

# SURROGATE MOTHERHOOD AND THE PREDICAMENT OF THE AFRICAN WOMAN

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*Abstract.* Scientific and technological innovations have produced changes in our traditional ways of perceiving the world around us. This is evident in the technology of surrogate motherhood. Surrogacy involves impregnating one woman to gestate a baby who is to be raised by another woman. This arrangement raises many ethical and legal issues. Central to the ethical issue is the claim that surrogacy divides the notion of 'motherhood' into two components (genetics and gestational) and as a result, devalues the traditional conception of motherhood, parenthood and the family.

This paper examines the ethical and legal issues of assisted reproduction from the point of view of an African (Yoruba) culture. It also examines the implications of these issues on how the family, motherhood, and fatherhood are constructed and defined in African culture drawing on the Yoruba culture. It argues that reproduction through surrogate mothering is a deviation from African cultural norms of reproduction and, for many Africans, seems unethical. The paper concludes by emphasizing the value of motherhood, fatherhood, and the family within the Yoruba culture.

**Keywords:** Surrogate Motherhood, Family, Yoruba, genetic, gestational and African Culture.

## Introduction

What are the ultimate consequences for a culture that views its children as property, as 'things' that people can exchange, sell, or have rights to? Surrogacy renders problematic what African society has come to believe about personal identity, intimate relationships, the beginning of life and particularly the traditional conception of a mother. This paper examines the legal and ethical issues that surrogacy, as an artificial reproductive technique, raises on how 'motherhood', 'fatherhood' and the family are constructed and defined in African culture.

The paper argues that reproduction through surrogate mothering is complicated by the possibility that a woman can gestate a fetus genetically unrelated to her, a practice that deviates from African cultural norms of reproduction and, for many Africans, seems unethical. It draws on the Yoruba culture which recognizes only one natural mother, the reproductive woman, one natural mother, the genetic mother and one natural family, the nuclear, private family. The paper concludes by stressing that since surrogate mothering deviates from African cultural norms of reproduction

and the family, there is need to emphasize the value placed on these cultural norms within the Yoruba culture.

Infertility is a major problem for many African women who have been carefully trained to want motherhood and to experience themselves and their womanhood, their very purpose in life through motherhood. For the African woman, infertility is seen as disability. Disability in this sense implies reproductive disability, an impairment which is defined as "the expression of a physiological, anatomical or mental loss or abnormality--impairment can be the result of accident, disease or congenital condition" (office of technology and handicapped people: 1982). Examples of impairment which result in infertility include scarred fallopian tubes, congenital malformations of the uterus, testicular damage done by mumps, and so on.

There are three forms of surrogacy. The first occurs when, through sexual intercourse, the husband of an infertile woman impregnates another woman for the purpose of bearing a child for the couple. A second method involves using artificial insemination of the surrogate with the sperm provided by the prospective father. A third method, *in vitro* fertilization, uses sperm and eggs provided by the genetic parents to produce an embryo (a test-tube baby) that is then implanted into the surrogate (Mowbray 1994).

### **Benefits of surrogacy arrangement**

Surrogate motherhood as an artificial reproductive technique is commercial. It is based upon contracts involving three parties: the intended father, the broker and the surrogate mother. The intended father pays a lawyer to find a suitable surrogate mother and make the requisite medical and legal arrangements for the conception and birth of the child and for the transfer of legal custody to himself. The surrogate mother agrees to be impregnated by the intended father's sperm, to carry the resulting child to term and to relinquish her parental rights transferring custody to the father in return for a fee and medical expenses (Anderson 2007, 243). Both the surrogate mother and, if she is married to somebody, her husband agree not to form a parent-child bond with their child and do everything necessary to effect the transfer of the child to the intended father or parents as the case may be.

However, surrogate arrangement has been viewed by many as ethical when one considers the roles the surrogate mother performs. First, she acts as a procreator in providing an ovum to be fertilized. Second, after her ovum has been fertilized by the sperm of the man who wishes to parent the



child, she acts as host to the fetus, providing nurture and protection while the newly conceived individual develops (Krimmel 1988, 658).

