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Sri Craven

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Book Review: *Surrogacy: A Human Rights Violation*

Sri Craven is Associate Professor in the Department of Women, Gender, and Sexuality Studies at Portland State University, Oregon. She has published several articles on transnationalism as a theory, method, and pedagogy.

Book under review: Renate Klein. 2017. *Surrogacy: A Human Rights Violation*. Victoria, Australia: Spinifex Press.

The central contribution of Renate Klein's book is to document reports by activists, case studies, and readings of legal regulations about the negative impacts of commercial surrogacy. Klein is an Australia-based retired scholar of reproductive health sciences, and co-founder of Spinifex Publishing. The book, emerging from Klein's own involvement in the activist network FINRRAGE (Feminist International Network of Resistance to Reproductive and Genetic Engineering), is a feminist manifesto that calls for an end to commercial surrogacy. Its style may best be described as non-academic scholarly, with evidence and arguments drawn from both scholarly and non-scholarly sources.

Klein urges readers to take a more critical look at surrogacy, particularly liberal feminist notions of choice and agency. The book's six chapters, as well as the introduction and conclusion, analyse the harms to women's bodies resulting from medical interventions, the economic disparities that drive the surrogacy industry, and the symbiotic relationship between profit-driven medical research into reproductive technology and surrogacy.

Klein starts by defining commercial surrogacy as a process whereby a woman carries a fetus for another couple in exchange for money. The fetus may be biologically/genetically related to one or both of the commissioning partners, or genetically unrelated to either. The process is overseen by fertility clinics, surrogacy agencies, lawyers, and sometimes psychologists. From this definition, Klein builds her argument against commercial surrogacy by presenting what she calls "short- and long-term harm" (13) to all involved. Drawing on documented reports from a variety of sources, including legal actions, unpublished research, and memoirs, Klein argues that surrogates are rarely

made aware of the medical complications—sometimes fatal—that result from the processes of egg extraction, implantation by medical intervention, and *in vitro* testing. The emotional toll on surrogates and commissioning mothers are also rarely taken into account. Further, Klein argues, the children born of surrogacy experience conditions similar to child trafficking in that money and border-crossing are often involved. Other "harms" to children born through surrogacy include abandonment by commissioning parents, removal from gestational parent, and/or the possibility of encountering siblings that one has never known or known of.

In further chapters, Klein draws on additional types of evidence, such as news reports and published work by journalists and feminist activists, to argue that surrogacy, through its bank of donated eggs, sperm, and embryos, directly feeds the for-profit reproductive technologies market. Klein exhorts readers to recognize the potential and real ways that women's bodies are used as "testing sites" in this market, and the "violence [constituted] against women and other non-human animals and plants" (108) by reproductive technologies such as genetic testing, gene modification, and cloning, all of which Klein attributes to patriarchal control over women's bodies vis-à-vis medical technology.

Klein structures her arguments against surrogacy around the central issue of patriarchal control. She reads Australia's regulatory legal frameworks for immigration, adoption, and surrogacy as driven by male-centric notions of inheritance and family ties. She also examines reports from conferences and feminist groups about regulations in Europe, East Asia, and Australia to argue that these regulations fail to counteract market forces that work through the male-dominated market logic of monetizing women's bodies. Klein documents and draws on feminist campaigns and scholarship across Europe, North America, Asia, and Australia that have worked to build consensus and collective action against the surrogacy industry, which, Klein repeatedly argues, uses women's bodies for profit rather than altruism. Add in issues of race and class, and surrogacy is a process to be ended, rather than celebrated. As Klein states, "the birth mother is always from a lower socio-economic class, and also often from a different 'lower ranked' ethnicity than the commissioning couple" (7).

Klein's urgency to end surrogacy, however, results in her making two related claims that require a more critical handling. First is the issue of the rights of the unborn. Klein's arguments about the "rights" of children to be born without their origins being tied to money and their rights to be raised by gestational parents are not sufficiently complicated further through a feminist lens. Her argument occludes the important, albeit uncomfortable, consideration that all children's origins are tied in some way to financial considerations via the unpaid and paid labour of parents. Importantly, Klein's notion that children have the right to raised by gestational parents radically disavows the very feminist approach she emphasizes, namely, a consideration that would see parenting as a combination of economic, physical, and mental efforts that might sometimes come from those who did not, in fact, give birth to a child. The second issue, which Klein foreshadows in her introduction, is that of gay men and surrogacy. Klein describes a notorious case from Australia in which two gay men used their son (birthed by a surrogate in Russia) as part of a pedophilia network to argue that surrogacy is one way men can create children whom they might later abuse. Such use of atypical examples—even in cases where the exceptions are important enough to require mention—requires careful caveats. Klein offers only that such cases "we all hope . . . are rare" but that we cannot "know for sure" (41). This issue in particular, and Klein's arguments in general, require a much more rigorous framing.

Indeed, while Klein's agenda and tone are clearly activist, the book would benefit from a critical studies approach to the many nuanced aspects of surrogacy. For example, several scholars have suggested that surrogacy has helped to de-naturalize heterosexuality and the heterosexual couple as the norm for reproduction and child rearing (e.g., Barrett 2015; Morera 2018).

Further, being mindful of Klein's call to understand choice in "the social context within which women make decisions" (17), it can be argued that surrogacy does in fact represent agency for some women. Not all women are constrained by finances or male control (such as by husbands)—factors that might force women into surrogacy. Klein only documents the latter cases from developing countries but does not consider the former in any cultural context. In her assertion that commercial surrogacy is always a harmful practice, Klein overlooks women who may choose more freely what to do with their bodies.

On whole, *Surrogacy* is a valuable source of densely packed information on the big arguments around surrogacy. It is not, however, a scholarly engagement with the very concepts of choice, agency, rights, and ethics that Klein raises as reasons for banning commercial surrogacy. In the assertion that surrogacy represents an "individualistic desire for a child" that translates to the "right to" have one "whatever the price, and whoever gets left behind" (10; emphasis original), Klein appears to argue against a rights-based ethical framework. It is not clear how this view aligns with her concern for the "human rights" of children and surrogate women. The book repeats many of its arguments, which are often couched in emotional terms to "Stop Surrogacy Now"—the name of the campaign that was launched in May 2015 by a large network of international activists, of which Klein is also a member. This message is clear, and the book's method and style serve its activist agenda. A deeper, inclusive, and critical reading is, however, necessary to contextualize, understand, and explain surrogacy in its contemporary avatar.

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