



# Defending Intimacy against What? Limits of Antisurrogacy Feminisms

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## Defending Intimacy against What? Limits of Antisurrogacy Feminisms

**I**t is now a simple fact that surrogacy is a booming, global business,” reads a memorandum posted under the heading “The Parentage/Surrogacy Project” at the Hague Conference on Private International Law.<sup>1</sup> But the ambivalent term “parentage/surrogacy” implies a philosophical open-mindedness about the difference between the two terms that is reflected almost nowhere else in public discourse. In fact, the enterprise known as surrogacy rests, definitionally, on a guarantee of certainty about the difference between parent and surrogate, a certainty that is not always shared by all of the participants involved (the surrogate, the commissioning parties, clinicians, and so on). As the ambivalent slash in the memo’s title implies, then, surrogacy provides a way of either expanding or disturbing the prevalent construction of parentage. The destabilization of parentage—surrogacy’s possibilities for politically transforming kinship—is the theme with which I ultimately conclude. To that end, it will benefit this discussion to establish a working definition of the practice of parentage/surrogacy, whose fissures future iconoclastic redefinitions can exploit.

Surrogacy denotes a practice of third-party reproduction in which a person is contracted via a clinic to be implanted with one or more embryos and to gestate the result(s) to term. A commercial surrogate receives a fee, the disbursement of which (across trimesters) varies by country (Briggs 2010). The surrogate’s exclusive capacity to undertake a pregnancy is leased to one or more infertile individuals, who subsequently own a stake in the means of production: her reproductive biology. This grounds a corresponding claim upon the hoped-for product, living progeny, which more often than not denotes genetic progeny, although donor gametes are also used (Thompson 2005). Assuming the pregnancy has gone smoothly, the surrogate is contractually bound to relinquish all parental claims soon after the delivery, which is carried out by caesarean section in a disproportionate number of cases (Rudrappa 2015). Notwithstanding myriad news stories about indi-

My heartfelt thanks go to Willie Osterweil, Noel Castree, and Erik Swyngedouw for their comments on this piece.

<sup>1</sup> See the “Parentage/Surrogacy Project,” 2015, <https://www.hcch.net/en/projects/legislative-projects/parentage-surrogacy>.

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vidual cases of surrogacy in national and international presses, the unconventional gestational provenance of many children systematically goes unnoted on birth certificates. The everyday existence of surrogacy among populations remains unknown to many.

The pregnancy itself—heavily punctuated by blood testing and transvaginal ultrasounds—plays out like any intensely medically mediated pregnancy, within and through the living body of the pregnancy worker. However, its noncoital initiation—via in-vitro fertilization (IVF) and related procedures—places surrogacy symbolically under the authority of experts: the profiting clinicians, clinical brokers, and associated attorneys, whose advertisements (about half a million of them) populate the web.

The global hubs of the biomedical market in assisted reproductive technology are rapidly shifting as a result of legislative crackdowns (Bindel 2016). In many countries, a large proportion of the infants birthed by surrogate gestators are intended for foreign commissioning parents and can typically be registered fairly straightforwardly at the hospital as foreign nationals. This said, mishaps within the transnational choreography of surrogacy have repeatedly occurred, raising the specter of “stateless” babies trapped in “limbo” (Batha 2014), abandoned babies who might then be “sold” to other foreigners (Groom 2014), and other baby-centered calamities. Rudy Rupak, surrogacy broker and former CEO of the medical tourism company PlanetHospital, for example, described himself as “an uncle to about 750 kids around the globe” before he was convicted for fraud (ABC Australia 2014). Rupak (not an isolated case) took huge sums from would-be parents and initiated embryo transfers involving many low-income women in India, Thailand, and Mexico, prior to fleeing those operations midstream (Lewin 2014). Anxious but undeterred by such outrages, affluent commissioning couples—desperate for babies—still travel to spaces at the geopolitical periphery to avail themselves of infertility care according to a pattern that is familiar from colonialism and outsourcing (Vora 2015).

Antisurrogacy’s heyday was in the mid-1980s, before this neocolonial structure of surrogacy labor markets had been established. However, calls for the abolition of surrogacy—couched in the same universalizing feminist terms—have returned to international public life. In what follows, I analyze the past and now-resurgent Euro-American and Australian anglophone feminist-abolitionist stance toward surrogacy (particularly as it is epitomized by the Feminist International Network of Resistance to Reproductive and Genetic Engineering [FINRRAGE]), contextualizing it in relation to sex-worker-exclusionary antitrafficking discourses, on the one hand, and transphobic imaginaries, on the other. These analogously truncated abolitionisms, I argue, perform opposition to commodification rather than to capitalism.

If solidarity with gestational workers (as with sex workers and trans people) is to be achieved, I argue, scholars must recognize the limitations of anti-surrogacy's technophobic body politics and seek to understand the commonalities between relations deemed "natural" and those deemed "surrogate."

### Current scholarly approaches to surrogacy

Much surrogacy scholarship has prioritized the dimension of reproductive tourism, weaving ethnographies that parse surrogacy clinics' complex asymmetries of power into political theory for a biocapitalist epoch (Pande 2014; Vora 2015). These scholars overwhelmingly argue that the value of regulatory action on surrogacy is contingent on whether it can be informed by—or otherwise centered around—the structural interests of those who become surrogate workers. Their perspectives, as such, do not inform the various national bans on cross-border surrogacy that were announced in late 2015, notably by the three former transnational surrogacy hubs exploited by Rупak prior to his imprisonment: India, Thailand, and the state of Tabasco, Mexico. For example, Sharmila Rudrappa's rich history of Indian assisted reproductive technology (ART) policy making and account of present-day surrogacy workplaces, *Discounted Life*, concludes: "If and when surrogate mothers are treated as full human beings, with respect for their emotional, physical, and intellectual well-being, their sense of self, dignity, and body intact, then I am an advocate of commercial transnational surrogacy" (Rudrappa 2015, 174). Similarly, Amrita Pande, weighing the desirability of banning surrogacy at the close of *Wombs in Labor*, mentions the ways in which surrogate contracts can temporarily disrupt the gendered division of labor in the household and mediate gains for some low-income Indian women (Pande 2014, 172–78). And Kalindi Vora, in *Life Support*, juxtaposes the labor struggle facing Indian surrogates with that of Indian call center agents and information technology programmers, all of whom she sees as gendered service workers producing vital energy and affective commodities that flow toward the global North (Vora 2015).

Critiques of this type, needless to say, are not antisurrogacy; nor, despite Rudrappa's conditional statement, are they prosurrogacy. All treat contract gestation as a multistranded extraction of vitality, care, and stigmatized intimate labor—akin to sex work—thereby illuminating forms of unfreedom and pain that touch every confrontation between capital and the living human body in different ways and to different degrees. They also incite a latent struggle, to be fought by surrogacy workers themselves, against the structurally gendered and racialized degradations that waged reproducers of life and

of class society face (Boris and Parreñas 2010). Eileen Boris and Rhacel Salazar Parreñas's seminal collection *Intimate Labors* (2010) was among those to begin treating professional surrogates as part of a historic group—from migrant maids, nannies, and hostesses to sex workers—whose service is figured as dirtied by commerce, in contrast to the supposedly free or natural love acts of an angelic white bourgeois femininity it in fact makes possible (see also Glenn 1992; Roberts 1997).

