

The Rhetoric of Choice: The Feminist Debates on Reproductive Choice in the Commercial Surrogacy Arrangement in India

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Abstract

This article examines three predominant discourses that are part of the analysis of commercial surrogacy: the commodification of “motherhood;” the “romance” of the gift relationship; and the “agency” of the surrogate mother, especially in relation to the feminist and academic analysis of commercial surrogacy in India. Motherhood, agency, and the romance of the gift continue to influence the study and analysis of surrogacy as strong rhetorical ideologies. In the process, they are reified as the primary structural contexts within which surrogacy seems to operate. The article reviews the contemporary research literature on commercial surrogacy to look at the academic engagements with these three ideas.

Keywords

Commercial surrogacy, motherhood, commodification, women’s agency, romance of the gift, ART

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Introduction

In May 2012, in a clinic in Ahmedabad, Premila Vaghela died in the eighth month of her pregnancy in the process of giving birth to the baby she was carrying as a surrogate (*The Times of India*, 2012). In disgust, Brinda Karat, Communist Party of India (Marxist) (CPI(M)) politburo member and a member of the All India Democratic Women's Association (AIDWA), wrote about the irresponsibility of the Indian government in not regulating the fast-growing, but highly exploitative, Indian assisted reproductive technologies (ARTs) industry:

It is said that the surrogate is asserting her independent agency to better her life and that of her family. But what does "choice" mean when she did not choose to be poor, she did not choose to be unemployed... [W]hen poverty is not a choice, then to call desperate survival strategies that women adopt an expression of women's agency is to make a mockery of the concept. (Karat, 2012)

With reference to reproduction and gender, choice has occupied a controversial terrain. Feminism and feminist scholars have studied choice and reproduction from the vantage point of agency and "choicelessness." Invoking the vast, thought-provoking feminist literature on reproduction is beyond the reach of this article, but the attempt here is to engage with the notion of reproductive choice as represented within a specific area of analysis: commercial gestational surrogacy in India. In this exercise, the article undertakes a literature review of past and contemporary research on surrogacy.

Commercial gestational surrogacy is the practice of carrying an artificially fertilized embryo in the uterus in exchange for compensation. The embryo may "genetically" belong to an infertile couple, or a single parent-to-be, but its fertilization is strictly carried out in the laboratory with the help of the specialist and ARTs. The ARTs belong to the group of new reproductive technologies (NRTs) that are known to both prevent and assist human reproduction (Gupta, 2000). Both NRTs and ARTs are known to operate primarily, though not always or exclusively, in the female body. In case of commercial gestational surrogacy, ARTs such as in vitro fertilization (IVF) are used to fertilize and insert the embryo into the uterus of the surrogate mother. The nine month pregnancy that

follows is marked by varying levels of engagement with technology and its practitioners.

This article examines the discourses that emerge from an analysis of the literature on commercial surrogacy. The predominant themes have been culled from ethnographic research findings as well as theoretical and ideological debates and discussions. The article finds that the idea of reproductive choice is explored in the case of surrogacy through three recurring ideas: motherhood, agency, and the gift relationship. I analyze how these three ideas have come to influence the study of surrogacy over the past couple of decades. The themes reflect the ideas regarding reproductive choice, the legal issues surrounding surrogacy, and the transnational trade in human bodies and resources. All three come across as strong rhetorical ideologies—in the process, being reified as the primary structural contexts within which surrogacy seems to operate. This is detrimental not only to the study of reproductive choice but also to the contemporary ongoing research on surrogacy in a transnational context. Despite being rhetorical, the themes of motherhood, the gift relationship, and agency are used to look at surrogacy in its contemporary avatar. Thus, the article seeks to bring together the existing framework of the analysis of surrogacy and emerging research in the area to provide a more dynamic picture of commercial gestational surrogacy as a social problem.

The transnational character of surrogacy is evident in the kind of scrutiny it is subject to in the current anthropological analysis. Commercial gestational surrogacy in India, for instance, is under the focus of both Indian and Western scholars. The global trade in reproductive technologies has come to impact India in a big way. Recently identified as one of the biggest markets for commercial gestational surrogacy, ARTs clinics and doctors are wooing heterosexual and homosexual couples, single men and women, from across the world to come to India and take advantage of its competitive pricing, world-class treatment, and cosmopolitan (read “fluent in English”) staff to have their long dreamt-of family. Here, the surrogate mothers who are “selling” their bodies as part of the global–transnational networks of technology, medical services, and trade in organs are the subject of research and commentary (SAMA, 2010, 2012). A large part of the analysis is a critique of the surrogacy “industry” that seems to be recklessly using women as “disposable objects” (Hochschild, 2011; Qadeer, 2009;

Qadeer & John, 2009; Rao, 2012). Narratives of surrogate mothers position their reproductive choice in interesting frames of familial coercion and agency (Pande, 2010a, 2010b; Saravanan, 2010; Vora, 2009). Arlie Hochschild (2011) famously positions the Indian surrogate mother as suffering from alienation as an extension of her “outsourced self” in the international trade in the reproductive health of women from the Global South.

The fast-growing surrogacy industry in India is much sought-after globally.¹ This has been fueled to a large extent by the ARTs industry. The use of technology in achieving pregnancies, eliminating the need for sexual relations, and the availability of cheap reproductive labor in the form of the surrogate are a win-win for this industry. A surrogacy arrangement, including the cost of IVF in India, costs US\$ 11,000 (approximately INR 5,00,000) in comparison to the United States (US) where it costs US\$ 15,000 excluding IVF (Sarojini, Marwah, & Sheno, 2011). The estimated worth of the surrogacy business is US\$ 445 million (SAMA, 2010, p. 130). This has, of course, also led to major question marks on the practice of ARTs, including other forms of treatment besides surrogacy, as well as the truth behind the projected figures.

An analysis of institutional mechanisms, such as ARTs clinics, also conveys the inequality and oppression prevalent in “manufacturing mothers” as much as babies (Saravanan, 2010; Vora, 2009). The feminist analysis of surrogacy in India positions it as an evil enterprise that needs to be banned (Rao, 2012). The “choicelessness” of the surrogate mother is analyzed in relation to her position vis-à-vis the technology (SAMA, 2010), the stakes in the arrangement, as the pregnancy is monitored in hostels (Madge, 2013).

In the overwhelming critique of the arrangement, and the way it treats women who become surrogates, what is missing is the analysis of the “choice discourse” in relation to the adoptive mother, egg donors, and the single and gay fathers. Within a clearly class and gender critique of surrogacy, those who commission the arrangement are left unanalyzed. Stray references project them as exploitative and part of a neoliberal marketplace that privileges the buyer and consumer of services (Pande, 2009b; Qadeer & John, 2009). The interface between the “buyer and the seller” has not yet been fully explored in the analysis of surrogacy arrangements in India.

