**Assisted Reproduction**

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Cases regarding assisted reproduction are tricky since the legal premise around them is unclear and the issues on both sides can be debated on earnestly. Owing to the uncertainty around the ethical implications of gestational surrogacy, it is important that the argument for and against it considers the experiences of the parties involved. Bearing a child is a dauntingly emotional experience and transcends the normal definition of physical labor. Equating it with giving away a non-replenishable organ can be problematic in my opinion since the welfare of the child is an added variable in this equation. However, the financial part of this argument rings true as the window for exploitation is wide open. Gestational surrogacy, if not regulated, will eventually lead to the creation of an ultra-rich faction which would pay poor and desperate women to have their children. In no ethical premise should that abuse be allowed.

Surrogacy is rapidly moving to become an attractive option for rich people especially those who are biologically unable to have children. Its commercialization will conclude that pregnancy is equal to physical labor which is ethically questionable. The fact that the child’s welfare is an added variable amidst the will of consenting adults should be considered. If rich parents pay another woman to have their child, it puts a dangerously risky monetary value on the child itself. The severe hormonal fluctuations automatically make the experience psychologically testing for the surrogate. If an open market is allowed to set up rates for the pregnancy and inevitably the child, it is bound to put a strain on the mental well being of both the surrogate and the child. Another ethical issue with gestational surrogacy is the simple fact that around a hundred thousand American children are in the system waiting for an adoption. One side might call it selfish and conceited for rich people to want children that are biologically theirs. This argument gets stronger if the rich people in this scenario are capable of having biological children of their own and would still prefer gestational surrogacy. The other might advocate for the freedom of the parents to choose. Restricting this freedom with appropriate legislations is the middle ground in this controversy.

There is a high probability of emotional attachment between the birth mother and the child which makes it likely that the surrogate might re-evaluate her decision after birth. The restriction of time on this re-evaluation provides the surrogate with a window to choose and keep the child. This limit on her decision to keep the child might be degrading for the surrogate but it is in the child’s interest if the custody is sorted as soon as possible. Keeping in mind the emotional risks involved for both the child and the surrogate as well as the ethical issues with the commercialization of something as invasive and personal as a pregnancy, I believe that parents should be encouraged to seek adoption instead of surrogacy. However, this argument stands hollow in a capitalist society where every luxury awarded to the rich is the direct result of oppression of the poor and an exploitation of their labors. The issue of freedom of consenting adults is breached if gestational surrogacy is completely banned. A middle ground with regulated legalization is the most ethically feasible course of action.

In the specific case provided to us, there is the complexity of the surrogate changing her mind despite constant reassurances that she was emotionally capable of being a surrogate. In this specific case where the biological parents have compensated all financial and medical strains of the surrogate and have a contract to show for it, it is likelier that they will win the legal battle for the child’s custody. Ethically, the process itself is wrong, invasive and exploitative but the clear terms of the contract, if fulfilled by one party must be reciprocated by the other as well.