Yet outside academia, very little activist discourse has emerged that makes this point. While everyday feminism readily makes claims about housework, one rarely hears anyone express the idea that surrogates have always been everywhere—which could challenge assumptions around the moral exceptionality of surrogacy vis-à-vis the “normal” institutions of making a family. When surrogacy appears in our news feeds, the same anxious apriority always undergirds the narrative: we've entered a brave new world of technological (read: unnatural) procreation (Moore 2014). The anxiety is substantial. Seen as antithetical to so-called traditional family values, surrogacy can symbolize reproductive dystopias of both misogynist and matriarchal hues. If Dr. Frankenstein's act of creation can be viewed, dichotomously, as either the ultimate in individualist, techno-euphoric, patriarchal hubris or as a monstrous and uncontrollable maternity made of multiple unearthed proletarian bodies, surrogacy too conjures up both interpretations.

At both ends, however, reproductive technology risks being ahistoricized and misrecognized as in itself productive—its fruits treated as utterly different from the normal basis of the family. Yet the normative institution of the family remains as much in need of critique as ever. The emergence of the family's artificially assisted double should not distract us from this critique, or lead us to jettison it. In fact, treating surrogacy as a new and wholly different phenomenon may paradoxically contribute to ensuring that it is practiced in the service of an old, or existing, logic, thereby foreclosing whatever alter-familial tendencies or alternative visions of kinship, it can potentially afford (Strathern 1998).

A family-critical feminist literature on antiprostitution and antitrafficking campaigns has mapped how certain feminisms (themselves relatively uncritical of the family, at least when it comes to the family in the third world), are deployed to neocolonial and neoliberal ends (Agustín 2007; Bernstein 2010; Kempadoo 2015). In Elizabeth Bernstein's account of the rise of sex-work-abolitionist antitrafficking discourses, a focus on sexual violation located outside the family, “rather than the structural preconditions of exploited labor more generally, has been crucial to transforming what had previously been of concern to only a small group of committed activists into a legal framework with powerful material and symbolic effects” (Bernstein 2010, 49). While

the parallels with antisurrogacy feminisms here are suggestive, there is a dearth of comparable meta-analyses of feminist antisurrogacy, which this discussion seeks to redress.

The critique of the corporate feminist, NGO-led “rescue industry” posits that apparently inarguable mainstream assertions of women’s rights often become a method of legitimizing misdirected “rescue missions” that patronize and materially harm sex workers everywhere (Agustín 2007). This feminist humanitarianism stands accused of abetting, among other things, carceral “solutions” to the “problem” of informal economies, local economic reforms (neoliberalism’s “structural adjustment”), and even militarized campaigns in the name of downtrodden women: the “modern-day white (wo)man’s burden” (Kempadoo 2015). In the discussion that follows, I propose that antisurrogacy is and often has been animated by similar structures of neoimperialist humanitarian feminism. This parallel is intended to encourage surrogacy’s interlocutors, including surrogates themselves, to highlight affinities between an emerging surrogate-led politics and other, far more long-standing feminist-anticapitalist struggles grounded in the domain of sexual services.

It has taken sex workers’ unions and collectives decades to advocate effectively for their trade’s decriminalization, but a breakthrough was achieved in 2015 when Amnesty International announced its support (Bolton 2015). This decision was greeted with outrage by those prone to conflating sex work with enslavement and trafficking. But sex workers and their allies had made a leap toward recognition of the “structural preconditions of exploited labor” (Bernstein 2010, 49). In my view, stakeholders in the politics of surrogacy might benefit from studying the methods used by the sex-work-decriminalization movement. By no means is the alliance between sex work and surrogacy universally welcomed; as Pande notes in her title, “Not an ‘angel,’ *not a ‘whore’*” (2009; emphasis added).

Indeed, it has been documented that many surrogates explicitly shun any comparison between gestational outsourcing and prostitution, even as they lay claim to some degree of “dirtiness” in their labor (Rudrappa 2015). However, much like antiprostitution sentiment, antisurrogacy is characterized by a stigmatizing sexual imaginary. Antisurrogacy sees the body in question as victimized, compromised, and polluted but also as literally reified or even mechanized—rendered undesirably and unnaturally cyborg—by the act of commodifying and selling these services perceived to be uniquely of the “self.” Many of the most prominent antisurrogacy campaigners explicitly link sex work with surrogacy as a “dog whistle” signaling their moral condemnation of both. But this provides all the more reason to believe, by analogy, that unless an unapologetic—contaminated, hacked, and cyborg—

gestational workplace can be vindicated in feminist theory and practice, the emerging future of surrogacy activism looks set to be plunged into these same vexed and polarizing dynamics.

To recap, the most up-to-date scholarship on surrogacy locates it not only within new macroeconomic trends (outsourcing, bioinformatics) but also old ones: the feudal, colonial, racial, and classed women's labors that have always supported the realization of the Western nuclear family and that still stand in the wings of "natural," bourgeois childbirth (Glenn 1992; Roberts 1997; Vora 2015). We must resist the temptation to treat surrogacy as new and as different from the "innocent" family—whether we think surrogacy is better than that family or worse—for our political ends. And we can resist this temptation without minimizing harmful (perhaps even uniquely harmful) experiences attributable to modern-day surrogacy's domain. In the discussion that follows, I apply these epistemic commitments to a consideration of antisurrogacy discourses articulated in the name of women. Specifically, what does a feminist antisurrogacy see as threatening to women's bodies? What is gestational intimacy being defended against? And how does such a discourse relate to constituencies that oppose surrogacy precisely on un- or antifeminist grounds?

### **The FINRRAGE position**

Since 2010, the *Guardian* and the *Observer* have published multiple columns emblematic of a new antisurrogacy feminism that characterizes transnational commercial surrogacy as "misery and pain [for] women who will end up being viewed as nothing but a vessel" (Bindel 2016), "womb trafficking" (Bindel 2015), "pimping" (Bindel 2011), "dehumanising" (Bennett 2015), and "a repulsive trade . . . a twisted version of slavery" (Moore 2014). These denunciations emerged after a comparative lapse in specifically feminist antisurrogacy propaganda since its heyday in the late 1980s. However, they reproduce the core tropes of degradation, commodification, violation, "slavery," and prostitution that marked this earlier work.

These tropes were first deployed by FINRRAGE. FINRRAGE was a loosely structured international women's network with branches (at its apogee) in thirty-seven countries across multiple continents, composed overwhelmingly of "very highly educated and middle-class" women with PhDs, according to ethnographer Stevienna de Saille (2012, 34). It was dedicated to "knowledge production, rather than protest" (iv): researching, interpreting, and thereby eradicating—through feminist advocacy—specific reproduction-related practices. At minimum, these included surrogacy, IVF, and embryo transfer, and for some members also chemical/hormonal contra-



ceptives and prenatal screening (amniocentesis); the range was an ongoing matter of internal dispute (Rozario 1999; de Saille 2012). FINRRAGE was founded at a conference in Groningen in 1984 (originally as FINRRET: Feminist International Network on New Reproductive Technologies); the five founding members were all white Euro-American scholars: Robyn Rowland, Jalna Hanmer, Renate Klein, Gena Corea, and Janice Raymond. In 1985, FINRRAGE resolved at its inaugural conference: “We, women . . . , declare that the female body . . . is being exploited and dissected as raw material for the technological production of human beings.”<sup>2</sup> The “new reproductive technologies,” this manifesto insisted, represented “a declaration of war.”

