

Human Organ Trafficking

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Introduction

Human body's organs are biological systems that carry out different biological functions that support human survival. With the advanced medical technology, if one organ stops functioning, it does not necessarily mean that the person will die, it is now possible to replace body organs through donors. However, this phenomenal resulted in the rise of illegal trafficking of human organs and tourism transplant. Internationally, human organs are one of the most valuable commodities and the criminal the black market of human organs fetch millions of dollars annually. The vulnerable population is exploited into selling their body organs, and in the worst case scenario, humans are kidnapped and killed for their body organs.

This phenomenon has been highly spoken against and seems to be unstoppable given that the poor and vulnerable in the society are exploited in the presence of the governments which are supposed to be protecting them. For example, only a few countries like Singapore and Australia have legalized the buying and selling of body organs ("Excavating the Organ Trade: An Empirical Study of Organ Trading Networks in Cairo, Egypt" 2016). Therefore, the rest of the existing body organs' markets are illegal. Why do I conclude that? So obvious, the system that has been placed to protect the citizens' interests are the same flourishing in corruption and bribes. Just like in the 1980s when drug traffic was an international epidemic, and the authorities were bribed to protect the cartels in the present day, the human organ brokers use the same mechanism to protect their 'business.' The organ brokers are criminals that coerce vulnerable people and more so the poor to donate their body organs for a financial gain. It is a deplorable situation that humans will go to this extreme to make a living.

Organ Trafficking Categories

Organ trafficking is the recruitment, transport, transfer, and holding of living or dead person's organs using threat, abuse of power, coercion, abduction or deception or giving or receiving the organ by a third party for a financial gain or certain benefits. Organ brokering is a felon when the following is done intentionally: First the removal of the human organs of a living or a dead donor without their free consent. Second, the use of organs other than implantation. Third, abetting the authorities of this offense and recruitment of an organ donor or recipient where there is a more financial gain advantage to the recruiter or a third party than the donor or the recipient. Fourth, offering any person directly or indirectly undue advantage to having removal or implantation of an organ (Gilman, Goldhammer, & Weber, 2011, p. 112).

Organ trafficking is regarded as a felon because in most cases, it involves the exploitation of donors into donating their body organs. The phenomenal does not allow proper post-operative care on patients that go to quack doctors for the removal and implantation of the body organs trafficking. Hence the violation of human rights, a individual is exploited and denied access to affordable health care.

The Human Organ Trafficking Case

We will look at the first case of organ trafficking in the United States. The case was of a New York City man accused of buying human kidneys from abroad and selling them at an exorbitant profit, according to the FBI report. The man in question was Levy Izsak Rosenbaum who was popularly known as a matchmaker. According to authorities, Levy broke the sale of kidneys in the black market by buying the organs from a vulnerable population in Israel for approximately \$ 10,000 and selling them to patients in America for \$ 160,000 ("First case of organ trafficking in U.S.?" 2009). Rosenbaum was arrested in a federal case that was instigated

by a political corruption probe of a troubling money laundering and trafficking of kidneys and fake designer bags.

There is a high demand for kidneys in the United States, according to a study done in 2002, over 900 people that a registered for an organ transplant and have to wait approximately three and a half years to find a donor. Thus, this shortage of supply and increased demand fuels the black market. It is said that Levy had been into this practice for over a decade and knew too well about the kidneys for a person who was not a surgeon (Territo & Matteson, 2012, p. 48). Rosenbaum was able to exploit the high demand for kidneys through the black market. It is alleged that the hot spots for the organs were Israel and Pakistan where it is believed that organs were retrieved from executed prisoners. It is further argued that the donors were not aware of the ridiculous profits that Rosenbaum was making.

1st Criteria

Black markets run by organ brokers and kidney hunters exploit vulnerable, desperate buyers and sellers. The buyers either depend on the organ for survival, or the buyer desperately needs the money to meet a financial need. Even in an organized system like in the Iran where organ brokering is legalized, they still depend on Matchmakers like Rosenbaum. It leads to the collaboration of hospitals with the kidney brokers who are unregulated and ply their business on exploitation (Lundin, 2015, p. 67). The kidney hunters lure the sellers by an amount that may seem huge to the poor. Studies show that kidney sellers/ donors struggle financially and worse off just a year after they sell off their kidneys. In the United States, there is an excellent kidney foreign transplant for both tourist and the Americans. As such, the international kidney brokering scheme led by Rosenbaum have a market for their product. The trade is beneficial to the seller because they accrue the most benefit. For instance, Rosenbaum bought the kidneys at \$ 10,000,

probably from poor and illiterate individuals from Israel that sort to improve their lives and that of their families. The chain trickled down to the desperate Americans by selling them \$160,000 per kidney. Hence, this can be described as selfish economic exploitation. Thus his probe was unethical and exploitation of a vulnerable population.

