Deneisha Jones

Eng-106

<Date>

Rebecca Foy

Proposal Essay

The human body operates like a well-oiled machine, with each part in complete sync with another. The harmony among these parts decides just how well the human “machine” of a body is going to function. Just like the parts of a machine go through wear and tear and need regular maintenance, so does the organs within the human body. A stage comes in the life of a machine when a component goes through such rigorous depreciation due to continuous use, that no further maintenance and repair is possible. In such a case, the only option left is replacing that part. This is exactly where organ donation comes in. Being cited as one of the greatest advances in modern medicine, organ transplant is nothing short of a miracle. However, this miracle has been turned into something unbearably ugly courtesy of high demand of organs, low supply of the said organs, as well as black market trade of many coveted organs for transplantation. Thus, organ donation may be one of the greatest medical advances, but the gap between the demand and they supply of coveted organs makes this process needlessly painful and measures should be in place to promote organ donation and save lives while they can be saved.

It is an unarguable fact that organ transplantation saves many lives. The organs that are being currently transplanted are kidneys, liver, pancreas, heart, cornea, lungs, intestine, middle ear and bone marrow, but the most common transplantations that occur are of kidneys, heart, bone marrow and cornea. As per the figures of the US Department of Health and Human Services, more than 123,000 patients are awaiting transplant in different hospitals of the country, but not every patient gets a new organ. In 2018 alone, 201,704 organ transplants could take place, with only 10, 051 donors. In a whopping number of 101,000 patients suffering from various kidney diseases in the United States, only 17,000 people will be able to receive a transplant (Cherry, 2015). Unfortunately, the numbers do not stop here. Every 14 minutes, a new donation receiver gets added to the ever-growing list, with new organ donors nowhere in sight.

As mentioned, this increasing need for the organ is naturally creating a great gap in the demand and supply of the organ market. One of the possible solutions that are being suggested for this situation is to allow the sale and purchase the organs. Although it is strictly banned all over the world, sale, and purchase of the organs is being carried on at a large scale. Organ sale, purchase, and donation are becoming a norm nowadays, in fact, it has become a big business, especially in the black market, through which many individuals and even organizations are earning a great amount of profit. Although the sale and purchase of the organs are being carried on for a good purpose, or the saving of lives, still it is immoral and exploitative at its best. Thus, it is a situation that needs to be stopped immediately and strict policies need to be devised in order to implement this ban.

While one may argue that banning the purchase and sale of organs on the black market is immoral, some argue that legalizing the organ trade would be the way to go. This view is supported by Singapore’s very own health minister, Khaw Boon Wan, who quoted in an article by Ritter (2008), the scenario changes slightly. His view is shared by many experts and scholar argue that the sale and purchase of organs, especially vital organs like kidney and heart should be made legal so that the lives of many humans, who are waiting for a donated organ to be recovered or come back to life, could be saved (Kass, 1992, n.d.). It is also advocated that it should upon the discretion of the organ holder that whether he or she wants to keep the organ with them or want to sell it, as it is their body and they are the only ones to decide what to do about it. Moreover, this practice will only benefit both the parties, the purchaser and the donor; the purchasing party will get the organ they need for living and the donor will receive the amount if the money, to fulfill their needs.

However, while many may be in the favor of organ sale and purchase, the practice is still immoral, illegal, and exploitative on every ground. Philosophically, it is considered an extremely immoral and indecent activity. Many philosophers argue over the fact that the creation of human was done for this purpose (Kishore, 2005, pg. 364). They present the argument that the human being is the most superior creature out of all the creations in the universe, and they do not deserve to be treated like that. The biggest advocate of this concept is 18th-century philosopher Immanuel Kant. He was of a rather strong opinion that human society is obliged to act in a way that is in accordance with the dignity of humanity.

If observed economically, the sale and purchase of human organs would only be a more exploiting factor for the poor. Many experts hold the opinion that poor people will find it as an opportunity to get some money to fulfill their needs and will indulge extensively in the sale and purchase of organs. They would donate their organs especially kidney and liver at a large scale, deeming it as a golden opportunity to earn some extra bucks easily. This practice will also give rich people an added chance to abuse the rights of the poor to live with a complete body. If the practice of the sale and purchase of the human organs becomes legal, the rich will force the poor to sell their organs by force or by giving them lucrative offers which they would find hard to resist. The primary reason for organ donation originated in an effort to save lives. Organ trade had been monetizing the very same philanthropic belief, twisting it for financial gains, albeit illegally (Kassab & Rosen, 2019, pp. 111–135). Thus, organ trade, if legalized, could have disastrous consequences on healthcare, especially considering the complications involved.