As Nadia Mahjouri has argued, these “radical feminist” antisurrogacy campaigners were mired in “dichotomous thought” (2004). The starkest expressions were provided by Raymond: “there is no way that a surrogate contract can be made anything other than an inherently unequal relationship between broker, sperm donor, and a woman involving the objectification, sale, and commodification of a woman’s body” (1989c, 65). A former Catholic nun, Raymond is most infamous for authoring the antitranssexual propaganda fountainhead *The Transsexual Empire* (1979), which, as Susan Stryker and Stephen Whittle characterize it, “seriously advances the claim that male medical doctors are involved in a conspiracy to create a race of artificial women” (2006, 131). Raymond’s transphobic fantasy is nearly identical to the fantasy expressed in the title of the FINRRAGE edited collection *Man-Made Women* (Corea et al. 1987). Transition surgeries and contract pregnancies were two facets of a seemingly omnipotent “male” war on or invasion of the “female.” Regulation, Raymond wrote, “will not save women from being treated as reproductive commodities. Regulating surrogacy is like regulating slavery” (1989c, 65). Raymond’s appropriation of the language of antislavery is designed to hammer home FINRRAGE’s long-term aim to abolish all reproductive “engineering” (Woll 1992). As a strategy this involves holding diverse forms of obstetric health care in contempt, rather than envisioning their capture and redesign by feminist agents. Indeed, many within FINRRAGE explicitly scorned the “technophilic” feminist visionary Shulamith Firestone, who argued for just such a seizure of the means of reproduction (Lublin 1998, 37).

Recall that in the 1970s Firestone had proposed an “ectogenic utopia” (Lublin 1998, 37), a communist society mediated by reproductive technologies that would be instantiated by women themselves as a “sex-class” (Firestone [1970] 2015, 9)—escaping the burden of childbearing; desacraliz-

<sup>2</sup> See FINRRAGE’s report, “International Conference Lund—Sweden,” [http://www.finrrage.org/wp-content/uploads/2016/03/Finrrage\\_Conference\\_Lund\\_Sweden\\_1985.pdf](http://www.finrrage.org/wp-content/uploads/2016/03/Finrrage_Conference_Lund_Sweden_1985.pdf).



ing it; and, using test tubes, automating the process. It is possible that FINRRAGE arose, then, as a reaction to the cyberfeminism Firestone represented, as much as to the “repro-engineers.” Repudiating Firestone’s position, FINRRAGE’s in-house laboratory biologist Robyn Rowland wrote that the problem was irreducible to the fact that “women do not control these technologies. . . . If they did, they [still] could not purify the technology out of its political base. . . . The technology and the purpose for its development are . . . perfectly co-joined” (1992, 292). While Rowland, Raymond, and other FINRRAGE leaders shared Firestone’s flattening language of “sex class” to refer to their constituent population, their projects otherwise could hardly have differed more.

In its peak years of operation (1986–93), FINRRAGE mounted a successful challenge to many capitalist biogenetic corporations, whose operating impunity their research demonstrably restrained (Woll 1992). Numerous feminists today, confronting structures of reproductive unfreedom still faced by so many women both inside and outside the workplace, mention their desire to revive FINRRAGE’s militancy or mobilize it toward different ends (such as socializing child care). “I miss the pissed off-ness of the FINRRAGE position, even though I think it is wrong,” represents a fairly typical sentiment (Briggs 2010, 371). Yet, already in the 1980s, the anti-technology formula had come to be resented by many FINRRAGE sympathizers as Manichaean doxa. Before FINRRAGE’s decline, Lisa Woll interviewed rank-and-file members and found that many of them considered the tenor of the group’s global general assemblies to be rigidly hierarchical and the five leaders undemocratic and dogmatic (Woll 1992). North American socialist feminists external to the group, like Michelle Stanworth, Rosalind Petchesky, and Rayna Rapp, were indeed routinely lambasted in the (non-peer reviewed) FINRRAGE journal *Reproductive and Genetic Engineering: Journal of International Feminist Analysis* for their supposed “reproductive liberalism” (Raymond 1989c) and betrayal of women. In a characteristically contemptuous riposte to the bad external reviews FINRRAGE publications were attracting, one of the leaders wrote: “there was a time when it was honorable—not caricaturable—to be on the ‘front lines’” (Raymond 1989c).

Yet what animated opposition to the FINRRAGE leadership’s line within the feminist movement—and even within FINRRAGE itself—was precisely a sense that FINRRAGE was *not* “on the front lines” and was not qualified to make claims in the name of women. Some less prominent voices within FINRRAGE sought to define their core concern as being not technology but relations of reproductive stratification—the class fissures among and between geographically disparate women, as Patricia Spallone and Deborah

Steinberg wrote: “we resolutely oppose all attempts through genetic and reproductive engineering, to bring about a racist and fascist division of women into ‘valuable’ women in the industrial world, who should have children, and ‘inferior’ women in exploited countries who are forbidden to have children” (1987, 212). Here, reproductive technologies are defined as factors reproducing an extractive neocolonial system. Nancy Lublin praises this minority within FINRRAGE for “frequently point[ing] out that not all women experience oppression to the same extent or in the same fashion” (1998, 67). While highlighting commonalities between FINRRAGE and ecofeminism—which Lublin defines as the a priori rejection of technology as “anti-woman”—she even charitably notes that “FINRRAGE does not advocate a blanket prohibition” on all reproductive technologies (1998, 50, 67).

Despite this and other claims for a nonabolitionist politics within FINRRAGE (Franklin 2011), it is relatively clear that the network’s impetus and underlying anxiety was a class-blind fear of the so-called “Death of the Female” (this being the title of a crucial panel from the original 1984 Groningen conference). FINRRAGE perceived a threat to individual and collective female control over women’s supposed sole distinguishing power—the ability to procreate—and foresaw this loss as leading to women’s social redundancy and forced subordination to mechanical methods for continuing the species (Woll 1992; Lublin 1998; de Saille 2014). Renate Klein’s rallying cry was to “resist becoming test tube women” (in Lublin 1998, 70). In parsing the assumptions behind this imperative, Dion Farquhar is less diplomatic: “according to the feminist anti-reproductive technology narrative, a phallocratic conspiracy of woman-hating, womb-envying ‘pharmacrats’ foist their high-priced, risky, invasive, and low-success-rate reproductive technologies on the class of ‘natural’ women” (1998, 192). Note that “pharmacrat and technodoc are derogatory words coined by Gena Corea to describe the medics, lawyers and businessmen who control and profit from the reproductive technology industry” (Lublin 1998, 73).

It appears legitimate to at least pose the question of whether FINRRAGE instrumentalized the first wave of surrogacy laborers almost to the same extent as the “technodocs” did. Corea and Raymond, in the collection *Reconstructing Babylon* (Hynes 1989), describe surrogacy as “pimping” (Corea 1989a, 41) and tantamount to “slavery” (Raymond 1989b, 83), dismissing women’s experiences of altruism in surrogacy as patriarchal brainwashing. Their academic and activist strategy hinged less on rigorous argumentation than on attempts at inserting terminology into legal and policy circles in hopes of their generalized uptake, for example, in the agency-erasing effort to replace the term “surrogates” with “women used in systems of surrogacy”

(WUSS; Raymond 1989a). Similar problems arise in Corea's incendiary "Junk Liberty." The latter combines a list of the names and affiliations of "criminal" doctors or brokers with a heavily stylized catalog of sorrows, intended to indict surrogacy as a self-evident "crime" (Corea 1989b, 182). "Junk Liberty" is in part a kind of dirge created out of the names of, quotes from, and stories of specific former surrogates who are positioned as survivors or martyrs: Alejandra Muñoz, Laurie Yates, Nancy Barrass, Mary Beth Whitehead, Patty Foster, and Elizabeth Kane. The tactic implies, but fails to demonstrate, that all these women support total abolition.

