



Ironic political reforms: elected senators, party-list MPs, and family rule in Thailand

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ABSTRACT

An elected Senate and the party-list system are two institutional innovations of the 1997 Thai Constitution designed to support political reforms. This paper sheds light on one unintended effect of these reforms: they have allowed scores of political families to maintain or even tighten their grip on Parliament. Combining aggregate data and case studies, this paper shows that a sizable number of elected senators and party-list parliamentary members are related, by birth or marriage, to other parliament members elected in the post-1932 period. The well-intended reforms have concentrated parliamentary power in the hands of these families, many of which represent the excesses of Thailand's full-blown electoral democracy. The survival and resilience of these families diminish reform opportunities by further entrenching corruption, clientelism, violence, and electoral fraud, as well as by deepening dynastic rule that militates against political pluralism and inclusiveness.

Abbreviations: DBD/MC: Department of Business Development, Ministry of Commerce; MP: Member of Parliament; NACC: National Anti-Corruption Commission; PAO: Provincial Administrative Organization; PPP: People's Power Party; SAP: Social Action Party; TRT: Thai Rak Thai Party

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Introduction

Political and electoral reforms are buzzwords in Asian countries ranging from Indonesia and the Philippines to Japan. These countries have implemented a range of “political-engineering strategies [that] concentrate on the creative design of electoral systems as the institutions best suited to promoting better representation and governance.”¹ In much of Southeast Asia, such attempts at reforms have taken the form of constitution revision.² Thailand is no exception to this regional trend.

In Thailand, one major impetus for reforms has come from above, namely a group of liberal pundits loyal to the late King Bhumibol. This movement originated in the early 1990s, when corruption, vote-buying, violence, and other maladies plagued the country. Drug dealers, underworld bosses, and other unscrupulous individuals were Members of

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¹Reilly 2007, 59.

²Croissant 2014; Dressel and Bunte 2014.

Parliament (MPs) at the time, representing the worst excesses of Thailand's electoral democracy.³ In response to these problems, a pro-reformist coalition led by the King's proxies, notably Prawes Wasi (the former royal doctor) and Anand Panyarachun (who served as prime minister from 1991 until 1992) promoted transparency, accountability, and the rule of law – all subsumed under the overarching concept of “good governance” (*thammaphiban*). The devastating financial crisis of 1997, regarded as the consequence of unbridled “money politics,” added momentum to this lofty reformist crusade, culminating in the promulgation in October 1997 of the so-called “People’s Constitution” designed to cleanse Thai politics of its myriad problems.⁴ This constitution is a landmark in the long history of constitution-making in Thailand. While the previous constitutions were promulgated mainly to legitimize particular regimes in power, the 1997 Constitution aimed explicitly at reforming Thai politics. It is the proud product of the “constitution drafting industry” in the “constitutional polity” – a country obsessed with legalistic and moralistic constitutionalism.⁵

The 1997 Constitution has left enduring institutional imprints on contemporary Thai politics, such as the Election Commission and the Constitutional Court, which have since 2006 dissolved four political parties and barred no less than 220 MPs from seeking re-election. Two other centerpieces of the 1997 Constitution are an elected Senate and the party-list MP system. Before 1997, senators were appointed by the prime minister, usually based on personal connections rather than merit. To rectify this nepotistic pattern of appointments, the 1997 Constitution created an elected Senate. In addition, by prohibiting senators from belonging to political parties, the 1997 Constitution sought to establish an autonomous and impartial institutional check on the House of Representatives, which is normally riddled with petty party bickering. Elected senators were to “serve as the ‘great and the good’ of Thai society, occupying an exalted position above the cut-and-thrust of daily politics.”⁶ Similarly, the party-list system – a system of proportional representation – was established to enable “highly respected” individuals of unquestioned moral rectitude to serve in the House, become cabinet ministers, and support Thailand’s “national interests.”⁷ This system was aimed at revamping the old electoral system that had allowed self-serving and parochial constituency MPs to attain cabinet posts and channel public funds into their constituencies, often in cahoots with local contractors. Thus, these two innovative institutions were designed to boost the quality of Thailand’s political leadership and representative democracy. Although the 1997 Constitution was abrogated after the military 2006 coup that deposed Prime Minister Thaksin Shinawatra, both the elected Senate and the party-list system remained intact up to the 2014 military coup, albeit in modified forms.⁸

³For an analysis of these problems, see McVey 2000; Pasuk and Sungsidh 1996.

⁴See Connors 1999; and McCargo 2002a for a good overview.

⁵McCargo 2002a, 3; McCargo 2015, 331.

⁶McCargo 2002b, 248.

⁷McCargo 2002b, 248.

⁸Thailand's electoral system has changed in a bewildering way. In the 2000 and 2006 elections (held under the 1997 Constitution), all 200 senators were elected in what were then seventy-six provinces (including Bangkok). The number of senators for each province depended on the size of the provincial population. In the 2008 election (held under the 2007 Constitution), each of the seventy-six provinces elected one member to the Senate. In the 2014 election (also held under the 2007 Constitution), the number of elected senators increased to seventy-seven. As for party-list MPs, 100 were elected to the House in 2001 and 2005 in proportion to the number of constituency MPs each party gained. In the 2007 House election, the country was divided into eight areas, with ten party-list MPs elected in each

This paper examines one inadvertent, negative effect produced by the elected Senate and the party-list system. Specifically, I argue that both institutions have contributed to hampering good governance and democratic pluralism by tightening political families' control over Parliament – a quintessential symbol and institutional linchpin of the Thai democratic state. This argument is based on my finding that a significant number of elected senators and party-list MPs hail from political families, many of which have had their reputations besmirched by various scandals. What were well-intended political reforms have resulted in a greater concentration of legislative power in these families, seriously compromising the autonomy, neutrality, and respectability of the two much-touted institutions.

In highlighting the failure of the 1997 Constitution, some scholars show how it unintentionally brought about Thaksin Shinawatra's "parliamentary tyranny," that is, the centralization of power in the executive.⁹ Without denying this argument, I make political families the focal point of my analysis, and show that these families have turned the Senate and the party-list system into their own territories. In so doing, I broaden the temporal scope of analysis to include the post-Thaksin period up to 2014.

Elite families' dominance of the Thai Parliament is a well-known phenomenon. Most scholars, however, have made only fleeting reference to it. Those that do so have focused on the results of one or two elections without situating these results in the broader historical context of Thailand's dynastic rule rooted in Parliament.¹⁰ Thus, these accounts present a partial, one-time, and static snapshot of political families' control of parliamentary politics. A few recent studies present more systematic data, but they do not zero in on the Senate and the party-list system.¹¹ I attempt to make up for these shortcomings.

For the purposes of this study I use two criteria to define a political family. To qualify, a family must have produced at least two MPs, male or female, since the first parliamentary election was held in 1933, or it must have produced at least one MP since 1933, and in addition have intermarried with another family that has produced one or more MPs during the same period. In accordance with the Thai notion of kinship, this definition encompasses lineal kin (e.g. father, mother, grandfather/mother, children, grandchildren) and collateral kin (e.g. siblings, cousins, uncles, aunts, nephews, nieces) – in short, the patrilineal, matrilineal, and other consanguineous ties – of a particular MP and his/her marriage partner(s).

