THE PROBLEM OF MUSĀVĀDA IN THAI TOURISM: A THERAVĀDA BUDDHIST PERSPECTIVE

MR. PRATHIP PITHAYAWORAPONG

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE DEGREE OF MASTER OF ARTS IN RELIGIOUS STUDIES

GRADUATE SCHOOL OF PHILOSOPHY AND RELIGION
ASSUMPTION UNIVERSITY
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RESEARCHER NAME: Mr. Prathip Pithayaworapong

THESIS ADVISOR: Dr. Veerachart Nimanong

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The Graduate School of Philosophy and Religion, Assumption University, has approved this thesis as a partial fulfillment of the requirements for the Degree of Master of Arts in Religious Studies.

Approval Committee:

Chairman (Asst. Prof. Warayuth Sriwarakuel, Ph.D.)

Member (Dr. Veerachart Nimanong)

Member (Dr. Joseph I. Fernando)

Member (Dr. Sebastian Vadassery)

Member (Prof. Wit Wisadavet, Ph.D.)
In Buddhism, there are three main types of lying (musāvāda): direct falsehoods; indirect falsehoods; and the breaking of promises. The act of lying can be carried out either by bodily gestures or by written or spoken language. In Buddhism, the act of lying, according to the fourth precept, must meet these four conditions: the untruth itself; the intention to deceive; the involvement of effort; and the act of communicating the untruth.

In addition, Abhidhammatthavibhaviniya pancika nama atthayojana explains that there are two characteristics of musāvāda and Paramathachotika Mahaabhidhammatthasanggahatika explains it further that when musāvāda meets four conditions it is called kammapada musāvāda and is classified into two categories: 1) musāvāda leading hellfire; and 2) musāvāda not leading to hellfire, and the second type of musāvāda can be compared to white lies in western philosophy and culture namely:

- a lie that you tell someone in order to protect them or avoid hurting their feelings
• a lie that is told to avoid hurting someone's feelings or to avoid trouble, 
and not for an evil purpose

This study has found that musāvāda ("false speech") is generally recognized 
as akusalakamma (pāpa) — immoral actions or wrong actions in Buddhist teaching that 
are also illegal, and this is accepted by the researcher. He still found two types of musā 
vāda in Buddhism. They are:

• kusalamusāvāda that can bring about world peace, spirituality, social utility, 
  social welfare, and mutual understanding without harming people or 
society; it is considered as mercy lying for virtuous persons, and
• akusalamusāvāda that can harm speakers and destroy another's benefits, 
  other people, and society.

And he believes that it is sometimes necessary for people in general and their 
leaders to lie if this produces good consequences for society, although he does not 
believe that this should be encouraged. However, these falsehoods must be based on 
good will, good intentions, and loving kindness (mettādhamma), called kusalobai in Thai.

For tourism in Thailand, the researcher has seen first hand the scams that tourists 
in Thailand fall victim to: these have become a serious problem that damages the 
reputation of Thailand and its people. Hence, the researcher would like to explain the 
details of false speech for all of those in society to who wish to live happily and 
peacefully at the present time and in the next life.

The most serious scams for Thai tourism include the canal trip scams; the tailor 
scams; and the infamous Thai gem scams. All of these problems are caused by tourist 
guides. In Thailand, tourist guides are classified into two main types: licensed tour 
guides, and "ghost" (illegal) tourist guides. Most tourist scams are caused by the ghost
tourist guides, but sometimes the licensed tourist guides may be involved in tourist scams as well, if they do not follow the global code ethics or tourist guide ethics, including being responsible, honest, disciplined, and understanding. These tourist guide ethics are relevant to all five Buddhist precepts, therefore all of these ethics can give rise to happiness and can help promote mutual understanding—both for the tourist and for the host as well.

According to Buddhism, there are three main motivations for this type of akulakamma or scams: lobha (wanting or coveting); dosa (thinking of harming others); and moha (delusion or false understanding). In this research it was found that the licensed tour guides can cause problems to Thai tourist industry if they are controlled by the power of greed.

To help solve this problem in the tourist industry, tourists must be skeptical of information they are given by strangers and not be too ready to accept everything they are told. The illegal tourist guides themselves should also consider the effects of their evil actions on themselves, their families, and on their afterlife.

In addition, government officials tourist guides, tourists, and tour operators should promote and follow the Global Code of Ethics for Tourism, by convincing both Buddhist and non-Buddhist tour guides to adopt ethical practices and by promoting religious festival tour programs and honoring them with awards that can serve as a powerful motivational tool in motivating to follow the five Buddhist precepts (sila), tourist guide ethics, and other Buddhist ethics, namely: 1) The four Garāvāsa-dhamma - virtues for a good household life or virtues for lay people; 2) The two Lokapātal-dhamma - virtues that protect the world; 3) The four Iddipādha - Path of accomplishment, basis for success; and 4) The two Patisanṭhāra - Hospitality, greeting.
All of these ethical codes aim to minimize the negative impacts of tourism on our religious and cultural heritage while maximizing the benefits of tourism for residents of Thailand. Certainly many foreign tourists will return to Thailand if the Thai government and the Thai people sincerely cooperate to solve these problems.
Acknowledgments

In completing this thesis the researcher has been indebted to many persons especially his instructors, friends, and all the people whose dialog have contributed to his thinking. It is impossible to thank them all, but he can only hope that those not mentioned will be forgiving.

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Prathip Phithayaworapong

December, 2005
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<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>A.</td>
<td>Anguttara Nikāya</td>
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<td>D.</td>
<td>Digha Nikāya</td>
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<td>Da.</td>
<td>Digha-Nikāya Atthakatha</td>
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<td>Dh.</td>
<td>Dhammapada (Khuddakanikāya)</td>
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<td>Dhp.</td>
<td>Dhammapada/Dharmapada</td>
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<td>M.</td>
<td>Majjhima Nikāya</td>
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<td>Mv.</td>
<td>Mahavagga</td>
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<td>PTS.</td>
<td>Pali Text Society</td>
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<td>S.</td>
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<td>Vbh.</td>
<td>Vibannga (Abhidhamma)</td>
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<td>Vin.</td>
<td>Vinaya-Pitaka</td>
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<td>Vism.</td>
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Chapter I

Introduction

1.1 Background and significance of the study

According to Mahidol University’s educational information sources, tourism has been Thailand's highest income generator since 1982, having grown at a healthy 16 percent a year since 1980. For example, in 1994 visitor arrivals reached a record 6.16 million. The Tourism Authority of Thailand has tried to work closely with other agencies to develop tourism resources most efficiently. For example, with the Board of Investment it periodically reviews policy regarding promotion of investment in tourist-related facilities, while it works with funding institutions to determine which tourism projects should receive investment. (http://www.mahidol.ac.th/image/Buddha.gif.)

To cope with this rapid growth, many people have been entering the Thai tourist industry without proper education or ethical responsibility, causing damage to both the industry and to the country's image. Some tourists who visit Bangkok and who intend to visit the famous Buddhist temples they have heard so much about save this until the last minute. Many are lucky enough to accomplish this. However, the unlucky ones may miss trip highlights such as the Grand Palace and the Emerald Buddha Temple (Wat Phrakeaw) after being “hijacked” by well-organized gangs between their hotel and the palaces. Unscrupulous taxi drivers or tuk-tuk drivers may tell them that the place they want to see is closed for a royal ceremony or they may be told that their dress is not proper to enter. Since they may not have enough time to return the following day, they are presented with an alternative: they are told that another temple is open and that no ticket is required to celebrate a special Thai festival. At this other temple tuk-tuk drivers may offer to take them to a government export center for the last day of a special promotion for foreigners where they do not have to pay tax and where they can earn
great profits from reselling Thai gems in their own country. These scams are now
considered a critical problem in the Thai tourist industry. The scams violate important
Buddhist precepts highlighted by a student of the Graduate School of Tourism
Management at Assumption University concerning:

- Cheating
- Corruption
- Providing false information, and
- Commission payments (Ratanaputtasakhon, 2001, p. 15).

Thai tourist shams and scams are detailed by various international websites (e.g.
http://www.thaivisa.com/index.php) that have reported well-known stories of Thailand’s
famous gem scams which the international media have covered repeatedly over the
years as part of the pressure on the Thai government to put a stop to these rip-offs. Back
in 2000, the AFP ran a story datelined Bangkok headed, “Bangkok urged to clamp down
on its notorious gem scam operators after tourists complain of being cheated”. The
article explained that embassies were being swamped with complaints from
unsuspecting tourists and that the Australian, British, Swiss, and Japanese embassies
were teaming up to request high-level talks with the Thai Ministry of Foreign Affairs to
try to crack down on the gem dealers (AFP, The Nation/Asia News Network, August
22, 2000).

The Tourism Authority of the Thailand reports receiving over 1,000 complaints
a year from tourists who have been cheated on gem purchases. For example, according
to a December 11, 2002 article in The Nation titled “Welcome to Thailand, foreign
fools” (subtitled “Thousands of tourists cheated every year in Thailand”) over a ten-
month period in 2002 alone the Tourist Police reported receiving almost 700 complaints
of gem and jewelry frauds. However, an Internet group of fraud victims from 22
countries called the Thai Gem Scam Group estimated at that time that about 15,000 tourists were falling for these scams each year despite the much smaller number of official complaints registered. As for the amounts of money being lost by these tourists, the Tourism Authority of Thailand and the Thai Gem and Jewelry Traders Association were estimating that these gangs cheat tourists out of more than 100 million baht a year.

All of these immoral and unethical actions showing incredible greed, deception, and the cheating of foreign guests (tourist who generate valuable foreign exchange earnings for Thailand) are carried out in a country that follows the precepts of Theravda Buddhism. All of these are examples of evil actions by wrong-doers whose minds are full of greed and selfishness. As the Buddha says in the Dhammapada,

> The mind is the forerunner of all actions, wholesome or unwholesome, mental, physical or verbal. Mind is chief. They are mind-made. If one speaks or acts with an evil mind, suffering follows him as the wheel follows the hoof-print of the ox that draws the cart. Likewise, if one speaks or acts with a pure mind, happiness follows him like a shadow that never leaves him (Dhp.1-2).

It is shameful that this cheating on gem purchases has become a worldwide scandal and has damaged Thailand’s reputation and its economy. According to Buddhist ethics such deception violates the fourth Buddhist precept (musāvāda veramani). Some Thai businessmen may think of this as just another tool or sales tactic, whereas devout Thai Buddhist would think of it as wrong and immoral.

As a Buddhist, the researcher would like to know the position of Buddhism on this kind of deception, the process and criteria for assessing the rights and wrongs of cheating (musāvāda) as presented through the main Buddhist texts such as the Tipitaka and its commentary, and how to solve this problem in the Thai tourist industry from a Buddhist perspective.
1.2 Status of the question

Looking at these problems, the researcher is interested in focusing on the problematic issue of cheating (musāvāda) on jewelry purchases that is occurring in the Thai tourist industry. Most Thais profess to practice Buddhism, but the problem of cheating is found throughout the society and in fields such as marketing, sales, politics (including elections), and match-making. What causes people to act in this way? What is the Buddhist attitude towards these actions? And how can we solve these problems to improve the Thai tourist industry and society for sustainable peace and happiness?

1.3 Objectives

1 To analyze the meaning of musāvāda (“false speech”) as it appears in Theravāda Buddhist teaching

2 To study ethical problems related to false speech in Thai tourism

3 To evaluate Buddhist ethics and musāvāda in Thai Tourism

1.4 Scope of the Research

This research confines itself to the fourth precept (musāvāda veramani) from a Theravāda Buddhist perspective and the problem of cheating in the Thai tourism industry, the process and criteria of assessing the morality of cheating and deception as presented through the main texts in Buddhism such as the Tipitaka, and its
commentaries, and to the benefits to be gained by following the fourth precept as well as the evils of *musāvāda* which can occur now and in the next life.

1.5 Research methodology

1 Data concerning the research topic was collected and investigated.
2 This investigation was based mainly on Buddhist documentary descriptions from both primary and secondary sources.
3 The research also includes Internet data searches. The evidence is raised in analytical, critical, and creative ways.
4 The researcher would like to follow the guidelines of Theravāda Buddhist teachings, which are based on primary and secondary sources.

1.6 Definition of terms used

*Kamma* is a Pali word literally meaning action or volition (*cetanā*). We create our own *kamma* through body, speech, and mind. These actions stem from moral or immoral volition. As the Buddha says, "Oh monks, volition (*cetanā*) is what I call action (*kamma*), for through volition one performs the action by body, speech and mind"\(^1\) (A.III.415). If we look at its qualities, or its roots, *kamma* can be divided into good or bad.

*Sīla*, or moral conduct, is the principle of human behavior that promotes orderly and peaceful existence in a community. According to Buddhist teachings, the ethical

\(^1\) *Cetanāhambhikkhave kammavādāmi Bhikkhu.*
and moral principles are summarized in the *Dhammapada*: “To abstain from all evil, to cultivate the good, and to purify one’s mind” (V.183).

*Mudāvāda* is telling untruths, telling lies, or talking about matters that are unreal.

Tourism is the activities of people traveling to a place outside their usual environment for a specified period of time and whose main purpose of travel is other than the exercise of an activity remunerated from within the place visited.

Tourist guides are persons who conduct tours and are recognized by the Tourism Authority of Thailand as having a broad-based knowledge of a particular area and whose primary duty is to give tourists information about tourist sights.

Ghost tourist guides are normally free-lance, self-employed guides not associated with a travel agency or tour company who don’t possess a tourist guide license and have never taken an examination leading to a qualification recognized by the Tourism Authority of Thailand. (Because of their lack of education they specialize in various scams to make money from tourists.)

1.7 Expectations

1. To learn clearly the meaning of cheating and deception according to Theravāda Buddhist teaching;

2. To understand the disadvantages of cheating and deception, and the advantages of not doing so;

3. To help people in Thai society understand the ethical problems involved in cheating and deception, to understand a basic Buddhist doctrine, and take some Buddhist morality to be practiced in daily life and to solve problems in modern society.
Chapter II

An analysis of *musāvāda* (false speech) according to Theravāda Buddhism

2.1 The meaning of *musāvāda* in Theravāda Buddhism

In Buddhist teaching, the fourth precept of good conduct deals with abstention from *musāvāda* usually, translated as "false speech" or lying. This word covers the act of telling untrue stories or giving untrue information that is departs from the truth. The word "*musāvāda*" comes from the Pāli *musā* ("false", "untrue") and *vāda* ("word", "speech", "doctrine", "attitude") (Royal Institute, 1982, p. 649). Various scholars have defined *musāvāda* in various ways:

- Payutto defines *musāvāda* as telling untruths, telling lies, or talking about matters that are unreal (1985, p. 236).
- Dhammcariya defines *musāvāda* as the speech that is not relevant to the truth (1996, p. 117).
- Hammalawa Saddhatissa defines *musāvāda* and gives its meaning in the specific context of the fourth precept:

The fourth precept of good conduct, *musāvāda* *veramani*, concerns abstention from falsehood. This covers the act of telling an untruth, the concealing of the truth in such a manner as to convince another person that an untruth is a truth, the use of exaggerated language, in short, everything that is in any sense a departure from a reliable sober statement of fact. Less obvious, but no less to be stressed, *musāvāda* implies the accepting as truth, in one's own mind, of that which one knows to be untrue, lack of diligence in searching out the truth of a statement, or any lack of precision in thought in so far as one is able with one's
present understanding and intelligence to probe to the truth that is uttermost (1987, pp. 92-93).

Lying is generally regarded as wrong. Nevertheless, people very seldom speak quite truthfully to one another and so their word can hardly be relied on. Sometimes they cannot speak the truth; for instance, they may have to lie to save themselves from harm, and doctors lie to boost their patients' morale. Lying under these circumstances may violate the *sila* (the fourth precept) but it is not entirely contrary to its purpose.

The fourth precept aims to bring about mutual benefits by adhering to truth and avoiding verbal offences. Similarly, utterances harmful to another's well-being such as malicious, abusive, or slanderous speech intended either to put others down or to flaunt one's abilities may be truthful, but they must be regarded as wrong because they are contrary to *sila*.

Having discussed the definition and meaning of *musavāda* from many Buddhist scholars, particularly in terms of the fourth precept, the researcher will later discuss in depth the standard for justifying the concept of lying, but before that the general views and perspective of Buddhism and Buddhist ethics related to the concept of lying will be discussed, which can be applied to the problematic issues of the tourist industry.

### 2.2 The holistic views of Theravāda Buddhist ethics

We know that Buddhist ethics is part of a kind of holistic system, meaning that to justify any action relevant to moral issues, we can not take only one principle to justify it, but we must look at it from a general perspective and then finally apply the exact moral principle to justify and solve it. Buddhist ethics is divided into basic, middle, and highest principles as explained below.
2.2.1 The basic principles of Buddhist ethics

As all Buddhists know, Buddhism is a tradition that focuses on personal spiritual development. Buddhists strive for a deep insight into the true nature of life and do not worship gods or deities. The basic personal spiritual development principles are composed of the Five Precepts and the Five Ennobling Virtues.

2.2.1.1 The Five Precepts

Sīla, or moral conduct, is the principle of human behavior that promotes orderly and peaceful existence in a community. Rules of moral conduct are to be found in every religion. They may resemble other codes of conduct to a greater or lesser degree depending on the teacher or religious system from which they originated. The Five Precepts are:

1. Pāñatipātā veramanī.
   (I undertake the precept to abstain from the taking of life.)

2. Adinnādānā veramanī.
   (I undertake the precept not to take that which is not given.)

   (I undertake the precept to abstain from misconduct in sensual action.)

   (I undertake the precept to abstain from false speech.)

5. Surāmerayamajjapamādatthāna veramanī.
(I undertake the precept to abstain from alcohol and intoxicants—not taking wines, liquor, intoxicants, or additives) (Payutto, 1985, p. 206).

2.2.1.2 The Five Ennobling Virtues (pancadhamma)

The ennobling virtues of kalyāṇadhhamma serve to ennoble those who practice them. Each one corresponds to one of the Five Precepts, and since they are positive in nature, they are more advanced than the negative prohibitions:

1. The First Ennobler, Mettā-kurutta - Loving kindness and compassion relates to the first precept;
2. The Second Ennobler, Sammaţiya - Patience in the right means of livelihood relates to the second precept;
3. The Third Ennobler, Kāmasamvarā - Contentment in married life relates to the third precept;
4. The Fourth Ennobler, Sacca - Truthfulness relates to the fourth precept;

2.2.2 The middle principles of Buddhist ethics

These basic Buddhist ethics provide for a peaceful and orderly society, but Buddhism teaches that man as an animal to be trained should train himself to higher levels—that is, the Middle Principles of Buddhist ethics called kusala-kammapatha, or “The Wholesome Course of Action”, composed of ten elements:
An analysis of *musavāda* (false speech) according to Theravāda Buddhism

**Kāyakamma - bodily action**

1. To avoid from killing or taking life, oppression, and harassment; possessing kindness, compassion, and helpfulness;
2. To avoid from filching, theft, and exploitation; respecting the property rights of others;
3. To avoid from misconduct and violation of others' loved or cherished ones; not abusing them, disgracing, or dishonoring their families;

**Vacikamma - verbal action**

4. To avoid from false speech, lying, and deception; speaking only the truth, not intentionally saying things that stray from the truth out of a desire for personal gain;
5. To avoid from malicious speech inciting one person against another; speaking only words that are conciliatory and conducive to harmony;
6. To avoid from coarse, vulgar or damaging speech; speaking only words that are polite and pleasant to the ear;
7. To avoid from worthless or frivolous speech; speaking only words that are true, reasonable, useful, and appropriate to the occasion;

**Manokamma - mental action**

8. To be free from greed; not focusing only on taking; thinking of giving, of sacrifice; making the mind munificent;
9. To be free from hateful and destructive thoughts or having a destructive attitude toward others; bearing good intentions toward others, spreading goodwill and aiming for the common good;
10. To possess right views (*sammadditthi*); understanding the law of *kamma*, that good actions bring good results and bad actions bring bad results; having a thorough grasp of the truth of life and the world; seeing the faring of things according to
An analysis of musavāda (false speech) according to Theravāda Buddhism

causes and conditions. (Payutto, 1985, pp. 277-278).

These ten qualities are known as kusala-kammapatha (wholesome courses of action); dhamma-cariya (principles for virtuous living); and ariya-dhamma (noble qualities). They are a more detailed description of the threefold sucarīta mentioned above: points 1 to 3 cover righteous bodily conduct; points 4 to 7 cover righteous verbal conduct; and points 8 to 10 cover righteous mental conduct.

2.2.3 The highest principles of Buddhist ethics

As mentioned, Buddhism believes in man's ability to train himself to reach the highest goal of Buddhism, nibbāna, encouraging him to go beyond the basic and middle Buddhist ethics to the highest principles of Buddhist ethics. The Noble Eightfold Path, discovered by the Buddha himself, is the only way to nirvana. It avoids the extreme of self-torture that weakens the intellect and the extreme of self-indulgence that retards spiritual progress and consists of eight elements:

1 Right Understanding (sammādītthi) is the knowledge of the Four Noble Truths. In other words, it is the understanding of oneself as one really is. This idea of Right Understanding is central to the practice of Buddhism and is based on knowledge and not on unreasonable belief.

2 Right Thoughts (samma-sankammpa) are threefold:
   - The thoughts of renunciation as opposed to sensual pleasures
   - Kind thoughts as opposed to ill-will
   - Thoughts of harmlessness as opposed to cruelty that tend to purify the mind.

3 Right Speech (samma-vāca) deals with refraining from falsehoods, stealing, slandering, harsh words, and frivolous talk.
4 Right Action (sammākammanta) deals with refraining from killing, stealing, and misconduct and helps to develop a character that is self-controlled and mindful of the rights of others.

5 Right Livelihood (sammājīva) means earning one's living in a way that is not harmful to others and deals with the five kinds of trades which should be avoided by a lay disciple: (a) trade in deadly weapons; (b) trade in animals for slaughter; (c) trade in slavery; (d) trade in intoxicants; (e) trade in poisons.

6 Right Effort (sammāvāyāma) is fourfold:
- the endeavor to discard evil that has already arisen
- the endeavor to prevent the arising of unrisen evil
- the endeavor to develop good which has already arisen
- the endeavor to promote good which has not already arisen.

Effort is needed to cultivate Good Conduct or develop one's mind, because one is often distracted or tempted to take the easy way out of things. The Buddha teaches that attaining happiness and Enlightenment depends upon one's own efforts. Effort is the root of all achievement. If one wants to get to the top of a mountain, just sitting at the foot thinking about it will not bring one there. It is by making the effort of climbing up the mountain, step by step, that one eventually reaches the summit.

Thus, no matter how great the Buddha's achievement may be, or how excellent His teaching is, one must put the teaching into practice before one can expect to obtain the desired result.

7 Right Mindfulness (sammāsati) is the awareness of one's deeds, words, and thoughts and is also fourfold:
- mindfulness with regard to body
- mindfulness with regard to feeling
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- mindfulness with regard to mind
- mindfulness with regard to mental objects.

8 Right concentration (*samma-samādhi*) - Meditation means the gradual process of training the mind to focus on a single object and to remain fixed upon the object without wavering. The constant practice of meditation helps to develop a calm and concentrated mind and helps to prepare for the attainment of wisdom and enlightenment ultimately (Rahula, 1967, pp. 45-48).

According to the order of development the Noble Eightfold Path is classified into three groups:

1 *Sīla* or morality, which includes Right Speech, Right Action, and Right Livelihood. In general, this means that whatever we say or do, we must say or do it in the right way;

2 *Samādhi*, which includes Right Effort, Right Mindfulness and Right Concentration;

3 *Pāñña* or wisdom, which includes Right Understanding and Right Intention. Generally speaking, man succeeds in his own development through insight by means of which he makes right decisions. Right Intention means right deliberation, and right understanding leads to right decisions.

We can conclude that the main purpose of this ethical practice is to calm our minds and make them peaceful. If our minds are peaceful, we will be free from worries and mental discomfort, and so we will experience true happiness; but if our minds are not peaceful, we will find it very difficult to be happy, even if we are living in the very best of conditions. If we train in all these ethics, our minds will gradually become more and more peaceful, and we will experience a purer and purer form of happiness.
Eventually, we will be able to stay happy at all times—even in the most difficult circumstances—which should lead us to *nibbāna*, the highest aim of Buddhism

### 2.3 Types of *musaṅgīda* in Buddhism

This study has identified three degrees of lying—direct falsehoods, indirect falsehoods, and the breaking of promises. In his book, *The Five Precepts and The Five Ennoblers*, HRH the late Supreme Patriarch Somdet Phra Maha Samana Chao describes them as outlined in sections 2.3.1 through 2.3.3 below.

#### 2.3.1 Direct falsehoods

A direct falsehood has two elements: a false statement and a conscious effort to make it false. Direct falsehoods, however, can be physical as well as verbal. In addition to speaking, it may be done by writing or making gestures with a deceitful purpose. Thus if a person writes a false statement in a letter or nods “yes” when he means “no”, or vice versa, he is guilty of violating this precept. Direct falsehoods can take these forms:

- **Downright lies.** This is a statement diametrically opposed to the truth. For example, the person who says “no” when he means “yes”, or vice versa. Based on the underlying purpose, this can be further subdivided into -
  - Incitement, when it is done to stir up feelings of discord or enmity between persons or groups;
  - Deceit, when it is based on the intention to cheat;
  - Flattery, when it refers to excessive and insincere praise;
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- Revocation, when it entails a flat denial of one’s own statement.

- Oath-breaking. This means the taking of a vow or oath without intending to keep it, such as a witness in court who, after taking a solemn oath, dares to tell a lie.

- Wiles. This refers to trickery or boasting with selfish, deceptive intentions, such as to boast of untrue magical powers or the miracle of invulnerability to weapons.

- Hypocrisy. This is feigning to be what one is not, such the false assumption of an appearance of virtue or religious attainment.

- Play on words. This is the telling of a lie by using clever methods. What the person says may in fact be literally true, but the intention to tell a lie is there. Those who prefer only to keep up the appearance of observing the precepts choose to cling to their literal meaning for their own ends. They often neglect their essential purpose and pride themselves on artful deception. But this is contrary to the spirit of the precept and there is no excuse for violating it.

