

An Overview of Surrogacy: A Contemporary Legal Discourse from the Perspective of Commodification of the Human Body

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Abstract

Commercial surrogacy is an even more complex and contentious issue among jurists, economists, and policymakers like other medico-legal issues especially when surrogacy is conducted for wealthy foreigner individuals by local poor women in developing countries. Some researchers strongly condemn the commercialization of surrogacy and amount it to the commodification of women and children. Whereas others defend that payment to surrogates does not commodify her or the child. Some contend that she demeans humanity by renting her womb, on the contrary, some defend that she does not disgrace humanity when she gives the pleasure of a baby to an infertile couple. Legal Position is still not very clear globally. In the U.S, most of the states have permitted it with some conditions whereas English law prohibits it. This article aims at revisiting the current debate about the ethical and legal position of commercial surrogacy.

Keywords: Surrogacy, Commodification, English Law, Renting wombs, Gamete sale.

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1. Introduction

Surrogacy¹ is a complicated and divisive issue with a variety of ethical, scientific, and legal consequences. Commercial surrogacy is an even more complex and contentious issue among jurists, economists, and policymakers like other medico-legal issues especially when surrogacy is conducted for wealthy international individuals by local poor women in developing countries.² Surrogates are blessings for infertile couples who can't carry their babies. But volunteers for surrogacy are hard to find and monetary attraction is considered the sought-after solution in this matter. Gametes' availability is also a problem.

Those couples are also facing scarcity that requires gamete donation and living in those countries where gamete sale is impermissible. People travel to those areas where there is no scarcity of gametes due to monetary incentives. Frozen embryos are a challenge from the legal point of view too.³ Lack of monetary incentives has increased 'medical tourism'. Couples travel to other parts of the world where gametes are easily sold, and commercial surrogacy is not illegal. It has become a very lucrative business where surrogacy experts and professionals do all the labor on the client's behalf to customize according to individual requirements and meet the needs to bring the child into this world. According to the statistics of the

¹Surrogacy is the "Practice in which a woman (the surrogate mother) bears a child for a couple unable to produce children in the usual way, usually because the wife is infertile or otherwise unable to undergo pregnancy". The online encyclopedia of Britannica. <http://vlib.interchange.at:2078/eb/article-9070470>.

²Virginie Rozée and others, The Social Paradoxes of Commercial Surrogacy in Developing Countries: India before the New Law of 2018, *BMC Women's Health* (2020): <https://doi.org/10.1186/s12905-020-01087-2>.

³ Elizabeth Cason Crosby Cheely, Embryo Adoption and the Law, *The Ethics of Embryo Adoption and Catholic Tradition*. vol. 95: 275-306.

Permanent Bureau of The Hague, the industry of surrogacy grew by 1000 percent internationally between 2006 and 2010.⁴

Broadly defined, surrogacy is a procedure in which a woman agrees to become pregnant for a couple or another woman for altruistic or financial reasons. She abandons her child at birth and agrees to adopt it to a woman who would become a legal mother.⁵ Commercial surrogacy refers to any arrangement in which a woman is paid for services, in addition to reimbursement of medical expenses inheriting a friend's pregnancy. There are two forms of surrogacy: traditional surrogacy and gestational surrogacy. The surrogate's egg and body both are used in traditional surrogacy. Whereas embryos made through IVF with eggs from the intended mother or a donor are transferred in gestational surrogacy.⁶ In vitro Fertilization (IVF) has significantly contributed to making surrogacy very popular.⁷

2. Debate, Arguments, and Issues

Commercial surrogacy has been in deep waters since the beginning. There are multiple issues related to this issue. One of the issues is regarding the right of the child to know their ancestral details. It is contended that commercial surrogacy infringes on the right of the child to know his hereditary history and biological parentage. Furthermore, it is also questioned if commercial surrogacy commodifies children or if it is similar

⁴PERMANENT BUREAU OF THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW, A Preliminary Report on the Issues Arising from International Surrogacy Arrangements, Preliminary Doc. No. 10, March 2012, at 6, [hereinafter Hague Conference Document 2012] available at < <https://assets.hcch.net/docs/d4ff8ecd-f747-46da-86c3-61074e9b17fe.pdf>>.

