



# Effects of Surrogacy on Surrogate Mothers in India

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**Abstract.** With the expansion of surrogacy in India, increasingly more debates about its value and disadvantages have appeared. The paper reviews current literature about its effects on surrogate mothers in India. On the one hand, although some researchers hold the view that the money gained from surrogacy can help surrogate mothers improve their position in the family by changing their economic status, the reality is that surrogacy makes almost no difference to their economic status. On the other hand, surrogacy damages the surrogate mother's physical and mental health. Surrogacy violates the surrogate mothers' human rights and damages their health conditions due to medicines and forced caesareans. They also suffer psychological harm because surrogacy requires strict emotional control and creates false hope for surrogate mothers. By reviewing previous studies and research, the paper provides general ideas about the different effects of surrogacy and points out the knowledge gap within.

**Keywords:** Effects of surrogacy · India · Economy · Health

## 1 Introduction

Although the *Draft Assisted Reproductive Technology Regulation Bill and Rules* published in 2008 intended to regulate the surrogacy industry in India, the industry has been expanding by leaps and bounds, mainly on account of growing demand from foreign couples in search of relatively cheap surrogacy arrangements [1]. However, intense discussion and debates on surrogacy cannot cover the existing effects on surrogate mothers. This paper reviews relevant research on the effects of surrogacy on surrogate mothers in different ways based on the situation in India. Current literature in the fields of biology, anthropology, and sociology generally focused on three aspects of the effects, namely economy, health, and society. Firstly, surrogacy seems to help surrogate mothers earn a large amount of money which may ease their financial stress and empower working-class women in India. However, there is no noticeable difference in surrogate mothers' life after surrogacy. Secondly, some scholars have noticed that surrogacy has a significant negative impact on surrogate mothers' health, both physical and mental. During the process, surrogate mothers lose not only their healthy bodies due to the medicines and compulsory caesareans, but also part of their human rights because of the limitations and monitoring. Besides, the tough requirements of controlling emotions and the false hope created by agents combine to injure surrogate mothers.

## 2 Effects on Economic Status

Individuals' economic power refers to people's capacity to raise their standards of living. It increases their agency to make decisions that benefit themselves and decrease outside force which limits their freedom. The increase in income is a symbol of gaining economic power which may raise people's status within family and society.

Some scholars hold the opinion that surrogacy liberates working-class women and improves their positions in India. Through an interview, Dr. Gunasheela insisted that commercial surrogacy removes exploitative relations because a surrogate mother receives a salary for her work by producing that baby, which she can then potentially negotiate a powerful position for herself within her own household. Besides, many intended parents believed that surrogate mothers could earn a large amount of money which is many times their annual income, leading to a significant change in their life [2]. The reality, nevertheless, is not the same as they expected.

To gain detailed information and learn more about surrogate mothers, Amrita Pande conducted fieldwork in a small medical institution in India to interview two groups of people including surrogate mothers and their clients [3]. On the other side, researchers Rudrappa, Sharmila, and Caitlyn Collins did in-depth interviews in Bangalore, India with 8 infertility specialists, 20 intended parents, and 70 Indian surrogate mothers, and considered blogs and media stories. Focusing on surrogate mothers' engagement, they explored more about the moral situation [2].

According to Amrita Pande's research in 2011, surrogate mothers will earn Rs 25,000 (US\$500) every 3 months [3]. Based on interviews in Bangalore, most of the surrogate mothers earned \$4,000 or even less instead of \$7,000 to \$8,000 as reported on media platforms. Some surrogate mothers hold the view that it is unjust because their income comes up short of the overall costs which they incur during the entire process [2]. Moreover, the money gained through surrogacy will quickly disappear in a short term. Like in other industries which deal with body parts, such as kidneys, most of the surrogate mothers in the interviews initially believe that their market engagements would save them from economic precarity [2, 4]. However, the money eventually runs out. Since surrogate mothers and their families live in unsafe financial states with very little savings, the mothers are often the only persons in their extended families with that much liquid capital. As the researchers Sharmila Rudrappa and Caitlyn Collins mentioned in their 2015's study, there are so many aspects on which these mothers need to spend money, such as debts, deposits to rent liveable homes, furniture, private education for children, and small agricultural holdings. They are constantly short on money to make a decent life, and their earnings quickly run out. Although they partly prove that surrogacy liberates surrogate mothers from male authority, Rudrappa et al. especially stated that there is usually no noticeable difference in the lives of surrogate mothers after surrogacy [2].

