

School of Nursing and Health Sciences, Capella University

PHI-FPX3200-Ethics in Health Care

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**Robbing the Dead: Is Organ Conscription Ethical?**

**On what grounds could one argue that consent is not ethically required for conscription of cadaveric organs? And on what grounds could one argue that consent is required?**

Because the concept of beneficence places value on the larger benefit of society, one may argue that conscription of cadaveric organs does not need permission. As the policy seeks to address the shortage of donor organs and relieve suffering, proponents of organ conscription may argue that the urgent necessity for organ transplantation to save lives justifies waiving the need for affirmative agreement. One such argument is that the prospective benefits to recipients exceed the recipients' right to decide for themselves. However, the notion of autonomy could suggest that we need permission before doing anything. According to Brazier (2023) a person's autonomy over their own body, even after death, is protected by this concept. Opponents of conscription argue that people should have the right to make their own choices about organ donation without being coerced. When organs are taken from people without their agreement, it breaches ethical standards that place a premium on people's rights and freedom of choice (Spital & Erin, 2002).

**Is the policy truly just and fair, as supporters claim? Explain.**

The argument that organ donation is a reasonable and fair policy is open to discussion and interpretation. Conscription supporters say that it improves justice by assuring a more fair allocation of organs, hence minimizing gaps in access to transplantation. They argue that the strategy reduces the effect of money, privilege, and societal variables on organ distribution that now exist (Mannelli & Mannelli, 2021). Conscription aims to overcome structural inequities in the transplantation system and offer equitable opportunity for all persons in need of organ transplantation by forcing organ donation. However, opponents may claim that organ donation is

intrinsically unfair since it violates individual rights and freedoms. Brazier (2023) argues that justice entails respecting human autonomy and enabling people to make choices about their bodies even after death. Imposing the regulation without express agreement disregards varied cultural, religious, and personal convictions, possibly perpetuating injustice by ignoring people's values and preferences. Furthermore, conscription may disproportionately impact vulnerable populations that have traditionally endured structural oppression, raising issues about the policy's impartiality. Finally, whether or not organ conscription is regarded reasonable and fair is determined by the ethical frameworks and concepts used. While supporters highlight the objective of equal distribution, opponents underline the value of individual liberty and the possibility of unexpected effects. Balancing conflicting ethical issues is critical in analyzing the policy's justice and fairness and establishing the best morally acceptable method to managing the donor organ shortage.

**Do you consider one of the alternative policies for increasing available donor organs that Munson discusses to be preferable to conscription? Explain why or why not.**

I don't consider one of the alternative policies for increasing available donor organs that Munson discusses to be preferable to conscription. While Munson discusses several alternative policies for increasing available donor organs, it is difficult to definitively declare one alternative as preferable to organ conscription. Each alternative has its own advantages and drawbacks, and their effectiveness may vary in different contexts. Financial incentives raise concerns about the commodification of organs and potential exploitation. Presumed consent may infringe upon individual autonomy if individuals are assumed to be willing donors unless they actively opt out. Public education campaigns, while important for raising awareness, may not yield immediate and significant increases in donation rates. Therefore, a comprehensive approach that combines

elements of multiple alternatives, tailored to specific cultural and societal contexts, may be the most ethically sound solution to address the shortage of donor organs while respecting individual autonomy and promoting altruism.

### References

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