

Indian Commercial Surrogacy Arrangements: Feminist Perspectives on Reproductive Choice

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ABSTRACT

It explores three prominent conceptualizations that are component of the assessment of commercial surrogacy, including the commercialization of parenthood, the eroticism of the gift correlation, and the organization of the surrogate, particularly in connection to the feminist as well as academic assessment of surrogacy in India, throughout this essay. Surrogacy continues to be influenced by powerful rhetorical ideals such as motherhood, autonomy, and the romanticism of the gift, all of which continue to affect the research and interpretation of surrogacy. They are solidified as the key structural settings inside which surrogacy appears to work as a result of this process. These three themes are examined in the article's survey of modern published research on commercialized surrogacy, which examines the academic interactions with these three conceptions.

Keyword

ART, Commodification, Commercial Surrogacy, Feminist, Motherhood.

1. INTRODUCTION

Premila Vaghela perished at a hospital in Ahmedabad, India, in April 2012, during the seventh month of her pregnancies, while in the act of providing birth to the child she was bearing as a surrogate. She was just eight months pregnant. Brinda Karat expressed her displeasure with the Indian executive branch's failure to regulate the rapidly expanding, yet very predatory, assisted reproductive technologies (ARTs) business in her blog post. It is claimed that the mother is exerting her own agency in order to improve her own life as well as the lives of her children. But what does it mean to have a choice since she did not prefer to remain impoverished and she did not prefer to remain unemployed? When deprivation is unavoidable, referring to the frantic survival techniques that women use as a manifestation of women's rights is a slap in the face of the idea of women's freedom [1].

Choice has always been a contentious issue when it comes to issues of reproduction and gender identity [2]. Throughout history, feminism and feminist academics have examined the issues of choice as well as reproduction as from perspectives of agency as well as choicelessness [3]. This article does not endeavour to participate with the vast and thought-provoking gender studies on reproduction; rather, it attempts to participate with the concept of reproductive freedom as depicted within a particular region of analysis, such as advertising gestational surrogacy throughout India, which is beyond the scope of this essay [4][5]. The point of this experiment is for the author to

conduct a review of previous and current studies on surrogacy with in form of an article [6].

A commercial maternal surrogacy arrangement is one in which an artificially fertilized embryo is carried in the womb in return for a financial reward. Although the embryo might well be genetically related to an unmarried woman or a single expectant parent, its fertilization is rigorously controlled in the laboratories with the assistance of a specialist and assisted reproductive technologies (ARTs). The anti-reproductive technologies (ARTs) are included in the category called new reproductive technologies (NRTs), which are recognized to both impede and facilitate human procreation [7]. Both NRTs as well as ARTs are proven to work largely in the women's anatomy, albeit not usually or exclusively with in case of ARTs. In the case of business gestational surrogacy, assisted reproductive technologies (ARTs) including in vitro fertilization (IVF) are utilized to fertilize and implant the embryo through into womb of the surrogacy arrangement [8]. The nine-month gestation that follows is characterized by varied degrees of involvement with technologies and its proponents, depending on the individual [9].

Using an investigation of the research on corporate surrogacy, this paper analyses the narratives that have emerged as a result of that examination. In addition to ethnographic study results, theoretical as well as philosophical arguments and discourses have been used to develop the dominating themes that have emerged [10]. According to the findings of the paper, the concept of reproductive freedom is addressed in the context of surrogacy via three reoccurring notions, including motherhood, autonomy, and the connection of gifting. During the last few of decades, scholars have explored how these three beliefs have come to affect the research of surrogacy in various ways [11]. The topics represent various conceptions of reproductive freedom, as well as legal difficulties concerning surrogacy and the global commerce in biological systems and commodities [12]. As a result of this process, all two come across as powerful rhetorical conceptions, which have been reified as the fundamental structural frameworks within which surrogacy appears to function. This is damaging not just to the analysis of reproductive rights, but it is also deleterious to the current continued research on surrogate in a global setting, which is taking place at the moment.

