



Surrogate Mothers

**Katarina Trimmings, Sharon
Shakargy, Claire Achmad**

Surrogate Mothers:

Surrogate Motherhood Martha A. Field, 2009-07-01 With an Expanded Appendix on the Current Legal Status of Surrogacy Arrangements A practice known since Biblical times surrogate motherhood has only recently leaped to prominence as a way of providing babies for childless couples and leaped to notoriety through the dramatic case of Baby M Contract surrogacy is officially little more than ten years old but by 1986 five hundred babies had been born to mothers who gave them up to sperm donor fathers for a fee and the practice is growing rapidly Martha Field examines the myriad legal complexities that today enmesh surrogate motherhood and also looks beyond existing legal rules to ask what society wants from surrogacy A man's desire to be a biological parent even when his wife is infertile the father's wife usually adopts the child has led to this new kind of family and modern technology could further extend surrogacy's appeal by making gestational surrogates available to couples who provide both egg and sperm But is surrogacy a form of babyselling Is the practice a private matter covered by contract law or does adoption law govern Is it good or bad social and public policy to leave surrogacy unregulated Should the law allow encourage discourage or prohibit surrogate motherhood Ultimately the answers will depend on what the American public wants In the difficult process of sorting out such vexing questions Martha Field has written a landmark book Showing that the problem is rather too much applicable law than too little she discusses contract law and constitutional law custody and adoption law and the rights of biological fathers as well as the laws governing sperm donation Competing values are involved all along the legal and social spectrum Field suggests that a federal prohibition would be most effective if banning surrogacy is the aim but federal prohibition might not be chosen for a variety of reasons a preference for regulating surrogacy instead of driving it underground a preference for allowing regulation and variation by state or a respect for the interests of people who want to enter surrogacy arrangements Since the law can support a wide variety of positions Field offers one that seems best to reconcile the competing values at stake Whether or not paid surrogacy is made illegal she suggests that a surrogate mother retain the option of abiding by or canceling the contract up to the time she freely gives the child to the adopting couple And if she cancels the contract she should be entitled to custody without having to prove in court that she would be a better parent than the father Surrogate Motherhood Lawrence O.

Gostin, 1990-05-22 glimpses of intriguing changes in social arrangements and cultural understandings in relation to surrogacy Disturbing motherhood indeed New Scientist Larry Gostin has put together the definitive collection of essays on one of the most perplexing and titillating topics in contemporary medical ethics This book includes contributions from some of the leading scholars on the legal ethical and social aspects of surrogacy as well as several critical perspectives on the famous Baby M case must reading for understanding the surrogate motherhood controversy Robert M Veatch Highly recommended Choice a valuable resource for those concerned with an exceedingly difficult ethical legal and political problem Ethics There is a wealth of information here on the current status questionis in the United States and anyone

