Brain Death and Organ Transplantation

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Date

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**Q3. a Discuss the connection between brain death and organ transplantation with specific references to the Baby Wingrove case?**

Organ transplantation in modern society has become a daily occurrence. Both her positive and negative evaluations emanating from various church or theological circles are usually not systematic. The Orthodox Church has not yet expressed its position on this issue. This position should not be the opinion of its individual representatives or commissions that adhere to traditional views but should be an expression of its collective conscience.

The task of bioethics is to consider the phenomenon of human death as a biosocial system included in the system of sociocultural relations of society. Bioethical analysis involves consideration of other points of view that exist within the theological, philosophical, psychological, esoteric and other approaches.

Currently, medicine distinguishes between clinical and biological death. The main sign of biological death is brain death. Biological death is characterized by the complete and irreversible disappearance of the functions of the brain and all organs. Clinical death is characterized by: respiratory arrest, circulatory arrest, artificial maintenance of blood flow and ventilation of the lungs, preserving the functions of the central nervous system.

With a theological understanding of the life and death of a person, the soul and body become the basic concepts. The physical body is mortal, subject to destruction, the soul is immortal. In all world religions, biological death is understood as a transition from one form of life (earthly) to another of its form — the life of the soul in another, extraterrestrial area of ​​the universe.

The third position in the understanding of the phenomenon of death is a combination of scientific and religious ideas, based on the data of modern psychophysiological studies of brain activity, psychological studies by representatives of transpersonal psychology, etc.

The vegetative state may arise as a result of brain injury, may be partially or fully recoverable, or, conversely, may progress to a permanent vegetative state or death of the patient. Patients in PVS are not viewed as dead; they have higher brain death, but recall brain-stem function and are not, consequently, predictable as dead by the US (entire brain) or UK (brain stem) conditions. In the case of PVS, life-support is the providing of nutrition and fluids (Hoffenberg, Lock, Tilney, Casabona, Daar, Guttmann & Sells, 1997)

In baby Wingrove case, couple found that their expected baby is suffering from anencephaly at 30th week of gestation. Children born with a similar defect have a developed body and a deformed skull and head tissue. The brain is so not developed that the treatment does not make sense. If in the mother's body the fetus develops normally, then at birth the brain cannot perform its functions. Some reflexes are present, but the body cannot function, and the child dies for 3-4 days of life. In some cases, there is a combination of anencephaly and other malformations. Doctor want couple to terminate pregnancy but mother want to donate organs of her fetus so any other baby may get benefit from them.

Organ transplantation has also uncovered emotionally charged Symbolic and anthropomorphic meanings that we attach to our bodies and their parts. What is psychologically and interpersonally involved in receiving the organs of a donor into one's body has brought closer to the surface the qualities of mind, personality, character, spirit, and soul that we identify with our corporeal selves. (fox ,1996, p.257). According to him, reliable information confirming the death of the brain is analogous to the death of a person, this state is considered as the death of the whole organism, regardless of the fact that the functions of some organs still remain.

 Brain death is a state of death of the cells of the cerebral cortex, which are responsible for the function of consciousness, memory, function, for higher nervous activity. This does not apply to brain cells that are responsible for the body's autonomic functions: respiration, cardiac activity. According to Hoffenberg, Lock, Tilney, Casabona, Daar, Guttmann & Sells (1997) patients with whole-brain or brain-stem death are deemed in law to be dead. A vegetative state is a conscious state (waking state), with no response to oneself or to the world around. In this state, motor reflex movements and autonomic functions, such as breathing, heartbeat and maintaining body temperature, remain.

**B) How Would a Kantian approach this case? A utilitarian?**

Organ transplantation technology brings legal and ethical challenges while bringing the gospel to human society. The transplant organs currently available are far from meeting the needs of patients. How to expand the supply of organs is a common problem faced by governments. Determining the principle of donation and the scope of donation are the basis for solving this problem and the most intense focus of debate. According to this view, Kant's ethics and critics believe that living organ transplantation is not only the responsibility of killing a person, but also involves taking away an organ in a person's body. Hoffenberg, Lock, Tilney, Casabona, Daar, Guttmann & Sells (1997) article explores the ethical, legal and social issues of expanding the source of transplanted organs and proposes policy recommendations for expanding the source of transplanted organs. It is believed that the source of transplanted organs should adhere to the principle of voluntary donation, strictly limit the scope of donation of living organs, and establish A fair organ distribution system and a reasonable donation incentive system, improve the identification of death standards, and encourage living donors between relatives. All forms of organ resection that Kant explicitly prohibits, that is, simple capture or "cut" of the organic component, self-protection instinct is only an organic component of the body. The removal of organs from the body to save people is an allowed exception. In Kant's work, he also said that if the removal of organs would be fatal, then the removal is understandable. Therefore, Kant allows the removal of sick organs to protect a person's life.

