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Southeast Asian Affairs, Volume 2013, pp. 135-150 (Article)

Published by Institute of Southeast Asian Studies

DOI: 10.1353/saa.2013.0015



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Laos



LAOS IN 2012

In the Name of Democracy

Holly High

Introduction

“The Lao People’s Democratic Republic: Peace, Independence, Democracy, Unity, Prosperity”. Since the 1975 revolution, “democracy” has hung as an unfulfilled promise in both the official epithet and motto of the nation. Many previous chapters on Laos in *Southeast Asian Affairs* have speculated, mostly pessimistically, about when this repeated promise will be realized. Year after year we have read that Laos continues to be a one-party state ruled by a small, secretive elite resistant to international and internal pressures for reform. Just last year the contributor to this series wrote that “there is no credible challenge to its continued governance”.¹ But the events of recent years have suggested that a different reading might be possible. It is notable, for instance, that the titles of the entries for Laos in *Southeast Asian Affairs* for 2009 and 2010 contained the words “contestation” and “debate”² respectively. Stavrakakis³ defines democracy as a political system premised on recognition of imperfection, especially the inevitable failure to attain unity between different voices. Democracy by his definition is the never-ending and always-unresolved debate between differently held positions. This definition directs the analysis of so-called democratic polities to the question of the status differences of opinion in any given context: how is a space for argument facilitated or disabled? Cuing from this Stavrakakis definition, in this chapter I focus on forums for disagreement, debate, and complaint in Laos in 2012 as a means of taking the pulse of democracy there not as a name only, but as the systemic politics of disunity.

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The definition of democracy has been debated and discussed critically within Laos, too. In one political theory handbook,⁴ true democracy was defined as the reorganization of class relations away from the ruling class towards society in general: this is the goal of the current regime's political project. But the handbook also emphasized that "democracy" is a word that is used as an empty promise that stands in the place of this revolutionary prospect, and that in reality most so-called democracies do not grant political authority to the majority of people. In my discussions with Lao political leaders about the role of democracy and their hopes for the future of the nation, a similar ambivalence was evident. Although democracy is usually considered a core goal and an indisputable value, there is also a wariness that not everything done in the name of democracy is worth supporting. Some leaders suggested that a better educated population working from a base of secure development is needed first: until then the single party would lead on their behalf. One explained that without this, the field of democratic debate would just be senseless conflict and pointless argument, and the nation of Laos has already seen enough strife, war, and blood-shed in its recent history. Another criticism of multi-party democracy was that it is inherently unstable: invidious comparisons with the protests of Thailand are not uncommon. Some associate multi-party systems with tedious and drawn-out decision making, pandering to special interests and spending on immediate benefits rather than wise leadership for the long term. Another leader explained to me that steps towards democracy in Laos needed to be slow, incremental and balanced with other values, most notably equality (*khvam samoephap*) — especially between the various ethnicities and between genders — and unity (*ekaphap*). Other associated core political values that temper that of democracy include "harmony" (*pongdong*), "solidarity" (*samakhi*), and "consensus" (*hendi*).

There is a conflict here between the political value of democracy, which entails disunity, and the political values of unity, harmony, and solidarity.⁵ The tension between these two currents of Lao political expression can be seen in the striking contortions political language sometimes takes in order to present dissent, contestation, or criticism as in fact a manifestation of unity. For instance, one particularly common style of dissent seen in 2012 was the technique of appealing to the letter of the law of the existing regime and the promises it has made in order to launch critiques against it. These are complaints against the state made in its own tongue, as it were. For instance, commenting on this widespread concern about land, Deputy Director General of the Land

Natural Resource Research Institute, Palikone Thalongsengchanh observed that “our law stipulates that compensation for affected villagers who have to give up their land for development projects needs to be sufficient to improve their livelihoods” but that the concerns raised by citizens showed that this law was not being upheld: “we have observed that many villagers end up poorer after losing their land to development projects, because of the inappropriate compensation provided,” he explained.⁶ In this style of critique, complaint is positioned as harmonious with the national project because it emerges from within the laws and goals set by the party-state. It complains about how the party-state’s own stipulations and intent have not been faithfully carried out. The reproach to the party-state seems to be, “if only you were who you claim to be!”.

