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Government structure. 1967-10-19

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Government Structure*

Laos is a highly centralized constitutional monarchy. The Constitution, as promulgated in 1947 and subsequently amended in 1952 and 1956, guarantees certain rights to all citizens including the franchise to both male and female citizens, over 21 years of age. The Constitution specifies Lao as the official language and Buddhism as the state religion, with the King as its High Protector.

The King is head of State. He signs all treaties approved by the National Assembly; acts as titular Commander in Chief of the Armed Forces; confers military and civil rank; formally promulgates all laws passed by the National Assembly; and designates the Prime Minister for Assembly approval. The crown is hereditary, in that it must stay in the royal family; but Constitution empowers the King to appoint his own successor from among his family. If the King fails to do so, the new monarch is nominated by the King's Council and then voted upon by the National Congress (composed of the National Assembly and the King's Council convened together).

The King is assisted in exercising his executive powers by the Council of Ministers of which the Prime Minister is President. The King appoints the Prime Minister who forms the Government with the approval of the National Assembly. The Council of Ministers exercises control over regional and local as well as over national government, since the territorial governors are appointed by the are responsible to the Minister of the Interior. As in France, a motion of censure or no confidence of the Government. In such crisis...and there have been several in recent years -- the outgoing Government remains in charge of "current affairs" until a new administration has received a vote of confidence from the National Assembly.

The legislative branch of the Government is composed of the National Assembly and the King's Council. The National Assembly is the only body authorized to enact laws; it also has the power to initiate legislation. The National Assembly is composed of Deputies who are popularly elected from legislative districts apportioned according to the number of registered voters. According to the Constitution, Deputies are elected for five-year terms, and the Assembly convenes annually on 11 May, normally also may be evoked by the King.

The King's Council acts somewhat as an upper house of the legislative branch. The Constitution states that the King's Council is to have 12 members -- 6 appointed directly by the King and 6 appointed by the King after having been designated by the National Assembly. The Council examines laws passed by the National Assembly and may suggest amendments to bill. A bill which has been amended by the King's Council is sent back to the National Assembly for approval; the Assembly, however, may by a majority vote uphold the original

bill, which will then become law without further scrutiny by the King's Council. The King's Council may also initiate new legislation by submitting proposals to the National Assembly.

In addition to its legislative function, the King's Council also has the power to constitute itself as a High Court to try cases involving high-ranking government officials and to decide on the constitutionality of laws passed by the National Assembly.

Between sessions of the National Assembly, a Standing Committee remains in operation to oversee government operations, pass emergency legislation (subject to subsequent ratification by the National Assembly), and receive proposals for bills to be presented at subsequent National Assembly sessions.

The Lao court system includes 37 district justices of the peace, 18 provincial tribunals (one in each provincial capital), 3 criminal courts (Vientiane, Pakse, and Luang Prabang), 1 Court of Appeals, and a Supreme (Court d'Ampliation) in Vientiane, which has supreme power in nonconstitutional cases.

Because the transition from French rule has been so recent, there is a need for training new judges and for integrating the French and Lao legal codes.

Lao is divided into 16 provinces (Khouang), each headed by a provincial governor (chaokhouang) who is a civil servant under the authority of the Minister of the Interior. Being a civil servant, the governor is not necessarily a native of the province and may be transferred among provinces. In many cases, however, tribal or hereditary leadership patterns are respected, and traditional local leaders are appointed provincial or district governors.

Each province is subdivided into districts (muong) headed by a chaomuong. Districts are divided into townships (tasseng), headed by an official of the same name, and villages (ban), headed by a naiban or pho ban.

Each governor is assisted by a locally elected Provincial Council which advises the Provincial Governor of the desires of the population with regard to public works, education, and public health. Thus, the strong central control is modified by giving the local residents a forum in which to air their views.

There are separate city administrations in the larger towns, such as Vientiane (the national administrative capital), Luang Prabang (the royal capital), Thakhek, Pakse, and Savannakhet. These towns are administered as Muong, with a chamuong at the head, assisted by an elective municipal council.

The small villages have headmen -- known as pho ban in the La, and as nai ban in most tribal areas -- and the various tribes have their own organization which the Lao national administration has left largely undisturbed. The Neo and certain Lao-oriented Xan tribes have chieftans who occupy specially created administrative posts (naikong lao-theung, corresponding to that of the chamuong).

*Excerpt from Country Study and Station Report - Laos
American Institute for Research.
Washington, D.C., 1959 p.33

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ROYAL LAO GOVERNMENT

Diplomatic &
U.N. Representatives

(Judiciary)

Supreme Court

Appeals Court

Provincial Court

Justices of Peace

-----King

(Exec.) P.M.

Prime Minister

Ministries

Provincial Governors

Moung

Tasseng

Ban

(Legislative)

King's Council

National Assembly

Universal Suffrage