



# Creating a Marketplace of Children

A Donor-Conceived Woman Explains the Harms of Third Party Reproduction

by: Alana S. Newman

**W**HEN I SOLD MY EGGS TO A FERTILITY CLINIC IN SAN FRANCISCO AT THE AGE OF 20, I CHOSE TO DO SO BECAUSE I FELT IT WAS THE ONLY LIFE EXPERIENCE I COULD SHARE WITH MY BIOLOGICAL FATHER, WHO WAS AN ANONYMOUS SPERM DONOR. AT THE TIME, MY UNDERSTANDING OF THE FERTILITY INDUSTRY AND OF THE OVERALL IMPACT OF DONOR-CONCEPTION WAS NOT WELL DEVELOPED. I BELIEVED THAT MORE OPENNESS AND NO ANONYMITY IN THE PROCESS WOULD BE BETTER FOR THE RESULTING CHILDREN. ACCORDINGLY, I BECAME AN “OPEN ID” EGG DONOR, MEANING THAT ANY BIOLOGICAL CHILDREN PRODUCED FROM MY EGGS HAD PERMISSION TO CONTACT ME IN THE FUTURE, IF THEY DESIRED. CONVERSELY, THEIR IDENTITIES WOULD REMAIN CONFIDENTIAL, UNLESS THEY CHOSE TO DISCLOSE THEIR IDENTITIES TO ME. AFTER THE EGG HARVEST, NO ONE FROM THE FERTILITY CLINIC CALLED TO FOLLOW UP WITH ME AND INQUIRE ABOUT HOW I WAS DOING. HOWEVER, THEY DID CALL ME WHEN THEY WANTED MY EGGS AGAIN TO PRODUCE ANOTHER CHILD—A SIBLING TO THE CHILD CREATED FROM MY FIRST CYCLE. WHEN I TOLD THEM I WAS NOT WILLING TO ENDURE THE PHYSICAL TRAUMA OF THE EGG HARVEST AGAIN, BUT THAT I WAS SERENDIPITOUSLY PREGNANT AND HAPPY FOR THE CHILD TO MEET THE HALF-SIBLING I WAS CARRYING, NO ONE RETURNED MY EMAIL.

I REGRET SELLING MY EGGS TODAY, AND REALIZE THAT WHAT I REALLY DID WAS TO SELL MY CHILD, AND MY DAUGHTER’S SIBLINGS. THAT DECISION WILL IMPACT MY DAUGHTER IN WAYS I’M NOT PREPARED FOR, JUST AS MY OWN CONCEPTION IMPACTED ME IN WAYS FOR WHICH MY OWN MOTHER WAS NOT PREPARED.

Today, there is an epidemic in the use of Artificial Reproductive Technologies, which includes, most troublingly, third party reproduction—the use of donated or sold sperm and eggs (gametes), and surrogate wombs. There are several causes of this epidemic, some of which are related to social structure, and/or environmental phenomena, as well as technology. This article is an overview of why third party reproduction is increasingly in demand, how it affects donor-conceived people like myself, as well as society, and why the commercial trade in gametes and surrogacy should be abolished.

## “Sell Us Your Children, I Mean Your Eggs”

Sperm banks and egg donation agencies often claim they are not selling children, just *tissue*, but a close look at sperm and egg donor contracts reveals clear language used to declare a transference of

parental rights. Following is an example of such language from a real egg donation contract in Florida:

“Parentage. Donor acknowledges and agrees that the Donated Eggs, resulting Embryo(s), and Child shall always be considered morally, biologically and legally the eggs, embryos, and Child of Recipients. Donor will assert no legal or equitable claim or right of ownership or parental rights to the Donated Eggs, Embryo(s) or Child. The Parties acknowledge and agree that, under STATE law, a child born within wedlock who has been conceived by means of donated eggs or pre-embryos shall be irrefutably presumed to be the child of the recipient gestating woman and her husband.... The Parties also acknowledge and agree that, under *Florida law, a donor of eggs relinquishes all parental rights and obligations with respect to the donation or resulting child(ren)*” [emphases added]<sup>1</sup>

“ [T]he \$8,000 advertised by the fertility clinic made selling my eggs outrageously more attractive than other job options. ”

I sold my eggs in response to a Craigslist ad asking me to “give the gift of life” and “help a couple in need.” Because I was young, and without any other marketable skills, the \$8,000 advertised by the fertility clinic made selling my eggs outrageously more attractive than other job options. I believed that if I sold my eggs as an open ID donor, I would improve the system and make the world a better place. I also envisioned what I could do with that kind of money—record an album or visit Europe. It seemed like a needle-length journey to a whole new social class.

