



# A Monopsony for Commercial Surrogacy: Ethics and Attitudes

7th December 2025

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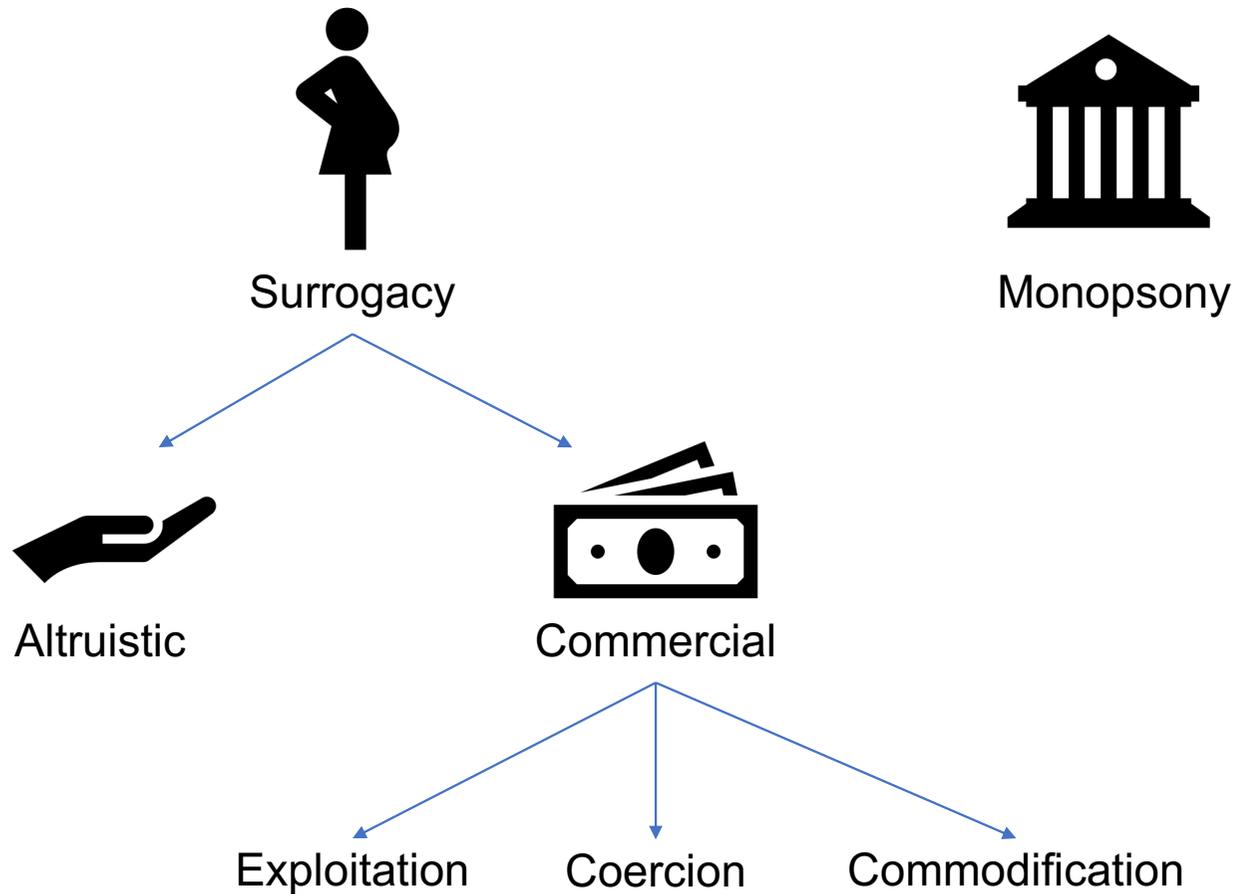
Dr Alberto Giubilini (University of Oxford)

Professor Justin Oakley (Monash University)



