to and the pseudo-democratic practice, by which many live. This clearly demonstrates the willingness of the people to support democracy as an ideal and objective, but at the same time the prevailing circumstances and realities of life hinder them to live up to its high standards.

The general support for democracy now badly needs a concrete road-map that could lead the society to more developed democracy. On the other hand, it should be noted that since democracy as a form of government enjoys wide support, its ideas and ideals can easily be manipulated by, what I would call the “professional” democrats to promote their personal or their group’s political interests and agenda. This is a phenomenon found not only in Mongolia but in many other emerging democracies and countries in transit, when the broad masses have little knowledge of democracy beyond its attractive grand ideas and principle and this can easily be manipulated in the name of grand ideals and ideas.

The biggest challenges to democracy and to consolidating it, in my view, are promoting a vibrant, strong and active civil society, rule of law, freedom of the press and information, effective fight against corruption and promotion of good governance. Such steps would strengthen the belief of the masses in democracy and make the established democratic institutions run as they were originally intended by the spirit and letter of the Constitution and of international standards as reflected in many international conventions and covenants. These steps would make it possible to consolidate and deepen democratic reforms. However the most important task at this stage is to promote democratic and civic education and create a democratic value oriented culture, to make sure that no one or few political forces could manipulate democratic principles and institutions to consolidate their hold on power and not the democratic system. This I believe is needed more than any financial assistance from abroad. The fact that the overwhelming majority of the population is literate is a big asset in successfully achieving this important task.

**Civil society.** Not only theory but everyday practice underlines the vital importance of an active civil society for the promotion and consolidation of democracy, for mobilizing and articulating the interests of citizens as well as holding the State more accountable and making it more responsive to the needs of the people. In the past fifteen years the Mongolian civil society has grown considerably in number and has diversified the areas of its activity. The latest statistics show that almost 3.500 non-governmental organizations have been registered with the Ministry of Justice and Home Affairs. For a people of 2.4 mln. it is a high number. It is also a manifestation of interest and general willingness of individuals and groups to participate in democratic governance and exercise their participatory rights envisaged in Article 16 of the Constitution.

However a closer look at the civil society, and especially the activities of NGOs shows that still much more needs to be done to make the civil society more vibrant, active and effective, to make it an important element of democratic changes and consolidation. To that end Mongolian NGO CEDAW Watch is undertaking a study together with CIVICUS (World Alliance for citizen participation) on the state of civil society in Mongolia using the latter's well-known toolkit, action-research methodology and its 73 indicators. The results of the study would assess the civil society in four dimensions: structure, environment, values and impact. The preliminary analysis shows that though quantitatively the civil society in Mongolia is growing, it is still very weak and needs a good legislation and other enabling environment to ensure proper

conditions for its in-depth development, maturing and for increasing its effectiveness. To this day the grass-roots are not always involved in civil society driven activities. The framers of the present Constitution had agreed that the hurals of representatives of the citizens of aimag (province), soums (counties) and districts and bags (the smallest territorial administrative unit) would be self-governing bodies with a broad mandate. However these self-governing bodies as of today are not effective and have in fact delegated their powers to the presidiums which in turn are driven more by the decisions and activities of governors of respective territories.

The major challenges that the Mongolian civil society organizations (CSOs) are facing are: lack of adequate government support or the needed cooperation with the government, lack of an effective legislation or tax policy that would support CSOs and their activities, weak civil society infrastructure, concentration of most CSO activities in the capital city of Ulaanbaatar and some other cities, lack of experience and financial resources. Also there is a weak understanding of the importance and support of civil society activities within the society at large. It is to be hoped that the report on the state of civil society expected to be out by the end of June of this year would help in creating a broad knowledge base about Mongolian CSOs, their strengths and weaknesses, and give boost for civil society's invigoration and consolidation as an important part of democratic society.

**Political parties.** One of the important factors in determining the success and speed of democratic reforms are the role and activities of political parties. Unless political parties are invigorated from within, they run the risk of stagnation. I believe that ideologically the major political parties are not far apart, though they disagree on the ways and means of "building a humane, civil and democratic society". I also have the feeling that these parties at times are more driven by personalities than by the grand ideals and principles. This has especially been evident during the 2004 parliamentary elections. Therefore unless political parties accept and follow intra-party democratic principles, they run the risk of being hijacked by most vocal or well-connected members of the party elite or by the old-guards, and of turning these parties into instruments of personal or group policies, and not of the people that have joined them based on their political conviction or persuasion. This need for renewal of the major parties has been felt since 2000 and especially in 2004, before and after the parliamentary elections.