The surrogate mother's role of providing germinal material involves certain advantages some of which are identified by Elizabeth Anderson (2007, 243-44). First, given the shortage of children available for adoption and the difficulty of qualifying as adoptive parents, surrogate arrangements may represent the only hope for some infertile couples to raise a family. Surrogate contracts meet the desire of a husband and wife to rear a healthy child, particularly a child with one partner's genes. The need can arise if one partner has an autosomal dominant or sex-linked genetic disorder, such as hemophilia. More likely, she is infertile, and the couple feels a strong need to have children.

For many infertile couples, the inability to conceive is a major problem causing marital conflict and filling both partners with anguish and self doubt (Robertson 1988, 650). While the intense desire to have a child often appears selfish, we must not lose sight of the deep seated psychosocial and biological roots of the desire to generate children (Erikson 1980, 122-124). Commercial surrogacy should be accepted as an effective means for realizing this highly significant good.

Second, two fundamental human rights support commercial surrogacy: the right to procreate and freedom of contract. Fully informed autonomous adults should have the right to make whatever arrangements they wish for the use of their bodies and the reproduction of children so long as the children themselves are not harmed. Third, the labor of the surrogate mother is said to be either for economic reasons or love, which should be permitted and encouraged on altruistic grounds. Usually, women undergo pregnancy and childbirth because they want to rear children. But some women want to have the experience of bearing and birthing a child without the obligation to rear. Most women who are willing to be surrogates have already had children, and many are married. They choose the surrogate role not only because the fee provides a better economic opportunity than alternative occupations, but also because they enjoy being pregnant and the respect and attention that it draws. For altruistic reasons, some surrogates may also feel pleased that they have given the "gift of life" to another couple (Frankel 1982, 1-2).

Again, it is argued that commercial surrogacy is not different in its ethical implications from many already accepted practices which separate genetic, gestational, and social parenting such as artificial insemination by donor adoption, wet-nursing, and day-care. Consistency therefore demands that society accept this new practice as well (Robertson 1983, 28-34).

Finally, the child born of a surrogate arrangement also benefits. Indeed, if not for the surrogate contract, this child would not have been born at all. Thus even if the child suffers identity problems because he/she is not able to know his/her mother, this child has benefited or at least has not been wronged, for without the surrogate arrangement, he/she would not have been born at all (See Robert 1978, 13-14; Bayles 1976, 295).

The implication of the above is not only that motherhood is separated into two components but also that a child now has many parents. In the past, a person is viewed as having two parents, but with the invention of assisted reproductive technology, a person might have a total of five parents: a genetic mother (the woman who contributes the ovum), a gestational or birth mother (the woman in whose uterus the ovum develops), a nurturing or social mother (the woman who raises the child), a genetic father (the man who contributes the sperm) and a nurturing or social father (the man who raises the child) (Cohn 1996, 809). Since many ethical and legal issues are raised by surrogacy arrangement, it is imperative to examine some of these issues.

### **Ethical and Legal Issues surrounding Surrogacy Arrangement**

Surrogacy involves many ethical and legal issues such as adultery, exploitation of infertile couples, surrogate mothers and children by baby brokers, buying and selling of babies, dehumanization of reproduction, rights to privacy, medical need for use of the procedure, and custody and identity problems (Mowbray 1994, 849).

A major argument against surrogacy is that it removes the act of procreation from marriage by using artificial means and enlisting the services of a third party surrogate. For some critics, this technique intentionally manipulates a natural process that many persons want free of technological intervention (Robertson 1988, 649). Closely related to this is the view that surrogacy could become another low-paying, high-risk job for the underprivileged and that it degrades women by commercializing pregnancy and childbirth (Mowbray 1994, 849). Although advocates of surrogacy argue that women of various socioeconomic backgrounds become surrogates of their own will and often do so without compensation and out of a sense of sympathy for the infertile couple, the arrangement of surrogacy nevertheless involves payments for it to be legal.

