

SURROGATE PARENTING: A DIVISION OF FAMILIES, NOT A CREATION*

ELIZABETH KANE

Synopsis – Elizabeth Kane entered into the USA’s first contract ‘surrogate mother’ arrangement in 1980 and gave birth to a son in November of that same year. She had been raised in a religious, middle class family and had been taught from early childhood to sacrifice for the happiness of others. Giving a child to a woman less fortunate than herself seemed a natural extension of her childhood teachings. With the encouragement of her baby broker, she promoted the concept of surrogate motherhood for over a year on talk shows all over America. Her goals to change the social attitudes about infertility seemed to have been a success. Yet, by the time her son was six months old, she began to realize her role as a ‘human incubator’ almost destroyed her marriage, the emotional stability of her three children and herself. It took another six years for Elizabeth to begin to publicly acknowledge she had been exploited by her baby broker, the low self-esteem internalized from her childhood, and the attitude of infertile men and women who expect surrogate mothers to act as ‘containers’ to carry a child for them in exchange for money and feelings of completing a “Good Samaritan” act. It took her years to understand surrogacy not only exploits women like herself but infertile women married to men who insist on using the body of another to satisfy their desires for a child. She tells of her awakening to these realities in the following article, and her reasons for protesting the breeding of women as though they were bovine.

Good afternoon. I am Elizabeth Kane. I became America’s first legal surrogate mother in November of 1980. It’s hard for me to believe eight years ago I was advocating surrogate motherhood and today I am working with the National Coalition Against Surrogacy. We are working with State Legislators to ban surrogate parenting arrangements on a commercial basis.

Let me begin by giving you a little background information about myself to help you understand my motives for having a baby for strangers.

I was the second child, and first daughter in a family of four children. I was raised in a strict middle class Lutheran home in the 40s and 50s in the midwest. My father and brother were master of the house simply because they were male. Throughout my childhood, my mother taught my sister and myself the same values her mother had instilled in her as a child. “Never question the authority of your father.” This order included my older brother, and without verbalizing her feelings, I knew it was because my mother felt they were wiser and stronger and superior to us. During my childhood and adolescence, I remember envying the ability of the male to be able to do anything they wanted to do without an explanation. They were never asked to defend

*Talk presented 24 June 1988 at the National Women’s Studies Association Annual Conference “Leadership and Power: Women’s Alliances For Social Change,” University of Minnesota, Minneapolis, MN, USA. Forthcoming in *The Exploitation of Infertility: Women’s Experiences with Reproductive Technologies*, Renate Klein, ed., Routledge, London, 1989.

Elizabeth Kane is author of *Birth Mother*, Harcourt, Brace, Jovanovich, Inc., 1988.

Address correspondence to Elizabeth Kane, 1201 Woodland Court, Appleton, WI 54911, USA.

their behavior. My mother would shrug and say "That's a man for you" or smile with obvious pride when my brother's behavior was outrageous, "Teddy is all boy." Even to this day, my mother frowns her disapproval if I criticize my husband in front of her, while my sister is still a woman of the 50s in her relationship with her husband. Neither one of them can understand my 'rebellious' attitude toward my husband, labeling me 'ungrateful.' They are still trying to figure out 'what has gotten into me' in the last several years.

As children, we were all taught to give and to share with others at the risk of personal sacrifice. The very earliest I can remember this attitude being formed was about the age of four or five. The older boy who lived next door would come into my backyard to play and I immediately hopped off my swing set. I had learned earlier I was expected to share which meant I stood on the hill and watched him play.

It's strange. Now that I look back, I cannot remember ever feeling angry or a sense of unfairness, but rather acceptance.

After high school, I went on to become a Physician's Assistant and soon began to internalize the feeling that doctors were superior, to everybody. The older women in the office would never let me forget I was to tip-toe into his office with a telephone message and apologize for the intrusion. I knew it was my job to serve him and to better his medical practice. I willingly worked overtime without being paid and after the first year, I regarded the doctors I worked with as sitting on the right hand of God.

So it should not surprise you when I mention my baby broker, being male and a physician, could have asked me to walk over hot coals and I would have willingly obliged. Unfortunately, he knew this 15 minutes after I walked into his office for the initial interviews.

My main motive at the time seemed to be altruistic. I had been surrounded by infertility all of my life. First with a favorite aunt in

childhood who never talked about being barren but the emptiness was etched upon her beautiful face, and later a close friend in high school discovered she would never bear a child. She was convinced no one would ever want to marry her.

By the time I was a newlywed, four or five of my friends were undergoing testing for infertility and our conversations revolved around trying to give their husband a child and their feelings of inadequacy at not being able to be a "good wife." We all knew it was our husband's job to supply material possessions and our job to take pride in our homes and to fill them with children. Those friends of mine who were Roman Catholic were expected to produce at least four or five children. Not only had they disappointed their husbands but their parents and the Pope. My infertile friends soon referred to themselves as 'failures,' and I prayed fervently for a fruitful womb.