- Exaggeration. This is a lie based on the truth but which is more than the truth of what it is or really happened. This seems to be a habitual practice of those who prefer to “talk big” and “show off”. In describing the efficacy of a remedy or cure, for instance, it may be exaggerated to make it sound like a cure-all when in fact the remedy is only meant to cure one or two types of conditions.

- Concealment. Like exaggeration, this is a lie that is based on the truth, but unlike exaggeration, it is a half-truth or less than the full truth. This is used to deceive since what is omitted is usually essential to the truth of the story. This concealment obscures or distorts others’ understanding of the truth. This is often not in fact a lie, but conceals an essential part of the truth, which is left out to create a false understanding and is fixed in the mind of the speaker. So it is a false statement spoken with the intention to deceive.
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All of these kinds of falsehoods, whether they are verbal or physical (either in writing or through gestures) and whether they are believed by the listener or not, still violate the precept.

2.3.2 Indirect falsehoods

Indirect falsehoods are generally without deceitful intentions and can take these three main forms:

1. Injurious words. Hurting another's feeling through what both sides know is not true, and which can be further divided into:
   - Sarcasm, when words imply a bitter praise of virtue or merit that is plainly higher than the insulted person's status or capability and which he is not deserving of;
   - Insults, when words are meant to humiliate a person to demean or denigrate him.

2. Thoughtless lies. A falsehood spoken inadvertently through the gift of gab.

3. Insinuation. To suggest something negative about someone, done to cause discord and create antagonism between individuals or groups.

Indirect falsehoods are evil from both the moral and legal standpoint. They reflect meanness in the characters of those who condescend to speak in this way. Thus they are to be avoided by cultured people everywhere and at all times.
2.3.3 Broken promises

The breaking of promises is the failure to do what was given as a pledge to someone. There may, however, be an absence of deceitful purpose at the time of the pledge. There are three kinds of broken promises:

1 Bilateral promises. When two people work out an agreement such as a contract and each pledges to do something for the other, this is called a bilateral promise.

2 Unilateral promises. A unilateral promise is a pledge given to someone either to do or not to do something. For example, a government official who takes an oath of loyalty to that government when appointed to his office is giving a promise of this kind. A wrongdoer or criminal who has given a solemn vow not to break the law again is also bound by this same kind of promise.

3 Revocation of one's words. An individual goes against his word when he refuses, for example, to give another person something that he said he would give. This is different from a promise and is less serious and more casual, but it is still a kind of falsehood.

4 Seeming falsehoods. These can appear to be falsehoods if we only consider their literal meanings, but can be excused because there is no intention to deceive:

- Euphemism. Expressions that usually don't convey literal meanings that are indirect, conventional "formulas" in speaking and writing used for politeness or for elegance of style fall into this category.

- Story-telling. Fables or stories (parables or allegories) told to illustrate or personify some truth that are not literally true as told are included here. Poets and writers who produce creative works like this based on
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their imagination are likewise exempt here. speech or in a book, he illustrates it with a fable.

- **Misunderstanding.** If someone unintentionally should give the wrong day of the week when asked or should give other information unknowingly with no intention to deceive, this is not considered a falsehood, but it is advisable to correct such misinformation if possible so as not to deceive.

- **Slip of the tongue.** When what was said is not what was meant, perhaps through absentmindedness, it is advisable for the speaker to correct himself—again so as not to deceive (Phra Maha Samana Chao, 1999, pp. 23-30).

In our society it is important that both ordinary citizens and government officials learn to practice the fourth precept aimed at instilling respect for truth in the mind, implying both one's own obligations as well as the rights of other people to truth. This is important in developing sound social relationships, and it makes all documents, contracts, agreements, deeds, and business dealings meaningful. When we resort to falsehood, we not only become dishonest but also show disrespect for the truth. People who tell lies discredit themselves and become untrustworthy. Thus we can conclude that there are many degrees of lying in Buddhism. (Determining which actions are transgressions of the fourth precept will be discussed in a later section.)
2.4 Criteria for evaluating musāvāda in Buddhism

2.4.1 The elements of musāvāda (false speech) in Buddhism

Mererk says this about the fourth precept: “The fourth precept of good conduct deals with the abstention from musāvāda usually translated as ‘false speech’ or ‘lying’. This covers the act of telling an untrue story, the use of exaggerated language, and everything that is a departure from a true statement” (1994, p. 105).

The commentary defines musāvāda in this way: “Lying is applied to the effort of the body and speech, on the part of one who is deceitful, to destroy the benefit of others, the intention setting up the bodily and verbal effort to deceive others” (Dhp.130).

The act of lying can be carried out either by bodily gestures or by written or spoken language. In Buddhism, the act of lying according to the fourth precept to be completed must meet these four conditions:

1. The untruth itself
2. The intention to deceive
3. The involvement of effort
4. The act of communicating the untruth (Dhammacariya, 1996, p. 117).

Actual deception is not needed for the precept to be broken: it is enough if the false impression is conveyed to another person. Even if a person doesn’t believe a false statement, if someone relates a falsehood to him and he understands what he is told, a transgression of the precept has taken place. This means that when others understand

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1 Musāvādassa attham vasāvādamacittam Tajjo vāyamo parassam tadadhājananam iti,
Sambhāra ca turohoti payogeko sahathiko ānattika nissaggiya thāvāropica yujjare.
what is said — whether they believe it or not — the act of lying has been carried out and the fourth precept has been violated.

The moral guilt for violating the fourth precept depends on the amount of the benefit destroyed by the act of lying and virtues of the deceived person. This means that the gravity of the moral guilt increases in proportion to the value of the benefit destroyed by the act of lying. Also, telling lies to a more virtuous person produces a greater offence than telling lies to a less virtuous person. In Buddhism the most serious cases of false speech are lying in a way that defames the Buddha or an arahat, and falsely claiming to have reached superior spiritual attainment for the purpose of increasing one's own gains and status. For a bhikkhu this second offense can lead to expulsion from the sangha.

2.4.2 Two categories of musāvāda in Buddhism

The Buddha has said, "There are few evil deeds that a liar is incapable of committing" (cited in Phra Maha Samana Chao, 1967, p. 31). Thus practicing the fourth precept helps us preserve our credibility, trustworthiness, and honor. The fourth precept (not to tell lies or resort to falsehoods) is an important factor in social life and dealings. It concerns respect for truth. Respect for the truth is a strong deterrent to inclinations or temptation to commit wrongful acts, while disregarding respect for truth will only serve to encourage evil deeds.

It can be said that the fourth precept prescribes the abstention from telling lies to others in all the circumstances. As the Buddha said, "There, someone avoids lying, and abstains from it. He speaks the truth, is devoted to the truth, reliable, worthy of confidence, not a deceiver of man. Being at a meeting, or amongst people, in the midst
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confidence, not a deceiver of man. Being at a meeting, or amongst people, in the midst of his relatives, or in society, or in the king’s court if someone is called upon and asked as a witness to tell what he knows, he answers; if he knows nothing, he says, ‘I know nothing’. Thus he never knowingly speaks a lie, either for the sake of his own benefit, or for the sake of another person, or another person’s benefit, or for any benefit whatsoever” (A.X.176).

That the Buddha himself always upholds truthfulness is confirmed by his own utterances: “Whatever speech the Tathagata knows to be not fact, not true, not connected with the benefit, and that is not liked by others, disagreeable to them, that speech the Tathagata does not utter. Whatever speech the Tathagata knows to be fact, true, connected with the benefit, but not liked by others, disagreeable to them, the Tathagata is aware of the right time for delivering that speech” (M.I.395).

Violating the fourth precept must be understood as intentional communication, and when the four elements come together this is considered false speech, or musavāda. Section 3 of the Abhidhammatthavibhaviniya pancika nāma athāyōjamā (dutiyo bhāg) explains that in Buddhism there are two characteristics of musavāda:

[662] Musavādo evarīpo ca kammapatho jhūpento dhā sotayātin’ so musavā do parassa... itaro musavādo kammeva (1991, p. 553). The intention to lie is called musavāda and lying that destroys benefits of others is called kammapadha, while lying that does not destroy any benefits is called only kamma.

Furthermore Abhidhammapasanggahapali saha abhidhammatthavibhaviniyanāma abhidhammasanggahatikā (1987, p.169) explains that so parassa attabhedakarova kammapadho hoti itaro kammeva’ it lying that destroys benefits of others is called kammapadha, another is called only kamma.
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For a clear understanding, the concept of lying in Buddhist teaching is described in the *Abhidhammatthavibhaviniyā*. Phrasaddhammachotika Dhammadariya was specialist in the *Abhidhamma* and brought it to Thailand to teach people and to build abhidhammic schools. He explained that if *musāvāda* consisted of the four elements mentioned and caused listeners to believe falsehoods this would be considered *kammapadamusāvāda* and would be violated *kammapadha*. He classified *musāvāda* in Buddhism into two categories:

1. The type that does not lead to hellfire, and
2. The type that leads to hellfire.

The lies that lead to hellfire must be those that cause the listener to believe and result in damage, but if no damage is done to believers, this type of lying cannot lead to hellfire (1996, p.119).

The kinds of lies in Buddhism that don’t lead to hellfire are also called white lies in Western philosophy, societies, and cultures, as defined below:

- a lie that you tell someone in order to protect them or avoid hurting their feelings (*The Longman Dictionary of Contemporary English*, 4th edition);

- a lie that is told to avoid hurting someone’s feelings or to avoid trouble, and not for an evil purpose (*The BBC English Dictionary*).

The researcher also believes that *musāvāda* that does not lead to hellfire (or white lies in the Western concept) is permissible and ethical: many will agree because this helps promote spirituality, social utility, societal welfare, and mutual understanding so as not to do harm to the doer or to others.
2.4.2.1 musāvāda that does not lead to hellfire

The researcher strongly believes that musāvāda that does not lead to hellfire or in western ideas are accepted and called white lies, is ethically excusable, possible but that it must be based on good will (kusalacetana) for the whole society to attain a better life, social benefits, as well as promoting the welfare of people in a country. On ethical problematic issues, Dr Somparn Promta, who is an active and well-known Buddhist scholar, proposed that in some situations lying might be permissible in a Buddhist society if it is important to do so to achieve greater benefits and social welfare for society as a whole (1991, p.147). Another Thai Professor, Dr Wit Wisadavet, has stated that while normally musāvāda is bad, on some occasions — such as the doctor telling a lie to help a patient recover from an illness — we might consider this permissible (1977, p.106).

Other religions also believe that lying can sometimes be excused. The Administrator of Muslim Marriage Link (a service of the Al-Deen Society), Mr Abdurrazaq Bezan, has confirmed that, according to Muslim beliefs, this is true. But Allah’s Messenger has said, “Lying is not appropriate except in three situations:

- when a man chats with his wife to please her
- lying to the enemy in war
- and lying to appease among dissenting people” (http://muslim-marriage-link.com/articles/truth.asp).

To see clearly how musāvāda that does not lead to hellfire can be considered ethically permissible in society and in Buddhism, the researcher cites five examples as case studies for lying does not lead to hellfire or in western philosophy is known as
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white lies that can produce benefits rather than harm for the speaker and for society in Thai is known as *kusalobai* or mercy lying.

**Case one**

Phramaha Wirote wrote in his research about Mr K, who was a village chief. One day a bandit followed the district chief in an attempt to kill him and the district chief ran to Mr K's house to hide. When the bandit arrived he asked Mr K whether he had seen the district chief or not. Mr. K convinced the bandit that he had not seen the district chief and finally the district chief was saved (1991, p.149). The consequence of this lie could save the district chief's life and prevented the bandit from killing another human being. This is considered a white lie that produces benefits for both parties. And, although lying is contrary to Buddhist teaching, it may not lead to hellfire.

**Case two**

Dhammacariya tells this story: A husband and wife who were very poor lived in a small shelter outside of a town. The wife was pregnant, became sick, and wanted to eat the royal food, so she pleaded with her husband to search for this food for her, believing that if she could not have such food she would surely die. Her husband, fearing her death, pretended to be a monk carrying an alms bowl and walked into the king's palace in a concentrated and peaceful way to find the royal food. It was almost lunchtime, and the king was going to have lunch. He then saw monk walking through his palace compound with a concentrated, peaceful character. He was convinced that this monk must not be an ordinary monk, but a monk with transcendental knowledge (an *arahant*). The king then offered food to the “monk” and commanded a close royal guard to follow him quietly to discover where he came from and where he was going.
When the monk arrived at his shelter, he took off his robe and became an ordinary citizen who then gave the food to his wife. The royal guard now knew the whole story and that the man had just pretended to be a monk, but he realized that if he told the king the truth they would be negative consequences for both of them: the king would lose his strong faith and the man who cheated the king would be put to death. Therefore, it was necessary to lie to the king for the benefit of both men. So he told the king that he had followed the monk to a suburb and then the yellow robe had disappeared from sight. When the king heard this he became proud and happy and thought that this monk must surely be an arahant and that his offering (dana) must be a supreme and noble offering (1996, pp. 119-120). This case indicates that the royal guard’s explanation was not true but no damage or harm was caused. On the contrary, the consequence was of benefit and created spirituality for both the king and for Buddhist readers and, although the speaker is considered a liar, this form of musavada does not lead to hellfire.

Case three

In the sangsumarañjatiaka of Buddhism, Bhodhisattava was born as a monkey and was lured by a crocodile to ride on his back to cross the bank of a river. When they came to the middle of the river the crocodile dove into the water and the monkey asked why the crocodile did this. The crocodile explained that he lured the monkey into the river for the purpose of eating his heart, and the monkey replied, “Oh, my heart is not with me – I left it on a tree.” The monkey then pointed to the fruit on a tree and told the crocodile that if he wanted it he would have to take the monkey back to the tree. The crocodile believed this and took the monkey back, where the monkey then jumped into the tree to escape (Dhammacariya, 1996, p. 120). The consequence of this lie was that the monkey could save its life and the crocodile did not destroy a living being. This is
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considered a white lie that produces a spiritually positive deed that benefits both parties. The monkey’s lie is contrary to Buddhist teaching, but should not lead to hellfire. For Buddhist readers, although the monkey is considered a lair, this form of *musāvāda* should not lead to hellfire (*apāyabhumi*).

**Case four**

We have learned from the media that the Thai government tried to prevent people from telling the truth about the strange appearance of ghosts at different beautiful beaches and at resort hotels in southern Thailand after the 2004 tsunami hit. This tsunami disaster killed about 3,000 people – both Thais and foreigners. At the present time, some tourists who go to stay at tourist attractions in the South have had frightening experiences with tsunami “ghosts” appearing in their rooms. When they return home they share these stories of their holiday travels in the South. As a result, the stories of tsunami ghosts have been picked up by the media in Thailand and abroad, scaring away both Thai and foreign tourists who then don’t want to visit these famous and beautiful tourist attractions in the South. The damage caused to tourism and to the local people who earned their living from tourism-related business is incalculable. The media has also reported that many tourist business operators and government officials who would like to promote Thai tourism have said that there are no tsunami ghosts at these tourist spots. This could be considered as lying to the public, but Thai people generally regard this as a necessary action that is ethically defendable and permissible.

**Case five**

Phramaha Wirote cited in his research the case of the medicinal doctor who treated a heart patient. The doctor later discovered that the patient was in the final stage
of cancer and decided to tell the patient the truth – that he was in the final stage of cancer and could live for only two weeks. When the patient learned this, he choked and suddenly died of heart failure. The patient’s relatives condemned the doctor’s act: if the doctor had lied to the patient, perhaps he would have lived longer. In this case the doctor told the patient the truth, as it was his duty to do so. From a Buddhist perspective, medicine is considered as efficacious for people, but the consequence of the doctor’s remarks actually harmed the patient. In this case the educated wise man and ethical person will blame the doctor for a lack of loving kindness to others.

Therefore, the first four cases of mustivtida are considered as lying that does not lead to hellfire (or white lies in Western culture) because of the intent to prevent damage to people and society and are thus based on loving kindness (mettadhama), good will, and good intentions that produce consequences of spirituality, social utility, and general welfare, and do not harm others.

2.4.2.2 Lying that leads to hellfire

Lying that leads to hellfire (apayabhumi), considered “black lies”, can produce guilt, destroy spirituality, and harm society. The gravity of the moral guilt increases in proportion to the degree of benefit destroyed by the act of lying, as mentioned in sections 3.3.1, 3.3.2, and 3.3.3 on Thai tourism scams. These lies are considered to be completely wrong actions, immoral, and blamable – something that ethical people cannot accept. In modern history, the ultimate case study of lying that leads to hellfire is the American invasion of Iraq and the reasons given for it.

The falsehoods, distortions, misrepresentations, exaggerations, fabrications, and deceptions of the current United States government administration to justify this
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invasion rise to the level of the greatest scandals in American – and world – history. When the president and the vice president of the United States rashly ignored their allies and respect for international law to pursue a war built on lies – and when they sanctioned torture – they shook the faith of the world in American ideals and in the moral and ethical integrity of the United States, which Maureen Dowd of the *Washington Post* has called “the United States of Shame”. The most common of these falsehoods are summarized below for a war designed from the outset to mislead the American people and the world.

**Lie #1: Iraq is related to September 11.**

*Fiction.* Iraq was responsible or was somehow connected with the September 11 attacks – based on a claim that a meeting took place in Prague between an Iraq intelligence official and the leader of the September 11 hijackers, Mohammed Atta. Following the first claim there was a constant stream of assertions from US administration officials that Iraq was involved in the US attacks. (These claims were so successful that opinion polls showed that two-thirds of Americas believed that Saddam Hussein was behind the US attacks and almost as many believed that some hijackers were Iraqis.)

*Fact.* Czech intelligence officials later admitted that Atta could not have been the Iraqi’s contact in Prague. Furthermore, no proof has been found that Saddam was behind the September 11 attacks and no Iraqis were aboard the crashed planes.

**Lie #2: Iraq and Al-Qaeda worked together.**

*Fiction.* United States and British leaders repeatedly claimed that Saddam and Osama bin Laden were working together, that Al-Qaeda members were being sheltered
in Iraq, and that they had set up a training camp to produce poisonous and toxic materials.

**Fact.** A leaked British Intelligence Staff report contradicted this falsehood by stating that they could find no links between the two men and that Mr Bin Laden’s “aims are in ideological conflict with present day Iraq”. Also, when US forces reached the alleged camp they found no traces of biological or chemical agents.

**Lie #3: Uranium from Africa.**

**Fiction.** Iraq was seeking uranium from Africa for a “reconstituted” nuclear weapons program.

**Fact.** The head of the CIA now admits that this claim should never have been included in the president’s State of the Union address and that documents supposedly showing that Iraq tried to import uranium from Niger in west Africa were forged. The British Foreign Office, which had formerly stuck by this claim, later said that this information was “under review”.

**Lie #4: Iraq sought aluminum tubes for nuclear weapons.**

**Fiction.** The US government repeatedly claimed that Baghdad tried to buy high-strength aluminum tubes whose only use could be for gas centrifuges to enrich uranium for use in nuclear weapons. At the same time, the International Atomic Energy Agency (IAEA) was saying that the tubes were being used for artillery rockets.

**Fact.** Mohamed El Baradei, the head of the IAEA, told the United Nations Security Council in January of 2003 that these tubes were not even suitable for centrifuges.
Lie #5: Iraq possessed vast stocks of chemical and biological weapons.

Fiction. President Bush used part of his 2003 State of the Union address to talk about Iraq’s vast arsenal of weapons of mass destruction (WMD) as a grave and “imminent threat” to the United States and the world. He defended the war on the grounds that “had we failed to act, the dictator’s weapons of mass destruction programs would continue to this day.” It was claimed that Iraq still had vast stocks of biological and chemical (bio-chem) weapons from the first Gulf War – enough dangerous substances to kill the whole world more than once, it was alleged. It was also claimed that Iraq had pilotless aircraft which could be smuggled into the United States and used to spray bio-chem toxins and that it retained up to 20 missiles that could carry bio-chem warheads with a range that would threaten British forces in Cyprus. In the autumn of 2003, a report released by British Prime Minister Tony Blair said that Iraq could deploy bio-chem weapons with 45 minutes.

Fact. Afterwards the chief US weapons inspector, David Kay, resigned and told the world what the Bush administration had been denying since taking office – that Saddams’s regime had no significant chemical, biological, or nuclear weapons programs or stockpiles still in place, and that UN inspections had found that bombing runs in the 1990s had been much more effective than anyone believed in eroding these programs. Experts have pointed out that apart from mustard gas, Iraq never had the technology to produce materials with a shelf life of 12 years – the time between the two wars – and that such agents would have deteriorated to the point of uselessness years before the Iraq invasion. In addition to the fact that there was no sign of missiles after the invasion, Britain played down the risk of there being any such weapons once the fighting in Iraq began. Some American officials have conceded that the campaign against WMD was just a means to an end – a “global show of American power and
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democracy”, according to American television network ABC News. One official also told ABC News that “We were not lying. It’s just a matter of emphasis.” (The former chief UN weapons inspector, Hans Blix, has called this an example of “shaky intelligence”.)

Meanwhile, on the other side of the Atlantic, a high-level UK source told *The Independent UK* in April of 2003 that intelligence agencies on both sides of the Atlantic were furious that briefings they gave political leaders were distorted in the rush to go to war with Iraq, saying “they ignored intelligence assessments which said Iraq was not a threat.” He also quoted a Middle East newspaper editorial that said, “Washington has to prove its case. If it does not, the world will for ever believe that it paved the road to war with lies.” “You can draw your own conclusions,” he said.

**Lie #6: Saddam was capable of developing smallpox.**

*Fiction.* This accusation was made by then Secretary of State Colin Powell in an address to the United Nations Security Council in February 2003.

*Fact.* In March 2003 the United Nations said there was no evidence to support this claim.

**Lie #7: American and British claims were supported by the inspectors.**

*Fiction.* British Prime Minister Tony Blair said that Iraq’s bio-chem and “indeed the nuclear weapons programme” had been well documented by the United Nations. His Foreign Secretary, Jack Straw, also said that chief UN weapons inspector Hans Blix had “pointed out” that Iraq had 10,000 liters of anthrax.

*Fact.* Mr Blix’s reply? In September of 2002 he said, “This is not the same as saying there are weapons of mass destruction. If I had solid evidence that Iraq retained
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weapons of mass destruction or were constructing such weapons, I would take it to the Security Council.” And in May of 2003 he added, “I am obviously very interested in the question of whether or not there were weapons of mass destruction, and I am beginning to suspect there possibly were not.” In fact, there were not.

**Lie #8: United Nations weapons inspections had failed.**

*Fiction.* Tony Blair made two claims in March 2003 – that the United Nations had “tried unsuccessfully for 12 years to get Saddam to disarm peacefully” and that United Nations inspectors had “found no trace at all of Saddam’s offensive biological weapons programme” until his son-in-law defected.

*Fact.* A United Nations Security Council panel concluded back in 1999 that “Although important elements still have to be resolved, the bulk of Iraq’s proscribed weapons programmes has been eliminated.” On Mr Blair’s second claim, the fact is that the United Nations got the regime to admit to its biological weapons program more than a month before the son-in-law defected.

**Lie #9: Iraq was obstructing inspectors.**

*Fiction.* A dossier issued by the British government (dubbed by journalists the “dodgy dossier”) claimed that escorts for the inspectors were “trained to start long arguments” with other Iraqi officials while evidence was being hidden, that inspectors’ journeys were monitored, and that the targets of inspections were notified in advance to eliminate the element of surprise.

*Fact.* Dr Blix told the Security Council in February of 2003 that the United Nations had conducted more than four hundred inspections – all without notice – covering more than three hundred sites. He added, “We note that access to sites has so
far been without problems: In no case have we seen convincing evidence that the Iraqi side knew that the inspectors were coming.” (It was later discovered that most of the information in the dossier was plagiarized material taken from three articles on the Internet: Alastair Campbell took responsibility for the plagiarism committed by his staff, but defended the accuracy of the dossier, even though it mixed up the names of two Iraqi intelligence organizations and said the one had moved to new headquarters in 1990 – two years before it was even created.)

Lie #10: War would be easy.

_Fiction._ The public in the United States and in Britain were given assurances by their leaders that, according to Kenneth Adelman, a senior Pentagon official in two previous Republican administrations, “demolishing Saddam Hussein’s military power and liberating Iraq would be a cakewalk” and that the long-pressed Iraqis would welcome the invading forces with open arms. Defense Secretary Donald Rumsfeld and others told anyone who would listen that policing Iraq would be a simple matter that could be quickly delegated to the Iraqis. When this proved not to be true, it was claimed that as soon as Saddam was captured, the violence would subside. Americans and Iraqis were told that the people of Iraq knew that every effort was made to spare innocent lives and to help Iraq recover from three decades of totalitarian rule. They were told that the United States was devoting unprecedented attention to humanitarian relief and to preventing unnecessary damage to infrastructure and loss of human life.

_Fact._ After the capture of Saddam, President Bush admitted that “The capture of Saddam Hussein does not mean the end of violence in Iraq.” In the weeks after Saddam’s capture, the number of US soldiers killed actually increased, several helicopters were shot down by enemy fire, and there were 18 attacks on Christmas Day
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alone, including nine simultaneous rocket grenade attacks on embassies, apartments, and the "green zone", the headquarters of the former Coalition Provisional Authority. Americans killed in action as of September 2005 are "officially" reported as approaching 2,000. This is in addition to thousands upon thousands of dead innocents along with insurgent deaths in documented and undocumented skirmishes and attacks resulting from a war based on lies. The Oxford Research Group Iraq body count project has compiled these depressing statistics:

- Total civilians estimated killed since the start of hostilities: more than 100,000, with tens of thousands more wounded;
- Civilians estimated killed (excluding soldiers, recruits, and insurgents) in two years from March 20, 2003 through March 19, 2005: 24,865;
- Estimated number of injuries for every death: 3;
- Estimated number of Baghdad civilians killed violently since March, 2003: 1 of every 500;
- Estimated number of Fallujah civilians killed violently since March, 2003: 1 of every 136;
- The vast majority of the estimated 9,270 civilian killings by US-led forces occurred between March 20 and April 30, 2003: 6,882, or 163 per day.
- Estimated civilian deaths for the eight-month period from April through November 2004: 2,038, or 8 to 9 per day.

