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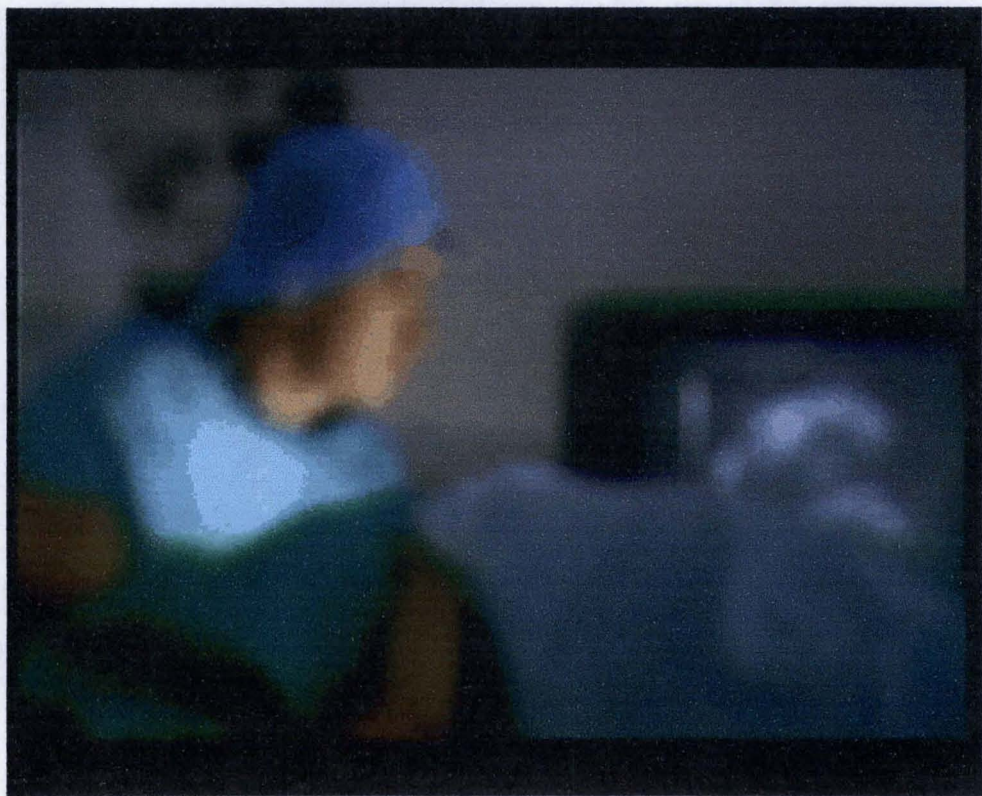
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# **A/gender For Change**

**A Feminist Interrogation of Secular and Theological  
Discourses Relating to the New Reproductive Technologies**

**By  
Jacci Stoyle**

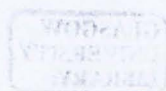


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## ABSTRACT

The aim of this thesis is to deconstruct the ethical framework, in which the theological community deliberates the new reproductive technologies (NRTs) and to interrogate the constructions of woman and the embryo that have correlated into the ensuing discourses from ecclesiastic traditions. The foundational premise is that the church does not fulfil its pastoral and prophetic role in this increasingly vital socio-cultural area, predominantly because woman's subject position of invisibility in theological discourses prevents the church from speaking differently to the secular world. The methodology establishes the validity of using critical discourse analysis as a tool of deconstruction based on the insights of Michel Foucault. This is then deployed to interrogate the constructions of woman and the embryo circulating in the popular NRT narratives of the media in order to ground a secular baseline. From this vantage point, critical discourse analysis is undertaken on two church reports and three theological texts. The concluding chapter sketches a different framework of moral perception, within which the church would be enabled to offer greater empathy in its pastoral care and also to prophetically challenge macro-systems of power more effectively.

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## THE PROLOGUE

### My Story

Strangely enough my story of infertility begins with a normal conception and an uneventful pregnancy. I was a week overdue when my waters broke all over the sofa at one o'clock in the morning. Nervous and excited, I rang the maternity hospital and they advised us to come in straightaway. I was well dilated and they thought the baby would be born by the morning. After seventeen hours however, I was still not into the second stage of labour. The smiling midwives showed their concern by fetching more and more senior personnel, each one examining me for themselves, then leaving me to whisper outside the door as I strained to hear what was wrong. I always had to ask. Finally the registrar decided I needed to have a caesarian section and by this time I was too tired to care or protest and was even secretly relieved that it would all soon be over. My first-born son was delivered, a healthy baby weighing 9lbs 8ozs.

My recovery was hampered by a dreadful wound infection that oozed pus and required dressing three times a day. A high vaginal swab showed that the virulent strain of bacteria responsible had been present in the cervix when I'd gone for surgery. When I expressed my incredulity at how such a bug could have been there in the first place, the medics implied that someone's aseptic technique had been less than scrupulous. As it turned out I was left with an undiagnosed stitch abscess for a further three years, but everything appeared healed at the time. After about eighteen months we decided to try for another baby. I was very relaxed about getting pregnant, unlike the first time of trying; after all, I knew that we were fertile. However, nothing happened. Eventually I went to the doctors and started the long haul of fertility testing.

I had a painful lump near the uterus, which they said was endometriosis and the cause of my infertility and I was given a course of Clomid for six months. A year passed, nothing happened. Eventually, they took me to theatre and discovered my endometriosis was an infected stitch, which, unbelievably, they left in situ. My consultant told me that I would never have any more children and there was nothing more he could do for me. I was too shocked to ask why and felt utterly demoralized with the care I'd received from him, especially as my painful lump was now a running sore. I went back to my GP. Thankfully he was appalled at my treatment and referred me to another consultant for my infertility and to a general surgeon for my infected stitch. My GP was worried that under the circumstances of professional etiquette, other consultants in the area would be unwilling to treat me, but as he knew both doctors personally, he

thought they would do so as a favour to him. He was right and they both took me on.

After waiting for the six-month ancillary strike to end, my plastic stitch was finally removed, apparently not before time as the surrounding muscle tissue had started to become necrotic. Meanwhile the gynaecologist at each appointment would repeatedly ring my previous consultant's secretary, in my presence, to ask for my notes but was unable to obtain them as seemingly they had got 'lost'. He had no alternative but to take me through all the tests again. Another laparoscopy, another hysterosalpingogram, but thankfully the post-coital test was not repeated. This involves examining the motility of the sperm in the vagina following sexual intercourse. You have to have sex no more than twelve hours before your hospital appointment. When I had undergone this most embarrassing of tests, I had been due at the hospital at around nine thirty am, so sex the night before would have been fine. However, things didn't work out that way. After placating a hungry and curious toddler, we finally managed an unromantic, rushed, but successful quickie at about nine o'clock. 'When did you last have sex?' the doctor had asked as he retrieved the fluids from my vagina. 'About twenty minutes ago', I had replied.

Fertility testing is a peculiar phenomenon, which becomes apparent as time goes on. 'Everything's fine', they say with a smile as each inspected body part comes up trumps. 'Your tubes are open', 'The sperm count is well within the limits', 'You are ovulating normally'. But obviously everything is not fine. I was not pregnant because *something* was wrong. And with each successive test that I passed, there was that sinking feeling of desperation that another procedure had been grimly borne for nothing. I was no further forward. My consultant thought that the wound infection might have damaged the fallopian tubes microscopically, but there was no way of proving this. Doctors are quite guarded about implicating their colleagues.

Eventually, despite still desperately wanting another baby, I decided to accept the inevitable fact that this wasn't going to happen and told my gynaecologist so. He told me he thought I was wise to take this attitude. My husband was relieved and was quite happy to settle for an only child. My family thought this was a sensible approach. I grieved alone. I wept when we moved house and brought the baby clothes down from the loft. I gave them away. I wept in secret when I found out friends and sisters-in-law were pregnant. I wept knowing I had been the last person to be told. Then a story hit the headlines.

My son had been born in 1979 a year after Louise Brown. I had been following the stories of IVF with interest due to my secondary infertility, but not, in those early days, with much expectation of using this method for my own

predicament. The exact details of this newspaper story are blurred by time, although the feelings it engendered in me, I can recall with much greater vigour. I think this was the gist of it; a mother of three children had chosen to be sterilized and then divorced her husband. She had subsequently met someone else and wanted to have his baby. She had been accepted for IVF and they had put four embryos back, which had all implanted and she had given birth to quadruplets. I was very, very angry. I had thought it was selfish to go for IVF if you already were a mother, but if a mother of three could try it, then why couldn't I? Worse still, this woman had *chosen* to become infertile and I felt that I'd had my fertility stolen from me. I went back to my gynaecologist and told him I'd changed my mind and asked him if he would refer me for IVF. He was kind enough not to make any adverse comments about my earlier decision and suggested that we tried for Hammersmith Hospital in London as they were pioneering the new technology at the time and had had some success.