At the egg donation agency, I filled out mountains of paperwork and had my picture taken so strangers could judge the worthiness of my eggs simply by my photographic likeness. I was given no information whatsoever about the intended recipients of my eggs other than their first names. Months later, I emailed the agency to ask if the retrieval was successful, and I was told that yes, there was a pregnancy, and a little boy was born in July of that year.

## How the Fertility Industry Markets Anonymous Egg Donation

*"Fulfill a couple's dreams—and receive compensation that allows you to live yours! ... Whether you want to take the trip of a lifetime or just add to your savings, becoming an egg donor can put your goals within reach."*

—“Becoming an Egg Donor,” Atlantic Reproductive Medicine Specialists, as found at: <http://nceggdonors.com>

*"For the next six weeks, I am going to be living a dream! I get to do something I never thought I'd be able to do, financially, that is. I am going to back pack across Europe! How? I gave a couple a precious gift—life—how? ... No, I didn't, like, carry a baby or anything. I made an egg donation! Yeah ... because I am healthy and a nonsmoker, and female in my 20s, I got accepted. \$4500 for a successful cycle!"*

—Text from a radio ad for a Raleigh, North Carolina fertility agency, where a young female gushes about how she paid for a backpacking trip across Europe by donating her eggs. Listen to this ad and others here: <http://nceggdonors.com>

With that news, I suddenly realized the gravity of my actions. I had contributed to the creation of a new life—a human being with whom I was intimately and genetically connected. But I could never verify his well being. My open ID status was one-way, and I might not ever be able to meet this child. I realized then that if for some reason I could not have other children, I might literally go insane knowing that another woman was raising my genetic son.

As it turns out, I did marry, and my husband and I will soon deliver our second child. Still, I recognize that the legalese in the contract I signed at the time of my egg harvest has denied my children and me a relationship with their half-siblings.

### Infertility Epidemic

Male sperm count has been estimated, by some, to have declined by over 50 percent in the last 50 years.<sup>2</sup> Endocrine disrupting chemicals found in pesticides, plastics, cosmetics and cleaning supplies, as well as synthetic estrogens like the birth control pill, are harmful to reproductive health and normal sexual development. Much of the harm originates from trace amounts of chemicals that negatively impact babies gestating in the womb—sabotaging their reproductive future.<sup>3</sup> My mother's first husband was from rural Missouri, an area that used substantial amounts of pesticides, and where the principal industry was agriculture. He had a condition called Klinefelter's syndrome, which means he had a chromosomal makeup of XXY—rendering him sterile. This is why they chose to use donor sperm for my conception.

The infertility epidemic has resulted in many psychological consequences. Those who are unable to conceive children through natural means often

suffer from embarrassment, low self-esteem, and a reduced sense of masculinity or femininity.

Besides the unintended harm being done to our reproductive capacities in utero, our behaviors and choices about reproduction have changed dramatically since the invention of the birth control pill. Women today have more sexual partners, have fewer children, and are often having children later in life. Marriage and children have become toppings on a life of other achievements, rather than being part of foundational relationships among twenty year-olds.

Women—who have a more limited window of fertility than men—often have especially false expectations regarding family/career balance, and put too much hope in technology to remedy fertility issues. Most women do not realize the quality of their eggs plummets after age 30. They often put too much hope in procedures like in vitro fertilization (IVF), which have a 70.6 percent failure rate, and only result in a live birth in 22.4 percent of cycles.<sup>4</sup> There is emerging evidence that as many as one quarter of all infertility cases are caused by a previous sexually transmitted disease (STD)—a figure that should upset our acceptance of norms brought on by oral contraceptives and The Sexual Revolution.<sup>5</sup>

Reproductive technologies have become a multi-billion dollar industry because there are millions of people who experience some type of barrier to reproduction—clinical or social—and who are willing to pay money to overcome or work around that barrier. Billion dollar industries stem from the human desire to mate and procreate. For example, some use cosmetics (including surgery) to enhance personal appearance, and dating sites like Match.com help people find partners. But some obstacles to procreation are harder to maneuver, including clinical barriers such as low sperm count, a missing or deformed uterus, low quality or lack of eggs, and social barriers such as a lack of attraction to the opposite sex or the inability to attract/maintain a mate of the opposite sex.