My approach, critics might argue, runs the risk of stretching the notion of political families, but it has one big advantage that a conventional analysis of shared surnames does not: it helps capture the extent to which various seemingly unrelated MPs with different family names are actually tied to each other by birth or marriage. This conveys a better sense of the dynamics, complexities, and pervasiveness of kinship-based rule in Thailand.

My analysis draws on Thai-language primary sources, namely the "MP and Cabinet Minister files," which the National Anti-Corruption Commission (NACC) in Bangkok

area. In the 2011 House election, 125 party-list members were elected based on the number of votes each party received on the party-list ballot.

⁹Chambers 2005; Hicken 2006; Kuhonta 2008. The phrase, "parliamentary tyranny," is from Chambers 2005, 496.

¹⁰Chambers 2009, 19–20; Kuhonta 2008, 385; McCargo 2002b, 249, 251–252; Sombat 2002, 208, 217–218; Thanee and Pasuk 2008, 255.

¹¹Ockey 2015; Rangsivek 2013; Stithorn and Wichuda 2016.

Table 1. Political families' dominance in the Senate and the party-list system, 2000–2014.

	Total number (A)	Number of those who come from political families (B)	Extent of political family dominance (B/A) (percent)	Those in (B) who have served as constituency MPs (C)	Extent of overlap with constituency MPs (C/B) (percent)
Senators	513	219	42.7	58	26.5
Party-list MPs	270	175	64.8	113	64.6

Sources: the author's research based on NACC MP files, cremation volumes, and other miscellaneous sources.

– itself a product of the 1997 Constitution – has made public since 2007. These files contain invaluable data on the familial and economic backgrounds of all MPs elected since 2007 and all cabinet ministers appointed since 2001. I have looked through all available files, 1727 in total. I have supplemented these sources with information gleaned from cremation volumes for former MPs and their kin, government documents, biographies, newspapers, and Thai-language websites.

Political families in the Senate and the party-list system

The first Senate election in Thailand's history was held in March 2000. In provinces where the Election Commission issued yellow or red cards to winning candidates because of electoral fraud, by-elections were subsequently held, sometimes more than twice. Three more Senate elections have since been held, in 2006, 2008, and 2014. Elections for party-list MPs were held in 2001, 2005, 2007, and 2011. Although some senators and party-list MPs served only partial terms, what is important is not so much the duration of their terms as the fact that they were able to win elections, which attests to their or their families' political resilience.

Of the 513 senators elected between 2000 and 2014, 219 have been members of families that since 1933 have produced at least one other MP (Table 1). This high proportion illustrates the blurred boundaries between the Thai Senate and the House of Representatives. Contrary to the optimism of the 1997 Constitution's drafters, the Senate has been subjected to the influence of various political parties, to which a multitude of political family members belong as constituency MPs or party-list MPs.

Of the 219 elected senators who are members of political families, fifty-eight have also served as constituency MPs and fifteen as party-list MPs, either before or after their terms in the Senate. A key clause in the 1997 Constitution requires electoral candidates to have been party members for ninety days before standing for election on their party's ticket. This clause has minimized once-rampant party-hopping, but not *house-hopping*. In a typical pattern, a political family's leader first grooms his politically inexperienced kin, either male or female, as a senate candidate, because typically senate elections are less competitive than constituency elections. Once the kin member has gained political experience and name recognition as a senator, he or she stands for a constituency seat in the House of Representatives. The Senate serves as a gateway to more prestigious (and lucrative) constituency seats, as House members have access to central state funds.

The extent of political families' dominance is especially high among female senators. Of the 431 men elected to the Senate since 2000, 156 (36.2 percent) come from political families. In comparison, sixty-three (76.8 percent) of the eighty-two women elected to the Senate do so. In the 2006 election, the proportion of female senators representing

political families exceeded eighty-two percent. The ratio was 65.2 percent in 2000, 69.2 percent in 2008, and 58.3 percent in 2014.¹²

Political families are even more dominant in the party-list system, with 175 of the 270 party-list MPs, male and female, hailing from such families (Table 1). Typically, the leaders and other powerful (mostly male) members of various parties, who had previously served as constituency MPs for many terms, became party-list MPs after the 1997 reforms, because cabinet posts were earmarked for party-list MPs under the new system. Of the 175 party-list MPs who have been elected from political families in the four elections since 2001, 113 formerly served as constituency MPs. Moreover, they usually have been replaced as constituency MPs by their kin.

As this data shows, the criterion for inclusion on a party list is not so much personal credentials as seniority, prior experience as constituency MPs, or wealth. Some have been reputed gangsters, prostitution ring operators, and drug traffickers, while others have been tainted with allegations of vote-buying, sleazy pork-barreling, and other electoral wrongdoings. Few of these people have been the kinds of upright leaders that the party-list system was intended to nurture; in fact, they represent the very sorts of people the new system sought to prevent from assuming office. Once heavily criticized for their lack of integrity and accountability as constituency MPs, these individuals were expected, quite unrealistically, to work on much-needed political reforms as party-list MPs.¹³ Likewise, these party-list MPs could hardly be expected to hold their kin constituency MPs to high standards of public behavior.

It is important, however, not to view political dominance by select families as an anomaly. It constitutes one part of a larger and longer historical process through which political families have maintained control of the Thai Parliament since electoral politics was introduced in 1932. Between 1932 and 1973, 343 (26.6 percent) of the 1288 parliamentary seats contested in nine elections were won by 188 MPs from 125 political families. These MPs represented twenty-three percent of all 819 MPs elected during the same period.¹⁴ Since 1973, the extent of family rule has increased noticeably. In the eighteen elections (including four Senate elections) held between 1975 and 2014, 2867 (forty-seven percent) of the 6106 seats contested were won by 1072 MPs representing 591 political families. These MPs account for forty-three percent of the 2502 MPs elected during the same period. Altogether, 650 political families have won seats during the post-1932 period.¹⁵ These families are based in seventy-six of Thailand's seventy-seven provinces, including Bangkok.¹⁶ Dynastic rule is not a recent phenomenon confined to a small handful of provinces; it is a nationwide phenomenon with deep historical roots in Thailand's patrimonial political culture, in which public office is regarded as a form of shareable and inheritable familial property. Given this historical context, the putatively depoliticized elected Senate and the party-list system have enabled a relatively small group of political families to preserve and expand their parliamentary power and to deepen dynastic democracy.¹⁷

¹²Nishizaki 2018, 380.

¹³See McCargo 2002a, 4–5.

¹⁴Nishizaki 2018, 381.

¹⁵Nishizaki 2018, 382, 396.

¹⁶Only in one province, Bueng Karn in the northeast, have no political families emerged in the post-1932 period. However, this is because Bueng Karn was upgraded to provincial status only in 2011.

¹⁷My argument thus rejects the claims of Prajak Kongkirati. See Prajak 2016, 386.

In the 2000s, it became politically expedient for many of these families to rely on the Senate and the party-list system due to the confluence of two circumstances. First, as the MPs elected from political families in previous decades aged, retired, died, were arrested, or lost their power due to either military coups or court cases, it became imperative for these families to groom their successors. Second, electoral competition for a limited number of constituency seats became increasingly fierce, as their “market value” vastly increased after the specter of communism faded, and bourgeois democracy took hold in the 1980s.¹⁸ Senate and party-list House seats have provided political families with an alternative means to share power among their members and pass this influence on to a new generation. This is not to say that these political families always achieve electoral success. Some have suffered occasional losses. These losses, however, do not detract from the overall benefits they receive from these two institutions.

