

## THE LEGALIZATION OF THE ORGAN TRADE

### The Final Draft (25% of Total Grade): Due Week 15

Make sure you completely fill out *all* the information in the sections below. Failure to complete these sections fully and honestly may incur a loss of points. Responding to some questions with “no” or “n/a” or “I don’t know yet” *is* acceptable; however, leaving any responses blank is not. If you do not understand any questions you are encouraged to contact your instructor.

#### Section 1

Name: Zain Basil Mushtaha

Your Major: Management Information Systems (MIS)

#### Section 2

On a scale of 1 to 10, how confident are you *now* feeling about writing for this course?

1/ I feel a bit less confident than I was at the beginning of the semester, to be honest. I am a little more worried now because this is the final draft of the paper I have been working on since the beginning of this semester. Therefore, I would rate myself around an 8.5/10.

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but 8.5 is a healthy number 😊

#### Section 3

Final grade you received from your previous assignment (Working Draft):

1/ I received a full grade on my working draft, which I am quite pleased about.

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### Section 4

Based on your last assignment and the lessons you have received so far in ENG 204, what **three** things have you given extra care and attention towards for this assignment?

1/ Using Auto-Peer: I have paid special attention to checking my paper through Auto-Peer. I believe that using it is extremely helpful since it highlights issues in writing that I had overlooked previously.

2/ Time Management: Many projects and assignments are due now since the semester is coming to an end. In addition, the final exam season is approaching. Therefore, I have given extra care and attention to properly managing my time so that I can finish the final draft and my other assignments on time.

3/ Topic openers and topic closers: I have given extra attention to using topic openers and topic closers in each paragraph whenever needed.

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### Checklist

Before submitting, make sure that you can write “YES” for each of the items below.

1/ I understand that if I write “YES” to any of these statements then such a response is completely true. I further understand that if there is evidence that I have not responded accurately then my paper will be returned to me ungraded. In such a case, I will have to correct my paper and resubmit it. In so doing, I will be subject to a “late penalty.”

YES

2/ I have accurately and fully completed an Auto-Peer review of my paper.

YES

3/ I have named the file for submission as follows: Working Draft [my iLearn name]

For example: Final Draft Philip Michael McCarthy.

YES

4/ The file I am submitting is a Microsoft Word document.

YES

5/ I have read the rubric and all relevant course material, and included all the information required.

YES

6/ I have changed the header of this paper to the ALL CAPS title of my paper.

YES

7/ I have pressed spellcheck/grammar check and corrected any text as appropriate.

YES

8/ I have carefully read *out loud* my entire paper and corrected issues where appropriate.

YES

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9/ I have carefully checked my paper to ensure there are *no* examples of any form of plagiarism. I fully understand what these forms of plagiarism are and I realize fully that any examples of plagiarism will have severe consequences (including *but not limited to* a zero grade, an F for the course, a formal report to administration, and/or having to write a completely new research paper on a different topic). I further confirm that I have had ample opportunity to discuss issues of plagiarism with my instructor and that any and all of my questions have been addressed.

YES

10/ All work submitted in this paper is my own. No other person was involved in any of the actual writing of this paper.

YES

### **Write Your Paper Below**

Begin your paper at the *start of the next page*. Note that APA Level 1 and Level 2 headers have *not* been provided for you: You are now required to complete these yourself. Complete the paper using appropriate paragraphs. Remember to leave the rubric at the end of the paper.

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### **Abstract**

In this paper, I argue that the organ trade should be legalized. The organ trade refers to the trading of human organs for financial gain. I support my position with three arguments. First, I argue that the organ trade should be legalized to increase the supply of organs. Second, I argue the organ trade should be legalized to reduce the number of crimes like kidnapping. Third, I argue that the organ trade should be legalized to prevent infections from spreading between recipients. I also consider the alternative arguments. These arguments include that legalizing the organ trade may harm some people's health, benefit some people but not others, and spread diseases. This paper is important because it emphasizes the need of legalizing the organ trade and the benefits it brings such as saving lives. I conclude my paper by recommending governments consider legalizing the organ trade and establishing government-regulated organ trade centers.

