Do we own our bodies? [1]

Written by **Whig** [2] | Friday 21 October 2011

Yesterday morning the Human Fertilisation and Embryology Authority announced [3] that it would increase the ?fees? it offers for women to donate eggs from £250 to £750. (At the taxpayer?s expense, of course.) There is a serious shortage of eggs so HFEA wishes to encourage more women to come forward. HEFA argued that the increase is to cover costs and not act as an ?inducement? which is prohibited under EU rules.

We should consider the unfortunate consequences of the prevention of financial inducements for the sale of eggs. Firstly, there is a shortage of eggs so potential parents are being denied the ability to have children ? surely that is also unethical, or at least unfair? Demand exceeds supply ? in economic terms we need to allow the market to set a price which would increase supply (of course, this may make infertility treatment via the NHS more expensive, but that is merely an argument against nationalising such services). Secondly, as with all prohibitions, are the unintended consequences [4] which lie in the creation ?fertility tourism? and probably an illegal egg trade. Naturally, such a trade endangers the health of both donors and recipients. If the sale of eggs were legal, the egg trade would be both cheaper and far more subject to oversight and safety.

In essence, we have a situation where people are being denied the potential of having children whilst at the same time donors are being exploited and inducements are being offered, which is exactly what the ban and its advocates seek to avoid. This situation is clearly the worst of all possible worlds.

What startled me most in reading about this were the views of those opposed to allowing women to sell their own eggs. For instance, this comment by Dr David King, Director of Human Genetics Alert that; "Ethically, it's wrong to make part of the human body a commodity... The body should not be part of commerce."

I fundamentally disagree with such a position ? and I think the same applies to blood and organs as much as eggs or sperm. If individuals wish to sell their eggs freely, that should be their choice. I would argue that it is fundamentally unethical to deny individuals the freedom to do so. It is also worth observing that even if a market in eggs were created, there is no reason to suppose that some women would not choose to donate eggs charitably.

There are many other activities which, by prohibiting free markets, governments deny us the rights to use our bodies as we see fit - narcotics, smoking, prostitution and others. Such prohibitions not only invariably fail but they also create opportunities for criminals and harm the most vulnerable, thereby necessitating more government intervention in the form of law enforcement as John Meadowcroft?s excellent book Prohibitions [5] shows (On this topic there is a chapter by Mark Cherry addressing the specific issue of organs).

But there is an even more fundamental issue at stake. By denying the ability to use our bodies in the way in which we see fit the state is denying us property rights over our bodies and staking a claim to ownership. A person who does not have ownership over their own body is usually referred to as a slave.

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