

# **Affective de-commodifying, economic de-kinning: Surrogates' and gay fathers' narratives in U.S. surrogacy<sup>1</sup>**

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In this paper I discuss affective and economic exchanges in commercial surrogacy in the US. I draw on a qualitative study I carried out in the US between 2014 and 2016, consisting of interviews and participant observation with 37 gay fathers in 20 families, 20 surrogates and 15 professionals. My findings suggest that emotions and affects, present in the dominant narrative of gift-giving and relatedness between surrogates and gay fathers, facilitate commodification. At the same time, I argue that emotions and affects render the effects of commodification more bearable for surrogates and intended parents, as they diminish their mutual estrangement and the surrogates' alienation from the product of their labour. On the other hand, I show how the affective processes work simultaneously with economic dimensions of making kinship. The negotiation of kinship is facilitated by economics, as compensation that surrogates receive contributes to de-kinning their parenting status and cementing the intended fathers' rights. According to my data, the exchange between surrogates and intended fathers in the US is founded on the women's lower socio-economic status. This stratified exchange, however, occurs mainly within the middle class between relatively economically empowered individuals, which is underpinned by a normative expectation of surrogates' agency and self-determination. Throughout this paper I aim to show that affective and economic exchanges I observed in US surrogacy mutually reinforce each other.

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## Introduction

Of the approximately 4 million US births each year, only about 1500 babies are born through surrogacy<sup>2</sup> (Golombok 2015, Jacobson 2016). Yet apart from a minority of families that surrogacy helps create, the symbolic power of this reproductive technology is unprecedented. It challenges the cultural norm in Euro-American kinship that links motherhood to giving birth (Strathern 1992: 147, 156; Teman 2010), expressed in the ancient Roman law statement *mater semper certa est* ('the mother is always certain'). Moreover, intended parents often transgress the norms of their jurisdictions as they travel abroad to access surrogacy, which is currently legal and available to foreigners on a commercial basis first of all in the US, Russia and the Ukraine, as well as, to a limited extent, in Canada. At the moment some US states are the only jurisdictions worldwide to allow commercial surrogacy for intended parents of any civil status and sexual identity. This infringes on two more norms as much engrained as contested in the changing American family values (Goodfellow 2015, Jacobson 2016, Lewin 2009): one of non-commodification in the exchange of babies, and the other of heteronormative parenthood. A question arises how the norms are dealt with for commercial surrogacy to appear acceptable not only by those involved in surrogacy themselves but by most Americans as well (YouGov 2015). Hence in this paper I identify and unpack the main narratives that frame the American surrogacy, which I gathered from surrogates, gay fathers and professionals who take part in the process.

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<sup>2</sup> In a surrogacy arrangement, future parents who cannot carry a pregnancy for medical or social reasons commission it to a surrogate mother. At least one of the future parents is usually genetically related to the child. In traditional surrogacy the surrogate also uses her own ova, whereas in the increasingly most common gestational surrogacy the surrogate carries the baby whilst the genetic material comes from the future mother or from an egg donor. The development of gestational surrogacy is linked to in vitro fertilization (IVF), following which the embryo is transferred to the surrogate's womb in a clinic. In commercial surrogacy the surrogate is compensated with a payment for her services, whereas in the so-called altruistic (non-commercial) surrogacy she can only be reimbursed for the incurred expenses. In this paper I use the terms 'surrogates' and 'intended parents,' following the conventional language I got to know in surrogacy communities in the US.

Drawing on the narratives from my research, and in conversation with the recent studies of surrogacy and gay fathers in the US (Berend 2016, Goodfellow 2015, Jacobson 2016, Lewin 2009, Murphy 2015), I analyze the apparently contradictory processes of affective de-commodifying and commodifying in US surrogacy. I suggest that while the promotion of socially desirable emotions and affects appears to de-commodify commercial surrogacy, at the same time it facilitates commodification. Furthermore, I trace how affective framing can not only be part of commodification, but it also co-exists with the economic exchange in surrogacy. I complete this analysis with the section on economic aspects of the process of making kinship, that is, economic kinning and de-kinning. I look at the economic dimension both from the subjective viewpoint of my interviewees' narratives and from a structural angle of their socio-economic class positions. In sociology, economic and affective aspects of relationships are still too often analyzed separately. What is more, economic aspects of making kinship may get too easily disregarded in a contemporary culture that highlights emotionally and sexually equal 'pure relationships' (Giddens 1992) and symbolic wars in family values (Stacey 2011).

I draw on a qualitative study of surrogacy I carried out in the US with 20 surrogates, 37 gay fathers in 20 families, and 15 surrogacy professionals, during 18 months between 2014 and 2016. In this study I included both surrogates and gay fathers, whereas in previous research they had usually been treated separately. As a result, through my interviewees' narratives I show how affective and economic exchanges in American surrogacy are relational. They are linked to the actors' social-economic class positions, as much as to larger normative frameworks of reproduction in the US.

In this paper, I first outline the context of surrogacy in the US, followed by my research methodology and literature review. In particular, I discuss the local frames through which surrogacy is interpreted by its actors, with a particular emphasis on the affective dimension of this process. Then I turn to the analysis of my own research findings. I discuss the two main narratives of surrogacy I identified: the affective narrative of gift-giving and relatedness, and the economic narrative of agency and equality.