# Background

# Definitions



# Ethical concerns about commercial surrogacy

## Exploitation

- Wrongful exploitation occurs when A takes unfair advantage of B.<sup>1</sup>
- Surrogacy as “mutually advantageous exploitation”

## Coercion

A coercive contract is one that proposes to leave the subject:  
(A) With no reasonable choice other than to accept the proposal and  
(B) in a worse off position than they otherwise would be in.<sup>2</sup>

## Commodification

- Improperly commodifies reproductive labour, women and children
- “Semiotic arguments”
- Threatens the realisation of important human interests

# A monopsony for organ selling

[BMJ](#). 2002 Jul 20; 325(7356): 114–115.

doi: [10.1136/bmj.325.7356.114](https://doi.org/10.1136/bmj.325.7356.114)

## An ethically defensible market in organs

A single buyer like the NHS is an answer

[John Harris](#), Sir David Alliance professor of bioethics

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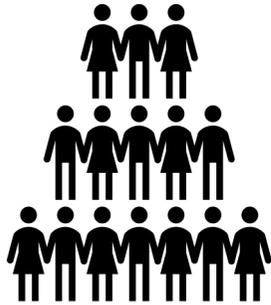
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# Methods

# Methods



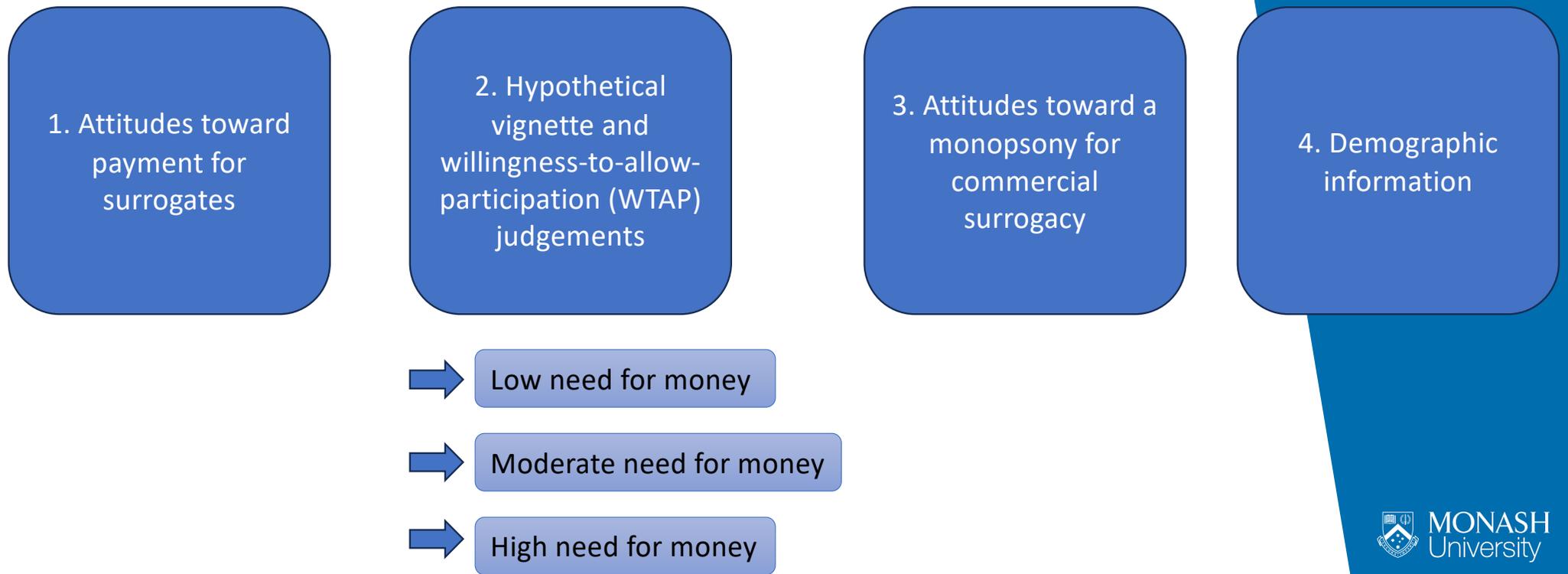
Online survey of a  
sample of the UK  
public



