



The development of social justice in strengthening the local community capacity in Lao PDR moving forward to socialism in the 21st century

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Abstract

This research project analysed the development of social justice in strengthening the local community capacity in Lao PDR moving forward to socialism in the 21st century. The development of social justice as the key element of building socialism could be theoretically established by the strengthening capacity building of local community in the areas of access to justice, equal access to resources, transparency, equality of rights and opportunity, and citizen's accountability and participation. The finding of the research showed not only many of the challenges that local communities encounters, but also the needs of the social justice development in strengthening the capacity building of local communities. It's also indicated that the capacity building of local communities was not consistently supported; even though, their contribution was becoming increasing important. Consequently, it could be a big challenge for local villagers to achieve their social justice since many local communities, particularly society's most vulnerable, were not able to take more full advantages of accessing to justice system and equal resources. There were still the barriers to social justice. As a result, the majority of local people were not trust in justice system due to the lack of transparency and inequality whereas Village Mediation Units were needed to improve their capacity and skills.

Keywords: Social Justice, local community development, socialism, Lao PDR

Introduction

In the case of Lao PDR as one of the socialist states is a developing country ruled by the Lao People's Revolutionary Party since 1975. Lao PDR has a clear goal and aims to achieve its socialist state by following the theories of the Marxism-Leninism and Kayson Phomvihane Thought in order to lead and develop its country. In addition, Lao PDR has signed and ratified major international treaties as well as become a member of the Association of Southeast Asian Nations (ASEAN) and worked collaboratively with international organizations to promote the social justice. The National Constitution 2015 and more than 160 domestic laws have been recently adopted and amended under the effective rule of law in order to strengthen the Lao legal and judicial system, and provide a series of guiding principles for developing the country.

Despite the comprehensive laws and regulations, the government of Lao PDR has realized all issues of social justices and had policies within the National Plan of Action on the Prevention and Elimination of Violence Against Women (NAPEVAW) 2021-2025, the Vision 2030 and Ten-year Socio-Economic Development Strategy (2016-2025) and the National Social Protection Strategy of Lao PDR Vision 2030 that aims Lao PDR to become a developing country with upper-middle income and follows a socialist market economy. More importantly, the idea of the Sam Sang (Three Builds) as building up provinces as strategy-making units, districts to be strengthened in all regards, and villages to become development units particularly building the capacities of local authorities to provide better public administration and service delivery has been introduced. But realistically, there is still a higher need of the social justice development to ensure that everyone as a Lao citizen can have access to quality social protection services and become a socialist state politically.

Methodology

Based on the diverse discussions of the research design, the most appropriate research methods for this study was the uses of the documentary research by analysing on the existing theoretical concepts, regulations and policies for the literature review while qualitative research methods as interview and group discussion with researcher's field visits were used for data collection. This were conducted in three different focus groups; namely, Vientiane as a representative of the Central Provinces, Savannaket as a representative of the Southern Provinces and Oudomxay as a representative of the Northern Provinces as research focused sites.

Results

Capacity building of local community's access to Justice System

The findings of the study indicated that there were limitations for some local villagers 's access to justice systems particularly the villages where were located in rural and mountainous areas. Despite the poor road construction and difficulties of geography, the vast majority of the respondents (45%) reported that access to justice system remained a challenge for their villages because the large proportion did not understand the legal procedure and process while legal assistants were insufficient. It is also important to note that 35% of them blamed that perusing the cases was very slow and time consuming while less than 20% of them pointed out that it was too expensive for them.

Barriers of local people's access to Justice System

The results of the findings found out that more than 32% of local people were still more familiar with solving violence issues at family-level by seeking advice from their parents or relatives before considering a formal report to the village chief or District Justice Office. It is also pointed out that

23% of the correspondents believed that cultural belief played a major role in how people handled cases of violence in their communities because the community leaders of some minority ethnic groups often dominated their own communities and addressed the community issues by their own tribe's customs. Apart from this, the most significant factors challenging on access to the formal justice system for local people were their own fear, embarrassment and afraid of gossip which covered more than 21% of them.

Overall, the most significant issue was the domestic violence, which was rated by more than 35% while theft was the second place (25%). It's also noticed that drug was still a big problem in every local community, which covered 17% whereas the land disputes was 13%, and less than 10% was the family's will inherit.

Transparency in the Justice System

Based on the central government officers' perspectives, the majority of the respondents implied that dealing cases in the justice system was quite transparent and people could trust in the justice system due to the act of the court system. Moreover, the state has issued many laws and regulations including creating conditions and providing training for law enforcement officers to ensure that every one could have an equal access to justice transparently.

Access to resource

According to the perceptions of the central government officers, the majority of respondents believed that access to resources could be seen as a fundamental principle of social justice and everyone as the Lao citizens should have an opportunity and equality to access resources. Unfortunately, in many areas of society, local communities had different levels of access based on their geographic location and other factors concerned such as socio-economic status, education, health service, employment, and environment (natural resources). They further pointed out that the poor and vulnerable groups were generally disadvantaged in terms of their access to kinds of resources.

Access to legal services was designed for social development. However, accessing it remained a challenge for the poor in remote areas. This required the government to improve the service and establish a management network to protect the rights of local people. There was a need of strong supports from the government in the local context and respect of local people's needs particularly in the areas of improving access to justice through support to legal aid clinics and public legal education as well as awareness of the needs of the vulnerable groups.

Conclusion

Based on the literature reviews, the term of social justice could be conceptualised through a number of theories and controversial debates that has been developed for ages. However, according the result of the study there was little evidence of capacity building support for local villagers in order to develop their social justice. In addition, the majority of them claimed that access to justice and resources remained a challenge for local people particularly vulnerable groups and the poor communities in remote areas due to the misunderstanding of the legal procedure, higher expenditure of perusing their cases and others. In addition, the findings showed a little evidence that local people were able to access to natural resources for their survival since a

large of them got used to dependent upon the rich of natural resource. Some families had to displace since the government had given foreign investors for land concessions and other development projects.

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