## Context

Commercial surrogacy has been practised in the US for three decades now (Twine 2015). Few states (notably New York) prohibit it, whilst some (such as California) have developed established industries and laws. The latter include developments such as the pre-birth parental order which confers the future child's legal parenthood to the intended parents (rather than the surrogate) before the child is born. A surrogacy arrangement in the US costs approximately \$120,000-\$150,000, out of which the surrogate receives \$25,000-\$35,000, and the egg donor (if there is one involved) up to \$10,000, whereas the remainder covers the medical, legal, agency, and other fees and expenses. Surrogacy in the US is available to intended parents of any gender, sexuality, civil status, or citizenship. In such a form, it has developed in the broader context of marketization of reproductive technologies in the US, which has made them available to a diverse yet economically privileged clientele (Thompson 2016).

These circumstances have also attracted to the US foreign intended parents from jurisdictions where commercial surrogacy is not legal, such as China and European states. They can also opt for altruistic surrogacy in Canada, which, however, may be less readily available than within the US commercial model. An alternative those foreigners have is commercial surrogacy in Russia or the Ukraine, which, nevertheless, is officially available only to married heterosexual couples. Between 2002 and 2016, also India was a global hub for commercial surrogacy, which became, however, delegatized for all clientele other than citizen married heterosexual couples who carry out surrogacy on an altruistic basis. Likewise, following several controversies, other temporary surrogacy hubs such as Mexico and Thailand have closed their doors to foreigners (Brunet *et al.* 2013, Twine 2015).

In Europe, only the UK, the Netherlands, and Greece allow for the so-called altruistic surrogacy, which excludes advertising, agencies, surrogate compensation other than reimbursement of necessary expenses, the pre-birth parental order for intended parents, and services to foreign parents (Brunet *et al.* 2013). It is thus common for European intended parents to seek surrogacy abroad, followed by lengthy judicial processes at home for the parenting and citizenship rights to be transferred. The British and Dutch fathers I spoke to during their surrogacy processes in the US affirmed they did not do surrogacy in their own jurisdictions

because of the uncertainty of their parenting rights (the pre-birth parental order not being legal in Europe), as well as the prospects of lengthy yet often unsuccessful attempts at finding a surrogate on an altruistic basis allowed in their own countries. Other European fathers I spoke to had no surrogacy option in their own state jurisdictions, so (following some failed attempts at adoption in several cases) they sought surrogacy in America.

Recognition of foreign surrogacy arrangements in Europe reveals dynamics whereby the control over reproduction is taken away from the nation state to the advantage of global markets (Van Hoof & Pennings 2011). Some European states have taken slightly lenient approaches in acknowledging the genetic father's rights more readily (e.g., Spain or Denmark), whereas others have attempted to prioritise detecting and punishing surrogacy practices (e.g., France or Germany) – If only one can speak of any consistent state approaches at the moment, given varying and changing governmental and judicial directives, and their regional and consular interpretations Brunet *et al.* 2013. Although in 2014 the European Court of Human Rights recommended recognizing foreign surrogacy arrangements from the US (European Court of Human Rights 2014), at the same time the European Union condemned surrogacy from the viewpoint of human and women's rights, however, ambiguously and cautiously adding 'in particular in the case of vulnerable women in developing countries' (European Parliament 2015: 114). Alongside intended parents, the few associations that reunite surrogates in Europe have been promoting altruistic surrogacy (Horsey 2015), sharply distinguishing it from the commercial surrogacy model in the US and hence from commodification the latter could imply.

## **Methods**

This paper is part of my postdoctoral research study on the experiences of surrogacy in the US. I carried out the fieldwork discussed here in California and Oregon, where commercial surrogacy is legal and well-established. During the 18 months of my fieldwork between 2014 and 2016, I interviewed 37 intended gay fathers forming 20 families (which corresponded to 17 couples and 3 single fathers). A half of them (i.e., 10 families) were European parents through transnational surrogacy in the US, 2 couples were from New Zealand and Australia, and 8 families were American. The European fathers travelled to the US for surrogacy from countries where

commercial surrogacy was not legal: Spain, Italy, France, Switzerland, the Netherlands, Germany, Denmark, and the UK. Most of the American fathers I spoke to permanently resided in California. A half of the families were in the process of surrogacy during the research so I could follow them through multiple interviews, emails, and participant observation episodes. The men were all aged between 35 and 50 years. Most of the fathers I spoke to self-reported their ethnic background as white, apart from 5 who described themselves as of Asian background and 3 who self-identified as Latino<sup>3</sup>.

I also spoke to 20 surrogates, each of whom had completed or was in the process of surrogacy. Most of them had completed between 1 and 7 other surrogacy arrangements before (on average 2 arrangements per person), apart from 3 first-time surrogates. In total they had carried out 41 gestational surrogacy arrangements and 6 traditional ones. All these surrogacy arrangements were commercial. All of the women self-identified as US-American, they described themselves as white, and most of them permanently resided in the West-Coast US states of California and Oregon. They all self-identified as heterosexual and were married, apart from one who was single, and they each had between one and three children of their own. They were aged between 29 and 41 years.

