

研究論文

## 藥品廣告規範之傳播政治經濟學取徑分析： 跨領域議題規範新思維

林承宇

### 摘要

為國民的健康把關，通常是政府作為實現國民健康權的一種具體作為，有關國民的用藥安全更是政府責無旁貸的責任。本文著眼於「虛擬藥房」的藥品廣告刺激一般常民用藥的消費過程，政府基於保護國民健康所採取的介入方式是由上而下的法規範對藥品廣告的管制，此種管理方式隨著藥品本身與商業言論的時空變遷會有緊縮或放寬的變革，然而容易侷限於專業精英層次討論的問題。本文以為這種由上而下的把關作法，固然在維護國家社會與個人的健康法益上有其必要，惟欲落實社會整體健康權的實踐，仍須兼顧由下而上培力常民健康識能的作為才能具體貫徹。亦即，本文主張政府所主導的法規範或健康促進的作為，必須同時伴隨培力常民的健康識能，不斷促使法規範與社會現實互為主體，則法規範才能真實維護與實踐國民的健康。本文從傳播政治經濟學的取徑出發，透過感冒藥品廣告作為具體案例，以檢視上述主張的具體可行性。

**關鍵詞：**藥品廣告、健康識能、傳播法規、傳播政治經濟學、跨領域研究

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Research Article

## **A Study of the Regulation of Pharmaceutical Advertising using the Approach of the Political Economy of Communication: A New Perspective for Interdisciplinary Regulations**

Cheng-Yu LIN

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### **Abstract**

It is the constitutional and legal responsibility of the State to protect people's health and achieve "the right to health" via, among others, the provision of safe medicines. The vast amounts of advertising have challenged the State to providing safety access to medicines. This study focuses on the advertising of "virtual pharmacies," and attempts to investigate how they stimulate consumer behaviors. Legally, the State controls pharmaceutical advertising by means of various different legislative and administrative measures. Nonetheless, this "top-down" process has had only limited effects due to rapid social change and the evolution of the protection of commercial speech. This study argues that, to fill the gap, the promotion and development of "bottom-up" way (i.e. "health literacy"), could be the answer to a meaningful control of pharmaceutical advertising. Also by example of medicine for colds advertising, this study conducts empirical analysis and applies them to various theories of political economy of communication regarding pharmaceutical advertising to explore "bottom-up way" suitable or not.

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**Keywords:** pharmaceutical advertising, health literacy, communications law, political economy of communication, interdisciplinary research

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