

## **Mongolia's Constitutional Evolution in 100 Years: Reflections on Socialist and Democratic Eras**

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**[Abstract]**

A century has passed since Mongolia embarked on its constitutional evolution in 1924 when the first constitution was adopted. The 1924 constitution, for the first time, set the tone for the constitutional form of governance by laying down the legal frame-work of the political regime of what came to be known as the Mongolian People's Republic. This marked the beginning of the socialist era in the history of post-independence Mongolia with Mongolian People's Revolutionary Party ruling the government under the system of a one-party rule. The second and third constitutions were adopted in 1940 and 1960 respectively. While the 1940 constitution emphasized on non-capitalist lines with subsequent development into socialism, the 1960 constitution proclaimed the attainment of socialism until it was amended in 1990 to approve a pluralistic democracy with a multi-party system. Consequently, a new constitution, the fourth one since 1924, was adopted in 1992. By employing an electoral democracy and dissolving the Mongolian People's Republic, this constitution marked an unambiguous departure from the socialist era, particularly in terms of Soviet influence and entered into a democratic era. It is in this background that the main objective of the present work is to reflect upon Mongolia's constitutional evolution during socialist and democratic eras in a comparative perspective. It critically reviews the notions behind constitutional amendments and their implications for the political landscape of Mongolia in a long span of 100 years. It argues that although the constitutions of the two eras remain quite different in terms of convergence, they do provide a clear picture of what the country's political system was during its Soviet past and its appearance in the present in terms of socialist versus democratic credentials.

**[Keywords]**

Post-Independence Mongolia, Constitutional Evolution, Socialist Era, Democratic Era, One-Party Rule, Multi-Party System.

## I. Introduction

As November 26, 2024 marked the completion of a century since Mongolia adopted its first constitution on the same day in 1924, a fundamental question appears to be relevant among the academic circle about understanding how the constitution of Mongolia has evolved from the past to the present. But before discussing Mongolia's constitutional evolution in a long span of 100 years, there is a need to comprehend what does a constitution mean? Generally, a constitution describes "the basic principles of the state, the structures and processes of government and the fundamental rights of citizens in a higher law that cannot be unilaterally changed by an ordinary legislative act", and that "this higher law [supreme law] is usually referred to as a constitution" (Bulmer, 2017, p.5). In a simple term, constitution is a set of laws and principles that govern a country, and can, therefore, be described as a basic expression of the ideas and organization of a government. Constitutionalism, on the other hand, refers to a concept or theory that a government should follow to strictly abide by its constitution. As Carl Friedrich puts it, "Constitutionalism is probably the greatest achievement of modern civilization, without which little or none of the rest is conceivable; under it, for the first time in the history of man, has a measure of freedom and well-being been achieved for the common man" (Cited in Patterson, 1948, p.427). Mongolia's case is no different as it has come a long way in its post-independence constitutional history, setting the stage for the beginning of a socialist era in 1920s to remaining intact for almost seven decades in that stage before crossing it over to enter into a democratic era in 1990s.

The first three constitutions adopted in 1924, 1940 and 1960 are reflections of the Socialist era which paved the way for Mongolia to develop along non-capitalist lines for building socialism. In fact, an orientation towards socialism found its expression first during the Mongolian revolution of 1921, and then soon after independence when in August 1924 the Third Congress of the Mongolian People's Revolutionary Party (MPRP), the successor of the Mongolian People's Party (MPP), formulated a general programme for development towards socialism. Further, when the first constitution came into force in November 1924, the first Great *Khural* "unanimously took the view that the MPR [Mongolian People's Republic] could by-pass the capitalist development stage and, proceeding in alliance with the workers' class of the USSR could enter socialism in the future" (Shirendyb et al., 1976, p.201). It can, however, be noted that "although the concept of *Khural* ('assembly', 'parliament', and 'congress') was brought into modern political discourse by indigenous politicians, the

1924 Constitution made it into a major element of the Soviet structure in the making” (Sablin et al., 2021, p.17). As such the constitutional form of governance was set in motion for the first time in Mongolia with building socialism as the primary focus in the 1924 constitution. Not only Outer Mongolia came to be known as the Mongolian People’s Republic but also the Mongolian People’s Revolutionary Party emerged as the only party to rule the government under the system of a one-party rule. The second and third constitutions witnessed significant changes due to amendments made to suit the country’s governance in particular and the people in general. While in 1940 Mongolia had been predominantly a livestock-raising country, by 1960 it had developed “a mixed agrarian-industrial economy and acquired a working class” (Sanders, 1992, p.509). This only points to the fact as to why the 1960 constitution set itself a task of completing the construction of socialism and in future building a communist society.