I discuss my interviewees' educational and professional background further ahead in this paper (in the section on 'Classed agency and equality'), treating it as part of the data analysis *per se*. Despite the explicit emphasis in the study advert on recruiting interviewees of diverse ethnic backgrounds, I faced repeated difficulties in recruiting non-white respondents, which may be indicative of the racialised and classed nature of the US fertility industry (Twine 2015). In particular, how race shapes the use of surrogacy in the disproportionately white fertility industry can be seen in the fact that whilst the vast majority of the men and all the women I was able to

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<sup>3</sup> In their narratives I have not traced any significant differences that could possibly be related to their ethnic backgrounds, so one could risk the hypothesis that the latter may have been elided by the fathers' shared (upper-)middle-class positions and sexual identities. The only finding relating to their ethnic backgrounds was the men's predominant choice of egg donors of the skin colour resembling their own (whether the men identified as white, Latino, or Asian). It was rationalized as a desire for the child not to be too conspicuously different from at least one of the fathers in a couple, for the sake of the family's more straightforward social recognition (also see: Smietana 2016).

recruit were white, the percentage of white population in California in 2015 corresponded to only 38 per cent, and 77 per cent in Oregon (US Census Bureau: 2015).

The professionals I collaborated with in agencies and clinics reported that heterosexual intended parents constituted over a half of all surrogacy customers. Nevertheless, not only was my study designed to focus specifically on gay fathers, but I also received far fewer responses to my call for interviews from heterosexual parents as compared to gay fathers. In this study I did only one pilot interview to a heterosexual couple, however, I do not refer to it in the analysis below, as it did not allow for meaningful comparisons. In this paper, I do not analyze in detail my interviews with the other surrogacy parties, i.e., 15 professionals (attorneys, physicians, agency workers), and 4 egg donors, however, I do quote some background information from these interviews. It must be remembered that professionals contribute significantly to shaping the locally dominant frameworks of surrogacy (Rudrappa & Collins 2015). It is also relevant that egg donors were often difficult to recruit and conspicuously absent from the surrogacy communities where I did my research, as well as from a major part of the surrogacy narratives I identified. This was due, among other things, to the donor anonymity practice, common in the US, and related to de-emphasizing the potential impact of the egg donors' parenthood claims and liabilities.

I adopted the methodology of a qualitative sociological study with ethnographic elements. All the research was carried out with the participants' informed consent.<sup>4</sup> First, it involved at least one semi-structured in-depth interview with each participant, audio-recorded and later transcribed and analysed thematically with the aid of the Atlas.ti software. Second, the study included observation episodes at public surrogacy events, as well as while accompanying some of my interviewees to clinic checks, agency meetings, and other surrogacy-related sites. This part resulted in fieldnotes in my research journal, which I also used in my analysis. Third, I have been developing an ethnographic part of this research through the close following up of a few of my interviewees throughout their surrogacy process, in the form of multi-session interviews and meetings, regular email exchanges, and self-recording by some of them. Certain insights from this ethnographic part are also presented here.

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<sup>4</sup> The study was approved by the Committee for Protection of Human Subjects at the University of California-Berkeley, protocol # 2014-10-6793.

The study was advertised on surrogacy and LGBTQ community forums, as well as by direct emailing all surrogacy agencies and clinics in California, which was subsequently followed by snowballing from the initial contacts. Entering the field was slow and full of negotiations with gatekeepers. The bulk of the fieldwork was possible thanks to the sustained cooperation I managed to establish with a few key collaborators, based at a surrogacy parents' association, a surrogates' organization, a small legal firm, a surrogacy agency, and two fertility clinics.

### **Moral frames, cultural emotions, stratified relationships**

Similarly to other men and women, surrogates and intended gay fathers face cultural narratives regarding how they should plan and execute their reproductive activities and how they need to account for them. Such narratives form part of a parenting culture, as shown by Charlotte Faircloth and Zeynep Gürtin (2017). A contemporary characteristic of this culture in the Euro-American world are rules about how to develop skills in one's role as a parent, whether pre- or post-conception and birth. Normative discourses of this kind can also be compared to what Sharmila Rudrappa and Caitlyn Collins (2015: 942) call 'emotional narratives' and 'moral frames,' which mediate how a certain reproductive technology such as surrogacy is adopted by women and men who use it: 'Moral frames are not just what workers and clients feel about surrogacy; and, neither are moral frames incidental to these sort of market exchanges. Instead, we show, moral frames are systematic to, and *constitutive of*, transnational surrogacy' (*ibid.*: 942, emphasis in the original). Drawing on Erving Goffman's (1974: 21) definition of frames as 'schemes of interpretation that enable actors 'to locate, perceive, identify, and label' events in their social worlds,' Rudrappa and Collins (*ibid.*) not only show how the moral frames for surrogacy in India are actively co-created by the local fertility industry, but they also point to the existence of an emotional element of the moral frames in general, and of the frame of altruism in particular.