2nd Criteria

Under normal circumstances, organ donation should not cause any adverse events to the donor in the future. The intended purpose of organ donation is to save somebody's life. A transparent organ donation process caters for emergency services and even post-operative costs. However, the alleged felon in our case offered merely 10,000 dollars to the donor. Organ donation is a continuous process that does not conclude once the removal of the organ is done. The donors need to be offered post-operative services that are meant to cater for their health and maintain a smooth recovery. It was assumed that the 10,000 dollars that were offered could provide for the future costs to the donors. However, in the real sense, the amount cannot cover the costs. As such, the donors are exposed to health issues, and they might develop complications. Thus they are robbed a quality life by the unscrupulous organ brokers.

Organ brokering is also considered illegal by most states, and thus the brokers are unable to conduct their businesses in ideal environments and modern facilities. This, in turn, exposes the alleged donors to multiple health risks. The brokers are less concerned by the health of the donors. They sacrifice it at the expense of profits. The process of organ removal exposes individuals to excruciating pain, and as such, it should be undertaken by medical practitioners. So far no professional has been cited for collaborating with the broker. We can thus conclude that the organ brokering process was conducted by unqualified individuals who can practically expose the victims to infections. Moreover, the business was illegal, and therefore if the process

went erratic, the broker could barely manage to offer the emergency services required. Conclusively, the process was a matter of life and death.

3rd criteria

Under ideal circumstances, a donor should provide his or her due consent to the process of organ transplantation. According to multiple sources who could not reveal their identities, the broker would intimidate the donors by pointing a gun towards them if they backtracked. As such, his actions amounted to the violation of human rights which is chargeable under the court of law. Under normal circumstances, even the impaired patients must give their explicit consent. However, this was not the case for some of the affected victims. They were robbed their valuable organs employing intimidation ("state of the international organ trade: a provisional picture based on integration of available information," n.d.).

The business of organ brokering is exacerbating by some of the governments due to their failure to unravel this unethical practice. It is alleged that in some states like Iran the government even intimidates prisoners into offering their organs. The brokers are thus able to exploit such platforms to expand their businesses. The prisoners are not afforded such freedom of giving explicit consent. The US has a sophisticated and modernized system of conducting organ transplant, yet the broker was able to navigate it for a decade through intimidation. We can thus conclude that the brokers incur multiple violations of human rights for most developing nations. The victims are not even accorded proper presentation when their explicit consent was violated. Such actions by Rosenbaum amounted to the violation of human rights.

Case for human trafficking

Just like most organ brokers, Rosenbaum considered himself a “match fixer.” Some people in support of Rosenbaum argue that organ brokers are not felons, they save lives. Supposedly organ brokers are just like any other intermediaries that bridge the gap between demand and supply of organs. Their actions should be appreciated since they avail the organs to victims that are in dire need of them. Failure to acquire these organs could terminate their lives. Thus the minority population in support of organ brokers argue that the practice saves lives that could practically be lost. Moreover, the brokers reach the inaccessible poor citizens and fix the financial constraints. According to them, the brokers are essential in addressing the shortage of organs like kidneys and availing them to ailing citizens. Prohibiting organ trafficking could result in more deaths, and thus it is more desirable in allowing it. Unless we can manage to obtain empirical evidence to prove it’s unethical the business will continue to thrive since most people would be in support of it.

Conclusion

Well, I am not against the advocates of saving lives argument but how the process is carried out. Organ trade can offer enormous benefits to both the donor and the recipient if a proper mechanism of conducting the process is established. The donors should not be subjected to gun simulation like in this case. The donors are also entitled to enjoy quality life after the donation. The process needs to be conducted in a proper environment that does not expose the donors to health issues. If the above criteria are met, then I would second the saving life argument. For now, I would rather stick to the fact organ brokers like Rosenbaum are felonies that should be convicted.

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