A key point to be kept in mind is that all the three constitutions of socialist era were heavily influenced by the Soviet model of governance, and until 1990, the MPRP was the only party which was officially permitted to function. Yet, a remarkable, peaceful democratic revolution in 1989-90 turned the tide towards discarding existing system of governance in favour of reforms based on democracy. The 1960 constitution was, then, amended in 1990 to approve a pluralistic democracy with a multi-party system. Consequently, a new constitution, the fourth one since 1924, was also adopted in 1992, which employed democratic principles in matters of governance including a multi-party based electoral democracy. By dissolving the Mongolian People’s Republic, this constitution marked an unambiguous departure from the socialist era to a democratic era by completely doing away with the influence of its Soviet past. It is in this background that the article seeks to reflect upon Mongolia’s constitutional evolution during socialist and democratic eras in a comparative perspective. While doing so, it not only delves into the notions behind constitutional amendments made in the constitutions of the two eras under review but also analyses their implications for the political landscape of Mongolia. However, by looking through the prism of socialist versus democratic credentials the focus in the article remains confined to examine if the constitutions of the two eras provide a realistic picture of what the country’s political system was during its Soviet past and what its appearance looks like in the present situation.

## **II. Constitutional Evolution during Socialist Era**

It was the collapse of the Manchu-Qing rule following the Chinese revolution of October 1911 that encouraged Mongolia to declare its

independence in December 1911, and proclaim a “theocratic state” in Urga, the then capital of Mongolia, with the “charismatic” Buddhist leader - the eighth Jebtsundamba Khutagt [Bogd Gegeen], as its monarch [Khan] (Soni, 2022, p.68; Morozova, 2009, p. 9; Bulag, 1998, p.62). A decade of struggle for independence, however, continued between 1911 and 1921 during which Mongolia not only established a “People’s Government” led by the Mongolian People’s Party (MPP) in March 1921 but also proclaimed independence on July 11, 1921 with the Soviet help. Next followed the restoration of the monarchy as a result of an agreement known as the “Oath Treaty”, which was concluded on November 1, 1921 between Jebtsundamba Khutagt and the People’s Government, providing the latter full authority in resolving state affairs, while limiting the power of the monarch only to the religious affairs. Between 1921 and 1924 several important developments took place in country’s domestic and external politics, including the death of Jebtsundamba Khutagt on May 20, 1924 and the subsequent decision not to name the new incarnation of the Khutagt (Bogd Gegeen), which paved the way for the establishment of a “People’s Republic”.

#### **A. The 1924 Constitution: Foundation of Socialist Governance**

Although the foundation of socialist governance was laid down in the first constitution of Mongolia, the erstwhile Outer Mongolia, it was the Third Congress of the Mongolian People’s Party (August 3-31, 1924) that initiated it and adopted the general Soviet policy of immediate transition to building socialism. In effect, the Mongolian People’s Party (MPP) was renamed as the Mongolian People’s Revolutionary Party (MPRP). Further, the first Great *Khural* met on November 8, 1924 and adopted the Soviet like first National Constitution of Mongolia, which was approved on November 26, 1924 (Triska, 1968, pp. 292-299; *China Year Book*, 1926, pp.795-800), declaring the country as a “People’s Republic” to be known as Mongolian People’s Republic (MPR). This *Khural* “unanimously took the view that the MPR could by-pass the capitalist development stage and, proceeding in alliance with the workers’ class of the USSR could enter socialism in the future” (Shirendyb et al., 1976, p. 201). The capital Urga (also called Niyislel Huree) was renamed as Ulan Bator (Red Hero), now spelled as Ulaanbaatar. Thus, Mongolia emerged as the first people’s republic and the first socialist country in the world after the Soviet Union, predating the people’s democracies of Eastern Europe and the Chinese People’s Republic. The preamble of the constitution declared that from now on there would be no one-man rule (referring to the legitimacy of the deceased Bogd Gegeen) and that all supreme state power would belong to the State Great *Khural* and the government elected by it (Amarsanaa & Batsaikhan, 2009).

