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Biological Parenthood and Reproductive Technologies

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Funding: No specific funding was received for this work.

Potential competing interests: No potential competing interests to declare.

Abstract

This article argues that reproductive technologies are problematic despite widening (and when publicly funded also *democratizing*) access to parenthood for particularly vulnerable groups, such as LGBTQ+ and those suffering from infertility. The problem with reproductive technologies is *biological* parenthood, which reinforces patriarchy.

Introduction

What should we make of reproductive technologies? On the face of it, innovations such as IVF (and its growing number of cousins, see: 1-8) are powerful instruments against injustice, widening access to parenthood and making it easier for vulnerable groups such as LGBTQ+ to become parents.

Here the justice potential of reproductive technologies is at least twofold:

- I. it is an urgent matter of justice that a significant number of persons have the satisfaction of a deeply entrenched wish not available to them for reasons that are beyond their control (consider also another relevant group, beyond LGBTQ+, namely those suffering from infertility);
- II. it is a *further* urgent matter of justice that the groups affected in the way just described under (I) happen to be already vulnerable and subject to discrimination and exclusion in ways that are *independent* of their lack of access to parenthood. Here there might be a relevant difference between the two groups identified above (LGBTQ+ and those suffering from infertility), so that (ii) plausibly only applies to the former group, LGBTQ+.¹

Democratizing access to parenthood, then, is an urgent matter of justice; and the fact that the groups gaining access happen to be already disadvantaged in other (independent) ways makes it even more important from a moral, social and political point of view. So what could possibly speak against reproductive technologies, given the above?

This article argues that the claim according to which reproductive technologies widen access to parenthood is not precise enough, and that once we have clarified which kinds of parenthood reproductive technologies widen and democratize (the latter if publicly funded, anyway) access to, considerations of justice no longer obviously support reproductive technologies.

What's wrong with the claim that reproductive technologies widen access to parenthood? The following: reproductive technologies only widen access to a certain kind of parenthood, namely *biological* parenthood [1][2][3][4][5][6]. And while, as we have argued above, considerations of justice overwhelmingly speak in favour of widening access to parenthood², it is not as clear that considerations of justice similarly speak in favour of widening access to *biological* parenthood – or so this article argues.

What's wrong with biological parenthood? Here again we need to be slightly more precise and distinguish between 'biological parenthood' as such and a '*preference* for biological parenthood' (over non-biological parenthood³); both might be argued to be problematic for reasons that this article will explain, but some issues only apply to the latter (*preference* for biological parenthood over non-biological parenthood) and not the former (biological parenthood as such), which is the rationale for this further distinction.

Biological Parenthood

Before looking at the value of biological parenthood, let's briefly say what it is: the literature normally deploys an inclusive understanding of the 'biological' in biological parenthood, broadly including both *genetic* ties and *gestational* ties [1][2][3][4][5][6].⁴

Having clarified what 'biological parenthood' refers to – and before we look at why we must be careful (ethically, socially and politically) in evaluating preferences for biological parenthood, there is a further argumentative step, namely whether it is in fact the case that, as I have argued above, 'reproductive technologies only widen access to a certain kind of parenthood, *biological* parenthood'.

The first bit is easy: I am not disputing that reproductive technologies widen access to parenthood. That claim is true, just in virtue of being instantiated by reproductive technologies widening access to biological parenthood.

One could imagine an extremely conservative position according to which one doesn't become a 'real' parent if one uses 'reproductive technologies', but I don't believe we need to worry about that bit of logical space.

Another alternative might be more troublesome for our argument, namely the possibility that the claim 'reproductive technologies only widen access to *biological* parenthood' is false because in fact reproductive technologies widen both access to biological parenthood and to non-biological parenthood.

Even if one is as inclusive as we are in this article about the 'biological' in 'biological parenthood', including both genetic ties and gestational ties, it could be argued that not everyone who uses reproductive technologies in order to become parents becomes a biological parent.

A gay couple using surrogacy alongside the genetic material of one of the two prospective parents, for example, could be plausibly described as follows: both are social parents and one of them is also biologically related to the child; the other parent would then have successfully used reproductive technologies to gain access to parenthood, without thereby

gaining (or indeed seeking) access to biological parenthood.

As these things go, I believe the above could count as a counterexample to the claim that 'reproductive technologies only widen access to a certain kind of parenthood, namely *biological* parenthood'. Whether or not the counterexample is successful will depend on some details about how we ought to conceptualize the parental couple, for example the question of whether we should really distinguish between one social parent and one biological parent, instead of saying that those two men are the parents of the child and are also biologically related to her, as a couple – emphasizing commonality rather than difference, basically.

