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The Commercialization of Human Body Parts: A Reappraisal from a Protestant Perspective

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ABSTRACT

The idea of a market in human organs has traditionally met with widespread and emphatic rejection from both secular and religious fronts alike. However, as numerous human beings continue to suffer an uncertain fate on transplant waiting lists, voices are beginning to emerge that are willing at least to explore the option of human organ sales. Anyone who argues for such an option must contend, however, with what seem to be largely emotional rejections of the idea. Often it seems that rebuffs offered on a secular ground are rooted in nothing more than vague discomforts. We suspect that these discomforts are often based in religious sentiments that have wound their way into the fabric of secular America. Therefore, in order to contribute further to those voices heard in favor of human organ sales, it is worthwhile to show that from a religious perspective, it is just as possible to affirm the appropriateness of human organ sales as it is from a secular basis. Since Protestantism has historically had a powerful influence in American society it is a proper starting point for such an investigation.

Key words: altruism, capitalism, coercion, greed, human organ sales, Protestantism, Max Weber

I. INTRODUCTION

Human organ transplantation has grown from a once quite experimental and often lethal procedure to the currently preferred treatment in many cases of organ failure. This success has been largely due to improvements in transplant immunology, as well as surgical and post-operative methods. Yet, while such therapeutic progress has been quite impressive, the procurement rate for transplantable organs has remained frustratingly insuffi-
cient. Despite the high survival rate of organ recipients, the shortage of organs continues to mean that many will die before an organ becomes available to them and that many more will receive their organs only in markedly less advantageous circumstances, their disease having progressed during extended waiting periods. In 1997 alone there were 4,327 people who died with their names on a transplant waiting list.¹

Various attempts to address this shortage have occurred. These include: (1) expansion of the class of acceptable donors from solely living donors to cadavers, brain dead patients, and recently to non-heart beating donors; as well as (2) the use of organ donor cards and other mechanisms, routine requests to patients upon admission to hospitals, and to families of dying patients, towards increasing the number of people who are given the option of becoming potential donors.

Despite such efforts, the demand for organs continues vastly to exceed the supply. This has led some to reconsider the possibility of commercial forms of organ procurement, including financial reward for living donors. Such an option has generally been met with wide spread rejection over the years since organ transplantation became a real therapeutic option. Further, in the name of safeguarding individuals from coercion and exploitation, as well as to insure that donations were made on voluntary and altruistic bases, federal legislation has explicitly banned the commercialization of human organs (Arnauld et al., 1996, p. 31). However, as the organ shortage problem persists, arguments and advocates in favor of commercialization are beginning to emerge. In this paper, it is our intention to examine the possibility of human body part commercialization and further to contribute to the growing call to reconsider the current ban on human organ sales in this country.

Our more specific purpose and strategy is to consider the possible acceptability of organ sales from a Protestant Christian perspective. This strategy arises in part from our sense that many of the basic arguments that are typically offered in support of a ban on organ sales are of a quite strange character and lineage. That is: many of the arguments seem to be of a straightforward secular character, without any particular appeal to theological or religious perspectives. But these same arguments do not fare well as secular arguments (where at most one gets to appeal to what rational persons as such should affirm, condemn, or allow), but still have the stridency of unargued taboos far beyond the apparent discomfort and concern that such a commercial practice would usually produce. Or, more simply, the objections often do not have much, if any, secular force, are easily countered, and do not seem to be sufficient to the strident rejection of organ sales that they are intended to support. The
intensity of the conclusion is just not matched by the force of its supporting argument.

At first glance, such strident but philosophically anemic objections thus appear to be more the product of cultural taboos and aesthetic discomforts than a rational examination of the issue. If this is all that they are, then such cultural taboos and aesthetic discomforts should hardly be allowed to discredit a practice that might lead to the salvage of many otherwise dying patients.