Based on earlier research, Rudrappa et al.'s study provided detailed information and examples about the change in economic status, filling the knowledge gaps from an economic perspective. Previous literature did not point out the specific numbers of salaries and costs in each part of surrogacy under different conditions and requirements. In further studies, researchers can use a variety of materials, like documentaries which already contain detailed data as a reference to analyse the situation and have a deeper understanding of the economic status of surrogate mothers.

### 3 Effect on Health

Some scholars have noticed that surrogacy has a significant negative impact on surrogate mothers, either physically or mentally. With the development of the surrogacy industry, these non-negligible harms are more and more widely discussed by researchers and feminists. Even if one were to take the liberal view that surrogacy should be allowed based on autonomy and compassion, evidence of harm must be taken seriously [5].

#### 3.1 Physical Health

##### 3.1.1 Human Rights

Physical harm is the part that has attracted the most academic attention. Personal freedom is one of the important human rights and surrogate mothers' human rights are violated and limited during the whole process. Some essays mentioned that surrogate mothers' personal freedom is usually restricted during pregnancy, which means they are not allowed to go out of the premises. Even worse, they are even forbidden to take the staircase that goes down to the open area of the complex where the clinic is located. In this situation, their lives as surrogates are under constant surveillance, and whatever is considered appropriate for them is carried out even without their consent [6–8]. Also, Madge and Pande gave evidence that most Indian surrogate mothers are confined in houses provided by the agents [9, 10]. Diksha Munjal-Shankar concluded that these layers of power and control added by the external agents go on to make the surrogates helpless and they experience a loss of agency [11].

Besides, surrogate mothers will get medicines and injections during the pregnancy because they need these things to trick their bodies into accepting embryos that are not their own. At the same time, Chaudhary mentioned that they will use a large number of embryos and give surrogate mothers drugs and steroids to increase their bodies' perception of the embryos they need to carry, ensuring the success rate [8]. As a result, based on a study in 2013, all of these measures will lead to a couple of complications such as urinary tract infections, stress incontinence, haemorrhoids, gestational diabetes, life-threatening haemorrhage, pulmonary embolism, headaches, nausea, tenderness, and bruising at the injection site, dizziness among others [12].

##### 3.1.2 Forced Caesarean

To some extent, the birth of the baby marks the end of surrogacy. In the final step of pregnancy, compulsory caesareans are often imposed on surrogate mothers [8]. A caesarean section, or C-section, is an operation to deliver the baby through a cut on tummy and womb. Until now, discussions have concentrated on whether a C-section without medical indication is ethically just [13]. Since a caesarean carries a number of risks, it is taken only if it is the safest option for a pregnant mother and her baby. It is worth noting that it is not the same case in the context of birth in surrogacy because a large group of commissioning parents will force surrogate mothers to receive caesareans. If a surrogate mother refuses to accept the requirement, another surrogate would be hired [14].

Some scholars like Chaudhary and Majumdar have noticed the reasons why they prefer caesarean over a normal birth without dangers. One reason is that they believe that the child is the most precious and no risk should be taken during the process of childbirth [8]. Another less obvious reason noted in the existing paper is that it can avoid a connection between the surrogate mothers and the surrogate children who finally belong to the commissioning parents. They hold the view that surgery is a very “clean” process of breaking down the bonds, whereas natural labor may bring them closer [15]. The commissioning parents prefer a C-section to a normal birth because they want to be present during the time of the delivery, and the doctors and intended parents do not want to risk the delivery and adversely affect the children’s health [7]. The delivery is also to make at the doctors’ and intended parents’ convenience [14].

Based on a biological study in 2012, caesarean can cause numerous health consequences such as the most common problems with their breasts, weakness, body ache, bleeding, and fever. Sleep deprivation, pain or fear of pain during urination and defecation, and changes in body colour were also commonly mentioned. At the same time, researchers indicated that currently, there is no treatment for the most common conditions, including weakness, body ache, or problems with breasts. Many of the other problems listed were believed to be resolved over time with medicines provided by the hospital [16].