This article attempts to engage with these exclusions and the idea of the rhetorical power of theoretical ideas. In looking at what constitutes the “rhetoric of choice,” the article looks back briefly at the way in which choice itself became a rhetoric, with its representation enmeshed in the dominant themes of motherhood, the gift relationship, and agency within surrogacy. Here, the attempt is to highlight the ways in which transnational, global processes have created new ways of engaging with reproductive choice, technology, and gender.

Methodology

The article bases its arguments on a literature review of canonical and contemporary research on surrogacy. Most of the 60 articles (directly related to surrogacy) reviewed for this article belong to the sociological–anthropological analysis of surrogacy, except for a few that combine sociolegal commentaries (10). In addition to academic articles, news reports have been sourced for a nuanced discussion, which also includes a reading of research on other aspects of surrogacy, including egg donation, reproductive tourism, and stem cell research arising out of frozen embryos.

Identification of the articles was based on keywords search (surrogacy, commercial surrogacy, surrogate mothers, Indian surrogates, assisted reproductive technologies [ARTs], IVF surrogacy, reproductive tourism), followed by thematic cataloguing through content analysis. From an overview of the sociological–anthropological literature, the themes that emerged were the commoditization of intimate relationships, including and especially that of motherhood; the gift relationship between the surrogate mother and the adoptive mother; public debates and legal discussion in the US, the United Kingdom (UK), and India regarding the practice; the transnational surrogacy industry; and surrogacy as a form of reproductive labor. However, the major currents of debate and academic scrutiny in the area of surrogacy follow a particular trajectory both chronologically and in terms of cultural relevance.

Research on surrogacy straddles many approaches, notably legal, philosophical, anthropological, feminist, and Marxist. The scope and manifestation of the arrangement has given rise to a multitude of debates

and controversies that continues to attract attention. The focus has been on motherhood and the surrogate mother, intermittently with technology, and extensively with the contractual nature, of the arrangement.

Surrogacy has been the focus of anthropological analysis since the 1980s when Baby M, born to American surrogate Mary Beth Whitehead, was caught in a custody battle. Mary Whitehead was a genetic surrogate who was artificially inseminated with Robert Stern's sperm and agreed to carry the pregnancy as per a contractual agreement between her and the Sterns. The case came into the spotlight when Mary refused to hand over custody of the baby girl to the Sterns, in breach of the contract. The resulting analysis of surrogacy and surrogate mother, children, and parents has been topical to this day (Dolgin, 1990; Markens, 2007).

The social critique, moral discourse, and legal debates have centered on the gestational surrogacy arrangement and the way in which it has come to mark the landscape of relationships and rights (Cannell, 1990; *Warnock Report*, 1982). Issues of morality, legal rights, and ownership, as well as medical ethics, continue to project gestational surrogacy as a questionable practice (Brinig, 1995; Rao, 2012). Questions regarding nature, biology, genes, and its significance in relation to the body and kin, have been a part of many ethnographic analyses (Ragone, 1994, 1996; Teman, 2003, 2010; Thompson, 2001). The commercial gestational surrogacy arrangement has led to pointed scrutiny and criticism invoking fears of commoditization of the surrogate body and the child being born of the arrangement (Qadeer, 2009; Qadeer & John, 2009; Rao, 2012).

An important part of the newer debates on surrogacy has been its global avatar (Deomampo, 2013; Hochschild, 2011; Pande, 2010a, 2010b; Smerdon, 2012; Vora, 2009). The commercial gestational surrogacy arrangement is now a transnational industry, embedded, however, within local "resources." The "transnational" aspect of the arrangement is under scrutiny for its positionality, especially since it resurrects questions regarding the North–South divide. Thus, couples from the Global North come to hire, exclusively, surrogate mothers from the Global South to have their children.²

In India, the spotlight on surrogacy came in the wake of international media focus on a nondescript clinic in the city of Anand, Gujarat, where foreign infertile couples were coming to have their babies through Indian

surrogate mothers. Ethnographic research in surrogacy in India began in earnest in 2005 (Bisht, 2013; Madge, 2013; Majumdar, 2013a; Pande, 2009a, 2009b, 2010a, 2010b; SAMA, 2012; Saravanan, 2010; Udgaonkar, 2010; Vora, 2010, 2013).

Anthropological ethnographic studies of surrogates in India have explored a different idea of “choice” in relation to the surrogate. Here, studies by Hochschild (2011), Saravanan (2010), and Vora (2009, 2010, 2013) have looked at the surrogate as subject to systemic processes that bind her to a situation of institutionalized “choicelessness.” The use of the paradigm of labor work to position surrogacy as a form of “work” has brought in a newer dimension of engagement. This was seen in the analysis of Pande (2009a, 2009b) and Rudrappa (2012), but within a framework that explores the idea of choice from the perspective of agency rather than coercion, or the lack of it. Feminists have debated the Indian Council of Medical Research’s (ICMR) Draft Regulation of ARTs Bills (2008, 2010)³ and critiqued it as a biased document that is in favor of the technology and its practitioners rather than the surrogate mothers and/or the child (Qadeer, 2009; SAMA, 2010; Shah, 2009).

The Rhetoric of Choice

Here, I would like to position the article in its particular aim: to analyze the notion of choice in relation to reproduction as a kind of “rhetoric.” This rhetoric was an essential part of the feminist movement in the US lobbying for abortion rights for all women (SubRosa, 2003). Within the movement, women’s right to bodily integrity, liberty, and autonomy came to be identified with the idea of choice:

By the late 80s, after almost two decades of abortion wars, the politics of autonomy and liberation had been transformed into a rhetoric of “choice” typified by the slogan “A woman’s right to choose”, which became identified with the pro-choice movement. Since then, the rhetoric of “choice” has become firmly associated with reproductive liberalism. (SubRosa, 2003, p. 110)

The rhetoric of choice as championed by liberal feminism advocated the right to control the biological body and its reproductive resources.

Against a background that draws from the liberal and the radical feminists' movements of the 1970s and 1980s, choice becomes a rhetorical device that symbolizes women's control over their reproductive destiny. However, over the years, the "rhetoric of choice" has become many other things, some in opposition to the ways in which feminists originally envisaged it. It is within this newer understanding that feminists claim that the rhetoric of choice is "stolen rhetoric," one that has been appropriated by the ARTs for their own agenda and propagation (SubRosa, 2003). In such an understanding, market forces and scientific agenda have championed ARTs as the new choice that women can exercise over their bodies and reproductive selves; in the process, however, subjecting women to the control and surveillance of these technologies. This is in stark contrast to the standpoint of feminists such as Shulamith Firestone (2003) who find that technology liberates women from their role as reproducers, leading to a society where women can hire other women to be surrogates to escape the debilitating roles of pregnancy and childbirth.