This paper represents our conviction that matters are not quite this simple. More specifically, it represents our sense that serious theological concerns may well be behind the antagonism to organ sales and that such underlying concerns should be identified and engaged, lest matters of importance be missed, rather than take the simple philosophical tactic of showing that seemingly secular arguments do not have any decisive secular force. Clearly American and Western European culture has strong Protestant roots and the secular world has no doubt absorbed and been cross-fertilized with Protestant moral beliefs. Therefore, it is not enough for philosophers simply to dismiss these vague discomforts and taboos as non-philosophical.

To attempt to state what a generic Protestant view of organ sales might be, however, quickly generates its own serious problems. On the one hand, most Protestant thinkers are steadfastly against organ sales, e.g., Paul Ramsey and James Childress. But this clear fact immediately becomes problematic in that most of these thinkers offer little or no theological arguments for their opposition. The few arguments they do offer are similar to the secular arguments just mentioned in that they are long on condemnation and short on even philosophical/secular justifications. Once again it seems that we are in the land of taboo and vague aesthetic discomfort.

Intent on making sure that there is not a baby hidden away in all this bath water, we will attempt to pursue the more modest goal of showing why Protestantism (like secular reasoning), does not preclude the possibility of human organ sales as a viable option for increasing the availability of transplantable organs. To pursue this goal, we will first present what we take to be the core secular argument against organ sales, an argument we suspect is more theological in lineage but still should be dispatched as quite inadequate as a secular argument. Second, we will proceed to unearth, or at least to speculate, as to what sorts of Protestant concerns and principles this core secular argument, and others, might appeal to in support of the abhorrence of organ sales that can be found among Protestant thinkers.
II. THE ESSENTIAL SECULAR CASE AGAINST COMMERCIALIZATION

The premier and essential objection to the sale of human body parts on secular grounds is that commercialization would tend unavoidably to harm sellers. More specifically, the basic concern here is that due to the supposed inevitability of exploitation and coercion, the sale of human body parts cannot be contained in a just health care system. We will address this core secular argument in terms of its two separable, primary elements: exploitation and coercion.

A. Exploitation
The primary impetus offered for the maintenance of an altruistic system of donation is the concern that a commercialized system of procurement would likely lead to the unethical exploitation of the poor. Part of the fear here is that while it is possible that a market for human body parts might well increase the overall availability of transplantable organs, such a system would insure that the donors of the organs would tend to be poor while the recipients would tend to be wealthy (or at least better off than other candidates). As David Thomasma formulates it:

Prices may escalate far beyond the ability of all but oil sheiks to pay. Poor recipient candidates would have no means available to purchase organs. There would be a maldistribution of organs, just as there is a maldistribution of other goods and services in society (Thomasma, 1988, p. 22).

Concerning this major fear that organ sales would actually compound already existing problems of social injustice, some philosophers have argued (e.g., Radcliffe-Richards, 1996; Annas, 1984; Wear et al., 1999) that there is no reason to assume that human body part sales need take place in the context of a radical free market. As Wear et al. write:

...we do not see this issue as usefully approached as if it was all or nothing. Rather, we submit, it seems clear that some forms of commercialization will (and should) be allowed, some should absolutely be forbidden, and the real issue is which forms of commercialization, between these extremes, will be allowed or forbidden, and according to which principles of consideration (1999, p. 375).
A government program funding the purchase of organs should be able to avoid any problems associated with radical commercialism through proper policy and regulation. Under such a program the distribution of organs need not necessarily operate under capitalistic principles. There can perhaps be a regulated base payment for organs and a distribution system based in theory on the same principles regulating the commercial procurement of blood and bone marrow, which are already in place. There is no reason why a flat rate could not be imposed, assuring that potential sellers are not motivated to hold out for the highest price. These concerns clearly run into matters of policy rather than issues of whether or not selling organs in itself is right or wrong. As George Annas writes:

The argument that sale will only sanction the transfer of organs from the poor to the rich can be at least partly answered by having a governmental agency be the sole purchaser and distributor of organs, with distributions based on a criterion other than wealth or social worth (1984, p. 23).