Surrogacy raises many legal issues relating to maternal identity and child custody. These include questions such as: Can a woman be the mother of a child with whom she has no genetic connection? Does the genetic material



of the egg and the sperm donated to create the child determine who its natural parent or parents are? When does a woman become a parent? Is it when she is pregnant or after she has delivered a baby? What about the bodily experience of pregnancy? Does a woman's participation in pregnancy, her carrying the fetus in her uterus, have anything to do with who the true or 'natural' mother is? Who is the child's legal mother: its gestational mother or its care-giving mother? Can a child have two biological mothers? Various attempts at addressing these questions have created identity problems not only for the women involved, but also for the child similar to those experienced by adopted children. Closely linked to the problem of maternal identity is the problem of custody. In some instances, surrogate mothers have become so emotionally attached to the babies they have carried that they have refused to give them up to the contractual parents.

The conclusion that can be drawn from the above identity and custody issues is that through the use of assisted reproductive technology, biological motherhood has been separated into competing components of genetic motherhood and gestational motherhood, a separation that has given rise to disputes over motherhood and its meanings. Deborah Grayson (2000, 100) puts this idea in perspective by explaining that surrogacy extends the boundaries of intimacy and of traditional notions of familial kinship patterns by dispersing what was once thought of as a unified entity—mother — and making it into something without a definitive aspect or dimension.

Also, through surrogacy, procreation has become a collaborative process that takes place in the public spaces of the laboratory and the clinic. Within these public spaces, assisted reproductive techniques such as artificial insemination, in vitro fertilization, embryo transfer, and surrogacy allow a multitude of individuals to participate in a couple's attempts to conceive (Ibid.). For many couples, procreation now includes the participation of additional parties such as health care professionals, surrogates, donors, and, increasingly, the state. Not only is giving birth mediated by the intervention of physicians but conception has become a more drastically complex mediated process as well (Ibid.). The private act of love, intimacy and secrecy of creating a child, as Sarah Franklin argues, has become a "public act, commercial transaction and a professionally managed procedure" (Franklin 1995, 334).

Surrogate arrangements also raise ethical issues. Here, pregnancy is presented as a form of alienated labor where women's reproductive capacities are viewed as 'services' that can be separated from their material

persons. Women who agree to be gestational mothers are expected to transform their bodies or rather their body parts into empty vessels distinct from their physiological and emotional selves. Krimmel (1988, 658) has described as 'ethically suspect' this separation of the decision to create a child from the decision to parent it. The surrogate mother enters into a surrogate mother arrangement with the clear understanding that she is to avoid responsibility for the life she creates.

Surrogate arrangements are designed to separate, in the mind of the surrogate mother, the decision to have a child from the decision to raise him or her. The cause of this dissociation is some other benefit she will receive, most often money (Parker 1983, 17-18). In other words, her desire to have a child is born out of some motive other than the desire to be a parent. The child is conceived not because he/she is wanted by his/her biological mother but because he/she can be useful to someone else. He/She is conceived in order to be given away (Krimmel 1988, 658). This notion of woman as fetal containers has been a disturbing phenomenon in current cultural discourse on pregnancy.

Renouncing her parental responsibilities on the part of the surrogate mother is done neither for the child's sake nor for the sake of fulfilling an interest she shares with the child but typically for her own sake. She and the couple who pay her to give up her parental rights over her child thus treat her rights as a kind of property right (Anderson 2007, 244). They thereby treat the child as a kind of commodity, which may be bought and sold. Since no industry assigns agents to look after the interests of its commodities, no one represents the child's interests in the surrogate industry. The surrogate agency promotes the adoptive parents' interests and not the child's interests when matters of custody arise.