Some scholars suggest that the emergence of programmatic political parties, such as Thaksin’s Thai Rak Thai (TRT) Party in the post-1997 period, has weakened political dynasties.¹⁹ In reality, however, many dynastic party-list (and constituency) MPs have been elected as members of programmatic parties that allegedly attenuate their power. Many nominally nonpartisan dynastic senators have also been elected by virtue of their association with the programmatic parties to which their kin belong. These parties have made it easier for political families to win seats in Parliament. In other words, it is because of (not despite) the rise of programmatic parties that (familial) dynastic control of the Thai Parliament has become all the more *entrenched*.

Case studies

This section provides examples of eleven political families that have used the elected Senate and the party-list system to their advantage since the 1997 Constitutional reforms.²⁰ The provinces in which these families are based differ greatly in size, population, economic development, and their level of urbanization (Table 2). None of these factors accounts for the emergence and resilience of political families. Rather, these families’ electoral strength has more to do with their ability to adjust to, and make the best of, unforeseen circumstances, such as the loss or arrest of a patriarch, the emergence of electoral rivals, Thaksin’s rise and fall, negative media exposure, military coups, and court interventions.

The Pongpanits, Khaewatthanas, and Pancharoenworakuls

Ayutthaya Province, located north of Bangkok, was home to Montri Pongpanit (1943–2000), one of the most prominent Thai politicians in the 1980s and 1990s. First elected to Parliament in 1976 as a member of the now-defunct Social Agrarian Party, Montri subsequently joined the Social Action Party (SAP), one of the largest parties in the country

¹⁸Anderson 1990, 46. For example, the ratio of constituency seats contested in the 1995 election to the number of candidates in the entire country was 1:6. The comparable ratio in 2007 was 1:10. See the Department of Local Administration 1996, 11; Election Commission of Thailand 2008, 49.

¹⁹Prajak 2016; Stithorn and Wichuda 2016, 352.

²⁰The most prominent political families that have made inroads into the Senate and the party-list system include: the Khunpluems led by Kamnan Po, a godfather in Chonburi; the Asavahems in Samut Prakan led by Watthana, a suspected drug dealer on the U.S. government’s blacklist; and the Silpaarchas led by former Prime Minister Banharn, a “Mr. ATM” notorious for his corruption. This section spotlights less well-known political families.

Table 2. Demographic and economic profiles of the provinces in case studies.

Province	Population	Area size	GPP per capita (2010)	Extent of urbanization ^a (percent)
Ayutthaya	787,653	2,556	459,724	39.4
Chachoengsao	679,370	5,351	326,531	23.2
Chiang Rai	1,198,656	11,678	55,600	25.5
Kanchanaburi	838,914	19,483	84,888	26.3
Khon Kaen	1,766,066	10,866	76,871	25.0
Loei	624,920	11,424	43,224	25.0
Nakhon Ratchasima	2,585,325	20,494	66,670	24.8
Nakhon Sawan	1,071,686	9,597	70,035	19.8
Nong Bua Lamphu	502,551	3,895	31,293	22.5
Pathum Thani	1,010,898	1,525	400,648	45.9
Phayao	486,472	6,335	49,950	45.0
Singburi	213,587	822	99,529	26.6
Surin	1,380,399	8,124	35,085	6.9

Sources: *Thailand in Figures 2009–2010* 2009; National Statistical Office 2012, 13–15, 16–18, 243–245.

^a Measured by the municipality population divided by the provincial population.

from the 1970s until the 1990s. Between 1990 and 1998, he served as SAP leader. Montri's political career, however, was sullied by corruption scandals. For example, the military justified its seizure of power in 1991 on the grounds that there were too many "unusually wealthy" (a Thai euphemism for "corrupt") cabinet ministers in the government, including the then Minister of Transportation – Montri.²¹

Thanks to his vote-canvassing networks and the massive pork-barrel projects he brought to Ayutthaya,²² Montri was elected a constituency MP in all nine elections held between 1976 and 1996. Along the way, his brother-in-law, Polkrit Hongthong, was also elected a constituency MP for Ayutthaya in 1995 and 1996.²³ After the 1996 election, however, Montri's health deteriorated, and he died in 2000. With his ill-fated death, the political future of the Pongpanits was in doubt.

After the 1997 Constitutional reforms, Montri's sister-in-law, Rabiabrat Pongpanit, was elected to the Senate in 2000, representing her home province of Khon Kaen in the northeast, where her husband (Montri's younger brother, Sermsak) served as governor from 1997 until 2001.²⁴ In the 2001 House elections, Polkrit, Montri's brother-in-law, won a seat as a TRT party-list MP. Polkrit was re-elected in 2005. In the April 2006 Senate election, Rabiabrat's younger sister, Ratanapon Somboon, won a seat representing Khon Kaen (Figure 1). Then-Prime Minister Thaksin had appointed Sermsak to two powerful bureaucratic posts – director of the Public Works Department (2001–2002) and permanent-secretary of the Interior Ministry (2002–2005). In 2005, Sermsak retired from the civil service to join TRT, and subsequently served as Deputy Minister of the Interior from 2005 until 2006.

The September 2006 military coup that overthrew Thaksin brought the terms of Ratanapon (a senator) and Polkrit (a party-list MP) to an abrupt end. In the 2007 House election, however, Army Lieutenant Preechapon Pongpanit, son of Sermsak and Rabiabrat, won a constituency seat representing Khon Kaen as a member of the People's Power Party (PPP), a reincarnation of TRT. He won re-election in 2011, this time as a member of the Phuea Thai Party, another TRT reincarnation.

²¹He had amassed assets of 336 million baht, which were frozen after the coup. See Murray 2000, 44.

²²Arghiros 2001, 184, 211, 214–215.

²³Arghiros 2001, 178–179, 191.

²⁴Thai Rath 2013.

The Pongpanits are related to the Sino-Thai Khaewatthanas family, which holds shares in Puyanon, a company that trades in agricultural products.²⁵ Running with Montri's support, the patriarch of this family and Montri's father-in-law, Bunpan, was elected an Ayutthaya MP seven times between 1976 and 1996, and also attained three cabinet posts.²⁶ But Montri's death in 2000 dealt a political blow to Bunpan. The SAP, of which Bunpan was a prominent member, fell apart. Although Bunpan then joined the TRT, his position within the party was relatively low. Given this political situation and his age (seventy), Bunpan was compelled to groom his successors. The Senate met his needs.

First, while he was serving as a constituency MP in 2000, his second wife, Samruay was elected to the Senate (and as the first female MP in Ayutthaya), although she was disqualified a year later for electoral fraud. Following this, his eldest daughter, Ketsinee, was elected to the Senate in 2006. Although her term was short, and Bunpan was barred from politics after the 2006 coup, the Khaewatthanas bounced back in 2014, when Ketsinee's younger brother, Khanipong, was elected to the Senate (Figure 1).