Indeed, emotions<sup>5</sup> have been identified as a key element of surrogacy in the US. Drawing on Arlie Hochschild's (1983) approach to emotional labour as the work done to narrow the gap between how one feels and how one should feel, Zsuzsa Berend's (2016) and Heather Jacobson's (2016) studies of American surrogates showed how the women emphasized the emotions of empathy that they had, to align themselves with the normative narrative of altruistic relationships propagated by the surrogacy industry and community. Also some gay men's active search for a relationship with the surrogate that would be based on affective rather than only commodity exchanges was depicted by Joshua Gamson's (2015) account of American surrogacy. How yet another emotion, namely one of fear, underpinned surrogacy, was insightfully set out by Aaron Goodfellow (2015) in his ethnography of American gay fathers: for fear of their family ties to their children being negated, the men in his study made sure their children would resemble them phenotypically. These studies point to the importance that surrogates, intended fathers, and the communities they interact with and co-create may attach to emotions, be it empathy, connectedness, or fear. Indeed, if moral frames are local schemes of interpretation through which technology such as surrogacy is assumed and made sense of (Rudrappa & Collins 2015), emotions are a significant part of these frames.

Emotions and affects, particularly ones that could be termed as 'altruistic' (Shaw 2008, Titmuss 1997) or 'queer' (Eng 2010, Puar 2007), have often been discussed in opposition to the ongoing processes of commodification of life on liberal commodity markets (Hochschild 2011). Previous studies of American surrogates (Ragone 1994, Berend 2016, Jacobson 2016), as well as of gay fathers (Goodfellow 2015, Lewin 2009, Murphy 2015, Stacey 2011), have demonstrated that the narrative of altruism dominates American surrogacy, and it corresponds to the expectations held by both fathers and surrogates. Heather Jacobson's (*ibid.*) research with American surrogates revealed how the narratives of altruism and relatedness obscure the surrogates' labour and make surrogacy culturally acceptable in the US. Also Dean Murphy (2015) in his study of American and Australian gay fathers through surrogacy in the US showed

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<sup>5</sup> In this paper, I use the term 'emotion' in a broad sense that incorporates both 'bodily processes of affecting or being affected' and meanings attached to these (Ahmed 2014: 208). On the other hand, affect, as compared to emotion, is often theorized as the undiscursive part of emotion, just the bodily reaction, which underlies a process of engagement, involvement, strength of investment in something (Ducey 2007: 195, Harding & Pribram 2009: 17).

how altruism provided an attractive and stable narrative of surrogacy. The altruistic narratives in Jacobson's and Murphy's studies were also linked to affective relationships between surrogates and fathers.

These findings could be related to a tradition of conceptualizing gift economies as opposed to commodity economies in that gifts, contrary to commodities, involve ongoing social relations and obligations between the giver and the receiver (Strathern 1992: 121). In this line, following the Marxian notion of alienation from the product of one's labour, Sharmila Rudrappa (2015: 19, 144) shows how the absence of affective relationships between surrogates and intended parents in India turns into a commodity what could otherwise be a gift. On the contrary, in this paper, through my study I argue that in surrogacy in the US, affective and economic narratives, which can be said to represent gift and commodity economies respectively, can be mutually constitutive. My analysis resonates with Katharine Dow's (2016) ethnographic findings on approaches to surrogacy in the UK, which revealed how her British interviewees treated surrogacy as both a gift and a commodity.

Apart from the affective dimension, it has been demonstrated that surrogacy is also structured by economic relationships. On a level of individual relationships with surrogates, some of the gay fathers through surrogacy in the US interviewed by Dean Murphy (2015: 259-69) used the term 'clean transaction' to say they could contract 'out' of mutual social and emotional obligations towards surrogates through payment. This approach fits in with the above-quoted formulations of commodity rather than gift exchange (Rudrappa 2015, Strathern 1992). However, many of the men interviewed by Murphy (*ibid.*) did eventually maintain a kind of relationships with their surrogates, in a form resembling distant kin. This again showed how commodity and gift logics may co-exist. A similar kind of kin-like relationships between surrogates and intended parents were also identified by other studies of commercial surrogacy in the US, whether domestic or transnational (Berend 2016; Carone, Baiocco & Lingardi 2016; Jacobson 2016; Smietana 2016). The contractual and financial aspects of commercial surrogacy could therefore be said to invalidate the surrogates' potential parenthood claims or liabilities, thus contributing to disambiguating kinship (Thompson 2005) - yet this did not exclude affective relationships where surrogates could take up roles other than parents.

All such individual relationships take place in a broader context of socio-economic stratification. It has been documented, particularly in commercial fertility industries, that reproductive assistants or labourers such as donors and surrogates tend to come from lower social class backgrounds, while intended parents usually represent higher-income households (Jacobson 2016, Murphy 2015, Rudrappa 2015, Thompson 2016). As reminded by Sarah Franklin (2011), reproductive technologies such as surrogacy do not occur in a social vacuum of ‘a flat world’ but rather are influenced by the existent social hierarchies. In this paper, I compare the specific class positioning of the surrogates and the fathers I interviewed, and put it in a context of the related narratives of equality between the parties, and the surrogates’ agency.

Through my findings below, I discuss how the surrogates and gay fathers I met make sense of their affective and economic relationships. I argue that in American surrogacy, gift and commodity, the altruistic and the commercial, the affective and the economic, are simultaneous and co-constitutive.

## **AFFECTIVE NARRATIVES**

I have identified two main narrative frames through which my interviewees made sense of surrogacy: an affective narrative of gift-giving and relatedness, and an economic narrative of agency and equality. These narratives co-existed and mutually reinforced one another, and were shared by both the surrogates and the gay fathers. Affective narratives usually took one of two forms: a perception of surrogacy as an altruistic gift, and a form of kinship relationships that developed between the gay fathers and the surrogates.