Certainly, the famous figurehead Elizabeth Kane did support abolition; her 1988 book *Birth Mother* inveighed against the pain caused by surrogacy. But the desires and views of the first generation of American working-class surrogates were not the determining factor for FINRRAGE's political program. "Junk Liberty" is a propaganda tour de force, punctuated by Corea's own personal avowals of grief, mourning, and "white rage" (1989b, 178). But these distract from her ventriloquism of her subjects, and it is unclear what evidence would *not* bolster Corea's conclusion, since "it is the 'happy surrogates,' the 'Stepford surrogates,' I worry about" (181). Explicitly, Corea writes, "the cases which are alleged to be smooth and happy are the ones I worry about *most*" (179). Choice and desire alike are discredited in favor of the immutable and certain standard of women's dignity. "She"—the mythical happy surrogate—"hears herself described as . . . an incubator, a kind of hatchery, a rented property. . . . She protests none of this" (180). Luckily, it is implied, FINRRAGE is here to rescue her.

It is in this context, as Sarah Franklin notices, that many veteran thinkers on reproductive technologies now view FINRRAGE's legacy with embarrassment, sensing that "it is crucial to avoid the denunciatory rhetoric . . . associated with the so-called 'FINRRAGE position'" (Franklin 2011, 17). In my view, the crucial question is, rather, what one is denouncing. Then as now, FINRRAGE's a priori repudiation of infertility technologies as "male violence" was often seen by fellow travelers—committed revolutionary feminists like Firestone and others—as an atavistic, incongruous, and politically elitist gesture that could never strike fear into the heart of the patriarchal technocratic state. Despite the prominent presence within it of Maria Mies (author of *Patriarchy and Accumulation on a World Scale* [1986]), FINRRAGE was never regarded as an organ of anticapitalist analysis. Those with a primary interest in blocking capitalist accumulation and outsourcing in the new bioeconomies dropped out of FINRRAGE in the 1990s. In the twenty-first century, if FINRRAGE lives on, it is only insofar as it never formally disbanded. A small, die-hard number of its Australian members continued to publish a version of the once-international newsletter until 2000.

The contents of this slim, last publicly available issue comprise five short columns that denounce pornography, gene therapy, and abortion.<sup>3</sup>

### **The medical abuse of “woman” argument**

For Farquhar, FINRRAGE at its best was to be lauded for its anticontractarianism: its members’ insistence that kinship ties are ineffably intimate relationships that cannot, should not, be treated as property. Yet—leaving aside the nowadays easily dismissed view of biomedicine, among other things, as male violence—it was ultimately also a “legislative feminism” (Farquhar 1998, 192). As such, FINRRAGE’s thought differed surprisingly little from the liberalism it excoriated, for its demands betrayed a naive and unfounded trust in the state as the alternative to the male avatars of the market. Its dualist worldview, whereby bodily fragmentation and manipulation are univocally bad while holism, purity, and freedom from male use are univocally good, was epitomized by Renate Klein in *Women as Body Parts*, at the core of which lay the idea that women can really be “reduced” to wombs and even to inert “matter” (Klein 1991, 394). In Raymond’s formulation, it was *Women as Wombs*: “The sexual objectification and violation of women is made invisible [to women themselves] because technological reproduction has . . . transformed medicalized abuse into standard treatment . . . the appropriation of the female body” (Raymond 1993, xxxi). In response to the objection that women often desire embodied technologies, even if the interventions in question manifest dynamics of domination or appropriation in a clinical setting, Raymond explicitly insisted on the irrelevance of desire to feminist politics. “Desire has become the determining factor,” she lamented; “desire becomes deterministic” (1989c).

But all medical practices appropriate bodies in some way, and—contra Raymond—many feminist texts explicitly repudiate the idea that people can never desire their own bodies’ appropriation in any context, especially partially or temporarily (see, e.g., Petchesky 1987; Taylor 2000). Indeed, the role of experts within lesbian-separatist self-insemination collectives has long demonstrated the opposite. Likewise, the transfeminist Catalan laboratory collective GynePunk has explicitly unearthed the violent history of early gynecological research—conducted without anesthesia on enslaved plantation laborers in the mid-nineteenth century—as part of their politicized search for emancipatory ways to manipulate and “hack” reproductive bodies in the twenty-first (Chardonnet 2015).

<sup>3</sup> *FINRRAGE Journal*, April 2000, [http://www.finrrage.org/wp-content/uploads/2016/03/FINRRAGE\\_Newsletter\\_2000.pdf](http://www.finrrage.org/wp-content/uploads/2016/03/FINRRAGE_Newsletter_2000.pdf).

Unlike GynePunk, FINRRAGE's "radical" language of "medicalized abuse" is aligned with mainstream policy statements today. The European Parliament preempted antisurrogacy actions at the Hague in December 2015 by provisionally resolving that surrogacy should be proscribed, without exception, on the grounds that it "violates women's dignity and human rights" and makes their bodies "*marchandises*," particularly in developing countries.<sup>4</sup> Many modern antisurrogacy groups celebrated the news. Sentimental symbols of an idealized natural maternity—pregnant bellies fostering mother-fetus bonding in a family setting—circulated triumphally on Twitter in response. In light of radical feminism's abhorrence of the normative pressure on women to reproduce at all (certainly within the nuclear-family template), this natalist bioconservatism presents a certain irony. Yet, as I go on to show, it is consistently in this politically ambivalent guise that antisurrogacy interventions, commonly characterized simply as feminist, have reasserted themselves in public life (especially Euro-American, Israeli, Indian, and Australian public life) between 2012 and 2017. Campaigns have targeted national, international, and EU legislatures, with recent developments indicating they may prevail in the next few years (2018–20).

Raymond, then, may have cause to reverse her view, told to de Saille, that her anti-sex-trafficking campaigning has seen far greater success than her endeavors against reproductive technologies (de Saille 2012, 131). In any case, Raymond has consistently ascribed all the phenomena she opposes—including the existence of trans people—to misogyny. This framing shows signs of significant influence on modern-day surrogacy abolitionists. Recall that surrogacy, for Raymond, is "defined as the buying and selling of women who are traded as commodities and rented uteruses for purposes of breeding" (1989a, 92). From 2011 to 2016, some of this language was revived by the network Stop Surrogacy Now (hashtag: #womenarenotbreeders) and by Julie Bindel's *Guardian* columns (2011, 2015, 2016). The network No Maternity Traffic "rejoiced" on March 15, 2016, at the rejection of a surrogacy bill by the Parliamentary Assembly of the Council of Europe: "it is now obvious that surrogacy, in any form, causes women exploitation and children trafficking."<sup>5</sup> As such, the chances of a different message emanating

<sup>4</sup> 2015/2016 European Parliament Resolution on Human Rights, item 114, posted November 30, 2015, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2015-0344+0+DOC+XML+V0//FR>.

<sup>5</sup> NMT (No Maternity Traffic) press release, "The Committee on Social Affairs of the Parliamentary Assembly of the Council of Europe (PACE) Rejected the Project of the Report and Resolution on Surrogacy." This press release was posted on March 15, 2016, but is no longer available online.

from the Hague Expert Group on parentage/surrogacy, along the lines of Amnesty International's controversial about-face on sex work—that is to say, a pathbreaking recognition of contract gestation as work and a concomitant recommendation to nation-states to decriminalize it completely—appear slim to none.

Yet the weakness of absolutist feminism has been made apparent by a long-standing, and in large part anticolonial, feminist struggle in the anti-prostitution context—culminating in the institutional turn toward decriminalization. Though such a turnaround has never occurred in surrogacy politics, there was a moment when FINRRAGE's position began to implode as it confronted just such decolonizing feminist concerns; this moment is instructive to consider. This nadir occurred at the point of encounter with—and erasure of—third-world women's agency at a FINRRAGE conference held in Comilla, Bangladesh (Kabeer 1994). At Comilla, a number of women articulated a demand for immediate and free access to birth control and prenatal diagnostics, but this was met with very little support from the eco- and radical feminists. Naila Kabeer identifies the 1989 conference as the point where FINRRAGE's "blanket conflation of technology with patriarchy, of use with abuse, undermine[d] what would otherwise have been a powerful critique of the population establishment" (1994, 202).