Forms of dissent and criticism that do not adequately frame themselves within the overarching values of unity, solidarity, and harmony with the national project continued to struggle to find legitimacy in 2012. In early December, Helvetas Country Director Anne-Sophie Gindroz was expelled after she wrote a private letter circulated among “development partners” in Laos. In that letter, she described the current context as “democratically deficit” with little room for meaningful debate and repercussions for those who attempted to use it. She suggested that many NGOs remain silent about this because of fears that, should they speak up, their ability to operate in Laos would be reduced or removed altogether. But, she noted, there were elements in the Lao government and civil society pushing for greater openness, and that development partners ought to “show solidarity with those acting and calling for more inclusive dialogue”. Towards the close of the letter, she argued strongly that open debate was fundamental to achieving the goals of development work, and called on other organizations to take a more critical stance. In the letter penned by the Ministry of Foreign Affairs instructing Helvetas on her expulsion, it was claimed that Gindroz had an “unconstructive attitude”, “rejected” the Lao political system, and launched a “prejudicial anti-Lao Government campaign” by calling for development partners to turn against the Lao government. The letter went on to suggest that Gindroz was in violation of international and national law, although the only laws quoted in the letter did not persuade me of this. Both laws quoted did, however, mention the obligation of international non-governmental organization (INGO) staff to respect the “fine” traditions of the Lao people. Perhaps what the Ministry of Foreign Affairs found illegal about her letter, in these terms, was that it was styled as openly critical, agitating, and emphasized

divisions, rather than subordinating her criticisms more firmly to the potent political values of unity, harmony, solidarity, and consensus.

In another case that drew far less English-media attention, in 2012 Dr Khamphouey Panmalaythong published an article in the Lao-language *Journal of Social Sciences*, published by the Lao Academy of Social Sciences.⁷ In this piece, Khamphouey pointed out that in single-party systems that typically lack development, democracy, and freedom, opinions will always differ and even the best of ideas — including Marxist-Leninism — come from multiple sources and need to be adapted to local conditions. Laos should be wary of single-source ideology, he warned. This article followed his 2011 speech to the National Assembly (NA) where he questioned the appropriateness of Marxist-Leninist teachings for the particular case of Laos. His smooth delivery and cool demeanour were impressive and had some contributors to discussion boards rhapsodic: perhaps Laos had found her Aung Sang Suu Kyi, one speculated. Others warned that his impeccable party affiliations suggested to the contrary that his public statements were a trap laid to lure the opposition out of hiding. Trained in Vietnam and the USSR, by 2010 he was a member of the Central Committee of the Party and of the National Assembly, Secretary of the Party Secretariat, and President of the National Institute of Social Sciences. In May 2012 he was replaced as President of the National Institute of Social Sciences. Some have suggested that this reshuffling might be a reprimand for his critical and public remarks, but that it is too soon to draw any conclusions.⁸

Previously in analysis of politics in Laos, the classic observation was that — off-the-record — everyone knows that laws are not fairly enforced, that elites hold the power in reality, and that economic growth and increasing foreign investment have only tended to confirm their position and privilege above their countrymen. “Everyone knows” that to criticize elites is to invite punishment and perhaps even imprisonment. “Everyone knows” that corruption is the norm, that policy on paper means nothing on the ground, and about the power of provincial and district chiefs and their cronies who are often said to hold the last word on anything of import within their localities. And “everyone knows” better than to risk pointing this out. By 2012, it was not quite so clear that everyone knew this. Instead, 2012 saw such supposedly unspeakable topics thrust repeatedly into expression. Gindroz and Khamphouey spoke openly about their concerns with the party-state, and there were many other lower profile examples in 2012 as well. Many of these took the form of the first style

I identified above, presented through the language of the law itself in very conciliatory terms.

In a sense, complaint and criticism of a certain style has been a common, and even an encouraged, form of political engagement in Laos since the revolution: for instance, self-criticism is often found in official documents and speeches, where “weaknesses” of existing policies and problems encountered to date are often pointed out and targeted for improvement. Attention to previous failings and rallying calls for ever-strengthened efforts going forward is a standard part of party-state meetings. One of the striking aspects of political debates in Laos more recently is that they have taken this pre-existing form of constructive criticism and expanded it into a meta-level debate about the role and form of debate itself. One recurring theme of political expression in 2012 was criticism about how criticism itself was being delivered and dealt with. Khamphouey’s article was a key example of this, but there were also complaints about the complaints procedures at the NA and laws drafted about how to protect those who alert us of breaches of the law. There were raging debates on discussion boards about the lack of space for debate. That is to say, the role of debate, dissent and complaint was itself one of the subjects of debate in 2012.