In the context of Soviet influence or for that matter a socialist orientation, the 1924 constitution was indistinguishable from that of the Russian Socialist Federated Soviet Republic (RSFSR) of July 10, 1918 (Triska, 1968). While drawing up the basic structure of the government, “the Mongolian constitution to a large extent followed the existing Soviet models” (Soni, 2002, p.92). The Congress of Soviets served as the blueprint for the Great *Khural*, Mongolia’s highest governing body. Similarly, the Central Executive Committee of the Congress of Soviets inspired the creation of the Little *Khural*, which functioned in place of the Great *Khural* when it was not in session, just as its Soviet counterpart did. The Little *Khural* elected a Presidium from among its members and appointed a Cabinet to handle routine governance. The Presidium, mirroring the Congress of Soviets’ model, held the authority to appoint and dismiss ministers. Even the local *Khurals*, which operated on the lower levels, performed governmental functions exactly the same way as did the local Soviets in the USSR (Soni, 2002). Apart from the use of tribal terminology for political offices, Mongolia’s governmental structure in terms of hierarchy closely followed the Soviet pattern (Tang, 1959). Under the increasing Soviet influence, the constitution also included clauses specifying socialism and cooperation with exploited nations around the world. Yet, the 1924 constitution was a considerable step forward as Mongolia immediately transitioned from a theocratic monarchy to a republic, giving its citizens the right to decide on matters of state through a parliament and a government (Dashdorj, 2019).

### **B. The 1940 Constitution: Consolidating Socialist Ideals**

The second constitution, which was adopted on June 30, 1940 by the Eighth Great *Khural*, further reinforced socialism and Soviet influence (Soviet Press Translations, 1948; Triska, 1968), though it “narrowed down the differences in the political structure between Mongolia and the Soviet Union” (Kolarz, 1954, p.142). This constitution significantly did not differ from the 1924 constitution until it was amended in 1949 and again in 1952. Addressing the Eighth Great *Khural*, Kh. Choibalsan said that “... In our work we have been guided by the experience of the great country of socialism - the experience of the Soviet Union. Consequently, in drafting our Constitution the only example for us can be the constitution of the Soviet Union” (Cited in Shirendyb et al., 1973, p.358). As such the 1940 constitution emphasized that the future of Mongolia lay “along non-capitalist lines and a subsequent development into socialism” (Cited in Soni, 2002, p.93). Although it was modelled after the Soviet constitution of 1936, it had incorporated elements from the 1918 constitution of the RSFSR as well (Hazard, 1948). Notably, Article 3 of the 1940 Mongolian

constitution stated that “In the Mongol People’s Republic all power belongs to the urban and rural workers as represented by the workers’ *Khural*.” This closely resembled Article 10 of the 1918 RSFSR constitution, which declared that “The entire power, within the boundaries of the Russian Socialist Federated Soviet Republic, belongs to all the working people of Russia, united in urban and rural Soviets.” Additionally, the article on religion mirrored the Soviet model, ensuring both “freedom of worship and freedom of anti-religious propaganda” (Soni, 2002, p.93).

Notwithstanding the above-mentioned similarities between Mongolian and Soviet constitutions, the electoral system in Mongolia contrasted with the Soviet constitution of 1936 that introduced the system of “secret” ballot and direct elections. Mongolia’s 1940 Constitution, on the other hand, mandated open ballots and indirect elections to the Great *Khural* until an amendment was enacted in 1949 (Ballis, 1956, p.315). This method of indirect election was, however, similar to the electoral system of village, district, provincial, and national levels under the 1918 constitution of the RSFSR (Ballis, 1956; Soni, 1992). In order to “democratize” the electoral system similar to one followed in the USSR, the Ninth Great *Khural* convened in February 1949 and made an amendment to the 1940 constitution ahead of 1951 elections. The amendments included direct elections, a secret ballot by replacing a show of hands for a list of candidates at open meetings, and universal suffrage following the restoration of political rights (Sanders, 1992). All these changes came into effect from the next elections held in 1951. Earlier, commenting on the amended constitution in a speech delivered on May 18, 1951, Choibalsan recapitulated that “General, direct and equal elections to the Great People’s *Khural* through the secret ballot will be held for the first time in the history of our country”, adding further that “at the forthcoming elections, the Mongolian People’s Revolutionary Party will operate in a single block, closely allied with the non-party *arats*, workers, and intelligentsia” (Soviet Press Translations, 1 August 1951, p.439; Soni, 2002, pp.93-94). Such division of Mongolian society into three categories of non-party *arats*, workers and intelligentsia were based on the Soviet style of dividing their society into peasants, workers and intelligentsia.

