

Response to Feder and Mills

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Allow me to express my gratitude to my respondents for this opportunity to think critically about my own work. Each respondent focused on a different one of the two philosophical areas in which my book intervenes: critical philosophy of race (Ellen Feder) and bioethics (Catherine Mills). Considering these two responses at the same moment has helped me to think through one of the book's strongest (if implicit) tensions—the question of whether my analysis of race in assisted reproductive technologies recommends any particular normative or policy response. Thus, in what follows, I will: (1) review the structure and key themes of the book; (2) respond to specific points of the respondents' commentaries; and (3) reflect on this normative tension.

My central aim in *The Assisted Reproduction of Race* is to explore how notions of race and racial identity function within assisted reproductive technologies (ARTs), offering what I believe to be two valuable philosophical contributions. The first contribution is to philosophical and bioethical discussion surrounding ARTs. While feminists and bioethicists have engaged in a variety of critical analyses of ARTs, often exploring their gendered dimensions, the role of *race* in ART practices remains

undertheorized. Much of this work is found in chapters one and five. The second contribution is to philosophical discussion surrounding race itself. In an effort to shift our thinking on race from debates over what race *is* to investigations of what race *does* (and how), chapter two argues that race should be considered technologically. Subsequent chapters, particularly three and five, make use of different (though not fully distinct) conceptions of technology to examine how race might be considered as technology in different (though not fully distinct) contexts. The overarching point of these examinations is to highlight the fact that race is both produced and *productive*. That is, race ideas and racial science are human inventions (*produced*) and they have been used (and continue to be used, consciously or unconsciously) to carry out a variety of political and increasingly personal projects (*productive*).

In chapter one, “Reproductive Technologies Are Not ‘Post-Racial,’” I begin by highlighting feminist critiques of traditional bioethical approaches to ARTs. These include: (1) a focus on liberal individual rights, (2) the exclusion of moral emotions in favor of abstract principles, and (3) insufficient consideration of social power and difference. By contrast feminist work on the subject reflects commitments to: (1) promoting women’s autonomy, empowerment, and physical, mental, and economic well-being, (2) recognizing and valorizing the diversity of women’s experiences, and (3) recognizing and addressing the intersecting forms of oppression and privilege experienced by women on the basis not only of gender but of class, race, sexuality, nationality, ability, and other intersectional statuses.

Because this portion of the chapter is sub-titled “Beyond the Bioethical Approach,” Mills fears I too hastily diminish and abandon the field of bioethics. This was

not, however, my intention. I do wish to move beyond the traditional bioethical approach other feminists have criticized, but in doing so, I see myself as part of a feminist intersectional bioethical movement, and my analysis draws on numerous works (such as those of Dorothy Roberts) that I see as part of this movement. What I wish to add to this movement, at least as far as reproductive technologies are concerned, are insights coming out of the philosophy of technology. Yet that is to expand bioethics, not to replace it.

The main work of the first chapter is then to apply a series of questions from Neil Postman's philosophy of technology to reproductive technologies through a particular lens of race. His questions are: (1) What is the problem to which this technology is the solution? (2) Whose problem is it? (3) Which people and what institutions might be most seriously harmed by a technological solution? (4) What new problems might be created because we have solved this problem? (5) What sort of people and institutions might acquire special economic and political power because of technological change? And (6) What changes in language are being enforced by new technologies, and what is being gained and lost by such changes?ⁱ

Many of Mills' concerns with my work focus around my answers to the first two of these, which I discuss as "The 'Problem' of Infertility." In this section, I argue that a typical understanding of ARTs is as tools for helping a person or couple to conceive a child where such conception cannot be achieved through simple sexual intercourse. I further claim that the desire to correct certain (white, middle-class) people's infertility is connected to concern about other (non-white, poor) people's imagined hyperfertility. I support this claim in part by pointing out that poor women and non-white women are

both *more* likely to be infertile and *less* likely to be treated for infertility. Moreover, the major causes of infertility among these populations of women include untreated sexually transmitted infection or poor medical treatment during an earlier birth and workplace and environmental toxins, two causes for which expensive, after-the-fact infertility treatments would not be the best solution (even if such women could access them). I go on to argue that the only *systemic* infertility problem for which ARTs may seem like the best solution is that of delayed childbearing—which disproportionately affects professional and white-collar workers—since infertility that results from a woman’s advanced age cannot be prevented in the way the other causes can. This leads me to the conclusion that “we might say that ARTs are intended to solve the problem of infertility and that infertility, by relatively implicit cultural understanding, is the problem of heterosexual, middle-class, married white women who have delayed childbirth in favor of careers.”ⁱⁱ