If one follows Stavrakakis in defining democracy as a political system of disunity, one can understand this debate about debate as a debate about democratic possibilities. While it might be tempting to dismiss these small examples as cosmetic niceties that paper over the underlying fact of ongoing suppression of dissent in Laos, I argue that they are important not only for their content, but also for their form, the way they phrase and imagine the potential for democracy in Laos. Below, I will provide three examples that were significant in 2012. The first is the NA; the second is in the regional and international context; and the third is cyberspace and media forums.

The National Assembly Steps Up

In many ways it is no surprise that Dr Khamphouey’s controversial 2011 speech took place in the NA. In recent years, the NA has elbowed its way into recognition as one of the primary forums for political debate and criticism in Laos. The NA consists of elected representatives (either members of the Lao People’s Revolutionary Party or independents) charged with representing their constituent’s concerns and instructing the government. The NA regularly undertakes routine tasks such as ratifying international agreements, electing the President of Laos (this year, Choummaly Sayasone was re-elected) and the Vice-

President (Bounnhang Vorachit) and appointing the Prime Minister (Thongsing Thammavong) and endorsing the government cabinet. Ordinary sessions are held twice a year, each hemmed in before and after with consultative meetings and extraordinary sessions for particular issues. The NA is tasked with monitoring the performance of the government, and part of this is representing complaints of constituents about the government. For instance, The NA receives petitions from citizens to its central office to which parliamentarians then respond.

While in the past the role of the NA was often dismissed as a mere symbolic nod towards representational politics and a rubber stamp for party directives, perceptions have changed in recent years with the NA now thought of as a key avenue for popular recourse. This may be related to the NA's new leadership. NA President Pany Yathortou rose to the leadership of the NA after the controversial removal of Bouasone Bouphavanh as Prime Minister in 2010, when the then President of NA Thongsing Thammavong was promoted to Prime Minister. Madame Pany and other NA members have been vocal in discussing ways to improve the Assembly's activities. For instance, the member for Vientiane and member of the NA Standing Committee, Souvanpheng Bouphanouvong, raised the suggestion that the cumbersome and time-consuming meetings organized before or after each ordinary NA session between representatives and their constituents be changed to more focused, issue-based meetings between interested community members and their representatives. The newspaper article that reported this noted that "she didn't criticise the way NA members met with their constituents in the past, but confirmed that the NA is working to avoid what some feel are mostly symbolic meetings".⁹ This quotation is interesting for two reasons: first it demonstrates that Souvanpheng was operating within the style that I outlined above, where she assures us that her suggestion for improvement is not to be taken as a harsh critique of the past, but as constructive criticism within an overarching unifying and harmonious orientation. Secondly, it expresses the goal to move away from merely "symbolic" engagement between representatives and their constituents towards a more robust engagement. This small example shows the delicacy of the terrain in which Pany, Souvanpheng, and some other NA members are operating: they are pushing for reform but in a context where criticism is offered cautiously in the guise of unity and non-conflict.

In media reports, the NA is often presented as speaking as a single voice on behalf of "the people". Souvanpheng was quoted in a newspaper report about the need for better auditing of government spending as saying:

This is why the NA is in a very serious battle to prevent the leakage of money, and is trying hard to build regulations to control the situation, for the budget was allocated correctly and clearly. If there is any pressure or violation of regulations by officials, the NA is ready to stand by the side of the disadvantaged people. What we're doing is for transparency and the benefit of the entire nation.¹⁰

On the one hand, this looks like an example of open political critique because the NA is ostensibly taking a critical view of the spending activities of the government and committing to take a stand against corruption. But on the other hand, this is phrased as if the NA speaks with one, unified voice. If the NA was truly representative of the diversity of its constituents, then surely there would be a multitude of views that could not be contained in such a single standpoint. A commitment to the political value of unity can be seen in another characteristic of NA media releases: tempering criticism with praise. For instance, another report noted that Souvanpheng stated: "The National Assembly (NA) yesterday pointed out several areas where the government could do more, while applauding the government for its strong performance overall".¹¹ This presents her criticism as friendly and constructive, rather than truly oppositional. My point is that even in moments where "criticism" is deliberately aired in the NA, it often remains subordinated to a more subtle but all the more pervasive political value of unity.