Further amendments to the 1940 constitution carried out in 1952 revealed that the idea was to make the constitution more like a Soviet replica in terms of governance. Consequently, it was stipulated that the Great *Khural* would now be convened every year instead of every three years as the practice was, and that the two-body legislative system was abolished with only Great *Khural* staying around. In addition, the Presidium of the Little *Khural* became the Presidium of Great *Khural* in the same

fashion as that of the existing pattern of the Soviet Union. That is to say that all these changes followed the Soviet model of 1936 constitution in which “the Congress of Soviets was changed into a Supreme Soviet, the Central Executive Committee was abolished and the Presidium of the Central Executive Committee became the Presidium of the Supreme Soviet” (Ballis, 1956, p.316; Soni, 2002, p.94). Another key aspect of the 1940 constitution which has had direct Soviet influence, was the section dealing with “Fundamental Rights and Duties of Citizens.” With the aim of developing the organizational initiative and the political activity of the working people of Mongolia, the right to unite in public organizations and societies was also guaranteed by Article 82 of the 1940 constitution, though MPRP was emphasized as a party which is the foremost nucleus of all organizations of workers, both public and state. It, *inter alia*, stated that “the most active and politically-conscious citizens in the ranks of the workers, *arat* workers and intelligentsia, are united in the Mongolian People’s Republican Party which is a vanguard of the working people in their struggle to strengthen and develop the country along non-capitalistic lines....” (Triska,1968, p.312). What then striking to notice is that the 1940 Mongolian constitution was nearly identical to the 1936 Soviet constitution, except for the phrase “to strengthen and develop the country along non-capitalistic lines” which was used in the case of Mongolia instead of the Soviet phrase “to strengthen and develop the Soviet system” (Soni, 2002, p.94). Moreover, the Mongolian Judicial system was also the Soviet archetype so much so that there is no exaggeration to say that the legal structure of Mongolia echoed the Soviet order, straggling only in respect of theoretical socialistic advancement.

### **C. The 1960 Constitution: Attainment of Socialism**

The third constitution of Mongolia, which was adopted on July 6, 1960, can be considered to be the culmination of socialist policies and the political structure until the country’s transition to democracy in 1990. This constitution declared the attainment of socialism, and as Rupen (1964) emphasized, placed Mongolia on an equal footing with the former USSR. The Preamble accentuated not only the role of the MPRP as “the guiding and directing force of society and of the State” but also highlighted the historical successes of the Mongolian revolution with the aid rendered by the Soviet Union that finally led to Mongolia’s independence. It was made clear that Mongolia was setting itself the task of “completing the construction of socialism and in future building a communist society” (Sanders, 1992, p.510). The constitution further accommodated a remarkable provision that “every citizen of the Mongolian People’s Republic must in every way strengthen the unity and cohesion of the

peoples of the Socialist camp headed by the Soviet Union” (Soni, 2002, p.95). As such the Soviet influence over Mongolia further extended well beyond the organization of the party (MPRP) and the government (MPR). The Great *Khural* was renamed as the People’s Great *Khural* in the 1960 constitution. Later on, amendments to the 1960 constitution extended the term of the People’s Great *Khural* from three to four and then five years with number of deputies fixing at 370.

The 1960 constitution remained in force until a peaceful democratic movement of 1989-90 raised the need of an amendment for democratic reforms. The constitution was amended first in March and then in May 1990, which eventually abolished the reference to the MPRP as the “guiding and directing force of society and of the state” and introduced the multi-party system of governance. The posts of president and vice-president were also created, in addition to restoring the Little *Khural* or standing legislature, with 50 members elected indirectly after the July 1990 elections. This was followed by the adoption of a new democratic constitution which came into force in February 1992 (The Constitution of Mongolia, 1992). This new constitution marked the beginning of a period of democratic Mongolia away from the Soviet influence. The three constitutions of socialist era, i.e., 1924, 1940 and 1960 constitutions had, in essence, several common denominators. They provided for the special role of the Mongolian People’s Revolutionary Party in the system of one-party rule, created Council of Ministers, made provisions for periodic elections, and guarantee of human rights and freedom. Nevertheless, with regard to the protection of human rights and freedom, all the three socialist constitutions paid more attention to “the protection of economic and social rights such as the right to housing, the right to work, the right to medical assistance and the right to education rather than the political rights” (Gangabaatar, 2021, p.88).

### **III. Constitutional Evolution During the Democratic Era**

It has been more than three decades now since Mongolia entered into a democratic era by opting for democracy and market economy. During this period the country has faced the incredible task of undergoing socio-economic and political reforms that it never thought of experiencing in such a rapidly growing pace. In the post-Socialist era, while redefining its domestic and foreign policies, Mongolia has confronted numerous problems but commitment to resolve them both on the part of Mongolian leadership and the people as a whole made the task if not easy then not too difficult. That is why Mongolia has also the distinction of becoming the first such state to have discarded seven decades of one-party rule and adopted multi-party system, and the credit goes to the democratic revolution and

the subsequent amendments to the last constitution of the socialist era.