Statistical and  
ethical analysis

# Survey Design

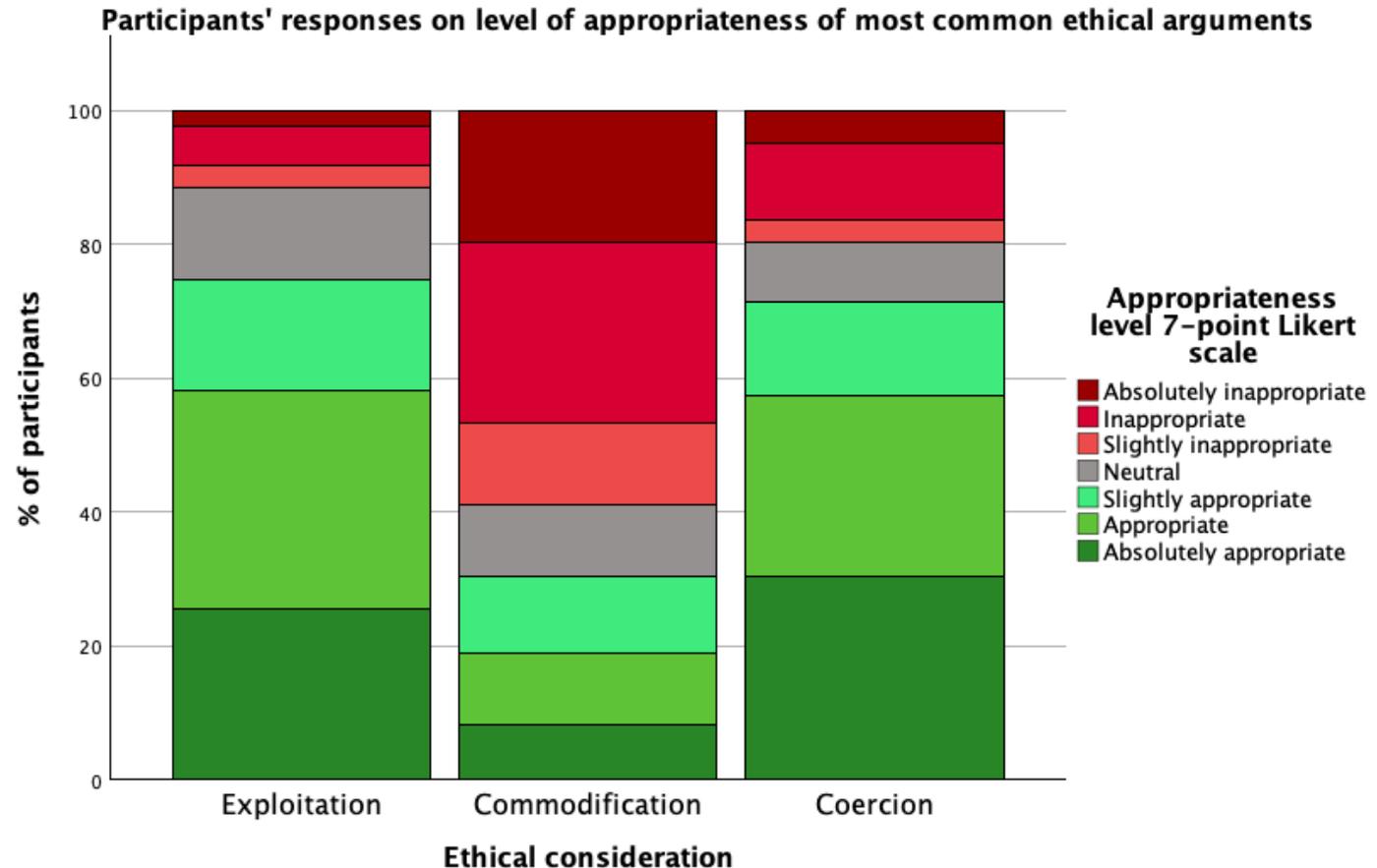
An online experimental survey of a sample of the UK public (N=136).



