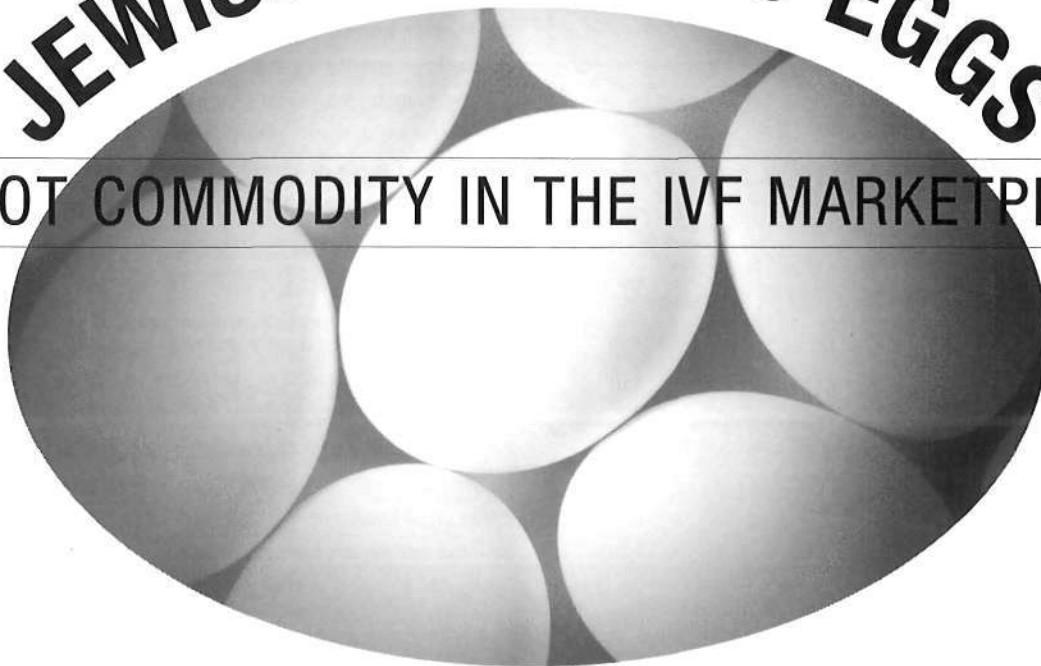


# JEWISH WOMEN'S EGGS

## A HOT COMMODITY IN THE IVF MARKETPLACE



BY SUSAN WEIDMAN SCHNEIDER

**EGG DONOR REQUIRED.** Couple seeks egg donor. We prefer as follows: R1500 SAT, 18-28 years old, 5'5"-5'9", healthy, attractive, athletic, at least one Jewish grandparent. Compensation \$25,000. Email photos and scores . . .

**A**dvertisements for Jewish women's eggs—like this one, which appeared in the Columbia University Spectator last April—have been running in college papers at Brown, Harvard, Princeton and other elite schools across the country. Even more-explicit ads appear regularly in *The Justice*, the Brandeis student paper, where a “Professional Jewish couple” offers a young woman with four Jewish grandparents payment of up to \$50,000 for her eggs. New techniques have made in-vitro fertilization simple, if not cheap, and Jewish women's eggs appear to be a hot commodity in this growing market.

Why *Jewish* eggs? Most infertile couples, given the choice, would like to have a donor whose genetic material pretty much matches their own. So Jews look for a Jewish donor, hoping she will feel ethnically and culturally like themselves. And why the high prices? Jews are a small minority outside of Israel, making the search for a donor of similar background.

In addition, there is the weighty matter of Jewish law. Some Orthodox Jews are concerned that eggs donated by a non-Jewish woman will not be considered halachically Jewish, since Jewish identity has traditionally been established through the maternal line. Some Jews using “assisted reproduction” to have a child want to make sure that they are in accordance with the strictest interpretation of Jewish law on this subject, which would include using only an unmarried donor (to avoid problems of creating a *mamzer*—a child born to a woman who is married to someone

other than the father). Because even many non-Orthodox Jews adhere to the notion of matrilineal descent—that is, that the religion of the mother determines the religion of the child—there is more concern among Jews about the religion of an egg donor than of a sperm donor. To ensure Jewish identity, which in Israel also automatically confers citizenship, some couples or individuals want a donor who can prove her Jewishness-by-birth for several generations.