Here is an example of what is becoming an all-too-common casualty "incident": CNN reported on August 30, 2005 that four 500-pound bombs were dropped on insurgent safe houses outside Husayba in western Iraq near the Syrian border by the 2nd Marine Expeditionary Force. The death toll: 7 insurgents, 56 civilian innocents. So this has not
exactly been a "cakewalk". Or as one commanding general put it, "This wasn't the enemy we war-gamed against."

Lie #11: Iraq as a democratic model

**Fiction.** Because other justifications for this war cannot be supported, secondary misrepresentations such as this moral justification are now being emphasized. The president has told us that a stable, sustainable democracy can and is being established in Iraq. Even as recently as September 24, 2005 the president made a statement at the Pentagon, surrounded by his Joint Chiefs of Staff, and talked about how he was moving to "develop a secure democracy in Iraq".

The rationale is that all of the immoral means that have been used — including torture and the killing of innocents — can justify a noble end if we can just "bring democracy to Iraq", in the words of *New York Times* columnist Thomas Friedman.

**Fact.** On the same day that the president spoke, the Saudi foreign minister was in Washington saying that Iraq was being lost — a point that other Sunni Arab leaders have been making privately for some time. The Iraqi populace is polarized and cannot agree on any of the prerequisites for a democratic society, including a constitution, with tens of thousands marching in the streets to demand one-man, one-vote elections. But with no experience in democratic institutions, the US Central Intelligence Agency (CIA) now considers civil war in Iraq a serious possibility.

These types of *musāvāda* that lead to hellfire, considered as black lies, are based on *akusala-citta* (wrong views) such as *lobha* (wanting or coveting), *dosa* (thinking of harming others), and *moha* (delusion or false understanding). In addition, in considering which actions (*kamma*) are right or wrong, Buddhists not only consider intentions to determine if actions are justified, but also consider the consequences of such actions. In
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this case, the consequences of the Iraq war have been horrendous. Black lies can lead to hellfire as mentioned in comments on the disadvantages of *musāvāda* in section 2.4.4 below.

2.4.3 Advantages of avoiding *musāvāda* in Buddhism

In Buddhist teaching, the fourth precept (not to tell lies or resort to falsehood) is an important factor in social life and dealings. It concerns respect for truth. A respect for truth is a strong deterrent to inclinations or temptation to commit wrongful actions, while disregard for the truth will only serve to encourage evil deeds. Practicing the fourth precept, therefore, helps to preserve our credibility, trustworthiness, and honor.

Early Buddhism, which did not recognize caste distinctions, evaluated the karmic quality of an act using moral and ethical criteria. Especially important are the mental factors involved in committing a deed that determine its consequences or "fruits" (*vipāka*). In Buddhist teaching the word "advantage" is rendered as *anisong*, meaning "good result", "benefit", or "meritorious result" (Royal Institute, 1987, p. 917). The observance of the Five Precepts enables us to gain the good advantages. As the Buddha said,

Whoever murders living beings,
Is speaking words that are not true,
Take what does not belong to him,
Seduces wives of other men,
And drinks intoxicating drinks,
To which he ever strongly clings:
A man who does not shun these evils,
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Has no morality indeed;
And when his body once dissolves,
That fool will fall to deepest hell.
Who does not harm to anyone,
Does never utter any lie,
Does not seduce his neighbor’s wife,
Does never wish in all his life
To drink intoxicating drinks:
A man, who shuns these evils five,
He’s rightly called a virtuous man;
And when his body once dissolves,
This wise man rises heaven-ward (A.V.174).

In addition, some Buddhist books that lay people use for studying basic Buddhist teaching have described the advantages of avoiding *musāvāda* in Buddhism:

- Having a good personality
- Having a beautiful tongue
- Having good teeth
- Not being overweight
- Not being too thin
- Not being too tall
- Not being too short
- Not having bad breath
- Being forever happy
- Having diligent subordinates
- Being truthful
• Having a peaceful mind

• Having clear and fluent speech (Thanachart, 1987, pp. 237-8).

In summary, practicing the fourth precept instills a respect for truth in the mind, implying both one's own obligations as well as the rights of other people to truth. This is one of the most important factors in developing sound social relationships, and it makes all documents, contracts, agreements, deeds, and business dealings meaningful. When we resort to falsehood, we not only become dishonest but also show a lack of respect for the truth. People who tell lies discredit themselves and become untrustworthy.

2.4.4 Disadvantages of musāvāda in Buddhism

Buddhism teaches that the extent of moral guilt for a transgression depends on the amount of benefit destroyed by the act of lying and the virtues of the deceived person. The gravity of the moral guilt increases in proportion to the greatness of the benefit destroyed by the act of lying. Also, telling lies to a more virtuous person is a greater offence than telling lies to a less virtuous person. The evil effects of musāvāda in Buddhism, the researcher would like to analyze into three categories:

1 – Kammic penalties

2 – Buddhist penalties

3 – Worldly penalties.

2.4.4.1 Kammic penalties

Buddhists have been taught that kamma is a Pali word meaning “actions”. It is called karma in Sanskrit. In its general sense kamma means all good and bad actions. It
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covers all kinds of intentional actions whether mental, verbal, or physical, including thoughts, words, and deeds. In its ultimate sense *kamma* means all moral and immoral volition. In the *Tipitaka*, the Lord Buddha says, “Mental volition, O Bhikkhus, is what I call action (*Kamma*). Having volition one acts by body, speech and thought” (A.III). Etymologically, *kamma* means actions which will bring the evil effect from the former to the present (Royal Institute, 1987, p. 12).

According to the *Abhidhamma-sangahadhiha*, *kamma* is actions through body, speech, and mind. The Buddha has said, “All living beings have actions (*kamma*) as their own, their inheritance, their congenital cause, their kinsmen, their refuge. It is *kamma* that differentiates beings into low and high states” (M.III.30). In terms of its qualities, or its roots, *kamma* can be divided into two main types:

1. **Akusala-kamma** - *kamma* that is unskillful, actions that are not good, or are evil; specifically, actions that are born from the *akusalamula*, the roots of unskillfulness, which are greed, hatred, and delusion;

2. **Kusalakamma** - *kamma* that is skillful or good; specifically, actions that are born from the three *kusalamula*, or roots of skill, which are non-greed, non-hatred, and non-delusion. The Buddha has said:

   As the seed, so the fruit.
   
   Whoever does good, receives good,
   
   whoever does bad, receives bad (Sn.I.27).

In Buddhist teaching, *kamma* is also classified according to its particular function:

1. **Janaka-kamma** (Regenerative *kamma*), which conditions the future birth;

2. **Upatthambaka-kamma** (Supportive *kamma*), which assists or maintains the results of already-existing *kamma*;
3 *Upapilaka-kamma* (Counteractive *kamma*), which suppresses or modifies the result of the reproductive *kamma*; and

4 *Upaghataka-kamma* (Reproductive or destructive *kamma*), which destroys the force of existing *kamma* and substitutes its own resultants.

There is also another classification according to the priority of results:

1 *Garuka-kamma* (Serious or weighty *kamma*), which produces its resultant in the present life or in the next life for certain. According to Buddhist teaching, there are five kinds of *garukamma* or *anantatariyakama* –

- Killing one's own mother
- Killing one's own father
- Killing an arahat
- Wounding the Buddha
- Causing a split among the community of Buddhist monks (Khamdee, 1991 p. 98).

2 *Asanna-kamma* (Death-proximate *kamma*) is an action taken at the moment before death either physically or mentally (by thinking of one's own previous good or bad actions, or having good or bad thoughts). This is the *kamma*, which, if there is no weighty *kamma*, determines the conditions of the next birth.

3 *Acinna-kamma* (Habitual *kamma*) is an action that one does repeatedly. This *kamma*, in the absence of death-proximate *kamma*, produces and determines the next birth.

4 *Katatta-kamma* (Reversed *kamma*) is the last in the priority of results. This is the unexpended *kamma* of a particular being and it conditions the next birth if there is no habitual *kamma* to operate (Dhammacariya, 1996, p.1).
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However, P. A. Payutto's *Dictionary of Buddhism* classifies *kamma* according to the time of ripening or taking effect:

1. *Dithadhammaedaniya-kamma* - *kamma* to be experienced here and now (immediately effective *kamma*);
2. *Upapajja-vedaniyakamma* - *kamma* to be experienced on rebirth (*kamma* ripening in the next life);
3. *Aparapariyavedaniya-kamma* - *kamma* to be experienced in some subsequent becoming (indefinitely effective *kamma*);
4. *Ahosi-kamma* - lapsed, defunct (*kamma* that is ineffective or *kamma* that does not produce any results) (1985, p. 297).

Much retribution for *musaivāda* in Buddhism has been identified by Buddhist texts. For example, Waithayasewee describes eight evil effects of lying:

1. Unclear speech
2. Irregular teeth
3. Bad smell breath
4. High body temperature
5. Poor eyesight
6. Speech using the tongue
7. Poor personality
8. Mental illness or instability (p. 228).

In addition, websites work to promote Buddhism for people around the world to study Buddhism and give examples such as these:

“He who always lies goes to hell
And he who denies what he has done.
These two, the men of base action,
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Share the same destiny in the world to come.”

(\url{http://dharma.school.net.th/dmbot/drandam.html})

Whereas Sayadaw U Thittila gives the effects of lying as:

- being tormented by abusive speech
- being subject to vilification
- losing one’s credibility
- bad breath.

(\url{http://www.buddhistinformation.com/what_kamma_is.htm})

A Buddhist treatise by Sri Dhammananda says that the negative consequences of lying for the one who performs the act are being subject to abuse and vilification, untrustworthiness, and physical disabilities (1987, p. 159).

2.4.4.2 Buddhist penalties

Violating the rules of discipline (*vinaya*), and thus incurring a penalty for the guilty *bhikkhu*, is called *apatti*, which means “reaching” or “committing”. According to the rules of Buddhist discipline the offences for which penalties are laid down are classified into five categories depending on their nature:

1. *Parājika*
2. *Samghadisesa*
3. *Thullaccaya*
4. *Pācittiya*
We know that the fourth parajika says, “A bhikkhu who boasts of uttarimanussadhamma (i.e., states of Dhamma superior to the human state), which he has not in fact attained, commits a parajika” (Ibid., p. 5).

An offence in the first category of offences (parajika) is classified as a grave offence (garukāpatti) which is irremediable (atekccha) and requires the offender to leave the monkhood. However, offences called lahukapatti are remediable and incur the penalty of having to confess the transgression to another bhikkhu. After carrying out the prescribed penalty, the bhikkhu transgressor becomes cleansed of the offence.

2.4.4.3 Worldly penalties

According to Thai law, a person will be criminally punished only when the act is considered to be an offence and if the punishment is defined by the law in force at the time of committing the act. The punishment for the offender will be as provided by the law (Dulayassartpativeth, 1993, p. 3). Under Thai law, anyone who gives false information likely to cause damage to another person or to the public generally violates four sections of the criminal code:

Section 137 - Whoever gives any false information to any official, and is likely to cause damage to any person or to the public, shall be punished with imprisonment not exceeding six months or a fine not exceeding one thousand baht, or both;

Section 172 - Whoever gives any information concerning a criminal case which may likely cause damage to another person or to the public, to the public prosecutor, officials conducting cases, or inquiry officials who have the power to investigate criminal cases, shall be punished with imprisonment not exceeding two years or a fine not exceeding four thousand baht, or both;
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Section 173 - Whoever gives information of an offence which he knows not to have been committed to an inquiry official or an official who has the power to investigate criminal cases shall be punished with imprisonment not exceeding three years and a fine not exceeding six thousand baht;

Section 267 - Whoever, in a manner likely to cause damage to another person or to the public, causes an official in the course of his duties to make any false entry in a public or official document with the purpose of using it as evidence, shall be punished with imprisonment not exceeding three years or a fine not exceeding three years or a fine not exceeding six thousand baht, or both (Ibid., pp. 53-89).

Phra Sompong mentions in his thesis that those who violate the fourth precept (musāvāda) violate the penal code as well by:

- Giving false information
- Giving false evidence
- Taking false information
- Translating incorrect information
- Fabricating evidence
- Adducing or producing false information (Tikkhadhammo, 1998, pp.155-8).

2.5 The Buddhist ethical justification and assessment of right and wrong

In Buddhist ethics, we accept that intention is considered to be morally determinative and is considered as kamma as given in the Buddha’s words, “Cetana ham bhikkhave kammavadāmi: Bhikkhus! Intention, I say, is kamma. Having willed, we create kamma, through body, speech and mind” (A.III.415). In addition, in considering
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which actions (*kamma*) are right or wrong, Buddhists not only consider intentions to
determine if actions are justified, but also consider the consequences of such actions.
Promta has said that to determine whatever action (*kamma*) is right or wrong, Buddhists
propose two ways: 1) to inquire about the root of the action or intention; and 2) to
inquire into the fruits of those actions or their consequences (1992, p. 46).

To inquire into the root of actions, Buddhists believe that there are two main
roots that cause intention to be right or wrong—*kusalamūla* (wholesome) and
*akusalamūla* (unwholesome). In the Buddha’s words,

What are skilful (*kusala*) conditions? They are the three roots of skillfulness—
non-greed, non-aversion and non-delusion; feeling, perceptions, proliferations
and consciousness which contain those roots of skillfulness’; bodily *kamma*,
verbal *kamma* and mental *kamma* which have those roots as their base. These are
skillful conditions. What are unskillful (*akusala*) conditions? They are the three
roots of unskillfulness—greed, aversion and delusion and all the defilements
which arise from them; feelings, perceptions, proliferations, and consciousness
which contain those roots of unskillfulness; bodily *kamma*, verbal *kamma* and
mental *kamma* which have those roots of unskillfulness as a foundation: these
are unskillful conditions (Dhs.181).

On the subject of *kusala* and *akusala*, P. A. Payutto has said, “*Kusala* can be
rendered literally as ‘intelligent’, ‘skilful’, ‘content’, ‘beneficial’, ‘good’, or ‘that which
removes affliction’. *Akusala* is defined in the opposite way as ‘unintelligent’,
‘unskilful’, and so on . . . *Kusala* and *akusala* are conditions which arise in the mind,
producing results initially in the mind, and from there to external actions and physical
features. The meaning of *kusala* and *akusala* therefore stress the state, the contents, and
the events of mind as their basis” (1993, pp. 17-18).
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In summary, when a man's intentions are driven by kusalmula his actions are considered to be right actions, and when his intentions are driven by akusalamula his actions are considered to be wrong actions. In inquiring into the fruits of one's actions or their consequences, Buddhists accept that intentions are a primary consideration in determining whether actions are right or wrong, but not sufficiently to justify the rightness and wrongness completely. The fruits of those actions must be considered as part of the justification as well.

How can we know whether the fruits of our actions are right or wrong? On this, the Buddha has said, "Those who perform kamma will usually be troubled by it later. Having performed bad kamma, their faces are soaked with tears as they cry. Having performed kamma and not been troubled by it later, that kamma is good kamma" (Dh.60). He has also said, "Listen, Kalama. When you know for yourselves that these things are unskillful, these things are harmful, these things are ensured by the wise, these things, if acted upon, will bring about what is neither beneficial nor conductive to welfare, but will cause suffering, then you should abandon those things" (A.I.189).

On this point, Payutto arranges the Buddhist criteria for assessing good and evil and proposes considering primary and secondary factors. He says that the criteria for assessing good and evil are: In the context of whether an action is kamma or not, to take intention as the deciding factor; and in the context of whether that kamma is good or evil, to consider the matter against these factors:

**Primary factors**

- Inquiring into the roots of actions, whether the intentions for them arose from one of the skillful roots of non-greed, non-greed, non-aversion or non-delusion, or whether from one of the unskillful roots of greed, aversion or delusion;
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- Inquiring into the effects on the psyche, or mental well being:
  whether actions render the mind clear, calm and healthy;
  whether they promote or inhibit the quality of the mind;
  whether they encourage the arising of skilful conditions
  (*kusala*) and the decrease of unskilful conditions, or vice versa;

**Secondary factors**

- Considering whether one's actions are censurable to oneself or not
  (conscience);
- Considering the quality of one's actions in terms of wise teachings;
- Considering the results of those actions -
  - towards oneself
  - towards others.

Payutto further summarizes standards for good and evil—or good and bad
*kamma*—in two ways: 1) strictly according to the law of *kamma* as well as in relation to
social conventions; and 2) on an intrinsic moral level as well as on a socially prescribed
level. He does this by asking three types of questions:

1. Are these actions beneficial to life and the mind? Do they contribute to the
   quality of life? Do they cause *kusala* and *akusala* conditions to increase or
   wane? Are they of benefit or are they harmful to society? Are they harmful
to others or helpful to them?

2. In terms of conscience, the natural human reflexive capacity: will that
   *kamma* be open to censure to oneself or not?

3. In terms of social standards, what is the position of actions in relation to
   those religious conventions, traditions and customs, including such social
An analysis of *musāvāda* (false speech) according to Theravāda Buddhism institutions as law and so on, which are the bases of wise reflection (as opposed to those which are simply superstitious or mistaken beliefs)? (1993, pp. 28-29).

2.6 Conclusion

According to Buddhism, the practice of the fourth precept aims at inculcating a respect for truth in the mind, implying both one's own obligations as well as the rights of other people to truth. This is one of the most important factors in developing sound social relationships, and it makes all documents, contracts, agreements, deeds, and business dealings meaningful. When we resort to falsehood, we not only become dishonest but also show disrespect to the truth. People who tell lies discredit themselves and become untrustworthy.

Whereas the researcher agrees with this Buddhist belief that lying is wrong, some conditions and situations in the real world make it possible to lie if this promotes happiness, greater understanding, harmony within society, and spirituality that brings about world peace: this is called *kusalobai* or mercy lying.

The determinative factor behind the transgression is the intention to deceive. If one speaks something false believing it to be true, there is no breach of the precept as the intention to deceive is absent. Though the deceptive intention is common to all cases of false speech, lies can appear in different guises depending on the motivating root, whether greed, hatred, or delusion. Greed as the chief motive results in the lie aimed at gaining some personal advantage for oneself or for those close to oneself as it does with the Thai tourist scams. With hatred as the motive, false speech takes the form of the malicious lies, the lies intended to hurt and damage others. When delusion is the
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main motive, the result is a less harmful type of falsehood—the irrational lie, the compulsive lie, the interesting exaggeration, lying for the sake of a joke.

The evil effects of *musāvāda* in Buddhism are classified in this study into three categories: Kammic penalties, Buddhist penalties, and worldly penalties.

In Buddhism, to avoid *musāvāda* people should observe good moral conduct or virtue (*sīla*) as a practice to restrain the unwholesome acts of body and speech. When a person is free from any sin of bodily and verbal misconduct, he is said to have kept or observed *sīla* properly. In brief, whatever is a restraint from all vicious and sinful acts or evil is called *sīla*. Good moral conduct is, therefore, the very foundation of progress towards enlightenment or supreme wisdom, which means real peace and happiness in life.

In Buddhism *kusala* and *akusala* are mental qualities, and right or wrong actions that initially affect the conditions of the mind. From this source of actions, *kamma* is performed through the body, the speech, or the mind itself. Thus wholesome or unwholesome actions are generally determined by the condition or the contents of the mind. *Kusala* thus represents the mental conditions that promote mental quality, and *akusala* causes mental degeneration and lowers the quality and efficiency of the mind. Therefore we should strive to practice only *kusalakama*. 
Chapter III

The concept of musavada and the Thai tourist scams

3.1 The historical background of tourism

Tourism is a collection of activities, services, and industries that delivers a travel experience, including transportation, accommodations, eating and drinking establishments, retail shops, entertainment businesses, activity facilities, and other hospitality services provided for individuals or groups traveling away from home. The World Tourism Organization (WTO) claims that tourism is currently the world's largest industry with annual revenues of over 3 trillion dollars. Tourism provides over six million jobs in the United States alone, making it the country's largest employer.

Since the beginning of time humans have traveled for food, water, safety, or to acquire resources (trade). But the idea of travel for pleasure or exploration soon emerged. Travel has always depended on technology to provide the means or mode of travel. The earliest travelers walked or rode domesticated animals. The invention of the wheel and the sail provided new modes of transportation. Each improvement in technology increased individuals' opportunities for travel. As roads were improved and governments stabilized, interest in travel increased for education, sightseeing, and religious purposes.

For example, in the Buddhist text, Mahavagga, the Buddha says,

Oh monks you should go forth, for the welfare of the many, for the happiness of the many, out of love and compassion for the world, for the happiness of the deities and men . . . . You should preach the Dhamma excellent in the beginning,
excellent in the middle, excellent in the end, complete in meaning and in words. You should promote the holy life, extremely good and extremely pure (Vin.I.20).

As in this brief passage, we can see that tourism originated from people moving and traveling more. In former times, however, reasons for traveling were different from those today. Formerly people had to travel because of trade, goods exchanges, pilgrimages, wars, and hunger. These movements led to the need for accommodations, facilities, and services, for such things as large sporting events.

Having looked at the process of people moving from place to place, scholars, writers, studies, and educational media have developed various definitions of tourism.

3.1.1 Definition of tourism

Tourism is one of the world’s fastest growing industries as well as the major source of foreign exchange earnings and employment for many developing countries, including Thailand. It is also focusing more and more on natural environments. But the demands of tourism can contribute to the destruction of the natural and cultural environment—as discussed in this paper—which it depends on. We must find ways to protect those environments for present and future generations. As tourism has become more popular and profitable in our country some of us who work in this field know the real meaning and in-depth details of this industry in Thailand. Since the researcher has been a tour guide for many years, he would like to share the most common definitions of tourism here.

The word “tourism” is a combination of the Latin tornare and the Greek tornos, which was a lathe or circle. In modern English, with the suffix “-ism”, tourism became
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The action of movement in a circle. You can imagine someone leaving home for a particular destination, then returning home again, and making a round trip. Adding the suffix "-ist" gives us a person who performs an action—a tourist who takes such a trip. (The tourist is usually interested, among other things, in a destination's climate, culture, or its environment.)

Although the term "tourism" seems to be understood generally, those who try to define it precisely find it difficult to pin down. In fact, one of the major problems in studying tourism is to define it. The meaning has changed over time and different people use the word differently. Since a standard international definition of tourism is needed to compare and report statistical data, to research tourism as a field of study, and for measurement purposes the International Conference on Travel and Tourism Statistics, organized by Tourism Canada and the World Tourism Organization in Ottawa in June 1991 recommended this definition: "The activities of a person travelling to a place outside his or her usual environment for less than a specified period of time and whose main purpose of travel is other than the exercise of an activity remunerated from within the place visited." (http://www2.hawaii.edu/~kkawahat #The History of Tourism)

The term "tourism" in international standards is not restricted only to leisure activities, but also includes business travel or travel for other reasons such as education provided that the destination is outside the person's usual environment. However, there is an important distinction between travel and tourism: travel is a broad concept that includes commuting to a place of work, migration, and travel for business or leisure.

Tourism is classically regarded as traveling for recreation, although this definition has been expanded in recent years to include any travel outside of one's normal working or living areas. Definitions by others have included these:
• "The organized activity of tourism, of visiting a place and experiencing its unique qualities and something most people have taken part in. Whether it is the common holiday camping trip, or an overseas odyssey, everybody is involved in the business of tourism." (http://www.lopdell.org.nz/online/aic/tour.htm)

• "The sum of the phenomena and relationships arising from the interaction of tourists, business suppliers, host governments and host communities in the process of attracting and hosting tourists and other visitors." (Macintosh and Goeldner, 1986; cited at http://www.prm.nau.edu/prm300/what-is-tourism-lesson.htm)

• "The sum of the phenomena and relationship arising from the travel and stay of nonresidents, in so far as they do not lead to any permanent residence and are not connected with any earning activity" (definition of the International Association of Scientific Experts in Tourism cited in Dodson and Courtney, 1994, p. 4).

• "The activity of people visiting a place on holiday, and the providing of services for these people" (BBC, 1993, p. 1196).

• "Refers on one hand to the act of traveling and on the other hand to the modern multibillion-dollar industry that caters to the tourist's need for transportation, accommodation, food, entertainment, recreation, health, souvenirs, and social contact." (http://hyperdisc.unitec.ac.nz/ia02s2/lug02/def.html)

• "All of the events and relationships that arise from the travel and stay of nonresidents, when they do not lead to permanent residence and are not connected with work and include five main characteristics:

1 There is a movement of people to various destinations and their stay at these destinations;

2 There are two elements—the journey to the destination and the stay at the destination, including all activities there;
The concept of *mustivida* and the Thai tourist scams

3 The journey and the stay take place outside the normal place of residence, so tourism gives rise to activities which are very different from those of the resident and working populations where the tourists originated;

4 The movement to destinations is temporary and short-term, with the intention to return within a few days, weeks, or months;

5 Destinations are visited for purposes other than taking up permanent residence at the places visited" (Burkart and Medlik, 1981, p. 41).

Tourism is different from travel. For tourism to occur there must be a displacement: individuals have to travel, using any type or means of transportation; they might even travel on foot. Nowadays this often happens in poorer societies and even in more developed ones for pilgrims, hikers, etc. But all travel is not tourism. Three criteria have been used to classify a trip as tourism:

1 It involves a displacement outside the usual environment: this is of the utmost importance;

2 Travel must occur for any purpose other than being remunerated from within the place visited. The previous limits—where tourism was restricted to recreation and visiting family and friends—have now been expanded to include a vast array of purposes;

3 Tourism can take place with or without an overnight stay.

(http://www.world-tourism.org/statistics/tsa_project/TSA_in_depth/chapter3-1.htm)

It is accepted that tourism's origins, and the present motivations of tourists, seem to point to the need to find and experience places which are new or at least different from those in everyday life. The tourist's appreciation of places visited depends on what
is encountered and how those encounters are interpreted and remembered. The next question in people’s minds might be how tourism originated and developed.