The Ponpanits are also related to the Pancharoenworakul family, which has produced two senators (Figure 1). They are latecomers to the political scene of Ayutthaya; nobody from this family had won a parliamentary seat before 2000, when the family patriarch, Niwet, won a Senate seat. A year later, Niwet's niece, Suwimol, became a TRT constituency MP, and was re-elected in 2005. Then in 2006, Suwimol's husband, Prayut Chatrachairat was elected to the Senate. During the post-Thaksin period, Suwimol's younger brother, Surasak was elected an Ayutthaya constituency MP in 2007 and reelected in 2011, representing the pro-Thaksin PPP and the Phuea Thai Party, respectively. In the meantime, the Pancharoenworakuls established control over the Ayutthaya Provincial Administrative Organization (PAO).²⁷ Somsong, mother of Suwimol and Surasak, has been PAO president since 2004.²⁸

The Pancharoenworakuls have now forged a matrimonial alliance with the Pongpanits. In March 2011, Suwimol's youngest sister, Napasawan, and the aforementioned Khon Kaen MP Preechapon Pongpanit (Montri's nephew) married. In 2012, a year after their marriage, Sripoon Engineering, a construction company owned by the Pancharoenworakuls, was awarded a 197-million-baht project at a university in Ayutthaya.²⁹ This university falls under the jurisdiction of the Ministry of Education, of which Preechapon's father Sermsak was deputy minister at the time.³⁰

²⁵Department of Business Development, Ministry of Commerce (hereafter DBD/MC) 1995.

²⁶Bunpan is allegedly the first Ayutthaya MP to have resorted to vote-buying as an electoral strategy. See Arghiros 2001, 103, 138, 173.

²⁷The PAO, whose members are elected for four-year terms, has received unprecedented amounts of development funds from the state since 1997. As is the case in Ayutthaya, the PAO has now fallen into the hands of prominent political families in many provinces. For example, the PAOs in Chonburi and Samut Prakan are controlled by the aforementioned Khunpluems and Asavahems, respectively. See below for more examples.

²⁸Excel file obtained at the Department of Local Administration, Bangkok. Other past and present PAO members include: Surasak, Adisak (Suwimol's brother), and Anek Tanjararak (Suwimol's brother-in-law).

²⁹DBD/MC 2001b. The Pancharoenworakuls run a dozen other companies that dominate the construction and real estate sectors in Ayutthaya. The family also owns the Ayutthaya Football Club in Thailand's Division 1. Wasan et al. 2014, 112, 117. As the Thai Premier League has become increasingly popular, many prominent political families have acquired ownership of football clubs, not only as a source of profits but also as bases of political support.

³⁰Isranews Agency 2013. The 2007 court ruling imposed a five-year ban on Sermsak's political career, but as soon as the ban ended in 2012, he was appointed to the cabinet of Yingluck, Thaksin's younger sister.

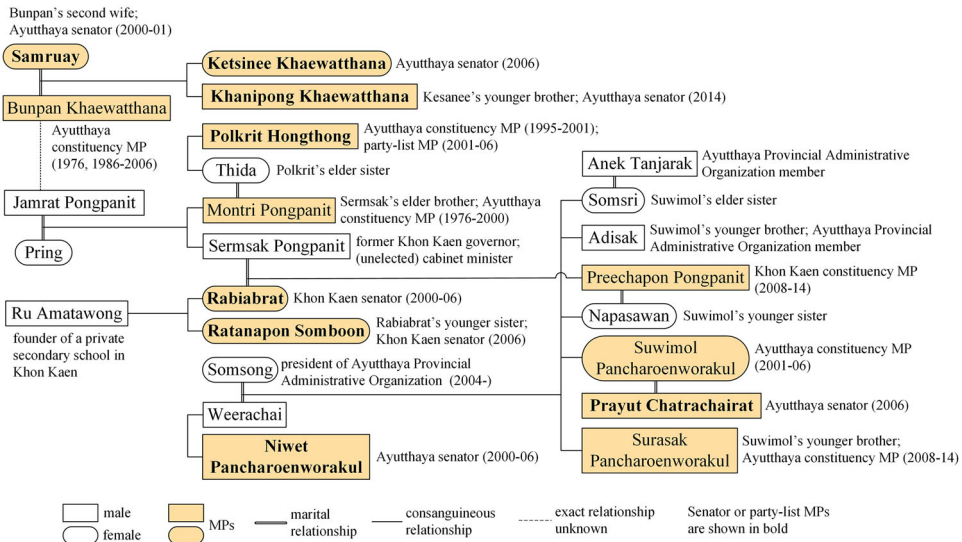


Figure 1. Politicians from the Pongpanits’ kinship group. Sources: NACC 2007h; NACC 2011e; NACC 2014; Arghiros 2001; Daeng 1971.

The Tanbanjongs

The northern province of Phayao is the home turf of the well-heeled Tanbanjong family. Their ninety-three-year-old patriarch, Piaw, known as the “godfather” (*chaoph*) of Phayao, owns Ruam Piaw and Mae Suai Tobacco Leaf companies and also has extensive investments in construction, logging, rice milling, and trading.³¹ These economic resources enabled the Tanbanjongs to enter electoral politics in 1976, when Piaw was elected to Parliament representing Chiang Rai province.³² After he retired from politics in 1979, his daughter, Puanglek,³³ followed in his footsteps, serving as a MP representing Phayao for the next seventeen years until her younger brother, Pairot, won a seat in 1996 (Figure 2).³⁴

The political standing of the Tanbanjongs, however, was increasingly threatened by Ladawan Wongsriwong, who made a name for herself as an advocate for the elimination of child prostitution, in which the Tanbanjongs were allegedly involved.³⁵ In the September 1992 election, Ladawan received 130,225 votes, more than twice as many as did Puanglek (54,691).³⁶ Ladawan was re-elected in landslides in 1995 and 1996. After her defeat in 1995, Puanglek did not stand for office in the 1996 election. Instead, she ran for and won a seat in the Senate in the 2000 election. This victory, along with Pairot’s status as a constituency MP,³⁷ enabled the Tanbanjongs to retain a measure of political clout in Phayao.

³¹DBD/MC 1977; DBD/MC 1986; DBD/MC 1992. For more details on Piaw’s background, see the provincial weekly newspaper, *Phonla Mueang Nuea* [Northern Citizen] 2008, 6–7.
³²Phayao was part of Chiang Rai until it was upgraded to provincial status in 1977.
³³She later changed her name to Puanglak.
³⁴Rumors of vote-buying and intimidation have accompanied the electoral success of this family. See Nishizaki 2011a, 1585, 1587.
³⁵Nishizaki 2011a, 1586.
³⁶Department of Local Administration 1992, 104.
³⁷Pairot had won a constituency seat in 1996, although he received fewer votes than Ladawan.

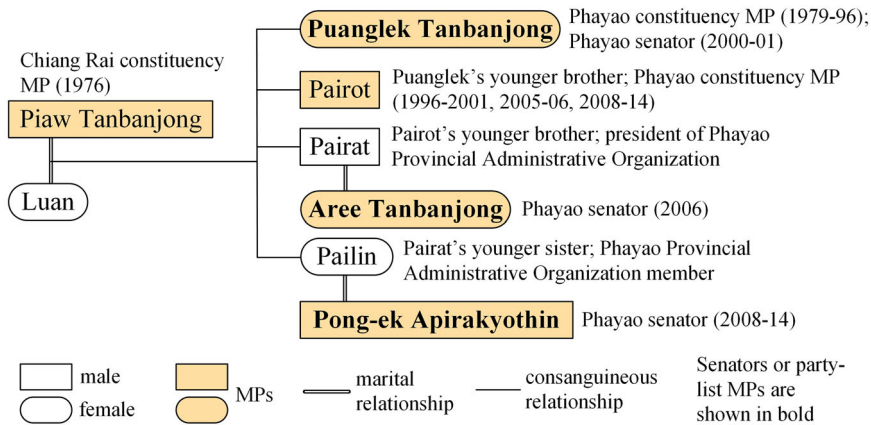


Figure 2. Politicians from the Tanbanjongs' kinship group. Sources: NACC 2008b; NACC 2011c.

