

Promotion of Democracy and Civil Society in Northeast Asia¹

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Abstract

The process of transition to democratic forms of government is an emerging theme in today's Northeast Asian region. As democracy is becoming more widely supported and encouraged in Asia, some governments and organizations are establishing their own set of indices to track their society's progress towards democratization. Mongolia is one such country, and its transition from a one-party system to a modern democracy illustrates the gains and challenges involved in this crucial transitory phase, as well as promoting a working democracy to non-democratized countries in the region.

Keywords: civil society, democracy, Northeast Asia, transition

Democratic Processes in Northeast Asia

The “third wave” of democratization, which started in the mid-1970s, has reached all the regions of the world, including Asia. It could be said that since the end of the Cold War it has been widely accepted that democracy as an idea has triumphed over other concepts of social order or government. If one applies the general criteria of multiparty elections, one can say that there are now over 140 democracies throughout the world. In contrast, others, including myself, believe that the triumph of democracy as an ideal does not mean that it has triumphed in reality. The struggle continues both at the national and international levels. Applying a more restricted approach to democratization as a social process, one could say that there are around 90 democracies in the world, while around 40 countries are in transition to a democratic form of government. That leaves around 50 countries ruled by other types of government, such as authoritarian regimes and dictatorships.

¹ I would like to express my gratitude to the organizers of the 2005 conference *Northeast Asia and Mongolia: Opportunities and Challenges*, University of Hawai'i, Honolulu, Hawaii. The conference provided an opportunity to present our views and analyses and exchange ideas with government officials, researchers and academe. Promoting democracy and civil society in Northeast Asia is a very important issue that needs to be thoroughly studied, since no two countries in the region have similar histories of espousing democracy, and different states find themselves at different stages of transition.

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The vast Asian continent, including the Northeast Asia region, is in the process of transition to democratic forms of government. This region, which only recently used to place a high priority on economic growth, has come to realize that without democratization, protection of human rights and transparency, economic growth alone cannot deliver full human development. Without democratic practices, economic systems are open to corruption and cronyism, with all the ensuing negative consequences for the economy, society, social justice and the rule of law. That is why there is an increasing tendency among many East Asian countries to demand transparency, justice, the rule of law, and elections to select their leaders. As in many other parts of the world, it is being increasingly recognized in most countries that democracy is a universal value and a fundamental right to which all citizens and people are entitled. The notions of “cultural relativism” or “Asian values” are being increasingly questioned by Asian people themselves, and they demonstrate they are just as capable as any other people in ruling themselves democratically. In fact, a survey on values undertaken by the World Values Survey Organization found that people surveyed in China, Japan, South Korea, Singapore and Taiwan and as observed by Kilgour, “were even more supportive of democracy than other countries, including the mostly democratic OECD nations” (Kilgour 2005).

Democratization is a process that should lead to concrete, measurable results for the people. It is for this reason that efforts are being made to establish concrete criteria against which progress in democratization and good governance can be measured and evaluated. There are almost three dozen different sets of indices to evaluate democratization and good governance, most of which have been developed by international research institutions, foundations, and donor organizations. They give a pretty good idea as to what needs to be measured and what kinds of methodology can be used to get practical results. Bearing them in mind, some governments and organizations are developing their own set of indices to measure progress towards democratization in each society. Mongolia is one such country. Other Northeast Asian countries are also trying to develop democratic indices. The latest example is that of the Democratic Development Indices in Korea (DDIK), which are being developed by a group of South Korean researchers as a part of a program to develop Democratic Development Indices in Asia (DDIA).

The objective of DDIK³ is to measure the level of democratic development in various areas of politics, economy, society and culture, and in the three arenas of state, political society, and civil society, in order to evaluate the degree of democratic development as well as probe the possibility of expanding DDIK to DDIA. When realized, it would serve as a concrete tool for measuring progress towards democratization of the society, its strengths, weaknesses and challenges.