3.1.2 The origins and development of tourism

The origins of tourism? Depending on which definition of “tourism” you use, you could go back as far as 40,000 years! At that time, many scientists believe, North America’s first “visitors” walked over a land bridge that no longer exists across the Bering Strait from Asia. These first “tourists” were nomadic and traveled great distances because of their need to hunt.

Primitive peoples started moving away from their normal habitats—sometimes great distances—to search for the necessities of life such as food, clothing, and shelter. People later began to travel for other reasons as well. This was sometimes caused by wars. Others traveled to escape the extreme cold of winter or the extreme heat of summer, in search of different types of food, and to see natural beauty. Then, of course, there was trade. Soon after 8,000 B.C., after the end of the first Ice Age, traders were traveling from coastal areas inland using seashells for money which opened up new opportunities.

Originally people traveled around the world for these purposes:

- To search for new settlements
- To communicate for trading
- To establish relationships
- To improve their health (Markjaeng, 1991, p. 5).

The development of tourism came about through travel for a combination of purposes: trade, exploration, conquest, religious journeys, and leisure. The first routine
reasons for organized travel seems to have been the pilgrimages during the Egyptian era (before the 5th century B.C.): tourism seems to have existed mainly so that the Egyptians could visit their shrines.

The Greeks also traveled on pilgrimages. In addition, the wealthy had various tourism options. They traveled to attend athletic events and competitions such as the Olympics as well. They also had something similar to what we call "summer vacation" when they traveled to the islands of Delos and Mykonos to swim and relax. They could escape from the stresses of urban life by staying at leisure resorts on the outskirts of crowded cities or at seaside resorts. Baiae, a town on the Bay of Naples, was known as the ultimate in luxury resorts. Near Antioch, the town of Daphne was famous for its hot springs. During the Hellenistic period (after the 4th century B.C.) the Greeks originated the practice of welcoming visitors (called hospitaritas) in the spirit of humanism. The Greeks treated visitors as sacred persons who were given protection by the god Zeus and provided them with free bread and wine. The historian Arnold Toynbee has said that this spirit of hospitaritas was considered to be a supreme virtue.

During the Roman era, travel flourished for all sorts of purposes. These included:

- Sampling the food and wine of other regions, with the wealthy calling these
  tourismo enologico;
- Visiting the baths, which was an activity that became famous in history,
  took place in many locations. Rome had a famous bath, as did Pompeii.
  Cities in southern Italy were also famous for various types of mineral
  waters.
  Travelers were given further incentives to visit these locations with theaters
  and casinos to entertain them;
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- Sightseeing in Rome itself allowed tourists to visit the Coliseum and the Forum. In addition, wealthy Romans could visit the Seven Wonders of the world—the pyramids, the pharaohs of Alexandria, the Hanging Gardens of Babylon, the Colossus of Rhodes, the Statue of Zeus, the Temple of Artemis, and the Tomb of Mausolus at Halicarnassus; and

- Escaping the summer heat.

Tourism thrived in the Roman Empire for several reasons: The key reason was a well-developed system of roads, built by highly skilled road builders to give the Roman legions access to parts of the empire and to facilitate trade. The Appian Way, for example, called the “Queen of Roads” (*regina viarum*) which helped to link Rome and Greece is famous even today, as are the seven roads that led from Rome. In addition to the Roman Imperial cavalry and traders, wealthy citizens using chariots to travel for leisure used these cobblestone roads. Other reasons included:

- A stable monetary system
- Safe traveling conditions
- Inns to accommodate tourists along the Roman-built roads
- Stronger horse-drawn vehicles.

The fall of the Roman Empire in 476 brought travel and tourism to a stop because of a ruined infrastructure, lack of public safety, and stalled growth. This era was called the Dark Ages and lasted for almost 600 years.

In 982 A.D. the Viking warrior, Eric the Red, traveled from Norway with a group of 400 colonists who became the first Europeans to settle in North America. They settled in what is now Greenland. Later, in 1001 A.D., Eric’s son, Lief, and a crew of 35 men landed in Newfoundland. Pilgrimages once again returned. For example,
between the ninth century and the twelfth century, many pilgrims traveled in groups
with tour guides from Italy to a church in the northwestern Spanish town of Padoran
called Santiago de Compostela where the graves of the apostle James and two of his
followers were located.

(http://www.2.hawaii.edu/~kkawahat3The History of Tourism)

But it was The Crusades between 1096 and 1272 that helped to bring back
tourism through stories spread by soldiers returning from the East. During the Middle
Ages (1100-1500) travel continued to increase. In 1275 Marco Polo and his uncle
traveled from Venice across the Gobi Desert to the Forbidden City of Peiping and met
Kublai Khan. In 1292 Marco Polo returned to Venice and wrote a wildly popular book
about his adventures, which became the number one topic of conversation throughout
Europe (Foster, 1994, p. 7).

Tourism, which for was centuries restricted only to wealthy aristocrats,
gradually became possible for large numbers of middle-class tourists as travel became
cheaper, as societies became richer, and as people lived longer and could enjoy more
vacation and leisure time. Now tourists from around the world travel in greater numbers
each year to –

- see great buildings or works of art
- view beautiful natural attractions and scenery
- learn new languages
- sample different cuisine
- soak up local cultures and history
- enjoy other climates and environments
- escape the stresses and pressures of everyday life and work.
After thousands of years of evolution, organized tourism today has become a major industry worldwide, with many national economies relying heavily on the foreign exchange it brings in: in fact, for some economies it is the top foreign-exchange earner. Tourism is also one of the economic sectors most affected by the new global information society. Larger disposable incomes, more available leisure time, and steady decreases in transportation and communication costs have meant that more and more people travel and vacation today worldwide. Fewer restrictions on travel across borders in all regions have resulted in greater movements of tourists around the world. The latest development—for those who have grown tired of tourism on earth—is for wealthy tourists to hand over millions of dollars to join astronauts in space: the next "tourist" to fly to the International Space Station will pay $20 million (about 800 million baht) for his trip. And it is predicted that the next destination will be the moon!

As we can see, the growth of tourism has never stopped, and more people than ever before are traveling to enjoy exciting new experiences. Many countries around the world, including Thailand, are trying to promote their countries in various ways through tourism organizations.

3.2 Tourism in Thailand

3.2.1 The Tourism Authority of Thailand and its role

As mentioned, the reasons for traveling in former times were different from today. Formerly people traveled because of trade, goods exchanges, pilgrimages, wars, and hunger, but now people travel for pleasure to try new food, to learn about different cultures, to make romantic and sex contacts in exotic locations, and so on. Therefore
there must be an organization to take responsibility for tourists’ safety, enjoyment, and happiness.

Thus the Tourism Authority of Thailand (the TAT) was established on March 18, 1960 as the first organization in Thailand responsible specifically for promoting tourism. The TAT supplies information and data on tourist areas to the public, publicizes Thailand to encourage Thai and international tourists to travel in Thailand, conducts studies to set development plans for tourist areas, and cooperates with and supports the development of personnel in the field of tourism.

Since opening its first domestic office in Chiang Mai in 1968, the TAT has established 21 more domestic offices throughout Thailand. They have also established many overseas offices, with the first being the New York office in 1965. The TAT has since established 15 more offices in different parts of the world over the past 30 years. The prime responsibility of the TAT is to promote better understanding of tourism issues within the TAT and among state agencies and the private sector. The TAT then assumes a leadership role in developing clear vision and mission statements for the Thai industry in general, working jointly with state agencies and private sector representatives.

The TAT is charged with five major overall responsibilities:

1. To promote the tourism industry as an important instrument in helping to solve the country’s economic problems, increasing the country’s income, and creating jobs for people in such a way that tourism can play a role in developing the quality of life all regions of the country in line with government policy;

2. To develop proactive marketing strategies designed to reach new markets in
addition to niche markets in order to attract more "quality tourists" to visit Thailand while at the same time strongly encouraging domestic travel among Thais. As part of these efforts, Thailand must be clearly positioned in the market;

3 To promote cooperation in promoting the development of tourist markets at all levels, both domestic and international and to eliminate barriers to developing the tourist industry so that Thailand can become a tourism hub for Southeast Asia;

4 To improve management and organizational development within the TAT as well as developing human resources so that TAT employees can become a driving force within the operation. This means strengthening the role of the TAT to meet international competition while practicing good governance, and developing both technical skills and marketing knowledge and ability;

5 To accelerate IT development for tourism by accommodating business information and E-tourism on the Internet. This includes developing electronic commerce and applying IT to marketing activities.

More specific responsibilities include –

- coordinating between the public and private sectors to ensure that there is a common direction and goal in implementing national policy by various government agencies as well as the private sector;

- orchestrating all joint tourism-related activities and efforts to achieve broader goals as defined by national policy;

- facilitating implementation of various initiatives and taking responsibility for identifying resource needs, matching these with available resources, and initiating negotiations with others to mobilize these resources;

- promoting decentralization and cooperation between local organizations. It is only when tourism development has been decentralized with more local
expanded in recent years to include any travel outside of one's normal working or living area, from day trips to overseas holidays.

In Thailand there are four types of tourism business that can be combined in various ways to arrive at these four categories:

- Domestic tourism – travelling in tourists' own countries
- International tourism – international travel
- Inbound tourism – bringing foreign tourists to Thailand
- Outbound tourism – taking Thai tourists to visit foreign countries

(Markjaeng, 1969, p. 8).

As we have seen, Thailand is fortunate as it is an ideal location for tourism with such natural attractions as beaches and mountains, cultural and historical sites that reflect the glories of Thai civilization, and a sophisticated infrastructure, allowing visitors easy access to all these treasures. The government's policy on tourism over the past years has been geared towards more and more sustainable tourism development emphasizing community participation, safety of tourists and non-exploitation.

Tourism has been Thailand's highest income generator since 1982, having grown at a healthy 16 percent a year since 1980. By 1994 visitor arrivals had reached a record 6.16 million. The Tourism Authority of Thailand has worked closely with other agencies to develop tourism resources efficiently. For example, with the Board of Investment it periodically reviews policy regarding promotion of investment in tourist-related facilities, while it works with funding institutions to determine which tourism projects should receive investment. (http://www.mahidol.ac.th/image/Buddha.gif.)
3.2.3 Tourist guides: Types, roles, duties, and ethics

3.2.3.1 Definitions

The UK-based Association of Professional Tourist guides defines “tourist guide” as a person who possesses an area-specific tourist guide qualification issued and/or recognized by the appropriate public authority in the country concerned. They see the role of the tourist guide as guiding visitors from abroad or the home country in the language(s) of their choice and interpreting the natural and cultural heritage of their area of qualification. (http://www.aptg.org.uk/europe.html)

The Thai Tourist Guide and Tourism Business Act defines “tourist guide” as a person who takes foreign tourist to visit various places and gives them historical and background information in return for payment (Office of the Cabinet, 1992, p. 3).

Pond defines “tour guide” as “one who conducts a tour,” or one who has “a broad-based knowledge of a particular area whose primary duty is to inform” (1993, p. 17).

3.2.3.2 Types of tourist guides

The Thai Tourist Guide and Tourism Business Act and the Tourism Authority of Thailand which certifies tourist guides for work in Thailand classifies tourist guides into two types:

1. General tourist guides – Guides with a wide range of knowledge of tourist destinations who are able to give commentaries in both Thai and foreign languages;
2 Specific tourist guides – Guides who possess only specific knowledge such as presentation of information about history, archeology, trekking, or bird-watching (Office of the Cabinet, 1992, p. 24).

In addition, tourist guides can be classified into two other types according to their type of employment:

1 Permanent tourist guides – Guides who work for travel or tour operators and are paid based on the work they accept and on the tours they conduct;

2 Free-lance tourist guides – Guides who are self-employed and are not permanently associated with a specific tour or travel operator; they can conduct general tours at rates they agree to.

Thai tourist guides are further classified into “general tourist guides” and “specific tourist guides”. There are two types of general tourist guides:

1 International (bronze license) – Guides who conduct tours for both Thai tourists and foreign tourists throughout the Kingdom;

2 Thai (golden bronze license) – Guides who conduct tours throughout Thailand, but only for Thai tourists.

Also, specific tourist guides are classified into eight categories:

1 Foreign-specific areas (pink license) – Guides who can conduct tours for Thai or foreign tourists but only to specific locations and surrounding areas that are shown in their licenses;

2 Thai-specific areas (blue license) – Guides who can conduct tours only for Thais and only to specific locations and surrounding areas that are shown in their licenses;

3 Trekking (green license) – Guides who can conduct tours for Thai or foreign tourists in forest areas;
The concept of *musāvotā* and the Thai tourist scams

4 Cultural (red license) – Guides who can conduct tours for foreign or Thai tourists to historical, archeological, and cultural sites throughout the Kingdom. Qualifications include a solid education in social sciences or humanities, a master’s degree, or a doctorate in addition to five years’ experience as a lecturer in one of the tourist guide training courses organized by various institutions of higher education;

5 Marine (orange license) – Guides who can conduct tours for foreign or Thai tourists in marine areas;

6 Seashore (yellow license) – Guides who can conduct tours for foreigners or Thais in the marine areas or on various islands for sightseeing which are not more than four nautical miles from shore;

7 Natural sightseeing (purple license) – Guides who can conduct tours for foreigners or Thais only at specific locations shown in their licenses.

8 Local culture (brown license) – Guides who can conduct tours for foreigners or Thais only involving local culture including Thai art, traditions, history, which as specified in their licenses (Assawadhammanond, 2003, p. 13).

As mentioned above, tourist guides are tour conductors who must be qualified in various ways, particularly with linguistic competence and with wide general knowledge in fields such as history, geography, art, architecture, economics, politics, religion, and sociology of the locales where they operate. Accordingly, most countries with considerable inbound tourism, including Thailand, have set educational requirements in this field and have passed laws to regulate tourist guides. Tourist guides must pass examinations leading to a qualification recognized by the relevant regional or national tourist authority—for Thailand, the Tourism Authority of Thailand.
3.2.3.3 The role of the tourist guide

The main role of the tourist guide is to escort individual tourists and groups either from abroad or from Thailand to historical sites, museums, and other attractions and to interpret in an entertaining, interesting, informative, and inspiring way what the tourists see in the tourists’ own language within a limited period of time. In this role, they become “ambassadors” for their country and for their people for a wide variety of visitors. This includes:

- presenting a positive image of Thailand and its people and giving tourists a correct understanding of important topics;
- helping tourists understand the Thai way of life along with Thai customs and traditions;
- representing Thailand in promoting its unique and exotic culture to foreigners;
- demonstrating the world-famous Thai hospitality and friendliness and being knowledgeable in various subjects relating to Thailand;
- creating a positive impression and motivating tourists to revisit Thailand


3.2.3.4 Duties

Tour guides accompany domestic and international tourists on organized tours both within Thailand and to international destinations, ensure the itinerary is followed
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correctly, attend to tourists' needs, and provide information as required. Onanong Ratanaputtasakhon has detailed the duties of most tour guides, which include:

- meeting members of a tour on arrival and making introductions;
- coordinating accommodation and transport, and ensuring the comfort of tour members; advising members of local interest points and providing commentaries;
- coordinating group activities such as visits to local attractions, restaurants or shops, train rides, cruises and extended tours;
- attending to operational problems such as booking errors and amendments, lost luggage or illness, and if needed, providing first aid;
- liaising with transportation companies and re-ordering suitable routes for the planned itinerary;
- maintaining written reports of daily activities and carrying out other administrative work (2001).

3.2.3.5 Tourist guide ethics

"Ethics" comes from the Latin word ethos, meaning character and is used to evaluate and make judgements about what we do. When making these ethical judgments, we have a wide variety of labels we use for various actions. The most common are "right", "wrong", "good", or "bad". Sometimes we hear "moral", "immoral", "unethical", "morally justifiable" or "morally unjustifiable". At other times ethics refers to particular virtues and we hear "just", "unjust", "fair", or "unfair". Some make judgments in a religious context and talk about "righteous", "sinful", "good", "evil", "sacred", or "profane" (White, 1992, p. 8).
The highest standards of ethics are required of tour guides since their role is crucial for maintaining a professional image both for the sake of the tour operator and for the sake of country. Markjaeng has identified five qualities related to tourist guide conduct and ethics:

1. **Responsible** – Tourist guides should take their responsibilities seriously even before the start of a tour through the time they part with the tourists. This means that they must be available to address the tourists' needs throughout the duration of the tour.

2. **Honest** – Tourist guides should be selfless—not greedy or selfish—and should not take advantage of their position for their own personal gain or benefit such as taking tourists to shops and other places that give kickbacks to guides without considering the quality of the goods the tourist have to pay for. Abusing the trust of tourists in this way not only tarnishes the reputation of the guide, but all that of the tour operator and of the country.

3. **Disciplined** – Tourist guides should understand their role as someone who provides a service to tourists, making the tourist the employer, with the guide in the role of employee. They should be composed at all times around the tourists and be polite and respectful with all members of the tour.

4. **Understanding** – Tourist guides should by nature be understanding, compassionate, and kind to all of those who are put in their care during a tour. They should treat all tour members equally without any discrimination and should avoid discussing topics that might be sensitive, especially such subjects as politics, religion, and sex, including ethnic remarks, stories, or
jokes that could insult tour members or reflect on their nationalities or countries.

5 **Entertaining** – Tourist guides should be entertaining as well as informative to ensure that tourists are satisfied with their tour experience, remembering that the tourists are there both to be educated and entertained (1996, p. 69).

### 3.2.4 Ghost tourist guides

"Ghost" (illegal) tourist guides are normally free-lance, self-employed guides not associated with a travel agency or tour company. They can cater to individual tourists whose names they obtain from airlines or hotels and usually meet travelers at the airport, pretending to be airline or hotel representatives. Their English may be poor, reflecting their lack of education, and they specialize in various scams to make money from tourists (Ratanaputtasakhon, 2001).

Most ghost tourist guides are *tuk-tuk* drivers, taxi drivers, hotel employees, company employees, or government officials, who may or may not be members of organized "gangs". They do not possess a tourist guide license and have never taken an examination leading to a qualification recognized by the Tourism Authority of Thailand. They are considered illegal tourist guides who are not allowed to conduct either individual or group tours in Thailand. At the present time, the most common scams occurring in Thai tourism involve these ghost tourist guides who cannot legally be employed or work in the tourism industry. They thus become illegal tourist guides who cause social degradation, while tarnishing the reputation and image of Thailand and its people. If licensed tourist guides are unethical or greedy, they can cause even more
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serious damage to the Thai tourism industry than the ghost tourist guides because legal tourist guides are closer to the tourists and have earned their trust and respect.

As the researcher has been a licensed tourist guide for over seven years, he has seen these scams and the cheating of tourists occurring in various locations around famous tourism sites—especially in Bangkok. In Buddhism these scams, which involve lying, cheating, and deception driven by greed are examples of *musāvāda* and are discussed in detail below.

3.3 *Musāvāda* in Thai tourism: Typical Thai tourist scams

Tourism is one of the economic sectors most affected by the new trends in the global information society. Increasing disposable incomes, more leisure time, and steadily decreasing transportation and communication costs have allowed increasing numbers of people to travel and vacation throughout the world. More open boundaries and freer commercial policies in all regions have encouraged the movement of large groups of people between countries and regions.

At present, the Thai tourism industry may be causing major environmental and social problems. The socioeconomic and cultural impacts of large numbers of tourists have resulted in social degradation of local communities and of cultural values. Increased tourism activities have caused Thais to seek employment or entrepreneurial opportunities in this industry who have not been able to find suitable employment elsewhere, thus causing social degradation, as the researcher will discuss in this work. This work focuses on the problems of cheating, deception, and lying which in Buddhism is called *musāvāda*, or "false speech", and which have become serious problems in the Thai tourist industry. So far no one seems to be able to solve this
The concept of *muslēvaṣa* and the Thai tourist scams

problem in Thailand which involves greed and self-interest as well as large amounts of money changing hands along with the backing of powerful "dark influences".

The motivation for *muslēvaṣa* can be any of the three unwholesome roots that result in three main kinds of falsehoods:

1. false speech motivated by greed intended to increase one's gains or promote one's status;
2. false speech motivated by hatred, intended to destroy the welfare of others or to bring them harm and suffering; or
3. false speech of a less serious kind, motivated principally by delusion in association with less noxious degrees of greed or hatred, intended either to bring special benefits to oneself nor to harm others. (Some examples would be lying for the sake of a joke, exaggerating an account to make it more interesting and flattering others to gratify them.)

While Thailand receives an ever-increasing number of tourists every year, it is sad that there are many scams that these tourists fall victim to when they travel in Thailand. Stickman says, "It's a shame that there are so many scams in Thailand and it is an even greater shame that the Tourism Authority and the police are not doing enough to stop them. Call me a cynic but there does seem to be a prevalent mentality amongst many concerned that the foreigners can afford to lose a little." He observes that it is interesting that if the perpetrators of these frauds were foreigners, they would be in very serious trouble.

These scams are now considered to be a critical problem in the Thai tourist industry. Three major types of scams are most common in Thai tourism:
The concept of *mustvælica* and the Thai tourist scams

1 Tailor scams
2 Canal trip scams
3 Gem scams.

If individuals and government agencies are aware of the damage these scams do to the reputation of Thailand to the country’s image, action can be taken to ensure that tourists can visit Thailand in peace and harmony.

### 3.3.1 Tailor scams

The most common Thai scam occurs in Bangkok with *tuk tuk* drivers and, less often, with taxi drivers. Foreigners stand out in a crowd and are constantly being approached by drivers who want to take you on a tour of Bangkok. They will mention one of various places, including duty-free shops, gem shops, tailor shops, and massage parlors. Taking tourists to any of these places where they make purchases will result in the drivers being richly rewarded for their efforts. If tourists are taken to a massage parlor, the drivers receive a commission of 500 baht or more. This surcharge is obviously added on to the bill and the price the tourist pays is immediately higher than what a local or regular customer would pay. If tourists go to a duty-free shop, the driver will get a commission for anything that is bought, but many of these shops are not genuine duty-free shops and the prices are often no different from anywhere else—and the tax *is* paid. Even if tourists don't make purchases, drivers receive a commission in the form of petrol vouchers. If they are taken to a tailor shop, a charming tailor of Indian extraction who might speak up to ten languages well may give them a very convincing and professional sales pitch. In fact, some tourists buy suits or other tailored clothes that they really didn't want or need. The quality of such tailored goods is variable because
many of these tailor shops just send out the material to one big sweatshop where hundreds of tailors make all of the clothes to order.

3.3.2 Canal trip scams

Thonburi lies across the Chao Phraya River from the Rattanakosin Island area and tours on long-tail boats (*reu-a hang yao*) around its numerous canals (*khlongs*) are popular. Few visit it outside of these. It was briefly Thailand's capital in the 18th century after the fall of Ayuthaya until King Rama I moved his court across the river to Bangkok.

The long-tail boat trips leave from various piers on the eastern side of the Chao Phraya River and head south, turning into Thonburi past the Krung Thep bridge. It is an interesting experience, and gives an idea of what Bangkok might have been like before most of its canals were filled in. Many tours are available, or tourists can go to one of the boat piers and charter one. However, tourists can fall victim to touts who receive commissions by directing them to particular places and must bargain carefully beforehand to establish the price. If they are offered a "free guided tour" it may end with a demand for petrol money in the middle of the river which they can hardly refuse. Fair prices range from around 300 to 400 baht per boat for a three-hour trip. (http://www.intoasia.com/bangkok/attractions/thonburi.php)

One type of canal trip scam works like this: Someone tells tourists that they can take a private long-tail boat along to see the Chao Phraya River and through some of the smaller canals in the Thonburi area, where Thais from all different classes live side by side. In these areas, many homes, trading houses, and temples remain oriented towards the canals and provide a fascinating glimpse into a time when the canals were the
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"highways" of Bangkok. The tour *should* last about three hours and the long-tail boats *should* only cost 300 to 400 baht. However, as part of this scam, when the long-tail boats leave the pier, tourists find that they have been taken on a *one-hour* canal trip and have paid *500 baht per person* for it. This is one of many ways that tourists are cheated.

### 3.3.3 Thai gem scams

#### 3.3.3.1 Background

Perhaps the worst of all of these scams is being taken to a gem or jewelry shop by a driver who is part of an organized gang. Thailand is a major source for rubies and sapphires, as well as an established cutting and setting center for all kinds of precious stones. Moreover, jewelry making facilities have expanded so rapidly in recent years that the country currently ranks as the world’s second biggest jewelry exporter. Buyers have the choice of opting for individual gems, finished jewelry, or custom made items. ([http://www.marimari.com/content/thailand/shopping/gems/gems.html](http://www.marimari.com/content/thailand/shopping/gems/gems.html))

One of the oldest, most pervasive, and most openly practiced scams in Thailand which has continued for 20 years and has ruined what should have been fun-filled vacations for thousands of tourists is often called the "blue sapphire gem scam". These scams have been followed by thousands of people worldwide (including its many victims) for years, yet continue to plague the Thai tourist industry despite the vast majority of Thais who believe in Buddhism, including the Five Precepts. The reasons: protection of gangs by "influential persons" who are the masterminds behind these scams and who know how to elude the police; legal loopholes; and a lack of standard pricing policies on gems and jewelry in Thailand.
The concept of *musa vātāda* and the Thai tourist scams

The international media have covered the story repeatedly over the years as part of the pressure on the Thai government to put a stop to these rip-offs. Back in 2000, the AFP ran a story datelined Bangkok headed, "Bangkok urged to clamp down on its notorious gem scam operators after tourists complain of being cheated". The article went on to say that embassies were being swamped with complaints from unsuspecting tourists and that the Australian, British, Swiss, and Japanese embassies were teaming up to request high-level talks with the Thai Ministry of Foreign Affairs to try to crack down on the gem dealers (AFP, *The Nation*/Asia News Network, August 22, 2000).

