

SURROGACY AND THE REINFORCEMENT OF OPPRESSION: A CRITIQUE OF REPRODUCTIVE JUSTICE CLAIMS

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Abstract

Reproductive justice, among other things, addresses the social reality of inequality between the male and female genders, specifically, the inequality of opportunities that pertains to the control of their reproductive destiny. It is a framework, a tool of ethical analysis, and a movement for social change in feminist discourse to achieve emancipation from reproductive oppression. In feminist discourse, it is often argued that reproductive technologies or aid could serve as a liberating tool for women's emancipation from oppression, repression, and suppression under patriarchy. It is a means to reproductive justice. Though there still exists a disagreement even among feminists whether reproductive technologies provide the best recommendation for improving or transforming women's family and reproductive life, thereby achieving reproductive justice. In this paper, I aim to argue that in contrast to feminists' assumption, reproductive technology reinforces women's oppression, inequality, and inferiority, and hence further suppresses them. This implies that reproductive technology reinforces and facilitates the oppressive regime between female and their male counterparts. I will demonstrate this claim by arguing that surrogacy as a reproductive technology (aid) enhances and deepens women's oppression and inequality. This is done by surrogacy, commodifying the female folks. If successfully argued, it will establish that surrogacy as a reproductive technology (aid) rather than abating women's oppression and suppression, reinforces and enhances it. And this is contrary to feminists' assumption in the debate.

Keywords: Feminist Philosophy; Inferiority; Oppression; Reproductive Justice; Reproductive Technology; Surrogacy

Introduction

In Feminist Philosophy, there are different but intersecting explanations and frameworks for interpreting women's personal, professional, and political conditions. The major goal of the feminists is to eliminate all forms of gender oppression, repression, and discrimination against women to achieve social change against the established or perceived patriarchal social order and domination. For some past decades, gender has become part of the everyday language of social science and philosophy, largely as a consequence of the feminist movement and the accompanying intellectual efforts to better understand the systemic and widespread subordination of women and their

domination by men.¹³⁰ In response to this goal, there are different feminist perspectives, which include but are not restricted to the Liberal, Marxist, Socialist, Radical, ecological, phenomenological, psychoanalytic, anarchic, and postmodern feminists. All of them agreed that women are facing oppression, repression, and suppression under patriarchy on account of their gender difference. Although the term 'gender' is widely used, there is no common understanding of its meaning, even among feminist scholars.¹³¹

However, feminists disagree on which aspects of women's lives- family relations, reproductive lives, work, or sexual relations best explain women's oppression in a patriarchally-dominated world. This disagreement also leads to further disagreement among feminists on which form of oppression must be addressed for the desired solution. Some feminists advocate for equal gender roles; others agitate for equality between both sexes in family relations. Moreover, some feminists argued that the source of women's oppression and suppression is the burden of reproduction, which is not just a setback but a heavy source of discrimination, such that the solution lies in liberating women through reproductive justice. And to achieve this desired goal of liberation for women in this regime, technology must be seen and employed as an ally rather than an enemy through reproductive technologies or aids- IVF, surrogacy, artificial insemination, etc. They argued, among other things, that reproductive technologies or aids could serve as a liberating tool for women's emancipation from oppression, repression, and suppression under patriarchy. That is, reproductive technologies or aid are a means to reproductive justice because it provides the best recommendation for improving or transforming women's family and reproductive life. But contrary to this view, I aim to argue in this paper that reproductive technologies or aid reinforce women's oppression, inequality, and inferiority rather than emancipating them. As a matter of fact, reproductive technologies further suppress women. I will demonstrate this claim by arguing that surrogacy, as a reproductive technology or aid, enhances and deepens women's oppression and inequality. This is made possible by surrogacy commodifying the female body. If this claim is successfully argued, it will establish first, that surrogacy as a reproductive aid rather than abating women's oppression and suppression reinforces and enhances it; and second, it will imply that reproductive technologies or aid reinforces and facilitates the oppressive regime between female and their male counterparts, thereby promoting patriarchal hegemony.

In order to pursue the argument above, the paper is divided into five sections. The first section is the introduction, the anatomy of the paper, which outlines different segments of the paper and subsequently what should be expected from each section. The second section will deal with conceptual clarification of the key concepts or terms employed in the paper. It will explain as much as

¹³⁰ Joan Acker, "From Sex Roles to Gendered Institution", *Contemporary Technology*, 21(5), 1992, 565.

¹³¹ Judith Butler, *Gender Trouble*, New York: Routledge, 1990.

possible the nature of such concepts as feminism in philosophy, reproductive justice, reproductive technology (aid), and surrogacy. This section will make clear the meaning of these terms and the contexts in which they are being used or employed in the paper for clarity and better understanding. The third section will briefly present the feminists' argument on the emancipatory role of reproductive technology. It will summarize feminists' argument on the need for women to embrace reproductive aid as an ally rather than the enemy of women's liberation. The fourth section presents the argument of the paper, which demonstrates how surrogacy as a reproductive technology (aid) enhances and deepens the oppression of women rather than emancipating them. This will show that, contrary to some feminists' assumptions and arguments, reproductive technology will not lead to reproductive justice for women's liberation. Hence, such an assumption is wrong and misguided. The fifth and last section will follow. This section will be the conclusion, where the key issues discussed will be summarized. I now move to the next section for the clarification of the major concepts employed in the paper.