Aspects of surrogacy inside its current form are explored via the lenses of parenthood, the gift relations, especially autonomy, despite the fact that they are rhetorical. As a result, the essay seeks to link together the current framework of surrogacy evaluation and developing research in the field in order to present a more dynamic image of commercial surrogate mother as a social issue. Surrogacy's transnational nature is seen in the level of

anthropological examination it is being subjected to, which demonstrates its transnational nature. For example, both Indian as well as Western experts are interested in commercial surrogacy arrangement in India, which is becoming more popular [13]. The international commerce in reproductive technology has grown to have a significant influence on India. After being recognized as one of the largest markets for advertising gestational surrogacy, assisted reproductive technology (ART) health centers and doctors are enticing straight and gay couples, single males and females, from around the globe to arrive to India and enjoy the benefits of the country's competitive rates, world-class therapeutic interventions, and metropolitan staff to be have their long-dreamed of family become a reality [14].

Research and comments are presented on the surrogates who are trading their bodies as parts of the worldwide multilateralism of technology, health treatment, and organ trading that are being investigated and discussed [15]. A significant portion of the research is devoted to a criticism of the surrogacy business, which seems to be indiscriminately treating women as throwaway objects. Surrogate moms' stories place their reproductive choices in fascinating contexts of family compulsion and autonomy, which are explored further in this article. Surrogate mothers from the Global South, according to a well-known study, suffer from estrangement as an outgrowth of their outsourced selves in the worldwide commerce in reproductive care for women.

Surrogacy is a rapidly expanding business in India that is highly sought for across the world. This has been propelled in great part by the arts and cultural industries [5]. The use of technologies in obtaining pregnancies, the elimination of the necessity for sexual intercourse, and the accessibility of inexpensive reproductive labor in the shape of surrogates all contribute to the success of this company's operations [16]. In India, a surrogacy contract, along with the price of IVF, charges US\$ 11,000, but in USA, a surrogate mother, excluding the expense of IVF, charges US\$ 15,000. Fertility treatment is expected to be valued US\$ 445 million, according to industry estimates. This, of obviously, has raised serious concerns about the usage of assisted reproductive technologies (ARTs), including various types of treatment than surrogacy, and also the veracity of the anticipated statistics [17]. It is also possible to see injustice and tyranny in institutional processes, including such ARTs hospitals, when looking at how they are used to manufacture mothers and children. Surrogacy throughout India is seen negatively by feminists, who consider it to be a depraved trade that should be outlawed. As the gestation is tracked in dormitories, the choice lessness of both the surrogacy arrangement is discussed in respect to her situation towards the technologies, the interests in the arrangement, and the interests in the arrangement. While there has been much criticism of the setup and the factors that impact women who are becoming surrogates, there has been little examination of the choice rhetoric in respect to the adopted mother, egg donation, single and homosexual dads, and other participants in the agreement. Surrogacy is subjected to a clear gender as well as class criticism, yet those who contract the arrangements are left out of the conversation. A few stray allusions portray them as predatory and as part of a neoliberalism marketplace that favors the purchaser as well as customer of services above the provider. However, the contact that exists between the purchaser and the supplier has not even been thoroughly investigated in relation to the study of surrogacy agreements in India.

This paper makes an effort to grapple with these exclusions as well as the notion of the dramatic power of conceptual frameworks. Prior to examining what forms the rhetorical of

choice, the paper briefly considers how choice ultimately became a rhetorical device, with representations of it being entangled in the major themes of motherhood, giving and receiving, and autonomy in surrogacy. We want to demonstrate how transnational and global processes have resulted in new ways of interacting with reproductive freedom, technology, as well as gender in this article [18].

1.1 The Pomposity of Freedom

In this section, I'd want to situate the paper in the context of its specific goal: to examine the idea of choice in connection to replication as a type of rhetorical device. This discourse was a crucial component of the radical revolution in the United States, which lobbied for abortion access for all ladies. Women's rights to bodily purity, liberty, as well as independence were more associated with the concept of choice as the movement progressed. A mother's choice pick became synonymous with both the pro-choice campaign by the late 1980s, almost twenty years after the beginning of the abortion conflicts. The ideology of independence and emancipation had been turned into a language of choice, embodied by the phrase A mother's choice option of choosing. Since then, the discourse of choice has been inextricably linked to reproductive libertarianism and its proponents.

As espoused by liberal feminist, the discourse of choice promoted the right to manage one's biological bodies and one's reproduction resources, including the ability to reproduce. As part of a broader feminist campaign that takes inspiration from the feminist woman and radical feminist revolutions of the late 1970s as well as early 1980s, decision is used as a rhetorical technique to represent women's power over their biological destiny. However, throughout time, the discourse of freedom has taken on many other forms, some of which are diametrically opposed to the manner in which feminists initially envisioned it [19].