Realizing the need to reinvigorate the potential role of the political parties, the fall session of parliament has adopted a new law on political parties that enriched the 1990 law that had been adopted by the Presidium of the Great People's Hural (parliament) 2 years prior to the adoption of the new Constitution. The new party legislation is expected to increase intra-party democracy, prevent abuse of party membership by civil servants or use party membership to discriminate or pressure, regulate party finances, including limiting the permissible amount of donations to parties by individuals, public or political organizations or the private sector.

**Election law.** The past elections have demonstrated that the election law is not perfect and cannot faithfully reflect the choice of the people. The majoritarian system of election, whereby the winner takes almost all, does not promote political stability, nor fair distribution of power according to the will of the electors. That is why the newly elected parliament, mindful of the past negative experiences with the election law, has decided to change the election system so that it would reflect more faithfully the wishes of the electors. It seems that a mix of majoritarian and proportional systems are needed. The smaller or newly emerging parties also would like their interests to be duly reflected in the new legislation. I believe that political space for smaller parties and coalitions need to be provided by the legislation. It would not be an exaggeration to note that the future course of democratic reforms to a great extent would depend on the outcome of the new election legislation.

**ICNRD.** In September 2003 Mongolia hosted the Fifth International Conference of New or Restored Democracies. 119 governments sent their delegates to the conference, the main theme of which was "Democracy, Good-Governance and Civil Society". Much effort was made to make the conference practically useful for all its participants. The conference adopted Ulaanbaatar declaration on the common vision of democratic reforms in emerging democracies as well as a Plan of Action. The plan envisages, inter alia, drawing up national plans for strengthening democracy, preparing 'country information notes' to be circulated among participating countries that would outline the prospects of advancing and deepening democracy in the participating countries and the steps that have or still need to be taken to address the issues and challenges mentioned in the Ulaanbaatar decisions.

The plan also envisages development of national democratic indicators' databases to be better able to monitor their progress in democratic and social development. Implementation of the above concrete decisions are very slow

and I believe that as the host country and as newly emerging democracy, Mongolia has not benefited from the conference as it could have, since the political party in power used it to primarily promote its political agenda, while the opposition parties did not participate in the conference, nor are they seen to be interested in participating in its follow-up. The conference is a missed opportunity; it was just another international event held in Mongolia, and not a major event or opportunity to advance and promote democracy. Even in the follow-up to stage of the conference, the Mongolian leadership in this movement so far has not been felt.

**ICSFD.** Just prior to ICNRD, Mongolian CSOs hosted, with the support of UNDP and some donor agencies and countries, an international civil society forum (ICSF-2003) under the theme of “Civil Society Partnerships for Democracy”. One the aims of the Forum was to present its findings and recommendations to ICNRD. The Forum was attended by over 200 civil society delegates from 63 countries. It adopted a political declaration, a set of recommendations and a plan of action. One of the major tasks of the Forum is to monitor implementation of ICNRD decisions, especially regarding supporting civil society in the participating countries. As the host of ICSF-2003. a group of Mongolian CSOs, together with some other international CSOs, is trying to coordinate ICSF activities at the international level as well as work together with ICNRD Secretariat in preparation for the national conference on the state of democracy in Mongolia to be held on 25-26 April of this year, which is expected to consider and possibly adopt the national plan of action for strengthening democracy. It is to be hoped that a well thought-out road-map would give the needed impetus to move beyond electoral democracy and fill the established democratic institutions with real democratic content and provide a concrete road-map for advancing democracy. Though judging from earlier performance the chances for such progress are slim, nevertheless Mongolia should make use of this rare international opportunity to promote further democratic reforms in Mongolia.

**Conclusions:** The Mongolian people support the democratic choice and reforms. Since 1990 Mongolia has made impressive progress, especially by adopting a democratic Constitution, hundreds of laws in line with the Constitution and setting up the needed democratic institutions.

Democratic elections are held regularly. However, still much more needs to be done to deepen and consolidate these democratic reforms, especially in moving from electoral democracy to functional. The weak democratic institutions,

including the judiciary, the organs of mass media, etc., need to be strengthened. The domestic reforms need vigorous civil society, rule of law and effective freedom of the press and a road-map on how to pursue the reforms. The notions of “transparency”, “accountability”, “responsibility” need to acquire real functional meaning in democratic reforms and not serve as politically correct vocabulary in “democratic” politics. The civil society is emerging and needs to be strengthened and recognized by the State and the society as an important partner in democratic reforms, as an indispensable component of a democratic society. Much needs to be done to strengthen and duly empower the civil society. It is to be hoped that the forthcoming report on the state of civil society in Mongolia and its recommendations would be useful in energizing and strengthening it.

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