I was overjoyed when the little, blue appointment card came in the post, despite the fact that our initial consultation wasn't for another twelve months. What I hadn't realized was that Hammersmith had to make their own assessments and I wasn't automatically going to be given an IVF attempt. When, at last, we made it to that first appointment we felt as if we'd finally arrived, but it was only the end of a chapter and the beginning of yet another journey. The next step was to go on the laparoscopy waiting list at Hammersmith, so that my suitability for treatment could be ascertained.

Time goes by and the date for my laparoscopy loomed. I arrived at the hospital, as requested, at nine thirty in the morning the day before I was due to go to theatre, having travelled from Birmingham since the early hours. I was told to change into my nightclothes, and despite the incongruity of such a request, I duly complied. I had my history taken, pulse, temperature and blood pressure recorded, but was left without the ubiquitous jug of water. I remember being quite thirsty and asked the nurse if she could fetch me one. She gave me a withering look and told me to get one myself from the kitchen. As I was searching through the cupboards to find them, the Sister came in and told me in no uncertain terms that patients were not allowed in the kitchen and to get out. Tears pricked my eyes, I felt utterly humiliated, all I wanted was a glass of water.

My memories of the laparoscopy are confused as each one is mixed with the others and specific details are hazy with time and drugged recoveries. I know each time it hurts like hell afterwards and I am always sick after a general anaesthetic. However, I can remember with clarity the following day when Professor Robert Winston led the ward-round in his smart suit and soft voice, stopping by every bed to give his verdict on whether or not each healthy,

young, female occupant could be given a chance for IVF. I don't know if he was aware of the electrifying tension on that bright, sunny morning as we all sat waiting in our pyjamas, but I shall never forget it. I was one of the lucky ones to be given a chance and a date, another year, my son would then be six years old.

I was definitely the driving force for going on with this, but to be fair to my husband he went along with it and supported me through it all. Infertility is like a secret that takes over your life, whilst you pretend to everyone, including yourself, that you've got it sussed. You wait. You wait for your 'fertile' time of the month – just in case. You wait for your period – just in case. You don't have to check your diary, you always know. You wait for hospital appointments to come around. You wait in hospital corridors pretending to read. You learn to fend off people's nosy inquiries and you become secretive about why you need time off work. I struggled with myself not to be so overtaken by it all that I would let trying for the baby that I might never have stop me from enjoying the childhood of my son, whom I did have. It was hard, but it probably helped keep me sane.

Finally, finally, the wait for our first attempt was over. We had to travel down to London every day to be at Hammersmith Hospital for six o'clock in the morning. I was always surprised at how heavy the traffic was on the M40 in those pre-dawn hours. We'd had to attend a lecture before we started where they'd explained the procedure and emphasized the low chances of success and pointed out how a man's normal sperm count can fluctuate from quite high levels to sub-fertile levels over the course of a year. To demonstrate this, a man had been persuaded to ejaculate every three days for a year so they could chart his sperm count on a graph. I've always wondered if they made this up. The lecture was quite cosy and genial, everyone was happy to be there, we had all known that we were the lucky few who had made it thus far.

In contrast to that meeting, anxiety marked that first attempt. Stomach churning tension in the car, in the hospital corridors, endless waiting, waiting to be seen. It starts with superovulation. You are given high doses of follicle stimulating hormone, which acts as its name implies, so that several eggs will be mature enough to mix with sperm in a petri dish giving the best chance for fertilization and subsequently, implantation. Techniques have become more sophisticated since those early days but the principles remain the same. At Hammersmith they gave you a detailed itinerary of steps that you were destined to take towards egg collection *if* you passed each stage of the process. This seemingly innocuous set of instructions was referred to by medics and patients alike as the 'Programme'. The Programme was everything. If your follicles weren't the right size or your blood oestrogen levels weren't up to scratch, then you would be



'off the Programme', relegated to the waiting list of up to two years for your next attempt.<sup>1</sup>

At six o'clock in the morning, having travelled down from Birmingham dodging the heavy lorries, I sat in the crowded corridor along with the other anxious women sipping, constantly sipping water from a plastic cup. In those days they scanned the ovaries to measure the size of the follicles from outside the body. Unfortunately, in order to do so effectively, the ovaries had to be moved into place by a full bladder, full but not too full. Pain was no indicator to this magical amount; the pain barrier was passed very early on. When it was finally your turn, if you had overdone it you had to let out a little – too much and you would be sent to the back of the queue to begin sipping once again. Later with vaginal scanning, mercifully, a full bladder was not required.

I remember lying there, anxiously, trying to make sense of the screen, trying to see what they could see, trying to follow the gritty, grey, ghostlike shapes that held my eggs. Would they be the right size? Would there be enough? Would I make it to the next stage? Were my oestrogen levels okay? Smiling, pleasant, amenable, I would make polite conversation, perhaps adding a humorous comment to lighten the tension within me. To my delight, my body responded well enough to go forward to egg collection. You had to be available to the hospital around the crucial time of ovulation, because if this occurred naturally all those precious eggs would be lost to the fallopian tubes. In addition, the timing of the final injections was critical so we stayed down in London at this stage.

There were several couples who were at the same phase as us and we became friendly with one couple in particular, I'll call them Candy and Den. This was their second or third attempt and would be their last as they had been told that if it didn't work it would be the end of the road for them. They took us under their wings and showed us where to go, literally, taking us through the maze of corridors to the night canteen and telling us what to expect. Tragically, their attempt failed, and having mothered and fathered us so well, it still seems to me eighteen years on, so very unfair. I did go to see the IVF counsellor once, but the most effective emotional support came from other couples.

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<sup>1</sup> From my interview with Dr Jamieson (see Appendix IV, pp. 272-3) things are very different now. NHS patients wait for a first attempt, but after that they are encouraged to have all their attempts in quick succession. In addition, if they are lucky enough to have a clutch of fertilized embryos, the subsequent transfers are not included in their prescribed number of attempts (freezing techniques have improved tremendously to make this a viable prospect). If this had been the case in my time, it would have mitigated a lot of the stress of the whole process.

In those days egg collection was done under general anaesthetic and I can recollect coming round feeling woozy and very sick, but being sharply aware of my husband's dejected face. 'Whatever's the matter?' I had asked him. The man's role in IVF is a supportive one, except for the little, but obviously critical, task of producing the sperm. When the woman is whisked off for egg collection, her partner has to queue with the other guys outside the toilets where they wait as each man masturbates into a small, labelled laboratory pot. For privacy, this is a hospital toilet with a lock; when the job is finished the key is passed down the row to the next man. The sperm is then inspected and prepared by the technicians for mixing with the recently collected ova. The doctor had taken my husband to one side and informed him that his sample had been 'ropey but adequate'. My husband had felt that he had failed in the one and only, tiny task that had been his to do.

We returned to the hospital to find out how many eggs had fertilized in preparation for having them implanted. In contrast to the hi-tech image of IVF, incongruously, the dilapidated, overcrowded conditions of this ancient hospital always seemed out of place. This day was no exception. We had been ushered into a day room at the end of a Nightingale ward that was full of gynaecological patients and their suitcases waiting to be transferred to another ward. Only a few of us were IVF couples waiting for our results. A young houseman resplendent in his white coat and stethoscope came into the crowded room and called me over to him. 'None of your eggs fertilised', he said matter of factly. I remember bursting into tears and feeling all those uninvited eyes and ears witnessing the drama that was unfolding before them. Despite the kindly protestations of the other IVF women, I ran out of the room. I just had to get out. Even now, it beggars belief that this man didn't have the sensitivity to speak to us in private.

I am a stereotypical eldest child, a people pleaser. If I want something I will work hard to get it. But fertility is fickle; it eludes you. I had sex at the right time, ate the right foods, lay in the correct post-coital position, prayed, had hypnosis, went for tests, was a good patient, remembered to take my drugs, travelled hundreds of miles, underwent countless embarrassing procedures, juggled child care and work commitments, relaxed... and still nothing happened. Frustrated and demoralized, why couldn't I just give up? Perhaps because it *is* so fickle, like roulette, you think next time I just might win. Like so many others before and since, I was determined to try again.

The second attempt was less fraught than the first, although the accompanying tension was always present, but knowing what to expect definitely helped. This time one egg fertilized. I found having an embryo returned to my womb was very exciting, despite the fact that I was well aware that it might never implant.

Just for a moment in time I was pregnant. Fancifully, ridiculously, my baby had come home. I remember lying on the bed, relaxing as you are told to do, willing my uterus to receive this tiny speck into its soft, warm, bloodied lining. Sadly, I didn't need to go for a pregnancy test; my period arrived early.