Treating children as commodities is degrading not only to their person but also to that of the surrogate mother's. Degradation occurs when something is treated in accordance with a lower mode of variation than is proper to it. On the other hand, we value things not just 'more' or 'less' but on qualitatively higher and lower ways. To love or respect someone is to value her in a higher way than one would if one merely used her/him (Ibid., 245).

'Respect' and 'consideration' are two ethical values which the arrangement of surrogacy erodes. To respect a person is to treat him/her with principles he/she rationally accepts, principles consistent with the protection of his/her autonomy and his/her rational interests. To treat a person with consideration on the other hand is to respond with sensitivity to him/her and to his/her emotional relations with others while refraining

from manipulating or denigrating them for one's own purposes (Anderson 2007, 246). Given the understanding of respect as a dispassionate, impersonal regard for people's interests, a different ethical concept, 'consideration' is needed to capture the sensitive regard we should have for people's emotional relationships.

Elizabeth Anderson (2007) identifies three ways in which the application of economic norms to the sphere of women's labor violates women's claims to respect and consideration. First, by requiring the surrogate mother to repress whatever parental love she feels for the child, these norms convert women's labor into a form of alienated labor. Second, by manipulating and denying legitimacy to the surrogate mother's evolving perspective on her own pregnancy, the norms of the market degrade her. Lastly, by taking advantage of the surrogate mothers noncommercial motivations without offering anything but what the norms of commerce demand in return, these norms leave her open to exploitation (Anderson 2007, 247).

At the deepest level, however, surrogate mother arrangements involve a change in motive for creating children: from a desire to have them for their own sake to a desire to have them for some other benefits. The procreator should desire the child for his/her own sake, and not as a means to some other end. Even though one of the ends may be stated altruistically as an attempt to bring happiness to an infertile couple, the child is still being used by the surrogate. To sanction the use and treatment of human beings as means to the achievement of others' goals is "to accept an ethic with a tragic past, and to establish a precedent with a dangerous future" (Krimmel 1996, 660).

Another problem raised by this artificial technique of reproduction is that it destabilizes the traditional conception of the family. Artificial reproduction has disrupted what was once described as the biologically rooted, racially closed, heterosexual middle class family. Also, as articulated by some critics (Kass 1972, 18; Ramsey 1970), assisted reproduction confuses the lineage of children thereby destroying the meaning of 'family' as we know it. This risk of confusing family lineage and personal identity arises if the child and the couple establish relations with the surrogate and the surrogate's family. If that likely event occurs, questions about the child's relations with the surrogate's spouse, parents and other children may arise. Closely related to this is the fear that the offsprings of surrogate arrangements may be deprived of important information about their heritage; they may lack vital information about their biological parents which could be important to them medically.

In fact what constitutes a family is now variable; we now have different forms of family. In a discussion on how surrogacy has displaced knowledge about familial kinship, Marilyn Strathern (1995, 353) argues that "making visible the detachment of the procreative act from the way the family produces the child adds new possibilities to the conceptualization of intimacy in relationships." In this sense, the communal model of motherhood and the weight of biological or genetic ties and their significance for defining familial relationships is shifted, a shift in the definitions and valuing of maternity, bodily integrity and family.

However, reproduction through surrogate mothering is a deviation from the traditional Yoruba cultural norms of reproduction; hence, legalizing this practice will not only increase the frequency of the various legal and ethical issues highlighted above but also strain the society's shared moral values. Hence the need to examine the value placed on motherhood, parenthood and the family in this culture.

### **The Value of "Motherhood", "Fatherhood" and the "Family" in Yoruba Culture**

In the Yoruba society, the 'family' (*ebi*) is distinguished by a stability that arises from marriage, that is to say, from a socially sanctioned mating entered into with the assumption of permanence (Charo 1988, 104). Carol Levine (1988) offers a broad definition of the 'family' as individuals who by birth, adoption, marriage or declared commitment share deep personal connections and are mutually entitled to receive and obligated to provide support of various kinds to the extent possible especially in times of need. If marriage is so defined, then employing a surrogate who shares no deep personal relationship either by birth or marriage, destabilizes the Yoruba traditional conception of the family.