involved in the surrogacy debate in the U S or otherwise will find working through this material very worthwhile Canadian Philosophical Review an excellent sample of some of the best and most varied thinking so far on the numerous conceptual moral social and policy questions raised by contract motherhood *The Journal of Clinical Ethics* **Surrogate Motherhood** Rachel Cook, Shelley Day Sclater, Felicity Kaganas, 2003-06-30 This multi disciplinary book explores legal ethical social psychological and practical aspects of surrogate motherhood in Britain and abroad *Reading Mary Alongside Indian Surrogate Mothers* Sharon Jacob, 2015-08-18 This book attempts to read the character of Mary in the infancy narratives of Luke and Matthew alongside the lives of experiences of the Indian surrogate mother living a postcolonial India Reading Mary through these lenses helps us see this mother and her actions in a more ambivalent light as a mother whose love is both violent and altruistic *Surrogate Motherhood* Helena Ragone, 2019-07-11 Surrogate Motherhood Conception in the Heart is a compelling account written with analytical clarity and remarkable compassion Helena Ragon has given long overdue humanity and voice to the actual participants in the surrogate motherhood experience a heretofore inaccessible population and the results are fascinating Anyone interested in fertility parenting reproduction and kinship or anyone interested in contemporary culture will want to read this book **Surrogate Motherhood and the Politics of Reproduction** Susan Markens, 2007-09-04 Susan Markens takes on one of the hottest issues on the fertility front surrogate motherhood in a book that illuminates the culture wars that have erupted over new reproductive technologies in the United States In an innovative analysis of legislative responses to surrogacy in the bellwether states of New York and California Markens explores how discourses about gender family race genetics rights and choice have shaped policies aimed at this issue She examines the views of key players including legislators women s organizations religious groups the media and others In a study that finds surprising ideological agreement among those with opposing views of surrogate motherhood Markens challenges common assumptions about our responses to reproductive technologies and at the same time offers a fascinating picture of how reproductive politics shape social policy **Surrogate Motherhood Families** Olga B.A. van den Akker, 2017-08-18 This comprehensive book covers the research theory policy and practice context of unusual reproduction using third parties Olga Van den Akker details the psychological adaptation required to continuing changes in public opinion advances in technologies and new legislations in surrogate motherhood and discusses their impact at an individual societal and global level She describes the competing interests and interactions between legal organisational personal social psychological and cultural issues in relation to biological and genetic surrogate and commissioning parenthood This book is intended for professionals practitioners academics and students interested in the complexities of unusual reproduction using multidisciplinary perspectives **Fundamental legal problems of surrogate motherhood. Global perspective.** Piotr Mostowik, Marta Soniewicka, Nathalie Baillon-Wirtz, Mirosław Boruta, Justyna Holocher, Błażej Kmiecniak, Ewa Kozerska, Tomasz Scheffler, Katażyna Mikša, Natalja Žitkevits, Avishalom Westreich, Andrea Nicolussi, Andrei A. Novikov , Carlos Martínez de

Aguirre, Monika Wałachowska, Alla Anatoliivna Herts, Witold Borysiak, Agnieszka Czubik, Łukasz Mirocha, Agata Niżnik-Mucha, Aleksandra Dębowska, Marcin Sokołowski, Agnieszka Wedeł-Domaradzka, Olga Bobrzyńska, Dita Frintová, Ondřej Frinta, Janusz Gajda, Rafał Łukasiewicz, Elena Júdová, Martin Píry, Wojciech Lis, Piotr Telusiewicz, Michał Wojewoda, Edyta Figura-Góralczyk, Radosław Flejszar, Piotr Rodziewicz, Konrad Burdziak, Łukasz Pohl, Wojciech Górski, Agnieszka Laber, Dominik Zajac, Karolina Sęk, 2019-07-01 The observation that mater semper certa est remains accurate under most legal systems in the world Maternity is defined as the personal status filiation of a woman who gave birth to a child It is typically complemented by the fatherhood of the man from whom the child biologically originates often quem nuptiae demonstrant However in some states a kind of competitive way of acquiring the legal status of mother and father or homosexual parents A and B has been introduced via concluding a contract with a surrogate mother Usually with a woman coming from poorer societies and with the assistance of professional intermediaries and organizers The postulates to change substantive family law or at least to recognize the effects of foreign law and procedures a kind of procreative tourism appear nowadays also in states generally prohibiting surrogate motherhood The issues discussed in this volume concern both national law and international court cases Recent examples include the opinion of the European Court of Human Rights of 10 April 2019 initiated by the French Cour de cassation the judgement of the German Bundesgerichtshof of 20 March 2019 and dilemmas of Polish administrative courts Focusing on the international perspective the present volume as well as an accompanying book in Polish are the results of the international cooperation of over 30 experts from both member states and observer states of the Council of Europe The monograph is structured from the general to the detail and includes a comprehensive view as well from the issues of philosophy and sociology of law to human rights standards of national constitutions and international agreements to principles of ordre public of forum and their protection with measures of private public and penal law This allows readers including legislators and judges the better understanding of the fundamental legal problems that surrogate motherhood brings both in states where law creates them in a narrower or wider extent and in other countries of the world to which these problems can be imported with the movement of people and with de lege lata and de lege ferenda postulates

Sex and Reason Richard A. Posner, 1992 Posner's rational choice theory is the first comprehensive approach to sexuality and its social controls Drawing on the fields of biology law history religion and economics this sweeping study examines societies from ancient Greece to today's Sweden and issues from incest taboos and date rape to gay marriage and Baby M