*Keywords:* Organ trade, organ transplantation, organ donation, organ supply, disease transmission

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### The Legalization of the Organ Trade: A Savior or a Killer

The organ trade, also known as the red market, is the sale and purchase of human organs, tissues, and other body parts for monetary or material gain (Shimazono, 2007). The global demand for healthy body parts for transplantation outnumbers the supply, which is why the organ market is on a rise worldwide (Hippen et al., 2009). According to Health Resources and Services Administration (2022), at least 17 individuals die every day waiting for an organ transplant because of the difference in the supply and demand of healthy organs. There has also been a broad controversy regarding the legislation of the organ trade (Bengali & Mostaghim, 2017). Therefore, I will be addressing the concerns related to legalizing the organ trade by showing evidence of how legalizing it would be beneficial to saving lives.

In this paper, I argue that the organ trade should be legalized. I support my position with the following three arguments. First, I argue that legalizing the organ trade would increase the supply of organs. Human organs are now in a limited supply and legalizing the organ trade would increase the number of organs accessible to individuals in need (Coppen et al., 2010). Second, I argue that legalizing the organ trade will reduce the number of crimes. The incentive for criminals to steal organs and abduct individuals will be reduced if a legitimate organ market existed (Edgar & Block, 2021). Finally, I argue that legalizing the organ trade will prevent diseases from spreading between recipients. If a legal organ market existed, the entire organ transplantation procedure will be handled by professionals, limiting disease transmission between recipients (Hall, 2015).

I also consider alternative positions against legalizing the organ trade. First, opponents claim that the organ trade may cause health consequences to some donors (Garg et al., 2014). Second, some critics posit that the organ trade may be beneficial for certain groups of people but not others (Gregory, 2011). Finally, critics argue that the organ trade may spread diseases between recipients (Eastlund, 1995). While these positions have merit, I

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demonstrate that the organ transplantation process will be handled professionally with the legislation of the organ trade, preventing diseases from spreading between recipients. In addition, human organs are scarce in many nations, making life-saving medical interventions difficult. Therefore, legalizing the organ market is the best solution to overcome this scarcity issue and save lives. Accordingly, I present arguments demonstrating how the organ trade is both necessary and useful.

This paper is important because only a few people are aware of the benefits that the organ trade will bring to the world. To clarify, legalizing the organ trade will make a significant contribution to saving lives and reducing patient suffering while awaiting an organ transplant. Therefore, I conclude my paper by recommending that people and governments consider legalizing the organ trade, establishing government-regulated organ trade centers, and gathering lobbyists and investors to encourage the organ trade through economic power and political pressure.

### **The Organ Trade: A Killer**

Some critics argue that legalizing the organ trade will bring very limited positive effects. They argue that legalizing the organ trade may endanger the health of some donors. Additionally, some contend that the organ trade may contribute to spreading diseases between transplant patients. Some also posit that legalizing the organ trade will benefit certain groups of people but not others. Thus, this section investigates the opponents' perspectives.

### **The Health Consequences**

Many opponents argue that legalizing the organ trade may negatively impact some donors' health. Some of the negative impacts on donors' health include the short-term risks associated with organ donation. Kovacs et al. (2014) highlight that infection, blood clots, blocked ureter, and abnormal pain are possible short-term outcomes of organ donation.

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Almost all transplants involve at least one of these short-term risks, and it takes around two months for a donor to fully recover from them. That study also demonstrates how organ donation can put a healthy donor at risk of undergoing and recovering from unnecessary major surgery. Therefore, with the legalization of the organ trade, the number of organ donors will rise, and so will the likelihood of such short-term health effects.

In addition to the short-term risks, there are also possible long-term risks that a living organ donor may encounter. According to the National Kidney Foundation (2019), the most common long-term risk associated with organ donation is high blood pressure. That report highlighted that many organ donors have experienced slightly increased blood pressure after a few years of donating their organs. Further, as stated by Garg et al. (2014), organ donors, especially kidney donors, are more prone to developing preeclampsia, nerve damage, and chronic organ diseases in the long run. Even though these long-term health consequences are uncommon, they can nonetheless occur and affect donors' health. Thus, since legalizing the organ trade is expected to increase the number of donations, it may have a detrimental impact on donors' long-term health and lead to major health problems.