### ***Gift-giving***

Angela<sup>6</sup> and I meet on a children’s playground, in a park, in a small town of the East San Francisco Bay Area: it is not far from her current place, she used to live here and she knows it is one of the best playgrounds, so her five-year-old daughter is delighted to be with us here today.

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<sup>6</sup> The names of all the interviewees have been changed to pseudonyms, and other identifying details have been removed.

It is a Thursday morning and the playground is full of parents and children. While the little one is playing, we sit down on a nearby bench and start talking about Angela's current journey as a second-time surrogate, for the same gay couple. She says she is happy to share her surrogacy experience, because for her it is about helping other parents who want to create families. Indeed, she is open about being a surrogate and she does not change the subject nor lower her voice when her daughter comes up to hug her, or when another mom sits next to us. Angela recalls that her brother himself is a gay dad through surrogacy and thanks to this experience, she says, she understands well the desire to create a family. She also takes part in a home schooling project in her community and she is developing a small animal farm at her place.

Not all of the other almost twenty surrogates I interviewed reunited all such motivations and activities in one biography, yet all of them without exception told the same altruistic and children- and family-oriented narratives. Through all the interviews and fieldwork conversations I held, I could clearly see that a key narrative of surrogacy in the US involved helping others, altruism, and gift-giving. It could both incite altruistic motivations in surrogate candidates, and attract ones who already had such drives. In this vein, many of the surrogates I met reported having certain experiences prior to surrogacy that gave them an empathetic understanding of others' struggles to create families, such as infertility, LGBTQ parenting, adoption, foster care, or ARTs among their family members and friends, or at times themselves. One such example was Megan, who recalled how a medical condition and fears about infertility in her early life, in conjunction with her religion, contributed to her desire to help others.

I'm very fortunate to be able to have my son. I was diagnosed with Hodgkin's over 20 years ago. Part of that process was that I was told by several doctors that I wasn't going to be able to have children from the treatments I was having. I caught it early. So, I showed them, and I have my beautiful, healthy son ... You know, I just have felt like my purpose is bigger. I always have this feeling. I'm a Christian, and I definitely believe that there's something more that I can give back ... The people that I've shared it with, 'You know, I'm being a surrogate,' is how I've said it for some friends, 'I'm helping them'.  
(Megan, a surrogate)

Such emotions were also promoted by the fertility industry and relevant civil society associations, which framed surrogacy as altruistic. All the psychotherapists and agency owners I interviewed insisted that during screening of candidates for surrogates, they routinely excluded those who appeared to have only economic motivations. The same attitude was adopted as a dominant narrative in the parent and surrogate associations, with the help of which I was able to do this research.

### ***Kinning***

I am meeting David on the corner of Castro and Market streets in San Francisco. He has jet lag having travelled from his home in Europe the night before, but we are going for dinner. He has come to the US only for three days this time to accompany his surrogate, Lucy, to the mid-pregnancy ultrasound and medical check. So tomorrow he is flying to Southern California, where she will be picking him up by car and they will spend the day together - just like when he first met her over four months ago. That day, after the embryo transfer they spent the day together hanging around and eating out.

David and I are going to a restaurant in the gay neighbourhood, and over the dinner he is explaining to me he has met his American lawyer today. They are preparing a special contract, according to which for one year Lucy, the surrogate, agrees to be on the birth certificate as the birth mother, alongside himself as the genetic father. He will need to report the child's birth to his embassy in the US, but without the risky revelation that it is surrogacy, which as such is usually not recognized in his country.

This friendly mutual relationship that David and Lucy were building fitted in with the model promoted by surrogacy agencies, clinics, and associations in the US regarding relationships between intended parents and surrogates (but usually not egg donors). According to Sharmila Rudrappa (2015), the existence of relationships between parents and surrogates could contribute to making surrogacy more ethical. It could partly de-commodify the process and diminish surrogates' alienation from the product of their labour. Also in the public eye, where

childbirth often remains linked to motherhood (Dow 2015, Twine 2015), surrogacy could be viewed as more acceptable if the involved commodity exchange was de-commodified by an affective relationship. My findings suggest that such affective de-commodifying can reframe surrogacy relationships in intimate rather than only commercial terms. Moreover, it can convert a commercial transaction into a relationship based on ongoing mutual obligations. Affective de-commodifying can confer to surrogacy certain qualities of kinship (Strathern 1992): therefore it may be called *kinning*.

All the surrogates and fathers in this study declared they wished to maintain some kind of mutual relationships, and most of those who had completed surrogacy in fact did stay in mutual contact. They pointed to the existence of a form of relatedness among each other. On their smartphones, the surrogates showed me the photos of the children they were receiving from the parents. I saw some of the surrogates on the Facebook profiles of the fathers I became friends with and vice versa. Many of the women also mentioned the importance of exchanging Christmas cards, and some reported spending vacation or some family occasions together with the families they had helped. At the other end of the scale was a minority of my interviewees who told me they would have preferred their relationships to be closer than they ended up being. For example, Philip, a single gay father, said he would have wished his surrogate was more emotionally involved than she seemed to be. In a similar vein, one surrogate, Linda, described how disappointed she felt when the first of the four couples of intended parents she had worked with cut all ties with her after the childbirth. She said that she ‘couldn’t leave on a note of a couple treating me like I was their employee ... they got what they wanted and I’m fired’. This motivated Linda to continue, and in her subsequent arrangements she was successful in forging more satisfactory relationships with the families she helped. Whether relationships were closer or a bit more distant, they were always ‘kind of like a family,’ she said.