The frustration of this failure overwhelmed me. I changed my job, the colour and style of my hair and even how I dressed. In hindsight, perhaps I needed to feel in control of *something*. But I couldn't give up. Time had not only moved on for us, but for IVF too. I was lucky in that I had started out on this treadmill in my twenties rather than in my middle to late thirties, as is the case with so many women. I was still young enough to keep trying and IVF was becoming more accessible. Some friends of ours had tried a local clinic and had been successful so we decided to go there for our third attempt. Whilst it feels disloyal to Hammersmith, I can only say the difference was stark and the experience was far, far less stressful.

The Midlands Fertility Services at Little Aston was a private facility, not an NHS establishment. Being local to this clinic made life much simpler, it meant I could go alone for appointments and work and childcare were easier to manage. But amazingly, I never had to wait around; I was always seen straightaway. I cannot emphasize enough just how much difference this made to the build up of tension that interminable waiting engenders. But, by far the most critical difference was that you paid to get to egg collection. So if your follicles didn't respond to the drug therapy, you simply stopped it, waited a month and began again. I had been so indoctrinated by the rigidity of the 'Programme' that I had to get them to explain this to me three times before I could believe it.

By this time the use of Buserelin had been introduced. This is a drug that dampens down the body's own hormonal responses before superovulation is started. It is administered by droplets through the nose and it was imperative that you didn't miss the four hourly dosage. I bought a cheap digital watch with an alarm so that I wouldn't forget to take it and used to slip out of meetings surreptitiously sniffing my drugs in the toilet like a fervent cocaine user. Luckily, things ran smoothly and I reached egg collection on this first drug run. Unlike my two previous attempts, this time the ova were to be extracted through the vaginal wall under a local anaesthetic instead of via the umbilical site under a general anaesthetic. I was told that I would be given a drug that would induce amnesia so that I wouldn't have a memory of the procedure. I remember feeling very uncomfortable about this at the time, wondering what on earth they were going to do to me that would require my memory to be swiped clean. Whilst I did query this, I'm ashamed to say that I raised no real objection to it at the time, despite the fact that in all my years of nursing I had

never heard of such a thing. My husband was permitted to stay with me and apparently I yelled out a lot with the pain and then kept apologizing for doing so.

They were slightly disappointed to have only collected four eggs. After mixing them with the sperm, three fertilized. When I arrived for implantation, I was welcomed by my midwife, Yvonne, who seemed almost more delighted than I was. At Little Aston, you were allocated a staff midwife throughout the whole attempt, unlike Hammersmith, and this was another personal touch that lifted the tension. I was always pleased to see her familiar face and had grown quite attached to her.

‘How many embryos are you going to put back?’ I had asked her. ‘All three, why?’ she had grinned back at me.

I knew that returning three embryos would give me the best chance of just one implanting, but I was scared of having a triplet pregnancy. I hadn’t really thought about what I would do in this situation as getting this far had seemed an impossible dream. Now I was faced with it. Thankfully, with cryopreservation techniques being so much improved and the new HFEA guidelines on placing only two fertilized eggs in the uterus, this dilemma should no longer be a problem for women currently undergoing IVF.<sup>2</sup> However, despite my reservations, I let them put the three embryos into my womb. All I had to do now was wait and give myself progesterone injections over the following two weeks. It is much harder to plunge an intra-muscular needle into your own flesh than to receive it from someone else, but my husband couldn’t do it and I had been a nurse after all.

I have memories of getting quite violent stomach cramps and silently slipping out of people’s company to sit on the toilet checking for signs of bleeding in absolute dread. Not a spot, despite the pre-menstrual symptoms I was experiencing. They are able to give you a pregnancy test just two weeks after embryo transfer, which is about the time menstruation is due. We kept the allotted appointment bringing my early morning urine sample to the clinic, despite the fact that I was convinced by now that my period was imminent. The consultant Peter Bromwich and Yvonne formed a little welcoming committee of two. Peter chatted away to us about how the first pregnancy tests were done using frogs as he dipped the test paper into the urine. I can’t for the life of me recall how amphibians were used to do this, but suddenly in the middle of this

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<sup>2</sup> According to Dr. Jamieson, frozen embryos have a 20% live birth rate at the Glasgow Assisted Conception Unit, although this is one of the highest statistics in the country. See Appendix IV, p. 271. On 8/08/2001, the HFEA reduced the maximum number of embryos to be transferred in a single treatment from three to two. <http://www.hfea.gov.uk/PressOffice/Archive>, p. 6.

scientific history lesson he said, 'It's turned blue.' I was pregnant at last. Two weeks later I returned for a scan to find out how many embryos had taken.

'Can you see them?' Yvonne had said to us. The fog-like shapes on the scan's screen have always mystified me.

'Them?' we whispered.

'Two spheres the size of a ten-pee, look here's one and here,' she said, moving the scanner so that the whole picture seemed to turn upside down, 'is the other one.'

'Twins', she beamed.

## CHAPTER ONE

### ESTABLISHING THE METHODOLOGICAL APPROACH

I am not just amusing myself by making the game more complicated for a few lively minds. I am trying to define in what way, to what extent, to what level discourses, and particularly scientific discourses, can be objects of a political practice, and in what system of dependency they can be in relation to it.<sup>1</sup>

M. Foucault, 1968

My thesis began with my story of infertility and my subsequent involvement with the new reproductive technologies (NRT's). I have deliberately chosen to include these recollections in the Prologue, because I believe they are a significant resource for theological reflection. Yet, when I started my research, I did not perceive the relation between my participation in in vitro fertilisation (IVF) and my written account of it, in quite this way. Rather, I simply felt that having an embodied understanding of a particular topic would give me greater insights as I started to explore it, than would be the case if it were something alien to my own experience. However, as I began to examine the wealth of theological, philosophical and scientific literature that abounds on this subject, I became increasingly concerned with the way in which the issue was being discussed, especially as I belonged to the group objectified by this scrutiny.

Firstly, the discourses from official texts and treatises are couched in impersonal, disembodied language appealing to universal principles and citing abstract doctrines. Moreover, the churches' official documents are written by a predominantly male leadership, who may or may not at some time be personally afflicted by the condition of infertility, but who will never have to undergo the procedure of IVF itself.<sup>2</sup> The Roman Catholic priesthood is even further removed from the context of IVF treatment, as their childfree status is a lifetime choice. Secondly, the construction of these discourses established an agenda of what was deemed to be important and what was not. In other words, not only were a hierarchy of issues created, but also, the very selection of which issues to include at all, was at stake. For example, the moral worth of the embryo is perceived as a critical aspect of discussions on IVF, whilst the

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<sup>1</sup> M. Foucault, 'Politics and the Study of Discourse' in *Ideology and Consciousness* 3, pp7-26 [Fr 1968], 1978 p. 23.

<sup>2</sup> K. Kelly states that the Church of England's Working Party for *Personal Origins* was made up of four men and one woman and the Roman Catholic Bishops' Joint Committee on Bioethical Issues comprised thirteen men and four women. *Life and Love: Towards a Christian dialogue on bioethical questions*, (London: Collins, 1987) p. 103.

pastoral care of women undergoing treatment receives little, if any, consideration.

Thirdly, the so-called objectivity and impartiality of the texts led directly into an ethical deliberation, which appealed to the common assumptions and seemingly obvious conclusions that *the discourse itself had founded*. Finally, the media discussions surrounding IVF in newspaper accounts and on television programmes followed this pre-set agenda, couching it in everyday language and homely stories. Any dissenting public voices appeared to be as strictly selected as the dominant ones and whilst these perspectives were quite antagonistic to each other, nonetheless, they had a commonality in their androcentric worldview.

In consideration of these points, I began to employ a hermeneutics of suspicion and started to ask, 'What is being left out of the discussion?' and 'Whose interests are being served by this occlusion?' and finally 'Can other discourses be appropriated to challenge the obvious, the given and the common assumptions concerning IVF?' My PhD is different from the way that Christians have approached this topic in the past, as it will not be framed by the discourses of this hitherto accepted, formal and generalised format. My theological reflection on the NRTs will take on board my stated suppositions and I will begin by considering the first of these contentions. What or, more specifically, who is being left out of IVF discourses?

The surprising answer is woman herself and her account of her experiences. I say 'surprising' because it would seem obvious on a first reading of any article on IVF that woman is included by the very fact that her body is the locus for IVF and without her there would be no discourse. However, on a closer reading of the texts, she is there by implication as necessitated by her reproductive organs, but her presence, her standpoint and her subjectivity are missing, eclipsed by other, apparently more pressing concerns in the popular narratives. Because the language of these discourses is so familiar to the reader, her absence passes unnoticed, thereby maintaining and securing her invisibility. But, I wish to ask, how would it be if woman became visible? What if the NRTs were to be considered from a woman's perspective and if her voice were to be heard? It is my contention that such an inclusion would not only reshape the discourses, but also the whole ethical framework in which these discussions take place.

