Traidos Bank Case Study

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INTRODUCTION

Traidos Bank was a small British financial institution that prided itself on being an ethical and sustainable bank. The bank made its day to day decisions based on six principles: promoting sustainable development, respecting and obeying the law, respecting human rights, respecting the environment, being accountable, and continuously improving. Besides offering loans and savings accounts, Traidos also had investment portfolios that included thirteen different funds. These funds, in turn, invested in businesses that were “sustainable” in nature based on Traidos’ stringent principles.

Roche pharmaceutical was a giant in the industry and had met the stringent principles set by Traidos and therefore was one of the companies chosen to be included in their funds. However, in 2010, Traidos discovered that Roche’s clinical trials in China involving an anti-rejection drug called CellCept, violated the rules by which Traidos operated. China requires that any drug sold there must be tested on Chinese people. Roche was doing the clinical trials on patients who had received transplanted organs mostly from prison inmates in China. It was discovered that many of these inmates were forced to sign organ donor releases or simply didn’t ever sign one at all. Many of the organs were possibly obtained illegally. Traidos did not feel that it was right that Roche would do clinical trials in China on patients that received transplanted organs that were obtained by such methods. Therefore, Traidos removed Roche from the funds that Roche was a part of. Roche argued that even if the organs that the patients received were obtained in that manner, that the benefits of the lives being saved exceeded the cost of if Roche was not allowed to sell CellCept in China to all of the patients whose lives were saved.

The following questions from the text will be answered based on the case study assigned. Question one: Explain how utilitarianism might provide a defense for Roche and how a rights-
based ethic might instead condemn Roche’s drug trials in China. Which of the two approaches is stronger or more reasonable? Explain the reason for your answer. Question two: Is it ethical for Roche to continue testing CellCept on its Chinese transplant patients?

**Question One**

When Roche’s schemes or ways of obtaining their organs for their patients was figured out by Traibos Bank in 2010 it was almost relevant, by reading the text that Roche was in the wrong. But, it also depends on a person’s moral values and upbringing. Utilitarianism could have been a good defense in their case because they were given limited information. Utilitarianism lays its foundation on the premise that any decision that is made regarding the outcome of a controversial issue be made based on whether the “utility” outcome is more beneficial for society as a whole and is founded on what is the “best” option that will produce that over other options. Roche was just there to administer the drug CellCept. They had no idea or information where these donated organs were coming from. Sure, according to the law, family was only to give to family, etc, but there was a lot of black market dealing going on as well. When it comes to a person’s rights, we all have them. Some people are more limited in their rights than others depending on the culture you are in. When it comes to this case study were the prisoners given any rights? You assume as a prisoner they are there for a reason, but according to this study many were there simply because they didn’t have the same religious belief that the government wanted them to have, or they didn’t believe the same as others. Roche felt that the good that was coming from the testing and therefore saving lives, outweighed the negative issue of where the organs came from. In other words, by utilitarian philosophy, they were justified. However, many critics of utilitarianism argue that the major flaw of this belief is that human rights are largely ignored and therefore violate moral code. There is no question that
the method by which these organs were obtained violates moral and ethical standards in many cultures. The rights of these prisoners, no matter their offense, were ignored. Therefore, anyone knowingly involved with participants of the study in any way could be called to questionable moral and ethical beliefs and practices. Businesses are wrought with practices that utilize utilitarian philosophy. However, in today’s society, any practice or behavior which ignores human rights will struggle to be accepted. Therefore, utilitarianism in this case is not the stronger argument.

**Question Two**

It is ethical because Roche was never actively involved in the act of taking a human beings rights away. In fact, they were helping people live. They were trying to make available the antidote for those organ recipients. Roche had no way of controlling where the organs were coming from. They just knew they were there to help those in need.