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Selling surrogacy is a step towards slavery as women are dehumanised

Proposals may soon be made to the Westminster parliament to enable a commercial surrogacy system in the UK.

The practice of surrogacy is an agreement, whereby a woman accepts to gestate and give birth to a child for another individual or couple, who will then become its legal parent(s).

These are usually persons who cannot gestate a child for themselves for a number of reasons such as when the medical condition of a woman makes it dangerous for her to become pregnant or when a male couple desires to have a child.

There are generally two kinds of surrogacy arrangements. The first is called 'traditional surrogacy' (also known as genetic surrogacy) in which the surrogate woman also provides the egg and is therefore the genetic mother of the resulting child.

The second is called 'gestational surrogacy' (also known as full surrogacy) whereby an embryo is created by in vitro fertilisation (but without the use of the surrogate's egg) which is then implanted into this woman for gestation. This means that the surrogate is genetically unrelated to the future child.

In both cases, when such surrogacy arrangements involve a financial incentive, they become commercial surrogacies.

Such practices, however, are extremely controversial since com-



Legalising commercial surrogacy will lead to exploitation and worse and should not be on the statute book, says Dr Calum MacKellar

mercial surrogacy is not a normal procedure. Indeed, asking a mother to give up the child she has gestated is not something anyone would see as desirable.

Moreover, making this meaningful for the woman through payment does not make it any more ethical. Instead, it represents one of the most unacceptable forms of exploitation being done against women.

In addition, it is not because the arguments use language making surrogacy seem nuanced and careful that the procedure is any less controversial.

Calling a woman a 'carrier' or 'gestator' is unacceptable in relation to any human being since it reduces her to a biological process. Moreover, erasing any reference to the woman's humanity and her status as a mother cannot ever be seen as responsible or appropriate.

Such an alteration of the language encourages the surrogate and society to disconnect and deny what the woman is really experiencing in order for her to be able to separate herself from the child.

Indeed, it is necessary for her to believe that this child is not really

her child, to repress her emotions, to convince herself that this abandonment is done for the good of others. Furthermore, such 'linguistic cleansing' may be aimed at making invisible the market aspect of contractual transactions which amounts to the sale of babies.

This is confirmed at the international level with the United Nations Special Rapporteur on the Sale and Sexual Exploitation of Children explaining, in 2018, that "if a surrogate mother or third party receives remuneration or any other consideration for the transfer of the child, a sale occurs, as defined under international human rights law."

The industrialisation of births has already begun, and biomedical reproductive capitalism introduces an exploitation aspect that is more pernicious and more effective than any other. Indeed, a woman's agreement appears to be the green light to justify any practice based on her life or her body.

But to say that women are agreeing to become commercial surrogates is to forget the conditions under which they are led to agree and to neglect the reasons for which they have accepted



↑ Allowing a 'market' in women who have children to hand over to putative

to be exploited. An agreement is not a desire, it is not a will, it is not freedom.

In France, the National Consultative Ethics Committee has already clearly stated, in 2018, its extreme concern relating to the expansion of the international market for commercial surrogacy. This has been encouraged by commercial agencies and lobby groups presenting and showcasing

positive images of the surrogacy market in the media.

The reasons why this French committee has reiterated its opposition is that it remains determined to retain the principles that justify the prohibition of commercial surrogacy in France on the basis, amongst other things, of respect for the human person who cannot be exploited.

parents for payment, to her or a third party, is to permit the dehumanisation and exploitation of these women

On this account, presenting commercial surrogacy in a positive manner should be seen as being as shameful as presenting the possibility of slavery. This is because a woman would be selling her body for reproduction which is completely unethical.

Of course, a lot of compassion should be shown to the very real suf-

fering of persons who cannot gestate their own children, but compassion also demands protecting women from unacceptable exploitation.

Accordingly, the UK parliament should never countenance the legalisation of commercial surrogacy.

Dr Calum MacKellar, Director of Research of the Scottish Council on Human Bioethics



Key service to reunite relatives just needs names and contacts to start search

Registering is the first step towards reuniting, says Dr Gary Clapton

Regular readers of this column will need no reminding that one of our key services that brings together families separated by public care or adoption is the Adoption Contact Register for Scotland. Briefly, for those coming to our work for the first time, our Contact Register allows the opportunity for those who want to meet a relative to put down their name and contact details with us.

Should the other party also be registered with us, then we have a match (or a link as we call it). The beauty of the Contact Register is that it provides a place for the mutual expression of a willingness to meet, without the risk that

unexpected door-stepping can carry. We calculate that about one in ten registrations prove successful. Thus many are not and we have over 11,000 names and addresses on the Contact Register. Some people have been registered for decades, but others have been on the Register for just weeks.

We get 200 registrations every year. For the fortunate ones, after a match, we carefully go about arranging exactly how people want to be in touch. Some will use us as go-betweens for letters and, increasingly, emails, others will wish to be in direct contact right away.

This column is about our first link of 2019.

There are many motivations for

registering – curiosity, the need to find out how the other person has fared, medical reasons – however, in amongst these, a purpose for the registration that brought about this year's first link was, yes, an interest in applying for an Irish passport so as to keep the connection with Europe in the light of Brexit.

Gerald* was born in London in November 1969 to his Irish birth mother. Somewhat out of the usual instances we see, Gerald's original birth certificate showed the names of both his birth mother and his birth father.

He is now a scientist living in Belgium and he grew up knowing some details about his parentage and roots.

According to Gerald, being adopted and particularly the circumstances of his adoption and details of his biological parents, were 'always on my mind'. He remained both 'intrigued to know more but apprehensive'.

His registration form came in on 31 December and when we logged it with the Contact Register on 3 January, we discovered that his birth mother was also on the Register. Sally* had put her name down with us 29 years previously in 1990. At the time of her pregnancy in 1969, as for many young unmarried women, pressure from family had resulted in the adoption of her baby.

As might be guessed, Sally was no longer at the address she'd given

when she registered with us. Many who use the Contact Register do so as something of a one-off, a bid to put down a marker buoy should their relative (son, daughter, mother, father) one day do the same. Although the relative is rarely forgotten, their Contact Register registration can be.

This does not mean an indifference, sometimes people will undertake other forms of seeking contact such as internet or social media searching, sometimes birth parents believe that putting down their name and contact details is the only thing that they are entitled to do. Whatever the circumstances, people often fail to let us know that they have moved address or changed their name.

But, as outlined in previous columns, we have a dedicated band of searchers who are skilled in mapping family histories, plotting the twists and turns of family trees and finding ways through the myriad of data bases and records that exist on people. Not just the birth, marriages and deaths, but old phone books, valuation rolls and parish registers are meat and drink to our searchers. We very rarely draw a complete blank in our efforts to find someone.

Sally's address on her near-30-year-old registration form was in the Republic of Ireland and we have a skilled searcher there too. The call to find Gerald's birth family went out in the first week of January.

Perhaps by the time you read this, he and them will have good news.

*names and identifying details have been altered.

Dr Gary Clapton on behalf of Birthlink



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