By 1969, I had given birth to our second child, and discovered my sister could not have children and several years later my brother and his wife were visiting her gynecologist while their baby crib remained empty.

By this time, I strongly felt that infertile women needed a solution to their problems. If infertile men had sperm donors to help them, then why was it that infertile women did not have alternatives to their sterility? Did they expect to?

As far back as 1970, I had talked to my husband about having a baby for a friend. I thought of it as an act of sisterhood.

In December of 1979, I read a UPI news article about an infertility specialist, Dr. Richard Levin, looking for a surrogate mother. I thought the name was quite appropriate since I would be substituting for another woman for nine months. I felt like a perfect candidate despite my age of 37 years. I mailed a resume and photographs of my children and myself to prove to the doctor I could 'make pretty babies.' I did not feel a need at this time to share this information with my husband. I

knew full well he would never understand my reasoning for wanting to have a baby for a woman I had never met.

Six weeks later, I was in Louisville with my husband undergoing physical and psychological examinations. During the two psychological examinations, there was no discussion about my bonding with the baby. No one talked about what to tell my three children or how they would feel about having to part with their brother at the end. Because I had had a daughter out of wedlock in 1964 and put her up for adoption 'with no apparent problems' (according to the psychiatric report) I wonder if they thought I could easily do it again? Their primary concern seemed to be about my ability to terminate my parental rights. I know now they thought of me merely as a reproductive tool, including the 23-year-old female attorney hired by the baby broker. She consistently threatened me with "breech of contract" every time I asked a question or insisted on meeting the contracting couple. I was only a healthy uterus without a brain or a heart. Even today, eight years later, I am amazed at the stories I hear from other surrogate mothers regarding little or no counseling about their feelings during the pregnancy and after the birth. Concerns about the feelings of their children are nonexistent.

At the request of Dr. Levin, a male photographer from *People Magazine* was present during the entire insemination, promising me it would never be published, but was for Dr. Levin's personal photo album only. A full page picture of myself with my legs spread, shaking hands with the inseminating nurse, graced the pages of *People*, April 14, 1980. Weeks after the conception, Dr. Levin sent *People* to my home, insisting I wear a maternity top to cover my three week pregnancy. Two weeks later I appeared with him on my first contact with the television media, Phil Donahue. I glowed with warm feelings for the expectant couple and the entire concept of surrogate parenting. I was

totally incapable of protesting or even recognizing Dr. Levin's increased control over me. The media circus began with Dr. Levin telling me to continue to use the pseudonym Elizabeth Kane 'to protect my privacy.' He screened all publicity requests and then called ME, *telling* me where to appear. Little did I know at that time that the photographic diary he kept of the pregnancy and the video camera he had propped in the birthing room would be sold by his agent to the media worldwide. I had no inkling that the next time I appeared on the Phil Donahue program, only weeks after the birth, that a video would be shown and I would be forced to sit on stage and watch myself give birth. A few minutes later, the 'new' parents called to gloat over their prize. My son. My face still aches from the smile I forced upon it that morning for the sake of the camera and his audience.

Yet, during the pregnancy I told skeptical audiences I had the RIGHT to do as I wished with my body. It took me only a few months to understand that the contracting couple and Dr. Levin owned me from the neck down. I was told I could not drink a glass of wine with dinner, I could not smoke or even take an aspirin for a headache without the written consent of Dr. Levin, who lived 350 miles away. I underwent numerous blood tests, ultrasounds and an amniocentesis to assure the couple of a perfect child. Before the conception, I had asked about having an amniocentesis because of my age, but I was unable to back out once the baby broker decided he liked the idea. The final insult arrived at the time of the birth when the baby broker, Dr. Levin, invited a number of people into my birthing room to watch the 'historic event,' including his wife, secretary, and his cousin.

The couple joined me in the delivery room shortly after the birth. Not because they weren't invited but because they were late arriving. Then I willingly let a strange woman hold my newborn baby and call him "her son."

I had convinced myself a scrawled signature on a contract would guarantee I would never love my child. I told myself daily during the entire pregnancy that this child was not mine, words frequently echoed by my baby broker. The fact that this couple already had an adopted son and were not childless did not bother me until I discovered it was the sperm donor who was obsessed with having a biological child. His wife was satisfied with the son they had adopted together.

I ached for her when she told me how empty she felt, knowing her husband had to hire a surrogate wife to prove his fertility. He had gained a child that had lived only in his imagination and I had lost a son who had been part of my life for eight and one half months. Yet, even after the delivery I could not acknowledge my sorrow at having to give my son to a complete stranger.