It is to this last claim about age-related infertility that Mills most strongly objects. She argues that delayed maternity is not and has never been the main problem reproductive technologies were developed to address. She is undoubtedly correct on this point. While I intended to identify delayed maternity as the only *systemic* infertility issue facing white, middle- and upper-class women, the impression I might have given that it is the *predominate* cause of such women’s infertility is a false one. Ultimately, however, my focus was not on the reasons people use reproductive technologies, but rather the type (and, indeed, the racial identity) of people I believe reproductive technologies have been designed to help. I wished to emphasize that when I speak of the whiteness of ARTs, I refer not merely or even primarily to the racial identity of most

users, but rather to the racialized social assumptions under which such technologies have been pursued and developed.

Chapter one goes on to discuss how the technology of gestational or IVF surrogacy makes the use of non-white surrogates (domestic or international) feel possible or even appealing for white couples. I note that race plays a part in the deep structural inequalities that drive global reproductive markets, and describe how racial difference often adds a sense of security for contracting parents that the surrogate will not want or be able to keep the baby. I consider how the privileging of genetic links above other kinds of links, reflected in the choice to pursue ART rather than adoption, is both a cultural artifact and a racially inflected one. I argue that, in our social imaginary, the common practice of classifying donor gametes by race gives genetic (or at least pseudogenetic) status to racial categories that most scientists and anthropologists have acknowledged are “real” only in the sociohistorical sense. Finally, I point out that typically strong reactions (whether by parents or by the media) to “racial mix-ups” in ARTs demonstrate and reinforce the meaning and importance of racial categories in US society.

In chapter two, “Race Isn’t Just Made; It’s Used,” I argue that race can be productively considered as technology. Like technology, race is both made and used, and this creation and deployment occur within particular sociohistorical and political circumstances. Moreover, once created, race can be used in ways it was not originally intended, including as a means of resistance. And, like many everyday technologies that have been around for some time, as we grow up and become accustomed to the role of race in our lives, much of our thinking about it will fade into the background,

shaping our views in ways we may fail to recognize. I also note that the technological understanding of race aligns with a historical understanding of race, which saw races as something people could and should actively shape. At the end of the chapter, I elaborate on Heidegger's and Foucault's specific understandings of technology and connections to be drawn between those understandings and the idea and operations of race. These connections appear again in later chapters of the book.

In chapter three, "A Technological History of Race," I address the question of whether current or future reproductive and reprogenetic technologies should be seen as connected to the eugenics movements of the early twentieth century. I position myself against typical arguments for the moral and political distinctness of the two, which rely on the ideas that the old eugenics was simply bad science and that it took place in a racist and unjust context that we now recognize as wrong. Instead, I offer an interpretation of the history of race which highlights its *technological* elements, including: (1) the recognition by many theorists of race both that race was a conceptual category imposed by people onto nature and that racial purity was a human goal rather than a natural reality, (2) the deeply explanatory role race was thought to play in human history such that management of race would be necessary for shaping the future of nations and peoples, and (3) repeated analogies to animal breeding, which suggest that the development of the scientific race concept was always deeply influenced by discourses of human improvement and perfectibility through reproduction. These elements suggest that it is not the false concept of race that lead eugenic efforts astray, but rather eugenic desires that framed the invention of the race concept and put it to the work we now repudiate. In other words, the deep-seated human drive to mastery that

Heidegger identifies and critiques underlies not only past and contemporary eugenic projects, but also the very concept of race itself. This rendering of the history of race and eugenics provides an argument for their deep interconnection that I hope is neither facile nor reactionary, but both nuanced and convincing.

