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ONLINE WORKSHOP - [MEET.GOOGLE.COM/HNC-RFFB-QYB](https://meet.google.com/HNC-RFFB-QYB)

Surrogacy and Markets in Life: Critical Observations in Sociology

MONDAY NOVEMBER 9, 2020

4.30-6.30 pm CET - 9.30-11.30 am CST

Chair: **Consuelo Corradi**

Welcome speech by **Gennaro Iasevoli**, Vice Rector
for Research and Internationalization, LUMSA University

Sharmila Rudrappa: *The possibilities for effective regulatory
mechanisms to govern global surrogacy* - Discussion

Martine Segalen: *From doubts to support: the changes of discourses
regarding Gestation pour autrui (GPA) in France* - Discussion

Daniela Bandelli: *Surrogacy and feminism (dis)engagement
from a global perspective* - Discussion

MONDAY NOVEMBER 16, 2020

2.30-4.30 pm CET - 7.30-9.30 am CST

Chair: **Daniela Bandelli**

Consuelo Corradi: *Surrogacy and feminism: changing
the landscape of motherhood studies* - Discussion

Heather Jacobson: *Obscured labor: The (in)visibility
of surrogate work* - Discussion

Anika König: *Surrogacy as a form of biocapital:
theoretical approaches and empirical results* - Discussion

This event is organized within the Marie-Sklodowska Curie project *Women's Movements and Gestational surrogacy* - www.womoges.wordpress.com - funded by the European Union's Horizon 2020 research and innovation programme under grant agreement No. 792464

Registration is not required but please email Daniela Bandelli in advance to express your interest and for more information: d.bandelli@lumsa.it

Marie Skłodowska-
Curie Actions



Surrogacy and markets in life: critical observations in sociology

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Monday 9th November 16.30-18.30 CET

Monday 16th November 14.30-16.30 CET

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Gestational surrogacy is spreading as a **multi-million dollar global market** where agencies and fertility clinics enable wealthy couples to have children through the **outsourcing of pregnancy** to women with economic needs. Surrogacy is at the same time an emerging reproductive practice and a form of **labor for women**, which demands serious reflections on changes in society and future of humanity. Indeed, surrogacy normalizes the possibility that pregnancy can be delegated to obtain a biological child and become parents, it challenges the blurring distinctions between **work, care and service**; it seems to normalize the conception of the **body** as a tool and the **marketisation of life**; it also modifies power relations between different social groups and between **generations**; it demands to redefine a balance between freedom to **self-determination**, body ownership and **integrity** of human life as non-disposable.

The workshop is an opportunity for students, civil society and policy makers, to acquire updated knowledge on surrogacy from the presentation and joint discussion of 6 international experts of the field: **Sharmila Rudrappa** (University of Texas), **Heather Jacobson**, (University of Texas), **Martine Segalen** (Paris Nanterre University), **Consuelo Corradi** (LUMSA University), **Anika König** (University of Lucerne), **Daniela Bandelli** (LUMSA University). They will share recent work on the following aspects: **regulation** of transnational surrogacy market, experiences of **surrogates**, the issue of **compensation** and dignity, public debates and the influence of **anthropology**, **feminist mobilizations** across the world, and **feminist theory** of motherhood and surrogacy. Presentations will provide overviews of surrogacy in several countries where scholars have based their research: **France, United States, Germany, Switzerland, Ukraine, Mexico, India, and Italy**. Each presentation will be followed by discussions.