Kabeer criticizes specific prominent figures—Mies, Klein, and Farida Akhtar—for imposing on their rural "sisters" an anticontraceptive stance implicitly (sometimes explicitly) based on the belief that "sexual pleasure is . . . the monopoly of men" (1994, 200). Franklin recalls:

Although some of the more prominent members of the networks, such as Renate Klein, Jalna Hammer, Maria Mies and Gena Corea, advocated a position of complete resistance to all forms of such technology, the reality on the ground of FINRRAGE activism was much more complex. The [FINRRAGE affiliate] Forum Against Oppression of Women in Bombay, for example, had . . . not sought a complete ban on [the] use [of amniocentesis], in part to enable women in the Bhopal region to opt for its use to reduce the incidence of severe foetal abnormality in the wake of the Union Carbide catastrophe. (2011, 18)

Despite these instances of successful plurivalence, Akhtar, a Bangladeshi FINRRAGE leader, broke with her grassroots constituency at Comilla and joined with the Anglo-European and Australian leaders in opposing all prenatal diagnosis technologies. Santi Rozario, writing about the same conference, avers that the FINRRAGE leaders' "dismissal of 'reproductive rights' . . . leads them to argue that abortion is unnatural and irrelevant for rural poor women" (1999, 91).

FINRRAGE's critique of patriarchal technology, according to Kabeer and Rozario, inexorably became a material stance of nonsolidarity with Bangladeshi women. This was justified with reference to women's warped consciousness and to the supposed radicalism of rejecting pills, chemicals, and technologies in favor of an autonomous bodily and ecological holism, itself promoted by Akhtar's seed-banking NGO.<sup>6</sup> But, as Rozario points out, in practice, such "autonomy" can often mean vulnerability and resignation to the traditional control of husbands and relatives: "families, local culture, traditions and communities are often at the root of the problems of Third World women. They do not provide unmediated deliverance from the hands of the imperialists or other local sources of exploitation, as Mies and Akhtar tend to imply" (1999, 91). She continues, "technology may be male-biased, but this does not mean that it is of no benefit to women. In fact the dispossessed may well view technology as empowering" (94).

De Saille (2012) notes that the planned publication of the Comilla proceedings by Zed Books was canceled as a result of the debacle. Franklin, in her defense of FINRRAGE, admits that it amounted to a "schism," suggesting that repetitions of this failure within transnational feminist politics rang a death knell for FINRRAGE as a mass actor (2011, 18). Although FINRRAGE identified as a radical feminist group and poured scorn on "reproductive liberalism" (Raymond 1989c), there was nothing radical about proposing body holism in the face of a group of women who were collectively seeking to improve their access to such technologies as abortions, contraceptives, and fetal screenings. On this point, Bernstein's meta-analysis of feminism is useful in that it prompts vigilance against the carceral liberalism that locates "sexual menace squarely outside the home" (Bernstein 2010, 54).

### **Antitrans: "Feminists in bed with churchmen"**

The governance of transnational adoptions has long compelled the International Criminal Court and other world jurisdictions to try to reach agreement about what a person's rights during infancy are: rights to family, privacy, heritage, and citizenship. The advent of surrogacy, however, places new pressure on these same institutions to account in some way for the genesis of human beings via free-market parentage templates that cross borders and bodies. As such, present legislative crackdowns on surrogacy may be ex-

<sup>6</sup> The NGO in question, Ubinig, has been led by Akhtar since 1984, who established it as FINRRAGE Bangladesh. It includes a broad "development alternatives" program (<http://www.ubinig.org/>).



plained not so much as feminist but as intended to prevent the geopolitical headaches of infant statelessness. In some cases, anti-foreign-surrogacy laws may even be largely patriarchal-nationalist responses to perceived abuse of the nation's women by outsiders. It seems fair to say, then, that "feminists did not get to own this critique [of surrogacy] once they had elaborated it" (Briggs 2010, 361). But as we have seen, the particular Manichaean radical feminism of FINRRAGE was never univocally antiestablishment. Nor was it rejected wholesale by some in power. In fact there is evidence that FINRRAGE was "taken seriously [in part because] basically it's saying the same thing as the Catholic Church" (Woll 1992). With this ambivalence in mind, we can parse the politics of the twenty-first-century resurgence in antisurrogacy discourse via a simple question: what is it that activists, by making surrogacy the enemy, defend maternal intimacy against?

The campaign No Maternity Traffic is run by the organization International Union for the Abolition of Surrogacy and was launched from France on November 20, 2014. Its green logo features a pregnant silhouette against a green bar code, and it seeks to protect "women and children" from "exploitation and trafficking" (see n. 5). Stop Surrogacy Now was launched from Sweden on May 11, 2015, using a red traffic stop sign. Signatories to the latter group's inaugural petition to the International Criminal Court included the major umbrella body the European Women's Lobby, the US-based Center for Bioethics and Culture, and a number of small progressive feminist and lesbian organizations. Signatories of No Maternity Traffic, for their part, are almost exclusively faith based, pro-life, and right wing, directing their efforts at the Brussels-based European bodies. Both platforms, however, deploy premises from international human rights law to bolster their petitions, particularly those enshrined in the UN Convention on the Elimination of All Forms of Discrimination against Women and the Declaration of the Rights of the Child pertaining to the right to parents, nationality, heritage, and dignity. No Maternity Traffic appeals for signatures "because human beings are not objects; because they are neither for giving, nor renting or selling" (see n. 5); Stop Surrogacy Now states that "a woman is a human being not a machine."<sup>7</sup>

The latter can be interpreted as rudimentarily feminist in spirit. But this new wave of antisurrogacy actors, feminist or not, gains its traction via a conservative protest-based politics based on the sanctity of what it sees as the given biology of the body. In France, the right-wing profamily organization

<sup>7</sup> Stop Surrogacy Now press release, "STOP SURROGACY NOW to Launch May 11, 2015," May 11, 2015, <http://www.stopsurrogacynow.com/press/#sthash.Hs4I49ii.O1bAwqIw.dpbs>.

La Manif Pour Tous (March for All), fresh from its legislative defeat in outlawing same-sex marriage in 2014, remobilized that same year against surrogacy, what it called “la gestation pour autrui” (gestation for others, or GPA). Activists publicly paraded plastic baby dolls in shopping carts through several cities, picketing judiciaries associated with softening antisurrogacy legislation and drumming up support for the opposition hashtag #noGPA (La Manif Pour Tous 2014). In New York, a stunt for the Center for Bioethics and Culture (CBC) involved a white woman standing silently amid the lunch-hour rush, as though homeless, holding a piece of scrap cardboard touting “womb for rent” (CBC 2015). The bioconservative network in question is a veteran of the US stem-cell wars, and its director, Jennifer Lahl, is keen to network with feminist scholars.<sup>8</sup> Since 2010, the CBC has illustrated its antisurrogacy bulletins and fund-raising appeals with a large number of memes: images of (almost exclusively) white women and infants, sometimes featuring price tags, with captions: “The fertility industry sees this woman as a commodity. ‘Like’ if you see what we see—a woman with dignity.” Another meme juxtaposes a black-and-white image of a swollen belly with the single ominous word “used”; yet another shows a small boy with the phrase “what about *MY* rights?”<sup>9</sup> In Italy, an antisurrogacy coalition of feminist and pro-life interests has adopted the historically resonant rhetorical question “if not now, when?” in connection with the “liberation of maternity.”<sup>10</sup> As signatories to Stop Surrogacy Now, they provoke outrage with the phrase “womb for rent”: #uteroinaffitto.<sup>11</sup>

The prominent antisurrogacy voices are often transphobic ones. Sheila Jeffreys, a close collaborator of Raymond’s, also notorious for equating transsexuality with rape or mutilation, has lately championed an antisurrogacy couched in the same predator imaginary. Jeffreys warns in a 2014 article—“Reject Surrogacy as Another Form of Human Trafficking”—of a pedophilic “male gay couple . . . creating a boy child by surrogacy specifically for abuse” (Jeffreys 2014). An approving citer of Jeffreys, Kajsa Ekman Ekman, is the founder of the No to Surrogacy subnetwork in the Swedish Women’s Lobby and author of *Being and Being Bought: Prostitution, Sur-*

<sup>8</sup> Four scholars of my acquaintance, including Sharmila Rudrappa, have told me that Lahl reached out to them, presumably seeking antisurrogacy collaboration.