Justice Michael J. Sandel, 2007-09-27 Moreover Sandel's organization of the readings and his own commentaries allow readers to engage with a variety of pressing contemporary issues

Source Book in Bioethics Albert R. Jonsen, Robert M. Veatch, LeRoy Walters, 1999-09-07 Government agencies and commissions courts and legislatures have during the past several decades produced reports rendered decisions and passed laws that have both defined the fundamental issues in the field of bioethics and established ways of managing them in our society Providing

a history of these key bioethical decisions this Source Book in Bioethics is the first and only comprehensive collection of the critical public documents in biomedical ethics including many hard to find or out of print materials Covering the period from 1947 to 1995 this volume brings together core legislative documents court briefs and reports by professional organizations public bodies and governments around the world Sections on human experimentation care of the terminally ill genetics human reproduction and emerging areas in bioethics include such pivotal works as The Nuremberg Code The Tuskegee Report and In the Matter of Baby M as well less readily available documents as The Declaration of Inuyama the Council for International Organizations of Medical Sciences statement on genetic engineering and The Warnock Committee Report on reproductive technologies from the United Kingdom Three eminent scholars in the field provide brief introductions to each document explaining the significance of these classic sources This historical volume will be a standard text for courses in bioethics health policy and death and dying and a primary reference for anyone interested in this increasingly relevant field

Parenting Susan Golombok,2000 The author considers whether it is necessary to have two parents and explores the psychological processes that underlie optimal development for children particularly the quality of the child s relationship with parents and the wider social world *Research Handbook on Surrogacy and the Law* Katarina Trimmings,Sharon Shakargy,Claire Achmad,2024-03-14 This essential Research Handbook provides a multifaceted exploration of surrogacy and the law examining a variety of critical yet under researched perspectives including globalisation power gender sexual orientation genetics human rights and family relations It covers four distinct topics surrogacy and rights the interplay between surrogacy and different areas of the law cross border aspects and regional perspectives **A Transnational Feminist View of Surrogacy Biomarkets in India** Sheela Saravanan,2018-03-26 This book takes a reproductive justice approach to argue that surrogacy as practised in the contemporary neoliberal biomarkets crosses the humanitarian thresholds of feminism Drawing on her ethnographic work with surrogate mothers intended parents and medical practitioners in India the author shows the dark connections between poverty gender human rights violations and indignity in the surrogacy market In a developing country like India bio technologies therefore create reproductive objects of certain female bodies while promoting an image of reproductive liberation for others India is a classic example for how far these biomarkets can exploit vulnerabilities for individual requirements in the garb of reproductive liberty This critical book refers to a range of liberal radical and postcolonial feminist frameworks on surrogacy and questions the individual reproductive rights perspective as an approach to examine global surrogacy It introduces humanitarian feminism as an alternative concept to bridge feminist factions divided on contextual and ideological grounds It hopes to build a global feminist solidarity drawing on a reproductive justice approach by recognizing the histories of race class gender sexuality ability age and immigration oppression in all communities This work is of interest to researchers and students of medical sociology and anthropology gender studies bioethics and development studies *Birthing a Mother* Elly Teman,2010 This is an ethnography which

probes the intimate experience of gestational surrogate motherhood Teman shows how surrogates and intended mothers carefully negotiate their cooperative endeavour **Labor of Love** Heather Jacobson,2016-03-15 While the practice of surrogacy has existed for millennia new fertility technologies have allowed women to act as gestational surrogates carrying children that are not genetically their own While some women volunteer to act as gestational surrogates for friends or family members others get paid for performing this service The first ethnographic study of gestational surrogacy in the United States Labor of Love examines the conflicted attitudes that emerge when the ostensibly priceless act of bringing a child into the world becomes a paid occupation Heather Jacobson interviews not only surrogate mothers but also their family members the intended parents who employ surrogates and the various professionals who work to facilitate the process Seeking to understand how gestational surrogates perceive their vocation she discovers that many regard surrogacy as a calling but are reluctant to describe it as a job In the process Jacobson dissects the complex set of social attitudes underlying this resistance toward conceiving of pregnancy as a form of employment Through her extensive field research Jacobson gives readers a firsthand look at the many challenges faced by gestational surrogates who deal with complicated medical procedures delicate work family balances and tricky social dynamics Yet Labor of Love also demonstrates the extent to which advances in reproductive technology are affecting all Americans changing how we think about maternity family and the labor involved in giving birth For more visit <http://www.heatherjacobsononline.com> **Legal Issues in Pediatrics and Adolescent Medicine**

