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Title: Moral Dilemma Decision-Making Worksheet for Organ Transplants

Subtitle: _____

Instructions: Use the following decision tree to analyze the moral dilemma regarding making the sale of organ transplants legal. Follow each step in the decision-making process and record your answers in the space provided.

1. Identify the dilemma and describe it. Be specific and clear but brief and concise.

Dilemma: Is it morally acceptable and/or justifiable to engage in organ trade for money.

2. Using your favorite browser, identify the relevant facts, including, but not limited to, the individuals involved, the actions taken or proposed, and any other pertinent details. Provide quality sources.

Quality Sources:

- Organ donation statistics: <https://www.organdonor.gov/learn/organ-donation-statistics#:~:text=As%20of%202022%2C%20170%20million,more%20willing%20donors%20are%20needed.>
- Donaré Guatemala (private organ donor organization): <https://www.donare.org.gt/>
- IGSS Donación de Órganos (government social security institute): <https://www.igssgt.org/noticias/2023/03/03/la-donacion-de-organos-oportunidad-de-vida/>
- Christian theological perspectives on organ donation: <https://unos.org/transplant/facts/theological-perspective-on-organ-and-tissue-donation/>

Relevant Facts:

- Latin America has only between 2.3 and 21.4 organ donors per million people (2019) - <https://www.statista.com/topics/5571/organ-donations-and-transplants-in-latin-america/>
- Corneas and kidneys are the permitted organ transplants/donation in Guatemala. Liver transplants cannot be currently done. <https://www.agenciaocote.com/blog/2020/02/15/la-donacion-de-organos-y-tejidos-en-guatemala-es-posible/>
- Academic thesis on organ donation culture in Guatemala: <https://glifos.unis.edu.gt/digital/tesis/2008/19730.pdf>

3. Identify the stakeholders. List all individuals or groups who might be affected by the decision and describe their relevant roles, interests, and concerns.

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Stakeholders: Organ traders, organ recipients, organ sellers, doctors, hospitals, health authorities, supply chain actors (logistics, transport, equipment, facilities, etc)

4. Identify the key moral principles of relevance in this dilemma.

Principles: Dignity of life, preservation of life, human beings as ends or means, human organs as commodities.

5. Identify the alternative courses of action. List at least three alternatives, describe the potential consequences of each, identifying the top two with a rationale.

Alternative 1: Legally prohibit any and all forms of organ transplantation.

Consequences: Loss of life, legal prohibition for people to voluntarily help family members, friends, or even complete strangers. While this course of action can prevent the commoditization of the human person, it can also hinder organ donation opportunities that can save another person's life.

Alternative 2: Legally allow for and regulate for-profit human organ trade. Through proper regulation and oversight, organs can be ethically sourced and traded, and sellers guaranteed appropriate compensation.

Consequences: Commoditization of human beings (or their parts), loss of respect for the dignity of the human person, and a perverse incentive for poor people to see organ trade as a way out of poverty. As an aside, this argument can also be used to argue in favor for abortion and trading with unborn baby parts (which has already been documented as happening in the US through Planned Parenthood). The positive side for allowing for-profit organ trade can reduce transaction costs and make organs more accessible to patients who could otherwise not afford the procedure.

THIS WOULD BE THE #2 OPTION GIVEN THAT, WHILE IT ALLOWS FOR TRADING ORGANS FOR PROFIT, IT DOES PUT IN PLACE SAFEGUARDS THAT PROTECT SELLERS FROM DECEIT AND GUARANTEES A MEASURE OF FAIRNESS IN COMPENSATION.

Alternative 3: Allow for properly regulated *voluntary organ donations* by medically qualified patients.

Consequences: By allowing for organs to be voluntarily donated, donors can truly engage in selfless and virtue action in favor of recipients. Because no compensation is used as an incentive, commoditization is avoided. This is the best course of action as the need to help patients is met (albeit in a more limited fashion), and donors can engage in truly virtuous acts.