In order to formulate this challenge to the dominant, traditional discourses of science, medicine, philosophy and theology, I shall begin by drawing on the contemporary work of the feminist theorists, who have provided strong

arguments demonstrating that the privileged views in contemporary ethical debates do not present the whole truth. I propose to continue this challenge through to its logical conclusion, by asserting that just as a strong case can be made for standpoint epistemologies, then it follows that there is a case for considering standpoint ethics and embodied differences in moral deliberation. I shall then discuss the influential work of Michel Foucault with particular regard to his understanding of the relationship between discourse, power and the subject and how his insights can be appropriated in my research. I shall end this chapter by describing the practical procedures entailed in discourse analysis and how I intend to use this method to interrogate a variety of media and provide insights into my project to generate alternative ethical frameworks.

### **'...I know what I am saying:' Feminist Epistemology**

But God forbid that you should take me for a teacher. Such is not my intention and never has been. I am a woman, ignorant, weak and frail, but I know what I am saying: I have been shown it by the sovereign teacher. In truth, charity moves me to tell it to you, for I wish God to be known and my fellow Christians aided, as I would be myself, in the greater hating of sin and loving of God.<sup>3</sup>

Julian of Norwich, 1413

The older women were confused by the new movement's obsession with fairy stories being sexist or history being biased and many felt alienated when feminists attacked language and hit out with what seemed weird and unnecessary nitpicking, inventing words which seemed strange then but now roll off the tongue. At the time there was no vocabulary to describe what women were on about. They had to invent the jargon to explain their analysis. Identifying with the national liberation movements in the 1960s, they borrowed some of their vocabulary, using such words as male 'chauvinist', women's 'liberation'.<sup>4</sup>

Angela Holdsworth, 1988

### **Can knowledge ever be value-free?**

For the purposes of this thesis, it is doubly fitting that I should turn to the feminist epistemologists who have challenged the employment of 'factual knowledge' and 'value-free' objectivity in the discourses of science. For, not only do their insights bring into question the whole concept of impartiality, but also their painstaking research has struck at the heart of the cultural myth that scientific knowledge is beyond reproach. In an age where it is commonly

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<sup>3</sup> Julian of Norwich, 'Revelations of Divine Love' translated from British Library Additional MS37790 in *Julian of Norwich; Revelations; Motherhood of God* ed by F. Beer (Cambridge: D. S. Brewer, 1998), p. 33.

<sup>4</sup> A. Holdsworth, *Out of the Doll's House*, (London: BBC Books, 1988), p. 198.



recognised that theology, philosophy, history, economics and politics can be perceived differently, science remains on a pedestal of established 'facts'. Even when it is acknowledged that the interpretation of findings are susceptible to prejudice, the finger is often pointed at 'bad science', rather than at 'science-as-usual', which is deemed to have a methodological objectivity derived from the physics model that is without social bias.<sup>5</sup>

I claim it is doubly fitting because one of the most contested areas of the natural sciences is biology and its controversial by-product, sociobiology. As the NRTs form a central thread of this research, exposure of the dominant, scientific myth as gendered is especially pertinent. Studies have illustrated just how much social, historically situated ideologies have re-employed scientific concepts, not only in the selection of what and whom should be objects of research, or the in the espousal of theories, but also in the descriptive language used to classify objects and processes. Moreover, these concepts can then be appropriated in a circular fashion to prove the cultural notions from which they first originated. Ruth Hubbard, in her essay 'Have only men evolved?' demonstrates how Darwin drew on ideas in the cultural milieu of his era to formulate his theory of evolution.<sup>6</sup> She quotes from both Marx and Engels to illustrate that this had not been lost on contemporary thinkers. The passage from a letter by Engels is illuminating:

The whole Darwinist teaching of the struggle for existence is simply a transference from society to living nature of Hobbe's doctrine of 'bellum omnium contra omnes' and of the bourgeois-economic doctrine of competition together with Malthus's theory of population. When this conjurer's trick has been performed ... the same theories are transferred back again from organic nature into history and now it is claimed that their validity as eternal laws of human society has been proved.<sup>7</sup>

The crucial point here is not to discredit evolutionary theory per se, nor to discount every scientific discovery because it may be biased, nor even to criticise Darwin for drawing on the historically situated notions of his time, for this is how people make meaning of their lived experience both consciously and unconsciously. Rather, it is to illustrate that critique of scientific endeavour is imperative, because like every other human narrative, it is constructed, and

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<sup>5</sup> L. Code states that the concept of a methodology that is free from social influence is 'derived from a rarefied conception of *physics*, which is seen as the purest of all sciences, distinguished by a methodology that is immune to social influence.' (her italics) L. Code, *What can she know? Feminist Theory and the Construction of Knowledge*, (Ithaca & London: Cornell University Press, 1991), p. 32.

<sup>6</sup> R. Hubbard, 'Have Only Men Evolved?' in *Discovering Reality: Female perspectives on Epistemology, Metaphysics, Methodology and Philosophy of Science*, ed by S. Harding and M. Hintikka (Dordrecht, Boston, London: D. Reidel Publishing Company, 1983), pp. 45-69.

<sup>7</sup> Quoted in R. Hubbard, 'Have only men evolved?' p. 50.

therefore not above interrogation. Moreover, this provides a good example of the circularity of ideas that pass through the 'value-free' guarantor of science, which then become fixed as truth. As evolutionary theory became an accepted law of nature it was applied to social theory, becoming social Darwinism, which was assimilated into Western culture in the late nineteenth century and remains popular today. An excerpt from a Sunday school address by John D. Rockefeller demonstrates how the original social theories became reinforced by this process:

The growth of a large business is merely the survival of the fittest ... The American Beauty rose can be produced in the splendor and fragrance which bring cheer to its beholder only by sacrificing early buds which grow up around it. This is not an evil tendency in business. It is merely the working out of a law of nature and a law of God.<sup>8</sup>

Emily Martin demonstrates how the first part of this dynamic has taken place in the reproductive biological discourses of egg and sperm.<sup>9</sup> She undertakes an analysis of the way the discourse constructs the role of egg and sperm, noting how it relies heavily on cultural stereotypes of male and female roles, the former being more significant than the latter. In her essay she poses questions such as 'why must menstruation be necessarily be viewed as a failure?' and 'why is oogenesis regarded as a failure because it is finished at birth and not the vast production of sperm, of which one trillion are unused in a lifetime?'<sup>10</sup> Her close reading of the language illustrates that the commonly assumed passivity of the egg is reinforced by verbs describing its movement such as 'is transported', 'is swept' or 'drifts' as opposed to the agency of sperm which 'deliver' and 'activate the developmental programme of the egg' being 'efficiently powered' with their 'strong' tails. The cultural myths of rescuing a damsel in distress are transposed onto the 'perilous journey' that the successful sperm must make to 'assault' the egg that will 'die within hours unless rescued by the sperm'.<sup>11</sup>

Martin quotes from the work of Ruth Herschberger, who, as early as 1948, had recognized the spurious, scientific perception of sperm as autonomous agents. She explains the biological processes required for sperm to function and concludes with the following observation. 'The sperm is no more independent of its milieu than the egg, and yet from a *wish that it were* biologists have lent their support to the notion that the human female, beginning with the egg, is

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<sup>8</sup> Quoted in R. Hubbard, 'Have only men evolved?', p. 52.

<sup>9</sup> E. Martin, 'The Egg and the Sperm: How Science has Constructed a Romance Based on Stereotypical Male-Female Roles' in *Feminist Theory and the Body: A Reader*, ed by J. Price and M. Shildrick, (Edinburgh: Edinburgh University Press, 1999), pp. 179-189.

<sup>10</sup> E. Martin, 'The Egg and the Sperm', points raised on pp. 180-181.

<sup>11</sup> E. Martin, 'The Egg and the Sperm, descriptions of language use pp. 181-182.

congenitally more dependent than the male.' (my italics)<sup>12</sup> The sociobiologists complete this loop by citing the processes of human reproduction to prove their case (with highly refutable logic) that such things as 'man's requirement for many partners' and 'woman's desire for a high status male to provide for her progeny', are directly connected to biological facts. In a similar way to evolutionary theory, the stereotypical gender roles have become sanctioned as natural law by being regarded as the established 'facts' of science.

