



Gestational Surrogacy as Exploitation

The negative ethical judgment on gestational surrogacy is clear. It is a grave violation of both the dignity of the woman and the child to intentionally conceive and carry a baby in view of surrendering him or her after birth to others. Sometimes the surrogate mother is simply renting her womb and body for the pregnancy of a child conceived using the gametes of a man and another woman. At other times she is the biological mother of the baby with the sperm of one of the contracting parties used to father the child. There are many possible permutations to surrogacy, but it increasingly is used for the benefit of same-sex couples all of whom cannot conceive children naturally. Commercial surrogacy is the most common form, with the woman signing a contract stipulating her responsibilities and payments through the birth of the child and agreeing to have that baby legally adopted by the contracting person or couple. This can very easily lead to the financial/physical exploitation of young women living in poverty, often in economically depressed nations.

In a wide-ranging [address to diplomats](#) accredited to the Holy See in January, Pope Francis reiterated some important points about surrogacy. “The path to peace calls for respect for life, for every human life, starting with the life of the unborn child in the mother’s womb, which cannot be suppressed or turned into an object of trafficking.” He went on to emphasize, “A child is always a gift and never the basis of a commercial contract. Consequently, I express my hope for an effort by the international community to prohibit this practice universally.” Pope Saint John Paul II, in his famous *Theology of the Body*, had emphasized earlier that all human beings, and especially babies, are a gift from God and should not be treated as objects or be exploited by others.

Pope Francis used the word trafficking in reference to commercial gestational surrogacy. Throughout his papacy he has at times not minced words when condemning evil. A child conceived for the purpose of a paid surrogate pregnancy, to be handed over to the contracting party who ordered him or her, becomes the object of a commercial contract. The child’s rights are not acknowledged at all, and this kind of exploitation of some human beings by others is the hallmark of

human trafficking. If the surrogate mother plays her role under threat of violence or coercion, as could happen in some situations, she is also a victim of trafficking. Some attempt to justify gestational surrogacy as a way to overcome infertility, especially for same-sex couples. Here it is useful to recall that the modern practice of surrogacy always involves the immoral procedure of *in vitro* fertilization and embryo transfer (IVF). The Church teaches very clearly in the instruction [Donum Vitae](#) that IVF is a grave violation of the moral law. As Pope Saint Paul VI taught in *Humanae Vitae*, it is never moral to sever the essential link between the loving conjugal act of the married parents and the conception of their child in the mother's body. IVF exposes tiny human beings to multiple attacks and dangers after being conceived in a laboratory.

Donum Vitae provides a clear and final condemnation of all forms of surrogate motherhood in Catholic teaching.

“Surrogate motherhood represents an objective failure to meet the obligations of maternal love, of conjugal fidelity and of responsible motherhood; it offends the dignity and the right of the child to be conceived, carried in the womb, brought into the world and brought up by his own parents; it sets up, to the detriment of families, a division between the physical, psychological and moral elements which constitute those families.”

Couples resorting to surrogacy may want to give the child or children a loving home and raise them as their own, but a good final intention is not enough to make an act moral. The means used to achieve that end must also be good, and surrogacy, even in the best-case scenarios, fails this test.

Here is a recent example of just how inhumane gestational surrogacy can be, even in the United States: [“Intended Parents Demand Surrogate Terminate Healthy Pregnancy”](#). The surrogate mother refused to have an abortion, but the article makes it clear that her legal contract gave the couple who started the process the right to require her to abort a sick or handicapped baby if the medical problems would affect the “quality of life” of the child. There are many examples of surrogates pressured to have abortions. This happens most frequently when more babies are conceived than stipulated in the contract or when a preborn child is found through prenatal diagnosis to have malformations or a genetic anomaly. Even in the relatively rare cases of altruistic surrogacy, where the surrogate mother is not paid for her pregnancy and delivery, objective injustices against the surrogate and child remain. These babies are intentionally conceived and

implanted using the immoral and risky IVF technique. The receiving couple are intentionally depriving the child of the right to be carried in his or her mother's womb for the pregnancy—a time when mothers usually form an incredible bond with their babies. Many adopted children face some or all of these injustices, but in those cases the adoptive parents are generously trying to do what is best for the child and the birth mother who are in difficult circumstances. In the case of surrogacy, the contracting parents set out to create the bad situation and do not typically acknowledge the injustices they commit against the child and the surrogate mother.

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