Based on earlier research, Indian anthropologist Jyoti Chaudhary summed up all the reasons for caesarean in her paper *Consequence of Surrogacy on Surrogates in India* in 2019 [8]. Although she pointed out the phenomenon of caesarean, Chaudhary did not look deeper into the harm which will cause to surrogate mothers. Her research fills the knowledge gaps that only a few ethnographic works are about the actual consequences on the surrogate mothers. Although more studies specifically designed and implemented to address this issue are still lacking, it is a great paper to study the consequences of surrogacy on surrogate mothers in different ways and it deserves more attention since the paper has not been widely cited.

## 3.2 Mental Health

### 3.2.1 Emotional Damage

On the one hand, the separation from their own children during the pregnancy process makes surrogate mothers worried and fearful [13]. As mentioned above, Chaudhary pointed out that most surrogate mothers cannot go out to see their families and children because of the restricted rules [8]. In this situation, Rudrappa and Collons found that they are worried about their children in different aspects like eating, school performance, and daily life safety. Surrogate mothers’ biggest fears are that when their children are sick, they could not be there to look after them. It is especially a tough time for surrogate mothers in an upset divorce relationship [13]. According to the study, the departure which compromises their children’s well-being influences surrogate mothers’ mental health. On the other hand, the immediate separation from the surrogate children after the birth also causes negative effects on the surrogate mothers. Chaudhary also indicated that surrogate mothers are educated to care for and love the babies whom they are carrying during the process of their pregnancies. However, surrogate mothers are even

not permitted to take a look at the children after delivery because the agents are afraid that the connection in-between will be so quickly built that the mothers will be unable to hand over the babies to the intended parents [8]. Among those cases and interviews, they expressed deep affection for the children and asserted the difficulties in the forthcoming separation.

The paradoxical emotional demands during and after the course of pregnancy cause problems for surrogate mothers' emotions since they must keep an emotional balance between attachment and detachment with the surrogate children at the same time [8]. When they are pregnant, they need to care for and love the babies in their wombs, but once the babies are out, they need to withdraw all those emotions. If they perform rationally in the process, they will be considered emotionless and if they care too much about the children, they are regarded as too emotional in nature. It is draining and taxing for surrogate mothers to control and modulate their emotions frequently. All the emotional functions largely depend on the wishes and demands of the intended parents, the agents, and the doctors. Surrogate mothers have no choice but to rationalize their emotions because any deviation from the part is not seen in a good light and is considered counterproductive to the image of the surrogates and the surrogacy contract.

### 3.2.2 False Hope

When surrogate mothers are struggling with emotional control, the doctors and agents keep constructing false hope for them. Pande pointed out that during the course of surrogacy, the agents and doctors create a sense for surrogate mothers that what they are doing is beyond the ordinary [6, 17]. This leads to a sense of elevation in the minds of the surrogates with respect to their position within the arrangement, whereby they begin to consider themselves as an important entity. However, this sense of higher esteem is observed to be broken at various levels.

Step by step, with their experiences as surrogate mothers, they are aware of their position as womb providers and accept the fact fairly. Based on the research and interviews, researchers brought out the view that surrogate mothers believe they deserve some appreciation and gratitude because of their dedication and efforts in the surrogacy process. However, the immediate change in attitude before and after childbirth creates a certain degree of mental disparity for surrogates because commissioning parents think that the value lay with them till the time when the babies are delivered. More than one surrogate mentioned that intended parents did not choose to see them and contact them anymore after the childbirth. Just as the researcher said, surrogate mothers' health and well-being are hardly mattered in this situation [18].

## 4 Conclusion

Focusing on the effects of surrogacy on surrogate mothers, this paper has concluded different effects on the economic status and health based on previous studies. On one hand, although some researchers pointed out that surrogacy can help liberate surrogate mothers from paternity by the earning, the frequent situation is that all the money will run out quickly due to several reasons, which means the surrogacy did not bring a large

and useful difference on surrogate mothers' economic status. On the other hand, surrogacy damages surrogate mothers' physical and mental health by conducting compulsory measures and requirements. All above provide a general view of the topic for further study which can focus more on the practical harm of surrogacy.

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