Also, one should keep in mind that blood, sperm, and bone marrow, are already being procured according to monetary incentives. One can also bring in the issue of artificial organs and other prosthetics. Such products are produced by manufacturers out to make a profit and yet the capitalism inherent in such practices has not made it so that only the super wealthy can obtain prosthetic body parts. In fact, as experience instructs us, capitalistic forces commonly tend to drive prices down in market situations rather than up. In any case, any regulations that one may wish to impose on in vivo procurement could also apply to cases of cadaveric donation as well.

B. Coercion
It is inherent in the fear that capitalistic forces would insure that the poor are to be the primary donors, while the wealthy will be the only group capable of benefiting, that the sale of human body parts would involve substantial coercion of the poor. The idea here seems to be that the situation of many poor people precludes a truly autonomous choice to sell one’s organs. It is thought that the decision to sell one’s own organ is such an extreme and desperate act that anyone who would make such a decision must be incapable of the required autonomous rational consent. If this claim is true, then such sales must be rejected as unavoidably coercive. According to Janet Radcliffe-Richards’ thorough analysis of this objection, such individuals are thought to be either (i) incompetent by
ignorance, (ii) coerced by poverty, or (iii) coerced through unrefusable offers.

Under such assumptions opponents of commerce in human body parts conclude that commercialization could never be an ethical option to pursue (Radcliffe-Richards, 1996, pp. 379-384). This objection is also what George Annas claims to be the single major argument from a legal perspective. As he writes:

… there is really only one major argument against permitting a competent adult to sell his or her nonvital organs: sale is an act of such desperation that voluntary consent is impossible (1984, p. 23).

As troublesome as the issue may seem, the objection of coercion carries with it a host of unwarranted assertions. First, to charge coercion because an individual is thought to be ignorant is not a telling objection. When faced with ignorance the best option is always education rather than removal of options. This brings into play issues of informed consent. It is the medical professional’s responsibility to make sure the patient is well informed regarding any given medical procedure; organ donation is no exception. Most lay-people are ignorant of many issues in healthcare; this, however, is no argument against healthcare. In sum: if the patient otherwise has the capacity to give informed consent, then this objection collapses into a simple need to assist such donors to accomplish this; it in no way rules out the practice.

Likewise, it is not reasonable to ban the sale of human body parts on the claim that donors would be coerced by poverty. This claim, however, is reducible to absurdity by stretching it to its logical ends. If this were supportable we would also have to ban many dangerous and unsavory jobs that people are now engaged in. We would be resigned morally to ban most if not all forms of commerce and employment. How many people are currently in the job market working jobs that make them unhappy simply because they are being unjustly “coerced by poverty?” We venture that there are many. However, by rushing to save these people from exploitation we would certainly be making their circumstances much worse. Janet Radcliffe-Richards formulates the issue well when she argues: “The worse we think it is to sell a kidney or an eye, the worse we should think the situation in which we leave these people when we remove that option” (Radcliffe-Richards, 1996, p. 377).

It is also dubious to assert that autonomous choice can be comprised unrefusable offers. To begin with, like most objections against organ sales, this assumes an unregulated open market. However, as we have already
argued above there is no reason to insist on such a market. It is simply a matter of policy to regulate prices in order to assure that coercive “unrefusable offers” are not a factor. In any case, as Radcliffe-Richards points out, it is debatable that one can be accused of coercion by widening an individual’s options. The original options are still available: i.e., altruistic donation, certain poverty, etc. However, an individual may come to the conclusion that, all other options considered, sale is the best possible option. As Radcliffe-Richards points out: “It would be convenient to be able to show consideration for the poor by paying less for what they had to sell” (1996, p. 384).

Such arguments represent what we and others view to be the fundamental secular positions against organ sales. We contend that secular thinkers have already efficiently dealt with these arguments to the extent that a continued ban on human body part sales is no longer warranted on secular grounds. In addition to the above arguments, there are often other miscellaneous arguments that are presented in secular form which involve such issues as altruism and greed. It is our position that these arguments are quite weak and without warrant on secular grounds. It is our belief that such concerns point to an often unnoticed religious influence into secular matters. Therefore, we submit that such issues are more properly addressed in a religious context, which secular thinkers have often tended to ignore.