However, the Tanbanjongs suffered a further setback in 2001, when Pairot lost his constituency seat. Two months later, the Election Commission stripped Puanglek of her senate seat for election violations. Meanwhile, Ladawan won reelection as a TRT party-list MP, and was appointed Deputy Minister of Labor and Social Welfare by Taksin. In the 2005 House election, Pairot defected from the Democrat Party to TRT and won a constituency seat. A year later, Aree Tanbanjong, Pairot's sister-in-law, was elected to the Senate.

The 2006 coup was a boon for the Tanbanjongs. Although Aree lost her Senate seat, Ladawan and her husband Suwit (who had been elected to the Senate) were removed from power, with Ladawan receiving a five-year ban on political participation. With Ladawan's influence eliminated, Pairot gained a constituency seat in the 2007 House election, defeating Suwit. Meanwhile, Pairot's brother-in-law, Lieutenant General Pong-ek Apirakyothin, was elected to the Senate in 2008.

The Tancharoens

From the 1980s until the 2000s, the most prominent MP from Chachoengsao Province near Bangkok was Suchart Tancharoen. Suchart's father, Wichien, was a timber baron with interests in Chachoengsao and the northern province of Tak, which borders Myanmar.³⁸ The family also runs a Tak-based real estate company, Mae Sot Pacharoen.³⁹

Wichien was a supporter of Anant Chaisaeng, a three-time MP for Chachoengsao, elected in 1969, 1975, and 1983. He switched his support to his son, Suchart, in 1986.⁴⁰ Subsequently, Suchart, a serial party-hopper, won eight consecutive elections under the banners of six different political parties. He also served in several high-profile cabinet posts, including Deputy Minister of the Interior in 1992 and again

³⁸His family has been suspected of illegal logging trade with the Myanmar military regime during this period. See Burma Library 1998.

³⁹DBD/MC 1990b.

⁴⁰Saruda 2007, 57.

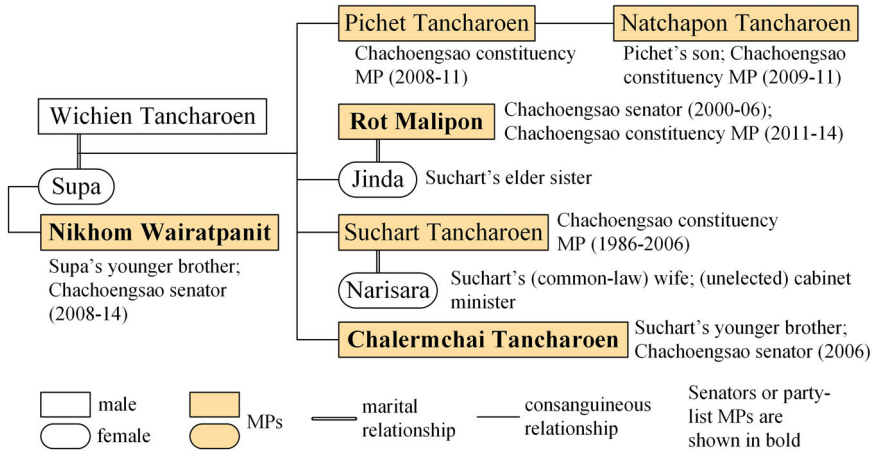


Figure 3. Politicians from the Tancharoens' kinship group. Sources: NACC 2007d; NACC 2007f; NACC 2008a; NACC 2011d.

from 1996 until 1996. Along the way, he developed a reputation as a violent land-grabbing politician.⁴¹

Being the sole MP from the Tancharoen family, Suchart started cultivating political partners in the late 1990s. The first step he took was to help his brother-in-law and former member of the Chachoengsao PAO, Rot Malipon, win a Senate seat in 2000. Suchart's younger brother, Chalermchai, and his uncle, Nikhom Wairatpanit (whose elder sister Supa is Suchart's mother), won Senate seats in the subsequent 2006 and 2008 elections, respectively. In the 2011 House election, Rot Malipon won a constituency seat (Figure 3).⁴² Meanwhile, Suchart, who had become a TRT executive, was stripped of his political rights for five years after the 2006 military coup. His elder brother Pichet, however, won a constituency seat representing Chachoengsao in the 2007 House election, and was appointed Deputy Minister of Commerce in Samak Sundaravej's short-lived (January–September 2008) administration. In a January 2009 by-election, Pichet's son, Natchapon, also won a seat as a constituency MP.

The Harnsawats and Chertchais

Politics in Pathum Thani Province north of Bangkok has been dominated by the Harnsawat family since the mid-1970s. The Harnsawats' patriarch, Paiboon, served as mayor of Mueang in 1969, and became a provincial councilor, along with his wife Nitaya, in 1975.⁴³ In 1975, the family produced its first MP, Chucheeep, Paiboon's younger brother. He subsequently was elected to ten successive terms, serving until 2001. Meanwhile, Chucheeep's younger brother and sister – Chuchart and Waneer – also became constituency MPs.

⁴¹In 2002 and 2003, he got into a serious land dispute with villagers in the southern province of Phan-nga. As the Far East Company run by Suchart tried to evict villagers from a construction site for a resort hotel, he allegedly hired a group of soldiers to intimidate them and even to murder one local politician who sided with the villagers. See Krauss 2006, 66–77.

⁴²In Abhisit Vejjajiva's cabinet (2009–2011), Suchart's common-law wife, Narisara Chawaltanpipat served as Deputy Minister of Education.

⁴³Thawatchai 1998, 137.

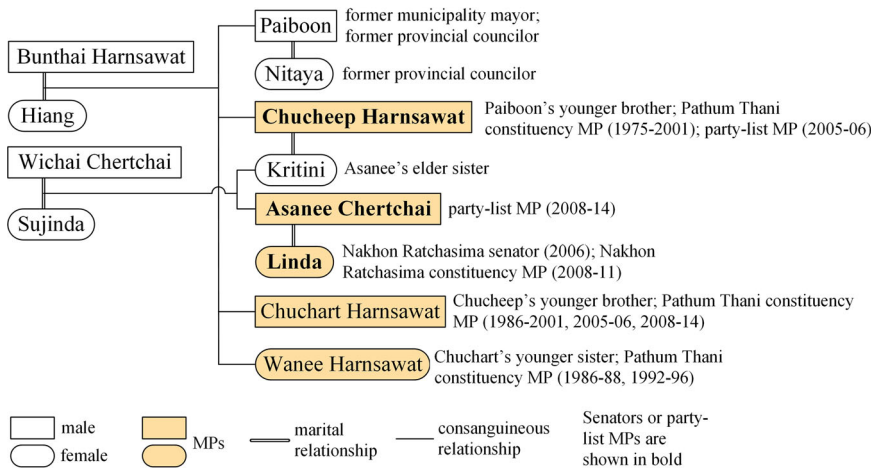


Figure 4. Politicians from the Harnsawat and Chertchai families. Sources: NACC 2007a; NACC 2007b; Thawatchai 1998.

