

Surrogate Motherhood-Legal and Social Issues

*Dr. Bharat Bhusan Parsoon**

*Dr. Praveen Mohan***

ABSTRACT

Motherhood is a relation of blood and emotions born out of carrying a foetus and it can never be perceived when the baby is grown in a rented womb. Surrogate motherhood is a newer development in the management of infertility. It assists infertile couple to procreate by different techniques. The advantage is that a woman without a uterus but with functioning ovaries may have her child with the help of a surrogate mother. The surrogacy as a concept is not new. We find references in the Bible, as also in the Mahabharata & Ramayana. The concept is old but issues are new and amplitude is wider.

2. No doubt assisted reproduction is a great scientific achievement, it raises many emotional, social, legal & ethical issues which are faced by the couple, the surrogate mother, the child, the society, the donor as also by the doctor.
3. In many western countries surrogacy is an accepted mode of having a child. In the U.K., it was legalised in 1990 for infertile couples, whereas in the USA surrogacy arrangement even on commercial basis is also allowed. In India, on the other hand, because of high priority given to morality & ortho-dox societal set-up, the practice of surrogacy and related issues have wider ramifications. In some cases the situation takes an ugly turn bringing law enforcing agencies and the judiciary to play a remedial role.
4. And now cloning opened a pandora's box. Its application in human beings is a challenging ethical issue confronting the society. Only time will tell whether this asexually applied sexual method will be accepted for reproduction or not.

DRUG DEPENDENCE : ADOLSCENTS' PARADISE; NATION'S DOOM.

ABSTRACT OF PAPER TO BE PRESENTED AT INTERNATIONAL CONFERENCE ON GLOBAL HEALTH LAW

Providing healthy living and promoting good health to every citizen, should be the primary concern of every nation, be it developed, developing or underdeveloped. This goal is achieved by generating awareness among the masses as also through legislation.

A malady which has affected almost every nation in the world in recent times, is the menace of drug abuse, tobacco consumption and alcoholism. Although, there are certain legal measures which are helpful in curbing the

abuse of drugs like opium, morphine, heroin, pethedine etc., the surveillance forms, more effective an approach to deal with the national health problem. The related vital issue of adolescent drug dependence, (enumerating various drugs which are abused by the youth), their harmful effects, and remedial measures are important areas of discussion.

National Surveys conducted from time to time have indicated that more and more adolescent school and college youths are falling prey to drug abuse, consumption of alcoholic beverages and cigarette smoking. Initial experimentation, periodic recreation and compulsive chronic pattern are the three stages of adolescent addiction. Peer pressure, alienation, hedonism, mass

* *Legal Remembrancer-cum-Director of Prosecution, Union Territory, Chandigarh.*

** *Reader, Deptt. of Obstetrics & Gynaecology, Govt. Medical College, Chandigarh.*



media advertising, affluence and boredom are the most frequently cited factors leading to spread of drug abuse.

The substances which form most common of abused items are heroin (brown sugar), barbiturates, non-barbiturates sedatives like chloral hydrates, mandrax, anti-anxiety agents such as Chlor-diazepoxide, diazepam; stimulants such as amphetamines, Cocaine and certain psychotomimetics like LSD. Tobacco is consumed in the form of cigarette smoking and chewing by mouth, which accounts for approximately one third of all cancer deaths. Alcohol consumption which has increased in recent times due to changes in socio-economic conditions, often results in drug tolerance and physical dependence. Alcoholism which causes not only debilitating pathological conditions such as chronic hepatitis, may also lead to teratogenesis in women.

Existing laws and enforcement machinery needs a

relook in the changed scenario emerging from tremoring effect of western culture and civilization of the Indian youth.

The remedial measures are the effective implementation and enforcement of existing laws, making them more potent and effective, empowerment of enforcement agencies, formulation of new laws to ban drug use, public and passive smoking, as also imposition of ban or providing for regulations or drinking alcohol in public functions (as has been done recently by Delhi Administration). There is need of general public awareness and publicity among the masses (towards health hazards caused by the drugs, tobacco and alcohol) through mass media-print and electronics.

The Governmental and non-Governmental Organisations as also Voluntary social agencies need to come forward to pursue this cause of societal good to avoid Nation's doom.