<sup>9</sup> The memes in question can be found at the “Center for Bioethics and Culture Network” Facebook page: <https://www.facebook.com/cbcnetwork/>.

<sup>10</sup> *Se Non Ora Quando* was hosted at <http://snoqlibere.it>, but a new website for the organization launched in 2016; see *Che Libertà* at <http://cheliberta.it>.

<sup>11</sup> The account in question is @snoqlibere. A search for their successful hashtag #uteroinaffitto (launched in 2014) can be found at [https://twitter.com/hashtag/uteroinaffitto?src=hash&ref\\_src=twsrc%5Etfw](https://twitter.com/hashtag/uteroinaffitto?src=hash&ref_src=twsrc%5Etfw).

*rogacy, and the Split Self* (2014b). Ekman argues that, “just as trafficking is a consequence of prostitution and nothing else, commercial and altruistic surrogacy are different levels on the same scale” (2014b, 161). In her speeches, interviews, and writings she condemns both prostitution and surrogacy—which she has called “prostitution’s little sister” (2014c). Ekman’s Manichaeism asserts a rigid moral interpretation of female dignity as having primacy over women’s rights and desires. This should sound familiar: it is borrowed from Raymond, Corea, and Klein. However, while Raymond has admitted an antisocialist intent, Ekman, curiously, describes her position as “Marxist and feminist.”<sup>12</sup>

There is nothing Marxist about *Being and Being Bought*. In so identifying, Ekman may be seeking to sidestep the other tumultuous antagonism—besides sex worker exclusion, that is—currently raging between feminists like herself and other feminists: namely, the issue of trans inclusion (Withers 2010). If so, however, the attempt manifestly fails. Throughout her book, Ekman reiterates many of the mainstays of transphobic argument from *The Transsexual Empire* regarding biological authenticity: she gives the game away with the remark “a transsexual can demand that everyone call him [*sic*] a woman” (2014b, 39). In one breath, Ekman inveighs against feminist defenses of surrogacy, trans, femme, and sex-worker-led politics, implying they are fashionable artifice. As with FINRRAGE, antisurrogacy feminism here melds with anxieties about the perceived threat of trans feminist womanhood (and by analogy, self-styled, hacked, “whored out,” or modified femininities more generally). What looms is that women en masse will devolve, through sometimes voluntary contact with “pharmacrats and technodocs,” into “man-made women”: a phobic vision encompassing both surrogate motherhood and postoperative trans women.

FINRRAGE founder Robyn Rowland writes in her antisurrogacy monograph *Living Laboratories*: “Janice Raymond has argued convincingly that transsexualism represents the final colonisation of women. . . . Now the man-made woman could become both mother and father to a child: the patriarchal dream/myth becomes reality” (1992, 191). Fundamentally, then, transphobia and technophobia reveal themselves to be tightly linked in the antisurrogacy imaginary. The connection between surrogacy’s technological transformation of filiality and the transformation (if not always surgical) of embodied sex enacted in transgender identity exists clearly in the minds of antisurrogacy advocates and faith-based conservatives. We have seen evi-

<sup>12</sup> This quotation comes from Ekman’s talk “Surrogacy Is Child Trafficking,” Festival of Dangerous Ideas, posted to YouTube, <https://www.youtube.com/watch?v=MztUOF CX9Uc>.

dence of the at-times unabashedly uninformed nexus of whorephobia, technophobia, and transphobia that motivates antisurrogacy. Recorded in black and white is a fantastical and paranoid bioconservatism and its continuation among a younger generation. In exhibiting this behavior, antisurrogacy radical feminists once more find themselves mimicking the religious Right: “on the issue of surrogacy, feminists [remain] in bed with churchmen” (Schmukler and Aigen 1989, 240).

In *The Transsexual Empire* Raymond makes the doubly paranoid claim that trans women believe themselves “far superior” to “genetic women” (1979, 151) and are the scheme of a Dr. Frankenstein–like male medical conspiracy. To interpret this fantasy is to discern how trans women and untroubled surrogates—the figure Ekman calls “the story of the Happy Breeder” (2014b, 131)—come to stand for the provocative possibility of consciously self-fashioned cyborg embodiment. As avatars of bioclinical patriarchy, but also of boundary blurring, they can be attacked both for being reactionary entrenchments of regressive binaries and for being the fragmenting force of postmodern deconstructionism. In this vein, Australian FINRRAGE leader Klein wrote sarcastically in 1999 that “cyborgs [are] the new feminist icon . . . clearly superior to women” (185).

Klein’s invective against cyberfeminism attempts a catastrophist defense of a whole self against the “cut-and-paste” predations of postmodernism, online identity impersonation, woman-hating “medicos” wielding scalpels, and ascendant cybercommunication media (email, which Klein admits she struggles to use, has not researched, and ill understands; 1999, 196). The author misunderstands as frivolous identitarianism and “lifestylism” the landmark cyborg intervention of socialist biologist Donna Haraway (known colloquially as “The Cyborg Manifesto”), whose contention is that the virtual and organic components of the gendered body are always already co-constitutive together with technology (1991). In attempting to grapple with the cyborg while mocking it, missing its power as a heuristic figuration of gender and biocapital in transition, the FINRRAGE stalwart concludes by undermining her own claims. Attempting a concession to Haraway’s epistemic challenge, she writes: “I do not criticise cut-and-paste baby-making because these technologies tamper with ‘nature’ . . . but rather because they constitute medical violence against women’s bodies/minds/spirits/souls” (Klein 1999, 197). Yet how is the baggy concept “women’s bodies/minds/spirits/souls” not an ideology of nature? Technology is straightforwardly conflated, on the one hand, with the structural violence of the capitalist or paracapitalist processes it mediates (e.g., commodification, slavery) and, on the other, with the spiritual violence considered, in this feminism, to be intrinsic to prostitution.

In modern-day antisurrogacy's vindications of human dignity, anti-queer-parenting and antitechnological sentiments overlap as though they stem from the same thought. The Stop Surrogacy Now press statement "a woman is a human being, not a machine" (see n. 7), for example, encrypts the message "a gestator must be what we understand to be a woman, which we define in opposition to the artificial." Yet there are in reality remarkably few substantively technological elements—or "machines" proper—in this field that we nonetheless call "assisted reproductive technology." Although aided by various tools, above all, in surrogacy, gestators labor; laborers gestate. In anxious disavowal of this, the concern to differentiate the proper subject of gestation from the "machine" becomes legible as an insistence on cisgendered maternity's natural essence. While this rationale is left implicit, it is clear that being a machine has a deeply negative valence and that women should not be intervening in their biology or identity (as trans people do or are perceived to do).