There are over 100 pro-democracy and pro-reform organizations known in Northeast Asia. Of late, many of them are trying to establish networks to coordinate their efforts and actions, advocate their democratic demands on a regional scale, as well as trying to support each others’ efforts and exchange information and experience. Bound by common aspiration and vision of a more democratic society and a more accountable state, they work with each other irrespective of the level of democratization in the countries they belong to. Their activities incorporate all countries regardless of whether they are in mature, consolidating, or transitory stages and even in closed societies. Though there are

³ DDIK consists of 343 indices: the research team evaluates 114 indices; carefully selected social scientists, governmental officials and NGO activist evaluate 127 indices, and the general public evaluates 126 indices.

a number of democratic or democratizing countries in East Asia, it is premature to say that there is already a democratic community in the region, since at the State level there is still a lack of common commitment to concrete democratic norms as well as commitment to mutual support for promoting democracy. Geopolitical realities of East Asia apply a constraint on democratic and democratizing countries, as they have to formulate their foreign policies in such a manner that they do not hurt rising regional powers, like China.

If governments are prudent in their policies, national and international civil society organizations (CSOs) in East Asian countries will be more consistent in promoting democratic reforms at the national level. The Global Barometer (a network of multi-continental surveys) has recently conducted a comparative survey of democratization and value changes in East Asia.⁴ Its objective was to assess levels of popular support for and satisfaction with democracy as a form of government, performance of democratic institutions and quality of governance, levels of citizens' involvement in politics and civic organizations, and to engage in the Asian values debate within and beyond the region. Earlier this year the Alliance for Reform and Democracy in Asia (ARDA) conducted a survey on the state of democracy and prospects of democratization in 18 countries or territories.⁵ The result came to be known as the Asia Democracy Index (ADI), which tried to measure and evaluate democracy, good governance and the status of human rights by Asian people themselves. When conducting its survey, ADI tried to avoid relying excessively on information provided by governments, avoiding over-emphasis on "economic freedoms" and incorporating minority and non-mainstream opinions. Based on its findings, ADI would rank Asian governments according to their democratic/authoritarian practices. Later, the annual reports of ADI would describe the events that shaped (negatively or positively) the democratization process in each country, the ranking of governments and countries, and possible measures to help a country to further the democratization process.⁶ These and other measures of promoting democratization would put much-needed pressure on governments to deepen and consolidate democratic reforms or accelerate such reforms where they are being introduced or contemplated.

Development of Democracy and Civil Society in Mongolia

The process of development of democracy and civil society in Mongolia started in early 1990 and in the past 19 years, Mongolia's achievements have been quite substantial. The theory and practice of promoting democracy and civil society are today very important topics of discussion in the country, since the grand objective of Mongolia is "building a humane, civil and democratic society", as proclaimed in the 1992 Constitution. I believe that besides constructive nationalism, democracy and civil society represent the ideal and ideological base in today's post-communist Mongolian society. People overwhelmingly

⁴ The survey represented the first attempt of systematic and comparative survey of attitudes and values toward politics, governance, democracy and reform, as well as citizens' political actions in East Asia. They included: Hong Kong, Japan, South Korea, Mongolia, Philippines, Taiwan, Thailand and China.

⁵ They include Afghanistan, Bangladesh, Burma, Cambodia, Hong Kong, Indonesia, South Korea, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Singapore, Sri Lanka, Thailand, Taiwan, Timor Leste and Tibet.

⁶ Ranking would be undertaken in the following six areas: civil rights, elections and political processes, governance and corruption, media, rule of law, and participation and representation.

support democratic governance and a vibrant civil society as the best possible ways of effective political and social development since they provide the right of every citizen to participate in political decisions affecting his/her life and community in theory and in practice.

Democratic reforms

In the 13 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 areas such as responsive and accountable governance, rule of law and justice for all, some may have second thoughts or doubts about the effectiveness of democracy in Mongolia.