III. PROTESTANT ARGUMENTS FOR AND AGAINST HUMAN BODY PART COMMERCIALIZATION

As stated, this section of the paper will be discussed in terms of Protestant views. The reason that Protestantism can be presented fruitfully as representative is found within the spirit of the reform itself. As James T. Johnson observes regarding the nature of Protestant theology:

To do theology in the Protestant tradition (or in a specific Protestant tradition, like the Lutheran) one attempts to re-think and redefine the core doctrines for one’s contemporaries. This method puts a great deal of stress on the central doctrines of the reformation, upon the Reformers who enunciated them, and upon the concerns and problems of one’s own culture and the modes of thought fashionable among one’s contemporaries. Intermediate figures in Protestant history are, for this methodology, primarily or only useful as object lessons in relating the pertinent doctrines to a particular historical milieu (1978, p. 1365).
With this view in mind, the soil is rich for a fresh discourse to take place in light of Protestant principles. Indeed, contrary to what some secular thinkers may imagine, it is not a matter of dogma that Protestant theologians should automatically be against a practice, such as human body part sales, by virtue of their religious affiliation. Evidence of this is found in the work of James Childress, who has rejected the sale of human body parts, but not on the grounds that it is intrinsically immoral; rather, he has argued that such sales would be problematic and ineffective on secular grounds (1978). However, as we have argued, such concerns are without significant merit.

Since it is our contention that a large part of the distaste some individuals hold for the sale of human body parts is rooted in religious sentiments concerned with things such as greed, the protection of altruism, and human sanctity, we will take these issues up from a Protestant perspective in what follows. Although we will primarily focus on theological concerns, we will begin by briefly identifying the secular form of each concern and showing why it is not decisive as a secular argument.

A. Greed

It has been suggested from a secular point of view that the knowledge on the part of family members that they can be reimbursed for the use of a deceased loved one’s organs may promote the practice of demanding reimbursement before potentially transplantable organs are removed. As R.A. Sells argues: “To encourage the incursion of greed in people suffering from grief would be morally difficult to defend” (1992, p. 2199). This seems to be an inconsequential argument. All things considered, the possibility of some greed occurring does not outweigh the reality that many people will die for lack of organs if we do not overcome our squeamishness towards ideas such as organ sales. In any case, the worry over greed can be curbed through careful regulation. It is not an unsolvable problem. Furthermore, greed is clearly a religious vice. From a secular point of view it should have no currency at all. By secular standards what some may call greed can just as easily be defined as good business sense, or respectable self-interest no different from any other. Nonetheless, “greed” could be curbed through policy regulation, which could be implemented to resolve other concerns (e.g., exploitation, autonomous consent, and coercion). However, though we can deal with this objection on secular grounds easily, it is better answered from a Protestant perspective since it is very likely a product of religious influence.

First, it is important to realize that capitalistic practices are not in and of themselves objects of Protestant condemnation. This is important because it sheds light on the concern that human body part sales might encourage
greed. While greed is a vice that one might expect theologians to condemn, it is important not to view capitalism as a sufficient cause of greed. Many professions carry the risk of greed but are nevertheless respectful vocations.

If we were to condemn the sale of human body parts because it might encourage greed, then all sorts of other activities and professions should be likewise condemned for the same reason. However, according to Protestantism any number of secular professions can be seen as “callings” from God regardless of the potential for greed inherent in them. From the perspective of fundamental Protestant principles such as “universal priesthood” and “godly callings,” one may argue that the potential to cause greed is not an adequate objection to organ sales. Clearly, commercial activities can be seen as legitimate ways by which to fulfill one’s calling. Capitalization itself, even the capitalization of human body parts, is not condemned in Protestant theology. Nor is a desire for financial success itself to be condemned. As Max Weber wrote in his classic study, *The Protestant Ethic and The Spirit of Capitalism*:

> It is true that the usefulness of a calling, and thus its favor in the sight of God, is measured primarily in moral terms, and thus in terms of the *importance of the goods produced in it for the community*, but a further, and, above all, in practice the most important criterion is found in private profitableness. For if that God, whose hand the Puritan sees in all the occurrences of life, shows one of His elect a chance of profit, he must follow the call by taking advantage of the opportunity. If God shows you a way in which you may lawfully get more than in another way (without wrong to your soul or to any other), if you refuse this and choose the less gainful way, you cross one of the ends of your calling, and you refuse to be God’s steward, *and to accept His gifts and use them for him when He requireth it*: you may labor to be rich for God, though not for the flesh and sin [*italics ours*] (1958, p.162).