⁵Maria Aluas, "Ethical Issues Raised by Multiparents" in *Clinical Ethics at the Crossroads of Genetic and Reproductive Technologies* eds. Sorin Hostiuc (Cambridge: Academic Press, 2018): 81-97.

⁶Tetsuya Ishii, Encyclopedia of Reproduction, Second Edition, 6th vol. S.V "Surrogacy".

⁷Ibid.

to child trafficking. The welfare of the surrogate is another issue. Valid criticism is that commercial surrogacy exploits vulnerable women who are from underprivileged backgrounds. Women's bodies, especially wombs are commoditized and rented. It is a very expensive procedure that benefits the rich only. The average base cost starts from \$65,000.00 - \$75,000.00 in California alone while a bonus is paid at the signing of the agreement, additional monthly allowance, non-accountable allowances, cesarean section, insurance premium and lost wages if the surrogate for employed and she was advised best rest are exclusive of this base cost.⁸ It indicates that commercial surrogacy is sought by those parties who have strong socio-economic conditions. Such an imbalance in power structure amongst the contracting power poses the danger of manipulation by parents, medical personnel and brokers of surrogacy.

However, given the continued popularity of commercial surrogacy in the United States and overseas, it is critical to educate advocates and other interested parties about the ethical, moral, and legal arguments surrounding this practice. Commercial surrogacy is a contentious issue too among scholars and researchers like other medico-legal issues. Researchers are divided into groups in this matter that is supporters and opponents. The arguments of each group are recapitulated in the following lines. Opponents are mentioned earlier.

2.1 Arguments of Opponents

Researchers writing against 'commercial surrogacy' employed various arguments for rationalizing their stance. The soundest among them is the

⁸West Coast Surrogacy, West Coast Surrogacy Costs and Fees, WEST COAST SURROGACY, INC., <https://www.westcoastsurrogacy.com/surrogate-program-for-intended-parents/surrogate-mothercost#targetText=Every%20surrogacy%20case%20is%20unique,depending%20on%20the%20individual%20arrangements> (last visited May 10, 2022).

commodification argument. Moreover, other arguments like ‘exploitation’ and ‘neediness of orphans’ are often echoed by the critics of commercial surrogacy.

A. Commodification

The Kantian argument of respect for the person is furnished. According to this notion, it is abhorrent to behave toward and treat people as objects of commerce. According to Kantian philosophy, the sale of the human being is not acceptable for the reason that it treats humans as objects instead of persons and thus as means rather than ends. Humans are sold and bought and treated as inferior to those who buy and sell them. An extra wedge will be created between babies and adults if babies are allowed to be bought and sold and there will be inequality between men and women if women are permitted to be sold and rented⁹

This commodification is twofold in nature. Firstly, surrogates are used as tools or machines to manufacture their desired product. Payments to bear a child amount to treating the human body as an object of commerce. In the words of Anderson: “Contrary to popular belief, pregnancy contracts turn women's biological work into a commodity.”¹⁰ Their bodies are reduced to a machine. It is like selling their bodies. As Sara Ketchum noted: “Making a person or their body a commodity is the same as treating them as belonging to another person's domain, especially if the selling of A to B grants B rights over the person or their body.”¹¹

⁹Sara Ann Ketchum, “Selling Babies and Selling Bodies”, *Hypatia*, vol. 4. no. 3 (Autumn 1989): 116-127.

¹⁰Elizabeth S. Anderson, “Why Commercial Surrogate Motherhood Unethically Commodifies Women and Children: Reply to McLachlan and Swales,” *Health Care Analysis*, no. 8: 19-26.

¹¹Sara Ann Ketchum, “Selling Babies and Selling Bodies”, 116-27.

Secondly, these contracts of commercial surrogate motherhood treat babies as the object of commerce.¹² Money that transfers hands in such contracts constitutes the buying and selling of the baby. Advocates of a ban on commercial surrogacy consider that baby-selling amounts to selling a human being. Elizabeth S. Anderson says: “commercial surrogacy agreements consider the child's parental rights not as fiduciary rights assigned in the best interest of the child, but as similar property rights assigned at the parent's will, thus making the child inappropriate.”¹³ The sale of a human being devalues humanity. In the words of Ketchum: “The simplest argument for banning the sale of babies is that the sale of humans should be banned because it is the sale of humans and degrades human life and the value of the individual.”¹⁴