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ABSTRACTS (in order of presentation)

The possibilities for effective regulatory mechanisms to govern global surrogacy

Sharmila Rudrappa

The 37th session of the Human Rights Council stated that in order to prevent the growth of markets in children, and protect their rights, commercial surrogacy needs to be banned until monitoring systems are in place to strictly regulate the global practice. Other than the fact that the Council's recommendations have little enforcement power in nations across the world, I argue that regulations will remain ineffective because they fail to recognize how the industry is organized. Each time one country develops stricter surrogacy legislation, the industry simply jumps borders and is established elsewhere. When India and Thailand severely restricted commercial surrogacy, for example, the industry moved to Nepal, Cambodia, and now Republic of Georgia. How is commercial surrogacy disassembled, and assembled once again so rapidly in multiple sites across the world? What does it take to regulate an industry that seems to spurt out of the ground in seemingly unrelated countries? Based on seventeen years of research and observations on commercial surrogacy, I suggest that to develop more effective regulations there needs to be a clearer understanding of the nature of global surrogacy, and how it is organized.

Sharmila Rudrappa is professor in sociology and the Director of the South Asia Institute at the University of Texas at Austin. She teaches and researches topics related to fertility markets, reproductive justice, gender, race, and labor in India and the USA.

From doubts to support: the changes of discourses regarding *Gestation pour autrui* (GPA) in France

Martine Segalen

In France surrogacy (*Gestation pour autrui* - GPA) is forbidden by law and while a new law on bioethics is about to be voted in the French Parliament positive attitudes towards GPA are consolidating in the media, social movements, academia and political institutions. I will develop a historical presentation of media discourses since 1980s to show how initial skepticism about reproductive bio-technology has evolved into favourable attitudes towards assisted reproduction and surrogacy. Social anthropologists – who are experts on kinship and descent- endorse the political program of activist groups to push forward legalization and new regulations of GPA and have played a crucial role in this shift. What convincing arguments do they use? Why, on the other hand, are arguments about the unethical nature of GPA almost unheard in the public debate? This presentation will be the occasion, on an epistemological level, to challenge the comparisons of GPA with specific procreative practices in exotic societies and to deconstruct the semantic universe developed to hide the commodification aspects of GPA.

Martine Segalen is Emeritus Professor of sociology and anthropology at Paris Nanterre University. She has extensively written on family and the 9th edition of her book *Sociologie de la Famille* has been published in 2019. For the past eight years she has been involved in civil discussions on ethics in surrogacy and published "Pourquoi la gestation pour autrui dite "éthique" ne peut être", *Travail, Genre et société*, 38, 2017, 53-73. She has joined a group for the international abolition of surrogacy.

Surrogacy and feminism (dis)engagement from a global perspective.

Daniela Bandelli

Feminism across the world is reacting in different ways to the spread of surrogacy, which has not yet developed in a common cause of mobilization: only a few groups and NGOs build expertise on the topic and engage publicly while the majority remain silent. At the same time, there is a transnational campaign for the universal abolition, which includes not only feminist voices but also pro-life activists, bioethicists and medical experts. The well-known division in the prostitution debate between abolitionists - opposing the commodification of women - and reformists - claiming the right of women to work with their body - is replicating in the surrogacy debate. However, there are some differences to take into account: the heterosexual man is not the typical and only client of surrogacy services, which in fact are used by women, heterosexuals and same-sex couples; the production of a baby is the goal of surrogacy; woman's autonomy rhetoric intersects with one of gift and women's solidarity.

To what extent the disapproval of commodification of women and children can set the limits for the expression of women's autonomy in contemporary pluralism of values? What is hindering feminists to make surrogacy a primary cause of mobilization?

Daniela Bandelli, Lecturer of sociology at the LUMSA University, is author of the research project Women's Movements and Gestational Surrogacy: engaging, debating and policy making WoMoGeS - www.womoges.wordpress.com - conducted in partnership with the University of Texas. She is doing research on this topic in Italy, USA and Mexico.