So, it is by rendering women machines (or attempting to) that the practice of surrogacy purportedly violates the commonsense natural order. Even if this were true, or uniquely true in this economic subsector, it is still unclear what the way out might be: whether, for instance, women become human beings (again) by virtue of the eradication of surrogacy, or not. Moreover, the three categories (woman, human being, machine) seem to be posited as ontologically immutable. Contrariwise, I would argue for the possibility of completely different formulations: *pregnancy is a machine, not a woman; a pregnant person is not (necessarily) a woman; a machine may form part of a woman . . .* and so on, in many possible cyborg-materialist variations. In the sense that it disproves the supposedly self-contained and natural-automatic character of everyday "normal" gestation—by lending gestation a collective character, as well as heightened intentionality and craft—surrogacy points to the surrogateness of all reproductive endeavors. From such a relational and fluid starting point, it would be more possible to explore potentially important senses in which surrogacy changes and proliferates gender roles.

Opposition to surrogacy could then become concrete, specific, and surrogate led: *surrogacy workplaces are ultimately irredeemably dangerous because . . . the effects of unregulated surrogacy on people's lives are overwhelmingly violent in the following ways . . . surrogacy must be decriminalized (in order to make it safer) because. . .* However, as the position stands, antisurrogacy centers no such concerns and remains at a high level of abstraction, removed from contract gestators' ideas and desires. The classical feminist denunciation of objectification by Stop Surrogacy Now ("a woman is a human being, not a machine") is neatly married with the bioconservative imperative to keep scientific and technological intervention in the human body at bay. In sum, impassioned precepts about the unsalability of "life it-

self” and the distinction between people and machines now overwhelmingly serve as metonyms for other—namely, transphobic—thoughts, both in anti-surrogacy and in what is known as the stem cell debate.

### **Disavowal: The truncated critique of commodified care**

This article has so far shown the technophobia and transphobia in feminist antisurrogacy past and present and insisted on the right-wing character of these thoughts, mutually intertwined as they are with anti-sex work, as facets of opposition to cyborg self-fashioning. As we have further seen, this anxiety’s affirmative expression is a construction of the sacred and innocent “child.” The child in question deserves—according to the antisurrogacy worldview—to be born “normally” and “naturally” into a holistic bodily identity that has not been complicated by biotechnology, money, or third parties. Rejecting that view of normalcy and nature, I now further read antisurrogacy as being in denial about the ubiquity of commercial elements in everyday birthing, child care, and familiarity.

The antisurrogacy “no” to commodification and exploitation, I argue, is a truncated one. It fails to see the already elaborately surrogated multitudes who sustain the inside and outside of nuclear familiarity. Not going so far as to abhor the conditions of possibility for the alienation and sale of life-giving labor power (which would require transforming these systems at the root), antisurrogacy selectively repudiates their manifestation in the surrogacy industry. It does so, moreover, from a moral standpoint that often collapses the distinction between normative and descriptive claims: “bearing a child *should* not be a job” becomes “bearing a child *is* not a job.” The declaration is wishfully ontological, abolishing by fiat the ensemble of economic relations by which reproduction is alienated and structured as (waged or unwaged) work for the majority of twenty-first-century humanity. The campaigners’ approach thereby enacts a structurally antifeminist disavowal of the existence of forms of gendered, racialized labor as labor—affective, emotional, reproductive, and care work whose importance to capitalism’s functioning has been demonstrated by radical materialist feminists for several decades. This proposition then segues into the conclusion of this article: the possibility that “surrogacy” is a generative way of describing the myriad mutual dependencies upon which the reproduction of everyday life depends.

In 2015, the Center for Bioethics and Culture released an antisurrogacy film. *Breeders: A Subclass of Women?* (2015) puts a spotlight on the plight of Jessica Kern, who was conceived and birthed in the mid-1980s via a “traditional” contract, in which the surrogate gestator is the embryo’s genetic parent. As an adult “surrobaby,” Kern is the author of a weblog, *The Other Side*

of *Surrogacy*, and acts as a spokesperson for several antisurrogacy groups. Kern's mediators include Jennifer Lahl, director of the Center for Bioethics and Culture, who often ventriloquizes Kern's position rather than quoting the rather millenarian and conspiratorial tone of the blog. "Jessica . . . feels very strongly against the reality that her birth mother was basically paid \$10,000 to hand her over," Lahl explains, "so she refers to herself as a product" (*Breeders* 2015). Ekman is also fond of citing Kern's anecdotal experiences. She told the 2014 Festival of Dangerous Ideas, "when you know [as Kern does] the only reason you exist is a big fat paycheck, it doesn't feel that nice."<sup>13</sup> In this section, I consider this statement differently and explore the thought that all of us exist because of a paycheck—innumerable paychecks, in fact. I will address the truncation inherent in antisurrogacy's critique of commodification and briefly consider the racialized history of enslaved, waged, and indentured mothering, which white antisurrogacy entirely overlooks.

In her 2014 address, Ekman gave a gloss on "a Marxist" concept: "Reification. What is that? It was used by the Hungarian Marxist Lukács. And what he means by reification is when you commodify part of human life itself, as one is in work. I think this concept *most* applies to surrogacy. Because you're reifying something that used to be just part of life."<sup>14</sup> Ekman swiftly moves on with her speech and never returns to this massive claim. On the one hand, Ekman makes clear that she deems an ahistoric, platonic practice of pregnancy to be the most fundamental part of "human life." On the other, she has conceded that the violence of reification applies to all work and all commodification of human labor power. As such, what Ekman lacks is an appreciation of the dual characteristic of social reproduction, which is to say, the constant and contradictory coexistence of various capitalist imperatives and extracapitalist prerogatives within our life activities.

Caring for children reproduces a labor force for capitalism's benefit while at the same time potentially fostering conscious, unruly, anticapitalist subjects. Pregnancy is no exception, although its culturally sacred emotional freight situates it, together with heterosexual copulation, at a position within the field of labor so deeply entangled with the notion of womanhood's fundamental nature ("just part of life") that its enactment is mistakenly identified with the laborer's selfhood—to alienate it is to sell one's self. Ekman uncritically reproduces these beliefs and explicitly refuses (or misunderstands) the concept of professional affective labor in an interview in *Feminist Cur-*

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.



*rent*. In a segment meant to justify her assertion that sex work is not work, she sarcastically proposes: “let all the women lie there [during their sex work] and do nothing, and just look at their watches—then see how much the men like it! Prostitution is a lie. It’s overly simplistic to say it’s just a job” (Ekman 2014a). Since countless forms of labor involve fulfilling someone’s expectations—affectively—in some capacity, it’s not clear how this bolsters Ekman’s argument. Indeed, of how many jobs can it be said that they are *just* jobs?

Far from being overly simplistic, a materialist-feminist account of commercial copulation must attempt to do justice to the overlap women experience between it—with its professional demands to feign nonboredom, to regulate enjoyment—and their other “free” heterosexual lovemaking, attending to the specificity of both types of emotional labor. Yet, paradoxically, the necessity of performing orgasm convincingly is what tells Ekman that something other than work is the substance of sex work. An analogous disquiet, in fact, haunts her antisurrogacy position: disquiet about the affects of gestational nonparenting and nongestational parenting. The issue here is her reluctance to consider that bonding in utero (for gestational parents) might in some ways also be a kind of work or that the commercially tainted adoptive care of a child (such as that undertaken by commissioning parents) might, in the end, be just as authentic and good (or bad) as any other form of mother love.