Chuchart served six terms between 1986 and 2001, and Wanee three terms (1986–1988, 1992–1996) (Figure 4). The economic base of the family's electoral success was a transportation company called Kittisunthon and a food company named Bangkok Meatball (formerly Paiboon Sap).⁴⁴

In 2001, however, the family was given a jolt when Chuchart, Chucheep, and Wanee, all standing as TRT candidates, lost their seats. These losses were attributed to a widely publicized corruption case involving Chucheep while he served as Minister of Agriculture between 1996 and 1997. He allegedly rigged the bidding for a fertilizer distribution contract, after which the winning bidder sold substandard fertilizer to farmers, causing damage worth several hundred millions of baht. The disaffected farmers apparently punished the Harnsawats by voting them out of office in 2001. This loss led Wanee to call it quits in politics.

In the 2005 House election, the family began its political comeback, thanks in part to the party-list system. Chucheep, ranked twenty-fourth on the TRT party list, won a seat, while Chuchart was re-elected as a constituency MP. Although Chucheep was barred from politics for five years in 2007, he was back on the Phuea Thai party list in the 2014 House election.⁴⁵ Meanwhile, Chuchart was re-elected to his seat in 2007 and 2011.

The Harnsawats have marriage ties with the Chertchais, who are based in the northeast province of Nakhon Ratchasima and own a nationally known long distance bus company, Chertchai Bus and Part, along with four other companies involved in automobile sales and repairs.⁴⁶ Chucheep Harnsawat's (former) wife, Kritini, is the elder sister of Asanee Chertchai, a two-time party-list MP (2008–2014).⁴⁷ Prior to this, Asanee's wife, Linda, had won a seat in the 2006 Senate election. After the 2006 coup, she was elected a constituency MP in the 2007 election and Asanee won a seat as a party-list MP (Figure 4).

⁴⁴DBD/MC 1971; DBD/MC 1965.

⁴⁵The results of this election were nullified by the Constitutional Court. In 2016, Chucheep was jailed after being found guilty in the above-mentioned corruption case.

⁴⁶DBD/MC 1989; DBD/MC 1980; DBD/MC 1984; DBD/MC 1990a; DBD/MC 1993.

⁴⁷NACC 2007a.

Of the 211 parliamentary sessions held during their joint terms of office (2008–2011), Linda and Ananee skipped sixty-one (usually the same ones) and had an attendance rate of just seventy-one percent. Moreover, Asanee did not offer any comments or pose any questions in any of the 150 sessions he attended.⁴⁸ While Linda failed to win re-election in 2011, Asanee was re-elected as a Phuea Thai party-list MP. Although his attendance rate improved to 92.2 percent in his second term, he was again completely reticent in all 141 sessions he attended.⁴⁹

The Rengsomboonsuks and Timsuwans

Two political families have gained standing since the 1990s in the northeastern province of Loei. The first is the Rengsomboonsuks led by Preecha, who won nine terms as a constituency MP between 1986 and 2014. This family operates a successful construction company, Ruam Watthana, in Loei.⁵⁰

In 1998, while serving as secretary to Rakkiat Sukthana, the Deputy Minister of Public Health at that time, Preecha was entangled in a widely reported 1.4 billion baht corruption scandal concerning the distribution of medical drugs and supplies.⁵¹ Rakkiat reportedly had been the recipient of unaccounted bank deposits and transfers totalling several million baht, and Thai media outlets reported that while in office for just two years, he had taken eighty-three overseas trips, often accompanied by Preecha.⁵² One of the suspects in this scandal identified Preecha as its “mastermind.”⁵³ Found guilty in 2003, Rakkiat was sentenced to fifteen years in prison. Preecha, however, was cleared of all charges and in 2005 won a constituency seat running on the TRT ticket.

In the 2006 Senate election, Preecha’s wife, Plengmanee, won a seat. Preecha survived unscathed the 2006 coup and 2007 court ruling that barred many prominent TRT members from politics for five years. In the 2007 House election, both Preecha and Phlengmanee won constituency seats as PPP members, and in 2011 were re-elected, this time as Phuea Thai MPs. Preecha also served as Deputy Minister of the Interior in 2008 and Minister of Natural Resources and the Environment in 2011.

Another prominent political family in Loei is the Thimsuwans. If the Rensomboonsuks’ reputation has been tainted with allegations of graft, the Thimsuwan family has gained notoriety for its violence. Its former patriarch (now deceased), Surat Thimsuwan, was a five-time president of the Loei PAO and had close links to a nationally known mafia boss, Sia Yae.⁵⁴ Surat also wielded enormous economic influence in Loei as the owner of a major quarry company, Surat Kansila.⁵⁵ In January 1995, the company ran into serious conflicts with local villagers over a rock-blasting project. A major protest led by a former schoolteacher, Prawian Boonnak, ensued. He was subsequently murdered in

⁴⁸House of Representatives 2008–2011.

⁴⁹House of Representatives 2011–2013.

⁵⁰NACC 2007g; DBD/MC 1972.

⁵¹State hospitals were pressured to buy medical supplies and drugs at inflated prices from specific dealers, with whom Rakkiat and Preecha had close ties.

⁵²*Bangkok Post* 2002b, 1.

⁵³*Bangkok Post* 2002a.

⁵⁴*Bangkok Post* 1995, 6. For more details on Sia Yae, see Pasuk and Sungsidh 1996, 71–73.

⁵⁵DBD/MC 1991.

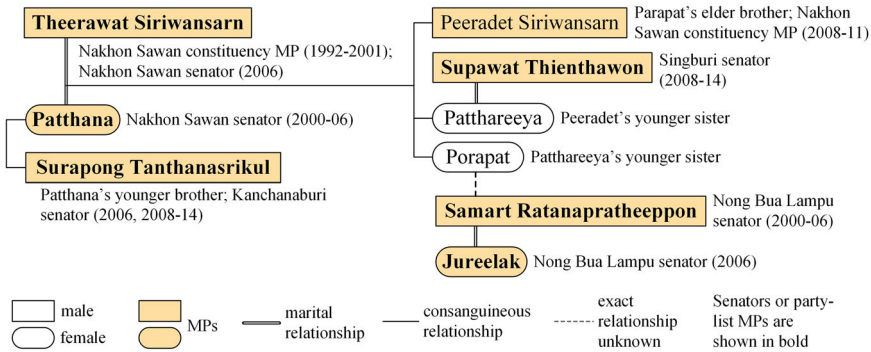


Figure 5. Caption: Politicians from the Siriwanarns' kinship group. Sources: NACC 2007e; NACC 2008c; NACC 2008d.