It’s so fun to see these babies that grew inside of me growing up. I don’t have to be in contact with them, they can tell whatever story they want about where they came from ... But I’ve gotten together with them every October to date, just to see Alex [the child], you know, so that we can catch up, I get a Christmas card with their family letter that they send out to the whole family about their comings and goings and their happenings, and

last year they had me at his birthday party, so they opened up our story to their friends and family ... Because you know, here's this person that they've never seen before, all of a sudden at Alex's party, and so, 'this is our surrogate,' you know, just sharing that, and that's just very special to have that, and Alex already told me I have to come to his birthday party this year. (Linda, a surrogate)

Similar types of relationships between intended parents and their reproductive collaborators have been found in studies of sperm or egg donation in Europe (e.g., Golombok 2015, Mohr 2015, Nordqvist 2012). Sebastian Mohr (*ibid.*) and Petra Nordqvist (*ibid.*) pointed to how the donors they interviewed desired not to be anonymous or estranged from the families they helped, yet at the same time they wished not to play any conventional kin roles. To mark this specific status, Mohr used the term of relatedness rather kinship.

Kinning of the relationships between the surrogates and the fathers by no means meant any form of co-parenting between them. Rather, both the women and the men I met throughout this research stuck to their own nuclear families, which most of them created with their partner and children with whom they were living. In this sense, they adhered to what could be termed rather conventional family values (Stacey 2011). The gay fathers declared they desired and safeguarded exclusive parenting rights over their children. They also praised surrogacy for how, in their view, it helped surrogates take care of their own families. Also the surrogates were immersed in nuclear family values, as American agencies normally recruit women who are married and have their own children. This is to serve both as a medical proof of pregnancy history and a promise of social and economic support the surrogates are expected to have at home. As one of the agency coordinators I interviewed put it, 'we prefer women who have completed their own families'. At the same time, however, through participation in surrogacy, particularly in collaboration with gay intended fathers, the surrogates I spoke to extended the conventional family values to include what many of them perceived as progressive family diversity. This way, they declared they hoped to be contributing to social change.

The conventional nuclear family narratives indeed also corresponded to everyday family practices that the gay men in this study got involved in. I was frequently invited to join them at playgrounds or their houses full of children's toys. Those family-like spaces did not have

anything to do with queer adult playrooms I had seen in the houses of some childless kink leather families in San Francisco. My gay interviewees spent their Sunday afternoons not at popular beer bust parties in the city's gay clubs, but, for example, taking down a Christmas tree at home with their young children. Some of those who had new-born babies would literally fall asleep during our interviews after all night's childcare, and I was accompanying them when they were changing diapers. These gay fathers' everyday embrace of the mainstream family values, also discussed by Judith Stacey (2011), coincides with Ellen Lewin's (2009) ethnographic findings, however criticized it may have been by some queer scholars (Eng 2010, Puar 2007).

## **ECONOMIC NARRATIVES**

In this paper I argue that, paradoxically, on a liberal commodity market, the affective de-commodifying simultaneously facilitates commodification, albeit 'with a human face'. The affective narratives of gift-giving and relatedness between surrogates and intended parents frame American surrogacy as much as simultaneous economic narratives. Indeed, as my findings show, surrogacy is founded on a socio-economic class stratification between intended parents and surrogates. Thus it is yet another case of stratified reproduction (Colen 1995), that is, power relations by which some people are empowered to nurture and reproduce more than others, and those people's reproductive solutions are predicated on the availability of low-waged reproductive labour of others. Consistently, legal contracts and financial compensation involved in American surrogacy arrangements invalidate potential parenthood claims or liability on the part of surrogates, thus de-kinning them as mothers. Yet even these economic dimensions of US surrogacy are shaped by normative frames, according to which the economic relationships between surrogates and parents should be equitable. The surrogates' agency is expected not to be coerced, and thus to stem from a positive affect rather than from economic pressure. On the contrary, no affect of this kind is usually expected from egg providers, as their relationships to intended parents are usually de-kinning by the promoted rules of donor anonymity.



### *Classed agency and equality*

How equal and how stratified were the relationships between the surrogates and the fathers in my study in fact? The vast majority of all the individuals I met in this research fell into a broad category of middle class. The gay fathers mostly represented upper middle classes, while the surrogates belonged to lower middle classes<sup>7</sup>. The women were not situated at the very bottom of the class hierarchy (as for example some surrogates in other countries such as India, see Rudrappa 2015), because the US fertility industry did not want to risk recruiting surrogates of too low a socio-economic status. As my professional interviewees highlighted, it could then be inferred that the women had been forced to do surrogacy for a living, which would be regarded as exploitation. Hence another narrative trait of the US surrogacy model is the normative expectation of free agency and self-determination of the adult parties in the process. An example of this narrative was provided by the surrogate Angela, who declared that the financial compensation that she had received from surrogacy was not necessary to her household economy, but rather it was an extra earning that she had freely opted for.

