



Kidneys for Sale

By Claire Andre and Manuel Velasquez

When it comes to bodily parts, it's a seller's market. That's the opinion, anyway, of Barry Jacobs, who proposed to set up shop as an international broker for bodily parts. His service would include matching up kidney "donors" with patients needing kidney transplants. The donor would receive a healthy paycheck, the recipient a healthy kidney and Jacobs, a healthy percentage of the entire deal. American ingenuity and free enterprise at their best. Or is it?

Currently, prospects are grim for people in need of organ transplants. For every 100,000 transplant operations needed each year, only 10,000 are performed. Biomedical breakthroughs have greatly increased our capacity to perform successful transplants, increasing the demand for transplantable organs. But the supply of organs has not increased. Many people are simply reluctant to donate their bodily parts. In response to the shortage, proposals have come forth advocating the sale of non-vital human organs.

Proponents of the organs-for-sale scheme maintain that we have a moral duty to save lives and to reduce human suffering when it is in our capacity to do so. Thousands upon thousands of patients die each year simply because of an inadequate supply of organs. Patients needing kidneys wait years in hope of donors, all the while undergoing painful and costly dialysis treatments. Allowing a commercial market in organs could put an end to needless deaths and suffering by increasing the supply of organs. Clearly, cash payments will increase people's willingness to "donate" body parts, thereby increasing the supply. One need only look at the success of the commercial markets in increasing the supply of blood and sperm. Given the vast number of people who would be willing to part with their organs for a price, those needing organs will have a much greater chance of getting healthier or better matched ones, increasing the number of successful transplants. Up to 70 percent of transplanted kidneys will probably fail over the next 10 years, but this poor long-term outlook could be vastly improved if donors were better matched to recipients. Finally, by increasing the supply of organs, the market mechanism will eventually bring the price of organs down, so more people will be able to afford them.

Those who oppose the sale of human organs contend that society may have a duty to preserve life and relieve human suffering, but not by any means whatsoever. In particular, society should not adopt any practices that would create injustices or would violate the rights of individuals. Allowing organs to be bought and sold will do both.

Justice demands that every person have an equal right to life. To protect this right, society has an obligation to ensure that every person--whether rich or poor--has equal access to medical benefits. But if a market in organs were to develop, ability to pay would determine who could buy organs, while economic need would determine who would be motivated to sell their organs. The very wealthy would end up buyers of the organs being sold by the very poor. A market in organs would thus benefit the wealthy while putting pressures on the poor to endanger their own health. Such an unequal distribution of health benefits and burdens would

be unjust.

Moreover, individuals have a right to live their lives with freedom and dignity. A market in organs would inevitably lead to abuses that would violate the freedom and dignity of individuals. Allowing organs to be bought and sold would lead to what one critic called the "plundering of peasants' parts for profits"--the exploitation of the poor and ignorant, especially in impoverished third-world countries. People living in extreme poverty are often desperate and ill-informed. Profit seekers would take advantage of this, obtaining "consent" from those who feel compelled by necessity to sell their organs, and who may not have a clear idea of the consequences of what they were doing. Such a scheme would encourage the most vulnerable in society to treat themselves as commodities and allow others to violate their rights for commercial gain.

The need for organs will only grow and, until the shortage of organs is alleviated, it is certain that thousands will die annually. But the moral issues surrounding the selling of organs promise to remain very much alive. We will have to choose between two sets of moral values: the value we place on preventing death and alleviating suffering, and the value we place on respect for human dignity and our commitment to meeting human needs in a fair and equitable manner.

For further reading:

George J. Annas, "Life, Liberty, and the Pursuit of Organ Sales," *Hastings Center Report*, Volume 14 (February 1984), pp. 22-23.

Fern S. Chapman, "The Life and Death Questions of an Organ Market," *Fortune* (June 11, 1984), pp. 108-118.

Shaheen Borna, "Morality and Marketing Human Organs," *Journal of Business Ethics*, Volume 6 (1987), pp. 37-44.

Article accessed on 23 February 2010 at URL:
<http://www.scu.edu/ethics/publications/iie/v1n2/kidneys.html>