

Reproductive technology, marketisation and choice

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The increasing ability to intervene in human reproduction is part of a long-term trend of increasing technologisation and medicalisation of reproduction. In rough chronological order, this began with sterilisation in the era of state eugenics, and continued with family planning, artificial insemination, hormonal contraception, prenatal screening, IVF and PGD. In general the trend has been for greater technological intervention and the separation of sex from reproduction. It is often predicted that the culmination of this trend will be an entirely artificial reproduction, involving gestation in artificial wombs, and selection/genetic engineering for 'enhancement'.

In our industrial-market society there is a tendency to subject natural processes to the criteria of industrial production: efficiency, uniformity and quality control, and thereby to create objects/commodities that can be sold to consumers. This can be seen particularly clearly in agriculture. Cloning, with its production of genetically identical copies is another very clear example. With the ability to select the characteristics of and even genetically engineer children according to consumers' desires comes the concern that human beings are becoming just another designed object/commodity within the industrial market system. This is one reason for opposing sex selection for example: it is simply not appropriate to choose human beings in the same way that we choose washing machines. For most people the commodification of humanity both offends against their deepest existential sense of who they are, and against the dignity of human beings. Ultimately, objectification undermines the basis of human rights. It also raises questions about parent-child relationships and children's rights when the parent selects/designs the child.

The balance between regulation and 'reproductive freedom'

As should be clear from the above discussion, the current advocacy of 'reproductive freedom' is part of the problem, rather than part of the solution. The insistence by some commentators on 'reproductive liberty' has become the key ideological element in the construction of a free market consumerist model for reproduction, rather than any attempt to free women from patriarchal control over their bodies.

Although the claims of reproductive freedom have a superficial plausibility, they are in fact consumerist extensions of well-founded, but much more narrowly-drawn rights. The first legitimate right is a woman's right to choose to terminate her pregnancy. This right is based on the fact that a foetus is part of a woman's body and that women have the right to have control over their own bodies, as a protection of their vital personal interests. That is very different from saying that women have the right to choose the characteristics of their children. Many women argue that technologies that increasingly subject reproduction to medical control actually decrease their personal autonomy, rather than increase it.

The other basis for reproductive rights claims is the Universal Declaration of Human Rights, which includes 'the right to marry and found a family'. This article arose in

reponse to the Nazi atrocities and from eugenics laws restricting disabled people's reproduction in other countries. Again, this right is narrowly drawn to protect vital personal interests and does not include a right to reproduce with whomever a person wishes, using whatever technological assistance. Jurisdictions legitimately restrict whom we can marry (for example, generally prohibiting marriage with close family members). Neither does the Declaration guarantee access to any form of technological assistance needed to reproduce, when this is not possible in the normal way.

The expansion of these narrowly-drawn rights into much broader claims for access to technology and non-interference by the state are due to a general climate of individualism and consumerism in some countries. Especially in the USA, claims of personal autonomy now dominate in bioethical discourse. It is often thought that strong individual rights protect against eugenic interference by the state. However, at present, as many commentators have noted, in Western countries, the greater threat is of a free-market eugenics, driven by commerce and by consumerist desires for the perfect baby. Rather than non-interference, what is needed now is more state regulation to restrain the eugenic trend.

A somewhat more plausible way of formulating the argument against regulation is to say that reproduction is a private matter, which should be outside the realm of state regulation. However, the issues raised by the proliferation of reprogenetics raise such profound challenges for humanity as a whole that they cannot be left up to individual couples and their doctors. Choice by individual couples to demand new reprogenetic technologies affect everyone, and it is not satisfactory that decisions of great importance to everyone are left up to individual parents. Such case by case decision making not only often crosses important ethical lines, but in doing so irreversibly legitimates further steps, even though these are not yet technically feasible, (for example, permitting social sex selection would irreversibly legitimate selection for other non-pathological characteristics in the future). Society is not just an abstract concept: it is composed of millions of individuals who will be harmed by the actions of those who wish to choose.