Within this broader interpretation, feminists assert that the language of freedom is stolen speech, terminology that has been seized either by ARTs just for furthering their own goal and spreading their message. ARTs have been promoted as the new option that women may exercise about their bodies as well as biological identities in this context, but they have also been subjected to the monitoring and controlling of these techniques by commercial forces and academic agendas in the process. Alternatively, feminists like as Firestone believe that technological advancements have liberated women from traditional reproductive obligations, contributing to a culture in which women may pay other females to act as surrogates in order to avoid the crippling tasks of pregnancy and labor [20].

Specifically, in the instance of surrogacy, the discourse has filled the space of opposing representations, usually between the portrayal of having control over one's own body and the depiction of the marketization of connections and physical integrity. Prochoice women and organization that promotes campaigners expressed the discourse of choice in very different ways when it came to the United States, where surrogacy has been a subject of long-running controversy for decades. Surprisingly, pro-choice campaigners were vocal in their opposition to surrogacy, citing a lack of freedom as a reason, but the pro-life movement aggressively embraced it as a means of exerting control over one's own body and rights. This was subsequently expanded to incorporate the ability of the kid under the language of the best intentions of the child, with the surrogate's right often being placed in opposition to the child's right to parenthood. At the end of the day, both sides claimed ownership of the same language

and used the same language in favour of very various solutions towards the surrogacy issue. The woman's right option of choosing was contrasted against the female's loss of freedom of choice [21].

2. DISCUSSION

Commercial Gender-based commercial embryonic surrogacy poses a danger to one of the most venerated of all social structures and ideologies: the concept of motherhood. When considered as a worldview, it is seen through the lens of a female's involvement with reproductive technology, and with the commercialization of not just her sexuality, but ultimately with the function and connection of motherhood. The focus of this discussion is on the way that scientific work as well as Indian feminist criticisms of congratulation tend to reaffirm rather than dismantle the concept of motherhood. It is the purpose of this segment to examine how the commercialization of motherhood is depicted through the bodies of the ladies who are involved in the configuration, particularly the foster mother, in the utter lack of, or supplementary importance accorded to, the foster mother as well as the egg donor, among others.

The sanctity of motherhood as just a genuine bond of love as well as genetics is eroded by the commodity of motherhood, which would be the end result of the surrogacy industry. It is the combination of two antagonistic worlds, those such as intimate as well as those of marketplace, that results in a new type of aberrant motherhood. Suddenly, the mother finds herself a party to a legal arrangement to conceive and give away a kid in exchange for money.

Despite the fact that new reproductive innovations have conceptualized motherhood into distinct components like psychological and cultural motherhood, artificial insemination blurs the distinction between biopsychosocial motherhood yet further, that does not dampen the recognition of parenthood as a cultural construct. Instead, the intentions of adoptive moms, egg donors, as well as surrogates are utilized to distinguish them from one another. Surrogate mothers, on the other hand, have come to be associated with the vocabulary of commercialization to a greater extent.

It's really the surrogate that comes to represent the most severe type of abnormality in the realm of maternal care. Surrogacy ultimately becomes an outlandish, weird concept to consider. Surrogates' motives, according to the psychology books on the topic, are considered as being in contradiction to motherhood. Surrogates, in the same way that deviant mothers do, become normative creations. Surrogates are commodified as a result of their identity as mothers in the eyes of the public. According to the investigators, the language used in science and technology and commercial reproduction dehumanizes women, relating to them as "motherly contexts" and "life form innovation centers." Surrogates are reduced to a simple reproductive machine, and thus are viewed as little more than a total amount of their reproductive structures, they argue. Feminist criticisms of the healthcare state connection in India, which results in the creation of surrogates as providers, are informed by this concept. The argument is particularly effective when presented from the perspective of the surrogacy as mother, which is interesting.

When it comes to its non-technological collaborators, the state discourse and the arts sector present themselves as commodity or components in the wheel, as per feminist critique. Consequently,

the surrogate itself is depicted differently in ethnographic research and analyses. She is not in control of her own fate since she has been coerced into serving as a surrogate. Besides being pregnant, she is a non-technical member in a technology firm. Feminists perceive the surrogate voice as a way for woman to express herself when she is in pain or in need of money. This argument is supported by ethnographic research of Indian surrogate parents, which have been conducted.

