Commercial Surrogacy – How Important is it?

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# Introduction

Commercial Surrogacy has been increasingly being adopted as a trend lately. This practice and notion has attracted both approval and disapproval from different class of people. While many see as an opportunity for couple who are unable to raise a family under normal circumstances. There are other set of people who does not see as a good practice on the grounds of being socially and morally unacceptable.

While those who approve of commercial surrogacy are essentially open to the idea that adults should have a full right in choosing the acts of their behaviour and also upon the fact that commercial surrogacy involves more than one party and the whole process involves the mutual consent of all the parties involved. Generally, commercial surrogacy involves three parties which are namely the surrogate mother, the broker (legal agent) and the intended father and is under no circumstances a forceful act on any of the parties. On the other hand, people who do not approve of commercial surrogacy see it as morally unacceptable especially stressing on the point that children are not commodities that should not be traded in the marketplace.

In the light of the above discussion, the objective of this paper is to discuss both the point in favour and against the notion of commercial surrogacy and then develop an own perspective based on the discussion. The paper begins with a brief introduction of the theme which sets the tone for the paper. The next section of the paper presents an analysis of the points which presents an argument in favour and against the notions of commercial surrogacy. In the last parts, own perspective of arguments and counter arguments has been provided to develop a self understanding of this topic. The paper ends with a brief conclusion that ties the contents of the discussion outlined together.

# Argument in favour of Commercial Surrogacy

The primary article that has been utilised to build up the argument in favour of commercial surrogacy is ‘Commodification and Commercial Surrogacy’ by Richard J. Arneson. The article has outlined the critical points supporting the notion of commercial surrogacy in a very intuitive manner. The article itself has made a number of references to other supporting literature related to this domain.

The points in favour of commercial surrogacy have been outlined throughout the primary discussion of the paper. However, the primary arguments that are a predominant part of the article are: First, there are many formalities associated when it comes to adoption of a child in legal ways. The formalities include proving the fact that the parents are capable enough to take good care of the adopted child.

Also, there is always a legal aspect associated when a child is adopted as the parents are always under some of pressure that they need to take care of the child in an appropriate manner otherwise the governing body who gave them the rights to adopt the child might question them in some way or the other. Thus, in the light of this point, commercial surrogacy becomes a much viable option for the aspiring parents who are unable to raise a family under normal circumstances.

Secondly, another argument which goes in favour of commercial surrogacy relates to legal aspect of the scenario. The fundamental human rights namely (right to the freedom of contract and right to procreate) also allows rational and independent human being to get into mutually accepted legal contracts like that of getting into an agreement like commercial surrogacy. The adults also have a full liberty to reproduce as long as the children are not harmed in any manner by the virtue of that act.

Another point which is highlighted in respect to favouring the notion of commercial surrogacy relates to the labor of love that is performed by the surrogate mother. She undergoes tremendous hardship to fulfill the objectives of having a family for an aspiring couple. Hence, the acts of the mother should be rewarded and should not be neglected as is done by many groups of individuals of the society in the contemporary times.

Another important argument which favours the notion of commercial surrogacy as an acceptable practice in the society relates to the similarity of commercial surrogacy with other accepted practices of the society which includes social parenting, wet nursing, day care, separate genetic amongst other things. Thus, all these practices relate to taking care of child by offering happiness to a couple who aspires to raise their family.

There is also an inherent fact related to the notion of commercial surrogacy. The same relates to the fact that couples who are not able to reproduce children take the act of commercial surrogacy very seriously. The same comes in the form of a disguised blessing as the parents are able to experience the upbringing of a child which would have been impossible had they not used the services offered by commercial surrogacy.

Thus, the upbringing of the children is not affected in any manner as far as the love and affection of the child is concerned. On the contrary, they are given more love, affection and care of the child by the way of commercial surrogacy gets more love affection as the parents’ value their child. Genetically also, the actual father of the child is the intended father only in the whole process of commercial surrogacy. Hence, there is no question as far as the credibility and the love of the father with the child is concerned.

The mother also value the child as there is lot of emotion involved and because they value the fact that it is only because of commercial surrogacy that they are enjoying parenthood which would never had been possible otherwise. It is also argued that many parts of the societies and ethnicities regard women as bas who are not able to reproduce children. By using the services of commercial surrogacy, they not any get mental and emotional peace, they are also able to live up to the expectations of their in laws who often criticize them for their inability to reproduce children.

It is also highlighted in the article, ‘Commodification and Commercial Surrogacy’ by Richard J. Arneson that it is extremely important for some of the couples to use these services. It is more important for some of the couples to use these services of commercial surrogacy as they have huge properties and there is no one to take care of the property as outlined in the will and the legal deed of the deceased parent.

It is also important to consider the case when the couple (who are not able to reproduce children in a normal manner) use the services of commercial surrogacy; they are in an intuitive manner securing their future as their children are likely to take care of them in their old age. Thus, it offers a benefit to the society as well as there are a lot of cases where old age security and service quality is becoming an increasing cause of concern for the society and the baby booming population.

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