Conceptual Clarification

In this paper, there are some concepts or terms that define the nature and structure of the work, such that we need to clarify them in order to define the context in which they are being employed and the purpose for which they are meant to achieve. These concepts are feminism in philosophical discourse, reproductive justice, reproductive technology (aid), and surrogacy.

(a) Feminism in Philosophical Discourse

In philosophical discourse, feminism is an aggregate of views or approaches that is concerned with the understanding and challenging of the oppression of women by examining the issues that deal with the conditions of women in society. As an approach, it is a field of philosophy that deals with or emphasizes the role of gender in the formation of issues of equality between men and women. The topic of gender is the central concern of feminism, such that it advocates some commitment to justice for women. Fundamentally, feminism in philosophy is essentially a belief that women and men are socially, politically, and economically equal. According to Mary Wollstonecraft, among other arguments, philosophical feminism holds that women should not be seen as importantly different from men: there may be differences due to different upbringing, but there is no reason to think that men and women differ in important ways, and women should be given the same education and opportunities as men¹³². To Wollstonecraft, women are not

¹³² Mary Wollstonecraft, *A Vindication of the Rights of Women: with Strictures on Political and Moral Subjects*, Philadelphia: Simon and Schuster, 1792. Wollstonecraft argues further for the empowerment of women in education, politics, society and marriage. To her, the education women received was designed to make them merely glittering ornaments in the lives of men- an undignified way to spend one's life and not conducive to developing critical thinking skills. Wollstonecraft maintained that this inadequate education impeded women's intellectual development, trapped them in limited societal roles, and led to them living constrained, unhappy lives.

naturally inferior to men. She emphasizes the importance of education for both men and women. She argues that society, the family, and marriage would all benefit from greater educational opportunities for women. There should be social and educational equality for women.

Feminism generally comprises several egalitarian social, cultural, and political movements, theories, and moral philosophies concerned with gender inequalities. Feminist philosophers try to look beyond the formal rules and laws to the underlying structures that cause and perpetuate oppression. They try to ask, ‘are there some elements of this practice that depend on gender in some ways?’ In this vein, they try to examine and critique the way we structure our families and reproduction, the cultural and traditional practices we engage in, such as prostitution, widowhood, pornography, the way we think, the way we speak, and value each other as knowers and thinkers. In response to all these, feminist philosophers tend to argue that gender is socially constructed; we invent it rather than discover it.¹³³ Feminist philosophers have charged that the affairs, experiences, interests, issues, concerns, and persons of women, over the years, have been overlooked or trivialized.

Feminist philosophers have been preoccupied with the task of reconceiving and transforming traditional philosophy either by adding female experiences or correcting male bias. In this regard, “feminist philosophers have produced an amazing array of theory, each of which not only identify the causes of women’s oppression and possible ways to overcome it but also explains knowledge, reality and action in general”¹³⁴ The approach and methodology adopted by feminist philosophers may differ but they all “share a commitment to give voice to women’s experiences and to remove women’s subordination, as philosophers, they adopt a variety of different strategies and methodologies to accomplish these goals”¹³⁵ In this regard, feminist philosophers have done great works in terms of theories on the emancipation of women. “Each of the feminist theories not only identifies the causes of women’s oppression and possible ways to overcome it but also explains knowledge, reality, and action in general.”¹³⁶ All these efforts are geared towards reconceiving, redefining, and transforming women’s experiences and correcting male bias.

From what has been said so far, feminist philosophers are faced with two tasks: how to deconstruct the already prejudiced and preconceived theories against the female gender, and the task of reformulating and articulating women’s views and perspectives. According to Kathy Ferguson, an important

¹³³ Ann Oakley, *Sex, Gender and Society, Toward a New Society*, The University of Michigan, Maurice Temple Limited, 1972. Oakley, explores the biological, cultural and social meanings and ideas about what it means to be a man or woman in an ever-changing society.

¹³⁴ Nancy Tuana and Rose Marie Tong (eds.), *Feminism and Philosophy: Essential Readings in Theory, Reinterpretation, and Application*, Boulder: Westview Press, 1995: 2.

¹³⁵ Tuana and Tong (eds.), *Feminism and Philosophy*.

¹³⁶ Tuana and Tong (eds.), *Feminism and Philosophy*.

tension within current feminist theory is that between articulating women's voice and deconstructing gender. The creation of women's voice, or a feminist standpoint, or a gynocentric theory, entails diving into a world divided between male and female experience in order to critique the power of the former and valorize the alternative residing in the latter¹³⁷. In pursuing these tasks, feminists have always seen the task of reproduction as a setback to their work and career progress. This is why Thomas Ford is of the view that for modern feminism, maternity has often appeared to be a lure or a trap. As serious mothers, women risk being defined primarily in terms of sexual reproduction in a cultural dynamic that overwhelms the possibility of female autonomy and self-determination.¹³⁸ Though the tasks set by feminists and feminism in philosophical studies are enormous and varied, this is a summary. More to be said in subsequent sections.