What has been achieved since 1992? The Mongolian people have clearly and firmly chosen a democratic form and system of government. Mongolia has been regularly holding fair parliamentary, presidential and local elections and can be rightfully considered as an electoral democracy. Today all the requisite institutions of a democratic state have already been set up, which in itself is a big and impressive achievement.

However, people believe that these institutions, whether they be civil society, the judiciary, political parties or the mass media, are not functioning as they are supposed to. There is a constant struggle between filling these institutions with the required “democratic” content, or using them to promote 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.

The general support for democracy in the country now badly needs a clear road map that could lead Mongolia to become a 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 professionals who excel in manipulating lofty democratic ideals to serve their own narrow goals, and 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 ideas and principles, and this can easily be manipulated in the name of grand ideals and ideas.

The surest path for consolidating a society’s democratic credentials, in my view, is the one which promotes 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 help the established democratic institutions run as they were originally intended to by the letter and spirit 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 culture orientated towards democratic values. It should be ensured that no 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.

Developing civil society

An active civil society is deemed vital for the promotion and consolidation of democracy, in order to mobilize and articulate 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 19 years, Mongolian civil society has grown considerably in number and has diversified the areas of its activity. The latest statistics show that nearly 4,800 non-governmental organizations are registered with the Ministry of Justice and Home Affairs. For a people of 2.4 million, it is a high number. It is also a manifestation of the 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 civil society, especially the activities of NGOs, shows that much more still needs to be done to make civil society more vibrant, active and effective, to make it an important element of democratic change and consolidation. The Mongolian NGO (CEDAW Watch Network Center) undertook 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, an action-research methodology with 73 indicators. The study assessed the civil society in four dimensions: structure, environment, values and impact. The study shows that, though civil society groups in Mongolia are growing in number, they are still very weak and need legislative support, as well as a more conducive environment for further development and efficacy. The study shows that the grass-roots level actors are not always involved in civil society-driven activities. The framers of the present Constitution had agreed that the *hurals* (parliament) of citizens' representatives of *aimag* (province), *soums* (counties) and districts and *bags* (the smallest territorial administrative unit) would be self-governing bodies with broad mandates. 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 Mongolian CSOs are facing today are: lack of adequate government support or required cooperation with the government, lack of an effective legislation or tax policy that would support the CSOs and their activities, weak civil society infrastructure, concentration of most CSO activities in the capital city of Ulaanbaatar and some other cities, as well as 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 hoped that the report on the state of civil society would help in creating a broad knowledge base about Mongolian CSOs and their strengths and weaknesses. It would also help reinvigorate civil society, consolidate it as an important part of a democratic society, and promote CSO-Government and CSO-private sector cooperation.

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 they are inspired 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 believe that these parties, at times, are more driven by personalities than by 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 the most charismatic, vocal or well-connected members of the party elite or by the old-guards, and becoming instruments of personal or group policies, removed from the people. This need for reinvigoration of the major parties has been felt since 2000 and especially in 2004 and 2005, before and after the parliamentary and presidential elections.

Realizing the need to refresh the potential role of the political parties, a 2005 session of the *hural* adopted a new law on parties. This law has in fact enriched the 1990 law that had been adopted by the Presidium of the Great People's *Hural* two years prior to the adoption of the new Constitution. This party legislation hoped to increase intra-party democracy, prevent abuse of party membership by civil servants or use of party membership for discrimination and coercion; it also hoped to prevent misappropriation of party finances, and included a stipulation limiting the permissible amount of donations to parties by individuals, public or political organizations or the private sector.

Electoral law

The past elections have demonstrated that the electoral law is not perfect and cannot faithfully reflect the choice of the people. The system of election that empowers the numerical majority to corner all power, neither promotes political stability, nor fair distribution of power according to the popular will. That is why the newly elected parliament, mindful of the past negative experiences with the electoral law, has decided to change the election system so that it would reflect the wishes of the electors more faithfully. It seems that a mixture of majority based 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 needs 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 electoral legislation.