### Using Women

A conflict arises when these new technologies that purport to overcome these barriers end up denying human rights to the very people they create, and to those from whom the necessary “biological resources” are harvested—most often young women.

The hormones that are injected into women in the process of egg harvesting are known to be associated with cancer development.<sup>6</sup> Surrogate mothers have died “on the job,” proving that pregnancy and childbirth are still dangerous in the 21st century.<sup>7</sup> An American surrogate recently reported being stuck with over \$200,000 in medical bills after nearly dying due to complications from her surrogate pregnancy. The Swiss couple took the two children she carried, but refused to pay for the surrogate's incurred expenses.<sup>8</sup> With surrogacy and egg donation

arrangements, a woman's health and medical care may be undermined because she is not seen as a precious mother and family member, *but as tool, a means to an end, or a two-dimensional service provider.*

The documentary *Eggsploitation*—released by former nurse and mother of four Jennifer Lahl—features interviews with several egg donors who offer frightening testimonials of how young women are seduced and flattered into selling their eggs—only to be over-stimulated with hormones, which sometimes results in strokes and surgical complications. Several of the interviewees are now infertile. Two women in the film developed cancers that had not run in their family—one dying in her early 30s.<sup>9</sup> To date, no one really knows how common these outcomes are, since a long-term study on egg donors has not yet been conducted, despite precedence for such studies in similar areas such as organ donation.

## Harms to Children

Besides the risk of physical harm to women who act as egg donors or surrogates, children conceived via third party reproduction often suffer a number of life long harms. These include the threat to their mental health and emotional well being, a distorted sense of values about sex and human relationships, and the denial of basic human rights.

**Negative Social Outcomes.** The 2009 report, *My Daddy's Name Is Donor*,<sup>10</sup> studied 485 adults conceived via sperm donation and found that:

- Donor conceived individuals are significantly more likely than those raised by their biological parents to struggle with serious, negative outcomes such as delinquency, substance abuse, and depression, even when controlling for socio-economic and other factors.
- Donor offspring are twice as likely as those raised by biological parents to report problems with the law before age 25.
- Donor offspring are more than twice as likely as those raised by biological parents to report substance abuse problems.

**Value Endowment.** A child whose biological parent was paid to be absent via sperm or egg donation will likely not develop healthy views about human relationships. In my own life, I developed severe behavioral problems that I only recently realized were tied to being donor-conceived. From a young age, I was taught that donor-conception was normal, and I was urged to focus on how much my mother wanted me. This succeeded in establishing an acceptance of donor-conception as a righteous practice. But I struggled with so many questions, including: If it is okay to buy and sell sperm, why is it wrong to buy and sell human organs? If it is okay to buy and sell sperm and eggs, why is it wrong for someone to sell their *born* child? If it is okay to sell one's reproductive capacities, why is it wrong to sell one's *sexual* capacities? And if it is okay to force a child into existence because that child is "wanted,"

“I was passively taught that fathers are unimportant and men are disposable.”

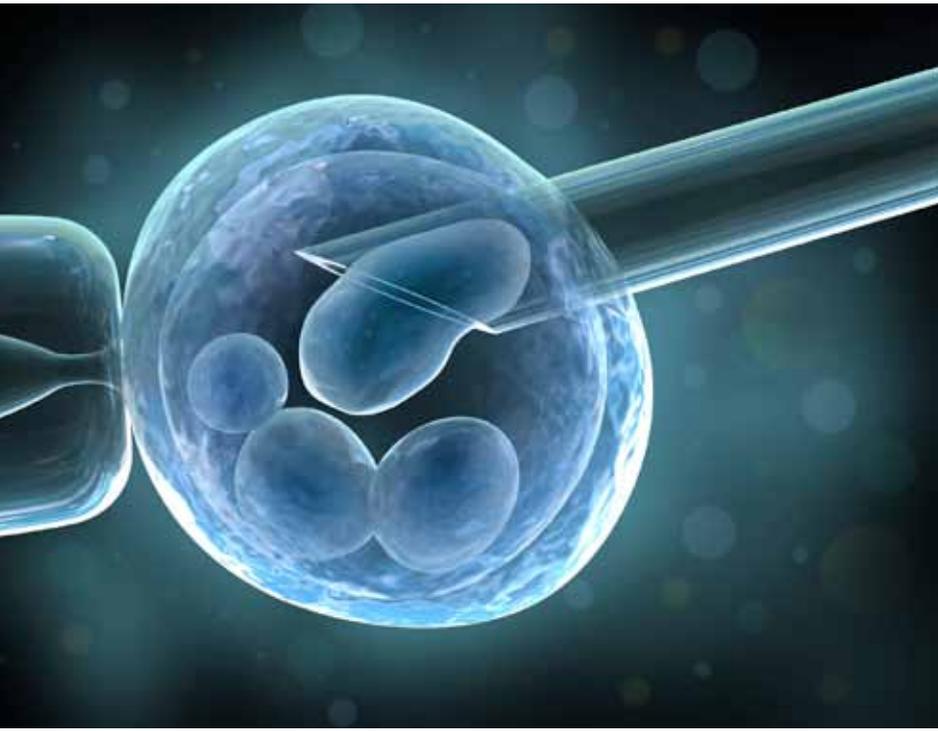
then why is it wrong to force a child *out* of existence because its *unwanted* (abortion)?