One of the most fascinating aspects of the NA's attempt to be the voice of the people is its hotline. When the Assembly is in session, comments and concerns can be submitted by any citizen of Laos via a free-call number, letter, or e-mail. These complaints are then submitted to the Government Office, and from there to relevant ministries and departments with the request that a report be returned directly to the NA about the response taken. Some of these cases are taken up for debate and discussion within the NA session periods. In the mid-year session of 2012 there were 280 calls over seventeen days.

In a summary of the complaints raised in that session, Deputy Head of the NA's Administrative Office, Viseth Savengseuksa, explained that "most" of the calls were about land issues.¹² Over the past few years, economic growth has gathered pace in Laos as large resource exploitation undertakings have started to bring in revenue, most notably mining, hydropower, and agribusiness.¹³ These are part of a much broader "land as capital" strategy that has seen many Lao people effected by resettlement. Compensation claims for reallocated land have often been tense, and rural livelihoods have been

squeezed. Mr Viseth noted that while these land concessions were aimed at national development, there was widespread popular dissatisfaction. The immediate effect for ordinary people was often impoverishment as the loss of land directly impacted on subsistence livelihoods. The other major complaints raised were, in order of frequency: the rule of law; environmental degradation and logging; and the corruption or extravagant living of civil servants. True to the general formula of NA announcements, press reports about the hotline also included ruminations on the weaknesses of the hotline itself and plans for its improvement.¹⁴

The recent endeavours of the NA can be interpreted as a move to bolster it as a forum for political expression and recourse in Laos. On the one hand, the NA has been active and vocal in airing and addressing concerns, including controversial issues like land concessions and corruption, and Khamphouey's speech. The NA of recent years has challenged many old taboos and clichés about political criticism in Laos: one can hardly continue to claim that all public political criticism in Laos is strictly censored. On the other hand, the space for critique and debate that the NA is carving out remains limited. The critical statements aired there are typically carefully phrased as constructive criticism from within the law, in terms that are supportive and praising of the party-state rather than divisive. The Assembly's criticisms of the party-state uphold the political values of unity and harmony to such an extent that, counter-intuitively, the Assembly is often presented as speaking with a single voice, rather than in the disharmonious cacophony of democratic debate.

Debate in International Forums

Laos hosted a visit from Hillary Clinton in July, the first from a U.S. Secretary of State since 1955. Before her arrival, Clinton spoke from Mongolia pointing to that nation as a role model for post-socialist transitions to democracy. She commented, "This is the right time to talk about democracy in Asia, as many countries in this region grapple with the question of which model of governance best suits their society and circumstances. The path they choose will shape the lives of billions of people and the future of this region."¹⁵ That said, there was little media discussion of democracy during her visit to Laos, with the focus instead on trade, unexploded ordnance and missing U.S. servicemen. She did, however, weigh in on the controversial Sayaburi dam issue, calling for its suspension.

That dam dogged Laos' international relations in 2012. It will be the second constructed on the Mekong (the first is located in China). Opponents have raised concerns about environmental impacts and viability, especially for downstream nations Thailand, Cambodia, and Vietnam. In response, the Lao government proposed to hold off construction while further studies and revisions were completed. However, in November the ground-breaking ceremony took place and other preparatory works continued. One of the striking aspects of this long-running dispute is the divide that it exposed between the public stances of the Lao and Vietnamese governments. These two typically present a unified front, referring to one another as "younger and older brother". In 2012, fifty years of diplomatic relations between the two was marked with a series of high-level commemorative events strung together as the Laos-Vietnam Year of Solidarity and Friendship. In such a context, Vietnam's call for a ten-year moratorium on all dams on the Mekong was unusual. As it happened, it was also fleeting: by year's end Vietnam had withdrawn her opposition to the Sayaburi dam.