Commercialization in itself cannot be held as immoral. Insofar as it has the potential to cause greed, it is given another value: insofar as one may avoid the temptation of over zealous greed, the faithful are given a valuable opportunity to test and demonstrate their sanctity. In light of these factors, the argument that sale of human organs should be avoided on the account that they may encourage greed is seen to be no more valid in Protestant theological terms than it was in secular terms.

However, having come to this conclusion, the question remains: can one truly interpret the donation of organs as a divine calling? It is difficult
to come up with a reason why one may not be called to such an act. Especially when one considers the nature of such a momentous decision. Though some may argue that such a decision can never be autonomous, it may also be argued by the religious that such a decision can only be come upon in earnest through a profound sense of divine intent. However, when considering the nature of such a calling, it might be asked whether or not commercialization could contaminate such a call by obscuring altruism?

B. The Protection of Altruism
The need for altruism in order to preserve the true purpose of one’s call would seem unnecessary if one were to consider, as pointed to above, that there are many professions that may be subject to a godly calling that do not operate on the basis of altruism. Further, it is simply narrow minded to suppose that capitalism is incompatible with altruism. As Max Weber has argued, even capitalistic endeavors can be tied to the notion of a godly call. The wealth, which comes with capitalistic endeavors, should not be rejected rashly. Weber wrote:

Wealth is … bad ethically only in so far as it is a temptation to idleness and sinful enjoyment of life, and its acquisition is bad only when it is with the purpose of later living merrily and without care. But as a performance of duty in a calling it is not only morally permissible, but actually enjoined. The parable of the servant who was rejected because he did not increase the talent that was entrusted to him seemed to say so directly. To wish to be poor was, it was often argued, the same as wishing to be unhealthy. It is objectionable as a glorification of works and derogatory to the glory of God (1958, p. 163).

The parable mentioned by Weber seems particularly relevant to our topic, and we might further remember that in that parable the master reacted to his servants who had made wise financial decisions by adding to their responsibilities. This brings us to our next point. Those who reject the idea of receiving financial reward may be acting analogously to the servant who was chastised by his master for making no investments and failing to increase the master’s estate. One may look upon the money entrusted with each servant as a calling to service by God. By wisely administering to their task, the servants who invested were able to bring added glory to their master.

By the same token, it may be reasoned that those who are called to aid others through their donation of an organ, and in doing so obtain financial reward, may likewise be adding to the glory of God. Like the shrewd
servants who were given added responsibilities, so might those who obtain financial rewards for their donation also realize an added responsibility. Such individuals may then choose to make an added donation of their payment to charity or find some other way by which their profit could benefit others. By doing so they not only preserve and enhance altruism, but they create an added means of expressing the grace of God. In addition, it can, therefore, be seen how the commercialization of human body parts might actually encourage charity rather than greed. On these grounds, from a theological view, as from a secular view, altruistic concerns may actually provide greater reason for allowing human body part sales than against. However, although altruism and charity may stand to increase from commercialization, even if some individuals who “donated” simply decided to keep the financial reward for themselves, the fact remains that they mercifully provided a much needed item that nevertheless will benefit others in a tremendously meaningful way: “It isn’t your sacrifices and your gifts I want — I want you to be merciful” (Matthew 9:13).