In the case of surrogacy, the rhetoric has occupied the space of competing representations, often between that of "choice" over one's body and that of commoditization of relationships and bodily integrity. In the US, where surrogacy continues to be part of a long-standing debate, the rhetoric of choice was represented differently by the two opposing groups of pro-choice feminists and pro-life activists (Markens, 2007). Interestingly, pro-choice activists were against surrogacy, linking it to a "lack of choice," whereas the pro-life lobby actively supported it in favor of "choice" in exercising rights over the body. This was further extended to include the right of the child within the rhetoric of "best interests of the child," often positioning the surrogate's right as opposed to that of the child. Ultimately, "both sides laid claim to the same discourse and put identical rhetoric up to use in support of very different resolutions to the problem of surrogacy" (Markens, 2007, p. 51). The "loss of choice" was pitted against the "woman's right to choose."

Interestingly, the dilemma of identifying choice between the opposites of agency–victim or freedom–emancipation meant that the more nuanced understanding of choice itself was getting lost in its rhetoric.

Does surrogacy simply reveal another instance of a feminist dilemma—where the certain conditions that constitute choice for one group—the desire (and

assumed right) to be fulfilled as a mother, for instance—are seen as the very conditions that reinstate a gendered transnational economy in which some women (mostly poorer women in developing countries) provide their bodies as services to other women (mostly white, wealthier, Western women)? (Krolokke, Foss, & Sandoval, 2010, p. 111)

The diversity of engagement with choice and agency, both as an institutionalized apparatus and as navigated by individuals, marginal populations, and communities, has displayed a more nuanced understanding of the surrogate's position and engagement with the arrangement. It is in these multiple engagements that choice, agency, and victimhood structures become more malleable.

The idea of the rhetoric, as discussed here, places it within an understanding that is persuasive and fixed. Suddenly, from the appropriation of choice by debilitating, unequal structures, the critique of the rhetoric begins to position itself in similar idioms. This is why the victim-agent binary that positions women's choices in the extremes of "passive victims who lack the ability to make choices or active agents who have full control of their circumstances" (Constable, 2009, p. 57) has become a form of rhetoric itself, and is being challenged. This is why moving away from attempts at conquering and converting the "womanization of rhetoric" would involve a change toward communication and including multiple narratives, rather than the one, all-encompassing truth (Gearhart, 1979). Is that true for the ways in which it comes to be represented in the academic analysis and discussions on commercial surrogacy? The following sections engage with the rhetoric of choice through other rhetorical ideas and constructs.

The Commodification of Motherhood

Commercial gestational surrogacy threatens the most reified of all institutions and ideologies within social thought: that of motherhood. As a paradigm, it is seen from the vantage point of a woman's engagement with reproductive technologies; and with the commodification not only of her body but also of the role and relationship of motherhood. Here, the engagement is with the way in which academic research and Indian

feminist critiques of commercial surrogacy tend to reify the idea of motherhood, rather than deconstruct it. This section explores the ways in which the commodification of motherhood comes to be represented through the body of the women who form part of the arrangement, especially the surrogate mother, in the absence of, or the secondary importance given to, the adoptive mother and the egg donor.

Motherhood as the sacrosanct construct of a pure relationship of love and biology is diluted in the commodification of motherhood to which surrogacy ultimately leads. Two “hostile worlds” (Zelizer, 2007), those of intimacy and the market, combine and create a new form of aberrant motherhood. Suddenly, the “mother” is part of a contractual agreement to gestate and give away a child for compensation.

Even though “new reproductive technologies have reconceptualized motherhood into separate components such as social and biological motherhood...gestational surrogacy blurs the lines between biological and social motherhood even further...” (Krolokke et al., 2010, p. 95), which does not dilute the identification of motherhood as a social construct. Instead, motivations are used to differentiate between adoptive mothers, egg donors, and surrogates. However, the idiom of commodification has come to be inscribed primarily on the surrogate mother.

It is the surrogate who comes to embody the most extreme form of aberration in motherhood. Surrogacy itself becomes an aberrant, abnormal notion. In the psychosocial literature on surrogates, their motivations are seen in opposition to motherhood (Parker, 1983; Teman, 2008). As “aberrant mothers” surrogates themselves become reified constructions. The identification of surrogates as mothers positions them as commodified objects. Menon (2012, p. 192) argues that “[t]he very language used in technological and contractual reproduction dehumanizes women, referring to them as ‘maternal environments’ and ‘human incubators’... the surrogates become mere reproductive machines, and are seen as nothing more than the sum of their reproductive parts.” Such an understanding informs feminist critiques in India of the medical–state nexus that creates surrogates as service providers. Interestingly, the critique is most strong when reiterated from the vantage point of the surrogate as mother.

According to feminist criticism, the state rhetoric and the ARTs industry project themselves as commodities or “cogs in the wheel” vis-à-vis

their non-technological participants. This impacts the way in which the surrogate herself is portrayed in ethnographic studies and analysis. Forced to be a surrogate, she is not an agent of her own choice, or her own destiny. She is a “womb” and a non-technology participant in a technological enterprise. Feminists see the surrogate voice her choice in distress and penury. Ethnographic studies of Indian surrogate mothers testify to this claim.

Thus, “rooms for rent,” “vessels,” are seen to be part of medical–industrial complex that positions women as surplus disposable beings (Vora, 2009). Interestingly, in the neoliberal transnational economy, surrogate mothers fill a void by being “supplementary” wombs to the “bio-social mother” or adoptive/intended mother (Bharadwaj, 2011). Their position as identified “waste” that is recycled for the reification of motherhood in acceptable bodies defines their supplementarity. Thus, the critique against surrogacy is a critique against the commodification of women in the status and situations of “transactional motherhood” (Bharadwaj, 2011, p. 120), where the embedded exploitation of women is replaced by a rhetoric that suggests that “surrogacy is simply fulfilling unrealized potential on both the side of the surrogate and of the commissioning parents...” (Vora, 2013, p. S100). This potentializing “sells” the idea of wasted motherhood and chosen motherhood in ways that privilege one over the other. Thus, “as an ‘idle machine’ the womb of the would-be surrogate is abstracted from her subject and body, and marked as an offense to productivity, which in part justifies its own exploitation by deserving would-be parents” (Vora, 2013, p. S100).