### **Is value-free knowledge the goal to be sought in any case?**

In a series of pioneering texts, Sandra Harding explores the gendered and racist nature of science that goes far beyond the equal opportunity issues suggested by feminist empiricists, which intimate that when more women and people of colour become scientists, their rigorous application of method would be sufficient to counter androcentric and racist bias in the interpretation of data.<sup>13</sup> Harding suggests, however, that this does not go far enough. 'It appears to challenge mainly the incomplete practice of the science method, not the norms of science themselves.'<sup>14</sup> Feminist empiricism may be able to call to account scientific inquiries that are used to further sexist, racist, homophobic or classist social policies, or question why different policies are formulated from particular data for different social groups as in the case of reproductive agendas for elite and poor women. But if it does so, *whilst still insisting* on the suitability of existing methodological norms, it subverts the very concept of empiricism that it is aiming to defend.<sup>15</sup> For, if the methodology per se were as watertight as the feminist empiricists claim, then the gender and race of individuals applying it should be of no consequence. In other words, if objectivity really could be correctly implemented in a value free way, then how would it be possible for people from a variety of backgrounds to make a difference in the first place? Surely it is the value free claims of the method itself that are found wanting in the light of so many biased accounts of scientific assertions.

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<sup>12</sup> R. Herschberger, 1948, quoted in E. Martin's article, 'The Egg and the Sperm'.p.182.

<sup>13</sup> I do not mean to belittle the very serious problem of equal opportunity issues for women entering the science professions, which, according to a recent Guardian article, 'Why are there so few top women scientists?' (G2, 21/04/03, p. 8-9) is still a major problem. Lack of maternity leave, the expectation of long working hours and difficulty in returning after childbirth to a similar position all contribute to a wastage of highly trained women scientists in the academe, who have also chosen to have a family.

<sup>14</sup> S. Harding, *Whose Science? Whose Knowledge? Thinking from women's lives*, (Milton Keynes: Open University Press, 1991), p. 113.

<sup>15</sup> This point is discussed by S. Harding, *The Science Question in Feminism*, (Milton Keynes: Open University Press, 1986), p. 25.

Harding demonstrates that further interrogation of the methodological norms of science reveals that they rely on the rigid dichotomies of white, elite, masculinist, Western thinking, which are gendered to the detriment of woman. She says:

Objectivity vs. subjectivity, the scientist as knowing subject vs. the objects of his inquiry, reason vs. the emotions, mind vs. body – in each case the former has been associated with masculinity and the latter with femininity. In each case it has been claimed that human progress requires the former to achieve domination of the latter.<sup>16</sup>

Ironically, the rationale behind the feminist standpoint theorists, based on the work of Hegel and his insights into the master/slave relationship, turns this last point upside down. Nancy Harstock in her development of a feminist standpoint explains how, in fact, it is subjugated groups who have a clearer view of a situation than their rulers.<sup>17</sup> She claims:

If material life is structured in fundamentally opposing ways for two different groups, one can expect that the vision of each will represent an inversion of the other, and in systems of domination the vision available to the rulers will be both partial and perverse.<sup>18</sup>

She explains further that because those who hold most power are those who structure the material relations in which both they and the oppressed must participate, then this vision cannot be disregarded as wholly false. However, the vision from beneath is determined by the struggle to change those relations and in this way the inhumanity of them is exposed and a deeper understanding of their mechanisms can be understood.<sup>19</sup> One of the principle difficulties with standpoint epistemology is the venturing into relativism that having a variety of standpoints may precipitate. Simply put; can there be a feminist standpoint in any case, when woman's social experience is so utterly varied? How can splitting the view from beneath into smaller and smaller parts be helpful to defining reality, as each individual brings their own specific otherness to bear on the truth? What is the benchmark for judgment; are all standpoints equally well-grounded? Perhaps it would be pertinent at this point to scrutinize both 'objectivity' and 'relativism' and how they are defined in order to critique their effectiveness in any methodological enquiry.

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<sup>16</sup> S. Harding, *The Science Question in Feminism*, p. 23.

<sup>17</sup> N. Harstock, 'The Feminist Standpoint: Developing the Ground for a Specifically Feminist Historical Materialism' (pp. 283-310) in *Discovering Reality*: p. 285.

<sup>18</sup> N. Harstock, 'The Feminist Standpoint' p. 285.

<sup>19</sup> N. Harstock 'The Feminist Standpoint' p. 285.

### **If value-free knowledge is an oxymoron, can reality ever be realized?**

Harding critiques traditional objectivity, which she prefers to call 'objectivism', as being weak by asserting that paradoxically it is both too narrow and too broad. She suggests that a strong objectivity, which takes account of situated knowledges, would prevent the false dichotomy that places value-neutral objectivity and judgmental relativism as a form of Hobson's choice.<sup>20</sup>

Objectivism, as she sees it, is too narrow because it seeks to eliminate partiality from those undertaking a research project without taking into account that if these individuals are from similar elite positions, then they will be equally blind to their own biases. It is also too broad because it seeks to eliminate all social values from research, yet not all social values are a bad thing, indeed some may be imperative to good research practice. (One only has to consider the horrific experiments on Nazi concentration camp victims to appreciate this latter point.)

Harding puts forward her proposition of strong objectivity, which she claims is a critical requirement of standpoint theory. In a strong objectivity it is necessary to analyse micro and macro tendencies that underpin both good and bad social beliefs in order to expose those assumptions and practices which appear unremarkable to the dominant perspective. The prime locus to initiate this enquiry begins from listening to neglected and marginalised voices, from women, strangers and 'natives', from the lives of others who are the losers or outsiders in any given enterprise. Harding concludes, 'Strong objectivity requires that we investigate the relation between subject and object rather than deny the existence of, or seek unilateral control over, this relation.'<sup>21</sup>

She points out that judgmental relativism does not arise within marginalized groups, for example, 'Women do not have the problem of how to accommodate intellectually both the sexist claim that women are inferior in some way or another and the feminist claim that they are not.'<sup>22</sup> Rather the problems occur, not in the inclusiveness of the other into research or curriculum programmes, but when that inclusiveness threatens the dominant centre by challenging its most cherished beliefs.

The American Donna Haraway criticises mainstream objectivity, not least that it is a myth only 'non-scientists including a few very trusting philosophers' believe anyway.<sup>23</sup> Moreover, the critical tools in constructing scientific knowledge claims are rhetoric and practice. 'Practice is persuasion, and the

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<sup>20</sup> S. Harding, *Whose Science? Whose Knowledge?* p. 142.

<sup>21</sup> S. Harding, *Whose Science? Whose Knowledge?* p. 152.

<sup>22</sup> S. Harding, *Whose Science? Whose Knowledge?* p. 154.

<sup>23</sup> D. Haraway, *Simians, Cyborgs, and Women: The Reinvention of Nature* (London: Free Association Books Ltd, 1991) p. 184.

focus is very much on practice.<sup>24</sup> She charts the feminist trajectory in pursuing an effective tool for deconstructing the truth claims of anti-social scientific data, which sought to go far beyond reducing the problem to one of bias vs. objectivity or good science vs. bad science but which did not, in the end, provide a better account of the world. Crucially, the problem, as she sees it:

...is how to have *simultaneously* an account of radical historical contingency for all knowledge claims and knowing subjects, a critical practice for recognizing our own 'semiotic technologies' for making meanings, *and* a no-nonsense commitment to faithful accounts of a 'real' world, one that can be partially shared and friendly to earth-wide projects of finite freedom, adequate material abundance, modest meaning in suffering, and limited happiness. (her italics)<sup>25</sup>

She advocates the redeployment of vision as a solution to this problem. Not the disembodied vision, the 'conquering gaze from nowhere'<sup>26</sup> that is the privileged, dominant projection, which can see all, but has the power of self invisibility, rather vision that is both situated and accountable, that does not promise transcendence, but which takes responsibility for what it sees. If vision is embodied, it must be particular, located and specific and it will always be partial. In the same way that her dogs and flies have different ways of seeing, reality is based on the perceptual system of the creature that sees.

Haraway, like Harding, believes, therefore, that situated knowledges are imperative to the practical application of objectivity. Yet, whilst she acknowledges that the subjugated have a clearer vision than the powerful due to their understanding of how denial and repression are used to render them silent, nevertheless, learning how to see from beneath still requires skills to interpret that knowledge. The problem of relativism is alleviated by *acknowledging* the partiality of viewpoints, but insisting that they must be open to critical enquiry and accountability; why should an acceptance of there being no single vision mean that every partial perspective should have equal validity? Haraway says, 'Relativism is the perfect mirror twin of totalization in the ideologies of objectivity; both deny the stakes in location, embodiment, and partial perspective; both make it impossible to see well.'<sup>27</sup>

Yet, when value-free objectivity is challenged by the acknowledgment that a range of partial perspectives may legitimately exist, some theorists, in common with the social constructionalists, conclude that no objective reality is possible. Stanley and Wise, in their pioneering work, *Breaking Out*, challenged the

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<sup>24</sup> D. Haraway, *Simians, Cyborgs, and Women*, p. 185.

<sup>25</sup> D. Haraway, *Simians, Cyborgs and Women*, p. 187.

<sup>26</sup> D. Haraway, *Simians, Cyborgs and Women*, p. 188.

