

2 次の英文を読んで，設問に答えよ。



Medical advances in storing organs which have been removed from dead bodies make it possible for vast numbers of organs to be taken out of dead bodies and stored. The state may have an interest in securing the maximum number of organs, (1) especially where they are difficult to match, and storing them for future use. In 5 these circumstances, should people have the right to withhold the use of their bodies after death? If they refuse to permit their organs or bodies to be stored after their death, can the state (2) override their wishes? If people do not specifically object, must they be taken to have consented?

In some cases, it is inadequate to remove an organ from a ( 3 ) body. In 10 kidney, heart and liver \*transplantation, removal must be from a living body, or from a body in a condition as near to living as possible. Questions of consent arise. Often the living body which is the only available source may be the body of a child, perhaps an identical twin. \*Bone marrow, which will be regenerated in the body of the donor, may be urgently required to save a life. Who can give consent in such 15 cases — parent, guardian, court, hospital committee or state?

(4) Here there may be a conflict of interests between the rights of the dead and the rights of the dying. Consider the case of Bill Mathews in the US, who, being thought dead through cessation of brain function, was being prepared for an operation to remove his heart, when a chance movement of his \*Adam's apple gave 20 the surgeon second thoughts about proceeding. Spared, he lived to lead an active life.

Physicians or surgeons performing transplant operations may also find themselves in conflict. (5) Acting for patients needing the transplantation, and paid by them, they may not be in the best position to make the decisions whether organs 25 should be removed from people who are apparently dead. Irreversible brain damage may be a test of clinical death, as the Australian Law Reform Commission has suggested, but this may be difficult to decide with certainty in the absence of a reading on an \*encephalograph of the electrical activities of the brain.