Insisting on the distinction between a social and a biological parent, in this case, seems to have little explanatory value – and might have unwarranted exclusionary consequences, for example in a custody court case down the line.

But we don't have to worry about these conceptual details, because even if the counterexample were successful, that wouldn't be a problem for the argument that this article pursues, which is that problematizing preferences for biological parenthood shows that considerations of justice are not as obvious when it comes to reproductive technologies.

We can now go back to the main argument which is that preferences for biological parenthood are problematic^{[4][7]}. This article argues that a preference for biological parenthood is ethically (and also socially and politically, by the way – but those other two are beyond the scope here) problematic because it *replicates*, *reinforces* and ultimately also *entrenches* patriarchy. And patriarchy is evil (that bit the article just assumes), so that each of the following three are morally, socially and politically problematic: replicating evil, reinforcing evil, and entrenching evil (this is also just assumed, not argued for).

ARGUMENT can then be 'formalized' as follows:

- i. Preferences for biological parenthood replicate, reinforce and entrench (RRE, if you like) patriarchy;
- ii. Patriarchy is evil;
- iii. RRE-ing evil is problematic (morally, socially and politically – but the latter two are beyond the scope of the present argument);
- iv. Preferences for biological parenthood are morally problematic.

Please do check, but I believe ARGUMENT to be valid and that since both (ii) and (iii) are obvious, all we need to do is provide an argument for (i); then we are done, and we can finally go home.

There is actually one further step in the overall argument over and above the ones we just presented, namely weighting (iv) against the obvious considerations of justice we introduced at the beginning in favour of reproductive technologies, which we do in the section after next by distinguishing between a strong and weak version of our overall evaluation:

- WEAK: reproductive technologies are morally problematic (because of RRE-ing patriarchy) *despite* their obvious potential against injustice in terms of widening access to parenthood for vulnerable groups.
- STRONG: reproductive technologies are morally problematic (because of RRE-ing patriarchy) *because* of their obvious potential against injustice in terms of widening access to parenthood for vulnerable groups.

Patriarchal Parenthood

In this section, we put forward and defend the argument for (i). First step is a further distinction, between two different versions of (i):

(i.i) preferences for biological parenthood RRE patriarchy

(i.ii) biological parenthood RREs patriarchy.

Now two further clarifications about argumentative strength:

- a. I take it, first, that (i.i) is enough for my argument – as the last section showed; but that (i.ii) has potential and, more importantly from an argumentative point of view, that (i.ii) implies (i.), so we will take a shot at demonstrating (i.ii) and highlight any points where the argument might only be enough for (i.i) but not (i.ii);
- b. Secondly, I take it that for this article's overall argument, RRE is three times what we actually need, and just any of the three (replicating, reinforcing, entrenching) would actually be enough, at least for WEAK if not for STRONG – that's how serious an evil patriarchy is, basically. Still, I will again take a shot at the whole of RRE and emphasize any asymmetries between the three different elements.

One more thing about RRE that I think is obvious but you never know: it is *normatively ascending* in such a way that 'replicating' is the least serious and 'entrenching' the most serious. We could here do some "fancy" (for bioethics if not philosophy) semantics about whether, for example, RRE should be understood disjunctively or conjunctively or whether and which logical relations there might otherwise be between the three. Does entrenching need replication, for example? That seems to be less obvious than entrenching needing reinforcement or, for that matter, than reinforcement needing replication – which might have to do with the *symbolic* value of the latter as opposed to the *material* value of the other two.

Having made these clarifications, I trust that I don't need to waste any further space on your screens by listing all the logical options between (i.i), (i.ii) and the different combinations of RRE. But we can agree that the weakest claim is the replication-only version of (i.i) and that the strongest possible claim (within this limited context) is the conjunctive version of (i.ii) where each of the three elements of RRE is independent of each other in some interesting way – like the point about replication being purely symbolic. So now we can finally proceed with content.

The idea is actually pretty simple: patriarchy has been hijacking biology in ways that are relevant to how biological parenthood (or at least a preference for biological parenthood) replicates, reinforces and entrenches it (patriarchy, that is). Why? Because patriarchy has been using biology in order to keep women and girls down – and continues to do so. In fact, even a stronger version of this claim warrants consideration if not defence, namely the idea that patriarchy just *is* the use of biology to keep women and girls down.

I will here defend the former rather than latter claim, but some of the considerations for the former claim trickle down to the latter one, I believe. How has patriarchy been using biology to keep girls and women down? Are you kidding me? Do I really have to spell this out? Have you never heard of gestation? Breastfeeding? The special bond between mother and

child? Parental leave? No available spot in kindergarten? Stay-at-home-mums? Part-time work? Do I need to continue?⁵

You might object that there is a legitimate philosophical reason why I should indeed continue and that such reason applies even if you buy all of the above. The reason being that some of the items in the list above – and it's a short list that could easily be extended to violate the word-limit of any academic journal, starting from pay gaps, missing pension contributions and poverty in old age – have nothing to do with biology: say kindergartens or pensions.