B. Exploitation

The exploitation argument states that if commercial surrogacy is permitted then poor women will feel forced to enter into such contracts when they desire not to do so. This child will be a burden to her instead of nurturing a ‘soul’ in her belly. Baby will be deprived of love, care and intimacy from the very beginning. She will produce babies even when she can’t afford it physically. She will produce more and more babies to meet both ends. Heidi writes in this regard: “The third argument to child-bearing contracts claims that giving impoverished women the chance to be compensated for their labour will lead to gender exploitation. They might feel pressured into making these agreements even though they would prefer not to.”¹⁵

¹²Heidi Malm, “Paid Surrogacy: Arguments and Responses”, *Public Affairs Quarterly*, vol. 3, no.2 (April, 1989): 57-66, www.Jstor.org/stable/40435711 (accessed January 1, 2011).

¹³Elizabeth S. Anderson, “Why Commercial Surrogate Motherhood Unethically Commodifies Women and Children: Reply to McLachlan and Swales,” 19-26.

¹⁴Sara Ann Ketchum, “Selling Babies and Selling Bodies”, 116-127.

¹⁵Heidi Malm, “Paid Surrogacy: Arguments and Responses”, 57-66.

C. Neediness of Orphans

Orphans will find no home if commercial surrogacy is permitted.¹⁶ Money will induce females to enter the contract of surrogacy. Consequently, it will become so easy for infertile couples to have a child if they cannot get it naturally. And no one will turn to orphans. Consequently, it will turn the fate of orphans' evils as they will not have any chance of adoption by families. In the words of Ketchum, "children are residing in institutions in third world states about whom it is hard to believe they would not be better off being adopted by an American couple. It is fair conceivable that they would be more likely to be received on the off chance that contracted parenthood were less accessible."¹⁷

2.2 Supporter's Arguments

This group has posed counterarguments to the stances of the former group. Hence, in their view the opponents have misconceived the notion on numerous grounds.

A. Payment is not for Child.

Firstly, payment is made not for the child. It is given for the surrogate's services, efforts and risks for bearing a child. She is paid for the loss of earnings due to pregnancy, for the pain she bears, and for the exertion she may make to restore her body to its original position that was before pregnancy. According to Heidi Malm, when a woman is paid against surrogacy, she is being paid for the risks she bears by nurturing the child in her womb and delivering, not drinking coffee or alcohol during pregnancy,

¹⁶ Ibid.

¹⁷ Sara Ann Ketchum, "Selling Babies and Selling Bodies", 116-127.

loss of earnings from other sources, and making her body return to her original condition.¹⁸

Secondly, reimbursements are not made to the mother for her transferring the right of custody of the child but for giving up that right. Hence it does not amount to a sale in the legal sense. This argument is rejected by the first group on the ground that it does commodify children even if it does not constitute a 'legal sale' in the strict sense. Anderson is of the view that commodification is not a legal concept; instead, it is an ethical and cultural concept. If this transaction does not amount to a sale, even then it may still commodify children where it has replaced the parental norms about custody and rights of the child with market norms. She argues that payment for surrogacy turns the control of parents over the child as a trust into alienable property rights.¹⁹

B. Commercial Surrogacy does not Commodify Women

According to this group commercial surrogacy does not disrespect or disgrace women as claimed by McLachlan and Swales in their article.

There's nothing intrinsically off-base with treating a lady as an egg-laying machine for a child but doing so does not avoid treating her with regard. In like manner, in case a given mother is taken care of insolently by the other parties to a pregnancy contract, the issue lies with the particular people

¹⁸Heidi Malm, "Paid Surrogacy: Arguments and Responses", 57-66,

¹⁹Elizabeth S. Anderson, "Why Commercial Surrogate Motherhood Unethically Commodifies Women and Children: Reply to McLachlan and Swales", 19-26.

treating her that way instead of with the surrogacy courses of action themselves.²⁰

Supporters of commercial surrogacy reply to the argument of women being commodified by commercial surrogacy in another way as well. ‘Contracts’ show independence and particular perception of parties according to them. Thus, when pregnancy contracts are voluntarily made them, it does not violate the dignity, honor, and respect of human beings. The first group is not convinced by this explanation and refutes the stance on the ground that some rights are so vital for the dignity of ‘Humans’ that they can’t be given up or alienated even if a person consents to transfer them. They are not transferable. The rebuttal is articulated in the following expression:

