Global Surrogacy in India, 2002-2016

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Discounted Life: The Price of Global Surrogacy in India (NYU Press, Dec 2015)

• How do labor markets in surrogate mothers emerge?

• Is pregnancy wage labor? If it is, then does the baby become a commodity? Or, is the baby a gift?
No real data available

- $1 billion to $2.3 billion business annually

- In July 2012 surrogacy business at more than $400 million a year, with over 3,000 fertility clinics across India.
Assisting fertility, 2002 to 2016

- Commercial surrogacy legalized in 2002
- Singleton baby costs from $35,000 to $45,000
- In Bangalore surrogate mothers made $4000 for each successful pregnancy.
- Two surrogate mothers for each client couple
- Each woman implanted with up to 4 fertilized eggs
- Delivered through caesarians at week 36-38 of pregnancy
Ban on commercial surrogacy, November 2016

CABINET CLEARS SURROGACY BILL 2016

* Foreigners and OCI card holders barred
* New bill proposes complete ban on commercial surrogacy
* New bill also prohibits homosexuals from opting for surrogacy
* Only legally-wedded Indian couples can have kids through surrogacy
* Unmarried couples, single parents, live-in partners barred
Why commercial surrogacy bans can be bad for women

• Altruistic surrogacy: Working class Indian women expected to provide biological reproductive labor for free.

• Countries like India and Thailand export the problem to economically more marginalized countries like Cambodia

• Surrogacy markets start resembling trafficking networks
How best to protect working class women’s rights?

- Legalize surrogacy
- Regulate heavily
- Recognize surrogate mothers rights and legally back these rights in the most robust ways possible

Garment workers and surrogate mothers, Bangalore, August 2011