That is in itself a fair point, but it is a misunderstanding of what it means for patriarchy ~~to use~~ biology in order to keep women and girls down. And it's quite a big misunderstanding, because obviously the claim is not that *biology* keeps women and girls down but, just read it again, that patriarchy *uses* biology to keep women and girls down^{[8][9][10]}.

This clarification is also important so that nobody can come with: but breastfeeding is better than formula. Yes, for kids maybe – but what about women? And also, for kids according to which criteria or outcome measure? Half of those kids for which breastfeeding is 'better' are girls that are being kept down or at best will be kept down, down the line, by breastfeeding^[11].

Now you might agree with all of the above and still resist the next step, as follows: that patriarchy uses biology to keep girls and women down might be both true and wrong but how does that have anything to do with biological parenthood? You can breastfeed your non-biological children, after all; and you can gestate your non-genetic children too.

This is how patriarchy's hijacking of biology to keep girls and women down has to do with biological parenthood and, in fact, with reproduction more in general: reproduction – and biological parenthood in particular – are the #1 way in which patriarchy uses biology to keep girls and women down. As simple as that.

If you buy all of the above, but then want to make exceptions for reproduction (or at least for biological parenthood - those two are indeed not the same thing, because you can reproduce without being a biological parent even on our inclusive understanding, think ecto-genesis with someone else's dna; and obviously you can also become a parent without reproducing), then you simply don't really buy all of the above.

There are other ways and other realms in which biology is used to keep women and girls down (sexuality, say; identity is another big one) but reproduction is the elephant, and the room is the world as you and I know it.

Let me remind you where we are within our overall argument. We are arguing for (i.ii) keeping in mind that (i.i) is enough and that we have not done the full semantics of RRE. The argument so far has been that (i.i) is true or at very plausible because patriarchy uses biology to keep women and girls down and reproduction or at least biological parenthood is the main way it continues to do so.

Here we encounter one of those anticipated junctions where we could at least try to argue that there is a gap between (i.i) and (i.ii) and maybe also that the 'keeping girls and women down' argument doesn't equally apply to each element within RRE. So let us look into that.

One possibility to drive some space between (i.i) and (i.ii) is the idea that one could be some kind of self-critical (or also

neutral, but that might not be good enough) biological parent, so that one is a biological parent but does not have a preference for biological parenthood, for, say, feminist reasons. I am not sure how much merit there is to these kinds of examples apart from just re-stating that (i.i) and (i.ii) are indeed not equivalent, but that we knew already.

What these kinds of cases are good for, on the other hand, is allowing us to clarify that the issue with preferences for biological parenthood is not psychological attitudes but what those preferences result in, namely the use of reproductive technologies and the replication, reinforcement and entrenching of patriarchy. So lacking the preference isn't crucial, what matters is RRE. Call this *externalism* about RRE, if you must.

Not surprisingly, then, the more powerful objections against my argument will have to do with whether or not biological parenthood does in fact constitute or at least result in RRE: this, mind you, is a different point than just rejecting the claim that patriarchy uses biology to keep women down. One could go along with that and even with the clarification about the large role reproduction plays there, but then still resist RRE.

But I don't see how that is going to work, in (argumentative) practice: patriarchy uses reproduction (or at least biological parenthood) to keep girls and women down, so biological parenthood is problematic, but biological parenthood does not replicate patriarchy; nor does it reinforce patriarchy; nor does it entrench patriarchy.

That doesn't quite make sense, at least if all three are included, but maybe there could be some space in between? The following could maybe work: if replication doesn't necessarily – and it probably doesn't – entail nor cause reinforcement nor entrenchment, then maybe in a society in which non-biological parenthood was on a par with biological parenthood (not just economically but also in terms of what we will call, for lack of a better concept, *social recognition*), one might become a biological parent, thereby replicating patriarchy, without necessarily reinforcing it or, at least, entrenching it.

Caveat: the objections to the E part of our equation – entrenchment – are ironically the easiest to run for the very fact that patriarchy being already so damn entrenched, it is not very plausible that every new biological parenthood further entrenches it, while it could be that, despite its dominance, patriarchy gains in force with each new biological parenthood. But as we said we do not need the whole of RRE, so that's ok and I won't pursue this kind of cheap objection that helps itself to patriarchy's very dominance in order to defend it. Shame on you, really.