C. Human Sanctity & Autonomy
From a secular perspective, sales of human body parts are sometimes argued against on the grounds that such commodification is repugnant. Repugnancy, however, fails to be a significant argument from a secular perspective. In fact, from a rational point of view, “body-part commodification” can have some strong benefits aside from the obvious benefit of increased organs for transplant. By placing property rights on our bodies, we would also give ourselves increased control over them from a legal perspective. R.A. Sells has suggested that surgeons may actually treat a purchased organ less carefully than they would a donated organ (1992). While we do not think such a worry possesses any warrant, one can nevertheless counter it by noting that physicians may be more careful dealing with our bodies in general if we had property rights that would allow us added reimbursement for any accidental damages. This form of property right may conceivably have benefits in other areas as well. As L.B. Andrews points out:

In our market-based society, our laws are often more protective of property than person. By calling body parts property, there is a legal basis for a remedy when actions are taken with respect to our bodily parts that may not exist under themes of privacy, autonomy, assault, or infliction of emotional distress (1992, p. 2151).

Again it requires no stretch of the imagination in order to place this “secular” objection in its proper religious context. Christians believe that the
body is a sacred temple. From a Christian point of view, the commodification of the body would be a great assault upon its sanctity and a repugnant suggestion.

However, perhaps such repugnance is misguided even from a religious perspective. First, if we are to assume that creation is an unbridled good, then it (including man, despite the fall of man as interpreted by Christians) is bestowed with sanctity, which for the believer is reflective of God’s grace. This sanctity may be felt as jeopardized when we begin to treat human body parts as commodities. This is, we believe, at the base of the religious repugnance over the sale of human body parts. Even if it could be admitted that we make commodities of each other in various ways already, this observation surely does not justify yet another means of tarnishing what a theologian might mean when discussing human sanctity.

However, though we may at first be put back by the idea of human body part commercialization simply due to its uniqueness, it is questionable that anyone can forcefully demonstrate to a tangible degree the ways in which such a practice would actually denigrate human sanctity. If human sanctity is placed upon individuals by God, no earthly activity could truly corrupt such a gift. To assume that sanctity is harmed is to betray a belief that it is fragile, as well as a hubris regarding man’s potential to corrupt what God sanctified. Further, there is no reason to believe that such sales need to be conducted in less than an extremely professional and respectful manner. The fact that human beings can be said to possess “interchangeable parts,” in the first place, does not threaten the sanctity of human beings or the value of such parts. If a token of reward in the form of financial payment is introduced, that is no reason to imagine sanctity of any kind is necessarily harmed. After all, monetary concerns are already existent in areas such as education and medicine. Yet the sanctity of education and healing cannot be doubted. One may still question whether or not we are free to accept financial reward for the donation of bodily organs. If such organs are viewed as gifts, then it can be questioned as to whether we have the right to expect any reward for them ourselves. This objection is concerned with the allied notion of autonomy.

David C. Thomasma, for example, argues that from a theological perspective we are the creative expressions of a deity. Being such it is thought that we are entrusted with our bodies yet do not own them in the same sense as something which we may place property rights upon. Thomasma writes:

All living beings derive their dignity from the gift of life from God. This belief is the source of reluctance to commit suicide, even rational sui-
cide (active euthanasia). If God did create our lives, then we do not have ultimate, absolute control over them. Applied to the transplant question, this vision prohibits the level of control assumed by the buying and selling schemes. Life and the body are gifts to be enjoyed and for which we are responsible. Just as it wrongs the gift giver to sell a gift one receives, so, too, it is wrong to sell (and buy) organs (1988, p. 23).

This sort of objection sounds good *prima facie*; there is, however, a problem. If it is true, as Thomasma claims, that we do not have ultimate control over our lives, then that is no less a detriment to donating our organs than it is to selling them. Thomasma seems to elude here that commercialization would give too much freedom to individuals in regard to their bodies, but it is unclear as to what practical freedom is increased through sales as opposed to donations. If concern over bodily freedom is a real issue, then perhaps one may not have the right to sell organs, but then it seems one would also have no right to donate them. If Thomasma is correct, one would also have no right to donate sperm, ova, or even blood. Of course Thomasma wants to retain donation as a right, as do most thinkers, but it remains to be seen whether or not such a move is consistent. Surely, if it would wrong the gift giver to sell a gift one receives, so too, it could be claimed that giving away a gift is just as unjustified.