### **A. Transition to Democracy and Adoption of 1992 Constitution**

Right from 1924 until 1990, the system of government in Mongolia was based on the Soviet model, and the Communist Party - the Mongolian People's Revolutionary Party (MPRP) - was the only party which was officially permitted to function. However, the onset of *glasnost* and *perestroika* and the ensuing process of reforms and restructuring in the Soviet domestic and foreign policies has had a direct bearing and inevitable impact over Mongolia. It was in 1987 that Mongolia began to diversify itself as Soviets became less inclined to provide economic support to Mongolia and even withdrew subsidies. But at the same time, ties with the United States and further improvements in its relations with China provided Mongolia fair opportunities for "new options and greater chances to stand on its own" (Jarrett, 1988, p.85; Soni, 2005, pp.20-38). The process of Soviet-style reforms and restructuring through *Il tod* and *Orchilan baigalalt* and the democracy movement in Eastern Europe were imitated in Mongolia. As such there was a dramatic shift toward reforms which began in the winter of 1989-90 when the first organized opposition group, the Mongolian Democratic Union (MDU), appeared on Mongolia's political scene in December 1989.

There had been a great upsurge in public political activity between December 1989 and March 1990, as a series of peaceful demonstrations were held in Ulaanbaatar, demanding faster political and economic reforms. The emergence of further opposition groups, together with escalating public demonstrations involving as many as 20,000 people, led to "a crisis of confidence within the MPRP itself" (Sanders, 1998, p.692). Following the dialogue initiated between MPRP officials and representatives of the MDU amid street protests in the capital Ulaanbaatar, the entire Politburo of the MPRP resigned in March 1990, and a new leadership took over the party's reign. Though the countrywide democratic movement started bringing aggressive reforms in the country's political and economic spheres, it essentially contained "a nationalistic motivation rather than a democratic one" (Batbayar, 2001, p.53). It soon turned out to be a struggle to bring radical changes, which could take the country towards prosperity by correcting the mistakes committed in the past by the socialist era's leaders. Consequently, the 1960 constitution was amended in 1990 with several new provisions included as discussed earlier. Besides, a new electoral law was approved and the date of the next general elections to be held in July 1990 was announced. The first multi-party elections for a People's Great *Khural* were held on July 29, 1990 in which the ruling MPRP won 85 per cent of the seats. In November 1991, the People's Great

*Khural* began discussion on a new constitution, while the world witnessed the Soviet collapse in December 1991.

The new constitution, the fourth one in the country's constitutional history, prepared after canvassing some one hundred foreign constitutions was finally adopted on January 13, 1992 replacing the 1960 Constitution, which brought considerable changes in Mongolia's political system (Ginsburg & Ganzorig, 2001). Contrary to the previous constitutions, which had stressed "building the State through socialism", the key elements in the new constitution emphasised the "establishment of democracy". As such the traditional Leninist ideology was abandoned. The most notable change made in this constitution was the replacement of the two-chamber Parliament (bicameral) known as the Great and Little *Khural* with that of a single chamber (unicameral), which came to be known as the State Great *Khural* (SGH) comprising 76 Deputies. It was for the first time that a multi-ownership economy was introduced by this constitution, which would go with the mainstream of the world economy and conform to the special conditions of the country (SWB, 17 January 1992). In order to distance itself from its socialist/communist past, the country's name was also changed from "Mongolian People's Republic" to "Mongolia" and the communist gold star was removed from the national flag under the new Constitution which entered into force on February 12, 1992 (SWB, 13 February 1992).

As per the 1992 constitution, the President became more powerful who would be elected by popular vote rather than by the legislature as before. The President would be the head of State, Commander-in-Chief of the Armed Forces, and head of the National Security Council. A national majority would popularly elect him for a 4-year term, which would, however, be limited to two terms. The constitution empowered the President to propose a Prime Minister, call for the government's dissolution, initiate legislation, veto all or parts of legislation, and issue decrees, which would become effective with the Prime Minister's signature. The Prime Minister would serve as head of the government with a 4-year term. The President would nominate him to be confirmed by the SGH. The Prime Minister would form a cabinet, subject to the approval by the SGH. The constitution also stipulated that dissolution of the government would occur upon the Prime Minister's resignation, simultaneous resignation of half the cabinet, or after an SGH vote for dissolution. However, as the supreme government organ, the SGH had been empowered to enact and amend laws, determine domestic and foreign policy, ratify international agreements, and declare a state of emergency. Besides, the SGH would meet bi-annually and its members elect a Chairman and Vice Chairman both of them serving 4-year

terms. The Members of Parliament (SGH) would popularly be elected by district constituencies for a 4-year term.