(b) Reproductive Justice

Reproductive justice in general terms is a response to and against reproductive oppression. It is the advocacy for the freedom of women and reproductive choices and decision-making ability. It is a critical feminist framework or movement that was invented as a response to the United States' reproductive politics. Historically, reproductive justice was coined and formulated as an organizing framework by a group of black women who came together in Chicago for that purpose in 1994 and called themselves Women of African Descent for Reproductive Justice.¹³⁹ This was further reinforced after the United Nations International Conference on Population Development (ICPD) in Cairo through the formation of Sistersong Women of Color Reproductive Health Collective. Reproductive Justice formed the focus of women's search for a way to talk about reproductive rights that avoided the pitfalls of choice talk and that aligned reproductive rights and social justice. They built alliances and applied the insights from Cairo to their home communities,¹⁴⁰ which is rooted in black feminism. Reproductive justice is a combination of reproductive rights with social justice. In this regard, the three core values of reproductive justice are the right to have a child, the right not to have a child, and the right to parent a child or children in a safe and healthy environment.¹⁴¹

Going by this, reproductive justice involves the human right of women to control their sexuality, gender, work and reproduction. It is the ability to make healthy decisions about their bodies, families, and communities in all areas of life. It also comprises the human rights of women to maintain their personal bodily autonomy on whether or not to have children, and if they must have

¹³⁷ Kathy E. Ferguson, "Interpretation and Genealogy in Feminism", *Signs*, 16(2), 1991: 322.

¹³⁸ Thomas H. Ford, "Mary Wollstonecraft and the Motherhood of Feminism", *Women's Studies Quarterly*, 37(3/4), 2009: 189.

¹³⁹ Loretta Ross, Lynn Roberts, Erika Derkas, Whitney Peoples, and Pamela Bridgewater Toure, *Radical Reproductive Justice: Foundation, Theory, Practice, and Critique*, New York: NY, Feminist Press, 2017.

¹⁴⁰ Alison Bailey, "Reconceiving Surrogacy: Toward a Reproductive Justice Account of Indian Surrogacy", *Faculty Publication- Philosophy*, Illinois State Publication, 2011: 14.

¹⁴¹ Loretta Ross, "Understanding Reproductive Justice: Transforming the Pro-Choice Movement", *Off Our Backs*, 36 (4), 2007: 14.

them, then they should decide the conditions by themselves of their own volition. Reproductive justice takes as its starting point women's real-life experiences with reproductive oppression in their communities.¹⁴²

According to Loretta Ross, reproductive justice is the complete physical, mental, spiritual, political, social, and economic well-being of women and girls, based on the full achievement and protection of women's human rights.¹⁴³ to achieve this goal of reproductive justice, there is a need to identify and address the conditions that exist in any particular community or environment. Such conditions include the reality of inequality of opportunities between the male and female genders. This is well captured by Loretta Ross by maintaining that reproductive justice says that the ability of any woman to determine her own reproductive destiny is linked directly to the conditions in her community, and these conditions are not just a matter of individual choice and access. Reproductive justice addresses the social reality of inequality, specifically, the inequality of opportunities that we have to control our reproductive destiny.¹⁴⁴

Reproductive justice analysis focuses on long-term ends: better lives for women, healthier families, and sustainable communities. It points to reproductive oppression- to barriers that prevent women from having children on their own terms.¹⁴⁵ As its final component, reproductive justice works to organize individuals and communities to create structural change and power inequalities. In the words of Alison Bailey: Reproductive justice focuses centrally on how state and commercial control and exploitation of women's bodies, sexuality, and reproduction are often strategies for controlling communities of color. Social Justice for entire communities requires a complete vision of health for women and girls, including an understanding of issues such as sex trafficking, youth empowerment, women's health, family well-being, educational justice, unsafe working conditions, domestic violence, immigration injustices, environmental racism, and globalization.¹⁴⁶ This is the summary of the task and focus of reproductive justice in feminist and bioethical studies.

(c) Reproductive Technology (Aid)

Reproductive technology or aid refers to any treatment, aid, or procedure for assisting reproduction that includes the handling of human eggs, sperm, or embryos, such as in vitro fertilization (IVF), gamete transfer or editing, surrogacy, etc. They are those processes that aid in animal and human reproduction. It encompasses all old, current, and anticipated uses of technology in human reproduction, including ART, contraception, and others.

¹⁴² Loretta Ross, "Understanding Reproductive Justice".

¹⁴³ Loretta Ross, "Understanding Reproductive Justice".

¹⁴⁴ Loretta Ross, "Understanding Reproductive Justice".

¹⁴⁵ Loretta Ross, "Understanding Reproductive Justice", 17.

¹⁴⁶ Alison Bailey, *Reconceiving Surrogacy: Toward Reproductive Justice Account of Indian Surrogacy*, 2011: 16.