After the birth, my baby broker continued to parade me around the country to speak about the rewards of being a surrogate mother. Seven months later, it was impossible for me to face another television camera or newspaper reporter. I told him I would no longer be available to promote his business. At the same time, I began receiving photographs of a beautiful brown eyed infant with chubby cheeks. He no longer looked exactly like his father as he did at the time of birth. Instead the top half of his face was identical to mine. Only then did I recognize the fact that he was MY SON, too. He would carry my genes with him from one generation into the next. And I had exchanged the right to never see him again for \$11,500.

I sank into a deep depression and had no interest in being a useful human being. I began to contemplate suicide as the only way to release my family from the shame they had suffered during my pregnancy. The emotional scar tissue on all of us was evident and still is to this day. But I felt without me, they could move to another small town and begin again.

No one would ever have to know they were related to Elizabeth Kane.

I struggled for a long time to regain some stability and rational thinking. By the time my son was two years old, I decided to thank God for the three children I had at home instead of grieving for the son I would never see. I forced myself to actively participate in community affairs, take aerobic lessons to regain my figure and take karate and sky diving lessons to regain a sense of self-worth. I returned to night classes at the university to prove to myself through the A's I obtained that I wasn't stupid after all.

In January of 1985, I flew to England to speak out against surrogacy only weeks after the first British surrogate baby had been born. I told them we cannot ask women to have babies and give them away to men who are unhappy. That transferring one woman's pain to another person is not the solution in any society. Oddly enough, the American press was not interested in any anti-surrogacy speeches until the tragic story of Mary Beth Whitehead began to unfold.

In 1980, my original intention was to find an alternative to adoption for young infertile couples. By today I have discovered that the baby business has become an industry and the children contracted for and being born with AIDS or mentally handicapped have become industrial waste.

Many couples are in their second and third marriage, are middle aged and wealthy. Paying a baby broker \$12,000 to \$15,000 to find them a healthy uterus is not a financial strain. Many times the wife is surgically infertile by choice and already has children from a previous marriage. Her husband is not childless but is a step father to her children. Only because he is obsessed with exercising his 'right to procreate,' must his wife submit to his desires to hire a surrogate wife if she wants to preserve their marriage. She too is being intimidated and coerced into signing a

contract to have her husband's procreative demands met by another woman.

A lady in Wisconsin recently testified before state legislators. She burst into tears at the end of an otherwise glowing testimony when a Senator asked her about HER feelings. She sobbed hysterically, "The experience of looking through a catalog with my husband to find him a surrogate was so humiliating."

Because surrogacy has been rejected internationally, men from countries all over the world are flocking to America to buy their babies. Not only are these children being denied the right to a relationship with their birth mother and half brothers and sisters, but the right to be an American citizen. One birth mother in North Carolina grieved silently for several years upon learning her baby broker, a woman, had lied to her. The contracting couple was not a wealthy young couple from Maryland but instead a man from Israel.

There are 23 baby brokers in the United States and they are only interested in surrogate mothers as reproductive toys. The evidence is the number of women who are super ovulated 'to save the couple time and money' and the women who are accepted into their programs with multiple sclerosis, debilitating back problems and congenital heart defects. One surrogate mother from Texas with a heart condition was found dead in her bed on October 30, 1987. The body of her eight month son was inside her uterus. Today her mother is outraged that surrogacy and its business tactics killed not only her youngest daughter but her very first grandchild. Her daughter and grandson are buried on their farm, under the same tree her daughter would swing in as a young girl. Her loss is permanent. Hopefully mine will be only temporary. There is little I can say to console her.

My son did not ask to be deserted by me at birth. He did not decide he wanted to live in another state with a man I had never met.

Today his father has chosen not to tell him he has a birth mother, two sisters and a brother living in Wisconsin. My son's father had the right to separate us during the pregnancy by demanding an abortion and today he has the right to separate us until my child is 21 years old. Some day my son might be forced to carry the burden of knowing he was purchased for the price of a new car.

By participating in an act of reproductive prostitution without protesting, I have now taught my daughters a lesson I had never intended. They have seen my pain and have watched me gain a new strength over the years. They will never let any man intimidate them the way my baby broker and sperm donor psychologically coerced me during the pregnancy and in the years that followed. My daughters will never serve as a whipping post for any male because they know they are valuable, worthwhile human beings and they demand the respect that is due them. My daughter Julie recently spent 45 minutes after class arguing with her professor about her answer to a test question that she knew was correct. While this man stared at her breasts during her questioning, she never wavered until he conceded. I have never been so proud of her as I was the day she related the event to me. My daughters will never play the martyr role my mother, my grandmother and I had been taught by our church and our society.

The only way I can fight back is to see that surrogate parenting is banned in every state of this nation. I do not want any more women with low self-esteem to view themselves as reproductive meat whose only role in life is to produce children, preferably those with a penis.

Abraham Lincoln once said, "The sin of silence rather than the voice of protest makes a coward of man."

For too many years I was silent. Today I am protesting the breeding of American women as though they were bovine.