It is worth noting that emergence of multi-party democracy following the enactment of 1992 constitution in Mongolia provided opportunities to forming new political parties. Over the years, particularly since the end of the single-party rule, numerous parties and groups have been organized and reorganized or renamed in the process of democratization. However, there remained “a few political parties with major influence and stable membership” (Batbayar & Soni, 2007, p.110). The MPRP, on its part, rejected to follow the principles of Marx and Lenin, which they did by amending its manifesto at its 21<sup>st</sup> Party Congress held in 1991. Further, in 2010, after 90 years of its existence the MPRP restored its original name the Mongolian People’s Party (MPP), which today dominates the political landscape of Mongolia (Baljma, 2021). Yet, parliamentary elections have been playing an important role in the consolidation of political parties and redefining their national agendas, though as Mongolia progressed year by year, constitutional amendments too have been made to keep the country’s democratic credential intact.

### **B. Strengthening Democracy through Constitutional Reforms**

A definitive break from Mongolia’s Soviet past and hence, from its socialist/communist past has been brought by the 1992 constitution that first and foremost stressed “national independence over ideological dependence” (Batbayar, 2019, p.24). However, essence of this constitution lies into strengthening democracy, which gets boost through constitutional reforms. While evaluating the experience of democratization in Mongolia, John Tkacik of the Heritage Foundation describes the country as “a poster child for democracy in Eurasia” (Tkacik, Jr., 2005). In his opinion, Mongolia’s “messy, multi-party parliamentary system with its liberal election calendar has yielded an open society where political dissent is the norm, parliamentary debate is spirited, and compromise between parties and interest groups is common.” This, he stresses, “contrasts starkly with the rest of the post-Soviet Central Asia, where Presidential governments have resulted uniformly in strong, single-minded dictatorships.” Looking at Mongolia’s democratic credentials since 1992 constitution came into force, it appears that multi-party elections constitute an important component of the democratization process. Prior to the latest amendment to the constitution made in 2023, Mongolia was demarcated into 76 constituencies, which fell under 21 *aimags* or provinces and one municipality. After the current constitution became effective, a second multi-party election was held in June 1992, the third in July 1996, the fourth in July 2000, the fifth in June 2004, the sixth in June 2008, the seventh in June 2012, the eighth in

June 2016, the ninth in June 2020 and the latest, the tenth, in June 2024. However, these elections in addition to the Presidential elections were held on the basis of the latest constitutional reforms carried out through amendments.

As of now there have been four major amendments to the 1992 constitution made in 1999, 2000, 2019 and 2023. In 1999, seven constitutional provisions were amended, though these were described as unconstitutional by the Tssets given that the legislature did not seek the opinion of the Tssets as per the Constitution (Gangabaatar, 2021). Later, the State Great *Khural* passed the same amendments in 2000, thus giving way to make the issue controversial. In effect, in 2010 the State Great *Khural* adopted the Law on Constitutional Amendment Procedure, which “proved to be useful later in 2019 as it required the parliament to follow certain procedures to ensure the public participation” (Gangabaatar, 2021, p.91). The 2019 constitutional amendments made significant changes to the constitution, including the balance of power between President and Prime Minister and limiting the Presidential term to a single term, i.e., one six-year term instead of two four-year terms as was in practice. The 2019 amendments cover 19 provisions and included, among others, “strengthening the parliamentary democracy and the popular sovereignty, promoting stability of the executive, guaranteeing the judicial independence, and clarifying local government system” (Gangabaatar, 2021, pp.92-93). Further, on May 31, 2023, the latest constitutional amendments were made to enlarge the legislative body from 76 members to 126 in addition to incorporating a mixed electoral system, i.e., “78 members of the State Great *Khural* will be elected by majority vote in a dedicated constituency, and the remaining 48 members will be elected by proportional representation” (Lkhaajav, 2023a). The amendments also reserved 30 per cent seats for women candidates.

The latest parliamentary elections held on 28 June 2024, were the first under this new parallel system of voting, thus transforming Mongolia’s political landscape. The elections witnessed the Mongolian People’s Party (MPP) retaining its dominance in parliament with 68 seats as against the Democratic Party (DP) which increased its representation and won 42 seats. However, the number of women winning the parliamentary seats increased dramatically to 32 in comparison to the previous elections, largely due to the reservation of seats exclusively for them to contest. Overall, the electoral reforms as per constitutional amendments were “motivated by an intent to bolster multiparty democracy by allowing easier access for smaller parties into Parliament, preventing any single party from achieving a ‘supermajority’, and enhancing female representation” (Tamang, 2024). As such, the constitutional reform, particularly since 2019, points to the fact

that a major political shift in Mongolia's governance, political parties, and voting system has taken place. No wonder then that while political stability is fundamental for a political regime to govern, it is the people of Mongolia that continue to be the roots of the country's democracy (Lkhaajav, 2023b).