The family in the Yoruba culture includes relationships based on both conjugality (marriage) and consanguinity (blood ties). In other words, the kin groups, which Linton (1936) and other anthropologists categorize as families, ideally include a husband and a wife whose relationship is based on marriage, and children whose relationship to their parents and to their siblings are based on blood ties. In contrast, consanguineal kin groups, such as clans and lineages have kinship based solely on "blood ties".. With respect to the family, Linton (1936) observes that even though by definition it includes relationships based on both conjugal and consanguinity, in all families one would find that one of the two principles is dominant in family formation (Linton 1936, 159-163). Linton uses the term "conjugal family" to describe a family built around the conjugal or marital





relationship, whether monogamous or polygamous. In contrast, he labels as “consanguineal families”, those built around a core group of “blood relatives”; as would be the case with families built around a clan or lineage.

Based on the above conception of the family, one can say that surrogacy arrangement destabilizes the traditional conception of the family because it raises issues relating to the identity of the offspring and consequently confusing the child’s lineage. In the Yoruba culture, kinship is often used to refer to close relatives. The two most important kinship categories are those of ‘father’ and ‘mother’ because they not only bring into existence each succeeding generation but also acknowledge and accept the responsibility for rearing, educating and launching the careers of as many as possible in the generation they term their children (Sudarkasa, N., 2004). A woman’s chances of increasing her power and influence within the conjugal family are enhanced by motherhood. Motherhood confers prestige in the Yoruba culture. A Yoruba woman’s status as a mother literally overshadows her status as a wife.

In Yoruba societies, biological motherhood is highly valued, but if a woman does not have a child, it would be emotionally disturbing and insensitive to ask if the children she is rearing are hers. Similarly, to ask if a woman is someone’s real mother could raise a number of issues that neither the de facto mother nor the biological mother would want to have raised. On the other hand, the identity a man confers on his children derives from his lineage and that identity is not divisible. Membership in a man’s lineage devolves equally to all his legitimate children (Sudarkasa 2004). Disputes do arise as to who is the father of a particular child; hence, it might be necessary to establish the lineage to which a child rightly belongs. Each member of the lineage is ranked according to his/her order of birth. The ties of descent link parents with their children. It is against this background that many Yorubas will object to the surrogate arrangement with its inherent feature of confusing a child’s lineage.

However, some critics have objected to commercial surrogacy on the ground that it improperly treats children and women’s reproductive capacities as commodities (Gena 1985, 216 and 219). The main argument is that surrogacy not only reduces children to consumer durables and women to baby factories, but it also constitutes an unconscious commodification of children and of women’s reproductive capacities (Holder 1987; 4 ). When women’s labor is treated as a commodity, the women who are involved in surrogacy are degraded along with the resulting child. This implies that market norms are substituted for some of the norms of parental love since the surrogate mother conceives the child with the intention of giving it up

for material advantage. I believe certain things should be viewed as too important to be sold as commodities.

Treating women's labor as just another kind of commercial production process violates the precious emotional ties which the mother may establish with her unborn child and, thereby, violates her claims to consideration. The key to understanding these problems lies in examining the roles of emotion in non-commercialized pregnancies. In the Yoruba culture, pregnancy is a biological as well as a social process. Biological in the sense of the mother being the gestational and genetic mother, while social in the sense of the expectations surrounding the delivery of a child, an occasion for the parents to prepare themselves to welcome a new life into their family. The biological and social processes of pregnancy both have implications for the experience of motherhood in Yoruba culture.