The Tourism Authority of Thailand reports receiving over 1,000 complaints a year from tourists who have been cheated on gem purchases. For example, according to a December 11, 2002 article in *The Nation* titled "Welcome to Thailand, foreign fools" (subtitled "Thousands of tourists cheated every year in Thailand") over a ten-month period in 2002 alone the Tourist Police reported receiving almost 700 complaints of gem and jewelry frauds. However, an Internet group of fraud victims from 22 countries called the Thai Gem Scam Group estimated at that time that about 15,000 tourists were falling for these scams each year despite the much smaller number of official complaints registered. As for the amounts of money being lost by these tourists, the Tourism Authority of Thailand and the Thai Gem and Jewelry Traders Association were estimating that these gangs cheat tourists out of more than 100 million baht a year. (http://www.ripoffreport.com/view.asp?id=4143)

By January 24, 2004 the Thai Gem Scam Group had 178 members in 23 countries reporting total losses of approximately 8.4 million baht (for an average of about 112,000 baht per member) but with only 24 members reporting any refunds.

Tourists fall for these shams and scams because they are far too trusting—especially when they become hypnotized by all of the beautiful and friendly Thai smiles
in the appropriately named “Land of Smiles”—but for the gangs this turns out to be one of many examples of pure deception. “Naïve” is a better word to describe these tourists—defined by Longman as “not having much experience of how complicated life is, so that you trust people too much and believe that good things will always happen” (Pearson Education, 2003, p. 1089). As a related word at the entry for “naïve” they show “innocent”.

Another common description of these victims is that they are “gullible” which Longman defines as “too ready to believe what other people tell you, so that you are easily tricked” and they use the coincidental example sentence, “Plastic replicas of the Greek pottery are sold to gullible tourists” (Pearson Education, 2003, p. 722).

The naïve, innocent, gullible tourists lack a quality that the scamsters do not want to see—skepticism, especially on the part of first-time tourists to Thailand who are the preferred targets for the gang members operating these scams. Longman defines “skepticism” as “an attitude of doubting that particular claims or statements are true or that something will happen” (Pearson Education, 2003, p. 1465). Repeatedly over the years victims of these scams have used the word “clever” to describe these frauds and fraudsters. “Clever” turns out to be a very accurate description of these shams since the second most common usage in the language is defined by Longman as “able to use your intelligence to get what you want, especially in a slightly dishonest way” (Pearson Education, 2003, p. 275). They use the example of “a clever lawyer’s tricks”.

Here are some typical reactions from tourists who have been victimized by these gangs, as reported on popular websites:

• One American traveling with a Japanese friend called his swindlers “amazingly artful and intelligent scammers” and said, “I felt overwhelmingly alarmed at my utter stupidity and naivete.” He called their vacation “a rather hellish ten-day
adventure” with the blue sapphire gem scam and talked about pleading his plight to a Tourist Police officer “as well as expressing our disillusionment regarding Thai hospitality”. He also called himself and his companion “pitiful fools, dumb tourists, and stupid”.

(http://www.2bangkok.com/2bangkok/Scams/sapp09.shtml)

- A group of English boys, who also called themselves “stupid” for falling for this scam, described themselves after they discovered they had been cheated as “gutted”—spoken British English for devastated, or very shocked and disappointed. They eventually received a refund of only 25 percent of the purchase price of the gems they were conned into buying. (http://www.ripoffreport.com/view.asp?id=4143)

- An Australian named Jack, although saying that he does not consider himself gullible, said this after becoming another victim of the scammers: “I got 20 percent of the price delivered to the police station. The rest I have to put down to experience—what I like to call a self-imposed stupidity tax . . . it’s a week’s salary and I deserve to pay it for being so dumb as to fall for this.”*

- Mandy, from Hong Kong said, “I just can’t believe how sophisticated the organized crime is.”*

- Ichiro, who visited Bangkok with his wife from Japan said, “I told . . . my wife, if this is a scam, this network is too big, too elaborate, so it should not be a scam.” He later said, “When we were walking around the Wat Pho, we thought through again the whole things [that] happened in the morning, [and] we suddenly realized the whole thing was a scam. We are so astonished there is so well elaborated scam exist in the real life. Just like a movie, this scam needs a well-written script, good directors and actors to make it . . . real. My wife said sometimes the human being is
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the most scareful [sic] and dangerous thing in this world.”*

• Matt, from Washington state commented, “I’m a very experienced traveler, work for an airline and have traveled to at least 50 countries, but I still fell prey to this scam.”*


As for the problem of musāvāda that is taking place in the Thai tourism industry, the researcher believes that there are many who would like to know how it works and how to cope with this problem.

3.3.3.2 The gem scams: How they work

These scams, with very little variation, usually follow the same five-step routine:

1 The scam begins while you are -
   - riding in a tuk-tuk;
   - walking outside or near tourist attractions such as Wat Pho, Wat Phra Kaew, the Grand Palace, Wat Arun, or the National Museum;
   - walking down the street close to places like Khao San Road (since so many of the backpackers stay there);
   - walking out of your hotel.

2 A tuk-tuk driver or a friendly stranger will tell you that where you want to go is closed for some reason.

3 These friendly strangers speaking fluent English will then engage you in conversation and offer to help you with special tuk-tuk fares to go to see other temples that are open. They then will casually mention (without any
pressure or sales pitch) some very special sales promotions "coincidentally" taking place on that very day at certain selected gem shops.

4 At the new but little-known and out-of-the-way temple another "coincidence" occurs: you accidentally bump into a well-dressed man or a "student" who again speaks perfect English and tells you (again) various stories about gem sales and "special" promotions because this is a "special" day—and that these gems can be resold in your own country for fabulous profits. So Friendly Stranger #2 has confirmed to you what Friendly Stranger #1 told you and it all sounds very convincing.

5 You finally end up in a "government" gem or jewelry shop where you are told how much profit you can make by reselling their nearly worthless products. And in still another coincidence, a third person (either a Thai who says that he lives abroad or a crooked foreigner working with the gang) tells you stories about all of the money he or she has made (sometimes on yearly trips to Thailand) by reselling these "valuable" items. If you agree to buy, you become yet another victim of sham gem and jewelry stores and their gangs and the crooks will have one more reason to smile in the "Land of Smiles".

3.3.3.3 Typical lies and deceptions

Endless examples can be cited of the lies and blatant (but clever) acts of deception that thousands of tourists have been hearing from gang members, con artists,
fraudsters, and swindlers connected with the notorious Thai gem scams for over 20 years in Bangkok. Here is a summary of some of the most common ones:

- That you can be taken to a government gem stone shop, jewelry house, or export center. [There are no such places.];

- That you can resell Thai “blue sapphires” and other gems back home at incredible profits of double or triple what you paid for them—which common sense should tell you is impossible;

- That there are “special” tuk-tuks that can take you around for “special” rates because of a holiday and that there are only certain tuk-tuks that can do this—driven, of course, by gang members. [These unsuspecting tourists have no way of knowing that there are no “government” or “special” tuk-tuks.];

- That certain friendly strangers, out of the kindness of their hearts, would take it upon themselves to arrange with tuk-tuk drivers to take you on a tour of some temples for almost nothing (perhaps for 20 baht an hour) and would try to be helpful to you by saying that you have been paying too much for tuk-tuks;

- That friendly, English-speaking strangers who you met “by accident” at temples and at gem shops come to Thailand every year to make gem purchases, then resell the gems abroad at fantastic profits. For example,
  - A “professor” who claims that all of his students pay for their tuition in England by taking over jewelry to sell there
  - A Thai who supposedly owns a restaurant in Germany and buys gems at a shop in Bangkok called “Leela”
  - A Thai living in Singapore who easily earns double what he pays in Bangkok for gems he buys at a shop called the “Blue Dragon”. (In one case, he promised a Malaysian tourist in Bangkok that he would help
her to resell gems she bought here for 64,600 baht in Singapore if she
wanted to visit him there. However, the telephone number and e-mail
address that he gave her were false.)

- A Thai man who says that he lives abroad and pays for his visit to
  Thailand every year by making these purchases

- Foreigners who join the tourists either at a gem shop or at a temple and
  assure them that everything is above board and that these foreigners
  pay for their trips to Thailand all the time in this way

- A Thai man who talks to two British tourists at Wat Inthrawihan and tells
  them that a friend of his from Newscastle, England comes every
  year to take advantage of special tax-free gem sales and that the two
  British tourists can sell the gems in London for a profit of 150 percent

- A Japanese tourist named Orchid meets a man at a Chinese temple who
  says that his mother is Thai and that his father is Japanese and lives in
  Tokyo. He claims that he bought jewels for 300,000 yen here and sold
  them for 600,000 yen in Japan. He further claims that his aunt bought a
  lot of jewelry during a special offer in Bangkok, then went to Europe to
  sell them—and that she did well. The tourist then goes to the Universal
  Gems & Jewelry Export Company and meets (by “coincidence” again) a
  Thai woman who says that this is the second time she had bought jewels
  at that shop and that she resold her last purchase in Switzerland and made
  a great deal of money.

(http://www.into-asia.com/bangkok/gemscam/experiences.php)

- A foreigner at a small, quiet temple who meets Ichiro and his wife

- visiting from Japan and says that he is a businessman who has traveled
to many countries and that every year he takes advantage of a Thai government annual one-week export promotion allowing foreigners to buy up to five gemstones tax-free at an export center and that he does this every year for resale abroad. At the same temple the couple happen to run into a Thai accompanied by a foreigner who says that he is from Belgium and that he had paid for his trip to Thailand several times by reselling gems bought cheaply under government promotions. (To further reinforce the sham, the Thai shows the couple a receipt for gems he supposedly bought two days before for US$6,000.);

- That you can buy high-quality gems in bulk at ridiculously low prices and resell them abroad for a vast profit;
- That a man who supposedly is with the Tourist Police would suggest to you that you should visit a temple that is not usually open to the public. [The objective being for gang members waiting at the temple to introduce you to “special” gem sale offers.];
- That this is the final week for you to buy cheap rubies and sapphires as part of a promotion in Thailand and that, of course, “today is the last day”—and that, in addition, mining in Laos has shut down so that the price of gems will increase the following year;
- That today is the “birthday” of the Lucky Buddha Temple and that you should visit. [Gang members will, of course, be standing by to greet you and to talk about fantastic gem sales.];
- That the Asian economic crisis has made it difficult for Thai students to pay for
their studies abroad because of the devalued Thai currency, so sometimes the Government allows Thai students to sell jewelry tax-free to help fund their education—and that, likewise, sometimes foreigners like you may be allowed to participate in this scheme to promote tourism but, of course, only once a year and, of course, today is the final day;

• That official-looking, impressive gem shop receipts showing that a friendly stranger who you just happened to meet that very same day bought gems or jewelry that very same day at the very same shop he is recommending to you as a genuine dealer—and that the friendly stranger is who he says he is;

• That certain tourists such as you can go to certain temples such as Wat Inthrawihan to observe prayers, although most people cannot normally do this;

• That certain gem sets are guaranteed by the government to be worth twice what you paid for them, that the Thai government would stand behind the value of the gems, and that if there are any problems a full refund can be arranged. [All lies.];

• That there are promotions, shows, or “special sales” on gems and jewelry authorized by the government or official agencies at certain times of the year to sell gems to tourists. [Reputable dealers, however, almost never offer sales and the Government does not own, operate, subsidize, or authorize jewelry shops—nor does it launch such promotions.];

• That the reason the fraudulent gem shops have no credit card reading facilities of their own (and must use the facilities of other shops) is that these special sales are tax-free;

• That the genuine-looking ID cards “proving” that friendly strangers who approach you to engage in lengthy conversations (sometimes up to 45 minutes) are legitimate tour guides, government employees, Tourist Police officers, professors,
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students, specially trained *tuk-tuk* drivers, or Thai expatriate businessmen are genuine. [Almost any document you can imagine can easily be faked in Bangkok.];

- That the seller will offer a full refund if everything is not to your complete satisfaction — this written on an official-looking guarantee (which is not worth the paper it is written on);

- That the story you heard earlier that day in an “accidental” or “coincidental” encounter with someone we can call “Friendly Stranger #1” is repeated and confirmed (amazingly) by someone we can call “Friendly Stranger #2” at another location. [This is an extremely clever way to build credibility for the naïve or gullible—or simply innocent—scam victim.];

- That because temples such as the Grand Palace or Wat Pho happen to be closed on this particular day, another temple which is usually not open to the public but which *is* open to the public on this particular day (just by “coincidence”) should be visited instead—this according to a new Thai “friend” who just wanted to be helpful;

- That you do not have to buy gems from a shop, but can buy them instead from a special “international export center”;

- That wherever you are going is closed for some reason or that there is another reason you can’t go there. This can come from *tuk-tuk* drivers or other gang members, including illegal guides and can include all sorts of imaginative reasons such as these:

  - “It is praying time.”
  - “The monks are chanting.”
  - “The Grand Palace (or Wat Pho) is closed for a holiday to honor Buddha (or the Royal Family).” [In fact, they are both open 365 days a year at
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8:00AM and generate a great deal of income in the process: Why should they close? In another clever ploy, tuk-tuk drivers and other gang members might show you the back or side gates to the palaces which happen to be locked (as if these were normal or main entrances) as “proof” that the palace is really closed—thus convincing you that you should go to another temple which, surprisingly, is not shown on your tourist map but which happens to be open on that particular day and where the gang members’ team of scammers will be waiting for you.]

- “The palace is closed for a monk’s festival today.”
- “It’s a Buddhist holiday today.”
- “The temple is closed for cleaning.”
- “The temple is only open on Wednesdays.”
- “The temple is closed for repairs.”
- “Your lady friend cannot go inside Wat Phra Kaew because her blouse doesn’t cover her shoulders.” [This despite the fact that proper clothing can be borrowed free of charge at the temple.]

• That today is a special export-promotion day and that this is the last day of the year to export items from Thailand without paying export duty—or that “there is a special tax break today.” [In fact, the Thai government does not levy export taxes on gems or jewelry and particularly not the exorbitant and outrageous 195 percent tax rates as claimed by some gang members.]

• That special gem-jewelry sales are part of a tourism promotion scheme backed by the government and that you receive a certificate of authenticity along with a money-back guarantee;
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- That you can take advantage of wholesale factory prices;
- That, even if you don’t want to buy gems, you can come along to the gem shop because the experts there will be happy to teach you about the famous Thai gems for free;
- That Wat Pho is not open on this particular day until 1:00 PM, but that the Thai government has opened several other temples without charge, and that the government has some *tuk-tuks* with white number plates (rather than yellow ones) at very low fares so that you can visit these temples;
- That the sham (common to all gangs) doing all sorts of things to appear genuinely helpful to tourists who become scam victims is just done out of sincere hospitality, great generosity, and as an attempt to be friendly. [In fact, the money used to take you around town and the gang expenses comes from the proceeds of fraudulent sales “stolen” from the buyers—the tourist victims—and the true intention as part of these sham operations and totally deceptive practices is to lull you into a false sense of security and to make you feel good so that you don’t have time to focus on the rip-off that has just been perpetrated on you.]

3.3.3.4 The players

A wide variety of players (or actors) are involved in the well-scripted shams that are known as the Thai gem scam and all of them, including the tourists themselves, are driven by greed and the lure of quick money. As for the gang members, their most powerful weapons to disarm their victims are the famous Thai smiles, hospitality, and friendliness, as well as giving tourists the impression that they really *do* want to be
helpful to these total strangers in any way that they can. All, unfortunately lies and deceptions.

The tourists

Gang members prefer to target new, first-time arrivals to Thailand and more recently focus on non-Europeans (perhaps because they may be more vulnerable or less sophisticated or less knowledgeable than their European counterparts?). These include tourists from Singapore, Malaysia, Hong Kong, and China who have had what should have been exciting, fun-filled vacations in the Land of Smiles ruined by these gangs.

Tourists often do not pay attention to government warnings and brochures such as those issued by the Tourism Authority of Thailand and the Tourist Police warning against these jewel scams. In addition, many tourists do not take notice of clear warnings in commercially produced publications such as the *Lonely Planet Guidebook*, nor do enough tourists research this problem on the Internet. Only after they have been duped or swindled do some read these warnings—but for many it is too late.

Tourists become attracted to the idea of making large profits for themselves by reselling items they purchase here. If the gems purchased are not genuine, this is illegal under Thai law and the tourist can press charges within three months after the shop is notified, but this is almost always impractical after the tourist returns home because of the additional expense of returning to Thailand as well as the legal expenses involved.

If products *are* genuine but vastly overpriced, the civil law does not apply since, unlike other consumer products, there is no "standard" price for gems in Thailand. This, then, means that the tourist must somehow negotiate (with or without the assistance of the Tourist Police) with shop owners, with no guarantee of a refund and no guarantee of
any kind of satisfaction unless the tourist wants to return to Thailand to fight the case after returning home—almost always unlikely, costly, and impractical.

The gang members

The ever-friendly English-speaking gang members approach tourists who are total strangers completely out of the blue and want them to believe that they have no other motive than to try to be helpful to them in these ways:

- A Thai at a tourist attraction offers to take you to a "government" gem stone shop where you can buy such items as Thai "blue sapphires" and other gems at incredibly low prices and make huge profits by reselling them—perhaps for double or triple what you paid for them.
- A Thai at a temple that you want to visit engages you in a friendly chat about various topics (football, etc.), tells you that you are paying too much for tuk-tuk fares, and offers to put you in a tuk-tuk to see some temples at a "special" low fare—and, of course, the driver might also show you where you can buy some jewelry for export. [All very helpful!]
- A "professor" and his "student" who you meet at a temple try to appear helpful by letting you know that you can take advantage of the last day of a no-export-duty promotion that just happens to be today.
- Thai gang members walk up to you on the street and strike up friendly conversations about a variety of topics and give you free advice totally out of the blue—which is not a normal Thai trait. [Of course, the objective is to practice musak vāāda.]
• A Thai stranger who is supposedly the owner of a restaurant in Germany offers to
tell you where you can buy cheap rubies and sapphires as part of a promotion.
[Why, some wonder, would someone want to help total strangers in this way?]  
• A Thai stranger who is supposedly the owner of a restaurant in Singapore offers
to help you as a Malaysian tourist resell 64,600 baht worth of jewelry you bought
at the “Blue Dragon” gem store. If you cannot get a good enough price for them in
Malaysia, you can take advantage of his offer of assistance to get a good resale price
for them if you can visit him in Singapore.  
• A Thai stranger tells you about a temple that is not normally open to the public
but just happens to be open on this particular day after you are told that the t
 temple you wanted to visit is closed on this day.  
• Thais strike up a conversation with you and mention great deals on jewelry and
make you feel lucky to know about this; they also make you feel that you would
be foolish to miss out on this.  
• Foreigners who you meet “by chance” at temples or at gem stores (all con
artists) assure you that all transactions are legitimate.  
• Some Thai strangers at a temple offer to teach you some Thai words to be
helpful (just out of the goodness of their hearts) during lengthy conversations
they have with you.  
• In 2000, British tourist Paul Murphy had a Thai “student” wearing the
identification of an “official guide” at Wat Inthrawihan talk to him about the
temple for 45 minutes.  
• A Thai stranger at a temple offers to have you taken to a gem shop even if you
don’t want to buy saying that the gemologists would gladly teach you about the
famous Thai gems without charge.
• Strangers at a temple mark the locations of crooked gem shops on your tourist
map or in your *Lonely Planet Guidebook* to be especially helpful to you.

A tourist from Hong Kong named Mandy met a Thai who spoke fluent English,
saying that he worked for the Thai embassy in Hong Kong and who was very nice to
her. He suggested where she should go to buy gems, took her to dinner, and offered to
take her to a reputable jeweler in the Tsui Sa Tsi district of Hong Kong after they
returned.

Thais who approach foreign tourists and start conversations are extremely
friendly (as are Thais in general) and act in a very low-keyed manner without being
pushy. All of this is part of an extremely effective sham and deception to gain the
confidence of the victims. However, the tourists do not realize that the typical Thai
does not normally walk up to total strangers—especially foreigners who probably don’t
speak a word of Thai—and begin lengthy conversations about various topics.

These meetings or encounters with well-dressed friendly men who speak fluent
English and who you meet “accidentally” or “coincidentally” are certainly not
“accidents” or “coincidences”. These strangers seem to fall into two categories: younger
men claiming to be students (but perhaps really studying to be scam artists) and older,
more distinguished or sophisticated-looking “gentlemen” who may claim to work for
the government and who may show government ID cards (easily faked in Bangkok) or
they may claim to be “professors” accompanied by an English-speaking “student”.

One American couple, Matt and Jennifer from Washington state, knew
immediately that something was wrong when a man approached them outside the Grand
Palace and told them that he was the “manager” at which they just began to laugh and
replied, “Whatever”. Matt commented, “We didn’t know who he was or what he
wanted, but we knew that the real manager wouldn’t be outside dressed in (a) long-
sleeve shirt and tie when it was near 100 degrees, wandering around chatting with tourists." He also said they thought the "manager" was "a bit shady". (http://www.into-asia.com/bangkok/gemscam/experiences.php)

Gang members use the worldwide reputation of Thai gems to convince unknowing ordinary tourists who are not experts in this field that many Thai gems are of extremely high value for resale abroad at exorbitant prices and with high profits for the tourists. For added credibility, gang members often show official-looking receipts from the sham gem shops showing—again "coincidentally"—that they just that very day happened to have made their own purchases.

The **tuk-tuk drivers**

The **tuk-tuk** drivers play an important role in all of the lies and deceptions that are part of the infamous Thai gem scams by using their friendly Thai natures and famous Thai smiles to convince innocent foreign visitors that they are are only trying to be helpful in these ways:

- They say that they are specially trained to help tourists.
- They say that there are "special" **tuk-tuks** that can take tourists around Bangkok because of certain holidays.
- They offer tourists 20- or 30-baht city tours or temple tours to save them money.
- Some tourists are told that the government has some **tuk-tuks** with white number plates rather than yellow plates that charge very low fares for foreigners to visit temples.
• Some *tuk-tuk* drivers, although using incredibly poor English, try to convince tourists that they actually work for the government.

The gem shop owners, operators, and managers

Numerous selfish, greedy, unscrupulous gem shop owners and operators are involved in Bangkok’s famous gem scams and they go out of their way to convince tourists that they are trying to be helpful in many ways. For example,

• They tell you that they can sell you valuable gems at such low prices that you can make huge profits when you resell them back home.

• They offer you full refunds if you are not satisfied with the product, adding that these products are “guaranteed” by the Thai government. [However, websites are reporting more and more violence against tourists who try to seek refunds. One victim said, “One bodyguard pulled my T-shirt almost over my head, while the other pulled my arm and ‘the son’ hit me. . . . I asked why they were using force. Then one man kicked me and said: ‘I don’t want to talk to you. I only want to fight you. I want to kill you.’” Such reports make it difficult to believe that these tourists are being attacked in a country where the population overwhelmingly follows the teachings of Theravada Buddhism, but it should also be pointed out that very few Thais ever become aware of such violent behavior towards valued foreign visitors and guests and would be horrified that such acts are committed daily if they knew.]

• They offer to mail your purchases home for you without charge and to pay for the insurance. [Of course, this is to ensure that the package leaves the airport before you realize you have been cheated and before you can
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retrieve the package.]

- They also may tell you that a special mail service will be used to help you avoid a 90 percent export tax. [Of course, there *is* no such tax.]

- They take you out for free meals and drinks for which they pick up the tab. [Of course, the money they are using is part of the proceeds of what they "stole" from you.]

- They try to engage you in interesting, lengthy, friendly conversations about various topics such as politics and football.

- They loan you a car, a driver, and an escort to run your credit card transaction elsewhere or to take you to ATM machines, banks, or hotels to retrieve cash.

- To show their gratitude, they will take you out on the town to go sightseeing, to tourist attractions, restaurants, and massage parlors. [Of course, if they can distract you long enough and keep your mind off of your fraudulent purchase they will have enough time to get your package to the airport and out of the country before you realize you have been cheated. This also gives them enough time to close down their shop and disappear.]

- Other gem shops have salespeople take tourists out to dinner, then pay for a taxi back to their hotel.

- They greet you in a friendly manner, offer you free drinks and refreshments, and engage in conversations on various topics—perhaps with personal service from the "manager" himself.

Jewelry manufacturers and gem shop operators are free to make decisions on their own about quality and pricing of gemstones because there are no government laws,
rules, or regulations to cover this. This means that dishonest, unscrupulous con artists can operate gem shops freely to victimize gullible tourists without fear of government interference.

It is commonplace to change the name of gem shops when they become too well known, then re-open for business under a new name. For over 20 years here tourists have reported being cheated repeatedly at the same locations, but the operators constantly change the name of their shops: the Government then claims it can take no action against the “new” shop. One website on this problem claims that one shop owner bragged to some cheated tourists, “I’ll re-open again just like I have for 20 years!” (http://www.2bangkok.com/2bangkok/Scams/Sapphire.shtml)

Fraudulent shops often close down and re-open under a new name since there is no law or regulation to force these shops to be accountable or responsible for swindles or to customers they have duped while doing business under their previous names. Again according to the December 11, 2002 article in The Nation titled “Welcome to Thailand, foreign fools” (subtitled “Thousands of tourists cheated every year in Thailand”) the real masterminds behind these shops always seem to elude the authorities since the shops are registered in other people’s names. Before a warrant can be issued, the masterminds can shut down the shop and reopen under another name. The Tourist Police chief in 2002, Major-General Sanit Meepan, has said, “We have found that the registered owners of most of these blacklisted stores were ‘front’ people, not the real masterminds.”

He has said that “influential persons in uniform” are protecting some networks and as an example named one major shop that stayed in business even after an 18-store blacklist. “All the other stores [on the list] have been closed down, this one is still open,” he said. (http://www.ripoffreport.com/view.asp?id=4143)
Although the maximum penalty for such con men is three years in jail, such penalties are rare. Each month approximately 200 people are arrested for gem scam operations. Their only punishment: a maximum fine of 1,000 baht for causing a “nuisance”! Some shops continue to do business even though there are court cases pending against them. For example, even though a dozen fraud and physical-assault cases have been filed against Thaevej Gems—to name just one shop—they continue to do business.

After years of ripping off customers with the knowledge of the Tourist Police, a police brochure finally mentioned in January of 2004 the gold shops that are often behind the crooked gem-jewel shop operators. This explains why buyers who want to use credit cards end up paying in gold instead of cash. Here is the way it works: Buyers are told that they cannot pay the shop by credit card because no tax is being charged and because this “special” shop does not normally do retail business. Thus the buyer must be driven to their “other” store to run the credit card. But the buyers at the “other” store are told that they must buy gold for some reason, which can then be used to buy the jewelry.