Chapter four, “I just Want Children Like Me,” argues that race serves a productive or *technological* function within ART practices and that its ability to serve that function in the US context is related to a longer history of connecting race and kinship in US law and the US social imaginary. In the context of uncertainty inherent to ART practices, race, ethnicity and culture appear as resources available to fertility patients in their construction of naturalizing narratives, which help to disambiguate various contributors to the child’s birth and to name particular people as the child’s “true” parents. This is made possible in part by the many laws and customs that have operated over the past three hundred years not only to establish and maintain a racial hierarchy and myths of racial purity in the US, but also to establish or disestablish bonds of kinship. In our contemporary context, metaphors of kinship have been extended and reworked to fit in new scientific frameworks, bringing with them unspoken layers of racialized meaning that are not always consciously recognized.

The fifth and final chapter of the book, “Race and Choice in the Era of Liberal Eugenics,” connects reprobogenetics (“the use of genetic information and technology to ensure or prevent the inheritance of particular genes in a child”ⁱⁱⁱ) and ARTs to a neoliberal regime of truth described by Foucault and to his concept of *technologies of the self*. The “work” of reproductive technologies is performed largely in and through the private sphere of the family and is crucially understood as voluntary. Yet power

operates through these technologies in several ways, including (1) the authority of experts, (2) a sense of hyper-responsibility that compels compliance, and (3) a reinforcement of biological explanations for social problems. Ultimately, I argue that even, or perhaps *especially*, when race is not explicitly discussed, it serves as an implicit limit in rerogenetic practices and debates in at least two ways. First, race thinking is thought to serve as a sign that a eugenic project has gone too far, such that the refusal to mention race is taken as proof of the benevolence of contemporary eugenic undertakings. Second, the transmission of race from parent to child is construed in rerogenetics as natural and inevitable (and tampering with it as unnatural and immoral), such that the way in which race has always been policed in reproduction and the social consequences of that policing are obscured.

Let me now return to two other elements of Mills' argument. First, that rather than being framed as a solution to delayed maternity, reproductive technologies are currently more commonly justified in terms of therapy and disease-prevention, or the pursuit of a "normal, healthy" child in the face of a prospective parent's medical condition. This is a vital point to make because it connects these technologies back to (liberal) eugenics and the privatization of inequality. As I argue in chapters three and five, connections to eugenics are always also connections to historical and contemporary ideas of race. (And, as I do not sufficiently highlight in the book, these technologies are always connected to historical and contemporary ideologies and practices of ableism.)

Second, Mills notes that while we may be tempted to see the historically- and socially-mediated desire for genetically related children as something to be overcome, particularly for its connections to white supremacy in the US, we should also consider

how that desire for genetic relation acts as a bulwark against the development of a fully eugenic approach to reproduction, the likes of which we find in feminist dystopias. While I very much appreciate this point, when we consider eugenic ideologies as tools of white supremacy, there is good reason to believe that eugenics could not reach its fullest expression without losing its political power. That is, white supremacy needs reproduction to continue to produce (or approximate) genetic relations for at least two reasons. First, in order to connect individual white people to implicit or explicit notions of inherent superiority. That is, individual white people must continue to see themselves as possessing “good genes” worthy of propagating. Second, in order to maintain a population of “biologically irredeemable” people against which to understand white superiority and who can be both exploited and scapegoated.

By way of conclusion, I return to the normative tension I identified at the beginning, which I see reflected when reading together Feder’s and Mills’ responses. If I seem ambivalent about bioethics, as Mills suspects, it most likely has to do with the emphasis on individual right or wrong action that the term *ethics* often connotes. I do not find it useful to think about ART practices and choices in terms of (individual) racism. I do not have generalizable advice on how one could utilize ARTs in a nonracist or more ethical fashion. I would not advocate for a policy response to racism in ARTs use, particularly given the troubling history of government intervention into the reproduction of communities of color. The role of race in *assisted* reproduction does not stand apart from its role in *all* reproduction, and reproductive choices and behaviors in the US inevitably both reflect and often perpetuate social and sociohistorical views on race. This makes reproduction in general (and assisted reproduction in particular) interesting

sites for the *critical study* of race. In terms of possibilities for action, however, given the history of white supremacy which structures all life in the settler colony of the United States, all reproduction (and particularly white reproduction) is a *gray zone*, and is likely to remain one for the foreseeable future.

References:

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ⁱ Postman, *Building a Bridge to the 18th Century*, 41-53.

ⁱⁱ Russell, *The Assisted Reproduction of Race*, 33.

ⁱⁱⁱ Silver, "Reprogenetics," 375.