<sup>27</sup> D. Haraway, *Simians, Cyborgs, and Women*, p. 191.

concepts of universal truths and facts by asserting that each individual has their own reality, which must be continually managed and negotiated.<sup>28</sup> However, such radical subjectivism conflicts with the rationalist argument, which asserts that a fact, such as the gate is shut, exists independently of whether or not it can be seen. Lorraine Code critiques this absolute denial of objective social truths, which she believes maintains the fact/value dichotomy rather than begins to deconstruct it; furthermore, she states, if men's analyses about women are wrong, then there must be some facts to get right. She continues:

Now Stanley and Wise would surely reject any suggestion that sexism and racial injustices, women's oppressions, or women's biological experience are "all in their minds." Hence they evidently believe in social realities that are less individually constructed, managed, and negotiated than they imply. Were there no facts about women's circumstances, there would be nothing to investigate, criticize and know.<sup>29</sup>

Whilst feminists might argue the point, Stanley and Wise do expose the difficulty of achieving this in an information-bound society that is dependent on forms of cultural discourse for disclosing those facts. In a study conducted by Philip Macnaghten, which considered the discourses of nature in a series of transcripts and official documents related to a public enquiry into a planning application for a landfill site that had initially been turned down, the different concepts of what 'nature' means were explored.<sup>30</sup> It became apparent that the very different constructions of what constitutes the meaning of 'nature', ranging from being a 'wilderness', to a 'passive visual harmony' to a 'visual harmony of activities' had significant consequences for the local community. In summing up, Macnaghten reveals that whilst the wilderness construction was singularly unhelpful in judging the appeal proposals, nevertheless it was the one deployed in the interviews when nature was discussed. He says:

This aspect, I interpret, led to the major difficulty in the analysis: i.e. how to unravel usages of constructions of nature where those same arguments did not (or indeed could not as this would be a self-defeating strategy) make the term 'nature' explicit.<sup>31</sup>

Plants and animals exist, so there must be facts about them to get right; the question remains, how can this best be achieved?

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<sup>28</sup> L. Stanley & S. Wise, *Breaking Out: Feminist Consciousness and Feminist Research* (London: Routledge & Kegan Paul, 1983), p. 108.

<sup>29</sup> L. Code, *What can she know? Feminist Theory and the Construction of Knowledge*, (Ithaca & London: Cornell University Press, 1991), p. 44.

<sup>30</sup> P. Macnaghten, 'Discourses of Nature: Argumentation and Power', pp. 52-72, in "*discourse analytic research. Repertoires and Readings of Texts in Action*", ed by E. Burman & I. Parker (London & New York: Routledge, 1993).

<sup>31</sup> P. Macnaghten, 'Discourses of Nature:' p. 70.

## Exploring different ways of seeing and knowing

Code asserts that rather than considering objectivity/ subjectivity as a dichotomy, it is more helpful (and more honest) to consider it as a continuum, in which some knowledge acquisition is better suited to greater subjectivity or objectivity at either ends of the spectrum, whilst other epistemological data is more appropriately obtained by the intermingling of subjectivity and objectivity at the centre.<sup>32</sup> She also challenges the Kuhnian-type paradigm of observing objects as foundational to knowledge construction; why, she poses, was this model chosen in preference to one based on knowing other people, which is a vital human capacity practised from babyhood? For, as she points out, 'An infant learns to respond *cognitively* to its caregivers *long before* it can recognize the simplest of physical objects.' (her italics)<sup>33</sup>

Her question invites several responses, not least, that it is far easier to quantify 'objects' than people and also simpler to devise universal rules for doing so. Moreover, I would suggest that, whilst less acknowledged, human beings continue to use a complex subjective method for understanding how to relate to other people throughout their lives, but because of its reliance on emotion, intuition and empathy, it is much harder to define as a *model*. Her assertion that different methodologies serve different purposes is especially apt in this example. Code continues her argument by discussing the work of three prominent thinkers, Annette Baier, Caroline Whiteck and Sarah Ruddick, who, despite the inherent difficulties of such a venture, have all attempted to create an epistemological model based on interpersonal ways of learning. Code points out that despite the fact that Aristotle wrote extensively on the merits of friendship in his *Nicomachean Ethics*, contemporary exponents of relational models have largely been feminist theorists.<sup>34</sup> In each case, her cited examples have all eschewed the masculinist preoccupation with autonomy in favour of the concept of interdependence, which they perceive to be a more accurate dynamic of human learning.

Annette Baier has expressed her understanding of interdependency by asserting that people develop into unique, creative individuals of integrity through the continual affirmation of others. She says, 'A person, perhaps, is best seen as one who was long enough dependent upon other persons to acquire the essential

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<sup>32</sup> L. Code, *What can she know?*, p. 30.

<sup>33</sup> L. Code, *What can she know?*, p. 37.

<sup>34</sup> It is interesting to note two ironies of Aristotle's work on friendship. Firstly, his claim that man's (sic) rationality was his *raison d'être* and yet he devoted two whole books to the philosophical treatment of friendship. Secondly, his understanding of rationality has been traditionally upheld, whilst his work on friendship has been largely ignored or even denigrated.



arts of personhood. Persons essentially are *second* persons.<sup>35</sup> Whitbeck echoes these insights in her conception of personal development being through the nexus of multiple relationships that shape and form us through listening and speaking, identification and differentiation.<sup>36</sup> Ruddick advocates 'maternal thinking' as a paradigmatic practice, both politically and epistemologically, arguing that, far from being the instinctive, natural, feminine (and therefore inferior) construction of the prevailing ideology, mothering requires a mode of reasoning that can reflect effectively on practices of child-rearing.<sup>37</sup>

Whilst there are problematic aspects to these theories, nonetheless, their impact has been extremely useful in bringing attention to several facets of epistemology. Firstly, they begin to deconstruct the value/fact dichotomy by pointing to the interrelatedness of ethics, subjectivity, agency and epistemology. For, who the knower is, the mechanisms for how they gain their perception of social reality and the credence given to their cognizant status, all have implications, on not only how they choose to act, but moreover, on the very perimeters of choice itself. Secondly, they bring the concept of emotional reasoning out into the open. In common parlance, it is usually distinguished from the 'physics model,' that is, the one accorded paradigm status as the purest scientific method, by being characterised as 'wisdom' as opposed to 'knowledge'.

Wisdom is gained through experience, reflection and insight, often relying on intuition, and is not perceived as being achievable through an accumulation of facts or from controlled experiments. By fostering an awareness that feelings can be influenced by reasoning and that agency can be guided by emotion (as Hume elicited) illustrates that the emotion/reason dichotomy is not just an androcentric construct, but also a falsehood.<sup>38</sup> Paradoxically, however, this feminist alliance with relational ontology in some ways further entrenches the emotion/reason dichotomy. For as emotion is ideologically positioned as feminine and therefore inferior to reason, feminist advocacy of emotion can

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<sup>35</sup> A. Baier, 'Cartesian Persons' in her *Postures of the Mind: Essays on Mind and Morals* (Minneapolis: University of Minnesota Press, 1985), p. 84. Quoted in L. Code, *What can she know?*, p. 82.

<sup>36</sup> L. Code, *What can she know?*, pp. 87-88.

<sup>37</sup> Discussed in L. Code, *What can she know?*, p. 89.

<sup>38</sup> David Hume (1711-76) contended that the passions (feelings), not reason, influenced the will. However, reason has an important role to inform the passions and determines desire and motivation, not in an adversarial relationship, but rather by being the 'eyes and ears' of the passions, for 'the alteration of a relevant belief may also result in an altered passion.' p. 172. *David Hume A Treatise of Human Nature*, ed by D. Norton & M. Norton (Oxford: Oxford University Press, 2001), pp. 170-172.

simply be dismissed by the prevailing, rationalist ideal as woman's self justification of her own 'irrational' thought processes.

Whilst applauding the appeal of her theories, Code, nevertheless, critiques Ruddick's model of 'maternal thinking' for its lack of analysis of the socioeconomic construction of motherhood, for its location in elite, white, educated women's experience and for its failure to take account of the frustrations and ambivalent pressures that effect women in varying situations.<sup>39</sup> The problem of racial bias in white feminists' challenge to patriarchal traditional modes of thinking has not been lost on Black womanists, who have to contend with the triple jeopardy of gender, race and class discrimination and who have criticized the tacit racism in white feminist thought that is analogous with the tacit sexism in androcentric ideology. Patricia Hill Collins, in her assertion that Black feminists are only too aware of the connection between knowledge and social power, offers a clearer view of the complexities that interweave race, gender and class into an overarching system of domination and repression. She states:

By objectifying African-American women and recasting our experiences to serve the interests of elite white men, much of the Eurocentric masculinist worldview fosters Black women's subordination. But placing Black women's experiences at the center of analysis offers fresh insights on the prevailing concepts, paradigms, and epistemologies of this worldview and on its feminist and Afrocentric critiques. Viewing the world through a both/and conceptual lens of the simultaneity of race, class, and gender oppression and the need for a humanist vision of community creates new possibilities for an empowering Afrocentric feminist knowledge.<sup>40</sup>

In her proposition for arriving at a more accurate and truthful epistemology, she acknowledges Haraway's claims, stated earlier, both that situated knowledges are paramount, but also that subjugation alone is not grounds for epistemological status. Imperative components of a standpoint epistemology are critical analysis, acceptance of one's own partiality of vision and an owning of one's voice whilst listening and responding to others, which for Collins is reminiscent of the Afrocentric call-and-response tradition. Furthermore, accountability lies in positioning these voices in their socioeconomic and political context, not keeping them apart as a system of ideas to be discussed in the purity of the abstract.<sup>41</sup>

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<sup>39</sup> L. Code, *What can she know?* pp. 90-91.