Surrogacy and feminism: changing the landscape of motherhood studies

Consuelo Corradi

Epistemological distinction between giving birth and mothering posited by feminism legitimises ARTs' continuing transformation of women's bodies into "open access flesh". However, surrogacy challenges some of the fundamental notions that have built the feminist narrative of emancipation. In particular, my discussion will revolve on feminist disparaging view of motherhood as being the bastion of women's subordination in a patriarchal society - the corollary being that the emancipation of women could happen only through opposition to or, at best, despite motherhood. I believe that "Mothering as empowerment" is as a missing piece in the broader landscape of feminist theory, particularly in light of findings that there is a significant concurrence of values and practices defining who women with children are, as both moral and social agents. How would the acknowledgement of empowering potentiality of mothering impact on feminist positions on surrogacy?

Consuelo Corradi is Professor of sociology at LUMSA University in Rome (Italy). Her research has long focused on theories of violence and critical feminist theory. She is the supervisor of WoMoGeS project - www.womoges.wordpress.com and co-editor with Daniela Bandelli of two special issues on surrogacy for *Salute e Società* journal (2019) and *Current Sociology Monograph* (forthcoming).

Obscured labor: The (in)visibility of surrogate work

Heather Jacobson

The transnational commercial surrogacy market has raised concerns among various groups (feminists, bioethicists, scholars, politicians, the Catholic Church) about the commodification of reproduction and children and the exploitation of women. In the USA context, there is a cultural anxiety about the work of surrogates that can be seen in the ways political and popular discourse centers on women's motivations for participating in surrogacy and the potential exploitative nature of the compensation they receive. Interestingly, in surrogacy legislation campaigns, ethical debates, and popular discourse an often unasked and unanswered question is: how do surrogates themselves understand their motivations and their experiences? I join others in posing this question and emphasizing the importance of empirical research with women intimately involved in surrogacy in order to better understand this growing phenomenon. In this presentation, I share empirical findings from my ethnography *Labor of Love: Gestational Surrogacy and the Work of Making Babies*, which explores USA surrogacy from the perspective of surrogates. My findings are based on 63 in-depth interviews and non-participant observation in the world of USA surrogacy over 3.5 years. I center my talk on answering the questions: How do USA surrogates frame their reproductive work, what challenges do they face, and what concerns do they themselves hold about surrogacy? I also discuss the organization of USA surrogacy and how it attempts to alleviate the concerns of various groups that oppose third-party reproduction.

Heather Jacobson, Professor of sociology at the University of Texas at Arlington, centers her research on routes to family formation in the contemporary USA. She is the author of *Labor of Love: Gestational Surrogacy and the Work of Making Babies* and *Culture Keeping: White Mothers, International Adoption, and the Negotiation of Family Difference*.

Surrogacy as a form of biocapital: theoretical approaches and empirical results

Anika König

Access to surrogacy greatly differs globally: while some countries (e.g. Germany) strictly prohibit surrogacy, others facilitate it (e.g. Ukraine). Moreover, costs vary considerably and the same services are offered at very different prices (e.g. in Ukraine, surrogacy costs approximately one fourth of what has to be paid in California). In order to circumvent local restrictions or access surrogacy at lower costs, many 'intended parents' travel abroad to commission it there. However, not only intended parents travel, but also surrogates, gametes, pharmaceuticals, technology, knowledge, etc. For these reasons, reproductive technologies have become a global industry which is based on what has been termed 'biocapital': "the conjuncture of economic action and contemporary biotechnology" (Helmreich 2008). Especially in the context of reproduction, biocapital is widely seen as highly problematic. Questions that are asked in this context are: is surrogacy a form of baby selling? Does it pose a threat to the idea that children are "precious yet priceless" (Berend 2015). Does the involvement of money violate surrogates' and children's dignity? In this paper, I juxtapose these theoretical questions and ethnographic data I collected in my research with intended parents and surrogates in Germany, Switzerland, California and Ukraine.

Anika König received her PhD in social anthropology from The Australian National University and is a senior lecturer at University of Lucerne, Switzerland. Her two main fields of research are medical anthropology, with a focus on reproductive technologies, and violence. Since 2013, she works on transnational surrogacy