I was passively taught that fathers are unimportant and men are disposable. Right about the time I sold my eggs, I was also volunteering at NARAL-California—fighting to keep partial-birth abortions legal. Between efforts to fight for “reproductive justice,” I had broken up with my then-boyfriend, because I had engaged in an illicit relationship with another man. Nonetheless, after it was over, I still believed it was reasonable for me to *ask him for his sperm* for future use.

For me, embracing donor-conception fundamentally corrupted how I viewed sex, relationships, and human value. People became products to use—disposable and reduced to the most shallow of dimensions like IQ, looks, and height. If their existence infringes on our comfort, we may banish them into an anonymous void. In other words, if we do not want to deal with our child's other parent, we can get rid of them from the outset via third party reproduction.

**Denying Basic Human Rights.** Civil Rights leader Malcolm X successfully argued that African Americans were denied basic human rights when they were separated from their family members, denied knowledge of their heritage, and forced to live as the property of their masters—treated like chattel with dollar values placed on them.<sup>11</sup> Alex





Haley began a movement with his unforgettable 1970's saga *Roots*—which took America on a journey through the corruption of slavery, and made a clear point as to the importance of familial ties and cultural belonging.

Today, through the proliferation of third party reproduction, we are repeating many of these same mistakes.

We deny people their identity, remove their familial heritage, and literally sell them out of their natural family. Only today, through the loophole of sperm and egg donation, we do this before “official” personhood begins. We deny that we are selling

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our children, because we write the contracts and exchange the money before the baby is conceived.

As a donor-conceived individual, I have experienced disenfranchised grief over my conception for years, and on many different occasions. The most upsetting of those occasions revolved around the death of my mother's best friend—a man I will call “Tom”—a father of two who died of terminal cancer when his children were still very young. His death was life changing for my mother, and I remember her weeping, and lamenting, “Those poor children—they won't get to have their father.” The community deeply mourned his death. The family hung a portrait of him above their dining room table to help them remember him.

I brought up the disparity in how the loss of my father was treated in comparison to Tom. When I told my mother, “You act like my father doesn't even matter,” she responded, “He doesn't matter.”

Children whose biological parents die are given the tools, time, and permission to grieve. Children whose biological parents are missing via gamete donation are given *none* of these things, and in fact we are expected to be grateful for our situation—grateful to be alive at all.

## The Plight of the Fatherless and Motherless

Human beings born via third party reproduction (sperm or egg donation) are deprived of either their father or mother or both. I believe we erroneously assume that because their conception was deliberate that these individuals will be immune to the material and spiritual deprivations caused by their parents' absence.

Much research has already been conducted on the negative effects of fatherlessness on children. For example, 80 percent of rapists come from fatherless homes and most likely act out of displaced anger, as do 75 percent of adolescents in chemical abuse centers. Girls who grow up without their father are 711 percent more likely to become teen moms and 92 percent more likely to divorce. Additionally, 90 percent of all homeless and runaway youth are from fatherless homes.<sup>12</sup> Furthermore, a new study out of Canada shows that girls raised by lesbian parents are only 15 percent as likely to graduate high school compared to girls raised by opposite-sex married parents.<sup>13</sup>

We do not yet know the full consequence of deliberate motherlessness. Historically, the presence of a mother has been understood to be essential for an infant's very survival. At the very least, we can expect a mass degradation of the value and respect traditionally given to mothers as they are reduced to the status of egg donors, gestational carriers, or nannies—perhaps to the extreme Aldous Huxley illustrates in his *Brave New World*. The absence of

mothers and their nourishing, protective forces will not fare well for children.