In another major event for Lao international relations, it was announced that the country had finally completed all the requirements to accede to the World Trade Organization (WTO). It has been a long path for Laos to reach this point. Legal frameworks were modified extensively or written completely from scratch in order to satisfy the eligibility requirements. Laos' Industry and Commerce Minister, Nam Viyaketh, spoke with disarming frankness about the difficulties he had encountered not only in the international negotiations, but domestically:

We, however, underestimated the difficult negotiations we would have to undergo at the internal front. Quite frankly, trying to convince our trading partners of the position of Lao PDR only to go home, and to convince our internal partners of the justification of the reforms requested, was one of our most difficult and hard tasks.¹⁶

Some of the future effects of such internationally influenced changes to the Lao legal framework may have been presaged by a story that captured the attention of international journalists in 2012: Lao Holdings N.V. and its wholly-owned subsidiary, Sanum Investments Limited, both filed suits against the Government of the Lao People's Democratic Republic for its attempts to seize assets, impose fines, and revoke licences to operate, acts which Sanum argues were baseless, corrupt and in violation of numerous international treaties. The suits will be handled by the World Bank's International Center for the Settlement of Investment

Disputes under treaties signed by Laos designed to protect foreign investment. The details of the case are complex and have been well reported elsewhere, partly because of the talkativeness of Sanum's president, Jody Jordahl, who has given a series of interviews to international media outlets. For the purposes of this chapter, the pertinent aspect to note is the appeals made to the law, laws which are increasingly framed within an international context. For instance, Jordahl stated: "We invested in good faith in the Lao PDR. We believed the former Prime Minister when he told us the Lao Government would uphold the rule of law".¹⁷ This is a contestation of the party-state spoken in the language of the current legal framework, a framework that has been importantly modified by international agreements and their attendant domestic reforms.

Perhaps the most significant event in Lao international relations in 2012 was the hosting of the Asia-Europe Meetings (ASEM). As one commentary put it, it is almost as if the aim of hosting these meetings, and a bevy of other international events in recent years, is to secure an international image of Laos as "charming"¹⁸ and of the ruling party-state as internationally well connected:¹⁹ viewers of Lao national television were subjected each evening to news reports of the meetings a repeated announcement requesting one and all to be hospitable to the visiting delegates. The Asia Europe People's Forum (AEPF) was held in the lead up to the ASEM meetings. Intended as a forum for non-government voices, much of the discussion and critique emerging from it at the time was about the format itself (did the forum truly support free speech? Or was the format rigged to favour governmental voices?). While this style — debate about the role of debate — was not unexpected given the form of the other debates of 2012, the events that followed AEPF made this a meeting that would not quickly be forgotten. On 15 December 2012, Sombath Somphone, a key member of the forum's National Organizing Committee (Laos), was abducted directly after a routine police check of his car in Vientiane. The Lao government denied any responsibility and announced that a careful investigation would be undertaken. However, the year closed with no news of any advances made in identifying the whereabouts of this respected civil society leader and winner of the Ramon Malagasy Award. A panel hosted by the Thai Foreign Correspondent's Club discussed his disappearance as test case for the new ASEAN Human Rights Framework. Some observers tentatively linked Sombath's disappearance to the expulsion of Ms Gindroz: both were key supporters of the AEPF,²⁰ although again it is too soon to tell whether or not this disappearance was linked to Sombath's civil society work.

Debate in Cyberspace and the Media

The CCTV clip of Sombath's disappearance was released on YouTube. Dr Khamphouey's academic article was scanned and circulated on Flickr and Facebook. His NA speech has been watched by thousands of people on YouTube (over 35,000 views at time of writing). Gindroz's "private" letter was circulated widely via e-mail. Jordahl's complaints against the Lao state were flashed across numerous websites. While access to the Internet in Laos remains small overall (only 7 per cent of the population in 2010) it is growing fast, doubling each couple of years by some accounts and set to accelerate as the Internet becomes standard on mobile phones. While the state-run media remains restricted, there are no similar restrictions on Internet access in Laos and no sites are blocked.²¹ Lao44, established in 2009, is a Lao-language online discussion board that facilitates debate and provides access to documents that might otherwise be difficult to locate, particularly legal provisions, some of which are essential for launching critiques of the style I have identified where criticism is made more conciliatory through its framing as within the law. Lao44 is named after the constitutional Article 44 that stipulates Lao citizen's rights for "freedom of speech, press and assembly".

Lao44 and the many other online forums pertinent to Laos remain intimately linked to, and even dependent on, more traditional forms of media. Many of the exchanges on them are sparked by the circulation of news breaking in more traditional forms of media, such as newspaper articles, which are then discussed, often critically and acrimoniously online. Importantly, these forums have the potential to bring into discussion members both from within and outside Laos, and people of various nationalities. The Internet, then, is fast becoming one of the most important forums for political debate in and about Laos, and it is changing the nature of the debate in the process.