International Conference of New or Restored Democracies (ICNRD)

In September 2003, Mongolia hosted the 5th International Conference of New or Restored Democracies (ICNRD). One hundred and nineteen 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 the Ulaanbaatar declaration on the common vision of democratic reforms in emerging democracies, as well as a Plan of Action. The plan envisages, inter alia, the drawing up of 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 been taken or still need to be taken to address the issues and challenges mentioned in the Ulaanbaatar decisions.

The plan also aims for the development of national democratic indicators' databases to better monitor their progress in democratic and social development. At present, the ICNRD-5 Secretariat, based in Ulaanbaatar, is working with methodological assistance of the United Nations Development Program's (UNDP) Oslo Governance Center to develop such databases. However, these decisions are being implemented in a very slow manner. As the host country, and as a newly emerging democracy, I believe that Mongolia has

not benefited from the conference as it could have, since the political party in power used it to primarily promote its own political agenda, while the opposition parties did not participate in the conference, nor were they interested in participating in its follow-up. The conference can be seen as a missed opportunity; it was just another international event held in Mongolia, and did not turn out to be a major event or opportunity to advance and promote democracy. Even in the follow-up stage, Mongolia did not take any initiative to promote this movement. If adopted, a concrete outcome for the nation could come in the form of a nationally elaborated plan of action (PoA) to consolidate democracy in Mongolia, as well as proposed draft democratic governance indicators (DGIs) and country information notes (CINs).

The ICNRD-6 is scheduled to be held in October 2006 in Doha, Qatar. As chair of the movement, Mongolia should play an active role in its preparations, including effective organization of the implementations of the decisions of ICNRD-5, agenda setting and making sure that the interests of emerging democracies, and not only of donor countries/agencies, are clearly heard and reflected in the conference decisions.

International Civil Society Forum for Democracy (ICSFD)

Just prior to the ICNRD, Mongolian CSOs hosted, with the support of UNDP and some donor agencies and countries, the International Civil Society Forum (ICSF-2003) under the theme of “Civil Society Partnerships for Democracy”. One of the aims of this 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 was to monitor the implementation of the ICNRD decisions, especially the ones regarding the support of civil society in participating countries. As the host of ICSF-2003, a group of Mongolian CSOs, together with some other international CSOs, coordinated ICSF activities at the international level. They were also involved with the ICNRD Secretariat in preparation for the national level conference with the title “Democracy Development in Mongolia: Challenges, Opportunities”, which was held from 30 June to 1 July, 2005. It is to be hoped that a well thought-out road map would give the much-needed impetus to move beyond democracy dominated by the numerical majority and fill the established democratic institutions with real democratic content, as well as provide a concrete road map for advancing democracy. Though judging from earlier performances the chances for such progress is slim, nevertheless, Mongolia should make use of this rare international opportunity to promote further democratic reforms. As the host of ICSF-2003, Mongolian CSOs should also help organize regional ICSFD meetings, so as to contribute effectively to ICSFD-2006, to be held in Doha simultaneously with ICNRD-6.

Conclusion

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

Democratic elections are held regularly. However, much more still needs to be done to deepen and consolidate these democratic reforms, and the task of transforming the polity from a mere electoral democracy to a fully functional one is an unfinished one. The

weak democratic institutions, including the judiciary and the organs of the mass media need to be strengthened. The domestic reforms require a vigorous civil society, the rule of law and the effective freedom of the press, and a road map on how to pursue the reforms. The notions of “transparency”, “accountability” and “responsibility” need to acquire real functional meaning in democratic reforms so that they are not left as mere terms which sound politically correct when used in a democratic set up. A politically conscious civil society is emerging and needs to be strengthened and recognized by the State and the society as an important partner in democratic reforms, and as an indispensable component of a democratic society. Much needs to be done to strengthen and duly empower this budding civil society. It is hoped that this report on the state of civil society in Mongolia and its recommendations would be useful in energizing and strengthening it.

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