SUMMARY

THESIS: Legalizing the sale of human organs is a more effective practice in comparison to recent alternatives presented to increase the amount of organs donated, it will eliminate the current unsafe organ black market, and it is more practical because altruism does not work.

COUNTER ARGUMENTS:

1. Legalizing the sale of organs will only benefit the rich because only the poor will be the only ones selling their organs. The familiar argument that selling an organ will lead to economic prosperity is not valid. According to a study conducted by the Journal of American Medical Association, “selling a kidney does not lead to a long-term economic benefit and may be associated with a decline in health.”

2. There are other alternatives such as presumed consent which work in allocating organs for people who need them.

3. Selling organs treats the body as a commodity, thus reducing the respect people have for their bodies.

4. Legalizing the sale of organs would reduce or eliminate altruism, thus making it hard for those who can not afford an organ.

ARGUMENT 1: Alternatives that are presented to increase organ donation do not work.

Educating the public about organ donation does not guarantee that people will donate their organs or the organs of a deceased loved one.

- According to a survey conducted by the American government in 2005 95.4 percent of those survey supported organ transplants.
- Keeping in mind that many American support organ transplant, only about forty percent of the 10,000 Americans who become brain dead actually because donors.
- Dr. Laura A. Siminoff, Dr. Robert A. Arnold, and their colleagues at the University of Pittsburgh conducted a study where they followed the deaths of 10,681 individuals. 841 were eligible to become donors; only 46.5 percent of families agreed to donate the organs of their deceased relative.

Presumed consent, although it works in some countries, like education it does not guarantee that there will not be a shortage of organs.

- Sweden a country who also has a presumed consent law still has a long waiting for an organ donation and has a lower donation rate than the United Kingdom which does not have the law.
- Attempts at passing in instilling a presumed consent law in the United Kingdom as well as the United States have not been successful.

Xeno-transplantation, also known as the transplantation of an organ or tissue between species. Xeno-translations can potentially solve the organ shortage but the procedure is not practical.

- This procedure poses a lot of risks. Xeno-transplants make it virtually impossible to screen for viruses that can be transmitted from animals to humans.
- Xeno-transplants would be more expensive than human to human organ transplants. Organ transplants costs approximately $40,000 to $50,000, and annual check up are about $10,000 to $15,000.

ARGUMENT 2: Legalizing the sale of organs will eliminate the organ black market.

The organ black market raises some ethical questions because the Chinese government is accused of selling the organs of executed prisoners.

- In 1995, 6,100 death sentences were given to criminals and at least 4,367 were actually carried out.


8 Ronald Munson. Raising the Dead Organ Transplants, Ethics, and Society. (New York: Oxford 2001) p. 113

• Medical ‘visitors’ form Hong Kong, Taiwan, and Singapore are believed to be the one buying the organs. The organs are said to be sold for $30,000.10

Altruistic organ donations do not make sense from an economic view point.

• As a result of National Organ Transplant Act of 1984, the sale of organs is illegal in United States and other Western countries. If the price of a good is restricted, there will be a shortage because the good is extremely valuable. “To take advantage of the difference between the regulated price and the markets valuation, black markets develop.”11

ARGUMENT 3: Altruism does not work in obtaining organs.

Iran unlike many other Western countries proves that even though altruism is a positive ideal, organ procurement can not only depend on it for allocating organs.

• Iran is the only country that allows the sale of organs.12

• The organ procurement procedure in Iran allows altruism however, the country is able to see the flaws of altruism and non-relatives of the organ percipients are given incentives.13

• The system is very safe and works. Physicians are allowed to opt-out if they feel the vendor is not fit to donate their organs.14

• After twenty two years of having a legalized organ market, Iran does not have a waiting list for organs.15

The public is more willing to donate if they are provided with incentives.

• In a survey conducted by the United States government, nineteen percent said that they will be more willing to donate if they are given incentives.16

• In the same survey eighteen percent said that they will be more likely to donate if they are given incentives.17

• In a study conducted by economist, Gary Becker and Julio Jorge Elias suggest that if monetary incentives are given to organ donors, organ donation will increase by twelve percent.18

• In 1993, Pennsylvania created the ‘Organ Donation Trust Fund,’ a program created to encourage people to donate organs. People who donate their organs would be given $3,000; either as a donation for the donor’s hospital or donor’s funeral expenses. This program was successful with over four million people signing up to be organ donors.19

Looking at the current waiting list is evidence alone that altruism does not work when allocating organs.

• According to the United Network for Organ Sharing in 2004, the average waiting time for a kidney is 520 days, a pancreas 437 days, a liver 104 days, a heart 254 days, and a combination of a heart and lung 698 days.20

• As of Thursday January 7, 2010, there are currently 105,362 American’s on the National Organ Waiting List.21

• In 2008 there were 4330 Canadian organ waiting list, 215 died waiting for an organ donation, and 303 withdrew their names from the list because they have become too sick.22