Although the gem shops try to appear legitimate and professional, most do not have windows (or the windows are covered up). They also do not display the official government “Jewelfest” logo in clear view as required by law—or, if they do display one, it is fake. Final negotiations, often accompanied by a high-pressure sales pitch, are conducted in a back room of the shop apart from the main showroom. Here, too, buyers may find yet another foreigner who will confirm all of the lies told by previous strangers the buyer has met earlier. After the sale, the package containing the goods is delivered immediately to the airport so that if the buyers change their minds or want to have someone else appraise the products, they will be gone.
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One American tourist traveling with a Japanese friend who a shop owner tried to cheat in this fashion reported on a meeting at the shop with the shop manager and with a Tourist Police officer present during which the American told the manager that he ran quite a brilliant scam (in front of the Tourist Police officer) to which the shop manager nodded agreeably, smiled, and began to laugh.

(http://www.2bangkok.com/2bangkok/Scams/sapp09.shtml)

**The Tourist Police**

As noted earlier, it was not until January of 2004 that the Thai Tourist Police issued a brochure that gave frank information about some of those behind these gem scams, including the owners of certain gold shops. International Internet website reports often cite experiences of scammed buyers during gem shop discussions with shop operators or owners and with Tourist Police officers present where owners and officers laugh and joke about the plight of the victims.

Many buyers complain that the Tourist Police take too long to approach stores after the purchases to try to help; others say it is extremely difficult to get the police to do anything. (http://www.ripoffreport.com/view.asp?=4143) Here are some comments about an experience with the Tourist Police by an American accompanied by a Japanese friend describing what happened after going to the airport with an officer from the Tourist Police to recover the “jewels” they had bought before they could be loaded onto a plane for shipment out of the country:

At this time he began asking us what amount of recourse we would be happy with receiving which made us think that he was interested in a bit of the reward and after asking us to not mention that the police were aiding us to the criminals
or anyone else we felt sure that there was some strange symbiotic relationship going on between the tourist police and the gem gangs (this was confirmed the next day when I went to the US embassy to ask them what to do and who to trust). In any case after a hectic ride in the back of the police van to the airport and back and not a bit of genuine fear for our lives the officer asked us to keep the gems in his office.

When we declined (at this point we felt we could trust no one but each other) he became a bit annoyed and declared that he was 'tired of our case' so we paid him 500 baht for being so kind and helping us out even though we weren't sure exactly what his intentions were and he dropped us off somewhere in the middle of Bangkok after we told him repeatedly that we did NOT want to go to Patpong and pick up hookers to make ourselves feel better.

Before we left we made an appointment with him for the next day to negotiate a refund. That night, needless to say I slept little and the next morning realized I really didn't trust the tourist police so I found the US embassy and my Japanese friend and I went there. I entered and asked the embassy staff what to do. The gave me an information sheet about possibilities for recovering lost goods and when I asked about whether the tourist police could be trusted the woman helping me smiled and shook her head before wishing me luck, (as a side note, when we picked up the gems in the airport we were handed a paper about Manat Soiploy but when we asked the tourist police officer about this he promptly confiscated the paper and refused to give it back to us).

Finally we decided that we had no choice but to go back and honor our appointment with the tourist police in the hopes of getting some portion of our
money back because later that day we had plans to board a train to Chiang Mai
and after that would not be returning again to Bangkok. Then we realized that
because we had made our transactions by credit card we might still be able to
cancel. So first we went to the meeting where I commented to the manager that
he ran quite a brilliant scam (in front of the police) he just nodded agreeably,
smiled and began laughing.

(http://www.2bangkok.com/2bangkok/Scams/sapp09.shtml)

Tourist Police officers are often seen by legal, licensed, registered tour guides
for the palaces eating, drinking, partying, and celebrating with a variety of gang
members—the same gang members they are supposed to be protecting the tourist
victims against. According to one popular website, “One of the tuk-tuk drivers who
takes victims to be scammed operates in front of the Tourist Information Center and the
local police station on Khao San Road.”

(http://www.2bangkok.com/2bangkok/Scams/Sapphire.shtml)

And back in 2000, an AFP wire service story datelined Bangkok quoted the
British consul here, Brian Kelly, as saying, “The problem is certainly on the rise. The
fact that much of this shady dealing is blatantly going on in the Grand Palace area in full
view of the police and Tourism Authority of Thailand officials makes it bizarre”
(“Bangkok urged to stop jewellery scam”. AFP, The Nation/Asia News Network.
August 22, 2000).

Alexandra Standen, a British tourist, telling the story to the Bangkok Post of
how she was cheated in Bangkok by a shop called Thai Royal Gems between May 28
and July 15, 2000 said this about the way she was treated:

We are very upset that the tourist police have not given us any support in this
matter, and that they talked about us in Thai to the men from the gem shop and
laughed at us. Over the past few visits to the police station we have encountered many other tourists who have been tricked in this way by the Thai Royal Gems Shop, some of whom have returned to the shop for a refund, and have been treated in a very threatening way. It appears the police do nothing and the gem shop continues to make extortionate amounts of money selling fake jewellery. ("Gem scam account: Gem deals are too good to be true". Bangkok Post. 21 August, 2000).

Another British tourist, Paul Murphy, from London had this to say in the same article:

We spoke to many other people in the exact same situation who had given over similar amounts of money. There were ten to fifteen people every day with the same problem and the police did not care or do anything about the matter. A member of the TAT staff walked out of the station and kicked a cabinet and said that the whole place was so dirty he would have to leave. We spoke to people whose lives were threatened, and a Japanese girl who was assaulted at the store, and nothing was done by the police.

Still another victim named Jack from Australia went to the Tourist Police and reported that they offered him this advice:

"1 There's nothing actually illegal about overpricing goods.  
2 There's nothing they can legally do about it.  
3 It happens all the time."

(http://www.into-asia.com/bangkok/gemscam/experiences.php)

In their defense, the Tourist Police say that there is really no law that allows them to prevent fraudulent gem shops from changing their names (often with numerous
name changes for a single shop at the same location) and denying any responsibility for ripping off customers under the previous shop name.

The Tourism Authority of Thailand

For its part, the Tourism Authority of Thailand (TAT) says that there is no law authorizing it or any other government department to suspend the registration or licenses of fraudulent shop owners and operators. Besides the actions already taken by the TAT listed below, they claim that there is not much more they can do to put a stop to these long-running and infamous scandalous swindles. The TAT has:

- organized conferences and meetings with related agencies such as the Tourist Police Division, the Revenue Department, the Office of Consumer Rights Protection, and the Department of Commercial Registration to seek their cooperation, to exchange information, and to find solutions to the problem;
- published brochures such as “Essential Precautions” and “Advice for Tourists Traveling in Thailand” for distribution to tourists in various locations;
- asked the Police Immigration Division to hand out a brochure called “Advice for the Visitor” which is displayed on its website;
- supported the establishment of the Jewel Fest Club as an alternative for tourists who would like to purchase standard-quality gems while at the same time guaranteeing to refund money to tourists under certain conditions;
- requested cooperation from the Tourist Police Division to act as a go-
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between with victimized tourists and gem shop operators and owners.

**The Thai government**

No government laws, rules, regulations, or measures exist to control the prices of set gems and gemstones or their quality in Thailand. After years of receiving reports from a wide range of sources, government agencies have still not passed strict or effective laws or regulations to stamp out this fraud or to punish those responsible.

Under the 1997 constitution, gem shops are free to conduct their businesses and can register their businesses or cancel their business registrations with the Ministry of Commerce’s Department of Commercial Registration as they see fit. Organizations such as the Tourism Authority of Thailand claim that they have no authority in this area.

Since there is no law governing gem prices, negotiations between buyers and shop owners for returning goods purchased and refunding the purchase prices are very troublesome. Because gem products and gold ornaments are not controlled under the Consumer Rights Protection Act of 1998, it is difficult to take legal action against these shops when they argue that the sales are final. All of this, then, begs the questions:

- **Which** government agencies are responsible for passing such laws?
- **Why** haven’t such laws been passed in over 20 years?
- **When** will such laws be passed?

### 3.3.3.5 Sample victim accounts

Of the numerous stories told over the years by victims of Thailand’s gem scams on various popular Internet sites, one typical account from Matt from Washington state...
is shown below; two additional victim accounts (for Jack from Australia and a foreign tourist named Marcus) are shown in Appendix A.

1 - Matt from Washington state, USA:

After returning home from a week in Thailand, I now learn that one of my experiences in Bangkok was part of an elaborate scam. Luckily, all that was involved was about USD $10-15 or so. We were pressed for time to catch a flight to Phuket so we didn't have much time to fall into this trap, but we did fall somewhat.

Since I am a Caucasian male, I couldn't pull off passing for a native in Bangkok, so I was spotted as a target from a mile away wearing a Mets baseball cap and carrying a small backpack. My friend Jennifer and I were approached outside of the gates of the Palace by a Thai man wearing a shirt and tie. Since we both were wearing shorts, he told us that we wouldn't be able to enter the palace grounds unless we had pants on -- but it didn't matter because today the palace was closed... the one day the palace closes for a Monk's festival.

He introduced himself as the Manager of the Palace - to which we just laughed and said "Whatever". We didn't know who he was or what he wanted, but we knew that the real Manager wouldn't be outside dressed in long sleeve shirt and tie on a day when it was near 100 degrees, wandering around chatting with tourists.

Instead of seeing the Grand Palace, he said we should go to see another temple nearby or up the street. I don't recall the name of the temple, but he said it would just be 50 baht (a bit more than USD $1) by tuk-tuk to get there. He flagged a driver down who was waiting in what appeared to be a tuk-tuk queue and gave
him instructions in Thai, since he allegedly didn't understand English. This "Manager" of the Palace then told us that not only would we see a nice temple, but we'd be near a Government jewelry shop where we could purchase jewelry as part of a Government promotion that was only taking place that day. Even though the "Manager" was a bit shady, we figured at least it would be a ride in a tuk-tuk through Bangkok and we'd get to see city life mid-day -- worst case, we could jump out of the tuk-tuk if there was trouble. After a fairly nice ride (about 10-15 minutes), we arrived at a temple... it was next to a school where Thai students were outside playing ball. The grounds of the Temple were nice and we saw monks praying and setting up chairs for something, maybe a festival? This added nicely to the story but we still kinda wondered about the weird "Manager". Since we were pressed for time, we went back to the tuk-tuk and waited for our driver, who seemed to disappear somewhere. While waiting, another Thai guy approached us and asked us all the typical tourist questions... and asked where our driver was because he wanted to "move his car". He claimed to have studied in the USA on a particular exchange program (AFS) in New Jersey and loved America.. blah blah. Then of course, he told us about this special Jewelry sale. It seemed like everyone we talked to knew about this special sale, but we didn't really question it since we weren't going to be making any major purchases. The tuk-tuk driver came back and this former exchange student told him in Thai to take us to that jewelry story - or it appeared as if he was saying something like that. When the tuk-tuk pulled away, we looked back and saw this man just walking around. Where was his car he had to move? We didn't see any car, nor was the tuk-tuk blocking any parking space. That was shady too, but we didn't realize or suspect all these people could be connected
in a big scam. WRONG!

We got to the jewelry story and went inside. It was nondescript cement store front with no signage or anything to identify what it was. I suspected it was like that for security reasons, but in any case, it was air-conditioned and we were dying of heat. We were the only ones in the store besides about 10 salespeople... they didn't really hover over us or anything - probably because they realized we weren't going to spend $1000 or anything substantial. They offered us drinks and one man claimed to be from Washington DC -- citing a location of his Jewelry store at 16th and K -- something we'd recognize. I think he may have said he was on a buying trip or something, but I can't remember.

Luckily, because we had a flight to catch, we only had about 5 minutes to browse around the store. Jen didn't buy anything, but I saw a silver ring I liked. I know it cost no more than USD $15 so I figured why not... it fit, it looked good and I bought it. I used my credit card (which I'm about to go cancel right now) and the sale was completed. Nothing suspicious there.

The tuk-tuk driver took us back and 50 baht was all it cost but this adventure, plus the lost time of not getting to see the Grand Palace. But next time, next time I'll know truth about the Palace and the special jewelry sale... and march right into the Palace, leaving those idiot scam artists dripping with sweat from the 100-degree heat. Of course, if I see any tourists falling prey to this scam, I'll warn them and call those guys on this scam.

I've been prompted to write my story here after a co-worker just asked me if I bought jewelry in Thailand on my trip. Same thing happened to her, but no substantial money was involved. My ring ...? Well, I noticed there was no
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sterling silver stamp inside of it. I guess it's really not silver, but I figure it's still nice and no one needs to know it's not real.

One more thing... I'm a very experienced traveler, work for an airline and have traveled to at least 50 countries, but I still fell prey to this scam for two reasons: (1) I didn't do much research before my trip, (2) I didn't leave these shady characters when things didn't add up (e.g. "Manager" of the Palace). Perhaps my story here might prevent an unknowing traveler from spending money on something that just isn't real.


As the researcher is a Buddhist, all of these scams are considered to be *akusakamma*—unethical and contrary to Buddhism—and are considered black lies that can lead to hellfire. These problems can be solved by applying the Global Code of Ethics for Tourism and Buddhist ethics as described below.

### 3.4 The Global Code of Ethics for Tourism

To protect both tourists and those in the tourist industry to solve various tourism problems taking place around the world, the World Tourism Organization developed a Global Code of Ethics for Tourism. In Santiago, Chile in October of 1999 a World Trade Organization (WTO) General Assembly meeting unanimously approved a ten-article Global Code of Ethics for Tourism. WTO members thought this was necessary to minimize the negative impacts of tourism on the environment and on the cultural heritage of tourism destinations, while at the same time maximizing the benefits for residents of tourism organizations. The code outlines what Francesco Frangialli, the WTO's secretary-
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general, calls the "rules of the game" for tourist destinations, governments, tour operators, developers, travel agents, workers, and tourists themselves. (www.world-tourism.org/frameset/code_ethics.html)

Before discussing details of the Global Code of Ethics for Tourism, the researcher would like to clarify the meaning of two of these terms:

- The *BBC English Dictionary* defines "ethics" as "moral beliefs and rules about right and wrong" (BBC, 1993, p. 376);
- Longman defines "ethics" as "moral rules or principles of behavior for deciding what is right and wrong" (Pearson Education, 2003, p. 533).
- Longman defines "code" as "a set of rules, laws, or principles that tell people how to behave", using examples such as "moral code", "code of conduct/behavior/ethics" as well as defining "code of practice" as "a set of rules that people in a business or profession agree to follow" (Pearson Education, 2003, p. 288).

Members of the World Tourism Organization believe that the Global Code of Ethics for Tourism is needed to help minimize the negative impacts of tourism on the environment and on cultural heritage while maximizing the benefits for residents of tourism destinations. The code consists of ten articles:

Article 1 Tourism's contribution to mutual understanding and respect between peoples and societies;

Article 2 Tourism as a vehicle for individual and collective fulfillment;

Article 3 Tourism, a factor of sustainable development;

Article 4 Tourism, user of the cultural heritage of mankind and contributor to its enhancement;

Article 5 Tourism, a beneficial activity for host countries and communities;
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Article 6 Obligations of stakeholders in tourism development;

Article 7 Right to tourism;

Article 8 Liberty of tourist movements;

Article 9 Rights of the workers and entrepreneurs in the tourism industry;


These principles embody the inviolable dignity of every human being as the very first fundamental ethical principle, which means that every person has a responsibility to treat all people everywhere and at all times in a humane way. They can be summarized thus:

- non-violence and respect for all life;
- solidarity and a just economic order;
- sustainability of consumption with respect for fragile environments and scarce resources;
- tolerance and a life of truthfulness;
- equal rights and partnership between men and women;
- protection of the rights of children.

(http://csdngo.igc.org/tourism/tour_ethics.htm)

In fact, all societies, cultures, and world religions are committed to certain ethical values which most people accept, including secular traditions, regulations, laws, and customs that determine the way that individuals, communities, and societies interact in addition to different religious beliefs such as those followed by Theravada Buddhists.

So everyone involved in tourism in any way must understand that the ethical principles must apply to all individuals in tourism in whatever role they play, all communities, and all societies. All actors have both rights and responsibilities and must
apply ethical standards to their behavior, their practices, and their actions. Of prime importance is observing the general principle of justice and trying to correct injustices that exist in tourism in all structures and in all fields such as economics, politics, social life, and cultural life.

3.5 Conclusion

Tourism has become a major international industry, with many countries worldwide relying on the income it produces. Its economic contribution advantages as a major source of foreign exchange and employment have led to its active promotion by governments and other institutions, but often without regard to its consequences for the environment or for tourism destination cultures—which is the subject of this work. The demands of tourism can, however, contribute to the destruction of the natural and cultural environment upon which it depends. It is essential to find ways to protect those environments for the present and future generations.

Also important for all of those involved in tourism is “authentic information” as a basic need for a just tourism order. This means that the media must be objective, fair, and truthful when reporting on tourism as they have tried to do with the Thai gem scandals.

To improve the present situation in tourism and to minimize its negative impacts, all actors must apply their knowledge, abilities, skills, expertise, and experience towards a tourism that is in line with the ethical principles contained in the Global Code of Ethics for Tourism. The international community and all actors involved in tourism—governments, other public authorities, decision-makers, professionals in the field of tourism, public and private associations and institutions—
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whose activities are related to tourism and tourists along with local communities must cooperate to safeguard the future of the tourism industry, which can contribute to economic prosperity, peace, and understanding among nations.
Chapter IV

Buddhist ethics and musāvāda in Thai tourism

4.1 The relationship between the Global Code of Ethics for Tourism, Buddhist ethics, and tourist guide ethics

Buddhism is a way of life and living which is as relevant to the world of today as it was more than 2,500 years ago when it was first promulgated by Siddhattha Gotama Buddha. It is the way of self-reliance. Buddhism does not rest on blind faith but on scientific investigation, on logic, and on reason. It encourages the questioning mind and it encourages seekers of ultimate truth.

Buddhist ethical principles are distilled down to two ethical codes—the Five Precepts and the Five Ennoblers. Which can be summarized by the spiritual qualities that they are likely to produce and promote:

1. The first precept helps to promote goodwill, compassion, and kindness;
2. The second precept can be instrumental in developing generosity, service, altruism, non-attachment, contentment, honesty, and right livelihood;
3. The third precept helps to cultivate self-restraint, mastery over the emotions and senses, renunciation, and control of sensual desire;
4. The fourth precept leads to the development of honesty, reliability, and moral integrity;
5. The fifth precept helps to promote mindfulness, clarity of mind, and wisdom.

These are not rules or commandments, but are principles of training undertaken freely that must be put into practice with intelligence and sensitivity. The Buddhist tradition is consistent with the Global Code and tourist guide ethics in that one should lead a good and noble life. On the business and social level, we need the code to help
the tourism industry maintain peace and harmony in society, facilitate the common good, and preserve the environment and cultural heritage of tourism destinations. Therefore, Buddhism is compatible with the Global Code of Ethics for Tourism since they both aim to promote happiness for individuals and society.

Whereas the goal of Buddhism is nirvana — deliverance of the mind. That is the final goal and cessation of all sufferings and conflicts — supreme happiness. But, also, the Buddha emphasizes the importance of the present life. In Buddhism we find the economic, social, ethical, intellectual, and mental or spiritual aspects. Buddhism emphasizes these aspects and the Buddha teaches all aspects of human life.

4.2 A comparison between the Global Code of Ethics for Tourism and Buddhist ethics

We know that in a society where morality prevails and members are conscious of their roles, there will be general security, trust, and close cooperation. Ethics can help people to harmony and peaceful coexistence among community members and can promote social growth and development, spirituality, and a way of living to achieve a happy life in the present and future.

In this section, the researcher compares five Buddhist moral precepts that are compatible with the Global Code of Ethics for Tourism. The code consists of ten articles:

Article 1: Tourism’s contribution to mutual understanding and respect between peoples and societies

1. The understanding and promotion of the ethical values common to humanity,
with and attitude of tolerance and respect for the diversity of religious, philosophical and moral beliefs, are both the foundation and the consequence of responsible tourism; stakeholders in tourism development and tourists themselves should observe the social and cultural traditions and practices of all peoples, including those of minorities and indigenous peoples and recognize their worth;

The practice of Buddhist morality aims at preserving the natural state of humanity and wholesomeness by observing certain sets of precepts that are graded into different levels according to different stages of moral maturity. Basically, lay Buddhists follow five precepts (pancasila):

- not to kill,
- not to steal,
- refraining from sexual misconduct,
- not resorting to falsehood, and
- refraining from taking intoxicants.

Observing the five precepts helps to promote peaceful living, mutual trust, a cooperative spirit, and general peace and harmony in society. It also helps to maintain an atmosphere that promotes social progress and development, as we can see from the practical applications of each precept.

This point is relevant to all five Buddhist precepts mentioned above. The essence of these precepts is moral responsibility to oneself and other beings. It is believed that practicing all of the Buddhist moral precepts deeply affects our personal and social lives.

2. Tourism activities should be conducted in harmony with the attributes and traditions of the host regions and countries and in respect for their laws, practices and customs; As we have seen, Buddhist moral precepts not only promote moral values and
help practitioners fulfill their noble status as human beings, but they also produce harmony and peace for community members, leading to social development – so this point is relevant to all five Buddhist precepts.

3. The host communities, on the one hand, and local professionals, on the other, should acquaint themselves with and respect the tourists who visit them and find out about their lifestyles and expectations; the education and training imparted to professionals contribute to a hospitable welcome; This point is relevant to all five Buddhist precepts because the essence of these five moral precepts is moral responsibility to oneself and other beings in society.

4. It is the task of the public authorities to provide protection for tourists and visitors and their belongings; they must pay particular attention to the safety of foreign tourists owing to the particular vulnerability they may have; they should facilitate the introduction of specific means of information, prevention security, insurance and assistance consistent with their needs; any attacks, assaults, kidnappings or threats against tourists of workers in the tourism industry, as well as the willful destruction of tourism facilities or elements of cultural or natural heritage should be severely condemned and punished in accordance with their respective national laws;

This point is relevant to all five Buddhist precepts because they protect society from chaos and enhance ethical values, helping practitioners fulfill their status as human beings, and promote harmony and peace for community members, leading to social understanding and happiness. Nowadays without morality there is more corruption and disturbance, and most of the problems that society experiences today are connected, directly or indirectly, with a lack of good moral precepts.

5. When travelling, tourists and visitors should not commit any criminal act or any act considered criminal by the laws of the country visited and abstain from any
conduct felt to be offensive or injurious by the local populations, or likely to damage the local environment; they should refrain from all trafficking in illicit drugs, arms, antiques, protected species and products and substances that are dangerous or prohibited by national regulations; This point is relevant to all five Buddhist precepts. These moral precepts lead to moral responsibility and respect for oneself and other human beings, which in turn promote ethical values and help fulfill practitioners’ virtuous status as human beings as well as contributing to harmony and peace in the world.

6. Tourists and visitors have the responsibility to acquaint themselves, even before their departure, with the characteristics of the countries they are preparing to visit; they must be aware of the health and security risks inherent in any travel outside their usual environment and behave in such a way as to minimize those risks; The five moral precepts concern moral responsibility to oneself and other people in society and encourage ethical values, so this point is relevant to all five Buddhist precepts.

Article 2: Tourism as a vehicle for individual and collective fulfillment

1. Tourism, the activity most frequently associated with rest and relaxation, sport and access to culture and nature, should be planned and practiced as a privileged means of individual and collective fulfillment; when practiced with a sufficiently open mind, it is an irreplaceable factor of self-education, mutual tolerance and for learning about the legitimate differences between peoples and cultures and their diversity; This point is not relevant to the five Buddhist precepts.

2. Tourism activities should respect the equality of men and women; they should promote human rights and, more particularly, the individual rights of the most vulnerable groups, notably children, the elderly, the handicapped, ethnic minorities and
indigenous peoples; The Buddhist ethical codes of five precepts can be summarized by the spiritual qualities that they are likely to produce and promote:

- The first precept promotes compassion, and kindness;
- The second precept promotes honesty, and right livelihood;
- The third precept promotes sensual-restraint, mastery over the emotions;
- The fourth precept promotes honesty, reliability;
- The fifth precept helps to promote mindfulness.

So this point is relevant to all five Buddhist precepts.

3. The exploitation of human beings in any form, particularly sexual, especially when applied to children, conflicts with the fundamental aims of tourism and is the negation of tourism; as such, in accordance with international law, it should be energetically combated with the cooperation of all the States concerned and penalized without concession by the national legislation of both the countries visited and the countries of the perpetrators of these acts, even when they are carried out abroad; This point rejects the exploitation of human beings in any form, so it is relevant to the second precept in Buddhism that promotes honesty, and right livelihood.

4. Travel for purposes of religion, health, education and cultural or linguistic exchanges are particularly beneficial forms of tourism, which deserve encouragement;

5. The introduction into curricula of education about the value of tourist exchanges, their economic, social and cultural benefits, and also their risks, should be encouraged; Points 4 and 5 are not relevant to the five Buddhist precepts.

**Article 3: Tourism a factor of sustainable development**

1. All the stakeholders in tourism development should safeguard the natural environment with a view to achieving sound, continuous and sustainable economic
growth geared to satisfying equitably the needs and aspirations of present and future generations;

2. All forms of tourism development that are conducive to saving rare and precious resources, in particular water and energy, as well as avoiding so far as possible waste production, should be given priority and encouraged by national, regional and local public authorities;

3. The staggering in time and space of tourist and visitor flows, particularly those resulting from paid leave and school holidays, and a more even distribution of holidays should be sought so as to reduce the pressure of tourism activity on the environment and enhance its beneficial impact on the tourism industry and the local economy;

4. Tourism infrastructure should be designed and tourism activities programmed in such a way as to protect the natural heritage composed of ecosystems and biodiversity and to preserve endangered species of wildlife; the stakeholders in tourism development, and especially professionals, should agree to the imposition of limitations or constraints on their activities when these are exercised in particularly sensitive areas; desert, polar or high mountain regions, coastal areas, tropical forests of wetlands, propitious to the creation of nature reserves or protected areas; Points 1 through 4 are not relevant to the five Buddhist precepts.