Female feminist groups and academics in India have concentrated their substantial criticism of the Indian Council for Medical Research's on the corporate gestational surrogacy arrangement (albeit not exclusively). When reproductive rights are positioned in the shape of a market discourse that prioritizes the rights of someone who can pay, feminist critiques against the state are born. As a result, they conclude that the sort and kind of emphasis that surrogacy receives in a law on the licensing of ARTs is really for the advantage of the marketing of technology rather than for the advantage of the human, quasi participant such as the surrogate [22].

Inadequate care is offered to surrogate mothers, with little consideration given to either their welfare or the interests of the child being carried. She is handled as if she is a part of the equipment and as if she is a component of a therapy, which violates her fundamental rights. The researchers draw attention to the difficult and perilous paths that the surrogate should travel while participating in a surrogacy agreement, such as agreeing to have a child out of financial necessity, concealing the childbirth from friends and family because of the stigma associated to the practice, which is often associated with sex work, as well as the effect of the childbirth on her living children, among other things. As a result, they point out that artificial insemination in India is a topic that has to be addressed in terms of both the child's greatest interest and the privileges of the surrogate who is carrying the child.

As a result of the surrogate mother's need to downplay her link with the developing baby from the outset, there is an inherent prejudice against the newborn infant. The baby's immunologic as well as mental health are jeopardized by the baby's premature separation. Even during the first three months, the infant is denied the chance to nurse. A further justification in support of genetic surrogacy is included in this justification against the forcible separation of a baby from a surrogate mother, which is propagated by the medical establishment. They propose that the surrogate adoptive mother be included on the child's identity documents, and that she be given the option to keep the kid for themselves and have a role in whether or not the pregnancy is aborted as part of their proposed revisions to the legislation [23].

Researchers are opposed to the prioritizing of the surrogate's blood relation to the infant, as claimed by the intended parents, in their designation and prioritizing of the surrogacy as mother. ART industries, and also the state, place a strong emphasis on blood links and the genetic foundation of fatherhood, while neglecting the critical psychological and cultural contribution that comes from raising children in a supportive environment. A central tenet of such criticism is the notion that the surrogacy is performing organ loaning, which is analogous to organ selling in a manner that undermines her body as well as her connection to the baby, the kid she is carrying in her uterus, signifying her commodification [24].

The surrogate is painted as a mother who is unworthy of parenthood by clinical practice and patriarchal systems; feminists and academicians, on the other hand, reaffirm the motherhood of the surrogate through speaking of her bonds with the kid and her maternal status [25]. Feminists and campaigners may use this rhetorical technique and form of choosing to recover the surrogate's physical integrity and liberties in order to regain control over her reproductive organs. This implies that in a surrogacy relationship, motherhood is evoked less in reference to the foster mother and more in connection to the gestational surrogate.

3. CONCLUSION

This essay seeks to provide a survey of contemporary literature on surrogate in order to demonstrate how academic discourse develops rhetorical conceptions, particularly in connection to the most important rhetoric of all, namely, choice. Many events, movements, and philosophical battles have prompted feminists and academics to discuss choice and female's rights during the course of their careers. With regard to surrogacy, the idea of choice is frequently engaged with in accordance with two prominent rhetorical vehicles, namely, commodification motherhood as well as the gift relation, which are discussed more below. The equally tremendous effect of agency, notwithstanding the overwhelming weight of these two beliefs, is a key component of how motherhood is felt, handled, and understood.

It is the goal of an analysis of the research to incorporate different ideas and research findings in a certain topic into a bigger argument. According to the findings of prior research on surrogate, the theoretical as well as ideological frameworks that emerged are insufficient to fully explain modern international processes of structuring and positioning reproductive choices. Current anthropological research on surrogacy is addressing the need for more innovative ways, but these approaches must be implemented into other types of communication as well, such as political discourse. That being the case, this analysis identifies new types of theoretical interactions that are complementary to current concepts, and advises a balanced mix of the two, such as investigating surrogacy in methods that incorporate both ideas and individuals. It is suggested in the review, for example, that there are additional players in this arrangement who are often connected with mechanisms of compulsion while being unable to verbalize their own choices within the arrangements, including the mother during pregnancy, egg donor, as well as anticipated father. To get a more nuanced knowledge of decision within the surrogacy, it is necessary to concentrate research efforts on the latter field of investigation.

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