Thus, in their extensive critique of the ICMR’s Draft ART Regulation Bill 2008, feminist organizations and scholars in India focus largely, though not entirely, on the commercial gestational surrogacy arrangement. The feminist arguments against the state emerge from positioning reproductive rights in the form of a market rhetoric that privileges the rights of those who can pay. Thus, they find that the kind and form of attention that surrogacy gets in a bill on the regulation of ARTs is for the benefit of the sale of technology and not for the human, “non-technology” participant like the surrogate. The attention paid to the surrogate mothers is skewed, and does not favor either their health or the rights of the child. She is treated as part of the technology and part of a treatment, thereby denying her her basic rights. Qadeer and John (2009) highlight the

uneasy and treacherous routes that the surrogate must take while being part of the surrogacy arrangement, such as undertaking to have a child due to monetary concerns, hiding it from family and friends due to the stigma attached to a practice that often relates it to sex work (carrying another man's baby), and the impact of the pregnancy on her existing children. Thus, they note that gestational surrogacy in India needs to be engaged with in relation to both the "best interests of the child" and the rights of the surrogate mother.

There is also an inbuilt bias against the newborn baby as the surrogate mother is constrained to underplay her bond with the growing baby from the beginning. Early separation is at the cost of the baby's immunological and psychological health. The baby is denied the right to breastfeed even for three months. (Qadeer & John, 2009, p. 12)

This argument against the forced disconnect between the newborn and the surrogate mother, as perpetuated by the medical industry, further includes the argument in favor of genetic surrogacy. In their suggestions for changes in the bill, the authors suggest the inclusion of the name of the surrogate on the birth certificate of the baby as well as extending a right to the surrogate mother to retain the child for herself and have a say in the abortion of the fetus.

In their identification and privileging of the surrogate as "mother," Qadeer and John (2008) are against the privileging of the genetic tie to the baby that the intended parents claim. "ART markets as well as the state emphasize relationships of blood and the genetic basis of paternity, marginalizing the essential social and biological contribution of nurturing children in an enabling environment." At the core of such critiques is the idea that the surrogate is "organ loaning," akin to organ sale in a way that compromises her body and her connectedness to the fetus—the child she carries in her uterus—signaling her commodification.

While clinical practice and patriarchal structures paint the surrogate as a "mother" who is undeserving of motherhood, feminists and academics reify the mother in the surrogate by speaking of her connections with the child, and her maternity. Here, to reclaim the surrogate as a "mother" may often be both a rhetorical strategy and a form of "choice" that feminists and activists employ to wrest back the surrogate's bodily integrity and rights. This means that motherhood in the surrogacy arrangement is

invoked not as much in relation to the adoptive/intended mother as in relation to the surrogate.

However, the adoptive mother as “mother” also becomes aberrant within such a discussion, even though Bharadwaj (2011) and Vora (2013) recognize their social construction as the “chosen ones,” thereby highlighting their lack of agency. The critique of the desire for genetic, biologically connected children on the part of infertile women and men is a common theme amongst those engaging in the study of reproductive technologies and surrogacy. “It is noteworthy that there are differences amongst feminists too...[regarding surrogacy]...but there is consensus on...that adoption should be encouraged...” (Qadeer & John, 2009, p. 12). Women are seen to perpetuate patriarchal biogenetic, heterosexual familial groupings through the technological exploitation of women’s bodies. The disproportionate social investment and financial fillip given to the ARTs industry in India is an indication of hegemonic beliefs in the biological tie. The tropes of “desperation” and “hope” (Franklin, 1997) often come to mark the ways in which women see themselves in relation to their quest for a biological child. Their infertility already marks the adoptive mother within a space of “abnormality” (Riessman, 2002), wherein they are unable to fulfill the social expectations attached to being a woman. Feminists have found this to be most debilitating for women’s reproductive choices. Within such an idea, motherhood is necessarily compromised to interests that are divorced from those of women.

Similarly, the egg donor—the anonymous, absent mother in the surrogacy arrangement—finds scarcely a mention in the literature. Yet, the egg donor is implicated in an industry that thrives on creating exchangeable genetic material for stem cell research and infertility treatment (Bharadwaj, 2008; Waldby, 2008). Voices of egg donors who retain anonymity are silenced when compared to those of surrogate mothers, whose pregnancies make them more visible. In fact, the former are as gendered and racialized as the surrogate mother within an industry that exploits reproductive resources at great bodily sacrifice. Not only is the selection of the egg donor marked on racial lines (Waldby, 2008) with white egg donors being the most preferred, but they are also selected on the basis of exhibited motivations of altruism and “wanting to do good” (Pollock, 2003). Thus, this leads to filtering and selection of donors on

the basis of physical characteristics such as height, weight, and looks, as Almeling (2007, p. 327) notes, and also:

While egg agencies and sperm banks are interested in responsible women and men who fulfill their obligations, donors are also expected to embody middle-class American femininity or masculinity. Staff expect egg donors to conform to one of two gendered stereotypes: highly educated and physically attractive or caring and motherly with children of their own.

In the end, Rao (2012, p. 15) notes that commodification comes across as the real winner in transnational commercial surrogacy wherein altruism is a non-existent notion: “Clearly, you may be asked to return a gift; you cannot be asked to return something you have bought.” It is to this notion of the “gift relationship” that I turn to next.

The Romance of the Gift Relationship

The surrogacy arrangement derives its unique character from the predominant ideology of altruism and the gift relationship that governs it. The basis for the ban on surrogacy in some countries is related to the “abhorrent” idea of compensation for the “giving away” of children. Countries such as the UK, Australia, Spain, and others regulate surrogacy practices based on the distinction between altruism and commerce (Cannell, 1990). Only altruistic arrangements that involve no payment to the surrogates are allowed.⁴ Altruistic arrangements may involve the participation of relatives such as sisters and sisters-in-law (Thompson, 2001), thereby making it an arrangement undertaken amongst kin without the overt exchange of money. This is evident in the way the gift transaction as a “relationship...is not just one of reciprocity, but one of kinship” (Rubin, 1975, p. 172). The birth of a child connects the surrogate and the intended parents in a way similar to the other “gift relationship” of marriage. The commercial surrogacy arrangement is hinged on a relationship between strangers coming together to make kinship through a contractual, commercial relationship.

In this section, the trope of the gift relationship is seen in how it comes to occupy an ideological space (similar to that of motherhood) within the analysis of surrogacy. This ideological and rhetorical dominance often

leads to a kind of romantic, idealistic notion of the gift which is deeply checkered. Yet, the ways in which actors engage with the ideology of the gift seems to enact processes of structuration. Therefore, surrogates, intended parents, and doctors/agents use the gift relationship to their advantage, making it more flexible than it seems to be. Interestingly, in the context of surrogacy, the gift relationship is facing its biggest ideological challenge in the transnational surrogacy industry. The reproductive tourism industry is reconfiguring traditional relationships within the surrogacy contract, thereby questioning the efficacy of the gift relationship in the contemporary global context.