5. Nature tourism and ecotourism are recognized as being particularly conducive to enriching and enhancing the standing of tourism, provided they respect the natural heritage and local populations and are in keeping with the carrying capacity of the sites; Since the essence of Buddhist moral precepts is to protect human rights in life and property, this point is relevant to all five Buddhist precepts.
Article 4: Tourism, a user of the cultural heritage of mankind and a contributor to its enhancement

1. Tourism resources belong to the common heritage of mankind; the communities in whose territories they are situated have particular rights and obligations to them; This point is not relevant to the five Buddhist precepts.

2. Tourism policies and activities should be conducted with respect for the artistic, archaeological and cultural heritage, which they should protect and pass on to future generations; particular care should be devoted to preserving and upgrading monuments, shrines and museums as well as archaeological and historic sites which must be widely open to tourist visits; encouragement should be given to public access to privately owned cultural property and monuments, with respect for the rights of their owners, as well as to religious buildings, without prejudice to normal needs of worship; This point is relevant to all five Buddhist precepts since the main objective of these five precepts is respect for human rights and peace in society.

3. Financial resources derived from visits to cultural sites and monuments should, at least in part, be used for the upkeep, safeguard, development and embellishment of this heritage.

4. Tourism activity should be planned in such a way as to allow traditional cultural products, crafts and folklore to survive and flourish, rather than causing them to degenerate and become standardized; Points 3 and 4 are not relevant to the five Buddhist precepts.
Article 5: Tourism, a beneficial activity for host countries and communities

1. Local populations should be associated with tourism activities and share equitably in the economic, social and cultural benefits they generate, and particularly in the direct and indirect creation of jobs resulting from them;

2. Tourism policies should be applied in such a way as to help to raise the standard of living of the populations of the regions visited and meet their needs; the planning and architectural approach to and operation of tourism resorts and accommodation should aim to integrate them, to the extent possible, in the local economic and social fabric; where skills are equal, priority should be given to local manpower;

3. Special attention should be paid to the specific problems of coastal areas and island territories and to vulnerable rural or mountain regions, for which tourism often represents a rare opportunity for development in the face of the decline of traditional economic activities;

4. Tourism professionals, particularly investors, governed by the regulations laid down by the public authorities should carry out studies of the impact of their development projects on the environment and natural surroundings; they should also deliver, with the greatest transparency and objectivity, information on their future programs and their foreseeable repercussions and foster dialogue on their contents with the populations concerned; Points 1 through 4 are not relevant to the five Buddhist precepts.
Article 6: Obligations of stakeholders in tourism development

1. Tourism professionals have an obligation to provide tourists with objective and honest information on their places of destination and on the conditions of travel, hospitality and stays; they should ensure that the contractual clauses proposed to their customers are readily understandable as to the nature, price and quality of the services they commit themselves to providing and the financial compensation payable by them in the event of a unilateral breach of contract on their part;

2. Tourism professionals, insofar as it depends on them, should show concern, in cooperation with the public authorities, for the security and safety, accident prevention, health protection and food safety of those who seek their services; likewise, they should ensure the existence of suitable systems of insurance and assistance; they should accept the reporting obligations prescribed by national regulation and pay fair compensation in the event of failure to observe their contractual obligations;

3. Tourism professionals, so far as this depends on them, should contribute to the cultural and spiritual fulfillment of tourists and allow them, during their travels, to practice their religions;

4. The public authorities of the generating States and the host countries, in cooperation with the professionals concerned and their associations, should ensure that the necessary mechanisms are in place for the repatriation of tourists in the event of the bankruptcy of the enterprise that organized their travel; Points 1 through 4 are not relevant to the five Buddhist precepts.

5. Governments have the right – and the duty – especially in a crisis, to inform their nationals of the difficult circumstances, or even the dangers they may encounter during their travels abroad; it is their responsibility however to issue such information without prejudicing in an unjustified or exaggerated manner the tourism industry of the
host countries and the interests of their own operators; the contents of travel advisories should therefore be discussed beforehand with the authorities of the host countries and the professionals concerned; recommendations formulated should be strictly proportionate to the gravity of the situations encountered and confined to the geographical areas where the insecurity has arisen; such advisories should be qualified or cancelled as soon as a return to normality permits;

6. The press, and particularly the specialized travel press and the other media, including modern means of electronic communication, should issue honest and balanced information on events and situations that could influence the flow of tourists; they should also provide accurate and reliable information to the consumers of tourism services; the new communication and electronic commerce technologies should also be developed and used for this purpose; as is the case or the media, they should not in any way promote sex tourism; Points 5 and 6 are intended to promote honesty and reliability in tourism, so they are relevant to the fourth Buddhist precept relating to truthfulness and honesty.

**Article 7: Right to tourism**

1. The prospect of direct and personal access to the discovery and enjoyment of the planet’s resources constitutes a right equally open to all the world’s inhabitants the increasingly extensive participation in national and international tourism should be regarded as one of the best possible expressions of the sustained growth of free time, and obstacles should not be placed in its way;

2. The universal right to tourism must be regarded as the corollary of the right to rest and leisure, including reasonable limitation of working hours and periodic holidays
with pay, guaranteed by Article 24 of the Universal Declaration of Human Right and Article 7.d of the International Covenant on Economic, Social and Cultural Rights;

3. Social tourism, and in particular associative tourism, which facilitates widespread access to leisure, travels and holidays should be developed with the support of the public authorities;

4. Family, youth, student and senior tourism and tourism for people with disabilities, should be encouraged and facilitated; Article 7 is relevant to all five Buddhist precepts since the main purpose of the five precepts is to promote respect for human rights and to produce peace in society for now and the future.

**Article 8: Liberty of tourist movements**

1. Tourists and visitors should benefit, in compliance with international law and national legislation, from the liberty to move within their countries and from one State to another, in accordance with Article 13 of the Universal Declaration of Human Rights; they should have access to places of transit and stay and to tourism and cultural sites without being subject to excessive formalities of discrimination;

2. Tourists and visitors should have access to all available forms of communication, internal of external; they should benefit from prompt and easy access to local administrative, legal and health service; they should be free to contact the consular representatives of their countries of origin in compliance with the diplomatic conventions in force;

3. Tourists and visitors should benefit from the same rights as the citizens of the country visited concerning the confidentiality of the personal data and information concerning them, especially when these are stored electronically;
4. Administrative procedures relating to border crossings whether they fall within the competence of States or result from international agreements, such as visas or health and customs formalities, should be adapted, so far as possible, so as to facilitate to the maximum freedom of travel and widespread access to international tourism; agreements between groups of countries to harmonize and simplify these procedures should be encouraged; specific taxes and levies penalizing the tourism industry and undermining its competitiveness should be gradually phased out or corrected;

5. So far as the economic situation of the countries from which they come permits, travelers should have access to allowances of convertible currencies needed for their travels; Article 8 is relevant to all five Buddhist precepts because they help to create harmony and peace among different citizens and community members and to promote social growth and development, both spiritual and economic, for a way of life to achieve a happy life in the present and future.

Article 9: Rights of the workers and entrepreneurs in the tourism industry

1. The fundamental rights of salaried and self-employed workers in the tourism industry and related activities, should be guaranteed under the supervision of the national and local administrations, both of their States of origin and of the host countries with particular care, given the specific constraints linked in particular to the seasonality of their activity, the global dimension of their industry and the flexibility often required of them by the nature of their work;

2. Salaried and self-employed workers in the tourism industry and related activities have the right and the duty to acquire appropriate initial and continuous training; they should be given adequate social protection. Job insecurity should be limited
so far as possible; and a specific status, with particular regard to their social welfare, should be offered to seasonal workers in the sector;

3. Any natural or legal person, provided he, she or it has the necessary abilities and skills, should be entitled to develop a professional activity in the field of tourism under existing national laws; entrepreneurs and investors – especially in the area of small and medium-sized enterprises – should be entitled to free access to the tourism sector with a minimum of legal of administrative restrictions;

4. Exchanges of experience offered to executives and workers, whether salaried or not, from different countries, contributes to fostering the development of the world tourism industry; these movements should be facilitated so far as possible in compliance with the applicable national laws and international conventions;

5. As an irreplaceable factor of solidarity in the development and dynamic growth of international exchanges, multinational enterprises of the tourism industry should not exploit the dominant positions the sometimes occupy; they should avoid becoming the vehicles of cultural and social models artificially imposed on the host communities; in exchange for their freedom to invest and trade which should be fully recognized, they should involve themselves in local developments, avoiding, by the excessive repatriation of their profits or their induce imports, a reduction of their contribution to the economies in which they are established;

6. Partnership and the establishment of balanced relations between enterprises of generating and receiving countries contribute to the sustainable development of tourism and an equitable distribution of the benefits of its growth; Article 9 is not relevant to the five Buddhist precepts.
Article 10: Implementation of the principles of the Global Code of Ethics for Tourism

1. The public and private stakeholders in tourism development should cooperate in the implementation of these principles and monitor their effective application;

2. The stakeholders in tourism development should recognize the role of international institutions, among which the World Tourism Organization ranks first, and nongovernmental organizations with competence in the field of tourism promotion and development, the protection of human rights, the environment of health, with due respect for the general principles of international law;

3. The same stakeholders should demonstrate their intention to refer any disputes concerning the application or interpretation of the Global Code of Ethics for Tourism for conciliation to an impartial third body known as the World Committee on Tourism Ethics; Article 10 is not relevant to the five Buddhist precepts.

As the researcher is a Buddhist and believes that the Global Code of Ethics for Tourism and Buddhist ethics would be able to enhance people's ethical values and fulfills their noble status as human beings, but it also produces harmony and peaceful social growth and development and help minimize the negative impacts of tourism on the environment and on cultural heritage while maximizing the benefits for residents of tourism destinations such as Thailand and other countries.

In Buddhist teaching sila details basic ethics for Buddhists leading to harmony and peaceful coexistence among community members and helps to promote social growth and development. In a society where morality prevails and members are conscious of their roles, there will be general security, trust, and close cooperation. These, in turn, should lead to greater progress and prosperity. Without morality there will be corruption and disturbance, and all members of society are adversely affected.
Most of the problems that society experiences today are connected, directly or indirectly, with a lack of good morality.

As the core ethical code of Buddhism, the Five Precepts embody its ethical principles. The Buddhist tradition acknowledges that life is complex and throws up many difficulties, and it does not suggest that there is a single course of action that will be right in all circumstances. Indeed, rather than speaking of actions being right or wrong, Buddhism speaks of being skillful (kusala) or unskillful (akusala).

In this chapter the Five Precepts are emphasized because these are the normal moral precepts for Buddhist laymen to follow. As Khuntipalo has said,

The moral code of Buddhists is not an end in itself but is practiced as a stepping stone to reach Enlightenment. There are different calls of Precepts for Buddhists following the Teaching upon different levels. The Precepts are in no sense commandments, for no one has commanded that one should keep them; The Buddha advises us for our own happiness and for that of other that we should observe certain ‘rules of training’ as the Precepts are called (1970, p. 80).

The Buddhist goal is achieving human perfection, which should be the real purpose of life. This gives life meaning. Those who have made good progress along the Buddhist path can reach a high degree of happiness, contentment, and freedom from fear. Sometimes material affluence is seen as the goal by many, but this does not necessarily bring about the happiness that the Buddha sought to promote. As the Buddha said in the Anguttara Nikāya, “Being endowed with morality (Sīla), concentration brings high fruit and blessing. Being endowed with concentration, wisdom brings high fruit and blessing. Being endowed with wisdom, the mind becomes freed from all cankers” (A.IV.1).
In this work, the researcher emphasizes discussion of the Five Precepts and how they can be applied to solving the problem of *musāvāda* in Thai tourism. On the subject of the Five Precepts, Sri Dhammananda has said,

Lay Buddhist morality is embodied in the Five Precepts, which may be considered at two levels. First, it enables men to live together in civilized communities with mutual trust and respect. Second, it is the starting point for the spiritual journey towards Liberation. Unlike commandments, which are supposedly divine commands imposed on men, precepts are accepted voluntarily by the person himself, especially when he realized the usefulness of adopting some training rules for disciplining his body, speech and mind. Understanding, rather than fear of punishment, is the reason for following the precepts" (1987, pp. 162-163).

According to our study of various texts such as the *Mahāparinibbanasttā*, the Buddha says that a person who always observes the Five Precepts is certain to see five good results:

1. great wealth
2. a good reputation
3. self-confidence
4. an untroubled death,
5. and a happy state after death (Mererk, 1994, p. 112).

Thus Buddhist morality not only enhances people's ethical values and fulfills their noble status as human beings, but it also produces harmony and peaceful coexistence among community members leading to social growth and development. Therefore, it can be concluded that both Buddhism and the Global Code of Ethics for Tourism recognize the importance of the moral foundations for a satisfactory economic,
political, and social order and present certain basic principles which can be seen as universally valid. They offer a system of ethics that suits the modern age of science and technology.

But the goal of Buddhist ethics is overcoming human suffering. Buddhism explains that human suffering is caused by the moral depravity of human beings. According to Buddhism, if human beings can achieve a complete inner transformation they will overcome their own suffering as well as cease to create suffering for others. The highest goal of *nibbāna* can be achieved through three levels of Buddhist ethics. As recited at the end of Buddhist ceremonies,

Through virtue they go to heaven
Through virtue wealth is attained
Through virtue they go to liberation
Thus we should all purify our virtue (Arundhammarangsi, 1991, p. 271).

Also, Sri Dhammananda mentions that Buddhist ethical theory is intrinsically a part of nature. Morality in Buddhism is essentially only a means leading to the final goal of ultimate happiness (1987, p. 146).

4.3 Assessment of Buddhist ethics and *musāvāda* in tourism

According to Buddhism, the act of *musāvāda* in Thai tourism would be considered an immoral action, or *akudalakamma*. Buddhism teaches that the roots of bad action are *akusalakamma* that drives a person to do evil of all kinds. What is seen daily in newspaper headlines nowadays reporting acts of theft, gem scams near tourist sites in Bangkok, deceptions, murders, suicides, terrorism around the world such as the
World Trade Center bombing in America and Thailand's own terrorists who misinterpret the teachings of the Koran. Since January 2004 approximately four hundred people have been killed or injured as a result of such acts of evil. According to Buddhism, the original causes are within a person's mind: these are called kilesa, or defilements.

From a secular point of view critical or adverse situations in people's lives drive them to commit these acts. This implies, for instance, that poverty can be a cause of such crimes as theft, robbery, and other violent acts. However, it has been seen that quite a number of wealthy people also condescend to commit similar acts. Poverty, therefore, can serve as a pretext since many poor people have been diligently doing good and never resort to such wrongdoing.

According to Buddhism, the origins or source of what is bad is called akusalamula, of which there are three kinds:

1. Lobha - wanting or coveting;
2. Dosa - thinking of harming others;

Phra Assajita Dhammajito has explained citta:

Citta is a technical term in Pali, a language used in the Buddha's time, i.e., the tripitaka. It is derived from the root cit, which means the heart, i.e., the center and focus of man's emotional nature as well as that intellectual element which inheres in or accompanies its manifestations. It can also be commonly translated as thought, heart, mood, emotion, idea, reasoning and attitude (2000, p. 2).

Citta is an important term in Buddhist texts because the Buddha emphasized citta more than other topics. As the Buddha said, "Mind is the forerunner of all things,
mind is their chief, and they are mind-made. If one speaks or acts with a good mind, then happiness follows him, even as his own shadow that never leaves him” (Dhp. verse 2).

Then we can see that attachment brings sorrow. Sometimes attachment is very obvious, but there are many degrees of lobha and often we may not know that we have lobha. Cittas arise and fall away very rapidly and we may not realize it when lobha arises because of what we experience in daily life through the six doors, especially if the degree of lobha is not as intense as greed or lust. Every time there is a pleasant sight, sound, odor, taste or impression through the body-sense, lobha is likely to arise. It arises countless times daily when certain opportunities present themselves. It is beyond control. In many suttas the Buddha speaks about lobha, points out its dangers, and the way to overcome it. These conditions of lobha citta give rise to the problems that relate to the Thai gem scams as they are described in the Abhidhamma Handbook for Buddhist study:

1 somanassa saha gata tā di thiga ta sām pā yuttaṁ asa a khārikaṁ =
   one consciousness, accompanied by joy, associated with wrong view, unprompted
For example, gang members, accompanied by joy, associated with telling tourists that gems are of high quality, without persuasion;

2 somanassa saha gata tā di thiga ta sām pā yuttaṁ sasamkhārikaṁ =
   one consciousness, accompanied by joy, associated with wrong view, prompted
For example, gang members, accompanied by joy, associated with telling tourists that gems are of high quality, including persuasion;

3 somanassa saha gaga tā di thiga ta vippa yuttaṁ asamkhārikaṁ =
   one consciousness, accompanied by joy, dissociated with wrong view,
unprompted

For example, gang members, accompanied by joy, dissociated from telling tourists that gems are of high quality;

4 $somanassasahagatani \text{ itthigatavippayuttan, } sasamkhārikāni =$

one consciousness, accompanied by joy, dissociated with wrong view,

prompted

For example, gang members, accompanied by joy, dissociated from telling tourists that gems are of high quality;

5 $upekkhasahagatani \text{ ditthigatasampayuttan, asamkhārikāni } =$

one consciousness, accompanied by equanimity, associated with wrong view,

unprompted

For example, gang members, accompanied by equanimity, associated with telling tourists that gems are of high quality;

6 $upekkhasahagatani \text{ ditthigata-sampayuttan } sasakhārikāni =$

one consciousness, accompanied by equanimity, associated with wrong view,

prompted

For example, gang members, accompanied by equanimity, associated with telling tourists that gems are of high quality, including persuasion;

7 $upekkhasahagatani \text{ ditthigatavippayuttan, asamkhārikāni } =$

one consciousness, accompanied by equanimity, dissociated from wrong view,

unprompted

For example, gang members, accompanied by equanimity, dissociated from telling tourists that gems are of high quality;

8 $upekkhasahagatani \text{ ditthigatavippayuttan } asasamkhārikāni =$
one consciousness, accompanied by equanimity, dissociated from wrong view, prompted

For example, gang members, accompanied by equanimity, dissociated from telling tourists that gems are of high quality (Anawilo, 2001, pp. 6-7).

Lobha is sometimes translated as 'greed' or 'craving'; it can be translated by different words, since there are many degrees of lobha. Lobha can be coarse, medium or subtle. Most people can recognize lobha when it is very obvious, but not when it is of a lesser degree. For example, we can recognize lobha when we are inclined to eat too much of a delicious meal, or when we are attached to alcoholic drinks and cigarettes. We are attached to people and we suffer when we lose those who are dear to us through death.

4.4 Other Buddhist ethics for tourist guides

In Thailand, there are about 33,000 Buddhist temples across the country, with the vast majority of them in the countryside. Buddhist monks are highly venerated for their chaste life, self-restraint, social benevolence, and knowledge of spiritual practices. The Buddhist goal is achieving human perfection, which should be the real purpose of life.

Tourist guides and those who have made good progress along the Buddhist path would have reached a high degree of happiness, contentment, and freedom from fear. Some people see material affluence as a primary goal in life, but this does not necessarily bring about the happiness which the Buddha sought to promote. Below are some common ethics for lay people and especially tourist guides for their duties as they
are the cultural ambassadors of the country and for being successful in their lives and
to promote social respect and mutual understanding in society:

- *Gārāvāsa-dhamma*: Virtues for a good household life, virtues for lay people
  
  (1) *Sačca* - truth and honesty
  
  (2) *Dama* - taming and training oneself; adjustment
  
  (3) *Khanti* - tolerance; forbearance
  
  (4) *Cāga* - liberty; generosity (S.I; 215 Sn.189).

- *Lokapāla-Dhamma*: Virtues that protect the world
  
  (1) *Hiri* - moral shame; conscience
  
  (2) *Ottappa* - moral dread (A.I.51; It.36).

- *Iddipādha*: Path of accomplishment, basis for success
  
  (1) *Chanda* - will
  
  (2) *Viriya* - energy, effort, exertion
  
  (3) *Citta* - thoughtfulness, active thought
  
  (4) *Vimamsa* - investigation, examination, reasoning, testing
  
  (D.III.221; Vbh.216)

- *Patisantihara*: Hospitality, welcome, greeting
  
  (1) *Amissapotisandhāra* - worldly hospitality, material or carnal greeting
  
  (2) *Dhammapatisandhāra* - doctrinal hospitality, spiritual greeting
  
  (A.I.93; Vbh.360).

In summary, all Buddhists aim for the same goal: *nibbāna*. Their important task is to follow the path leading to spiritual development and to spread the Buddha’s teachings throughout the world. This conforms to the Buddha’s expectations of his disciples expressed in these words:
Bhikkhus and Bhikkhunis, and lay-disciples of either sex shall have become true hearers, wise and well trained, ready and learned, carrying the doctrinal books in their memory, masters of the lesser corollaries, that follow from the larger doctrine, correct in life, walking according to the precepts until they, having thus themselves learned the doctrine, shall be able to tell others of it, preach it, make it known, establish it, open it, minutely explain it and make it clear until they, when others start vain doctrine easy to be refuted by the truth, shall be able in refuting it, to spread the truth abroad (D.II.104; cited in Mererk, 1994, pp. 129-130).

4.5 Applying Buddhist ethics to solve the problems of musāvada in Thai tourism

Tourism is the largest industry in the world today in terms of economic activity and as a generator of employment. One out of every twelve workers worldwide works in the tourism and hospitality industry (Van Harsel, 1994, p. 1). Improper tourism management can cause major problems resulting from tourism development that need to be addressed here, including:

- Rising prices (labor, goods, taxes, land);
- Changes in local attitudes and behavior;
- Social pressures (overcrowding, disturbances, alienation);
- Loss of resources, access rights, and privacy;
- Denigration or prostitution of local cultures;
- Reduction of aesthetics;
- Pollution in various forms;
- Lack of control over the future of tourist destinations; and
Specific problems such as vandalism, litter, traffic, and low-paid seasonal employment.

These same problems are common to many forms of development. At the same time Thailand's tourism industry is facing some moral and ethical problems which need to be addressed as well. For example, in 2002 the Tourism Authority of Thailand reported receiving over a thousand complaints a year from tourists who had been cheated on gem purchases. Most of the problems in the Thai tourist industry today are connected, directly or indirectly, with a lack of morality. (http://www.ripoffreport.com/view.asp?id=4143)

Many of the problems Thailand now faces can be solved. For example, if people really observed the Five Precepts, there would be far less violence, fraud, and corruption. Even if only one precept of the five was observed, this would surely contribute significantly to society. Thai society owes a great deal to Buddhism for many of the blessings that it enjoys. A famous Buddhist scholar has said,

No doubt the Five Precepts bring good results to both individuals and society. They can help people to create a civilized world where they can live together in peace, harmony and economic prosperity. The Five Precepts, preached to the world by the Buddha twenty-five century ago, are never out of date. We find them very much relevant to the present circumstance of the world. Most of the world problems such as wars, national conflicts, terrorism, corruption, destruction of the environment, the spread of AIDS, and drug abuse would have been solved if the Five Precepts had been upheld and sincerely practiced in daily life very everyone (Mererk, 1994, p. 112-113).

To ensure that the Five Precepts are observed throughout the world, such world organizations as the United Nations, the World Fellowship of Buddhists, and the World
Tourism Organization should persuade and encourage their member nations to uphold the spirit of the *pancasila* and secure its implementation. If the spirit of the Five Precepts is upheld by people of all religious and social systems, we might see an era of peace and prosperity if we can understand and appreciate the Buddha’s words: "*Natthi santiparam'sukham*; There is no higher bliss than peace" (Mererk, 1994, p. 113).

On the other hand, to solve this problem properly, tourists themselves must remember to be skeptical when they are given any information and that they should not trust anyone or any information too readily. As the Buddha instructed the Kalamas, who were inhabitants of Kesaputta (a town in the Kingdom of Kosala) on an appropriate attitude towards religious beliefs:

- do not accept anything on mere hearsay,
- nor by mere tradition,
- nor on account of rumors,
- nor just because it accords with your scriptures,
- nor by mere suppositions,
- nor by mere inference,
- nor by merely considering the appearances,
- nor merely because it seems acceptable,
- nor thinking that the recluse is our teacher (A.I.84).

### 4.6 How to convince Buddhist and non-Buddhist tour guides to adopt ethical practices

Before detailing how we might convince both Buddhist and non-Buddhist tour guides to adopt ethical moral practices, the researcher would like to first define “convince” for clear understanding:
• to make someone feel certain that something is true; to persuade someone to do something - Her arguments didn’t convince everyone, but changes were made (Pearson, 2003, p. 345).

• to make (someone) agree, understand, or realize the truth or validity of something - He had finally convinced several customers of the advantages of his product. (http://lookwayup.com/lwu.exe/lwu/d?t=&h=&s=f&b=&w=convince&pos=v&Syn_ID=522671&st=synrelX)

• to move by argument or evidence to belief, agreement, consent, or a course of action - to convince a jury of his guilt; A test drive will convince you that this car handles well. (http://www.infoplease.com/dictionary/convince; Random House Unabridged Dictionary, 1997)

The Tourism Authority of Thailand (TAT) has promoted both culture and tourism internationally as part of the "Festival of the World", maintaining the balance between cultural preservation and tourism promotion. Foreign visitors are able to learn the local customs of each region and understand more about each community’s way of life. The vision of the Tourism Authority of Thailand in the years 2002 through 2006 is to emphasize sustainable tourism, economic and environmental development. (http://www.gothailand.com/frameme.php?page=songkran.htm)

The celebration in these important festival activities, including religious ceremonies, the researcher as a Thai Buddhist devotee believes that they could be an effective way to teach ethical precepts and can produce spirituality to tour operators, tour guides, and visitors as discussed in the section 4.6.1 through 4.6.2
4.6.1 Promoting religious festival tour programs

To visit Thailand is to experience Thai Buddhism, for culture and religion cannot be separated. Thais have followed and supported the Buddha's teachings for more than six hundred years. Much of Thai life centers around the local wat (temple or monastery) where people come for worship, sermons, advice on family matters, meditation, schooling for children, and traditional medicine. Many boys and men take on robes as novices or monks for short periods to fully immerse themselves in the Buddha's way of life. Men who choose to spend all their lives in the monkhood receive great respect. Thais also welcome foreigners to come and practice the Buddha's teachings. The extremely supportive environment of a good Thai wat or meditation center provides inspiration and opportunity for spiritual development that is rare in the world today.