In feminist studies, scholarship has increasingly theorized the gender-technology relationship, and studies of public attitudes towards science and technology.¹⁴⁷ There have been different perspectives among the feminists in theorizing the role of technology in their lives in general and reproductive life in particular. In theorizing technology, feminist scholarship has historically been deeply divided over viewing it as inherently oppressive or liberating.¹⁴⁸ For instance, some view reproductive technologies as a form of patriarchal medical control over women's bodies,¹⁴⁹ while others have emphasized how technology can give women more control over reproduction.¹⁵⁰ This clarification is important in order to know why each group or scholar is expressing his or her own view. Further, reproductive technology refers to technologies that intervene in the biological act of procreation. It serves to facilitate, prevent, or intervene in the process of reproduction, including birthing, contraception, abortion, and antenatal testing. It includes the separation of reproduction from the act of human union and from the body.

(d) Surrogacy

Surrogacy traces its origin to the Latin term 'surrogatus' that signifies an act of replacement or substitution. Within the domain of reproduction, it stands for an agreement whereby a woman chooses to carry someone else's child in return for some payment to hand it over to the intended parents.¹⁵¹ Surrogacy is an arrangement, often supported by a legal agreement, whereby a woman agrees to deliver or labor for another person or people, who will become the child's parent after birth. It is an arrangement by which a woman gives birth to a baby on behalf of someone who is physically unable to have babies themselves, and then gives the baby to that person. "Surrogacy is a reproductive arrangement wherein a woman consents to carry a pregnancy to its completion, and subsequently relinquishes all parental rights to the child after delivery.¹⁵² In a similar vein, the Asian-Pacific Resources and Research Centre for Women (ARROW) defines surrogacy as involving an agreement where a woman consents to undergo a pregnancy seeing it through to completion and ultimately entrusting the child to the intended parents for whom she is serving as a surrogate.¹⁵³ Also, in the words of Francis P. Lesile,

¹⁴⁷ Katherine M. Johnson and Richard M. Simon, "Women's Attitudes Toward Biomedical Technology for Infertility: The Case for Technological Salience", *Gender and Society*, 26(2), 2012: 262.

¹⁴⁸ Lublin N., *Pandora's Box: Feminism Confronts Reproductive Technology*, Lanham, MD: Rowman and Littlefield, 1998.

¹⁴⁹ O'Riordan, K., and Haran J., "From Reproduction to Research: Sourcing Eggs, IVF, and Cloning in the UK", *Feminist Theory*, 10, 2009: 191-210.

¹⁵⁰ Wacjman, J., *Feminism Confronts Technology*, University Park: Pennsylvania State University Press, 1991.

¹⁵¹ Jyoti Chaudhary, "Consequences of Surrogacy on Surrogates in India", *Indian Anthropologist*, 49(2), 2019: 91.

¹⁵² Agnafor, M.J., "The Harm Argument Against Surrogacy Revisited: Two Versions not to Forget", *Medicine, Health and Philosophy*, 17(3), 2014: 357-363.

¹⁵³ Nadimpally, S., Venkatachalam, D. *Commercial Surrogacy, A Contested Terrain in the Realm of Rights and Justice*. Kuala Lumpur: Asian -Pacific Resource and Research Centre for Women, 2016: 4.

surrogacy is a quintessential act of bodily labor for another, which involves physical intrusion, pregnancy, and childbirth, as well as its gestational manifestation involving hormonal stimulation and the transfer of embryos.¹⁵⁴ Surrogacy thereby becomes a means of reproduction through which one's desire of having a genetically related child is met.¹⁵⁵ A critical look at the above definitions of surrogacy so far reveals that surrogacy is a reproductive aid and arrangement that involves two or more parties. It is also observed that surrogacy is a reproductive service or aid that involves the provision of a gamete and the supply of sex cells. Basically, it often involves the intended or contracting parent (s) and the surrogate mother who must consent. Surrogacy is an important method of assisted reproductive technology wherein a woman carries a pregnancy for another couple.

Broadly, we have two types of surrogacies- altruistic surrogacy and commercialized surrogacy. While altruistic surrogacy involves arrangements whereby the surrogate mother does not get paid beyond pregnancy-related expenses and medical reimbursements, commercialized surrogacy involves full payment to the surrogate mother beyond medical and pregnancy-related expenses. We also have traditional and gestational surrogacies as the two forms of surrogacy. Traditional surrogacy may involve artificial insemination, which may involve the egg of the would-be mother and the semen of the intending father. This is the ancient form of surrogacy arrangements. Gestational surrogacy is a modified form of surrogacy that has broken the biological tie without sexual intercourse through medical intervention, through a more complicated procedure of in vitro fertilization (IVF) and embryo transfer to the surrogate mother's womb. This is unlike traditional surrogacy, where sexual contact as a natural process takes place. Gestational surrogacy occurs when a fertilized embryo is transferred into the surrogate. The embryo in this case is a result of in vitro fertilization (IVF), using the egg and sperm of the intending parents or a third-party donor. IVF and intracytoplasmic sperm injection (ICSI) are forms of assisted reproductive treatment in which eggs are fertilized with sperm outside the body. While IVF is used for female infertility and unexplained infertility, ICSI is used when there is a male cause of infertility. These arrangements are obtained under gestational surrogacy as a reproductive technology and aid. Other types apart from IVF and ICSI are Intrauterine Insemination (IUI), Frozen embryo transfer (FET), Gamete Intra-fallopian Transfer (GIFT), and microinjection. GIFT consists of placing a mixture of sperm and ova directly in the fallopian tubes for fertilization to take place. Microinjection refers to the technique of injecting sperm into an extracted egg.¹⁵⁶ All these can take place under gestational surrogacy.