The preference for one's own child has historical antecedents in the Bible. From Biblical times, procreation has been praised and people have wanted to produce their own children. Consider God's promise to Abraham: "I will make your descendants countless as the dust of the earth" and "your heir shall be a child of your own body. Look up into the sky and count the stars if you can. So many shall your descendants be" (Genesis 13:16, and 15:5). Similarly, natural aspects of parenthood are identified throughout the Quran with maternal functions of pregnancy, giving birth, breastfeeding, and weaning. Specifically, the Quran states that "none can be their mother except those who give birth" (Quran 16:78; Quran 39:6; Quran 53:32; and Quran 58:2). These quotations emphasize not only the importance of procreation but also the genetic and gestational relatedness of the child rather than of a surrogate arrangement.

The loving attachment many pregnant women form with their unborn child is often exhibited in situations where the surrogate mother refuses to renounce the baby she carried for nine months. Some experience grief upon giving up the resulting child of the surrogate contract to the extent that 10 per cent of such cases require therapy (Longlope 1987, 83; Goleman 1987). The surrogate mother sees herself as someone who has suffered a great and personal loss, an emotional response for losing a child she carried for nine months. Despite signing a contract with the surrogate industry to perform an emotional labor, she still finds it difficult to suppress these emotions. Her loss is not compensated by any amount she receives from the contract.

Yoruba culture places extremely high value on children because they are the forward flowing stream of immortality. Children are the *summum bonum*, the highest good for the Yoruba. The very nature of the immortality of the soul flows cyclically through the lineage, through the birth of



children (Babatunde 1992; Hallgren 1991, 120-122). The Yoruba would say: “children, money and good health, I want it so (*omo, owo alaafia mo fe bee*)”. Relatedly, the Yorubas believe in the saying: *omo ya jowo* (children are preferred to wealth).

Also, among the Yorubas, having children is an essential part of being a female; it confers motherhood on a woman. This is quite unlike the Western society where adoptive rather than biological motherhood confers motherhood. A Yoruba woman does not consider herself to be a real woman unless she has proved herself to be fertile and the ‘halo of maternity’ shines over her (<http://science.jrank.org/pages>). This holds true for many African Culture where the index of motherhood is used to define ‘real’ woman. Given that motherhood becomes a prerequisite for social acceptance in many African cultures, many non-mothering women experience feelings of rejection and low self esteem. This is because:

*Bina ku afi eru boju, bogede ba ku afi omo e ropo, bi abaku omo eni ni wole deni,*  
 (the putting out of fire is always replaced by its ashes and the rotten banana is replaced by its young specie, a persons child is always a persons child because this child will replace his/her parents after death).

The Yoruba society conceives of children as those who continue the lineage of their father; hence, motherhood is empowering for women. Within such conceptualizations, birthing bestows a certain status on women even mystical powers. In this society, motherhood confers privileges that hark back to the very foundations of society and women’s presumed roles in it. Women symbolize fertility, fecundity and fruitfulness (<http://science.jrank.org/pages>). Mothers are revered as creators, nurturers and goddesses; they also inspire fear because they are believed to both give and destroy life through delivery. Maternal ideals are emphasized and praised in the Yoruba society where it is believed that *ikunle Abiyamo*, (the kneeling position traditionally assumed by a woman in labor and during childbirth) confers spiritual privileges on a mother. Thus, apart from the Yoruba belief that there are powers, privileges, and entitlements that come with motherhood in the process of delivering a child, motherhood is also seen as a sacred and powerful spiritual path. This is often reflected in the saying: *Iya ni olorun eni* ( Your mother should be seen as your thin god). Similarly, there is also the belief: *Iya ni alabaro omo* (Mother is one’s closest associate who assist in deliberation).

In this metaphorical claim, a mother serves in the position of God in terms of providing for her child’s needs which include feeding, caring, and

stimulating the child in the appropriate way. Motherhood is wrapped in many cultural meanings. Birthing and nurturing new life physically has led to a conflation of 'feminine', 'maternal' and feminine spirituality in many culture and religious tradition (<http://science.jrank.org/pages>).