Not only does organ donation impact the physical health of some donors, but it also affects donors' mental health. In fact, the donors' mental health could be harmed because of organ donation. According to Pérez-San-Gregorio et al. (2017), mental health issues, such as anxiety and depression, can result from organ donation. These mental health issues could be caused by the fear of health deterioration, the fear of the recipient's death, or the feeling of regret after an organ transplant. Additionally, the psychological strain that comes with living transplantation poses a serious risk to the donor's well-being after the transplantation. Pan et al. (2021) suggest that 4.7-9.6% of donors experience mental health problems after an organ transplant. This rapid mental health decline is likely caused by guilt or the feeling of responsibility of donors. As a result, the legalization of the organ trade will result in more

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organ transplants, perhaps deteriorating the mental health of some donors. Seemingly, when considering the impact of organ donation on donors' mental wellbeing, legalizing the organ trade may negatively affect mental health.

### **Unwanted Disease Transmission**

Some may argue that organ transplantation may spread diseases between recipients. These diseases, which are the leading cause of hospitalization among transplant recipients in the first two years, can be transmitted from one recipient to another during the organ transplantation process ("Transplant-related Infections," n.d.). For example, according to Eastlund (1995), numerous types of bacterial, fungal, protozoan, worm parasites, and other infectious diseases can transfer via an organ transplant. These infections are hazardous to recipients and can cause serious health issues. In addition, the infections that may transfer and develop are hard to fight in the body because recipients take medications after any transplantation to prevent the immune system from attacking the new organ ("Infection," 2019). Therefore, because legalizing the organ trade would certainly raise the number of organ transplants, it may also increase the risk of infectious diseases spreading.

After an organ transplant, a considerable number of recipients die as a result of disease transmission. According to White et al. (2019), the rate of mortality that is caused by disease transmission during organ transplantation is around 22%. This percentage shows how serious and common disease transmission is when it comes to organ transplantation. It also demonstrates the devastating effects of disease transmission on an individual, including the possibility of death. Additionally, White et al. (2019) highlight that bacterial infections are the most common cause of infection-related death following organ transplantation. These bacterial infections can be easily transmitted between recipients and thereby causing them harm. As a result, legalizing the organ trade will result in more organ transplants, which will then lead to disease transmission and higher mortality rates.

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### Unequal Benefits

Some critics contend that legalizing the organ trade will benefit some people but not others. For instance, the organ trade will benefit the rich, but it will pressure people with low income to jeopardize their health. According to Gregory (2011), an organ market will lead to exploitation and unequal treatment of the wealthy and powerful. This outcome of the legal organ market is likely to result because the wealthy are unlikely to sell their organs. The reason why the affluent are unlikely to sell their organs is that they do not need any form of monetary advantage. As a result, many wealthy individuals will not sell their organs until they become in need of some monetary benefits. Accordingly, only the wealthy will benefit from the legalization of the organ trade since they will more likely be on the receiving end, rather than the supplying one.

In contrast to the affluents' benefit of the organ trade, people who have a limited income will be exploited and compelled to sell their organs. As stated by Greasley (2012), a legal market for human organs will be structured with impoverished people on the supplying end and affluent people on the receiving end, thereby resulting in unequal benefits. That study demonstrates how low-paid people are more likely to sell their organs for monetary or material gain. Low-income people commonly sell their organs because they believe the money they get will provide them with a temporary solution to their hardship. However, this action could cause them lifetime consequences and a permanent loss of an organ. Therefore, when considering how a legal organ market may result in uneven advantages for particular groups of people, it is apparent that legalizing the organ trade would create a gap between them.