July 1995, a case widely reported at the time in the national media. As in many murder cases in Thailand, however, Surat, widely viewed as a suspect, was never charged.⁵⁶

This experience nonetheless led Surat to seek political protection. In the 1996 House election, he fielded his son Thanathep, a two-time PAO councilor, as a constituency candidate for the New Aspiration Party (NAP). Thanathep won the election, thanks to the machinations of the NAP leader, General Chavalit Yongchaiyudh.⁵⁷ In the 2001 House election, Thanathep defected to the TRT and was re-elected. Thanathep then fielded his wife Nanthana, a PAO councilor, as a TRT constituency candidate in the 2005 election. In spite of being a political neophyte, Nanthana won a resounding victory. Thanathep then won a senatorial seat in the 2006 election. In the 2007 and 2011 House elections, he won a seat as a party-list MP, while Nanthana was re-elected a constituency MP.⁵⁸

The Siriwanarns

The Siriwanarn family in Nakhon Sawan province owns five companies in various sectors ranging from construction to rice milling and automobile engines.⁵⁹ This economic base enabled the current patriarch, Theerawat, to win four consecutive elections in the 1990s as a constituency MP. In 1997, he was appointed Deputy Minister of Health. Less than a year later, however, he was compelled to resign his post amidst the above-mentioned medical scandal that sent Rakkiat Sukthana to prison. He also lost his re-election bid in 2001.

Under these circumstances, Theerawat's wife Patthana won a much-needed Senate election in 2000. In this same election, Samart Ratanapratheeppon, into whose family Theerawat's daughter, Porapat, had married, was also elected to the Senate representing the northeastern province of Nong Bua Lamphu (Figure 5).⁶⁰ Both Patthana and Samart served in the Senate until 2006.

⁵⁶Somchai 2007, 121–122.

⁵⁷Chavalit pressured former Loei MP Tosapol Sangkhasap not to run in this election. *Bangkok Post* 1996, 3. Tosapol holds shares in the aforementioned rock-quarrying firm owned by the Timsuwans. DBD/MC 1991.

⁵⁸NACC 2007c; NACC 2007i.

⁵⁹DBD/MC 1999; DBD/MC 2001a; DBD/MC 2005; DBD/MC 2006; DBD/MC 2016.

⁶⁰NACC 2007e.

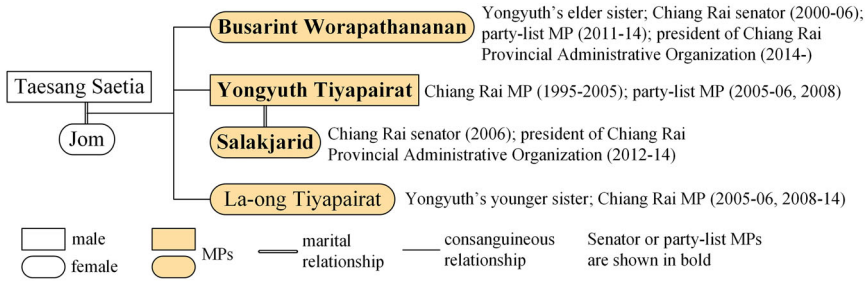


Figure 6. Politicians from the Tiyapairat family. Sources: NACC 2007j; NACC 2011a; NACC 2011b.

The Siriwansarns experienced another setback in the 2005 House election, when Theerawat's and Patthana's son, Peeradet, lost his bid for a constituency seat. But in the 2006 Senate election, Theerawat came back to power as a senator for Nakhon Sawan. In addition, Smart's wife, Jureelak, and Theerawat's brother-in-law (Patthana's younger brother), Surapong Tantanarikul, were also elected to the Senate, representing Nong Bua Lamphu and Kanchanaburi, respectively. In 2008, a year after Peeradet won a House seat as a constituency MP, Surapong won re-election to the Senate, and served until 2014. Supawat Thienthawon, whose wife is Theerawat's eldest daughter and who holds shares in two of Theerawat's companies,⁶¹ also won a Senate seat representing Singburi Province in this election.

The Tiyapairats

The Tiyapairats, a Sino-Thai family based in Chiang Rai, have so far produced four MPs, three of whom have been women. Two of these women have been elected to the Senate, and one has served as both a senator and a party-list MP (Figure 6). The Tiyapairats' reliance on the new electoral institutions has been necessitated, in part, by their need to cope with the volatile political landscape in the post-2006 coup period, as is the case with many other families.

The current head of the Tiyapairats is Yongyuth, whose company, Miti Food Products, established in 1987, grew rapidly during the economic boom period by trading in rice, canned fruits, cassava, and other agricultural goods.⁶² From this economic base, Yongyuth was elected a constituency MP in 1995 and re-elected in 1996. He then helped his elder sister, Busarint (formerly named Busakon) Worapathananan win a Senate seat in 2000, which she held until 2006.

Given Yongyuth's proven economic and political prowess, Thaksin recruited him to join the TRT Party before the 2001 election, in which Yongyuth won a constituency seat. TRT reportedly paid Yongyuth fifty million baht for his defection.⁶³ In July 2004, Yongyuth, while serving as secretary to Thaksin, orchestrated a violent police raid on a suspected drug dealer's house in Ayutthaya. As the police opened fire on the house, its owner (who, as it turned out, was innocent) survived by taking cover behind his

⁶¹NACC 2008c.
⁶²DBD/MC 1987. The Tiyapairats expanded their economic base in 2003 by establishing another company, Fortune Long-jiwiti, which trades in timber and herbs. See DBD/MC 2003.
⁶³Bangkok Post 2001, 3.

refrigerator.⁶⁴ This raid, which came to be known as “Operation Refrigerator,” tarnished Yongyuth’s reputation nationally. Nonetheless, he was re-elected a TRT party-list MP in 2005, and his younger sister La-ong won a Chiang Rai constituency seat as a TRT MP. Now, three Tiyapairats – Busarint (a senator), Yongyuth (a party-list MP), and La-ong (a constituency MP) – were in Parliament. Then in 2006, Yongyuth’s wife, Salakjarid, replaced Busarint in the Senate. Two years earlier, Salakjarid had run, unsuccessfully, in the 2004 race for PAO presidency against Ratana Chongsuthanamanee from another political family.⁶⁵ In this context, the 2006 Senate election gave Salakjarid her first taste of power.⁶⁶

The Tiyapairats managed to survive the 2006 coup with relative ease, although Yongyuth (a party-list MP), La-ong (a constituency MP), and Salakjarid (a senator) all lost their seats. Despite being a TRT executive, Yongyuth was not banned from politics, since he had resigned from the party shortly before the coup. After TRT was dismantled, he became deputy leader of the pro-Thaksin PPP. In the 2007 House election, Yongyuth was elected a PPP party-list MP, while La-ong, also representing PPP, won a seat as a constituency MP. In the government subsequently formed by Samak, Yongyuth became the House speaker.

But in early 2008 the Election Commission nullified Yongyuth’s and La-ong’s electoral victories on the grounds that Yongyuth had bought electoral support for La-ong from ten village heads in return for 20,000 baht each.⁶⁷ Yongyuth was subsequently stripped of his political rights for five years, and his wrongdoing gave the Constitutional Court an excuse to dissolve PPP. The Tiyapairat political dynasty has endured, however. La-ong was allowed to run in the August 2008 by-election, in which she won a seat. In the 2011 House election, Busarint won a seat as a Phuea Thai party-list MP, and La-ong was re-elected a constituency MP for the same party. With Yongyuth ineligible to run for office, his two sisters gave the Tiyapairat family two House seats.