It [financial compensation for surrogacy] is nothing that we need. We're doing fine, my husband makes really good money. It did help us because it helped us put a down payment on our house. And that's how we ended moving out. We got to build a house from the ground up... It helped us build. We can pay monthly easily, but you know it's that down payment that always gets you ... So it made me feel nice. (Angela, a surrogate)

Certain class differences between surrogates and intended fathers could be well seen in educational achievement and, even more, their actual jobs. Four of 20 women I interviewed had graduated from high school, 7 had college degrees (mostly Associate), 7 held university degrees (mostly Master's), and 2 had a PhD. 17 out of 20 were employed beyond their surrogacy arrangements during our interviews; 3 were unemployed. The jobs they did included a bar

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<sup>7</sup> In determining socio-economic class, I first elicited my interviewees' self-identification. Then I inferred their class from their current jobs and completed educational degrees, and I compared it to Giddens & Sutton (2013), which generally confirmed the initial self-identification.

tender, a customer service representative, a beautician, a nutritionist, a nurse, 2 administrative employees, 5 teachers (high school, special education, college, home school), 3 surrogacy coordinators in agencies, and 2 surrogacy agency owners.

The class position of the gay fathers in this study tended to be higher. All but 2 of the 37 men had higher education diplomas (30 Master's degrees, 4 BA degrees, 2 college Associate degrees, and 1 PhD). Their jobs were also positioned more highly in the social hierarchy, which was exemplified by professions such as judge, lawyer, manager, physician, or software programmer<sup>8</sup>. I did not meet a surrogate who would be carrying out any job of this kind.

At the same time, however, all of the women did hold other means of subsistence beyond surrogacy, and none used social welfare benefits. Also in terms of education, the comparison showed some overlap between the surrogates and the fathers; both belonged to predominantly college-educated groups. Yet interestingly, the contrast between the surrogates' education and employment made them appear to be over-educated or under-employed.

These educational and employment data suggest that American surrogacy is underpinned by socio-economic class stratification, which, however, is contained within the middle class. These findings can also be further contextualised and confirmed by my interview data on the origin and destination of the money exchanged between my interviewees throughout surrogacy. The total cost of a surrogacy arrangement in the US is at least \$120,000-150,000, which includes approximately \$30,000 for the surrogate, \$5,000-10,000 for the egg donor, and another \$80,000-110,000 for medical, legal, agency, and other fees and expenses. The fathers normally used three types of resources to gather the sum they needed: family inheritance (including in the form of apartments they rented or sold), their own life savings and salaries that were high enough, or bank loans including mortgage. On the other hand, the surrogates I spoke to usually used the approximately \$30,000 of their surrogacy compensation to improve their housing (for a down payment of their house or major house renovations), to invest in a family business, and to pay off their school loans or save towards their children's education. What a Californian surrogate

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<sup>8</sup> The full list of the fathers' jobs included: a judge, a foreign office representative, 3 lawyers, 5 managers in international companies, 5 specialist physicians, an air traffic controller, an architect, an interpreter, 2 real estate agents, a finance consultant, 2 software programmers, a pharmacist, a photographer, 2 university lecturers, as well as, in classes more similar to those of surrogates, 2 high school teachers, a construction company owner, 3 administrative employees in a bank/a hospital/and an insurance company, a shop assistant, and 3 stay-at-home dads.

receives corresponds to approximately the average annual income per capita in the state (Department of Numbers 2015). The surrogate compensation would thus barely suffice as an independent means for a living, let alone as a means of upper class mobility - yet it does offer a substantial extra income, permitting large improvements of the household economy.

### *Economics of parental suitability*

Gestational surrogacy is possible thanks to technology: skypes, flights, embryo transfers, ultrasounds and their images are just some elements of this challenging and complex, transnational and biomedical mode of reproduction. It offers additional options for parenthood for both non-heterosexuals and heterosexuals who prefer not to adopt or face obstacles to adoption. Yet technology is not democratic: the fathers I met were from Western Europe or the US, and they had been able to collect over a hundred thousand US dollars for a surrogacy arrangement.

‘Hippy guys don’t do commercial surrogacy in the US,’ as a young gay couple I met at a surrogacy fair concluded, assessing the unlikelihood that they could afford to become fathers through surrogacy. They meant that only those who held established and well-rewarded positions within the system could afford surrogacy in the US, which included high fees for all professionals and reproductive collaborators involved, as well as expenses for labs, clinics, and medication.<sup>9</sup> At the same time, however, this must be understood in the US context, where privatization and commercialization have shaped the provision of not only assisted reproduction (Thompson 2005, 2016), but also other social goods such as health care or higher education. For instance, the \$120,000-150,000 cost of a surrogacy arrangement amounts to the expenses necessary for a four-year undergraduate diploma at the University of California (2016), which is understood to be a public institution.