The mistake in this contention is its disappointment to recognize that a few rights in one’s *individuality* are so basic to respect and independence that they must be held basic. Usually not a paternalistic claim. The claim isn't that people must be ensured from their awful judgment. The claim is or maybe that there are a few ways of treating ethically questionable individuals, indeed in the event that they assent to be treated those ways.²¹

C. No Exploitation of Poor

Surrogacy creates no exploitation of the poor. If commercial surrogacy is utilized by poor ladies for escaping their poverty, then there is no wrong with it. It will bring no good if we completely ban it on the ground that some

²⁰Hugh V McLachlan and others, “Babies, Child Bearers and Commodification”, *Health Care Analysis*, no. 1: 11-29.

²¹Elizabeth S. Anderson, “Why Commercial Surrogate Motherhood Unethically Commodifies Women and Children: reply to McLachlan and Swales”, *Health Care Analysis*, no. 8: 19-26.

poor ladies will employ it for the want of money and use it as a means to evade their poverty.

D. Orphans Rights cannot Bar others from having Children.

It is not the logical ground of banning surrogacy that the orphans in orphanages will lose the chance of having a home. Having too many orphans does not mean that a couple should be refused to have the opportunity to have a child who will be genetically related to them. Heidi writes in this regard:

If finding homes for difficult-to-place children serves as a justification for forbidding an infertile couple from having and raising a child genetically related to at least one of them, it also serves as a justification and just as a compelling justification for forbidding a fertile couple from having and raising a child genetically related to at least one of them. But few of us would support, much less accept, a government that could honestly tell a fertile couple, I'm sorry, we can't let you have and raise a child who is genetically related to at least one of you because there are too many other children who need homes.²²

3. Gametes: property or not?

Researchers are divided on the issue of whether the law should treat gametes²³ as property or not like they are on the question of the sale of body

²²Heidi Malm, "Paid Surrogacy: Arguments and Responses", *Public Affairs Quarterly*, vol. 3, no.2 (April. 1989): 57-66.

²³"Gamete is sex, or reproductive, cell containing only one set of dissimilar chromosomes, or half of the genetic material necessary to form a complete organism (i.e., haploid). During fertilization, male and female gametes fuse, producing a diploid (i.e.,

parts. Some of the researchers claim that the best explanation of the status of the gametes is considering it as a ‘property’²⁴ whereas others deny on the ground that it leads to the commercialization and commodification of gametes and thereby of persons.

Supporters of the property regime claim that the concept of ‘property’ is misunderstood by people as absolute dominion over things whereas it should be realized as a series of relationships generating, and generated by claims or rights about objects. Kath O Donnell, a researcher at the law school of the university of Hull propounded in this regard that property is misunderstood most of the time that it has the commodification argument engraved in it and it has not to be unlimited and absolute whereas liberal analysis of property represents autonomy, identity, personhood, and rights to control reproductive material.²⁵

This group quotes the long tradition of the relationship of property and self that urges that property enhances essential elements in the development and flourishing of identity or personhood and autonomy. Radin’s notion of personal property is reiterated here, who defines it as claims which are so intimately bound up with the person that they are

containing paired chromosomes) zygote.” Online Encyclopedia of Britannica. <http://vlib.interchange.at:2078/eb/article-9070470>.

²⁴There is a minority group in this matter as well who supports incomplete commodification. One of its supporters Suzanne Holland writes in her article: incomplete commodification affords us a more accurate reflection of the realities of our human transactions: we value both market efficiency and the fullness of our personhood. In other words, incomplete commodification provides a way of regulating the market and evaluating what reach the market ought to have for a particular entity, in this case non-organ body parts. Furthermore, it allows us to arrive at a mean between the two extremes of complete commodification and complete non-commodification.” See Suzanne Holland, “Contested Commodities at Both Ends of Life: Buying and Selling Gametes, Embryos, and Body Tissues,” *Kennedy Institute of Ethics Journal* 11, no. 3 (Sep. 2001): 263-284.