The people placing the ads may be egg brokers (a whole new profession), or they may be the “intended parents” themselves. The infertile women soliciting these eggs are looking for egg donors who are, in many ways, themselves half a generation younger. Or perhaps like an *idealized* version of themselves: “High SAT scores, good schools, talented, slender.” The amounts of “compensation” offered are high—from \$5,000 to \$50,000, making the ads at the higher end of the spectrum a real come-on for young women with college loans and not much sense of what risks may be involved in the egg-donor process. “I’m a grad student with no money, and no time to go out and earn money,” said a Columbia Ph.D. candidate interviewed for this article who had considered becoming an egg donor “for about 10 minutes.”

### Why all these ads now?

Infertility has struck Jewish women with a vengeance. American women in general choose to have their first child at a later age than ever before. Between 1985 and 1994, the proportion of births to women in their 20s in dropped from 62 percent to 53 percent. The proportion of births to women 30 to 44 increased from 25 percent to 34 percent, according to the American Infertility Association. And Jewish women, the best educated subset of women in North America, tend to stay in college and

graduate school for more years than other women, thus becoming the group most likely to delay marriage and childbearing. Because fertility declines with age, many unexpectedly find themselves infertile just when they're ready to have children. Responding to an article on abortion rights, a Washington, D.C. journalist commented, "Frankly, for my friends in their 30s and 40s, the biggest worry now is not an unwanted pregnancy, but just trying to get pregnant in the first place."

Reproduction—new technologies and the attendant moral and political issues—are at the top of the news. President Bush holds forth on embryonic stem cell research. A divorced man appeals to New Jersey State Supreme Court to use fertilized embryos from his ex-wife. A brother and sister, children of Holocaust survivors, use his sperm and a donor's egg so that she, a lesbian in her 50s, can bear a child to perpetuate some of their decimated family's genes.

The confluence of increased involuntary infertility and new scientific possibilities brings in its wake many important issues—medical, legal, emotional and social—for women trying to conceive. But for young Jewish women who are being asked to assist others in having children, the consequences have until now gone largely unexamined.

New reproductive technologies have become more sophisticated, and as professional women who have postponed childbearing face fertility challenges, they're willing to use these technologies and to pay for them. Though fertility medications offer some hope, they are not magic, and pregnancy outcomes from these treatments are generally poor. So women who still want to bear a child must consider other options. One of these is in-vitro fertilization (IVF), a process whereby eggs are "harvested" from a younger donor (whose eggs have a better chance of producing a successful pregnancy) and fertilized in a lab by sperm, possibly from the woman's own partner. The fertilized eggs are implanted as embryos in the intended mother's womb.

Intended mothers who are infertile because of delay may be high-achieving, smart and accomplished. Understandably, they tend to seek eggs from younger versions of themselves. These

same younger women (absent a massive change in assumptions by career-oriented women—and men) may themselves be in this boat 15 years down the line. Having also postponed childbearing while in college, in graduate school and on a career path, they too may face difficulties getting pregnant or staying pregnant after 35. It is an irony worthy of Chekhov or Strindberg. Young women are now being courted for their eggs during their most fertile years in order to enable women slightly older to become gestational mothers; yet after having helped to produce these babies, they may be incapable, later on, of becoming pregnant themselves.

## Dilemmas for the Donors

Susan Katzman, a California attorney specializing in contracts between egg donors and the intended parents, says that "the motivation is not supposed to be money. It should be to help the infertile couple." And some donors are reported to have felt elated at doing good while at the same time getting a significant amount of money. Perhaps in an ideal world egg donors would be motivated exclusively by a desire to help, but most women in their twenties interviewed for this article—women who, granted, decided NOT to become egg donors—initially considered the possibility for financial reasons.