## The Road to Disposable Mothers and Fathers

The sperm bank industry ballooned in part due to the unspoken epidemic of low sperm count. Thus, many heterosexual couples, like my parents, began quietly using commercial sperm. After a while, the industry became more open about using commercial sperm and insisted that biology does not make a difference for a child's well being. Then, lesbian couples began using sperm donors. They argued, *if biology does not matter for a child's well-being, then why should a parent's gender?* They declared that parenting is a set of tasks and obligations, and two women or two men can fulfill those tasks just as well as a married man and woman can. Single-moms-by-choice followed, demanding that we trust women to be able to judge for themselves if they are capable of raising children on their own. Today some sperm banks report that 85 percent of their clientele is comprised of lesbian couples and single women.<sup>14</sup>

Gender equality language was used successfully in the normalization of third party reproduction. Naturally then, same-sex male couples saw lesbian couples being accepted as clients by fertility clinics and began arguing that they had a right to create children of their own through the use of egg donation and surrogacy. Then single-dads-by-choice began using egg donors and surrogates. I believe the fertility industry likely welcomed same-sex male couples and single men whole-heartedly because the egg-donor/surrogate package is the most lucrative service these agents have to sell.<sup>15</sup> Due to the collective cost of third party eggs, IVF, womb rental, legal fees, insurance fees, background checks, and more, one pregnancy can cost between \$50k-300k for a male couple or single man.<sup>16</sup> It used to be that one of the worst things that could happen to children was for them to lose their mothers. Today, the fertility industry stands to benefit the most financially through a process that eliminates the biological mother from the picture entirely.

And so society has arrived at a time and place where mothers are essentially being declared unnecessary. These sentiments in opposition to motherhood (and fatherhood) do not remain private and isolated in practice, because high-profile third party reproduction clients typically generate a lot of press when they create children this way. Celebrity parents via gamete donation and surrogacy typically work very hard to justify their decisions to an uninformed public. Neil Patrick Harris, Perez Hilton, and Elton John went on public relations crusades to announce the birth of their children and offensively shape public opinion.<sup>17</sup> Additionally, the fertility industry itself is a multi-billion dollar industry that

## Stories from Donor-Conceived Individuals, Courtesy of the Anonymous Us Project

"My father and my dad are two different people. You see, my dad raised me, changed my diapers, played catch with me, and taught me how to drive a car. Whereas my father needed a little extra money one semester of college and thought an easy way of doing so would be to donate his sperm."

"I don't know if I will ever know who I look like. Someone out there gave me life, gave me half of my genes, and I may never know who that is. I really wish I could know this, more than anything. I wish I knew my biological father."

"Everyday, and I do mean every single day, I think about you.... And I think the worst day of the year is Father's Day.... I write two cards every year. One to my legal father, and one to you. And no one knows about the second card except for me.... [Y]ou are the literal half of me that can never be taken away."

<http://anonymousus.org/stories/index.php?cid=2#.UxqOoRZ6ejk>

spends a lot of money marketing these services and framing their business in a positive light.

Society cannot logically hold fathers (or mothers) as *both* disposable and valuable at the same time. Either mothers and fathers are precious and essential human beings who are worth mourning in their absence, or else they are not.

## Next Steps

There is more to be explored here, especially in the realm of psychological difficulties that donor-conceived individuals suffer. I urge policy-makers to pause and think twice about the *generational* impact that policies friendly to the fertility industry will have. It is important to look past the snapshots of smiling four-year-olds in the fertility clinic brochures. Opposition to third party reproduction need not be viewed as a bigoted objection to a specific child's very existence. Rather, opposition to third party reproduction will serve to protect generations of individual children and parents from a life of pain, loneliness, guilt, and physical, psychological, and emotional struggle.

Let me be clear. Fathers and mothers are both essential—as is the right to be born free, without a price tag and with full access to one's heritage. The crisis of infertility is not getting better any time soon, and the desire people have to reproduce will continue to increase demand for third party reproduction. But surrogacy and the gamete trade are not real solutions to infertility, and will only create more problems—*expensive* problems.

Efforts should be made to truly cure and prevent infertility, rather than expanding a marketplace of children. ❖

Alana Newman is a fertility industry watchdog, founder of AnonymousUs.org, an online story-collective for third party reproduction, and editor of The Anonymous Us Project: Volume 1. For a footnoted version of this article, please visit [ncfamily.org](http://ncfamily.org).

# Creating a Marketplace of Children

## Endnotes

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