

Mattie Warder is a patient who has been declared brain dead. Her mother Lilly is discussing organ donation with her daughter's nurse Barbara. Lilly is torn on the issue of organ donation, and is unsure if she wants her daughter's organs to be donated. Barbara explains to Lilly that she will be unable to tell that her daughter's organs were donated, however, Lilly still feels as though her daughter's organs would be stolen, and she is not keen on the idea. Barbara asks Lilly if her daughter liked to help people. Lilly tells her that Mattie lived to help other people. Lilly decides that she would consent to organ donation, but only if the nurse was able to promise her daughter's organs would go to an African American person. Lilly tells the nurse that she only wants Mattie's organs to be given to black people because they had been wronged in the past by doctors, and she wants to give back to them.

Good
opening

The stakeholders in this case would include Barbara, Lilly, Mattie, potential organ recipients, Mattie's family, and people of other races. The three central stakeholders we will look into further are Barbara, Lilly, and the potential organ recipients.

The technical problem in this case is that of brain death and organ donation. Brain death is considered a form of actual death. A death certificate is issued once a patient is declared brain dead. This is a unique circumstance, and one that is important for organ donation to occur. The act of donation is defined as giving something to someone that needs it. This leads to the ethical problem of Lilly wanting only an African American to have her daughter's organs. Organ donation occurs using a need based system. The person most in need of a particular organ will be at the top of the list to receive that organ. The only way Lilly would be able to insure that her daughter's organs go to a particular person would be to sell them, however that is illegal.

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In order to solve this ethical problem we will first consider the case from the view of the transplant nurse Barbara. Barbara's job is to coordinate organ transplants by talking with the

family of the patient, and explaining the process of donation. Barbara explains to Lilly that she is unable to promise who her daughter's organs would go to, because the system is need based. ✓ Exultant

Using rule utilitarianism, Barbara can argue that the need based system for donation is a good rule because it creates the greatest good for the greatest number of people. If patients or their families were able to choose a race, gender, or religion of the person they wanted organs donated to, there majority of people would not have a chance to receive organs. Barbara could also use Rawls' theory of equality to solve this ethical problem. ✓ Every person who is need of an organ should have equal chance of receiving one based on need. There should not be inequality based on gender, race, or religion. The nurse may feel as though she has a duty to accept Lilly's proposal, because it is her duty to help people. She could potentially compromise with Lilly in order to help someone, even if they are not at the top of the needs list. However, comparative justice in this context would state that all organs donated should be fairly distributed among the people in need. ✓

Next, we will look at the case from the view of Mattie's mother Lilly. Lilly feels as though an injustice has been done to African American's in the past by doctors. Lilly feels, as a presumably African American woman, that she has a duty to help her ethnicity, and that ethnicity only. Lilly feels like she has a duty to her daughter to help other people because that is what her daughter would have wanted. ✓ good However, she also feels that she has a duty to her race as well.

Lilly may feel that if she donates her daughters organs and they go to someone of a different race, then she is continuing to do an injustice to her own race. She may use consequentialism to say that continued injustice will come to African American's if they are continued to be denied of what they want or need. Or she may think that Caucasian's can continue to repress African American's if they are given what they want. Lilly may think that she is taking a hedonistic view ✓ good

in thinking that her act would be good because it would cause pleasure to not only her, but the recipient as well. However, this is not necessarily the greatest good for the greatest number of people since all other races are excluded. Rawls would argue this thinking is unjust, and unfair, making her decision morally wrong.

The last view we will look at is from that of a potential organ recipient. As a person in need of an organ, they would probably look at this case from the view point of Ross. The person in the most need of an organ would think it is intuitively obvious that the donation go to them on the principles of justice, and beneficence. This person would also mostly likely use Rawls' theory of justice to prove that they deserve the organ, and that it should not be unfairly given to someone else just because of their race. The patient needing an organ would expect to have equality and just treatment no matter what their skin color. Lilly would argue that since African American's were treated poorly by doctors in the past it is only fair that they get the chance to have the organs first by using the principle of difference. All potential organ recipients would use the view of Mills utilitarianism and state that excluding certain races in organ donation would affect a great number of people, in turn making it morally wrong.

Con done If using the veil of ignorance with all central stakeholders, the ethical solution would be clear. All parties would most likely say they would donate organs to any person in need because they would not know anything about themselves such as race, gender, religious affiliation etc. In this case if Lilly was the one who needed an organ transplant, and she was Caucasian and was unable to receive one she would definitely change her mind about donating her daughters organs to whoever was in need. Although cases can be made for both sides it is apparent what the ethical solution is. The rule for organ donation is clear, the person who receives the organ is the one who is most in need. This rule should be followed in all organ donation cases to make sure

that the donation is fair, and just. Excluding any person based on gender, race, etc. does not benefit the greatest number of people.