### The Organ Trade: Not a Killer

Legalizing the organ trade may increase the chance of negative health implications for donors, disease transmission, and uneven benefits. Nevertheless, legalizing the organ trade

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will help save the lives of those who require organ transplants. Organ donations will rise with the legalization of the organ trade, saving patients' lives and putting an end to their suffering because of their need for transplants. According to Phelps Health (2020), a single organ donor can save the lives of up to eight individuals and enhance the lives of up to 75 more. This evidence demonstrates how important organ donation is since it can save countless lives, which should be a priority for many. Organ donation also gives patients a sense of optimism and will to live. Therefore, when looking at the positive impacts that organ donation will have on saving patients' lives and treating them, legalizing the organ trade should be considered by governments.

Because the practice of the organ trade is legal and regulated by the government in Iran, the legal organ trade there was recognized to save myriad lives. According to Kiani et al. (2018), more than 1,480 people in Iran receive an organ transplant from a living donor through the organ trade each year, thereby helping them with their organ failure and saving their lives. Thus, if countries adopt a system similar to Iran's people with organ failure will be able to obtain a transplant more rapidly rather than having to spend a long period on a waiting list. For instance, there is neither a waiting list nor a shortage of available organs in Iran (Major, 2008). Patients with organ failure do not need to wait and suffer for extended periods of time to have an organ transplant in Iran. Accordingly, countries should adopt a system like Iran's by legalizing the organ trade practice to save lives.

### **The Organ Trade: A Savior**

Although it may be controversial, legalizing the organ trade brings many benefits. Some of these benefits include increasing the supply of organs for individuals with organ failure. Another benefit of legalizing the organ trade is the prevention of disease transmission between recipients. Legalizing the organ trade also contributes to reducing the number of

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crimes that often occur. Therefore, this section examines the proponents' point of view on the legalization of the organ trade.

### **The Supply of Human Organs**

Proponents claim that legalizing the organ trade will increase the supply of organs. According to Abouna (2008), the organ supply is likely to increase with the legalization of the organ trade because more individuals will be willing to donate their organs if they could be traded lawfully. Additionally, organ supply and demand issues would be alleviated if organ sales were legalized and regulated by the community, allowing many people in need of an organ transplant to receive one faster. As a result, more people will be donating organs if the organ trade was legalized, thereby increasing the overall organ supply.

Many patients in need of organ transplants wait far too long to receive a suitable one. The American Transplant Foundation (2022) demonstrates that about 106,000 people in the United States are on the waiting list for an organ transplant. This number shows that many patients suffer and wait for lengthy periods on the transplant waiting list because of the lack of availability of organs. There is a current shortage of organs available for transplantation because only a few people are willing to donate their organs. However, if organ sales were legalized, the money obtained from organ sales would serve as an incentive for some people to sell their organs, increasing the supply of organs. As a result, legalizing the organ trade may make organs more accessible to individuals in need, thereby saving lives.

Organ procurement will also become simpler with the existence of a legal organ market. Copen et al. (2010) suggest that the legislation of the organ trade would positively impact organ procurement and aid with the current organ shortage. Organ procurement may be made simpler if there were legal and well-established organ trade centers where people could donate their organs and be compensated. The legalization of the organ trade can solve

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the issue of organ procurement by making it simpler. Thus, with a legal organ market, more organs will be accessible, and the more organs available, the more lives will be saved.

The process of obtaining an organ transplant is also challenging for many patients. It is challenging because the shortage of organs is continuously increasing. For instance, according to Bin Hamid and Khan (2019), end-stage renal disease (ESRD) patients face difficulty in receiving kidney transplants because of the shortage of available kidneys suitable for transplantation. That study demonstrates how organs are scarce in many nations, even though they are needed to treat a variety of diseases. Thus, legalizing living-unrelated kidney sales would increase the availability of kidneys and save patients suffering from ESRD.

~~Further,~~ The prevalence of alcohol-related liver diseases is also increasing, leading to a higher demand for liver transplants despite the low supply. Levitt (2015) demonstrates how compensated organ donation can significantly increase the number of organs accessible for patients in need of liver transplants. ~~That~~ study shows how an adequate supply of livers for transplantation may be used to treat a variety of liver diseases. Therefore, since legalizing the organ trade will boost organ availability, it will also contribute to the treatment of patients suffering from alcohol-related liver disorders and other diseases.