<sup>40</sup> P. Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (New York, London: Routledge, 1990), pp. 221-222.

<sup>41</sup> P. Hill Collins, *Black Feminist Thought*, pp. 233-237.

I would contend that the requirement for contextualisation is a primary difference between feminist and androcentric thought, exemplified by the rigidity of philosophical codes of practice, whereby the paring down of situations to their most decontextualised form is considered to be the best way to provide a universal maxim. This inscrutable methodology is found wanting when that maxim is then recontextualised into social realities, for, it cannot take on board the vast differences in human behaviour that exist and consequently many people's lives are placed outside the (flawed) boundaries of normality. Collins asserts that the decentring of the dominant group is essential for other partial views to be really heard. It is the hegemony of the dominant mode of unemotional, objective, abstract, impartial, universal truth claims that must be challenged as, ironically, being subjectively suffused with its own sense of providing an accurate account of the world.

### **My epistemological standpoint**

I propose to take the epistemological insights of this feminist scholarship forward into my thesis by developing a standpoint epistemology that gives my experience a valid position. My accountability lies in the owning of my story related in the Prologue, and is openly available for critique both by the reader and by my own reflective dialogue with the discourses of science, philosophy and theology. It is knowledge situated historically in the early days of IVF, and must take account of specific changes, such as, currently improved success rates, increased availability and social acceptability. However, it still has much to offer on the cycle of hope and failure, the emotional aspects of infertility and the sense of experimentation that continues to blur the boundaries of research and clinical practice in the NRTs. It is a partial view that must also take account of my personal circumstances of being a white, middle class, well-educated, reasonably wealthy woman, which cannot incorporate all women's experience of IVF. Indeed, many of these particular qualities place me in a highly privileged position and consequently obscure the view from beneath in terms of race, class and poverty that can offer further understanding. However, it is an embodied standpoint that can speak to the cherished beliefs at the gendered centre of mainstream discourses, and for this reason, it has epistemological worth.

**'... weaving her house with love from her marrow...' Feminist Ethics**

Like a silkworm weaving  
her house with love  
from her marrow,  
and dying  
in her body's threads  
winding tight, round  
and round,  
I burn  
Desiring what the heart desires.

Cut through, O lord,  
my heart's greed,  
and show me  
your way out,

O lord white as jasmine.

MAHĀDĒVIYAKKA<sup>42</sup>

... it is taking a life, and it is. Even though it is not formed, it is the potential and to me it is still taking a life. But I have to think of mine, my son's and my husband's, to think about, and at first I think that I thought it was for selfish reasons, but it is not. I believe that too, some of it is selfish. I don't want another one right now; I am not ready for it.

A Catholic woman's deliberations on her decision of whether or not to have an abortion.<sup>43</sup>

Having established criteria for a standpoint epistemology, I now wish to explore further the correlation between ethics and epistemology that was discussed in the previous section. As already stated, ethics and epistemology are inextricably intertwined by virtue of how knowledge is gained, the context in which it is gathered and interpreted and the consequences it has on social realities. Furthermore, the highly contested subject/object dichotomy, which pervades the establishment of scientific data, becomes more controversial in the promotion of truth claims that depend far more on values than facts. It seems to me that if there is a case for standpoint epistemologies, then it must surely follow that there is a case for standpoint ethics, even if only on the basis that moral reasoning is, in effect, a specific epistemology in its own right. However, I wish to explore in this section the proposition that the valid evidence

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<sup>42</sup> Taken from the anthology *Of Women and Angels; The Virago Book of Spirituality*, ed by S. Anderson (London: Virago Press, 1996), p. 176.

<sup>43</sup> Quoted from Carol Gilligan's study into women's moral judgements based on interviews with a group of women contemplating abortion in 'In a Different Voice: Women's Conceptions of Self and Morality', pp. 67-103, in *Feminist Ethics* ed by M. Gatens, (Vermont: Ashgate Publishing Company & Aldershot: Dartmouth Publishing Company, 1998), p. 85.

supporting the critical requirement of situated knowledges in a strong objectivity may be directly applied to the apparent gender differences in ethical deliberation without having recourse to a problematic essentialist agenda.

**If traditional ethics is acknowledged to hold impartiality in high regard (both by its advocates and its critics), how then can it be gendered?**

It is a central irony in the history of philosophy and ethics that what has been held to be abstract, impartial, disembodied, universal concepts have by no means been gender neutral. When Aristotle claimed that the purpose of man is rationality, he did not mean that to apply to the women of his era, whom he openly acknowledged to be both cognitively and morally inferior to free men. In one sense, his standpoint (and those of male thinkers of similar cultural disposition) is acceptable, *if* the historical context of the epoch in which their philosophies were framed is taken into account. Their ideas were centred around the polis, not the hearth and were created for the ethics of autonomous men, who *could* exercise choice and therefore were deemed capable of doing so, not for dependent people, women, slaves and children who were not permitted this freedom and were consequently deemed incapable of such a capacity.

My point is that not only was their view partial and predicated on the cultural notions of their era, but that they might well have agreed that this was indeed the case themselves, for who would construct an ethical framework for persons considered unable to participate in it? Unfortunately, not only is their 'universality' in reality a norm for autonomous men, but also the foundations of ethical enquiry have imbibed the ideological ontology of woman's inferiority that was also inherent in their conceptualization of humanity. Virginia Held succinctly sums up the implications of this when she says:

The associations between the philosophical concepts and gender cannot be merely dropped, and the concepts retained regardless of gender, because gender has been built into them in such a way that without it, they will have to be different concepts. As feminists repeatedly show, if the concept of "human" were built on what we think about "woman" rather than what we think about "man", it would be a very different concept. Ethics, thus, has not been a search for universal, or truly human guidance, but a gender-biased enterprise.<sup>44</sup>

The gender bias that has been preserved by this trajectory of androcentric thought has spawned a series of dichotomies of association whereby that which equates with the masculine is judged to be superior to that which belongs to the feminine domain. Consequently, despite rational arguments and new insights,

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<sup>44</sup> V. Held, 'Feminist Transformations of Moral Theory', pp.3-26, in *Feminist Ethics*, ed by M. Gatens, (Vermont: Ashgate Publishing Company & Aldershot: Dartmouth Publishing Company, 1998), p 5.

these dichotomies have become entrenched in their gender camps, held firm by the social construction that follows in the wake of the dominant ideological consensus. So, all that is traditionally associated with the feminine, such as emotion, nature, the body, sex, childbirth, practical caring for children, the sick and the dying and domesticity has been devalued. Whereas their masculine counterparts, rationality, culture, the mind, technology, and the bastions of the public sphere, economics, science, religion, philosophy, law and civic governance, have been accorded greater merit.<sup>45</sup>

The feminist challenge to this orthodoxy is problematic for several reasons. As these ideological differences have infused cultural codes, the social construction of gender roles and institutional norms, as Harstock pointed out, the vision of the dominant, organizing power base is not wholly false. Feminist scholarship, as the enabling vision from beneath, has challenged the hegemony of these dichotomized polarities, and in so doing, radical feminists, in particular, have denigrated the patriarchal aspect and promoted the worthiness, and indeed superiority, of the feminine associations. Whilst some of these have been more extreme than others (Daly, Firestone), nonetheless, an appreciation of woman's traditional attributes has created a fresh perspective on these hitherto neglected capacities for a significant number of theorists.<sup>46</sup>

However, Elaine Storkey neatly points to the ambivalence of this stance when she says, 'We cannot both dismiss gentleness, sensitivity and warmth as just socially-constructed stereotypes when attacking patriarchy, but recall them when wanting to construct a woman-centred alternative.'<sup>47</sup> For, an appreciation of difference, *if gendered*, further entrenches the prevailing view of gender essentialism that stokes the nature/nurture debate of biology vs. social construction, which is currently resurging with the genetics phenomenon. There is an irony that a feminist challenge to male ethics may strengthen the male/female dichotomy that underpins the very associations that patriarchy has created. Furthermore, as Black feminists have pointed out, white feminists can be as unaware of their racial blindness as men are of their gender bias and so perpetuating a male/female dichotomy may obscure the multiplicity of other

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<sup>45</sup> Rosemary Radford Ruether discusses the nature-culture hierarchy and its repercussions for woman, which was highlighted by Sherry Ortner's renowned article 'Is Female to Male as Nature is to Culture?' in chapter 3 of *Sexism and God-Talk: Toward a Feminist Theology*, (Boston: Beacon Press, 1983), pp.72-92.