Let's go back to this fantasy world in which non-biological parenthood is on a par – materially and also in terms of recognition – with biological parenthood. The very structure of the case makes it easy to run not just the replication claim (which is obvious) but also the reinforcement claim, because if finally non-biologically parenthood had achieved parity, then it really would be dangerous to give any albeit minimal extra force to biological parenthood, because it would compromise parity. So even on that kind of fantasy scenario we get RR, which is more than enough. And we get it, importantly, already on (i.ii) without having to retreat to (i.i).

I now take my argument for (i) to be complete, and since (i) was the only step in ARGUMENT that needed defending here, I take to have established ARGUMENT and will now move on, in the next section, to how to measure it against the obvious potential against injustice of reproductive technologies, which concludes this paper.

The gramscian view of reproduction

In this section, I argue for WEAK and STRONG. Quick reminder below:

- WEAK: reproductive technologies are morally problematic (because of RRE-ing patriarchy) *despite* their obvious potential against injustice in terms of widening access to parenthood for vulnerable groups.
- STRONG: reproductive technologies are morally problematic (because of RRE-ing patriarchy) *because* of their obvious potential against injustice in terms of widening access to parenthood for vulnerable groups.

By the end, even if you buy neither WEAK nor STRONG, remember what an achievement it is already to have established the soundness of ARGUMENT, given how widespread biological parenthood continues to be.

The argument for WEAK goes as follows: if you want to take down patriarchy, then it is not enough that you give access to oppression to more people; you need to actually take down patriarchy; and more access (and more oppression, quantitatively if not qualitatively) won't help, will it? You might think this argument for WEAK works for infertility but not for LGBTQ+, but there I would mention gay marriage: it's clearly an achievement for equality, but will it also help take down the oppressive institution that it was so desperate to join (working against it from the inside, maybe? Optimistic). The point similarly applies to reproductive technologies for LGBTQ+ as well (but, importantly, it might not similarly apply to just parenthood, think of adoption or foster-care, for example).

So far WEAK, but what about STRONG? The argument for STRONG goes like this: if you want to take down patriarchy, then oppression needs to be unbearable (read Marx; and if that's too long, read Gramsci). Reproductive technologies and their potential against injustice contribute some incremental equality-based improvements while, at the same time, reinforcing patriarchy (the latter bit has been independently argued, no need to repeat that argument here).

If we still were by WEAK, we would here have to have the full-blown argument sketched above about which equality (and for whom) should be prioritized (which might itself be incompatible with intersectionality, I don't know and it's beyond the scope here). Since we are dealing with STRONG, though, it's not inequality against inequality: it is incremental improvements propping up a whole system of oppression, when the STRONG solution, literally, would be to take it down.

Footnotes

¹ Some additional methodological clarifications: ^[12] we are not assuming that infertility is itself a condition, disease or anyway something negative, which is the reason why we are using 'suffering from infertility'; ^[13] the taxonomy here might be even more complex in terms of justice, so that the problem is (a) access, (b) access for already vulnerable groups, and finally also (c) access for already vulnerable groups which are vulnerable/excluded for reasons that go beyond lack of access above. Point ^[13] might not make much difference for the argument of this particular paper, but it might be decisive once we scale up to broader issues of justice.

² To be clear: this is restricted to the considerations of justice emphasized early in the paper and it is not to be understood

as all-out, because obviously there are also other urgent considerations of justice, such as for example climate change, which might at least go the other way, trump or even ultimately *silence* the ones which we are focusing on in this paper. But especially given the clarifications in the previous footnote, at least the latter is probably unlikely. And in fact, one important distinction between biological parenthood and non-biological parenthood, from a climate point of view, is that the latter is more climate-friendly than the former – but again this is not the focus of the present paper.

³ Here one could insist that we cannot restrict talk of ‘preference for biological parenthood’ to the alternative of non-biological parenthood and that, for say the climate reasons already mentioned, one should also include another alternative to which one prefers biological parenthood, namely non-parenthood. I believe this is a discussion worth having, and that indeed the taxonomy (i) biological parenthood; (ii) non-biological parenthood; (iii) non-parenthood is in fact more helpful when having all-out discussions that also include for example climate considerations or, for that matter, anti-natalism as well; but again, that is beyond the scope here.

⁴ This broad understanding of ‘biological’ to include both genetics and gestation ought not to be confused with an altogether different discussion about whether biological ties – understood to be either genetic ties or gestational ties – are necessary and/or sufficient for parenthood [\[3\]\[4\]](#).

⁵ I easily can (continue): post-partum depression, periods, maternal mortality rates, abortion restrictions, pregnancy/delivery complications and on it goes.

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