### Reduction in Crimes

Proponents argue that legalizing the organ trade will contribute to reducing the number of crimes. Some of the crimes that result from the illegal organ trade include kidnapping, murder, abuse, ~~and more~~. According to Edgar and Block (2021), ending the restriction on organ sales will reduce the incentive for criminals while also creating opportunities in a legal market for organs. Criminals who kill and abduct individuals to steal their organs would lose their incentive if organ sales were legal, reducing overall crime rates. As a consequence, there will be fewer illegal organ trade-related crimes with the legalization of the organ trade.

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Because of the high cost of organs, criminals frequently kill and abduct individuals to obtain organs and profit from the sale of these organs. If countries legalize the organ trade, these crimes will be minimized. Swenarski (1993) notes that hundreds of children are kidnapped by criminals in Honduras to sell their organs and profit from them since organs are highly costly. This number shows how kidnapping to acquire organs occurs often. In fact, kidnapping people and stealing their organs is common in many countries, including China, Pakistan, India, Costa Rica, Egypt, ~~and others~~. Therefore, a legitimate organ market in these countries will contribute to reducing the number of abductions and overall crimes associated with the illegal market.

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Although many people willingly donate their organs to transplant them to other patients in need, many transplanted organs are obtained illegally. For instance, according to Gonzalez et al. (2020), around 10% of all transplants worldwide are believed to be illegal, accounting for nearly 12,000 organs every year. ~~This-The~~ study also demonstrates that many of these 12,000 organs are obtained from criminals stealing organs. Further, this percentage could be reduced if a legal organ market existed since the incentives of criminals to steal organs will be reduced. Thus, legalizing the organ trade will reduce crime rates and contribute to enhancing the overall quality of life of individuals with this reduction.

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### **Disease Transmission Prevention**

Proponents of the legalization of the organ trade contend that a legal and regulated organ market will prevent diseases from spreading between recipients. A regulated organ market will limit the transfer of common diseases between recipients throughout the transplantation process, unlike what usually occurs in the black market of organs. **To clarify,** if a legal and regulated organ market existed, the organ transplantation process will be carried out by professionals and handled professionally, preventing diseases from spreading among recipients. According to Allen (2005), a regulated market in organs would provide access to a

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larger supply of disease-free organs without the exaggerated black market pricing. Organs will be handled under sterile circumstances in a regulated organ market, which will result in a higher supply of disease-free organs. Therefore, legalizing the organ trade will result in a regulated market in organs that will limit diseases from spreading.

In a regulated organ market, screening and testing will be made for donors and recipients to prevent disease transmission. Fischer and Avery (2009) highlight that screening of donors and recipients before organ transplantation prevents and mitigates posttransplant infections. Screening donors before an organ transplant is one way to ensure that they are eligible for donation and to minimize the spread of diseases. Consequently, because both donors and recipients will be screened, the process of organ transplantation will not pose a risk of disease transmission. Therefore, organs in a regulated organ market will be handled in sterile conditions, and disease screening will be performed on both donors and recipients to reduce disease transmission.

### **Recommendations**

According to what has been previously mentioned, a call to action is needed for countries and governments to legalize the organ trade. The governments should consider the benefits that come with the legalization of the organ trade. By making the organ trade legal, governments contribute to reducing patient suffering and saving lives. Furthermore, governments could also propose establishing government-regulated organ trading centers to encourage safe precautions and improve health outcomes. Lastly, through economic power and political pressure, lobbyists and investors must be assembled to encourage the legalization of organ trade. This thing is particularly needed because governments often make decisions based on what the majority of people demand. Therefore, if a large number of individuals were encouraged by the lobbyists and investors, governments will be obliged to legalize the organ trade.