One of the most talked about media events of 2012 was undoubtedly the Lao National Radio show *Talk of the News*. The show rose to even greater prominence when it was abruptly cancelled without notice or explanation in late January. The popular call-in programme had run for four years, providing a forum where Vientiane listeners could call in and offer their opinions, anonymously, on current events. Hosted by Ounkeo Souksavanh, the programme heard complaints that were similar to those noted as raised in the NA: land issues, rule of law, and corruption were high on the agenda. The show was cancelled by the Minister for Information, Culture and Tourism, Bosengkham

Vongdara. This was interpreted by some as a blow to the hopes for democracy in Laos, as it ended a thriving forum of debate. However, the closure of the show did not quell debate: to the contrary it became a kind of *cause célèbre* as the show's disappearance itself drew criticism in cyber forums. Lao44, for instance, ran a poll allowing people to vote on whether they wanted *Talk of the News* to be returned to air: 87 per cent of 1,601 respondents replied "yes". Newsgroups such as LaoFAB, soc.culture.laos, and LaoLink also saw popular disgruntlement with the show's halt aired and linked to perceptions of the Lao government as secretive, unfair and oppressive. International media reports were also highly critical of the closure and sympathetic to Ounkeo's plight, pointing to Article 44 of the national Constitution and Laos' ratification of the International Covenant on Civil and Political Rights (ICCPR) in 2009, which also provides for the protection of political speech.

Ounkeo is one of a small but significant number of Lao journalists and activists who are testing the limits and possibilities for a more critical political expression under the new legal protections which have often been drafted to international standards of human rights and freedom of speech. Critical articles and editorials in the Lao papers do remain rare but they are by no means absent. Characteristically they take up the same issues that are found in the other forums for popular complaint discussed so far: complaints about the gap between the provisions and securities guaranteed by the law and the reality on the ground; about the stark disparity between poor people, who are often asked to make sacrifices in the name of national development, especially as far as land is concerned, and the officials and elites who appear to be benefiting disproportionately from the nation's new wealth. Typically, the arguments are not phrased as revolutionary but rather as conservatively requesting merely that laws ought actually be enforced and that development in reality should be more like the promises made about it. Speaking on a listserv, one Lao journalist explained that: "In our circumstances, we need to ensure that our criticism is constructive. We are supposed to push gradually — if not we won [sic] be allowed to at all". Prime Minister Thomsing Thammavong released a scathing critical attack of the standard of media reporting in 2012, claiming that the media's avoidance of critique was hampering the development of informed national debate. In his criticism he called for more criticism, not only of internal events but also a domestic critique of international representations of Laos.

Conclusion

So, what do all these debates about debate, criticisms calling for more criticisms, and complaints not *with* the law but *within* the law amount to? One thing is for certain: these prove decisively that there is popular dissatisfaction in Laos with corruption and inequality. The complaints raised so repeatedly in these forums put to rest any lingering idea that there might be a “cultural” reason for, or even acceptance of, corruption and elitism in Laos.

But there is a bigger picture than this small (but important) point. These forums indicate a significant pattern in the Lao political terrain. This pattern has been building for several years now, and despite continual setbacks and repercussions it is nevertheless ongoing. This is a pattern where, rather than debate being censured and impossible in public, it is not only “tolerated” but called for, publicized and responded to. There are still unspoken parameters to what counts as acceptable criticism, but significantly these parameters are themselves being subjected to debate.

I will conclude with an observation from Žižek, a man who knows a thing or two about totalitarianism and its demise from first-hand experience. He noted that totalitarian situations are characterized by an obscene (that is, off-scene, unutterable) rule: “The obscene rule is here that any form of political opposition is unconditionally prohibited; however, this rule itself is strictly unutterable — anyone who dares to state this prohibition publicly is immediately condemned for the slander of socialist democracy”.²² The pre-revolutionary moment, by contrast, is marked by a different orientation towards such utterances: “the more a regime ... is uncertain of itself, of its legitimacy, the more it hesitates and makes concessions to the opposition, the more it is attacked by the opposition as an illegitimate tyranny. ... the true reproach of the opposition is that the regime *is not strong enough*, that it doesn’t live up to its mandate of power...”.²³ That is, the pre-revolutionary moment is characterized not by the total suppression of debate, nor by the total rejection of the existing regime, but by a loud and repetitive insistence that the law ought to be correctly and thoroughly adhered to and that the regime ought to deliver on its own promises: “if only you were who you claim to be!” This resembles some aspects of political expression in Laos today.