¹⁵⁴ Francis P. Lesile, "Is Surrogacy Ethically Problematic?" *The Oxford Handbook of Reproductive Ethics*, Francis P. L. (ed.). Oxford: Oxford University Press, 2016, 388-406.

¹⁵⁵ Venugopal B.S., "Law and Surrogacy: A critical Analysis of Indian Experience", *Indian Streams Research Journal*, 3 (6), 2013: 1-9.

¹⁵⁶ Klein, R., *Infertility-Women Speak Out*, London, Pandora, 1989: 254.

The theme of surrogacy has generated hot and controversial debates in different disciplines, such as anthropology, sociology, and philosophy in general. But in bioethical debates in particular, surrogacy has generated a host of theoretical responses that underscore such themes as enslavement versus self-ownership¹⁵⁷, where the institution itself has been referred to as “estranged labor”¹⁵⁸, “contracted motherhood”¹⁵⁹, “contracted pregnancy”¹⁶⁰, “incubatory servitude”, and the renting of a womb¹⁶¹. These themes have defined the intensity of the debate on surrogacy as a reproductive aid or technique, especially in the era of clinical applications and other related scientific arenas in women’s reproductive and biological life. This is because in feminist and bioethical studies, “female reproduction raises many thorny questions about choice as well as about body ownership and integrity”¹⁶². The theme of reproduction and, consequently, reproductive technology has been recognized by feminists in their agitations as crucial areas that deserve attention to achieve moral equality for women, thereby emancipating them from patriarchal oppression and suppression. On the emergence of biotechnologies and their emancipatory role for and among women, feminists are divided. But this paper is of the view that surrogacy, as one of the reproductive aids and technologies, rather reinforces women’s oppression, suppression, and inferiority. Who are the feminists who argue that reproductive technology, for example, surrogacy, plays an emancipatory role for women folks in terms of reproductive and biological life? What are their arguments? These questions lead to the next section where feminists’ arguments are detailed and examined.

Feminists’ View on Reproductive Technology

Is technology harmful to women, especially in terms of reproduction? Who should be feared: technology or the one who controls technology? Are reproductive technologies friends or enemies to women? Does reproductive technology really serve or play an emancipatory roles to women in terms of reproduction? How far can reproductive technology go in terms of delivering women from reproductive oppression, suppression, and in shaping their destiny? These questions form the focus of this section. An attempt to provide answers or respond to these questions defines the task of this section.

In feminist studies in general, the perceived oppression from patriarchy has been presented as partly emanating from women’s reproductive life, such that

¹⁵⁷ Petchesky, R. P., *The Body as Property: a Feminist Revision*, See Ginsburg and Rapp, 1995, 387-406.

¹⁵⁸ Oliver K., “Marxism and Surrogacy”. See Holmes and Puddy, 1992, 266-283.

¹⁵⁹ Ketchum S.A., “Selling Babies and Selling Bodies”, See Holmes and Purdy, 1992, 284-294. See also Oliver K., 1992.

¹⁶⁰ Holmes H.B., and Purdy L.M., eds. *Feminist Perspectives in Medical Ethics*, Bloomington: Indiana University Press, 1992.

¹⁶¹ Hopkins P.D. ed. *Sex and Machine: Readings in Culture, Gender and Technology*, Bloomington: Indiana University Press, 1998.

¹⁶² Lesley A. Sharp, “The Commodification of the Body and Its Parts”, *Annual Review of Anthropology*, 29, 2000: 287-328.

women's emancipation and reproductive destiny would be changed through reproductive choice. This desire was assumed by feminists to be embedded in the discovery and marketing of contraceptive pills in the 1960s. This was heralded as a good development. In the words of Juliet Mitchell: Contraception, which was invented as a rational technique only in the 19th century, was ... an innovation of world-historic importance... at last the mode of reproduction could potentially be transformed. Once childbearing becomes totally voluntary... its significance is fundamentally different. It no longer needs to be the sole or ultimate vocation of women: it becomes an option among others.¹⁶³ This feminist view prevailed in the 60s and 70s, such that body fragmentation and commodification perceived to accompany women's reproductive life and the consequent oppressive regime emanating from it would be a thing of the past through the emergence of reproductive biotechnologies. In this regard, technology was seen as a noble friend that had come to emancipate women from their subjugating reproductive role.