However, the practice of commercial surrogacy not only degrades but also psychologically threatens the offspring of this arrangement. For it changes the way children are valued by people from being loved and valued by their parents and others to being used, as the case may be, as objects of commercial profit-making. In the Yoruba culture, children are not treated as commodities. In fact the most fundamental calling of parents in this culture is to love their children; children are to be loved and cherished by their parents and not to be used or manipulated by them for merely personal or commercial advantage. Loving one's children involves a passionate, unconditional commitment to nurture them and to provide them with the care, affection, and guidance they need to develop their capacities to maturity. This is reflected in the Yoruba saying:

*Emi a jeun ku fun omo mi*, (I will eat and leave some remnants for my children)

*Adaba jeun ku fun eyele*, (The dove eats and leaves some remnants for the pigeon)

*Orofo jeun ku fun awoko*, (The green wild pigeon eats and leaves some remnants for the mocking bird).

*Emi a jeun ku fun omo mi*, (I will leave some remnants for my children when I eat).

Similarly, a Yoruba saying which expresses showing love to one's children has it that:

*Enu oda elene ponla/ elene riri lo ni amu iya* (No matter how bad a child's mouth is the mother will always lick it).

This understanding of the way parents should value their children by showing them love and generosity informs the Yoruba interpretation of parental rights over their children. In the Yoruba culture, parents' rights over their children are trusts which they must always exercise for the sake of the child; hence, the child's interests are not definable independently of the family which is the object of specifically parental aspirations. The proper exercise of parental rights among the Yoruba, include those acts which promote their shared life as a family and those which realize the shared interests of parents and the child.

The Yoruba norm of parental love has implications for the way 'family' is conceived and the ways other people should treat the relationship between parents and their children. If children are to be loved by their

parents then others should not attempt to compromise the integrity of parental love or work to suppress the emotions supporting the bond between parents and their children. The father and mother's relationship to the child is embedded in sayings such as:

*Iya ni wura baba ni dingi, ijo ti iya ba ku ni wura omo fo, ojo ti baba ba ku ni dingi omo womi.* [Mother is gold, the father is glass, the day a child losses his mother his gold becomes disvalued. Similarly, the day a child losses his father, the glass becomes submerged in water and hence making mirroring (metaphorically, the future) difficult.]

The implication of the above is that the affection of the mother is as durable as fine gold, strong, valuable, true, central to a child's existence and also self-denying (<http://science.jrank.org/pages>) whereas the fathers affection, like glass can be splintered never to be restored ([www.unu.edu/unupress/unupbooks](http://www.unu.edu/unupress/unupbooks)). In the Yoruba society, parental personality is the most influential factor in determining child outcome. Optimal child development is promoted by parents whose care giving is attentive, physically demonstrative, stimulating, responsive, and non-restrictive (Belsky 1984, 83-96).

The quotations so far cited regarding motherhood in the Yoruba culture correlates with how motherhood is conceived and valued in another African culture, the Igbo culture. Reproductive labour is highly valued among members of this culture. In fact, the attainment of motherhood for married Igbo women moved them out of their subordinate position of 'wife' to the exalted category of 'mother'. This new social ascension and loss of an old identity is often marked by a new title: *Nne X*, where X is the name of the first born (Nzegwu, N.,2004). *Nne* is mother. She emerges for the first time at the birth of her first child. For this reason, motherhood identity in Igbo culture is linked to the actual delivery of a child. Conception establishes a state of possibility that is actualized only upon the birth of the child. Just as safe delivery is necessary for the assumption of the identity of mother so also are the traits and duties of motherhood tied exclusively to conception, pregnancy, and birth.

Igbo culture emphasizes the value of children by making claims such as *azuka ego* (children are much more important than wealth). This society, like many African societies, is organized around the need to have children. The prime importance of many African societies is to bring forth, nurture, and expand their human wealth. Mothers are central within this ontological scheme, and their reproductive labour is highly valued. Indeed, the centrality of mother's role in reproduction led to their being seen as what Ifi Amadiume (1987) describes as *isi mmli* (the source of the spring) .