The ideology of the gift relationship is the bedrock of the commercial surrogacy arrangement. It creates a façade of altruism when, in reality, there is none. This is what forms a large part of the euphemization of the contractual relationship as a “gift relationship” (Bourdieu, 1977). The preponderance of such an ideology is meant to imbue the arrangement with some level of sanctity and legitimacy considering its positioning in relation to the commoditization of intimate relationships.

Anthropological analysis points toward the ways in which agencies and doctors actively promote a “gift rhetoric” to not only distance the surrogate from the fetus but also to draw the surrogate into an obligatory relationship (Pande, 2011; Ragone, 1996; Vora, 2010/2011). It is this obligatory character of the relationship between the surrogate mother and the intended parents that comes to signify other ways in which the rhetoric of choice is engaged with. The rhetoric of the “gift” within the surrogacy arrangement is the source of an unequal relationship. Thus, the structural conditions and make-up of the arrangement position the surrogate as a “giver” within a hierarchical and obligatory relationship. The intended parents within such a discourse are seen to be at an advantage, and the surrogate is made responsible for the pregnancy and the destiny of the couple.

From a bird’s eye view, the gift relationship within surrogacy is seen to involve the collective misrecognition of the compensation paid to the surrogate; the unequal relationship between the surrogate and the intended parents; the privileging of certain bonds of kinship over others; the importance given to technology as the most important element within the arrangement; and the representation of the fetus as more important than the surrogate.

In representations of the surrogacy arrangement as a gift relationship, intended parents are marked out as benefitting at the expense of

the surrogate. The overwhelmingly negative portrayal, except in a few studies (see, for example, Ragone, 1996), imagines the surrogate mother as the one who takes on the task of protecting and nurturing the relationship, even though eventually she is “betrayed.”

The relationship with the adoptive/intended mother is the prime focus of the gift relationship. Within such portrayals, the surrogate was seen to “birth the mother” by psychologically, physiologically, and emotionally building upon the birth and her relationship with the adoptive mother (Teman, 2010). The adoptive/intended mother engages with the surrogate and the arrangement in ways in which she was seen to create linkages with her unborn child, and legitimize her position as the “mother.” In Ragone (1996) and Teman’s (2010) analysis, surrogates sift between notions of nurturance and genes to privilege the tie between the intended mother and the fetus. At the same time, they dissociate themselves from the fetus, thereby seeking some level of control in the arrangement.

In the transnational context, the ideology of the gift relationship cannot be appropriated. The “gift of life” comes to be positioned as an exchange of “life for life” (Vora, 2013), wherein the Indian surrogate is willing to gestate a child in exchange for monetary compensation that will help her and her family survive. For them, the “gift” is positioned in terms of a cycle of debt and obligation (Vora, 2013). By “giving” away a child, they hope to incur a lifelong obligatory relationship with the intended parents that would ensure their own survival. Many surrogate mothers see their overseas couples as “saviors” around whom they built fantasies of being rescued from their lives of drudgery (Pande, 2011).

However, overseas couples coming to engage Indian gestational surrogates have minimal interaction with them, and are purposely asked by the clinics and agents to refrain from establishing any form of relationship with the surrogates. The physical distance is also cultural and class based, leading to many couples treating the arrangement as a form of “philanthropy” in which they are helping a Third World family to better their life circumstances (Vora, 2013). Intended parents oscillate between wanting to stay in touch with the surrogate, and not remaining in touch, for fear of constantly reaffirming the relationship in terms of its monetary value. The intended parents are seen as selfish, exploitative, and mercenary: it is they who violate the gift relationship by not staying in touch or reducing the gift of life to “money” and a contract.

This is connected to the recognition that the relationship may peter out or simply stop after the birth of the child, a common grouse amongst surrogates everywhere. The loss of the “gift relationship”, where a majority of the couples just stop “staying in touch after the delivery of the baby,” is a source of grief to many of the surrogates (Berend, 2012; Levine, 2003). To overcome the alienating impact of the relationship, Indian gestational surrogates invoke the obligatory relationship. They ask their intended parents to honor their debt by seeking financial help and involvement during the pregnancy itself (Vora, 2013).

While structurally positioned as hierarchical, the rhetoric of choice tends to place intended parents within the frames of “exploiter,” and the surrogate as “victim.” Deomampo (2013) suggests that such a binary representation ignores the ways in which the arrangement victimizes both intended parents and surrogate mothers. She finds that the global reproductive tourism industry operates through gendered spaces of mobility and immobility that deprive actors of their agency. Thus, while surrogate mothers are imprisoned in hostels throughout their pregnancy, away from their families, overseas intended parents find themselves rendered immobile while processing bureaucratic citizenship papers for their newborns.

Similarly, both surrogate mothers and gay couples come to occupy terrains of “marginality” within the surrogacy arrangement (Majumdar, 2013b). Albeit in different ways, both find themselves at the receiving end of institutionalized forms of exclusion and control. Gay couples are excluded from entering the arrangement as gay relationships are not legal in India. Surrogate mothers are marginal because of what they represent: surplus, disposable bodies.

However, as is evident from the mixed cultural references and discussions on the gift relationship within surrogacy, each actor imbues it with their own meanings. It would be incorrect to brand the relationship as completely unequal, even though in the transnational commercial reproductive industry, it may come across as such. Yet, surrogates—whether American, Israeli, or Indian—take recourse to a structured, hierarchical ideological system to seek protection and control over an otherwise alienating arrangement. Similarly, couples may feel debilitated by the rhetoric of gift taking that positions them in an otherwise advantageous position. Although universal, the idiom of the gift continues to create avenues for its modification by structures and actors, thereby creating a dynamic image.

Agency as Rhetoric? Survival Strategies amongst Surrogate Mothers

The rhetoric of choice as imagined and seen to operate in acts of agency does so within discursive, disparate acts of everyday rebellion as well as in sustained acts of claiming, controlling, or refusing to be controlled. The analysis of such acts of agency has come to occupy a very important part of the anthropological literature on surrogacy.

This section engages with the representation of agency as exercised primarily by surrogate mothers within the ethnographic literature from the perspective of their perceived position of disadvantage. In this endeavor, the surrogates are seen to employ different contexts, meanings, and symbols to their advantage. Most importantly, the association of “work” as a conceptual and empirical category for surrogacy seems to be a new way by which commercial surrogacy arrangements are reconfigured within an understanding of agency and choice.

However, it is important to understand that while the strategies employed to sustain, invoke, and rebel against rhetorical ideologies such as motherhood and the gift relationship may be identified as acts of agency, the latter itself may become a form of pervasive, persuasive rhetoric. So, for instance, this section does not engage with agency as exercised by intended mothers, intended fathers, and other participants in the surrogacy arrangement. Agency, too, comes to be placed within the surrogate’s negotiations with the arrangement, excluding the others from a “need” to exercise the same. Such an approach recreates the binary of exploiter and victim, except in studies by Deomampo (2013) and Ragone (1996). This gap is not, however, being addressed in this section in anticipation of newer research filling the gap.