For example, Paul Ramsey has argued that for a Protestant it should not be necessary to appeal to the spiritual benefits of charity in order to justify organ donation. Since any gift should not be given with the intent of aiding oneself in any way. However, the importance of embodied identity may cause one to pause in consideration of how far one should go in condoning the mutilation of one’s own body, even when another individual’s earthly life would be extended. He writes:

... a possible moral justification of organ transplantation from living donors that might be developed within the ambit of Protestant Christian ethics would not need to resort to any “sticky (psychological or spiritual) benefits theory.” A reasonable secular transcription of this is the appeal solely to a free and informed consent on the part of the donor. A demerit of this outlook should also be noted. A justification of the self-giving of organs developed on Protestant grounds, precisely because of its freedom from the moorings of self-concern, is likely to fly too high above concern for the bodily integrity of the donor, higher than one finds in even the most liberal Roman Catholic thought (1970, pp.186-187).
It is unclear whether such a “demerit” as Ramsey calls it, should be taken as a reason to avoid donation all together or simply as a cautionary issue reminding us that organ donation should not lightly be entered upon. Ramsey cautions against a Cartesian like outlook that downplays the value of the human body in terms of personal identity and urges us to remember the importance of human embodiment. The question now becomes whether such embodiment is reason enough to shun the idea of human body part donation all together. We clearly think it is not. There is no denying that human beings are embodied creatures. Nevertheless, from a Christian point of view, and in contrast to Ramsey’s way of thinking, it would certainly seem misguided to place a value on the flesh over and above issues of spirituality.

This is not to endorse what Ramsey would call a “sticky benefits theory.” Rather, it seems that Ramsey is placing an emphasis on physical embodiment that places the flesh as more essential to identity than the soul. Indeed, it may be a form of reverse Cartesianism that merits just as much caution as its opposite. Clearly, there are many individuals who live with artificial body parts, be it hearts or limbs. However, such a state does not reflect any defect in their identity as a person regardless of the state of their embodiment. Similarly, it is odd to imagine that by donating or selling a kidney to another that we are harming our embodied identity in any way that could be condemned in and of itself.

To recognize identity in embodiment is not to imply that we cannot take measures to alter embodiment and identity as we see fit. After all, the entire field of healthcare aims to do this at some level when one is ill. Our embodiment as human beings is by nature deeply involved with change. Our embodiment changes drastically with the passage of time; moreover, we can seek rationally to alter it through diet and exercise. Surely, there is a much deeper center of self, more essential center of self, which is not diminished by the sacrifice of one’s organs. Furthermore, too strong a focus on individual embodiment loses sight of the communal embodiment we all partake in as human beings. It might be argued that a parent who is forced to watch a child die, is suffering a far worse mutilation of their identity than a parent who is permitted to sacrifice a kidney to preserve their child’s life. After all, parents invest a great deal of themselves in their children. The same argument can be made for a variety of relationships people have with others which are more essential to their identity than their kidneys. Furthermore, one’s embodiment within a larger community of man is recognized when one sacrifices an organ for a stranger. Such a practice is in itself reminiscent and in step with the biblical teaching that we are all unified as different parts of a larger and transcendent body. This
sacrifice and inner connection is not, therefore, degraded just because money changes hands!

The bodily sacrifice of oneself for another is in itself analogous to the sacrifice Christians credit Christ as making for the sake of mankind. Insofar as a Christian would like to emulate the life of Christ, it would seem that donation of one’s organs for another is beyond reproach. For all these reasons, it seems odd for one seriously to argue against organ donation or organ sales from some vague principle of bodily identity. Ramsey also goes so far as to provide a hypothetical example of a father who decides he would like to donate his heart to his son, thus sacrificing his life for the boy. Indeed, such an extreme case is not beyond the bounds of imagination, given the strong bonds of affection typical between parent and child. However, if such a practice is upon ultimate analysis found to be unjustifiable, we once again need only defer to matters of regulation and policy to ensure that such practices are to be avoided.

