

Is Surrogacy Ethical?

Some see surrogacy as a way to overcome infertility, but the practice raises serious legal and ethical questions. Surrogacy prioritizes the desires of parents above the best interests of children, and the relationship between a surrogate and the child she carries becomes confused.

Surrogacy is legally permitted in Canada within certain boundaries laid out in the *Assisted Human Reproduction Act* (2004). That Act prohibits paying a surrogate for her services, though reimbursements for certain expenses related to the pregnancy are permitted.



Starting Point:

Children are not products to be obtained through transactions or contracts. God's design directs human procreation to take place within a committed heterosexual marriage. A mother's bond with her child begins during the earliest stages of pregnancy and is meant to be both biological and relational.

Ethical Issues:

- > *Through surrogacy, a child is deliberately separated from the only person they have ever known at the time of birth, and often loses one or both of their biological parent(s) by design.*
- > *Children born through surrogacy are the objects of a contract. These children risk becoming objects of legal battles over the terms of the contract or disputes between the surrogate and the commissioning parents.*
- > *Surrogacy confuses natural relationships by wrongly dividing motherhood into multiple categories. The biological mother, birth mother, and legal mother of a child may all be different people in a surrogacy contract.*
- > *Through surrogacy, a woman's body is treated as a 'womb for rent,' separating her biological capabilities from her personhood and motherhood.*



Some have compared surrogacy to adoption, but there are important distinctions between the two.

Adoption helps children

- > Seeks to mend a broken situation and provide a family for a child.
- > Child is the primary “client” – the practice is designed to ensure a child has parents who can take care of them.
- > Parents support the child and do not cause the child’s loss.
- > Has safeguards in place designed to ensure that children are placed in safe and stable homes.



Surrogacy fails to help children

- > Creates a broken situation where adults intentionally facilitate the removal of a child from his or her biological parents or birth mother.
- > Adults are the primary “clients” – the practice is designed to get would-be parents the child they want, a child who would not otherwise exist.
- > Children must live with the adults who caused them to be removed from their biological parent(s) and/or birth mother.
- > Has no procedural safeguards to ensure the fitness of parents.



Questions to ask:



- #1 In what ways is surrogacy focused on the desires of adults, and not the needs of children?
- #2 Why do we allow women and children to be commodified by making children objects (or products) of a contract and by dividing motherhood into multiple categories?
- #3 How will you seek to protect children from the harmful impacts of surrogacy?

For more information on this issue, check out ARPA Canada’s policy report on Surrogacy!