Following from the above idea and argument that technology is the friend and not the enemy of women's liberation was prominently pursued further by Shulamith Firestone in the 1970s. By adopting and arguing from Karl Marx's and Friedrich Engels' historical materialism, she argued that the mode of reproduction (rather than the mode of production) is the ultimate source of social inequality, conflict, and change. In applying this idea to women, Firestone claimed that women's freedom from the 'tyranny of the biological family' will be possible once the technology that permits extra-corporeal birth, therefore, removing conception and birth from women, has been encouraged and developed. To her, biology is the source of oppression and technology the solution to women's oppression.¹⁶⁴ No doubt, Firestone had a negative appraisal of motherhood, which she illustrated with phrases like "pregnancy is barbaric and 'childbirth is at best necessary and tolerable... like shifting a pumpkin."¹⁶⁵ Firestone held this view because she believed that given the option of artificial procreation, natural childbirth would become an anachronism. After all, it is not only cumbersome but also a dispensable aspect of women's lives. In view of this, artificial reproduction is necessary to seize control of human fertility and overthrow the tyranny of the nuclear family.

According to Firestone, women will only be freed from the tyranny of biology through new reproductive technologies. In her words: The elimination of sexual classes requires the revolt of the underclass (women) and the seizure of control of reproduction: not only the full restoration to women of ownership in their own bodies, but also their (temporary) seizure of control of human fertility- the new population biology as well as all the institutions of

¹⁶³ This is Juliet Mitchell's view in "The Longest Revolution" quoted in Rowbotham S., *The Past is Before Us*, Harmondsworth, Penguin, 1989: 62.

¹⁶⁴ Shulamith Firestone, *The Dialectic of Sex, The Case for Feminist Revolution*, London, Jonathan Cape, 1971.

¹⁶⁵ Firestone, *The Dialectic of Sex*, 224-225.

childbearing and childrearing... The reproduction of the species by one sex for the benefit of both would be replaced by (at least the option of) artificial reproduction: children would be born to both sexes equally, or independently of either.... The tyranny of the biological family would be broken.¹⁶⁶

She argues that child-bearing could be taken over by technology, such that family chauvinism, class privilege based on birth, would wither away.¹⁶⁷ It is important to observe that Firestone's argument on motherhood and technology equated technological innovation with social progress through greater mastery of human evolution- a tradition we might call progressive biofuturism.¹⁶⁸ Although some feminists do not believe in the analytic importance that Firestone, as a radical feminist, attached to human biology in her classic argument, her theory represented a logical development of ideas expressed during her period. Some feminists opposed her view, and they did so by distinguishing between sex and gender, and then arguing that sex is biologically based and gender socially induced.¹⁶⁹ On this ground, they attacked and dismissed Firestone's view of relying on reproductive technology for women's emancipation. In particular, Firestone's view and proposal that children be born by means of machines that can simulate the human womb was attacked and dismissed as radical and extreme.¹⁷⁰ But the attack and dismissal of Firestone's position on the grounds of distinction between sex and gender has been rejected by some feminist scholars. For instance, Susan Ziehl argued and rejected the distinction between sex and gender because it is problematic. She went further to describe the distinction as "a false one and reasoning around it, tautological."¹⁷¹

Having presented some of the feminist arguments on the emancipatory role of women by reproductive technologies, especially from the perspective of the radical feminist, Shulamith Firestone, the next step is to present the argument of the paper. The next section will present arguments contrary to Shulamith's view that technology will deliver women from the reproductive and family roles that have suppressed and oppressed them, rendering them inferior. It will be argued that, rather than reproductive technology being the solution to women's oppression in their family and reproductive and procreative destiny, as claimed by Firestone, it rather facilitates and reinforces women's oppression. This will be demonstrated with the case of surrogacy and the

¹⁶⁶ Firestone, *The Dialectic of Sex*, 11.

¹⁶⁷ Firestone, *The Dialectic of Sex*, 232.

¹⁶⁸ Sarah Franklin, "Revisiting Reprotech and the Question of Technology", *Further Adventures of The Dialectic of Sex, Critical Essays on Shulamith Firestone*, Mandy Merck and Stella Sandford (eds.), Palgrave: Macmillan, 1970, 29-60

¹⁶⁹ Some feminists in this category includes Oakley A., *Sex, Gender and Society*, London: Temple Smith, 1972. Also, Haralambos, M. and Holborn M. *Sociology- Themes and Perspectives*, London: Unwin Hyman, 1990.

¹⁷⁰ Barrett, M., *Women's Oppression Today*, London, Verso, 1980: 12-13.

¹⁷¹ Susan C. Ziehl, "Feminism and Modern Reproductive Technology", *South African Sociological Review*, CODESRIA, 1993: 19-34.

associated reproductive technologies as a reproductive technology or aid. The next section aims at proving that reproductive technology, rather than abating or eliminating women's oppression, reinforces it.

How Surrogacy Reinforces Women's Oppression and Suppression

My major task in this section paper is to argue that reproductive technology, contrary to being an emancipatory tool for women in their biological and reproductive life, rather facilitates and deepens women's oppression, suppression, and inferiority. This is contrary to some radical feminist positions that reproductive technology will free women from the tyranny of biology, the tyranny of the nuclear family, the burden of pregnancy, and change women's reproductive destiny. I will argue in this section that surrogacy as a reproductive aid and its associated reproductive technologies, as discussed above, reinforce women's oppression, repression, and inferiority. When this is successfully argued, it will imply that reproductive technology facilitates and reinforces women's oppression rather than abating it. In pursuing this task, I propose two arguments, which are: the deprivation argument, and the commodification and commercialization of the female body argument.