In addition, Courtney S. Campbell has suggested that the donation of one’s organs may be all the more justifiable if our organs are meaningful to our sense of identity. He argues that

The self-expressive character of gifts also suggests that central to the notion of gift is the creation of community. The self through the gift extends an invitation of relationship to the recipient. The sharing of self — physically, emotionally, spiritually — displays a profound sense in which the fullness of who we are as persons is realized only in and through relationships with others (1993, p.77).

In any case, we may ultimately turn to the Protestant principle of a “godly calling” to answer such objections as Ramsey’s and Thomasma’s. If we are to take seriously the notion of a calling, we must take seriously the idea of autonomy. It is up to the individual to make an autonomous choice as to whether or not they wish to answer a call or not. This is why individuals can be said to have the freedom to donate and it is also foundational to why human beings have the freedom to sell. The fact that Protestant theology embraces the ability of the individual to interpret theological matters in light of their own reflection bares witness to the crucial role autonomy plays in Protestant theology. It is up to individuals to interpret their own call. Reason may dictate that it is as likely that one may be called to sell an organ as it is that one may be called to donate an organ, and perhaps more likely. In Protestant theology, the freedom of the individual Christian is of the utmost importance. All Christians are called to be “priests” to those around them, but they are also crucially free to interpret their particular
callings and interpret for themselves how best to serve God and others. In dealing with Thomasma’s concerns, it may be helpful to once more remember the parable mentioned above. If a Christian were to allow unease over commercialization to blind him or her to the possibilities money may bring to further serve God and others, then such a Christian may risk making a similar mistake as the one made by the unwise servant of the parable.

Objections such as those which Thomasma and Ramsey raise ignore what Protestant thought holds as the important need of the individual authentically to make his or her own decisions regarding how to serve others. Perhaps an individual would after consideration of the issue still deem human body part sales or even donations to be theologically offensive. If so, then emphasis on individual interpretation of theological principles in Protestantism, along with the autonomous responsibility of the individual before God, suggests that it remains a personal choice for the believer whether or not they are to engage in such a practice. If such sales were legalized it would remain an individual choice. No one could be forced to accept any money, nor could anyone be forced to use it in any particular fashion. Protestant valuations of autonomy are compatible with secular values of freedom. Both should be respected.

IV. CONCLUSION

It is not our intent to pretend that the sale of human body parts is the ultimate answer to the current organ shortage. However, considering the plight of those who wait for organs and the potential for commercialization to improve the situation, we suggest that a continued ban on human body part sales is ill advised. Alternatively, an investigation into the best means by which to introduce just and effective policy regarding the potential sale of human body parts is most appropriate at this time. We have tried to show that from both secular and Protestant viewpoints there is no justification for a ban on such sales. Although many of the secular objections to the proposal seem to be based in vague “religious” concerns, we have hoped to show that such concerns, when placed in a proper theological rather than secular framework, are nonetheless far from being decisive. In contrast, we have argued that organ sales can be positively defended on both secular and Protestant foundations and we invite the continued exploration of this issue in theological realms by both secular as well as non-secular thinkers in order to balance and compliment this important ethical debate.
NOTES

1. This number was taken from the United Network for Organ Sharing Web cit (www.unos.com). It has many of the current statistics one may wish to find concerning the topic of organ transplantation.

2. Paul Ramsey does propose a theological style argument against human organ sales, but as we hope is evident in this paper, it is not enough to justify a dismissal of such commercialization on Protestant grounds alone. James Childress argues against human organ sales, but does so for what he claims to be secular reasons. However, current secular arguments against human organ sales in general are, we argue, largely unconvincing.

3. What Ramsey calls “sticky benefits,” is taken here to refer to benefits which provide a motivation for donation that excludes the possibility of pure altruism. Such benefits may be a psychological satisfaction one may receive through donation, or, the hope for spiritual blessings to be bestowed upon one as a result of earthly sacrifice.

REFERENCES