Angela Roddey Holder,1985-01-01 This book is one of four publications intended to engage a broad range of persons in informed decision making regarding key health and human value questions Each publication has a usefulness of its own while all four comprise a convenient series **Globalization and Transnational Surrogacy in India** Sayantani

DasGupta,Shamita Das Dasgupta,2014-02-14 From computer support and hotel reservations to laboratory results and radiographic interpretations it seems everything can be outsourced in our globalized world One would not think so with parenthood however especially motherhood as it is a fundamental activity humans have historically preserved as personal and private In our modern age however the advent and accessibility of assisted reproductive technologies ARTs and the ease with which they have traversed global borders has fundamentally altered the meaning of childbearing and parenting In the twenty first century parenthood is no longer achieved only through gestation adoption or traditional surrogacy but also via assisted reproductive technologies ARTs where science and technology play lead roles Furthermore in a globalized world economy where the movement and transfer of people and commodities are increasing to serve the interests of capitalism gamete donation and surrogate birth can traverse innumerable geographic socio economic racialized and political borderlands Thus reproduction itself can be outsourced This edited volume explores one specific aspect of the new assisted reproductive technologies gestational surrogacy and how its practice is changing the traditional concept of parenthood across the globe The phenomenon of transnational surrogacy has given rise to a thriving international industry where money

is being legally exchanged for babies and reproductive labor has taken on a lucrative commercial tone Yet law research and activism are barely aware of this experience and are still playing catch up with rapidly changing on the ground realities This interdisciplinary collection of essays assuages the dearth of knowledge and addresses significant issues in transnational commercial gestational surrogacy as it takes shape in a peculiar relation between the West primarily the United States and India

Substitute Parents Gillian Bentley, Ruth Mace, 2012 From a comparative perspective human life histories are unique and raising offspring is unusually costly humans have relatively short birth intervals compared to other apes childhood is long mothers care simultaneously for many dependent children other apes raise one offspring at a time infant mortality is high in natural fertility mortality populations and human females have a long post reproductive lifespan These features conspire to make child raising very burdensome Mothers frequently defray these costs with paternal help not usual in other ape species although this contribution is not always enough Grandmothers elder siblings paid allocarers or society as a whole help to defray the costs of childcare both in our evolutionary past and now Studying offspring care in a various human societies and other mammalian species a wide range of specialists such as anthropologists psychologists animal behaviorists evolutionary ecologists economists and sociologists have contributed to this volume offering new insights into and a better understanding of one of the key areas of human society

International Surrogacy Arrangements Katarina Trimmings, Paul Beaumont, 2013-05-17 This book addresses the pressing challenges presented by the proliferation of international surrogacy arrangements The book is divided into three parts Part 1 contains National Reports on domestic approaches to surrogacy from Argentina Australia Belgium Brazil China Czech Republic France Germany Greece Guatemala Hungary India Ireland Israel Mexico Netherlands New Zealand Russia South Africa Spain Ukraine United Kingdom United States and Venezuela The reports are written by domestic specialists each demonstrating the difficult and urgent problems arising in many States as a result of international surrogacy arrangements These National Reports not only provide the backdrop to the authors proposed model regulation appearing in Part 3 but serve as a key resource for scrutinising the most worrying incompatibilities in national laws on surrogacy Part 2 of the book contains two contributions that provide international perspectives on cross border surrogacy such as the human rights perspective Part 3 contains a General Report which consists of an analysis of the National Reports appearing in Part 1 together with a proposed model of regulation of international surrogacy arrangements at the international level written by the two co editors Paul Beaumont and Katarina Trimmings The research undertaken by Katarina Trimmings and Paul Beaumont from 2010 to 2012 was funded by the Nuffield Foundation This title is included in Bloomsbury Professional s Family Law online service

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