The Tiyapairats have now seized control over the PAO from the aforementioned Chongsuthanamanees. In 2012, Yongyuth’s wife Salakjarid, whose brief term as a senator had ended after the 2006 coup, routed the incumbent Ratana Chongsuthanamanee in the PAO election. Although Salakjarid was deprived of her newly acquired position in 2014,⁶⁸ Yongyuth’s elder sister Busarint won the subsequent by-election for PAO presidency by defeating Ratana in another showdown between the two families.⁶⁹ This victory, coupled with the Tiyapairats’ ownership of a provincial football club, Chiang Rai United FC (since 2009), complemented their parliamentary power.⁷⁰

Thus, while the Tiyapairats have been politically weakened by the Election Commission and the Constitutional Court, the family has benefited from the two institutions created by the 1997 Constitution – the Senate and the party-list House system. The Tiyapairats have

⁶⁴*The Nation* 2008.

⁶⁵The Chongsuthanamanees have produced two Chiang Rai MPs: Ratana served two terms before 2001, while her brother-in-law Mongkhol, an alleged drug trafficker denied entry into the United States, won seven successive elections between 1983 and 1996.

⁶⁶In the same election, Mongkhol Chongsuthanamanee’s younger sister, Paradee (later renamed Jirawan), also became a senator. She was re-elected in 2008.

⁶⁷*Bangkok Post* 2008, 1.

⁶⁸The charge was that Salakjarid had supplied false information to the court in accusing Ratana of vote-buying in the 2004 PAO election. Salakjarid was subsequently sentenced to a prison term of two years and a half. See *Bangkok Post* 2014.

⁶⁹*Thai Rath* 2014.

⁷⁰Wasan et al 2014, 115.

now displaced the formidable Chongsuthanamanee from power in Chiang Rai, a change they owe, in no small measure, to the post-1997 electoral reforms.

Family rule and stymied reforms

These case studies show how the 1997 electoral reforms have made it possible for various political families to place their members in the corridors of Parliament and to buttress their ability to cope with the vicissitudes of Thai politics. At various points in the 2000s, when the future electoral prospects of these families became uncertain, the newly created Senate and party-list House system provided convenient, necessary, and attractive institutional vehicles for ensuring their dynastic continuity in Parliament.

There are two related ironic aspects of this outcome. The first is that many families that have benefited from the political electoral reforms are the very kinds of families the reformers attempted to exclude from parliamentary politics in their effort to improve the quality of political leadership and democratic governance. The reputations or images of these families have been marred by graft, scandals, murder allegations, suspected electoral fraud, and other kinds of negative media publicity. All the same, these families have succeeded, albeit to varying degrees, in maintaining their political bases and power. The electoral reforms launched in 1997 did not prohibit members of the same family from occupying political office in the same constituency or province simultaneously or in succession. Given this loophole, what the well-intentioned reforms did is to open up more opportunities for already entrenched political families to remain in power, if rather tenuously in some cases. The 1997 People's Constitution architects who were closely aligned with the late King Bhumibol strove to build competent electoral institutions in good faith, only to see these institutions penetrated and captured by the political families whose power they wanted to curtail.

Owing, in no small part, to the resilience of these families, the problems the reformers tried to get rid of remain. Some political family members may arguably represent their constituencies well. For example, for all his suspected malfeasance, Banharn Silpa-archa, whose brother and daughter served as party-list MPs, received strong electoral support for lavishing infrastructure projects on his formerly backward province.⁷¹ But the particularistic and short-term benefits the likes of which Banharn has brought to a relatively small number of voters at the local level are outweighed by the state resources they have allegedly embezzled at the national level and by the adverse, long-term effects such predatory MPs have had on perpetuating clientelism, nepotism, skullduggery, and criminality in Thai politics. To the extent that these MPs have benefited from the elected Senate and the party-list House system, they have a stake in preserving the new electoral institutions, but ironically it is these politicians who have impaired the *quality* of the same institutions.

Another irony is that the reforms initiated in 1997 have contributed to strengthening the already deep-seated dynastic rule that stifles political pluralism. In Thailand's patrimonial culture, many MPs have historically treated political office as a sort of familial bequest. The introduction of the elected Senate and the party-list system has only exacerbated such behavior. Much has happened in Thailand since 1932 – regimes have risen and fallen

⁷¹Nishizaki 2011b.

because of coups, protests, and court interventions, and various constitutions and electoral laws, of which the 1997 People's Constitution is one, have been written, amended, rewritten, and scrapped. Yet underneath the surface of these outwardly significant developments, a kaleidoscope of political families has taken advantage of the elected Senate and the party-list system for their own gain.

What is wrong, one might ask, with family rule in Thailand, given that there are many dynastic democracies around the world, including in Europe and North America? In Thailand, electoral institutions have been infiltrated by dubious kinds of families. A family involved in a major corruption or murder case or in any illicit business typically would not stand an electoral chance in liberal democracies. That is not the case in Thailand. In addition, the proportion of political families in power is at a much lower level in liberal democracies.⁷² For example, the United States, where family rule is probably more pervasive than in any other liberal democracy, has produced 167 political families in 285 legislative and presidential elections held over 240 years (up to 2014).⁷³ Moreover, the number of political families in Congress has been decreasing over time.⁷⁴ By contrast, the eighteen House and Senate elections held in Thailand since 1975 have seen 591 political families win parliamentary seats, and the proportion of political families has been rising. Thus, far more of Thailand's elites have been drawn from political families within a far more compressed time frame.

This trend has serious implications for political inclusiveness in Thailand. Thailand's democratic political system has become increasingly closed to non-political families over time. The more electoral battles have been fought in the name of representative democracy, the more pronounced political inequalities have become. Again, some dynastic MPs may represent the interests of their constituents well, but regardless of how they perform in office individually, dynastic MPs, taken together as a whole, are implicated, if unintentionally, in the structural barriers to entry into Parliament for less privileged yet more capable candidates from non-political families.

Scholars who attribute family rule and related problems to "political opportunity structures" (e.g. a weak state apparatus and civil society) stress the need to create strong countervailing political institutions.⁷⁵ This is probably what Thailand's reformists had in mind when they created an elected Senate and the House party-list system. But this approach mistakes a cause for an effect. Family rule is not entrenched in Thailand because political institutions are weak. Rather, political institutions are enfeebled because family rule is robust.⁷⁶ Those who take the political opportunity structure approach overlook the intractable problem of how to create effective institutions when political families with stakes in the status quo are ready to thwart such attempts at institution-building.⁷⁷

In a way, the 1997 Constitution achieved eminent success in institutionalizing the elected Senate and the party-list system, but this success has brought to power many families detrimental to the reformist drive. This is one major reason why these much-vaunted, idealistic electoral reforms have failed to live up to their promise.

⁷²See Smith 2018, 5 for comparative data.

⁷³Hess 2016, 3.

⁷⁴Dal Bó et al. 2009, 119.

⁷⁵See Aspinall and As'ad 2016, 424 for an analysis of political opportunity structures.

⁷⁶I am talking not about the strength of *individual* political families, but about the family based nature of rule *as a whole*.

⁷⁷Likewise, an "anti-dynasty bill" proposed by reformist politicians in the Philippines has been repeatedly blocked by political clans. See Eaton 2003, 481; Querubin 2012; Tadem and Tadem 2016, 333.

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