Though the ads stress high achievers, none of these women matching the ideal donor profiled in the ads had actually gone beyond a preliminary consideration of egg donation before rejecting the prospect. Despite the fact that, as one college senior mused, "It's pretty tempting, since I have a lot of student loans," the conclusion was not to proceed even as far as e-mailing the advertiser. Most agencies report that they barely see "a handful" (the image that came up again and again) of Jewish egg donors in a year. "It's like your mother always said," quoted the Columbia graduate student, "'There's no such thing as a free lunch.' I decided not to do it because you've got to get your body all pumped up with hormones. And you have to abstain from sex for months."

The website for Fertility Alternatives has a special page entitled "Jewish Fertility," where a prospective parent can view photos of college graduates and see their (not usually stellar) SAT



**F**or more than two decades, LILITH has been following the story of contemporary Jewish women's fertility through its various permutations. The cover story of issue # 3, an article entitled "The Population Panic," told "Why Jewish leaders want Jewish women to be fruitful and multiply." It featured the outraged responses of some women protesting what they felt was a "barefoot and pregnant" motif trying to draw them back from feminism's gains. Ten years later, the same author wrote about "The 'New' Infertility," exploring the feel-

ings of childless couples and the experiences of a Jewish surrogate mother. In 1996, articles on Jewish single mothers who'd had children without partners concluded with the first-person piece "You Don't Have a Daddy, You Have a Donor." LILITH's cover stories have focused not only on gestational motherhood, but also on adoption—from three perspectives: the infertile mother, the adoptee and, most recently, in "Sex and Shame in a Different Era," Jewish birth mothers who, years ago, relinquished their babies for adoption.

# Buying and Selling: The Metaphors of Assisted Reproduction

BY ELEANOR J. BADER

Advertisements soliciting Jewish women to become egg donors run the gamut: from childless couples wishing to buy eggs to those wishing to arrange a private adoption or find a surrogate mother to bear their child. Call it reproductive capitalism, a laissez-faire system of buying and selling on the open market.

Advocates of reproductive capitalism specifically target college-age women—preferably from top-ranked schools—as the laborers of choice. Consumers, in this case infertile women, are lured by the prospect of a solution to their problem, a way to get—or buy—what they most want: a healthy, smart, and socially adjusted newborn baby.

Assisted Reproductive Technology [ART] is big business, and by all accounts it is expected to get bigger in coming years. Approximately 400 clinics across the United States—up from 187 in 1990—currently specialize in infertility treatment. Professionals project an annual growth rate of nine percent through 2004, which if true, will create an unprecedented network of doctors, lawyers, administrators and medical technicians, all of whom stand to profit from fertility care. In 1996 alone more than six million Americans spent approximately \$2.6 billion on infertility care. RESOLVE: the National Infertility Association, estimates that 25 percent of the total U.S. health care budget for that year went to treatment. Sans calculations for physical pain, the process of using a donor egg for in-vitro fertilization will cost the “intended mom” between \$15,000 and \$25,000, and fewer than one-third of health insurance plans cover infertility treatments.

Jews and Asians, are particularly hard-hit by infertility. Demographers attribute this to the tendency to forestall pregnancy until graduate or professional degrees are completed. Infertility among 35-44 year olds is 21.4 percent. What's more, women over 40 have a 30 percent higher infertility rate than younger women. And Jewish women, as a group, are likelier than most to be past their fertile prime when they first try to conceive.

If this delay causes the woman to have trouble conceiving, she may seek medical intervention. Egg donation is one possible solution to her infertility. To begin, not every fertile woman can be

a donor. Fertility Awareness Inc., a San Diego, California agency that deals with the problem, is one of hundreds of private, for-profit programs that run without government oversight or regulation. Marketing themselves as specialists in “Jewish surrogacy and egg donation,” they require “donor candidates” to be between the ages of 19 and 31, although their website states that Jewish and Asian donors can be accepted to age 33 because of “shortages” in these communities. They claim that “all donors are attractive, intelligent and healthy physically, emotionally and genetically. As well they must be within normal height/weight ranges. Absolutely no smokers, drug users or obese applicants will be accepted.” The group also boasts another category of donor. Called “exceptional women,” these donors are under 30 and “have a college degree or are currently attending a major University, with excellent grade point average [3.5+] and SAT/ACT scores [1400+SAT; 28+ACT]. These donors also have proof of their academic status or are willing to undergo an I.Q. test if requested.”