In studying agency in the surrogate mother’s actions, anthropological analysis depends upon “surrogates’ narratives” (Berend, 2010). These narratives point toward surrogate mothers as resilient and wanting to take control of the arrangement in which they otherwise seem to be “unempowered.” Interestingly, surrogate mothers in the US, Israel, and Thailand seem to be able to voice their discomfort with the arrangement and also create narratives that place them in relative positions of power through Internet communities (Berend, 2010; Hibino & Shimazono, 2013; Levine, 2003). The most important aspect of online engagements is the forming of a community of surrogate mothers.

From purposive dissociation from the pregnancy and the fetus, to the psychological and emotional work undertaken on behalf of the intended mother (Teman, 2010); identifying themselves as unique and different for the kind of work they are doing (Berend, 2010; Pande, 2009a; Ragone, 1996); and employing discursive frames of engagement with the pregnancy and the relationship with the couple (Berend, 2012; Levine, 2003; Pande, 2009a), surrogate mothers are seen to negotiate with their situation by interacting with others through these online portals.⁵ These negotiations are identified as “survival strategies” (Berend, 2010; Levine, 2003; Pande, 2009a) in a system that not only constructs them but also moderates their choices in hierarchical relationships of give and take.

Two forms of survival strategies emerge in relation to the overwhelming control of the institutionalized surrogacy arrangement: the creation of ties of kinship; and the identification of surrogacy as a form of “extraordinary” work.

“Everyday forms of kinship” made for a type of survival strategy that Indian surrogates used to their advantage in claiming ownership of the unborn fetus (Pande, 2009a). Unlike the dominant rhetoric that classified them as “vessels” and “rooms for rent” (Vora, 2009), the surrogates chose to focus on the nine months of their labor to create a sense of ownership over the child. Interestingly, unlike surrogates in the US and Israel, who focused their efforts on distancing themselves bodily and emotionally from the pregnancy and the fetus, thereby privileging the adoptive/intended mother, the opposite was the case for Indian gestational surrogate mothers. Indian gestational surrogates attempted both “kin claiming” and “maternal claiming” (Teman, 2010) strategies, otherwise used by adoptive mothers, to create kin ties with the fetus in the surrogate’s womb. The creation of a sense of ownership that focused on nurturance, and the labor of gestation, over genes, is an inversion of the American surrogate’s strategy of dissociation wherein the nurturance of the adoptive mother is privileged over the pregnancy.

Similarly, mourning the “loss” of a fetus through miscarriage, or a chemical pregnancy, is an important mechanism by which the surrogate mothers are able to take control of an arrangement, which has been rejected by the intended parents (Berend, 2010). These acts of “kinning” (Howell, 2003), of creating “real” ties through the reframing of biology and kinship, were a result of the form of control the medical structures and process of surrogacy exercised on the surrogate mother. Thus, Indian

surrogates use their time under medical surveillance in surrogate hostels during the pregnancy to foster relationships of “sisterhood” with other pregnant surrogates (Pande, 2009a; Vora, 2010/11). Thus, by sharing a common condition of being trapped in a space of liminality, these women bond over shared hardships.

An interesting form of negotiation that emerges in the surrogate narratives in India is their positioning of reproductive choice and work. In her ethnography, *majboori* or “necessity” is what Pande (2009b) finds is the recurring motif that surrogate mothers use to explain their position within the arrangement. Interestingly, the Hindi word *majboori* is understood as compulsion and/or obligation. Necessity and desperation are the two other ways in which *majboori* is read in usage and contexts. *Majboori* is deeply linked to notions of coercion and lack of choice and agency. How can this come to embody the role of the surrogate mother in a meaningful way? How does this not pander to ideas of exploitation and forced labor and stigma—all of which take us back to the rhetoric of choice?

Majboori becomes a form of moral positioning to explain surrogates’ role within surrogacy as a kind of non-choice:

Surrogates use the language of morality and moral boundaries to affirm their dignity and reduce the stigma attached to surrogacy...[they] downplay the element of choice—either by highlighting their economic desperation, by appealing to higher motivations, or by emphasizing the role of a higher power in making the decisions for them. (Pande, 2010b, p. 303)

The role of god in leading them to surrogacy, or giving them the opportunity to enter the arrangement, is essential to legitimize the work they are undertaking. By associating their work with “divine intervention,” the surrogates see themselves as “chosen,” rather than choosing. This is similar to the surrogates studied by Berend (2012) and their identification of themselves as “special” in pursuing surrogacy which was more of a “calling” than a profession. This creates avenues by which stigma is avoided, especially when there are covert associations of surrogacy with sex work.⁶

Importantly, as Grover’s (2011, p. 75) study suggests, “[*M*]ajburi, a vernacular term signifying vulnerability, powerlessness, and helplessness—is a statement that a woman is experiencing a tumultuous phase, that she

lacks alternatives, and that she is no longer in control of her life... while *majburi* conjured powerlessness, it paradoxically also signals agency.” Interestingly, the surrogates in Rudrappa’s (2012) study exercise the same kind of pragmatism in their choice to undertake surrogacy. This appears as a “better option” than the kind of underpaid wage labor the surrogates perform at the local factory in harsh, unhealthy conditions. Such a comparative perspective is important, keeping in mind Nussbaum’s (1998) contention that the notion of choice seems to be especially constructed in relation to women. Thus, to choose stigmatized work like prostitution or surrogacy does not only mean the lack of other available options but also a conscious choice in itself. In such situations, “we may grant that poor women do not have enough options and that society has been unjust to them in not extending more options, while nonetheless respecting and honoring the choices they actually make in reduced circumstances” (Nussbaum, 1998, pp. 721–722). And it is this understanding that forms the crux of the understanding of agency.

Agency forms an essential way of giving voice to those who feel unempowered within an arrangement that seems overwhelmingly debilitating. In that sense, it counters all other rhetorics, especially those that position being a surrogate as an act of desperate victimhood. For, in that very act of desperation is the act of wresting control.

Conclusion

This article attempts a review of recent literature on surrogacy in order to highlight how academic discourse constructs rhetorical notions, especially in relation to the biggest rhetoric of all: choice. Feminists and academics have engaged with choice and women’s rights over the course of many issues, movements, and ideological debates. In case of surrogacy, the notion of choice is often engaged with in consonance with two predominant rhetorical vehicles: commodified motherhood and the gift relationship. However, despite the overwhelming influence of these two ideas, the equally powerful impact of agency is an important aspect of the ways in which surrogacy is felt, navigated, and understood.