#### **IV. Conclusion**

When the wave of democratization swept across Mongolia in the late 1980s and early 1990s, no one had ever imagined that Asia's first and the world's second socialist/communist country after the erstwhile Soviet Union would indeed set a paradigm for a peaceful democratic transition in its domestic and foreign affairs. Significantly, since the adoption of democratization and market economy Mongolia stands out as a unique case where a new democratic civilian society has evolved, the role of which remains vital in deciding the political future of the country, whether it's domestic or foreign policy. As such Mongolia provides a classic case study, which unlike Central Asian Republics has witnessed a relatively peaceful transition to a democratic society. Such a shift from socialism to a democratic path of development has been the result of Mongolia's long quest for an independent identity after remaining seven decades under Soviet influence, in which the role of constitution and constitutional reforms are of paramount importance. While examining Mongolia's constitutional evolution during socialist and democratic eras in a comparative perspective, it appears that the three socialist constitutions had aimed at transforming Mongolia into a "true socialist republic" by focussing on building socialism and after attaining it, going forward to building a communist society. On the contrary, constitutional reforms carried out through amendments in the 1960 constitution in early 1990, saw the beginning of a liberal constitutional democracy, the implementation of which resulted in the emergence of a new democratic constitution in 1992. The notions behind constitutional amendments and their implications for the political landscape of Mongolia in a long span of 100 years are quite clear in terms of consolidating socialism during the socialist era and then opting for democracy and further strengthening it during the democratic era. No wonder then that despite remaining divergent in their essence, the constitutions of the two eras provide a realistic picture of what the country's political system used to be during its Soviet past and what its appearance reflects on in the present context. Hence, whatever successes Mongolia has achieved today or may achieve in the future in its domestic and foreign policies, one thing remains unclogged that democracy has been successful at least in the political realm through: (a) implementation of electoral democracy combined with civil and political liberties, i.e., liberal democracy, and (b) creation of an independent political identity.

## [Bibliography]

- Amarsanaa, Z., and O. Batsaikhan (2009). *The Constitutions of Mongolia 1924, 1940, 1960, 1992*. B. Chimid and T. Sarantuya (Eds.). Ulaanbaatar: Mongolian Academy of Sciences.
- Ballis, William B. (1956). The Political Evolution of a Satellite: The Mongolian People's Republic. *Western Political Quarterly*, 9 (2), 298-328.
- Batbayar, Baabar (2001). Post-Communist Transition in Mongolia. *Himalayan and Central Asian Studies*, 5(1), 45-54.
- Batbayar, Ts. and Soni, Sharad K. (2007). *Modern Mongolia: A Concise History*. New Delhi: Pentagon Press.
- Batbayar, Tsedendamba (2019). *The Dynamic Decade: Mongolian Sovereignty and Foreign Policy between East and West, 1990-2000*. Ulaanbaatar: The School of International Relations and Public Governance, Mongolian State University.
- Baljma, T. (2021, April 30). Mongolian People's Party, Mongolian People's Revolutionary Party merge. *MONTSAME*. <https://montsame.mn/en/read/262327>(accessed 10 February, 2025).
- Bulag, Uradyн E. (1998). *Nationalism and Hybridity in Mongolia*. Oxford: Clarendon Press.
- Bulmer, Elliot (2017). What is a Constitution? Principles and Concepts. International IDEA Constitution-Building Primer 1. Stockholm: International Institute for Democracy and Electoral Assistance. <https://www.idea.int/sites/default/files/publications/what-is-a-constitution-primer.pdf> (accessed 2 November, 2024).
- China Year Book (1926). Constitution of the Mongolian People's Republic. 795-800.
- Dashdorj, Zorigt (2019, August 27). Political culture and constitutional reform in Mongolia. *Gisreportsonline*. <https://www.gisreportsonline.com/r/mongolia-constitutional-reform/> (accessed 6 November, 2024).
- Gangabaatar, Dashbalbar (2021, March). Development of Constitutionalism in Mongolia. *Nagoya University Asian Law Bulletin*, 6, 87-96. [https://cale.law.nagoya-u.ac.jp/wp/wp-content/uploads/2021/09/alb6\\_06\\_Dashbalbar.pdf](https://cale.law.nagoya-u.ac.jp/wp/wp-content/uploads/2021/09/alb6_06_Dashbalbar.pdf) (accessed 2 November, 2024).
- Ginsburg, Tom & Ganzorig, Gombosuren (2001). When Courts and Politics Collide: Mongolia's Constitutional Crisis. *Columbia Journal of Asian Law*, 14 (2), 309-326. [https://chicagounbound.uchicago.edu/journal\\_articles/1443/](https://chicagounbound.uchicago.edu/journal_articles/1443/) (accessed 10 March, 2025).
- Hazard, John N. (1948, June). The Constitution of the Mongol People's Republic and Soviet Influences. *Pacific Affairs*, 21, 162-170.
- Jarrett, Kenneth (1988). Mongolia in 1987: Out from the Cold? *Asian Survey*, 28 (1), 78-85.