²⁵Kath O Donnell, “Legal Conceptions: Regulating Gametes and Gamete Donation”, *Health Care Analysis*, no. 2 (2000): 137-54.

constitutive of human freedom, individuality, and personality?²⁶ From these notions, Donnell concludes: “Once body parts such as gametes, with their particular uniqueness and significance, become severable objects in reality and enter the external world, theories of property for personhood provide a justificatory basis for acknowledging and protecting the individual’s continued interest in them”.²⁷

Regarding the commodification argument, this group replies that gamete donation and assisted reproductive technology are already commercialized and commodified. This is an inevitable truth. It has become a very profitable business for clinics. Only donors are not earning from it. Deprivation of donors from making money isn’t preventing gametes from being commercialized and commodified. In the words of Kath O Donnell: “commodification is presented as an inveterate evil, but there is a failure to acknowledge that gamete donation and assisted reproductive technology is the locus of enormous commercial interests and enterprise but not for the originators of the genetic material. Donors are not making money”.²⁸

4. Laws Related to Commercial Surrogacy and Gametes Sale

4.1 United States of America

There is no uniform code for commercial surrogacy in the United States.²⁹ Every state has its way of dealing with commercial surrogacy. Rather, commercial surrogacy seems more like a patchwork of competing opinions in different states. The legislation trend is of varying degrees from

²⁶Margraet Jane Radin, “Property and Personhood”, <http://cyber.law.harvard.edu/IPCoop/82radi.html> (accessed January 2011).

²⁷Kath, *Legal Conceptions*, 137-54.

²⁸ *Ibid.*

²⁹Christina Caron, “Surrogacy Is Complicated”, *New York Times*, April 18, 2020, <https://www.nytimes.com/2020/04/18/parenting/pregnancy/surrogacy-laws-new-york.html>(accessed May 10, 2022).

prohibition to permission. This makes the situation even more complex legally and ethically. Despite this, it's a thriving business and a multibillion industry in the US. Three states Nebraska, Michigan, and Louisiana have prohibited commercial surrogacy.³⁰ Two have made the contracts of commercial surrogacy unenforceable. Ten states have allowed this kind of surrogacy whereas thirty states have forbidden it but with caveats. In five states, commercial surrogacy is practiced with many legal hurdles and the outcomes of such surrogacy are also inconsistent legally. Moreover, these states allow certain stipulations that the couple that needs a child through surrogacy must be married and heterosexual. So much so, that it is also required in some states that they will allow a surrogate to keep the baby at some point in time.³¹ California is considered to be the most surrogacy-friendly state in the U.S. and has become a top destination for medical tourism. California is one of the states that permits surrogacy and regulates the contracts of surrogacy as well. Even before the birth of the child, the court assigns the legal parentage status to the intended parents. This parentage takes full legal effect when the child is born. Furthermore, California does not have any specific requirements for who can become a surrogate or where the residence should be. The State of Virginia is one of the states that permits surrogacy but mandates a lot of pre-requisites. For instance, the intended parents must meet the same criteria that adoptive parents require to fulfill. Moreover, the surrogate will not receive any money for her services and there will be a requirement of residency too. As mentioned earlier, some of the states are in vague situations. They neither

³⁰ <https://www.creativefamilyconnections.com/us-surrogacy-law-map/> (accessed May 10, 2022).

³¹ Robert Klitzman, "Paying gestational carriers should be legal in all states", Stat, Feb 12, 2020, <https://www.statnews.com/2020/02/12/paying-gestational-carriers-should-be-legal-in-all-states/> (accessed May 10, 2022).

regulate it through statute nor address it through any case law. Practices in such states are very different from each other.

4.2 United Kingdom

In the United Kingdom, gamete donation is dealt with by the Human Fertilization and Embryology Authority.³² It was created by the Human Fertilization and Embryology Act of 1990. It can license the clinics to use the technique and decide the rules for the compensation of gametes donors. According to the Human Fertilization and Embryology Act of 1990 (as amended), it is illegal to trade in sperm and eggs. Section 12(1) of the said Act states that: “No money or other benefit shall be given or received in respect of any supply of gametes, embryos or human mixed embryos unless authorized by directions”.³³

It is an offense in the U.K to give or receive money for the supply of gametes as noted by section 41(8-9) of this Act:

Where a person to whom a license applies or the holder of the license gives or receives any money or other benefit, not authorized by Directions, in respect of any supply of gametes, embryos or human admixed embryos, he is guilty of an offense. A person guilty of an offense under subsection (8) above is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level five on the standard scale or both.³⁴

³²<http://www.hfea.gov.uk>.

