Why an opt out system for kidneys still won't work [1]

Written by **Tim Worstall** [2] | Saturday 6 July 2013

Ben had an interesting idea yesterday [3]: let's make organs the property of the State for them to allocate, as the State wishes, after our deaths. Even to the point that those who wanted the corpses of their loved ones buried intact would have to pay the State the value of those organs that would go unused. "Interesting" here includes the meaning of "how do I get a rise out of my readers" and by that measure it was indeed most interesting. However, by another, it's not so much. For the problem with the proposal it that it just won't solve the perceived problem. Not enough people die healthy enough for us to have enough organs to transplant.

Our basic problem is that people die as a result of our being able to perform organ transplants but there aren't enough organs available to perform such transplants. Not enough people carry organ donor cards and some of those that do their families demur when asked at that crucial moment. Thus it seems logical enough that we should move to a different policy in order to save those lives. We should have opt out systems: only those who feel strongly enough about rotting with their kidneys and have indicated that desire should be able to do so. Or even, as Ben intimates, that those who want to rot complete should pay the loss to the person whoi doesn't get the transplant as a result of said desire.

And yes, it's all ghoulish and yes there are considerable civil liberties implications: but we should indeed float such ideas to see where they go. The problem is that even if we did this we *still* wouldn't have enough organs for transplant. For you've got to die pretty healthy for it to be possible to use said organs: no one with any form of cancer can be used for example. No one with a variety of infectious diseases. By the time anyone's got dementia there's little point in trying to use parts of them and heart disease has its own problems: the process of dying this way can damage the organs that are desired.

Effectively we're left with that small group of people who die in accidents. There are certainly enough people who do to cover the simple number of organs desired even if some parts will be a little too squished (that being the cause of death) to be useful. But once you count in the necessity for blood type matching (and it's a lot more complicated than just O, A or AB etc) and tissue matching that's just not enough people to go around. Even if all organs of the deceased were indeed State property to be allocated: there still aren't enough.

So Ben's solution fails at the first hurdle: whatever the moral implications, it still doesn't work. Cadaveric transplant just isn't enough.

Which leaves us with two options. One would be to increase the number of cadavers. Perhaps abolishing the motorcycle helmet and car seatbelt laws. That would probably help, might even solve the problem. Plus we've the obvious benefit that this is an increase in freedom and liberty.

The other is that we should move to a paid market in live organ transplants. I've pointed this out a number [4] of times [5] before [6].

In terms of what we can transplant corneas we're fine with under the current system. Kidneys, lungs and

livers can all come from live donors (no, really, you take a bit of the lung and a bit of the liver). And I've no problem with it being a very tightly controlled market, State controlled, but in order to get them to come forward we're going to have to offer cash rewards. About the only one we can't deal with at present in this manner is hearts. But then compulsory donation unless a fine is paid wouldn't solve this one either. And once we've solved as best we can this problem, through our paid market, then there's no need to go around thinking about making all corpses State property, is there?

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