Deprivation Argument

Deprivation occurs when someone or people are denied something that others possess and which they believe they should have too. Deprivation suggests or implies that people feel they are being denied something considered essential in their lives. It could be rights, money, status, political voice, etc. Someone is labeled 'deprived' if he or she is underprivileged in a material or immaterial way. Deprivation pertains to a sort of discrimination in relation to the better situated others. It involves a perceived discrepancy between personal status and the status of some relevant other(s).

In interpersonal and social movement studies, deprivation is a sociological and psychological term used to describe a person who is disconnected from his or her society and healthy social interaction for a variety of different reasons, it may affect the person's personality and interpersonal skills, which consequently can lead to social exclusion. Deprivation may result from a combination of many different factors, which include but are not restricted to ethnicity, unemployment, poor education and skills, ignorance, low incomes, poor housing, social exclusion, crime, and family breakdown, etc.

Surrogacy leads to the deprivation of surrogate mothers. A surrogate mother is a woman who becomes pregnant by artificial insemination or by implantation of a fertilized egg created by in vitro fertilization for the purpose of carrying the fetus to term for another person or persons. Surrogacy as a reproductive technology or aid cannot take place without a surrogate mother who is a major party in the surrogacy contract. The contract agreement says the surrogate mother will relinquish the baby to the parents after birth. The surrogate mother is a mother by virtue of giving birth to a baby. But where is her motherhood?

What is the essence of her motherhood if her role is only to labor for other parents for a fee or other reasons? In this regard, surrogacy has deprived such a mother of her child and motherhood, surrogacy as a reproductive technology has further facilitated and reinforced the surrogate mother's oppression, repression, and inferiority. She is used and deprived of what made her a mother. Surrogacy as a reproductive technology has not anywhere made her life better by taking something crucial away from her, which is the withholding of the baby. She suffers as a result of others' actions, including hers, as a result of technology, which may cause some neuropsychological effects. In the radical feminist account, reproductive justice is meant to be achieved through reproductive technology, thereby addressing the apparent inequality between female and their male counterparts, especially in their family and reproductive life. With surrogacy as a reproductive technology, such reproductive justice will be elusive. In deprivation theory, Walter Runciman built an entire theory of social justice around the concept of relative deprivation, defined as the sense of frustration that people experience when they observe other people having something they desire and within their reach but unattainable.¹⁷² There is no doubt that the deprivation that a surrogate mother suffers is a product of an upward comparison, which indicates that she is in a disadvantaged and undeserved situation, coupled with anger and resentment. This deprivation will also lead to her reduced individual psychological health. Reproductive technology further aggravated her oppression and deepened the already existing inequality. Deprivation as a subjective dissatisfaction troubles many people, including a surrogate mother. This dissatisfaction is caused by the comparison between one person's situation and another person's situation. The next is the commodification and commercialization argument.

Commodification and Commercialization Argument

Commodification describes the process by which something without economic value gains economic value that can replace other social values. Commodification means that a good or service is given market value- a good or service receives a price. It is a process of transforming inalienable, free, or gifted things (objects, services, ideas, nature, personal information, people, or animals) into commodities, or objects for sale. Commodification is the transformation of anything- a service, product, intellectual property, etc. – into an object of economic value for exchange. Commercialization simply means producing, marketing, and selling something for profit in a commercial market-place. The major question to be addressed is: Does reproductive technology, for example, surrogacy commodify and commercialize women's bodies in any way? Is commodification and commercialization morally wrong? Do commodification and commercialization oppress, suppress, and facilitate women's inferiority? Does surrogacy as a reproductive technology widen the inequality between females and their male counterparts against

¹⁷² Runciman, W.G., *Relative Deprivation and Social Justice: A Study of Attitudes to Social Inequality in Twentieth-Century England*, Routledge& Kegan Paul, 1966.

females? What follows is to argue that surrogacy as a reproductive technology commodifies and commercializes female body parts and further deepens women's oppression, suppression, and inferiority rather than liberating them. One of the most troubling concerns or issues raised by surrogacy is the one that bothers on reproductive rights and autonomy in a realm overrun with the language of commerce. Historically, "the post-World II period serves as an especially important watershed for understanding body commodification when medical technologies play pivotal roles."¹⁷³ These medical technologies, it would be argued, suppress women's folk contrary to radical feminists' assumption that it is an emancipatory tool from biological, reproductive, and family burdens.

Reproductive technologies in general and surrogacy in particular commodify and commercialize women's body parts, and this leads to subordination. In commercial surrogacy, a woman's body is commercialized and commodified for the market value of pregnancy. In this, subordination is involved because in the contract, a man or intending parents is purchasing rights of command over a woman's body for the duration of pregnancy that is to produce a child for the man. This leads to further oppression of women as such practice is a typical example of the exploitative use of the human body parts, since in that instance, their body is seen as a commodity and objects whose worth lies merely in their exchange value- pregnancy for childbirth. Lesley Sharp corroborated this: "women's body in its entirety or fragmented form has long been an object of economic, social and symbolic use in a host of societies."¹⁷⁴ This view is similarly shared by K.P. Morgan, who asserts that "we have arrived at the stage of regarding ourselves as both technological subject and object transformable and literally creatable through biological engineering."¹⁷⁵ This commodifies and commercializes the female reproductive function and undermines the family. By this, women, especially vulnerable ones, are exploited, abused, and manipulated, courtesy of surrogacy as a reproductive technology.