All mothers have an *Usokwu*. Every *Usokwu* is a modal point of power that derives not from the spiritual *ofo* (authority) of a mother's husband but from her own natal family. It is the center of child socialization activities. Motherhood is the core of *Usokwu* formation and the seat of mother's power. The major function of the mother is to grow the lineage. Children of the same mother bond together and define themselves as members of their mother's *Usokwu*. Being from *ofu ofo* (one womb), they are bond by ties of loyalty (Nzegwu 2004). Mother's blood provides the cohesive glue that binds siblings. All these maternal values of emotional bond between mother and child, on the one hand, and among children of the same mother, on the other, are absent in the practice of surrogacy due to the difficulty of knowing who the 'real' mother of the surrogate child is.

The basis of a mother's power is her provision of the critical organ that houses all children during their most vulnerable state of life. She wills them into being and sustains them through the gestational period. She eats for them, breathes for them, and expels their waste. All human beings once traveled through the birth canal and were delivered through a mother's female reproductive part. This explains why genetic and gestational factors both bestow motherhood in African culture. For this reason, no one could be superior to mothers given that they were born by a mother (Nzegwu 2004, [www.jendajournal.com](http://www.jendajournal.com)).

The African ideology of motherhood constitutes the basis for compelling obedience from everyone who gestates in the womb and is also genetically related to the mother. The power of 'motherhood' covers a range of activities that continue after birth. Breast milk, for example, provides the first nourishment in life. Because early human life is tied to lactation milk, mothers possess the exclusive power of life and death over children. The fundamental nature of these maternal tasks constitutes the basis from which mothers command allegiance from their children. The life-giving responsibilities establish the moral parameters for belongingness and loyalty. Those within the uterine circle of life who have emerged from the same womb, eaten from the same pot, are the truest of kins. They are tied together by the same blood and the same nutrients (Ibid.).

Unlike the Western societies where reproductive labour is devalued and where women are placed at a systematic disadvantage especially in the labour market, motherhood is the basis of women's empowerment in many African societies where the arrangement of surrogacy is not reckoned with. Like the Yoruba culture, having a child in the Igbo culture transforms the status of a wife. She moves from the subordinate position of wife to the respected position of mother. This exalted position is not juxtaposed to any



other role but stands on its own. None of what fathers do appropriate or displace the status of mothers because motherhood is a very public experience and institution of unification (Nzegwu 2004, www.jendajournal.com).

Biological fatherhood (*Nna*) gives lineage rights to a wife's offspring. It gives husbands rights over their wives' sexuality and reproductive rights and the right to the product of their wives' womb. Hence, the Igbo concept of fatherhood entails a conception of motherhood. The *Nna* (father) has the moral and familial authority over his wife's reproductive capacities from which motherhood rights are derived and which adds to his family's growth. Procreation was after all the *raison d'être* for marriage. *Nna*, a notion of fatherhood in Igbo culture, prevails for many generations because it historically provides the right conditions for the survival of the lineage. The social value placed on children in this culture is reflected in the act of the father who embraces his children and historically contends himself with the post-reproductive role of caring for the children of the marriage, emotionally binding with them as their father and shaping them to be full members of the family (Nzegwu, N., 2004).

In both Igbo and Yoruba culture regarding the value placed on motherhood, fatherhood, and the family, no provision was made for a stranger in terms of the surrogate mother. Rather, motherhood has both genetic and gestational components it is conceived as the only way of genuinely continuing a man's lineage. Here ethical and legal issues surrounding a child's identity does not arise.

In conclusion, this paper has examined the practice of surrogate arrangement and the likely benefits. It argues that in spite of the benefits of this new reproductive technology, the practice deviates from the African conception of motherhood, fatherhood and the family. It draws from the Yoruba and Igbo culture by emphasizing the value placed on motherhood, fatherhood, and the family. It concludes by stressing that in both cultures, motherhood confers certain privileges on a mother; hence, gestational and genetic factors both combine to depict an African woman as a mother and a 'real' woman.

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