# Key Findings

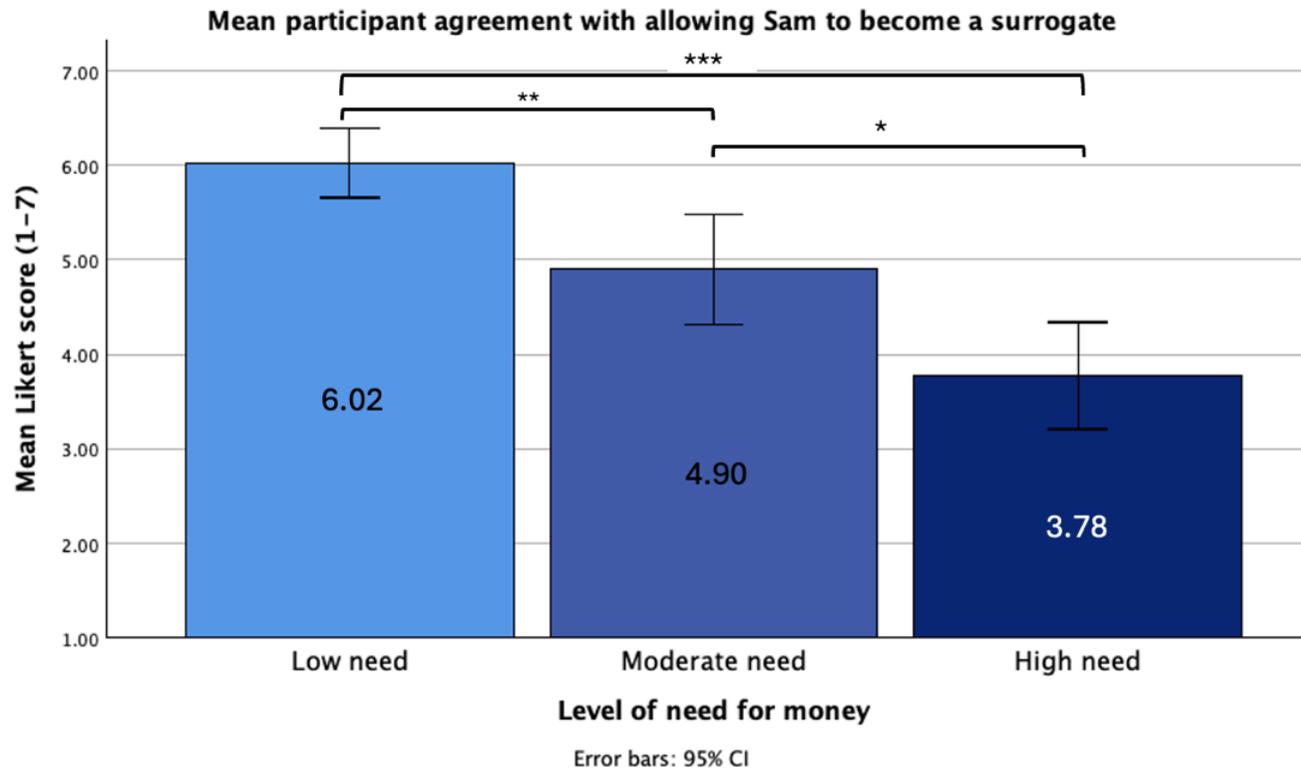
# Attitudes toward common ethical arguments

- **Exploitation** – argument *for* paying surrogates
- **Commodification** – argument *against* commercial surrogacy
- **Coercion** – argument *against* offering surrogates high payments