Once a donor passes arduous physical, psychological and genetic screening processes—including tests for HIV and other sexually transmitted diseases—she, the agency and the “intended parents” negotiate a “compensation rate.” Although the sale of body parts is illegal in the United States, egg donors typically receive between \$2,500 and \$50,000. Dubbed a “donation,” the payment “compensates” the donor for “inconveniences” encountered. “Egg donation can be physically and psychologically difficult, as well as time consuming,” says the American Society for Reproductive Medicine. The Society’s Medical Ethics Committee agrees that women should be offered a financial incentive for donating their eggs to infertile couples. But, the group cautions that “the amount should not be so great that it clouds a women’s judgment and blinds her to potential risks.” Top payment, they state, should never exceed \$5,000.

## What Happens Before Your Eggs Can Be “Harvested”

The process begins with a visit to an endocrinologist who prepares the woman for “egg retrieval.” This involves daily

hormone injections for between four to six weeks, and usually the woman injects herself. During this time the donor must be sexually abstinent. Among the hormones used is Lupron, a drug that puts the body into a temporary menopausal state complete with hot flashes, nausea and vaginal dryness. A follicle stimulant is also administered. This causes severe bloating as the ovaries become larger and larger; the swelling usually lasts two to three weeks after the eggs are retrieved. Another drug, called HCG, is administered intramuscularly exactly 40 hours before surgery. The operation itself is done laparoscopically, on an out-patient basis. Fifteen to 20 eggs are usually retrieved, a number five to six times higher than the number released without hormonal intervention.

About 48 hours after the eggs are gathered and combined with sperm in a petri dish, the “intended mother” is inseminated with three to four embryos. Within two to three weeks she will know if she is pregnant, a victory claimed by 25 to 35 percent of in vitro fertilization [IVF] patients. Despite this relatively low rate of success, one in five multiple births is attributed to IVF. The egg recipient, like the donor, has received hormones to increase her receptivity to implantation. Numerous side effects are likely to ensue, including hot flashes, headaches, irritability, joint pain and breast swelling.

But beyond the physical risks of egg donation, retrieval and implantation lie other concerns. Among the most controversial: the issue of “designer babies.” Barbara Katz Rothman, sociology professor at City University of New York, is the author of *The Book of Life: A Personal and Ethical Guide to Race, Normality and the Implications of the Human Genome Project*. She is horrified by what she sees as the resurgence of eugenics and the classism implicit in fertility marketing. “In a system of donating gametes in which banking is the dominant metaphor, sperm and eggs are naturally sorted by ‘worth.’ That forces us to confront the question of what makes for worth in human beings. We don’t like to speak about eugenics anymore, but it is hard not to think of eugenics when people are actively seeking the very best genes money can buy,” she says.

Tali Amit, a 21-year-old senior at Brandeis University, likens the process of creating a “perfect” child to wishful thinking. “You can have Einstein’s genes but certain things in the environment can stifle intellect or nurture it. You can be born with average intelligence but there is a big environmental component to who you’re going to become as a person. I don’t understand people who make a plan for what their child will be. Will they love the baby less if she or he doesn’t meet their expectations?”

Jamella Jones, a scholarship student at an Ivy League college, sees the ads in her campus newspaper as a personal affront. “Why aren’t the people looking for egg donors asking for me, a smart, tough, low-income woman who works incredibly hard, a biracial person with what it takes to excel as a minority in a mostly white upper-class school?” she asks.

Indeed, what does it mean that women’s eggs are being treated like any other commodity? Rabbi Tsvi Blanchard, Director of Organizational Development at the National Jewish Center for Learning and Leadership [CLAL] and a psychologist in family

practice, says that one goal—not yet possible with today’s technology—would be the creation of a repository in which resources are shared. “The Jewish community could create a fund of eggs for women who need them. They’d be available as an act of chesed, an act of love.”

“From a rabbinic point of view,” he adds, “the narrow self involvement that says, ‘If I can have it who cares about you,’ is a horror. Jewish moral vision is about a covenantal relationship between human beings. Choice and autonomy are good values but they get strained by an obsession with individuality and commodification of the individual. In America, if you want to have a child but can’t, it’s not my problem unless you want to buy a solution from me.”

