

Abstract

The study on "The Application of Buddhist Principles for Health Protection : An Analysis on Pharmaceuticals and Health Care Products" originated from principles emphasizing on state laws involving quality, efficacy and safety of pharmaceuticals and health care products and principles focusing on a political and economic system of balancing powers among major interest groups, consumers and producers. However, these principles of consumer protection pay little attention to mind development for inner protection. Moreover, this system does not give due consideration to consumerism in everyday life, the main cause of contemporary problems. Therefore it is necessary to develop a principle on consumer protection based on Buddhist ethics that concerns more with inner development and is able to deal with the question of consumerism much more thoroughly.

It has been a known fact that health care protection in the West is based on bioethics that places great emphasis on respect to autonomy that requires two additional conditions, access to information and consumers' right in order to empower the consumers to the point that they can protect their own interests and exercise their powers through negotiation. These principles have generally adopted in Thai societies but the concept of autonomy have not been properly applied, the condition of complete information system for consumers has not implemented in full and the compensation system for remedy are too complicated for Thai consumers to exert their own rights. Therefore current application of Western tradition of health care protection in Thailand does not yield effective results.

However the Western system of consumer protection is also being undermined due to little attention on consumerism based on greed on part of producers related devices and delusion on part of consumers which lead to a crisis with a no way out. A Vioxx[®] drug disaster provides a recent example. The situation reflected the necessity to apply other principles for better protection. This study explores Buddhist principle as alternative ethics.

The Buddhist principles of consumer protection are developed from basic understandings on human nature explained in Buddhism. The principle believes that human mind is capable to be developed to the highest level which means the laws of nature regulating life are apparent to each individual. The laws of nature can be described by the law of "tilakkhaṇa" or the three common characteristics of everything, including life and non-life, and "paṭiccasamuppāda", which are actually the same law, but looking from different angles. The former shows its three compositions of nature "anicca" or impermanence, "dukkha" or state of suffering or being oppressed and "anatta" or state of being not self. The latter is described as a process in order to show how human's suffering happen from the beginning until the end. The most important part of these laws is a comprehensive understanding of life, especially "dukkha" or suffering. Sufferings are common to all livings. The way of practices must comply with the other two concepts of impermanence and especially being not self. Therefore the better way of living in Buddhism is to protect life by reducing each individual's suffering and not to burden others with more sufferings, additionally help them to lessen their own sufferings. The way of protecting every life in Buddhism should be applied as a foundational principle of health protection. Furthermore, the most important way to end suffering in Buddhism is to apply the principle of the noble eightfold path, this path should be also applied to the health protection.

The noble eightfold path consists of eight concepts tied together in order to practice simultaneously: right understanding, right thought, right speech, right action, right livelihood, right effort, right mindfulness and right concentration. These concepts can be grouped into three sub groups; the first sub group consisting of two concepts right understanding and right thought classified as "paññā", an ability to understand everything at its own nature; the right speech, right action and right livelihood are classified as a second group namely "sīlā" or morality that regulates human's conducts and the last one, "samadhi" consists of three concepts of right effort, right mindfulness and right concentration that helps to purify mind. Greed, hatred and delusion are less influenced to practitioners; meanwhile, compassion or "karuna" and loving kindness or "metta" are developed instead.

When apply the noble eightfold path as a principle of health protection, "silâ" is the way of producers to protect others, especially consumers by providing the best products at best effort, the quality of products is higher than required by law. This is because the producers believe that their happiness come from offering the best to others. This quality of products will be thus increased without any boundaries to prove themselves by their virtues. "Samadhi" is the most important concept for consumers. It would help consumers to continuously observe their "greed and delusion" emerged and declined which finally lead to increase their ability to manage their minds as it should be. This is the most effective way against consumerism, the major problem of global sufferings. "Paññâ" is a concept for regulators to protect the public from any possible threatening things to every life. This kind of practice could also bring happiness to public when the regulators realize their real responsibility to life, both their own and others', including the realities of health care situation in Buddhist perspectives. Their most important duty is to enhance the responsibility to life of both producers and consumers. That is to introduce and establish the principle of noble eightfold path to the public and lay greater stress on "silâ" for producers, "samadhi" for consumers and "paññâ" for regulators.

In this study the three concepts have be substantiated by case studies of three groups, producers, consumers and regulators. The recommendations are made for each group and the system of health protection as a whole, particularly on how to enhance virtues of each group to create a more justice system for all and to improve the legal system congruent with health protection through Buddhist ethics.