**Figure 1:** Participant attitudes toward level of appropriateness of arguments based on exploitation, commodification and coercion

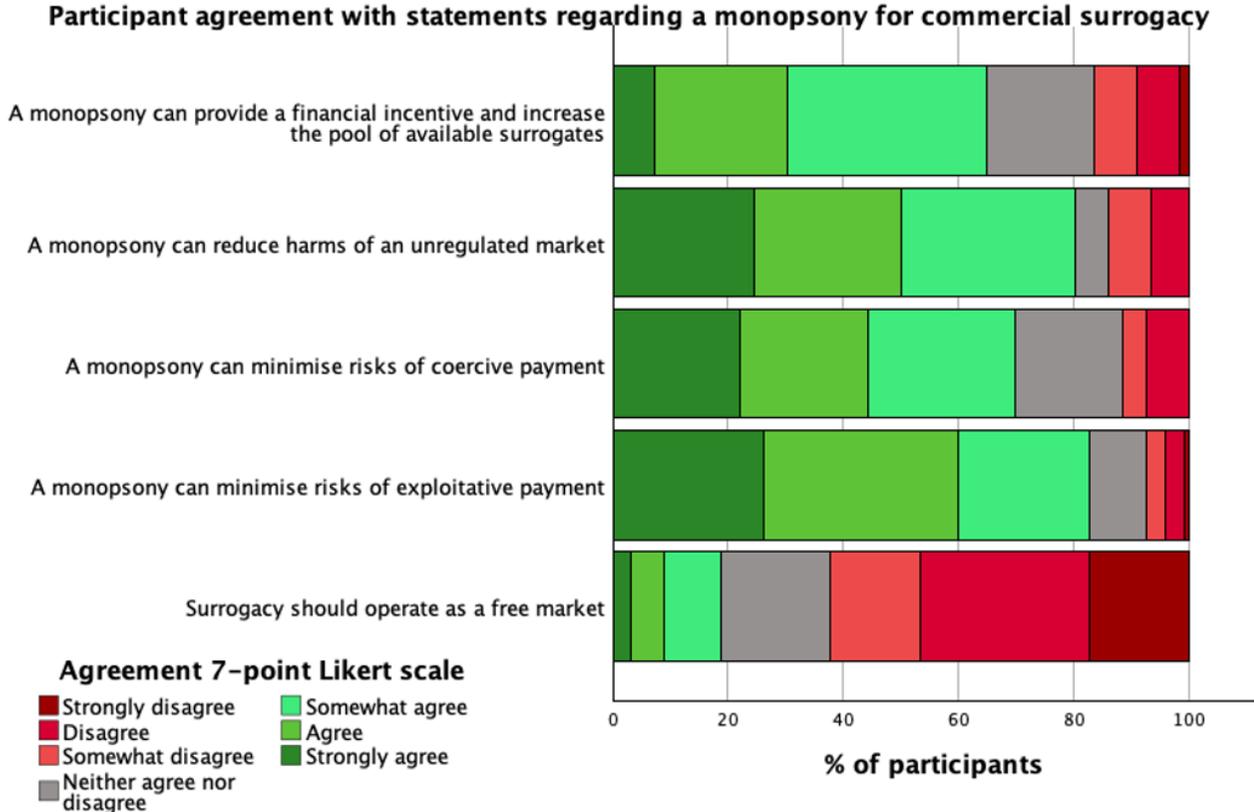
# Participant response to “level of need” vignettes