Unexamined in much of the conversation about egg donation is the social insistence that a woman is incomplete if she does not bear biological offspring.

“There are thousands of children available for adoption,” says New York City reproductive rights activist Tracey Davidoff. “These kids are here, in the flesh and in need, but most people who purport to be devastated by their inability to have a child reject them. Instead, they

seem to believe that without a biological connection, a child is not fully theirs. It’s like the environment—the home life a household creates—is an insignificant factor in promoting familial bonding.”

Still, Davidoff does not completely reject technology. “Carrying an embryo created by someone’s egg and your partner’s sperm is certainly an option for those with the money to buy it,” she says. “But the political implications of egg selling and retrieval—especially when particular kinds of eggs are purchased—are really very scary.” Although many infertile women say they are looking for a match with an egg donor who shares some of their own characteristics, Davidoff fears genetic engineering in the process of donor selection. “Are we sure we’re ready for a Brave New World where white skin, tall, thin bodies, high standardized test scores and heterosexual behavior trump every other possibility? I shudder at the thought.”

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scores and academic credentials. Some of the egg donors make statements about how much they want to help infertile women become pregnant, but most of the women eager to be donors do not appear to be the “exceptional” women the ads are seeking. Which may be why, even without an ad, one Jewish student on an Ivy League campus was approached in public last year by a stranger who had heard about her outstanding academic record, liked her looks, and asked (with little preamble) if she would be willing to become the egg donor for this infertile woman’s child! (The answer was no.)

So who *are* the Jewish donors? “A number of women from the Mideast who are not from the Ivy League,” says Patricia Mendell, director of support-line services for the American Infertility Association and a psychotherapist in New York who evaluates and counsels egg donors for IVF programs. Mendell, who also has worked with Russian Jewish egg donors, says “The Israelis are an interesting group of women. They have been in the Israeli army, and they are taking time off to travel, or saving money for college, or sending money back to their families in Israel for schooling. It’s hard sometimes for your highly educated Jewish professional women [to accept such donors at first]. You are not going to get that stamp of Harvard or Columbia, so you’re making a judgement call. There are ways of looking at someone to

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assess their being bright and their other wonderful qualities; they’ve been in the army and have had to prove their intelligence. These women usually get just the standard sum of \$5,000, and they are for the most part fabulous clients. They are compliant about medication, they follow the rules.”

### **What are the risks?**

Both the egg donor and the egg recipient receive hormones to prepare for egg harvesting and implantation of the fertilized embryo. Both face possible loss of bone-mineral density from the hormones that mimic menopause, taken at a certain point in the cycle, and other hormones represent some potential cancer risk to both women. A new brochure on assisted reproductive technologies (ART) from American Jewish Congress states that “Although currently available data is reassuring, it has been hypothesized that repeated treatment with gonadotropins can lead to an increased risk of ovarian cancer.” This pamphlet focuses on the risks to the egg recipient, for whom there are great and obvious benefits if ART is successful. For the egg donor, the non-monetary benefits are less apparent.

Young women are often not fully aware of the physical and emotional consequences in becoming egg donors. These risks include hormone treatments and surgery [see box, page 24],

procedures very different from the virtually risk-free situation of a male who elects to become a sperm donor. And while men can become sperm donors even into their 50s, women are sought as egg donors when they are barely able to vote, because that's when they are thought to be at their most fertile. "There are no laws governing the age at which one can become an egg donor, but some of the guidelines for egg donors should be rewritten," says Jeane Ungerleider-Springer, director of psychological services at Boston IVF, the country's largest for-profit IVF firm. She warns that "Eighteen- or 21-year-olds are too young to make informed decisions about whether to undergo the treatments that are necessary to become an egg donor."

Some prospective egg donors want to donate eggs to a friend or relative who is having difficulty conceiving. Reports from IVF professionals say that these circumstances spurring egg donation may make for complicated emotional entanglements later on. Ungerleider-Springer says egg donations from a sister or a friend (the most common circumstances in which a Jewish woman becomes a donor, she says) have unique psychological issues. "In cases like this, all parties need to be involved in the counseling, including the spouse of the donor, if she is married."