A review of the literature endeavors to include multiple ideas and research in a particular field within a larger argument. This review looks

at the ways in which theoretical, ideological frames emerging from previous research on surrogacy are unable to completely explain contemporary transnational processes of framing and positioning reproductive choice. The need for newer approaches is being addressed by current anthropological work on surrogacy, but requires to be incorporated in other forms of discourse as well. To that end, this review highlights new forms of theoretical engagements, along with the existing ideas, and suggests a healthy combination of the two, including researching surrogacy in ways in which it includes ideas and participants. For instance, the review suggests that the arrangement has other participants, such as the intended mother, egg donor, and the intended father, who often get identified with the structures of coercion but are unable to articulate their own choice within the arrangement. It is this latter area of research that one needs to focus on to bring a more nuanced understanding of choice within the surrogacy arrangement.

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Notes

1. The Law Commission of India (2009: 11) identifies the transnational commercial surrogacy as the “25,000 rupee pot of gold” ARTs industry.
2. “[P]oor, uneducated and dark-skinned women...[are] not normally...valued in the reproductive market, except as gestational surrogates” (Waldby, 2008, p. 26).
3. The Indian Council of Medical Research (ICMR) published the draft of the first ARTs Regulation Bill in association with the Ministry of Health and Family Welfare (MoHFW), Government of India in 2008. This was modified in 2010. Prior to 2008, the Bill had another avatar in the Regulation of National Guidelines for Accreditation, Supervision, and Regulation of ART Clinics in India, 2005.
4. This is also interesting when seen in relation to laws in countries such as France, where surrogacy is banned on the grounds that it compromises the integrity of the body (Rao, 2012).

5. Online discussion portals are still a missing phenomenon amongst studies of Indian surrogate mothers.
6. One of the surrogate mothers in my sample notes: “*Hum bhi toh shareer ka kaam karte hain...kya zaroorat hain waisa kaam karne ki...sui laga le...baccha peda kar...*” (after all we are also doing work that involves the body...what is the need to do that kind of work...get some injections and give birth to a child).

References

- Almeling, R. (2007). Selling genes, selling gender: Egg agencies, sperm banks, and the medical market in genetic material. *American Sociological Review*, 72(3), 319–340.
- Berend, Z. (2010). Surrogate losses: Understanding of pregnancy loss and assisted reproduction among surrogate mothers. *Medical Anthropology Quarterly*, 24(2), 240–262.
- . (2012). The romance of surrogacy. *Sociological Forum*, 27(4), 913–936.
- Bharadwaj, A. (2008). Biosociality and biocrossings: Encounters with assisted conception and embryonic stem cells in India. In S. Gibbon & C. Novas (Eds), *Biosocialities, genetics and the social sciences: Making biologies and identities* (pp. 98–116). London: Routledge.
- . (2011). The other mother: Supplementary wombs, surrogate state and ARTs in India. In M. Knecht, M. Klitz, & S. Beck (Eds), *Reproductive technologies as global form*. Chicago: Chicago University Press.
- Bisht, R. (2013, March 28–29). *Commercial surrogacy and transformations in Mumbai's birth market*. Paper presented at seminar on ‘Science, Technology and Medicine in India, 1931–2000: The Problem of Poverty’, organized by School of Community Health and Social Medicine, Jawaharlal Nehru University, and the University of Warwick, at Jawaharlal Nehru University, New Delhi.
- Bourdieu, P. (1977). *Outline of a theory of practice*. Cambridge: Cambridge University Press.
- Brinig, M.F. (1995). A maternalistic approach to surrogacy: Comment on Richard Epstein's surrogacy: The case for full contractual enforcement. *Virginia Law Review*, 81(8), 2377–2399.
- Cannell, F. (1990). Concepts of parenthood: The Warnock report, the Gillick debate and modern myths. *American Ethnologist*, 17(4), 667–686.
- Constable, N. (2009). The commodification of intimacy: Marriage, sex, and reproductive labor. *Annual Review of Anthropology*, 38, 49–64.
- Deomampo, D. (2013). Gendered geographies of reproductive tourism. *Gender and Society*. DOI: 10.1177/0891243213486832.

- Dolgin, J.L. (1990). Status as contract in surrogate motherhood: An illumination of the surrogacy debate. *Buffalo Law Review*, 38(2), 515–580.
- Firestone, S. (2003). *The dialectic of sex: The case for feminist revolution*. New York: Farrar, Straus and Giroux.
- Franklin, S. (1997). *Embodied progress: A cultural account of assisted reproduction*. Routledge: London.
- Gearhart, S.M. (1979). The womanization of rhetoric. *Women's Studies International Quarterly*, 2(2), 195–201.
- Grover, S. (2011). 'Purani aur nai shaadi': Separation, divorce, and remarriage in the lives of the urban poor in New Delhi. *Asian Journal of Women's Studies*, 17(1), 67–99.
- Gupta, J.A. (2000). *New reproductive technologies: Women's health and autonomy*. New Delhi: Sage.
- Hibino, Y., & Shimazono, Y. (2013). Becoming a surrogate online: "Message board" surrogacy in Thailand. *Asian Bioethics Review*, 5(1), 56–72.
- Hochschild, A. (2011). Emotional life on the market frontier. *Annual Review of Sociology*, 37, 21–33.
- Howell, S. (2003). Kinning: The creation of life trajectories in transnational adoptive families. *Journal of the Royal Anthropological Institute*, 9(3), 465–484.
- Indian Council of Medical Research (ICMR). (2008). The assisted reproductive technologies (regulation) bill. New Delhi: Ministry of Health and Family Welfare, Government of India.
- . (2010). The assisted reproductive technologies (regulation) bill. New Delhi: Ministry of Health and Family Welfare, Government of India.
- Karat, B. (2012, July 17). Everyone forgets the surrogate. *The Indian Express*. Retrieved July 18, 2012, from www.indianexpress.com/story-print/975372/
- Krolokke, C., Foss, K.A., & Sandoval, J. (2010). The commodification of motherhood: Surrogacy as a matter of choice. In S. Hayden & D. Lynn O'Brien Hallstein (Eds), *Contemplating maternity in an era of choice: Explorations into discourses of reproduction* (pp. 95–114). Maryland: Lexington Books.
- Law Commission of India. (2009). *Need for legislation to regulate assisted reproductive technology clinics as well as rights and obligations of parties to a surrogacy*. Report No. 228. New Delhi: Government of India.
- Levine, H.B. (2003). Gestational surrogacy: Nature and culture in kinship. *Ethnology*, 42(3), 173–185.
- Madge, V. (2013, March 28–29). *Reproductive slavery and prostitution: Surrogate voices from Anand, Gujarat*. Paper presented at seminar on "Science, Technology and Medicine in India, 1931–2000: The Problem of Poverty," organized by School of Community Health and Social Medicine,