Despite all these factors and arguments, the sale and purchase of human organs, especially kidneys are at a rise in the medical sector. Just like a black market for every other object, there is a black market for human organs as well. As per the reports of the World Health Organization, an estimated 10,000 black market operations take place in the sale and purchase of the kidneys every year in these markets. Most of the “products” for these markets come from third world countries where corruption is prevalent, and human lives have almost no value. Most of the organ donors for these markets come from Africa, India, Pakistan, Brazil, and China (Ambagtsheer, De Jong, Bramer, & Weimar, 2016, 2802). The secret business of organ donation is also giving rise to the crime rate in the global crime scene. The victims, especially young people with healthy organs are kidnapped and their organs are taken out of their bodies while they are alive and sold to the well-known hospitals in developed countries (Ambagtsheer, De Jong, Bramer, & Weimar, 2016, 2802). This is an alarming situation, given the trade circuit and the reach of illegal organ trade and the circuits they have around the world.

The most appropriate method to control the practice of this trade of sale or purchase of organs can only be stopped if strict action is taken against the people involved in it and a proper ban is implemented on all such practices. The best practice in this regard has already been devised by the United States Law of Health and Public Safety, in the form of NOTA. NOTA stands for the National Organ Transplant Act introduced in 1984. This law or act bans the buying and selling of the human organs, especially the organs present inside the human body. It even regards the trade of human organs a grave crime in the following words "for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration for use in human transplantation if the transfer affects interstate commerce.” While NOTA is already there to ban the purchasing and selling of the organs, it is the need of the hour that it should be implemented strictly on all levels.

No matter how serious the need of an organ is, the organ should never be bought from a donor and the patient should only be given the organ from a close relative in the family (Cohen, 2013, pg. 273). An ideal relative in such a case proves to be blood relatives, like mother, father, brother, sister, uncle or aunt. In addition to this, a suitable punishment should be devised for a person who tries to engage in the sale or purchase of the organs, especially in the black market.

In the end, it can be concluded that it is only justified to put a strict ban on the sale and purchase of various body parts and organs, from every aspect. Philosophically, it is against the morals, values, and dignity of the human body. Moreover, in terms of economics, it will stop the exploitation of poor people, especially living in third world countries, who are forced to sell their organs, to make both ends meet. It would also bring a decrease in the crime rate as currently, many cases of kidnap happen only to extract the organs, for the purpose of sale and purchase. Strict action is required in this regard from both the medical professionals and the government sector, in order to devise and implement strict policies, keep a strong check on the organ sale and purchase and ban it strictly.

References

Ambagtsheer, F., De Jong, J., Bramer, W. M., & Weimar, W. (2016). On patients who purchase organ transplants abroad. *American Journal of Transplantation*, *16*(10), 2800–2815.

Cherry, M. J. (2015). Kidney for sale by owner: human organs, transplantation, and the market. *Georgetown University Press*.

Cohen, I. G. (2013). Transplant tourism: the ethics and regulation of international markets for organs. *The Journal of Law, Medicine & Ethics*, *41*(1), 269-285.

Kass, L. R. (1992). Organs for Sale? Propriet Capron, A. M., Danovitch, G. M., & Delmonico, F. L. (2014). Organ markets: Problems beyond harms to vendors. *The American Journal of Bioethics*, *14*(10), 23-25.y, Property, and the Price of Progress. *Public Interest*, (107), 65.

Kassab, H. S., & Rosen, J. D. (2019). Human and Organ Trafficking. In Illicit Markets, Organized Crime, and Global Security (pp. 111–135). *Springer*.

Kishore, R. R. (2005). Human organs, scarcities, and sale: morality revisited. *Journal of medical ethics*, *31*(6), 362-365.

Rana, A., Gruessner, A., Agopian, V. G., Khalpey, Z., Riaz, I. B., Kaplan, B., ... & Gruessner, R. W. (2015). Survival benefit of solid-organ transplant in the United States. *JAMA surgery*, *150*(3), 252-259.

Ritter, P. (2008, August 19). Legalizing the Organ Trade? Retrieved from *Time*: http://content.time.com/time/world/article/0,8599,1833858,00.html