As a country famous for friendly people, the Thais are only too willing to talk to travelers about their way of life. Therefore, travelers who venture to different parts of the country, visiting remote villages and bigger cities, can experience many festivals all year round.

Buddhist holy days are still considered special occasions for making merit in Thailand. There are numerous regular religious sermons or discussions on radio and television, especially on Sundays or holy days. The more important holy days are those related to special events in the life of the Buddha.

Thais are fun-loving, sentimental people and annual festivals - both commemorative and celebrative - play an important role in Thai life. Most festivals are related either to Buddhism, the annual rice-farming cycle, or commemorations honoring Thai kings. Some occur on fixed dates. Others, particularly those associated with Buddhism, are determined by the lunar calendar. Many merit national holidays.
Most Thais are devout Buddhists who celebrate the frequent Buddhist holidays with fervor. For religious festival tour programs operated by travel agencies or by private tour groups to visit for temples or celebrate, the most important for Thai Buddhists relate to making merit (thamboon in Thai). The most important religious festivals of the year are:

- **Visakha Pucha Day.** This is the holiest of all the auspicious Buddhist religious days, marking the birth, enlightenment, and death of Lord Buddha. Throughout the country, people go to temples to listen to sermons by revered monks and make merit. Shortly after sunset, candlelit circumambulating take place around major temples.

- **Magha Pucha Day.** This important Buddhist holy day marks the auspicious occasion when 1,250 of Lord Buddha's adherents spontaneously congregated to hear him give a sermon. Merit-making ceremonies are held during the day at temples throughout the country, while at night, triple candlelit circumambulations are staged around major temples.

- **Asalaha Pucha Day.** The full-moon day of the eighth lunar month marks the preaching of Lord Buddha's first sermon to his first five disciples after attaining Enlightenment more than 2,500 years ago. In the evening, candlelit processions take place in Buddhist temples around the country.

- **Songkran Day (April 13-15).** The traditional Thai New Year is an occasion for celebration throughout the country. This occasion is marked with religious ceremonies as well as public festivities. Water-throwing among the people in a spirit of fun and goodwill is the main activity of this festival.

- **The King's birthday celebrations (December 5; “Father's Day”).** King Bhumibol Adulyadej, the world's longest-reigning monarch, is beloved and deeply respected by all Thais old and young. The celebration of his royal birthday provides his
loyal subjects the opportunity to express their reverence for him. Throughout the country, buildings and homes are elaborately decorated and the area around the Grand Palace is spectacularly illuminated.

- The Queen's birthday celebration (August 12; "Mother's Day"). To display their loyalty and to honor Her Majesty Queen Sirikit on her royal birthday, the Thai people decorate their houses and public buildings. Around Bangkok, Ratchadamnoen Avenue (the area around the Grand Palace) and other well-known locations are bedecked with colored lights and magnificent adornments.

- New Year's Day (January 1). To greet the New Year, a range of uniquely Thai traditional and cultural festivities are held in various parts of the country. The first day of the new year begins with the Buddhist merit-making ritual in the early hours of the morning and is followed by afternoon and evening merry-making and folk entertainment.

- Praying at nine sacred Buddha image temples in Bangkok. The Tourism Authority of Thailand (TAT) has promoted various types of activities around the kingdom – for example, Bangkok Grand Songkran Buddhist merit-making at nine sacred temples between April 12 and 15, 2005:
  - The Temple of the Emerald Buddha (Wat Phra Kaew)
  - Wat Phra Chetupon (Wat Pho)
  - Wat Suthat
  - Wat Arun (The Temple of Dawn)
  - Wat Saket
  - Wat Chanasongkram
  - Wat Rakang
  - Wat Kalayanamit
The city's pillar shrine.


These major Buddhist holy days and festivals are also national holidays and are always joyful occasions. On a festival day, lay people will go the the local temple or monastery for three modes of making merit recommended by the Dictionary of Buddhism for a lay Buddhist to follow:

- generosity (dana\(maya\)),
- morality (silamaya),

Thus, Mizuno has commented that "Buddhism concerns itself with both the actual state of people's spiritual development and the ideal state they can attain" and that "Buddhism's ultimate purpose is religious practice that helps people attain the ideal state of development" (1996, p. 163).

Thailand still has many special festivals and the Buddhist community observes holy days throughout the year. As we have seen, Thailand is one of the most strongly Buddhist countries in the world. Theravada Buddhism, as a mean of promoting inner peace and happiness, has a strong influence on daily life in Thailand. So the various Thai festivals and Buddhist activities mentioned above should enhance ethical values for tourist operators and guides and could be of great importance in their efforts toward the highest religious goal of supreme happiness (nibbana).

4.6.2 Promoting TAT awards

The Bangkok Tourist Business and Guide Registration Office of the Tourism Authority of Thailand appreciates the importance of tourist guides, who are, in effect,
Thailand’s cultural ambassadors, performing a public relations role for tourists from around the world. This Office thus initiated the Tourist Guide Awards Project in 2000 covering the 33,732 Thai guides who have registered with and received licenses from the Office. The Office has organized the second Tourist Guide Project to promote and honor Thai guides who are knowledgeable, competent, and have high moral standards and ethics: the objective is to promote friendly competition among guides and to promote quality tourism.

All tourist guides know that tourist guide awards are designed to encourage individual tour guides to create and deliver innovative, accurate, and inspiring tours that enhance both the tourism “product” and the visitor’s experience. The awards are given to individual tour guides who demonstrate excellence in their field. The Thailand Tourism Awards were introduced by the Tourism Authority of Thailand in 1996 and were recognized and endorsed by the World Tourism Organization. They were designed to motivate both private and public tourism-related organizations to conserve the country’s natural and cultural resources and to promote sustainable tourism development.

These tourism awards recognize and honor tourism-related organizations in the private and public sectors that have played a significant direct and indirect role in tourism development. They also aim to encourage competitiveness, quality management, and superior standards of service in the tourism industry, which in turn can contribute to conserving the country’s natural and cultural resources and support sustainable tourism development. In fact, they serve several purposes at the same time: promoting, conserving, and promoting tourism and tourist attractions; honoring and encouraging Thai guides who are knowledgeable, competent, and have high moral
standards and ethics; and promoting quality through friendly competition among tour guides.

The Thai Government and the Tourism Authority of Thailand have provided various types of awards for Thai tourism attractions and tourist guides in six categories:

1 - Awards for tourist attractions –
   - Natural attractions
   - Arts and cultural tourist attractions
   - Recreational attractions
   - Town and local tourist attractions
   - Ecotourism attractions
   - Agrotourism attractions
   - Tourist attractions emphasizing scenic routes on land
   - Waterway tourist attractions
   - Tourist attractions emphasizing scenic routes by sea

2 - Awards for tourist accommodation –
   - City hotels and tourist accommodation
   - Convention accommodation
   - Resort tourist accommodation

3 - Awards for tourist programs –
   - Tour programs for domestic tourists
   - Tour programs for inbound tourists
   - Diving tour programs

4 - Awards for conservation organizations –
   - Organizations that promote and develop tourism

5 - Awards for conservation –
Buddhist ethics and *musāvāda* in Thai tourism

6 - Tourism publicity awards –

- Printed mass media
- Specialized print media
- Television media
- Radio media
- Internet media.

(http://www.tatnews.org/tat_news/detail.asp?id=2108)

The awards for tour guides are statues of the kinnari, a half-human, half-bird mythological character featured in ancient Thai literature representing beauty and exhalation. The kinnari holds a lotus in one hand, while a pigeon is perched on the other: the lotus symbolizes purity and the highest esteem, while the pigeon represents peace, brotherhood, and harmony.

As a licensed tourist guide, the researcher strongly believes that religious festivals tour programs and TAT’s awards such as these can serve as a religious ethical values activities and powerful tool in motivating tour guides and travel agencies to adopt ethical practices and to encourage them to:

- become more knowledgeable and competent
- set high moral and ethical standards
- promote quality tourism, and
- encourage friendly competition among guides.

If tour companies and tour operators can adopt the ethical practices discussed earlier this would clearly be beneficial for all, allowing them to benefit from the services of professional tour guides acting as “Thai tourism ambassadors” to promote Thai culture, heritage, and tradition on behalf of the Kingdom.
4.7 Critical conclusion

The researcher strongly believes that both the Global Code of Ethics and Buddhist ethics can solve the scam problems and that religious festival tour programs and tourism awards to recognize and honor tourism-related organizations can be powerful tools for motivating tourist guides and tour operators to follow ethical practices in Thai tourism as the objective of Buddhism is to overcome human suffering. Buddhism explains human suffering as caused by the moral depravity of human beings. According to Buddhism, if human beings can achieve a complete inner transformation they will overcome their own suffering and will cease to create suffering for others. The highest goal of *nibbana* can be seen as attaining moral perfection. It is defined by the Buddha as the destruction of greed, hatred, and ignorance that are considered as the three roots of moral evil.

Article 10 of the Global Code of Ethics concerns the redress of grievances and marks the first time that a code of this type has had a mechanism for enforcement. It is based on conciliation through of a World Committee on Tourism Ethics composed of representatives from each region in the world and representatives of each group of stakeholders in the tourism sector governments, the private sector, labor, and nongovernmental organizations.

They have the task of creating and maintaining peace, pleasure, tranquility, happiness, harmony, and humanism in society and promoting ethical values common to humanity with tolerance and respect for the diversity of religious, philosophical, and moral beliefs. All of these are both the foundation and the consequence of responsible tourism. All stakeholders in the tourism industry must be responsible for maintaining the social and cultural traditions and practices both of their own societies and peoples.
Chapter V

Conclusions and recommendations for further research

There are different opinions and views on *musāvāda* and its consequences. Some people believe that it is not a grave religious offence and that we cannot live in society without resorting to false speech in some situations, but this may because some people misunderstand the meaning of false speech in a religious context. Hence the researcher explains the details of false speech for all of those in society who wish to live happily and peacefully at the present time and the next life.

In Buddhism, there are three main types of falsehoods (*musāvāda*):

- Direct falsehoods
- Indirect falsehoods
- The breaking of promises.

The act of lying, according to the fourth precept, must meet these four conditions:

- The untruth itself
- The intention to deceive
- The involvement of effort, and
- The act of communicating the untruth.

The *Abhidhamma* explains that when *musāvāda* meets these four conditions it is called *kammapada musāvāda* and is classified into two categories:

1) *musāvāda* leading hellfire; and

2) *musāvāda* not leading to hellfire

In this study the researcher found that *musāvāda* ("false speech") is generally recognized as *akusalakamma* (*pāpa*) – immoral actions or wrong actions in Buddhist teaching that are also illegal, and this is accepted by the researcher. But the researcher
found two types of *musāvāda*. The first type, *kusalamusāvāda*, can bring about world peace, spirituality, social utility, social welfare, and mutual understanding without harming people or society (although he doesn’t believe that this should be encouraged). The second type, *akusalamusāvāda*, can harm speakers and destroy others’ benefits, other people, and society.

From Buddhist studies, this Buddhist researcher has found that *musāvāda* is generally considered to be *akusalakamma* – unethical, wrong actions contrary to Buddhist beliefs and those of some other religions as well: this finding is also accepted by the researcher. The researcher also believes that it is sometimes necessary for people in general and their leaders to lie, but that this must be based on loving kindness (*mettā dhama*), good will, and good intentions to promote spirituality, social utility, societal welfare, and mutual understanding so as not to do harm to themselves or others.

In Thailand, Buddhism has become so integrated with Thai life that the two are hardly separable. Buddhist influences can be seen in the Thai lifestyle, mannerisms, traditions, character, arts, architecture, language, and all other aspects of Thai culture. The fact that Thailand has become widely known today as “The Land of Smiles” is partly due to the Buddhist influence on the Thai people, but the problem of *musāvāda* in the form of cheating still occurs often in different fields of business, including the tourism industry.

As the researcher has been a bronze licensed tour guide for several years, he has found that tourist guides who are authorized to conduct tours must study from various educational institutions and obtain licenses from the Tourism Authority of Thailand after passing an examination. Tourist guides are classified into two types:

1. General licensed tourist guides who have licenses from the Tourism Authority of Thailand; and
2 Ghost (illegal) tourist guides who do not have licenses from the Tourism Authority of Thailand.

Because of problems with the government regulation of tourism, the problems discussed in this paper have arisen and have now become serious, including: cheating; corruption; providing false information; and kickbacks or commission payments. For this research, the researcher has focused only on the main problems for Thai tourism that damage the image and reputation of Thailand and its people related to what Buddhists call *musāvāda*, or “false speech”, namely:

- Canal trip scams
- Tailor scams, and
- The infamous Thai gem scams.

The main problems for Thai tourism that damage the reputation of all concerned are caused by what are called “ghost” (illegal) tourist guides who come from a wide range of occupations (as discussed in Chapter 3). In Buddhism, there are three main motivations for this type of *akusalakamma*, called *akusalamula*: *Lobha* (wanting or coveting); *Dosa* (thinking of harming others); *Moha* (delusion or false understanding).

To help solve these problems, these illegal tourist guides should consider the effect of their evil actions on their own lives, on the lives of their families, and on their afterlives. The Buddha has said, "All sentient beings are the owners of their *kamma*, inheritors of their *kamma*, born of their *kamma*, related to their *kamma*, supported by their *kamma*. *Kamma* is that which divides beings into coarse and refined states." As for tourists themselves, they must be skeptical of information they are given, such as, "You can earn great profit from reselling Thai gems in your own country."
The government, tourist guides, tourists, and tour organizers should follow the Global Code of Ethics for Tourism, the five Buddhist precepts (*sila*), as well as tourist guide ethics, and the other Buddhist ethics such as:

- The four *Garavāsa-dhamma* - Virtues for a good household life or virtues for lay people;
- The two *Lokapāla-dhamma* - Virtues that protect the world;
- The four *Iddipādha* - The path of accomplishment, basis for success; and
- The two *Patisanithāra* - Hospitality, welcome, greeting.

The researcher believes that following all these different kinds of ethics can solve the problems of the Thai tourism and that various types of religious festivals tour programs and awards for Thai tourism attractions and tourist guides serve as a powerful tool in motivating tourist guides and travel agencies to adopt ethical practices in industry because their purpose is to minimize the negative impacts of tourism on our cultural and religious heritage while maximizing the benefits for residents of tourism destinations such as Thailand.

But the purpose of Buddhist ethics goes beyond the Global Code of Ethics for Tourism or tourist guide ethics because it aims to overcome all kinds of human suffering to attain *nibbāna*. As it is said at the end of the Five Precepts during each Buddhist ceremony,

"Through virtue they go to heaven
Through virtue wealth is attained
Through virtue they go to liberation
Thus we should all purify our virtue."
Recommendations for further research

Regarding the Thai gem scams, one government official made the comment that most Thai people had no idea about how Thai gangs were working daily to cheat innocent visitors to Thailand and commented that, as devout Buddhists, they would be "shocked" if they found out how serious the problem really is. This suggests that more research could be done on the awareness of the Thai public in general about violations of the third and fourth precepts that take place daily on a large, organized scale in tourism and in other realms of Thai life. Increased awareness could lead to further educating both the public and the violators of these precepts. Since the researcher has studied Buddhism for many years and is involved daily in the Thai tourism industry as a guide, such research is of particular interest as a means of helping Buddhists to observe and follow the Five Precepts and as a means of maintaining the good name of Thailand, its culture, and its people.
Appendix A

Examples of gem scam victim accounts

2 - Jack from Australia

Similar story to the rest, I don't consider myself gullible. People have tried and failed before to drag me into scams and I have walked away. But the sophistication of this scheme lies in all the seemingly independent people who guide you to the goal of buying. I just didn't connect the fact that all these people were working together. Even worse, the initial contact was made by two (I still assume) independent people and they pointed out two different stores on my map. Thus when I went to the shop I thought that the fact that two people told this story about 195% tax and then pointed out different shops added veracity to the whole thing.

The second contact was made by a man claiming to work for the UN here in Bangkok. The seller seemed very trustworthy and the whole scheme seemed so complicated and had so many forms that again, I thought this was adding authenticity to the whole thing. He also showed me the address of the dealer I could sell to for my great profit (423 George St, Sydney if I remember) and I got the impression that he would give me this information in the envelope with the receipt. I fully intended to ring the dealer to buy enough gold on Visa and pay with that - they normally only deal wholesale which is why they don't have Visa facilities themselves). Other alarm bells did ring, but just not loudly enough.

And finally, I (fortunately for me) have a bunch of cash lying in the bank. I won't go broke over this as so many backpackers would. So I thought I'd live by the rule "never bet more than you can afford immediately afterwards to confirm they exist, etc. I asked lots of questions, thought the answers were satisfactory
and went ahead. They even said 'don't talk to the people in the hotel when you go to get your passport as they'll want a commission. In fact the people in the hotel would have told me it was a scam. They paid for that taxi and sent an attractive girl with me (alarm bell) to assist in retrieving my passport and enough cash to pay (20% for cash - otherwise use a third part gold to lose.' Well, I'm pretty sure I lost it.

After the sale, the guy set me up with another (less attractive - I assume once the sale is over it matters less) girl to show me around the city for the rest of the day - take me to any temples, get a traditional Thai massage, eat a meal out together. All presumably to distract me from putting all the parts together and doing anything about it.

She was particularly keen to look after my books for me - especially my guide book. Guess why? Every guide book tells you about the scam. But when I was insistent about things she was always cooperative - nothing strange going on here - nothing wrong - you're suspicious? Is good for you.

And so I read the little section on the scam in the book. Immediately I felt my stomach sink. How was I going to fix this? But still I gave it a chance that this was still real and I could make some money. Everything after that kiboshed that idea.

Firstly I asked the girl if I could ring the dealer in Sydney - she had been very accommodating in letting me ring my bank to increase my withdrawal limit - I know it costs a bomb to ring Australia from a mobile but she didn't hesitate. Getting in contact with the Sydney dealer was next to impossible. First of all she got my salesman on the phone, but as soon as I said, "I have a problem" he hung up - the girl said her battery must have died. So I called back on my mobile - he
has just left. So I asked her why he would just leave when he knew I'd be calling back. So she rang again (on her suddenly working phone) and got him. I put it to him that I was worried this was a scam and would be reassured if I could ring the dealer in Sydney. "Yes, those details will be included in the package when it arrives". I said I'd prefer the number now. "No." Why not? "Because he is very busy man and would not have time." That's ridiculous, just give me the number and I'll discuss it with him. "No." Then he reverted to silence. He wouldn't talk to me but stayed on the line. The girl tried to talk to him but seemingly got no response either.

Obviously she acted like she was on my side and shared my concern, but reassured me it was all okay. Let's just go for our meal and massage. I said I'd prefer to go back to the office. She said sure, after the meal and massage. But it would be closed, and the Sydney dealer would definitely be closed by then. I had to push the issue but convinced her to go back to the store right away. She was compliant in the "everything's cool" way. However I changed my mind and decided it would be better to call back to my hotel first (on the pretext that I wanted to drop back my passport - carrying it made me nervous). She agreed to this and suggested I then go to the dealer alone. No dice, I said (well, nothing that cool actually - unfortunately the Thai people wouldn't get the phrase "no dice"). So she agreed to wait outside.

When I went to the safety deposit box room, I asked the hotelier if I had gotten dragged into a scam. When he asked me the details he confirmed probably, yes. I asked if I should call the police or go to the shop. He said it would be worth calling to the shop first. I'm not sure this was such hot advice. When I got back to the taxi I half-expected the girl to be gone - but she had left the taxi and was
making a phone call somewhere according to the driver. I waited a while and decided this was a delaying tactic on her part. Eventually I got in and told the driver to just take me to the shop. At which point she suddenly appeared again, aggrieved that I was going to run off without her. Needless to say the "assistant manager" at the shop was most unhelpful. They said everything was okay. Can I see the salesman - no he took his commission and went. Can I call the Sydney agent - no we don't know which one he works with. I said I remembered the address - no, we don't have the number. After batting around the issues with them (one of them was either pretending to be or actually was asleep), I realized they weren't going to admit anything was wrong. What if they're fake? They're not. And if they are? Send them back to us and we'll refund you. As if.

So I said: Listen, I know you're running some operation here and you have expenses, just pay me back all but say, 5,000 baht and I won't go to the police. No.

This was my last gambit so I decided to go to the police. They didn't try to stop me or anything else, but they were two stringy young guys and I'm sure they could have beaten the shit out of me if they wanted. I didn't want to get too pushy. The police offered me the following advice:

1. There's nothing actually illegal about overpricing goods.
2. There's nothing they can legally do about it.
3. It happens all the time..

And then they offered me (in summary) these options:

1. Get the stuff posted back from Sydney and return it in person and try to get a refund - probably 50-60% (not an option as I was leaving the following day)
2. Send the stuff back from Australia after getting it valued - good chance I'd get nothing as they're conveniently 'lose' the package.

3. Get them (the police) to get me a partial refund and do no more about it (unless the jewelry turned out to be fake rather than overvalued - in which case I would have a criminal case). I decided option 3 was the only decent chance I'd have of getting any money back. I got 20% of the price delivered in cash to the police station. The rest, I have to put down to experience - what I like to call a self-imposed stupidity tax. I'm only glad I can afford it. The way I see it, it's a week's salary and I deserve to pay it for being so dumb as to fall for this.

3 - A foreign tourist named Marcus who was a guest of Anil, the proprietor of the Suk11 Guest House in Bangkok

I will write down my story once again for you to put it on the Internet so that as many people as possible hopefully will be warned. It all started in front of the Grand Palace but probably that is not the only place where these professionally organized Mafia "actors" operate. I was about to walk to the direction of the Grand Palace when a guy introduced himself as a student and said that on Saturday afternoons the Palace was always closed due to a public blah blah blah (which is not true). Then Number 1 recommended me some other temples to go to and I jumped on a tuk-tuk to get there. I met Number 2 meditating inside the small temple to which the tuk-tuk driver took me. He looked like a truthful and honest Thai businessman in casual clothes and we started to have a chat. After asking me some questions about where I come from and so on he said that there was a special government promotion for jewelry -- this week only -- with
Saturday being the last day. His country's economy wasn't going well and that's why they had this promotion week where you don't have to pay tax and therefore later on could make quite some money when selling the gems back in your home country.

I started to get interested and I started to ask questions. You have to know that all those people are very aware of all the doubts you can possibly have and they are extremely well trained to be looking and acting honestly and they will never put any kind of pressure on you. Basically, this guy just told me what HE was about to do with no proposals for what I should do. We had a vivid discussion and in the end I asked him for the address of a reliable place at which to buy things like that, which he gladly gave me. I passed that over to my driver (who was probably one of them, too, because otherwise he would have warned me).

Inside the shop there were about 5 people: The vendors as well as Actor No. 3 who was a European male claiming to be Swedish (which is probably true) and about to buy some sets of gems which he would later, as he did every year during the governmental promotion period, sell back in Sweden to finance his holidays in Thailand. I bought a set of gems for a LOT of money but I know now that there are even more people who have spent MUCH more money than I did on this. I spent around $2000 US which I don't even have on my credit card. You will get receipts for everything but they won't help you in the end because it is technically a legitimate business deal; the gems are just worth much less than they claim them to be worth and you will take a large loss when you try to sell them. After we had made the deal they got for me as their "new customer" a driver with a nice 4WD - a young Thai guy of my age who I just want to call "Number 4" now, who drove me around for all the rest of the day and took me to
any place I wanted to go. He invited me for dinner in the evening where we met Number 5 who claimed to just have arrived from the other end of Thailand (Chiang Mai) and, of course, confirmed everything about the jewels once more. We had a beautiful day and night together, they paid everything for me and in the end Number 4 even gave me his favorite music cassette as a present.

I started to have doubts the next day when I heard a very similar story from Mark, who had stayed at Suk11 as well. The awakening came when I went to the Tourist Police where they have special "Jewelry Complaint Forms". I met about 6 other people there who had very similar stories to tell and I know now that there is a web of about 30 jewelry shops and god knows how many Number 1's 4's and 8's. I don't want to say anything about the tourist police that later I will regret so I'll just say this: Don't believe they will ever help you. In the end, with some help from suk11 I managed to get back 75% of my money. I had to postpone my flight to sort everything out here but by far most of the tourists are not that lucky. Once you have left the country, there's nothing you can do. These people are organized Mafia in my eyes but, as it always is with the Mafia: They will find a way to break the law without breaking it.

This is the story I have to tell and I hope for you that you will read it before you take your first step into the money trap. But, of course: You are much smarter than me and this only happens to stupid people .... yes, maybe ... and maybe not.
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Researcher's autobiography

Researcher's name: Prathip
Family name: Pithayaworapong
Birthday: May 6, 1965
Birthplace: 121 Moo 6, Ban-nhongplanoi, Lhaopodaeng subdistrict, Muang district, Sakon Nakorn province
Residence: 414/1 Charansanitwong Road Soi 2 Wat Thaphra subdistrict, Bangkokyai, Bangkok 10600 Thailand.

Secular academic study:
1976 Primary School Graduation (Grade 4) from Ban-nhongplanoisuthareungsin School, Sakon Nakorn province
1983 Secondary School Graduation (Grade 9) from Wat Srinual School, Khon Kaen province
1987 Pali Grade III from Wat Mahathatu Buddhist studies School, Bangkok
1990 High School Graduation (Grade 12) from Pre-Pali University School, Mahachulalongkornrajavidalaya, Bangkok
1994 B. A, Eng (English) from Mahachulalongkornrajavidayalaya, Bangkok
1997 Tourist guide certificate from Tourism Authority of Thailand and Assumption University, Bangkok