- Jawaharlal Nehru University, and the University of Warwick, at Jawaharlal Nehru University, New Delhi.
- Majumdar, A. (2013a). Transnational surrogacy: The “public” selection of selective discourse. *Economic and Political Weekly*, 48(45–46), 24–27.
- . (2013b, July 22–27). *The fertile poor and the infertile rich: The politics of choice and access in the transnational commercial surrogacy arrangement in India*. Paper presented at the International Summer School on ‘Medical Anthropology, Well-being at the Margins: Seeking Health in the Stratified Landscapes of Medicine and Healing’, Free University, Berlin.
- Markens, S. (2007). *Surrogate motherhood and the politics of reproduction*. Berkeley: University of California Press.
- Menon, N. (2012). *Seeing like a feminist*. New Delhi: Zubaan.
- Nussbaum, M. (1998). “Whether from reason or prejudice”: Taking money for bodily services. *Journal of Legal Studies*, XXVII, 693–724.
- Pande, A. (2009a). “It may be her eggs, but it’s my blood”: Surrogates and everyday forms of kinship in India. *Qualitative Sociology*, 32(4), 379–397.
- . (2009b). Not an “angel”, not a “whore”: Surrogates as “dirty” workers in India. *Indian Journal of Gender Studies*, 16(2), 141–173.
- . (2010a). Commercial surrogacy in India: Manufacturing a perfect mother-worker. *Signs*, 35(4), 969–992.
- . (2010b). “At least I am not sleeping with anyone”: Resisting the stigma of commercial surrogacy in India. *Feminist Studies*, 36(2), 292–312.
- . (2011). Transnational commercial surrogacy in India: Gifts for global sisters? *Reproductive BioMedicine Online*, 23(5), 618–625.
- Parker, P.J. (1983). Motivation of surrogate mothers: Initial findings. *American Journal of Psychiatry*, 140, 117–118.
- Pollock, A. (2003). Complicating power in high-tech reproduction: Narratives of anonymous paid egg donors. *Journal of Medical Humanities*, 24(3–4), 241–263.
- Qadeer, I. (2009). Social and ethical basis of legislation of surrogacy: Need for debate. *Indian Journal of Medical Ethics*, 6(1), 28–31.
- Qadeer, I., & John, M. (2008). Surrogacy politics. *Kafila*. Retrieved October 7, 2013, from <http://kafila.org/2008/12/25/surrogacy-politics-imrana-qadeer-mary-e-john/>
- . (2009). The business and ethics of surrogacy. *Economic and Political Weekly*, 44(2), 10–12.
- Ragone, H. (1994). *Surrogate motherhood: Conception in the heart*. Boulder, Colorado: Westview Press.
- . (1996). Chasing the blood tie: Surrogate mothers, adoptive mothers and fathers. *American Ethnologist*, 23(2), 352–365.

- Rao, M. (2012). Why all non-altruistic surrogacy should be banned. *Economic and Political Weekly*, 47(21), 15–17.
- Riessman, C.K. (2002). Positioning gender identity in narratives of infertility. In M. Inhorn & F.V. Balen (Eds), *Infertility around the globe: New thinking on childlessness, gender, and reproductive technologies* (pp. 152–170). Berkeley: University of California Press.
- Rubin, G. (1975). The traffic in women: Notes on the “political economy” of sex. In Rayna R. Reiter (Ed.), *Towards an anthropology of women* (pp. 157–209). New York: Monthly Review Press.
- Rudrappa, S. (2012). India’s reproductive assembly line. *Contexts*, 11(2), 22–27.
- SAMA—Resource Group for Women and Health. (2006). *ARTs and women: Assistance in reproduction or subjugation?* New Delhi: SAMA.
- . (2010). Critique of the draft assisted reproductive technologies (regulation) bill & rules—2008. In S. Srinivasan (Ed.), *Making babies: Birth markets and assisted reproductive technologies in India* (pp. 126–138). New Delhi: Zubaan.
- . (2012). *Regulation of surrogacy in the Indian context*. New Delhi: SAMA.
- Saravanan, S. (2010). Transnational surrogacy and objectification of gestational mothers. *Economic and Political Weekly*, 45(16), 26–29.
- Sarojini, N.B., Marwah, V., & Sheno, A. (2011). Globalization of birth markets: A case study of assisted reproductive technologies in India. *Globalization and Health*, 7(1), 27–36.
- Shah, C. (2009). Regulate technology, not lives: A critique of the draft ART (regulation) bill. *Indian Journal of Medical Ethics*, 6(1), 32–35.
- Smerdon, U.R. (2012). Birth registration and citizenship rights of surrogate babies born in India. *Contemporary South Asia*, 20(3), 341–358.
- SubRosa. (2003). Stolen rhetoric: The appropriation of choice by ART industries. In Sarai (Ed.), *Sarai reader: Shaping technologies* (pp. 110–118). New Delhi: Sarai.
- Temam, E. (2003). The medicalization of “nature” in the “artificial body”: Surrogate motherhood in Israel. *Medical Anthropological Quarterly*, 17(1), 78–98.
- . (2008). The social construction of surrogacy research: An anthropological critique of the psychosocial scholarship on surrogate motherhood. *Social Science and Medicine*, 67, 1104–1112.
- . (2010). *Birthing a mother: The surrogate body and the pregnant self*. Berkeley: University of California Press.
- The Times of India*. (2012, May 17). Surrogate mother dies of complications. New Delhi.

- Thompson, Charis. (2001). Strategic naturalizing: Kinship in an infertility clinic. In S. Franklin & S. McKinnon (Eds), *Relative values: Reconfiguring kinship studies* (pp. 175–202). Durham and London: Duke University Press.
- Udgaonkar, S. (2010). The regulation of oocyte donation and surrogate motherhood in India. In S. Srinivasan (Ed.), *Making babies: Birth markets and assisted reproductive technologies in India* (pp. 74–93). New Delhi: Zubaan.
- Vora, K. (2009). Indian transnational surrogacy and the disaggregation of mothering work. *Anthropology News*, 50(2), 912.
- . (2010/2011). Medicine, markets and the pregnant body: Indian commercial surrogacy and reproductive labor in a transnational frame. *The Scholar and Feminist Online*, double issue 9.1–9.2(Fall 2010/Spring 2011). Retrieved from www.barnard.edu/sfonline
- . (2013). Potential, risk and return in transnational Indian gestational surrogacy. *Current Anthropology*, 54(7), S97–S106.
- Waldby, C. (2008). Oocyte markets: Women's reproductive work in embryonic stem cell research. *New Genetics and Society*, 27(1), 19–31.
- Warnock Report*. (1982). Retrieved August 10, 2013, from <http://www.hfea.gov.uk/2068.html>
- Zelizer, V. (2007). *The purchase of intimacy*. Princeton, NJ: Princeton University Press.