Kern’s case does not speak precisely to today’s surrogacy industry and as such represents an awkward figurehead for the opposition. Kern’s surrogate mother was also her genetic mother, but so-called traditional surrogacy contracts like these are today very rare compared to purely gestational surrogacy, in which the surrogate’s genetic material does not figure in the IVF. The continuum between antiadoption and antisurrogacy politics thus becomes much harder to sustain in reference to the actual biogenetic parent. In many ways, the lobby’s principled stance on adoption should lead it to support rather than condemn most contemporary surrogacy arrangements, because babies often end up with their genetic relations. As a result of this contradiction, in a promotional video for *Breeders*, Lahl is forced to gesture apotropaically at an undefined evil: “no matter how you slice it, no matter how much you think, if we don’t pay women, or if we do pay women, or if we do it for family members, or if we do it for strangers, it doesn’t go well, and there’s no guarantee that it will go well.”<sup>15</sup>

<sup>15</sup> The official trailer for *Breeders* can be viewed at <https://www.youtube.com/watch?v=GNNCqs52jFU>.

What is “it”? What is Lahl defending society against? She continues: “because what happens, and what *should* happen, is that mothers, women, and children *bond and connect*.”<sup>16</sup> It appears, then, that something that cannot but happen and that should happen is the problem. Lahl renders the supposed evils of surrogacy and adoption indistinguishable. However, there is no elaboration on the nature of that antinomy. Implicitly, a stark alternative is evoked: a binary between being a product of gestational labor other than your social mother’s *or* experiencing love. Switching tack repeatedly to distance herself from this claim, Lahl adds, “and there are health risks to these more high-tech arrangements. And money unfortunately corrupts a lot of what happens in this industry.” She is covering all bases. If we pose the question again—what is it that threatens maternal intimacy, in the view of antisurrogacy?—it appears that, for the Center for Bioethics and Culture, it is the conscious act of adopting an infant.

In his sociology of gestation and abortion, Luc Boltanski establishes that all newborns require the relevant committed adults to symbolically adopt them (Boltanski 2013). Even to the gestator, the fetus is always a kind of stranger, even as the two bond. In Lahl’s view, of course, most babies do not require such adoption; they are not and should not be strangers. For Lahl, we do not so much encounter infants and choose to perform care labor for them, again and again and again; rather, we naturally love them and automatically maintain them where they always already belonged. In this view, society can and should minimize the unpleasantness that inevitably results from displacing babies, but it should do so for the very same reason that proponents of surrogacy and adoption are optimistic about careful displacements. Namely, bonding with the infant begins not only within but also and to a far greater extent after pregnancy.

There may be no way for an industry of infertility solutions to avoid romanticizing or naturalizing the spontaneous love of babies—that simultaneously joyous and viciously normative force over which feminism has staged disputes since its earliest days. For antisurrogacy advocates—as in the Stop Surrogacy Now press statement—“there is no right to a child.” A child belongs to the person who bore it, Stop Surrogacy Now argues: “rich people must be stopped from using a woman as a living incubator and then taking their baby away and showing it off as their own” (see n. 7). Rich or poor, if one cannot coinitiate a “normal” gestation, one must either accommodate oneself to childlessness or else adopt. There is, for these activists, no such thing as gestation work, a gestation job. But couldn’t the caring duties implied by gestation be better vindicated as *everybody’s job*?

<sup>16</sup> Ibid.

## Conclusion

A core tension within feminist antisurrogacy is its dependence on a sense of surrogacy as a valid semiotic referent even as it attacks the validity of the concept. The fascinating slipperiness of the term is captured in kinship anthropologist Marilyn Strathern's key structuralist discussions, which ask, for example, why it is not the *commissioning* mother who is designated the surrogate, pointing out that the hired gestator could equally be labeled surrogate *wife* (1998). Disinclined to draw these critical links between forms of exploitation and domination inherent in commercial and uncommercial reproductive activity alike, early exponents of surrogacy abolition objected to the very term itself. Some—including those who assembled the “Death of the Female” panel that was formative for FINRRAGE—considered refusing to use it. They did so when so-called traditional surrogacy was still common, as well as when it was not, on the basis that what was called surrogacy merely repackaged and denied motherhood, enabling a marketization that society would otherwise not accept. Although this a priori refusal to use the term was never universalized in antisurrogacy, in the sense that sloganeering continues to use the alliterative phrase “stop surrogacy,” the idea that there can only ever be one mother survives today, both in popular commentaries and state edicts.

One could reject the term “surrogacy” for a quite different reason: because one rejects the idea of unitary maternal authenticity in the first place, as well as the various bioethical edifices resting on it. But to posit an invaluable, irreplaceable, indivisible motherhood is to ignore multiple historic transformations in the organization of maternity. Our gestation-related common sense about parentage and surrogacy often leads us to drop even our best-seasoned critiques of the unmarked (normal, default) category as soon as we turn to its artificially engineered other. We forget diverse Western and non-Western practices of multiple mothering, the centuries-long Western legal encoding of all fetuses and children as the exclusive custodial property of fathers, and, most glaringly, the systematic and profitable control of enslaved women's reproduction during early capitalist chattel slavery. Dorothy Roberts has amply documented the whiteness built in to the unmarked subject of motherhood, identifying an ongoing history of systemic devaluation of black reproduction that seeks to render black motherhood comparatively meaningless (1997). Indeed, throughout history, many women have received informal stipends or wages for literally reproductive activity accruing to homes other than their own, including—in the case of the enslaved, whose reproductive lives were legally owned—gestation. Nongestational mothering surrogates such as wet nurses, full-time nannies, and babysitters have been responsible for much of the biological reproduction of the ruling classes.

The feminist antisurrogacy discourses presented in this discussion have largely erased this wider, messier history of surrogacy, pretending that, because of its new technological dimensions, the trend is entirely novel. Today, however, the class disparity between producers and consumers of gestational labor grows difficult to ignore, indicating a long-standing fissure between bourgeois and proletarian, white and nonwhite motherhoods. To accept a discussion of motherhood as given and primordial, then, is to cling to an ahistorical perspective incapable of apprehending the differing forms that the reproductive (family) unit has taken both within and outside of capitalism—not to mention the forms it could take in the future. It would seem, then, that crying out—as in the classic phrases “off our backs! hands off maternity!”—is misleading enough to leave the suffocating private and patriarchal edifice of maternity intact. None of us has really known a maternity wholly unburdened by capitalism, patriarchy, transmisogyny, racism, and colonialism. Moreover, it is impossible to imagine a pure, technology-free maternity, a form of gestation without “hands” all over it.

As we’ve seen, there was little to no strategic unity among the many women who became alerted to, and enraged by, the unmistakable misogynistic logics at work in scientific knowledge production throughout the past century. This history was a bloody one characterized by reckless contraceptive and obstetric drug testing, forced sterilizations, and fetal feticide. Yet as members of FINRRAGE moved to defend intimate biology from grand and often millenarian bogeymen—“death of the female,” “reproductive slavery,” and so on—in practice they were questioning *some* commercial applications of *particular* technologies to *certain* women in *specific* locations. Thus, again and again, the urgent necessity for feminists to denounce the ill effects of reproductive “engineering” has resulted in a politics that reproduces a confounding dichotomy—technology *or* reproduction.

It is urgent that we reevaluate the commercial gestational surrogate as a cyborg reproducer, or other mother, who stands side by side with all mothers as a gift giver and producer, a care worker, and above all, a political being. I claim, further, that future directions for surrogacy politics involve unapologetically redrawing the polemical links between surrogacy and sex work. These have hitherto been drawn for the purposes of opposing both sectors as degradations of special spheres of human life (motherhood and sexuality). Thus, the critical task we face is to affirm links such that the hybrid, economic, and extra-economic character of both sexual and parental care can become more apparent. A transformational theorization should jointly situate these industries within circuits of survival and social reproduction, viewing them as forms of life and work that are themselves in flux. If we can achieve this, antisurrogacy becomes a meaningless proposition. If we

can build concrete forms of solidarity among all bearers of children, we may annihilate the present meaning of surrogacy and transform procreative property relations into a genuinely collective mode of reproduction.

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