- Lkhaajav, Bolor (2023a, June 1). In Mongolia, parliament passes constitutional amendments adopting mixed electoral system and increasing size of parliament. *Constitutionnet*. <https://constitutionnet.org/news/mongolia-parliament-passes-constitutional-amendments-adopting-mixed-electoral-system-and> (accessed 2 November, 2024).
- Lkhaajav, Bolor (2023b, June 2). Mongolia's Constitutional Reform Enlarges Parliament, Advances a Mixed Electoral System. *The Diplomat*. <https://thediplomat.com/2023/06/mongolias-constitutional-reform-enlarges-parliament-advances-a-mixed-electoral-system/> (accessed 2 November, 2024).
- Morozova, Irina Y. (2009). *Socialist Revolutions in Asia: The Social History of Mongolia in the Twentieth Century*. London and New York: Routledge.
- Patterson, C. Perry (1948). The Evolution of Constitutionalism. *Minnesota Law Review*, 32 (5), 427-457, <https://scholarship.law.umn.edu/mlr/934/> (accessed 2 November, 2024).
- Rupen, Robert A. (1964). *Mongols of the Twentieth Century*. Bloomington: Indiana University.
- Sablin, Ivan et al. (2021). Khural democracy: Imperial transformations and the making of the first Mongolian constitution, 1911–1924. In Wickhamsmith, Simon and Marzluf, Phillip P. (Eds.), *Socialist and Post-Socialist Mongolia: Nation, Identity, and Culture* (pp.14-42). London: Routledge.
- Sanders, Alan J. K. (1992). Mongolia's New Constitution: Blueprint for Democracy. *Asian Survey*, 32 (6), 506-520.
- Sanders, Alan J.K. (1998). Mongolia. *The Far East and Australasia 1999* (pp.691-693). London: Europa Publications.
- Shirendyb, B. et al. (1973). *History of the MPR*. Moscow: Nauka.
- Shirendyb, B. et al. (1976). *History of the Mongolian People's Republic*. William A. Brown and Urgunge Onon (Trans.). London: East Asian Research Centre, Harvard University.
- Soni, Sharad K (2022). Negotiating Mongolian Identity in the Eurasian Geopolitical Landscape. In Upadhyay, Archana (Ed.), *Transitions in Post-Soviet Eurasia: Polity, Identity and Strategic Choices* (pp. 65-82). Abingdon & New York: Routledge.
- Soni, Sharad K. (2005). Mongolia-China Relations: Post-Cold War Scenario. In Singh, Mahavir (Ed.), *Asia Annual 2004* (pp. 220-238). Delhi: Shipra Publications & Maulana Abul Kalam Azad Institute of Asian Studies.
- Soni, Sharad K. (2002). *Mongolia-Russia Relations: Kiakhta to Vladivostok*. Delhi: Shipra Publications.
- Soviet Press Translations (1951, August 1). Speech by Choibalson. 6 (14), 439.
- Summary of World Broadcasts (SWB). (1992, January 17). FE/1280.
- Summary of World Broadcasts (SWB). (1992, February 13). FE/1303.
- Tamang, Leena R. (2024, July 11). In Mongolia, electoral reform ushers in

a record number of women to parliament. International Idea. <https://www.idea.int/news/mongolia-electoral-reform-ushers-record-number-women-parliament> (accessed 6 November, 2024).

Tang, Peter S.H. (1959). *Russian and Soviet Policy in Manchuria and Mongolia, 1911-1931*. Durham N.C.: Duke University Press.

The Constitution of Mongolia (1992). Taipei: Mongolia and Tibetan Foundation, 1-31.

Tkacik, Jr. John J. (2005, June 21). Mongolia's Democratic Identity. *The Heritage Foundation*. <https://www.heritage.org/asia/commentary/mongolias-democratic-identity> (accessed 6 November, 2024).

Triska, Jan F. (1968). *Constitution of the Communist Party-States*. Stanford: Hoover Institution.