This raises the question, then: is Laos in a pre-revolutionary moment? Considering the events of Laos in 2012, one gets the sense that a tense, internal battle is taking place off-scene among leaders and elites, with only the surface ripples visible to interested outsiders. There are clearly elements of the Lao

leadership who support more open forums for debate. But it is just as clear that there are powerful opponents to these moves, and that those who venture to utilize the growing spaces for political expression may meet with severe and unpredictable repercussions. This is not a smooth trajectory: while the new limits to free speech are tested by some, others launch new reprisals aimed at curbing it. It is important to note, for instance, that only weeks prior to the expulsion of Ms Gindroz, Helvetas staff spoke optimistically on a newsgroup about their engagements with the government: even on “hot topics” such as mining, a staffer wrote, a door was opening for dialogue. That this door was slammed shut only weeks later indicates that as long as this internal battle takes place, mixed signals are likely to be sent about the place of open political debate in Laos and its limits.

It is easy to be cynical about the possibilities for real change in Laos. It is also possible to be carried away with optimism sparked by very small gains. It is true that 2012 was a year brimming with examples of political expression in Laos, and it is also true that these were dogged by injustices, disciplining actions and yet more complaints about how complaints are currently dealt with. One of the greatest challenges, and the one I have drawn attention to in this short chapter, is that these tentative moves towards increased debate and criticism have been so far subordinated to those other powerful and persistent political values: unity, solidarity and harmony. Part of having a non-utopian vision of democracy is to accept the presence of disagreement. The test will be whether debate and criticism will continue to be merely “allowed” on certain occasions and in certain forms, tolerated only in order to be “resolved” (or even expelled altogether, as with Ms Gindroz) within a space that is in reality dominated by the norms of unity, solidarity and harmony, or whether openly held and expressed differences will come to be appreciated as permanent and valued aspects of a genuinely Lao democracy.

Notes

1. Christopher B. Roberts, “Laos: A More Mature and Robust State?”, *Southeast Asian Affairs 2012*, edited by Daljit Singh and Pushpa Thambipillai (Singapore: Institute of Southeast Asian Studies, 2012), p. 153.
2. H. High, “Laos: Crisis and Resource Contestation”, *Southeast Asian Affairs 2010*, edited by Daljit Singh (Singapore: Institute of Southeast Asian Studies. 2010), p. 153; and S. Creak, “Laos: Celebrations and Development Debates”, *Southeast Asian Affairs 2011*, edited by Daljit Singh (Singapore: Institute of Southeast Asian Studies. 2011), pp. 107–28.

3. Y. Stavrakakis, *Lacan and the Political* (London and New York: Routledge, 1999).
4. Ministry of Information and Culture, “Pasatipatay (What is Democracy?)”, in *Undertakings of Great Merit in Politics, Thought and Culture* (Vientiane: Ministry of Information and Culture 2010), pp. 129–33.
5. This holds true for the debates that I observed personally in my fieldwork in the rural south of Laos and also my knowledge of Vientiane politics through interviews and reading media reports. It does not preclude the possibility that other, more violent and extra-legal forms of dissent aimed at revolutionary overthrow of the regime took place in 2012, but I have no first-hand knowledge nor reliable source that could confirm such events. Rumours of rebellion do continue to circulate especially in Laos but media reporting on violence and arrests remains slim. In this chapter, I will confine myself to those arenas of debate and contestation that I was able to witness first-hand or confirm through secondary sources.
6. Vientiane Times Reporters, “Govt needs to examine land compensation, experts say”, *Vientiane Times*, 17 July 2012.
7. Khamphouey Panmalaythong, “Some Thoughts on the Problems of the Ruling Party”, *Walasan Withnyasansangkhom (Journal of Social Sciences)* 6, no. 11 (2012): pp. 1–6.
8. S. Creak and K. Barney, “Distressing Developments in Laos”, 23 December 2012 <<http://asiapacific.anu.edu.au/newmandala/2012/12/23/distressing-developments-in-laos/>>.
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