³³Section 12 (1), Human Fertilization and Embryology Act, 1990.

³⁴Section 41, Payment to donors, Human Fertilization and Embryology Act, 1990.

However, donors can claim reasonable expenses for loss of earnings and travel according to the HFEA guidance:

Donors may be reimbursed all reasonable expenses incurred in the UK in connection with donating gametes or embryos (for example a standard-class rail ticket by the most direct route), but not excessive expenses if these would be benefits in themselves. Expenses claimed by donors should be directly linked to the process of donation (for example, the cost of travel to the center, or the cost of childcare during donation when the donor would normally be caring for the child). They should not be expenses which the donor would have incurred irrespective of their donation.³⁵

Thus, the law disallows the reimbursement of donors but allows them to be compensated for expenses and the inconvenience of donation. It is the HFEA to decide as to how much compensation would be adequate for loss of earnings, expenses, and inconvenience of donation within these legal limits. HFEA last reassessed its rules on donation in 2005. According to the current policy of HFEA, donors are not allowed to sell their gametes, they can only claim reasonable expenses, for example travel costs, and loss of earnings up to £61.28 for each full day (as for jury service), with a limit of £250 for each course of sperm or egg donation.³⁶

Apart from this kind of compensation, another option of “egg sharing” is also available in the U.K. Egg sharing is an arrangement where

³⁵ 13.1 and 13.2 of HFEA Guidance, <http://www.hfea.gov.uk>.

³⁶ <http://www.hfea.gov.uk/6177.html>.

a woman who wants to undergo ART can have it done at a discounted fee or free by donating eggs to another woman.³⁷

One very important question which is ambiguous and unsettled in Law is regarding the autonomy and control of gametes. Neither UK law nor U.S Law is clear in this matter. They have not provided any framework for the solution of the disputes that arise regarding gametes controls.

4.3 Pakistan

There is no legislation in Pakistan regarding commercial surrogacy or surrogacy in general. However, it is being practiced undercover in Pakistan. One such case reached the higher judiciary and was decided by the name of Farooq Siddiqui case. It was an important case that shook the judiciary to its core. Farooq Siddiqui who himself was a surrogacy doctor hired a woman to act as a surrogate for him. As it was being practiced in Pakistan, he entered into a fake *nikah* arrangement with that woman. Through in-vitro fertilization, the surrogate gave birth to a baby girl but she refused to hand it over to the couple. The matter went to the court that decided not only on commercial grounds but also discussed altruistic surrogacy from the aspect of Islamic law. It declared that surrogacy is un-Islamic and hence prohibited. Commercial surrogacy was of course banned too. Eventually, the Court refused the custody of the minor to Dr. Farooq but gave him the right to visitation. It was further taken to the Federal Shariat Court which upheld the decision of the Trial Court and cited the dire need for legislation.³⁸

³⁷Aaron D. Levine, The Oversight and Practice of Oocyte Donation in the United States, United Kingdom and Canada, www.springeronline.com (accessed January 2011).

³⁸Farooq Siddiqi v. Mst. Farzana Naheed, PLD 2017 FSC 78.

5. Conclusion

In U.K Law, voluntary surrogacy is permissible though unenforceable. She may be entitled to reasonable expenses, but commercial surrogacy is impermissible. Some researchers strongly condemn the commercialization of surrogacy and amount it to the commodification of women and children. Whereas others defend that payment to surrogates does not commodify her or the child. Some contend that she demeans humanity by renting her womb, on the contrary, some defend that she does not disgrace humanity when she gives the pleasure of a baby to an infertile couple. U.K Law is very unequivocal in this regard that only reasonable expenses may be reimbursed to the donors for their expenses, inconvenience, and loss of earnings but no amount above that can be paid. Besides that, egg sharing is also an offer in recognition of altruistic action. The researcher's viewpoint is divided in this regard as well. Some view gametes as property and some do not. However, the U.K. government is facing strong pressure to review this policy. Many newspaper articles can be seen that call for increased payment for gametes donations. There are two reasons for this situation. Firstly, there is a shortage of gametes and couples face difficulty in seeking gametes from donors. On the other hand, there is no uniform federal law for the entire U.S. Rather, the legislative trends are varied throughout the country. There is an active debate about its ethical standing, but the booming business is molding the trend in its favor.