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### **Conclusion**

The legalization of the organ trade can play a significant role in saving people's lives. Such legalization is important as many patients with organ failures die every day while waiting for an organ transplant. Patients must wait for such extended periods of time to receive an organ transplant because of the scarcity of healthy organs. Among the numerous benefits of legalizing the organ trade are that it will increase the supply of organs since human organs are currently in a limited supply. In addition, legalizing the organ trade will help to reduce crime rates, improving people's safety and overall quality of life. A legal organ market will also prevent disease transmission between donors and recipients, which reduces their risk of death.

Despite the benefits associated with the legalization of the organ trade, it still faces a variety of criticism. First, some organ donors may suffer health consequences as a result of the organ trade. However, the evidence available suggests that a legal organ market may help save countless lives. Second, another criticism against legalizing the organ trade is that it may result in unfair benefits for the rich. For instance, because the affluent and powerful are not likely to sell their organs for monetary gain, those with fewer means will be exploited and treated unequally. Again however, evidence demonstrates that this issue is a characteristic of the present illegal organ trade. Third, some people argue that diseases may transfer between recipients as a consequence of the organ trade. Nevertheless, the evidence again shows that organ transplantation will be handled professionally in a legal and regulated organ market, which will limit disease transmission between recipients.

Although the legalization of the organ trade will no doubt continue to face criticism, the imbalance between the supply and demand of healthy human organs is growing. This imbalance is increasing as a result of a considerable decrease in organ donations, which is driven by the limited number of organ donors and the increased prevalence of organ failure.

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Therefore, in order to save people and put an end to their agony, we must gather lobbyists and investors to encourage and compel governments to legalize the organ trade.

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<https://www.asrarjournal.com/submit>

Submit the paper there by 5pm Monday, May 30<sup>th</sup> 😊

You’ve been amazing 😊

Such a great pleasure working with you this semester ... you really were a star!

Have an amazing summer!!!!

and seriously – submit the paper to Asrar! 😊

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The Final Draft will be evaluated based on the rubric below as well as all materials, instructions, and feedback provided by the instructor. Note that evaluations assume good punctuation, word choice, grammar, presentation, and strength of arguments. Evaluations also assume an appropriate quality of writing, length of response, and that language issues discussed in class have been followed appropriately. Points will be deducted if these assumption are not met. Points will also be deducted if the template has not been completely and appropriately filled out, or if any item from the template is missing. A further points' deduction will occur if an incorrectly named file is submitted.

### Rubric for Evaluating the Final Research Paper

#### Final Research Paper

The final research paper is 10-12 pages (3200 – 3850 words, excluding reference list, abstract, and title page) and incorporates feedback from the drafting process.

Elements		Points
Content		
	<b>Title Page</b>	
	<b>Abstract and Key Words</b>	/5
	Effectively summarizes research paper (between 130 and 150 words)	
	Lists 3-5 relevant key words	
	<b>Introduction (~1 page)</b>	/5
	Provides appropriate and compelling entry to the topic	
	Clearly articulates the research question(s) and/or thesis	
	<b>Body (~9-11 pages)</b>	/50
	Presents a well-structured, logically-argued, and cohesive discussion	

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	Includes headings that reflect the paper organization	
	Supports all points/arguments with credible and relevant evidence and cites definitions of key terms/ideas as applicable	
	Synthesizes multiple sources	
	Shows originality, critical thinking, and in-depth, nuanced analysis	
	<b>Conclusion (~up to 1 page)</b>	/8
	Restates main points and addresses the research question/thesis	
	Comes to logical conclusion from evidence	
	Makes final comment(s)	
	<b>References</b>	/7
	Uses correctly formatted APA in-text citations	
	Includes correctly formatted APA references	
	Contains all and only the cited texts	
	<b>Style</b>	/10
	Entire paper	
	Is polished in tone and style appropriate for an academic audience	
	Uses clear and sophisticated language and variety in sentence structure	
	<b>Mechanics</b>	/5
	Entire paper	
	Is accurate in terms of grammar, spelling, punctuation, capitalization, word choice, and transitionals	
	<b>Format/ Layout</b>	/5
	Entire paper	
	Follows APA page layout (title page, running head, headings, font, etc.)	
	<b>Revision</b>	/5

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	Incorporates feedback from the Working Draft and any consultations	
<b>Total</b>		/100