THIS IS THE BEST COURSE OF ACTION SINCE IT ALLOWS FOR ORGAN DONATIONS TO BE A TRULY SELFLESS AND VIRTUOUS ACT IN FAVOR OF PATIENTS AND REMOVES ALL PERVERSE INCENTIVES FROM THE EQUATION. AN UNINTENDED CONSEQUENCE MIGHT BE AN ORGAN BLACK MARKET AND HUMAN TRAFFICKING.

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6. Apply the decision tree. Use the following decision tree to evaluate the top-two alternatives and choose the best course of action in light of the opportunity cost – the path not taken.

Decision Tree:

- a. Does the action violate any existing laws or regulations? If yes, do not choose this alternative. If no, proceed to b.
 - a. Top 1 Action:
 - i. Does the action violate any existing laws or regulations? In Guatemala, there is a legally established foundation to help with organ donation: <https://www.donare.org.gt/>, and our national social security institution also provides information for organ donation: <https://www.igssgt.org/noticias/2023/03/03/la-donacion-de-organos-oportunidad-de-vida/>. Organ donation is therefore legal.
 - b. Top 2 Action: While organ donation is permitted by law, there is no law in Guatemala that allows for the trading of organs for monetary profit.
- b. Does the action violate any ethical principles or go against religious beliefs? If yes, consider when choosing this alternative. If no, proceed to c.
 - a. Top 1 Action:
 - i. While it may go against certain religious traditions (like Jehova’s Witnesses, for example), Guatemala is a majority Christian nation (54% Catholic, 46% Evangelical) and since it is a purely voluntary action to donate, it does not violate one’s freedom of conscience.
 - b. Top 2 Action:
 - i. While from an ethical perspective a case can be made for the legal and regulated trading of organs, no such framework currently exists in Guatemala. From a Christian anthropology perspective, human beings cannot be commoditized as they are Image Bearers of God, and therefore, the trading of organs would be considered sinful.
- c. Does the action respect the rights and dignity of all stakeholders who are willing and fully informed? If yes, choose this alternative. If no, return to step 5 and consider other alternatives.
 - a. Top Action 1: Yes
 - b. Top Action 2: Theoretically, since the trading would be legal and voluntary, it would respect an individual’s rights from an economic standpoint, however, from an anthropological perspective grounded in the inherent dignity and value of the human person, it would be troublesome to argue for the commoditization of human organs.

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7. Choose the optimal course of action and provide a rationale. Based on your evaluation of the alternatives using the decision tree, choose the optimal course of action and provide a rationale for your decision.

Optimal Course of Action: Voluntary organ donations

Rationale: This course of action is most consistent with human dignity, freedom and virtue in relation to free moral actions. This is also a selfless action with no other objective but the benefit of the recipient.

8. Reflect on the implications of your decision. Describe the potential consequences of your decision for the involved stakeholders and for the overall ethical/moral climate of the country. Reveal the ethical/moral principles and values that guided your decision and identify the trade-offs or compromises made. Comment on them.

Implications:

- This course of action opens up the opportunity for people to legally and safely exercise their free choice of renouncing to an organ in life (kidney or liver, for example) and donating it to loved one (or a stranger) without any other incentive but to help. This relieves other stakeholders from commoditizing the event and developing perverse financial incentives on it. It can also prevent human trafficking. Also, people would have the opportunity to freely choose to donate organs at the moment of death and help others in need out of pure love and grace. Are there risks? Sure. But these can only be mitigated, in my opinion, by sound moral formation through solid intermediate and private institutions (family, church, school, etc.).
 - The guiding moral principles that orient me towards this course of action derive from Christian anthropology (the doctrine of the *Imago Dei*), love of neighbor and the value of sacrificing oneself for the sake of others.
 - "Greater love has no one than this, that someone lay down his life for his friends." (John 15:13, ESV)

Note: This worksheet is intended to be a guide to help individuals analyze ethical/moral dilemmas in the workplace. It is not a substitute for professional advice or guidance on ethical issues.