### Do you tell?

"It's very hard to find a Jewish egg donor who will be anonymous," says Ungerleider-Springer of women who might become donors for an unknown recipient. Donating eggs to a known recipient raises the chance that later in life the egg donor (even despite legal agreements to the contrary) may want to have a connection to the child her egg has helped produce.

There is the additional complication of what the donor might tell her own children. While the website of the American Infertility Association has a helpful and compassionate article under its FAQs about what to tell a child who has been conceived with the help of a donor egg, there is almost no guidance on what a donor might want to tell *her* present or future children. Lori Lefkowitz, director of Kolot, the program in Gender Studies at the Reconstructionist Rabbinical College in Philadelphia, poses the question: "Would you even tell your other children, or the children you might have later, that they have a half-sibling out there somewhere? Don't you feel you might need to, both to be frank with them and in case they encounter that person later in life?"

One young woman who had considered egg donation was very clear that this is what had stopped her. "What if I have a child later and that kid meets and marries a half-brother or half-sister? I would never know who my child was out there to even warn them against it." A realistic worry for Jewish donors is that in the relatively small pool of Jews in the world, perhaps a child born to an egg donor might meet and decide to marry a half-sibling, someone conceived with an egg from the same mother. Yet with anonymous egg donation, the two would likely never know the connection. For sperm donations, Orthodox Jews and others have preferred non-Jewish donors precisely to avoid the greater possibility of consanguinity. Despite worries about a rising intermarriage rate, Jews are relatively

endogamous. In marriage is still more likely among Jews than among many other groups.

### Once again, women and men are different

Concern for whether or not you might have a child "out there" created with *your* genetic material seems to be almost exclusively a worry for women. In a wide-ranging conversation about "reproduction and the Jews" with a group of about 40 students at Brandeis University, the women students were for the most part reluctant to consider egg donation because they sensed they would wonder later on about the child the egg helped create. "So what are you going to do—chase the child down and try to become its mother?" asked one incredulous male student. But motherhood was not the goal; a kind of uncertain curiosity was. And the men did not seem to share these feelings, perhaps because the process of donating sperm is much less personal, and far simpler. "It is very hard to compare egg and sperm donation. What the woman goes through to be a donor is more invasive—both the screenings and the procedure," says Jeane Underleider-Springer. Perhaps the complexity of the treatment—and the link between the two women involved (since their cycles have to be synchronized for the process to work) means that the egg donor may feel more connected to the outcome. Or maybe this concern is part of some hard-wired female protective anxiety about offspring.

Patricia Mendell is very conscious of this when she counsels prospective egg donors. "I do a lot of walking down the road with them, asking, 'Twenty-one years from now, if this child wanted to meet you or wanted more information about you, what would you think?' You must tell women what's involved emotionally as well as physically. And the whole meaning [of being an egg donor] may change when they have children of their own".

There's another major gender difference here, Ungerleider-Springer continues. "You can freeze sperm but you cannot freeze eggs. And it is [physically] easy to get sperm. You can do an interview with a donor, freeze the sperm for 6 months and then do an HIV test. But you need live donors for eggs. You can't bank eggs." What this means of course is that a woman does not have the option—available to men for decades—of storing her genetic material (outside her body) for future use. Technology has not leapt forward to stop or turn back that famously ticking fertile woman's biological clock. "The one thing that will change things for women is when they perfect freezing eggs. So it is *very* important for women to know about aging eggs. Our culture and the media let people know that you can be pregnant at 42—but those are the *rare* cases!!"

Ungerleider-Springer says that the media spotlight on older mothers conveys the false impression that it is easily possible for an older woman (older in this case being over 35 or 40) to conceive and carry a pregnancy to term. Patricia Mendell concurs. "You see older women like [playwright] Wendy Wasserstein having babies, and people get the impression that if one is looking this good at 45 or 50 then it is the same inside as outside—and that all of you is in such good shape." Later pregnancy, often hyped in the

**"What if I have a child later, and she meets and marries her half-brother?"**