**Figure 2:** Mean agreement with allowing Sam to become a surrogate depending on level of need for money

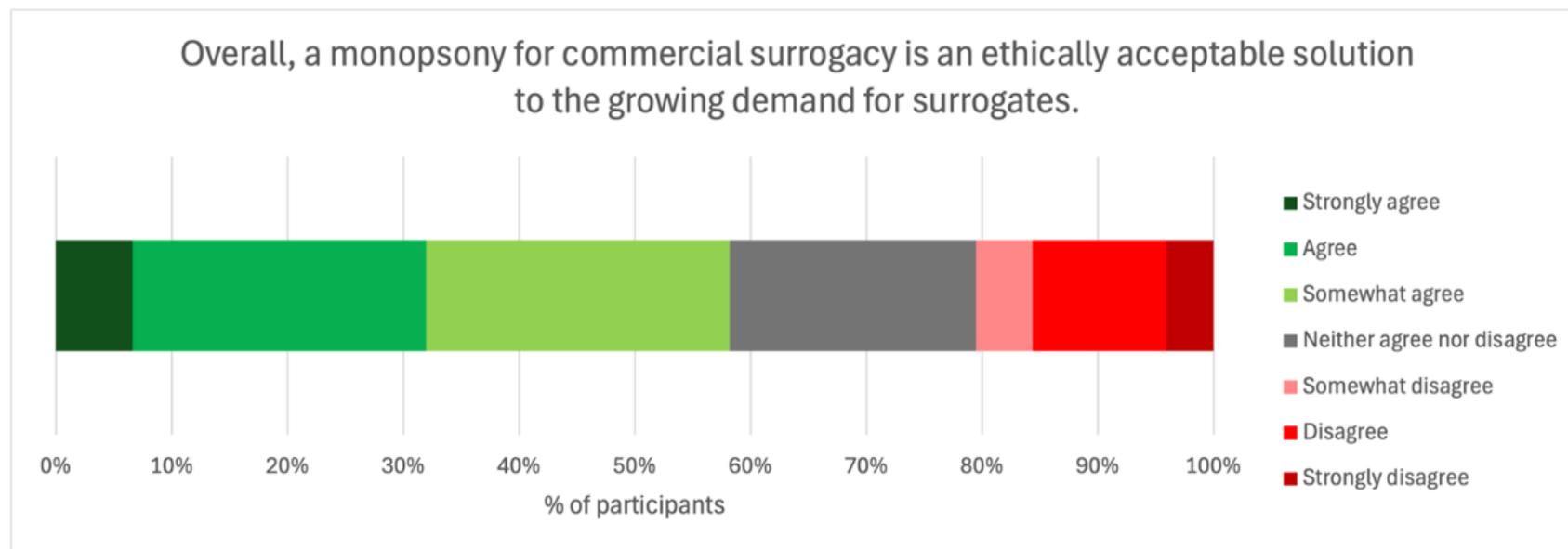
\* Indicates significant differences at  $p < .05$ , \*\* at  $p < .01$ , \*\*\* at  $p < .001$ . Willingness-to-allow-participation (WTAP) Likert scale was used (1- strongly disagree, 7- strongly agree).

# Attitudes toward a monopsony for commercial surrogacy



**Figure 3:** Stacked proportion distribution of agreement with statements regarding a monopsony for commercial surrogacy

# Agreement with a monopsony for commercial surrogacy



**Figure 4:** Proportion distribution of participant agreement with a monopsony for commercial surrogacy being overall, an ethically justifiable framework to meet the growing demand for surrogates

# Discussion

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## Exploitation

- Ensure a better balance of risks and benefits between intended parents and surrogate, by adequately compensating surrogates
- Public agreed

## Coercion

- Payment for surrogates is not coercive, because the offer of payment:
  - Provides an opportunity to make the surrogate financially better off
  - Does not remove the current range of choices
- Public disagreed

## Commodification

- “Semiotic objections” – symbolic considerations may not have any moral force in and of themselves
- “Human interests” argument – payment may not necessarily preclude altruistic motivation
- Public agreed

# Conclusion and Future Directions

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- Current altruistic model could potentially be exploiting surrogates, through low or no payments
- Our survey participants also thought that high payments could potentially be coercive
- Support for a regulated commercial surrogacy framework where surrogates receive a fixed fee, such as a monopsony
- Future research: funding considerations, practical challenges, how to determine the amount of payment for surrogates

**Thank you!**