In addition to the above, the anticipated and aspired equality between female and their male counterpart will continue to be elusive as long as female body parts are rendered vulnerable through surrogacy as a reproductive technology. Women's body has been exploited and made vulnerable for the sake of pregnancy, the way men's bodies cannot be exploited. Equality between the two sexes is not made possible in this regard. "... female reproduction renders women's bodies vulnerable to regulation and commodification. Set against the context of the current biotechnologies, (post) feminist critiques offer an obvious analytical framework, driven by the understanding that women's bodies are consistently manipulated, fragmented, employed, and raided in

¹⁷³ Sharp, "The Commodification of the Body and Its Parts", 297.

¹⁷⁴ Sharp, "The Commodification of the Body and Its Parts", 292.

¹⁷⁵ Morgan K.P., Women and the Knife: Cosmetic Surgery and the Colonization of Women's Bodies, *Hypatia*, 6, 1991: 30

ways altogether different from men's bodies.”¹⁷⁶ This is made possible by surrogacy as a reproductive technology. The manipulation and commodification of female body parts is made manifest in surrogate motherhood. This was aptly captured by Gostino and Ragone: “Surrogate motherhood emerges as the quintessential example of the commodification of the female bodies and their reproductive capacities, an institution that is now intensely bureaucratized within the United States, involving brokers, formal and complex contracts, and hefty fees.”¹⁷⁷

Healthwise, through the commodification and commercialization of female body parts, women could experience female sexual frigidity, a situation whereby a woman is unable to experience orgasm or sexual pleasure, or the absence of sexual desire, unable to enjoy sex, since their bodies are technologically manipulated as a childbearing factory. This is a repercussion of medicine (technology) on the bodies of women. This consequently leads to mental turmoil for the surrogate mothers, which can lead to depression, anxiety, post-traumatic stress, isolation, and sometimes, can lead to polymorphous sexuality. These are all emanations from surrogacy as a reproductive technology since surrogacy, especially the commercial type, degrades the mother-child relationship by paying women not to bond with their child(ren). This further oppresses, depresses, and deepens women's inferiority, contrary to the radical feminist view that reproductive technology is a liberating tool.

Conclusion

The burden of feminism has been how to outline and execute the agenda of achieving equality and justice for women. This singular task has been pursued through different theories, views, and methodologies. One of such views is that reproductive technology is an emancipatory tool for women from the burden of pregnancy, reproduction, and family in general. They are of the view that the burden of childbearing could be taken over by technology, and family chauvinism based on child-birth would wither away with the aid of reproductive technologies. That is, with reproductive technology, women will be delivered from the tyranny of family and reproduction. In contrast to this feminist view, it has been argued in this paper that reproductive technologies further oppress, suppress, and facilitate women's inferiority and inequality. This was demonstrated with surrogacy as a reproductive technology or aid.

The claim of the paper was pursued through two arguments (the deprivation argument and the commodification and commercialization arguments). These two arguments were examined and used to demonstrate that reproductive technology, with the example of surrogacy, as it stands, does not liberate

¹⁷⁶ Sharp, “The Commodification of the Body and Its Parts”, 299.

¹⁷⁷ Gostino, L., ed., *Surrogate Motherhood: Politics and Privacy*, Bloomington: Indiana University Press, 1990; and Ragone, H., *Surrogate Motherhood: Conception in the Heart*, Boulder, Co: Westview, 1994.

women from the burden of reproduction, but rather it oppresses them further by depriving them, commodifying and commercializing their body parts. Technology is a friend, no doubt, but it is also a dangerous enemy. Radical feminists, such as Firestone (discussed above), erroneously embraced technology only as a friend without acknowledging its dangerous aspect as an enemy. This is one of the problems associated with technology because it does not invite a close examination of its consequences. The devastating effect of technology was aptly captured by Neil Postman, "... technology is a kind of friend that asks for trust and obedience, which most people are inclined to give because its gifts are bountiful. But, of course, there is a dark side to this friend. Its gifts are not without a heavy cost... the uncontrolled growth of technology destroys the vital sources of our humanity."¹⁷⁸ This is what reproductive technology has done to womenfolk, in particular, and humanity in general, but unbeknown to feminists, they see it as a liberating tool. By so doing, feminists have surrendered the culture of reproduction and family to technology. They are also seeking the authorization of the natural family and reproductive life in technology. This is the deification of technology, which Neil Postman describes as "*Technolopoly*".¹⁷⁹

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¹⁷⁸ Neil Postman, *Technopoly, The Surrender of Culture to Technology*, Knopf: New York, 1992: xii.

¹⁷⁹ Postman, *Technolopoly*, 71.

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