Those gay men who were able to come up with the money to cover surrogacy reported several advantages, as compared to adoption. Many of them appreciated an opportunity to father a baby from the very beginning with decreased uncertainty about its early life experiences or

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<sup>9</sup> An attempt to counter this inequality of access to surrogacy has been undertaken by some parent associations in the form of funding programs for intended parents in less privileged positions (see: Men Having Babies 2016).

medical history, as well as acculturation. A minority of the men said they valued the genetic link to the child. However, for almost all of them one of the main criteria was, paradoxically, access, as surrogacy in the US offered them the relative freedom from the evaluation regime of adoption. I could clearly see this regime through the experiences of a Californian gay couple Peter and Alex, whom I met throughout my research in a rainbow family association. They had opted for adoption, in contrast to my other interviewees who were pursuing surrogacy. Every time we met, Peter and Alex would tell me about the subsequent ‘school assignments,’ as they called it, which they were doing for their adoption agency. These included psychological tests, essays about issues in rearing children, a course in coping with issues in adoption, a house with specific dimensions, a certain income, and age limitations. At the same time, the major assignment for Mike and Brandon, a Californian couple I was meeting throughout their surrogacy process, was making sure they could raise enough money so as to set up an escrow account, which in some other cases among my interviewees ended in decisions so dramatic as selling a family house or taking a mortgage loan. The psychological and other assessments they went through were much simpler than in case of adoption. They usually boiled down to a chat with a psychologist in a private surrogacy agency they chose to work with, where they would discuss issues such as their motivations and imagined relationships with surrogates and donors. However, they faced numerous decisions such as the selection of the agency, clinic, donor, surrogate, number of embryos to be transferred, type of genetic testing... They also had to cope with legal and social prejudice. This included a common criticism of surrogacy as ‘egocentrism,’ reported by several of the men, whose relatives or friends would have preferred to see them adopting children in need in their communities rather than undertaking their individual projects of surrogacy. Thus surrogacy, as compared to adoption, could be seen as less subject to the normalizing discourse of psychological, legal, and administrative ‘parental suitability,’ which all adoptive parents in the US undergo. Yet the gay fathers through surrogacy I met were more immersed in socio-economic class hierarchies instead, as well as more diffuse social attitudes.

## **Conclusions: a gift and a commodity?**

From the fieldwork I carried out in American surrogacy communities I identified two narratives through which the surrogates and intended gay fathers made sense of their mutual arrangements. One of these narratives can be characterized as affective. It was underpinned by emotions such as empathy and affection, which made part of the surrogates' altruistic motivations, as well as of a feeling of relatedness between them and the intended fathers. This way, emotions appeared to de-commodify and kin the relationships between the surrogates, the intended fathers, and the surrogacy children. Framing surrogacy as a gift set it apart from commercial aspects of the process and from its perceptions as merely a commodity exchange. Paradoxically, these processes of affective de-commodifying and kinning also facilitated commercial surrogacy in the US context of a liberal commodity market in reproductive technologies. Therefore it can be said there is an affective aspect to commodification.

The affective narratives I found in my fieldwork co-existed with economic ones. Financial compensation given by the intended fathers to the surrogates de-kinning the women's parenthood claims or liability. This permitted the gay men create nuclear families with exclusive parenting rights and co-habiting children. At the same time, through a comparison of the women's and men's educational and occupational data, it could be seen that surrogacy was founded on socio-economic class stratification, where the surrogates occupied lower middle-class positions, and gay fathers higher middle-class ones. As my data showed, this exchange took place almost entirely within the middle class. Surrogacy arrangements in this stratification context opened up new avenues to parenthood, whereby the intended fathers' socio-economic status could have easily come to stand for parental suitability. At the same time, however, the economic narratives were also shaped by a normative frame, according to which women who become surrogates should be motivated by a positive affect rather than economic pressure. In appealing to the surrogates' agency and self-determination, as well as equality between them and intended parents, this frame contributed to maintaining surrogacy within the middle class.

Throughout this paper I have argued that in American surrogacy, gift and commodity, the altruistic and the commercial, the affective and the economic, are simultaneous and co-constitutive. There are affective aspects to commodification, and perhaps less surprisingly,

economic dimensions of kinship. Building on classic formulations that differentiated gift and commodity exchanges (Strathern 1992, Rudrappa 2015), in this paper I attempted to show how a commodity can also be a gift, and vice-versa. In this aspect, my findings on the narratives of American surrogacy expand on Katharine Dow's (2016) recent ethnographic research on perceptions of surrogacy in the UK, which revealed how surrogacy exchanges were perceived as both a gift and a commodity. My study also adds to Dean Murphy's (2015) research on American and Australian gay fathers through surrogacy in the US, who viewed surrogacy simultaneously as 'a clean transaction' and an altruistic kin-like relationship. Following on from Murphy's research, I show that both American surrogates and gay fathers from Europe and the US adopt this gift-commodity frame in surrogacy in the US.

My findings also overlap with those of Zsuzsa Berend (2016), Heather Jacobson (2016), and Dean Murphy (2015) on the legitimizing force of narratives of altruism and relatedness in commercial surrogacy in the US. Berend and Jacobson noted as well how American surrogacy communities socialize their members to the dominant narratives. Such narratives have been described as moral frameworks by Sharmila Rudrappa and Caitlyn Collins (2015) in a study of surrogacy in India. Based on my analysis, I suggest we pay a renewed attention to how emotions and affects do things (Ahmed 2014), and how they are part of narratives, moral frameworks and parenting cultures (Faircloth & Görtin 2017) through which new reproductive technologies are assumed and made sense of.

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