Kant believes that organ transplants and donations that violate human nature include behaviors such as injury, injury and killing of someone, destruction of one's personal dignity or personality, and the use of organs for sale and profit. These are the conditions for Kant to oppose the donation of living organs. These purposes are obviously not the purpose of some donors nowadays. Most people who are willing to donate organs are acting for the purpose of benevolence and salvation. This kind of donation is a goal of not protecting themselves but protecting others. Organ donation needs to be considered to match the real needs of others. In this case, if the organ recipient does not receive a donation (such as the kidney), life will be in danger and even face death. A non-fatal organ donation like a kidney donation can save a life without jeopardizing the life of the donor. I believe that even Kant supports it.

According to the above, scholars have proved that 1 ) the destruction or partial self-murder in Kant's concept refers to the practice within the scope of his prohibition; 2 ) Kant does not prohibit all organ donation against the obligation of self-protection.

If the following two conditions are met, the donated organ will hardly be considered to be damaged or violate the self-protection obligation: 1) Donated organs and related surgical procedures will not pose serious risks (physical disability and death) to the donor ; 2 ) People who donate organs do not have moral personality risks

This defense of human dignity dates back to the great philosopher Kant in the 18th century. In the age of Kant, there was no kidney trade, but there were teeth sales. Kant believes that this sale of teeth infringes upon the dignity of the human being and turns his own material into goods and objects (objects) as a profit tool. As his famous saying goes: "We should not regard people as tools, but as purposes. The moral law of the thinker according to Kant: "Act so that the maxim of your will could be a universal law. If simplified, it is almost equal to the principle “treat people the way you want them to treat you. So, to some extent, Kant returns to the "golden rule of morality.

Kant’s statement may be inspiring, but if one asks deeper, the morality of materialization is not easy to say clearly. Why is it that trafficking in labor does not treat oneself as an object, infringing on the dignity of the human person, and only selling organs? People who question Kant often mention this point of view. We routinely sell our bodies, we use our own bodies to work, and this is also to use our own body as a tool. Is labor also wrong and should be banned?

**c) Do you agree with Mr. or Mrs. Wingrove in this case? why?**

I am agreeing with Mrs. Wingrove because it is a good act to help other and in this case child is confirmed declared as anencephaly and baby girl cannot survive more than few days so if her organs will be donated to other babies and in this way may be some other babies can survive. It is morally good act. However, there is just an issue od consent to donate organs but her mother is willing to donate her organs and it is justified.

Like other biomedical technologies, organ transplants bring ethical dilemmas to human health and challenge legal and social policies. Here we need to explore the ethical, legal and social issues brought about by organ transplantation, examine the legal provisions of organ transplantation and the moral declinability of social policies, and consider the challenges faced by bioethics principles in organ donation practice. The two controversial points responded and, on this basis, proposed policy recommendations to expand the source of organ transplants.

In organ donation, the important challenge of respecting the principle of autonomy is the impact of society, economy and culture on the exercise of autonomy by individuals. For example, people who are extremely poor will donate their organs for economic reasons; some young people will even give up their organs because they are catching up with fashion (such as buying an electronic product). In their view, this is a rational choice. In clinical practice, although the informed consent procedure has become a prerequisite for organ donation, there are still some medical staff who deliberately exaggerate the success rate of transplants and conceal possible risks in order to gain more organs. The consent of the death penalty to death under extremely special conditions is widely criticized. It can be seen that respecting autonomy is a necessary condition for guaranteeing the safety and dignity of life, and it is not a sufficient condition. In order to ensure the rationality of the source of transplanted organs in terms of moral, cultural and social benefits, additional restrictions on organ donation are needed to reduce the potential risks posed by voluntary principles.

References

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