<sup>46</sup>E. Storkey, *What's Right with Feminism*, (London: SPCK, 1985) discusses the politics of radical feminism. pp. 90-110. M. Daly espouses her theories in *Gyn/Ecology: The Metaethics of Radical Feminism* (Boston: Beacon, 1978) and S. Firestone puts her case of biological determinism in *The Dialectic of Sex: The Case for Feminist Revolution*, (London: Paladin, 1972).

<sup>47</sup> E. Storkey, *What's Right with Feminism*, (London: SPCK, 1985), p. 104.

partial visions that exist.<sup>48</sup> For, if feminist scholarship has proved nothing else, it has surely demonstrated unequivocally that the creation of *any* dichotomy is a falsehood; the complexity of human becoming is far better viewed as a spectrum where the polarized extremes at either end provide for stereotypical examples, rather than evidence of definitive, perimetered difference.

On the other hand, it is also the case that woman *does have* a different situation, which is positioned by her gender *per se* as the moral agent of the domestic realm. Whilst it may be that patriarchy has constructed this locus for woman that does not mean that the view from this place should not be heard, for as human beings we can only make meaning from the place in which we stand. Feminists cannot begin from a clean slate, but must hold a corrective, critical, questioning stance from where patriarchy has located them. Furthermore, the patriarchal denigration of those aspects of life that have suffered from philosophical neglect *because* of their feminine associations, need to be brought into the moral debate and reassessed. As it is the gendered view from beneath that has clearest vision on those facets that have been constructed into their role, then their voice is imperative. I believe it is important to acknowledge these ambiguities as I consider the pioneering work of those who have confronted the androcentric foundations of normative ethical reasoning.

### **How have traditional ethics disadvantaged woman?**

The primary indictment, again, of Western, normative ethics has been its claim to speak for all human beings, when, in reality, it has been based on the partial vision of elite, white, heterosexual men. Carol Gilligan, in recognising that these theories have eclipsed the lives of women and silenced their voices, states:

I saw that by maintaining these ways of seeing and speaking about human lives, men were leaving out women, but women were leaving out themselves. In terms of psychological processes, what for men was a process of separation, for women was a process of dissociation that required the creation of an inner division or psychic split.<sup>49</sup>

In the 1970s Gilligan began her now celebrated book, *In a Different Voice*, which initiated a revolutionary reappraisal of woman's moral reasoning that, in turn,

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<sup>48</sup> Audre Lorde challenged the racism of white feminists in her address 'The Master's Tools Will Never Dismantle the Masters House' originally presented in 1979 during a panel discussion entitled 'The Personal and the Political' in *This Bridge called My Back: Writings by Radical Women of Color*, ed C. Moraga & G. Anzaldua (Watertown, MA: Persephone Press, 1981). Alice Walker later coined the term womanist to differentiate feminists of colour from white feminists who ignore the differences in the lives of Black women when critiquing patriarchy. *In Search of Our Mothers' Gardens: Womanist Prose* (San Diego: Harcourt Brace Jovanovich, 1983) pp.xi-xii.

<sup>49</sup> C. Gilligan, *In a Different Voice: Psychological Theory and Women's Development*, (Cambridge, Massachusetts and London: Harvard University Press, 1982), p. xiii.

spawned a plethora of feminist scholarship culminating in the formation of an alternative framework – the ethics of care. In the wake of its establishment, the normative, androcentric model has been typically referred to as the ethics of justice. Whilst she was working with Lawrence Kohlberg, Gilligan challenged his theory of six stages of moral development, in which women scored less well and only seemed to reach stage three, wherein morality is conceptualised in terms of pleasing others.<sup>50</sup> Women were considered morally deficient because they were unable to go beyond this to stage four, where relationships are subordinated to rules and to stages five and six, where rules are subordinated to universal principles of justice. Kohlberg's theory was formulated on a study of eighty-four boys conducted over twenty years, but claimed universality for all human moral reasoning.

Gilligan's research demonstrated that women tended to perceive moral dilemmas from a different vantage point that focused much more on conflicting responsibilities rather than on competing rights. They were more inclined to eschew a question of rights with its emphasis on separation and abstract theories for a contextual approach that placed relationships at the heart of their deliberations. Gilligan drew on the work of Nancy Chodorow, who claims that the empathetic nature of women is tied into their gender identification with their mothers, and boys, recognizing their gender difference, separate themselves from this intimate, primary relationship in order to identify with their fathers. Gilligan continues, 'Since masculinity is defined through separation while femininity is defined through attachment, male gender identity is threatened by intimacy, while female gender is threatened by separation.'<sup>51</sup> Yet, despite this fundamental differential, she maintains an empirical stance and says the distinction 'is characterized not by gender but theme.'<sup>52</sup> Mindful of the way her theories have been used to justify essentialist differences and wary of a relativist agenda, Gilligan, in her 'Letter to Readers' in the 1993 edition of her book, has stressed the crucial, embodied power of the relational voice that gives woman a selfhood from which to speak out.<sup>53</sup>

In confronting the history of the traditional, androcentric frame of reference, Held has identified three of its most disputable aspects which have disadvantaged woman. These are: the separation of reason and emotion with the privileging of reason, the public/private divide and the equation of the private with the natural and the concept of the self constructed from the

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<sup>50</sup> Discussed in C. Gilligan's, *A Different Voice*, pp. 18-19.

<sup>51</sup> C. Gilligan, *In a Different Voice*, p. 8.

<sup>52</sup> C. Gilligan, *In a Different Voice*, p. 2.

<sup>53</sup> C. Gilligan, *In a Different Voice*, pp. xii –xiii.



masculine perspective.<sup>54</sup> I will briefly look at each aspect in turn. Firstly, Held claims that the traditional approach to ethics, in the modern era, has been inspired by either Kantian or Utilitarian thinking. The Kantian overview regards any emotional involvement as clouding the issue and insists that only an impartial search for the rational, deontological principle will suffice. In any particular dilemma, it seeks the general principles involved in order to then apply an abstract rule to the situation. The Utilitarian frame of reference does, in fact, recognize the importance of desires and feelings, but only in so far as their requirement for maximizing human happiness. It still maintains a rationalist, almost mathematical, calculation of the issues involved in any given moral problem. Emotions are to be considered in the equation, but under no circumstances are they to be part of the deliberation.

Women, for the most part, argues Held, do not appear to approach moral complexities in this way. For them, the context in which a dilemma arises is crucial, bound up as it always is, in relationships between embodied persons. For women, empathy is not merely a nicety that may demonstrate kindness; it is a crucial tool in the practical application of moral agency. It is not a given that appears from nowhere, but is worked at through listening, caring and understanding. Rationalist grounded ethics not only eschew emotion, they often eclipse it in the same way that other aspects of feminine associations are made invisible, taking for granted such facets of life as 'love' and 'trust', particularly in the case of mothering, which is assumed to be an instinctive given, rather than the emotional hard work that it is.

The second of Held's contentions, that of the public/private separation is similarly affected by the downgrading of the domestic realm to the 'natural', wherein woman's caring practices are viewed as being part of her biological inheritance as opposed to the public domain, where man is perceived to be transcending his animality in the building of culture. As Held asserts, human mothering nurtures cultural practices and is far removed from animal behaviour, which whilst often complex, does not involve the shaping of language, moral guidance and creative agency. She continues with regard to the multifarious approaches to infant feeding, 'There is no reason to think of human nursing as any more simply biological than there is to think of, say, a businessmen's lunch in this way. Eating is a biological process, but what and how and with whom we eat are thoroughly cultural.'<sup>55</sup>

Susan Moller Okin demonstrates these factors of androcentric conceptualisation in her critique of Rawls' treatise, *A Theory of Justice*. Rawls predicates his vision

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<sup>54</sup> V. Held, 'Feminist Transformations of Moral Theory', pp. 10-11.

<sup>55</sup> V. Held, *Feminist Transformations of Moral Theory*, p. 18.

of a just society on the indispensable precondition of a secure childhood within a loving family without addressing two fundamental ironies, upon which this rests. Firstly, as Okin points out, 'At the foundation of the development of the sense of justice, then, are an activity and a sphere of life that –though by no means necessarily so – have throughout history been predominantly the activity and sphere of women.'<sup>56</sup> So the crucial moral capacities required for a just society are nurtured primarily by those whose ethical abilities are considered deficient or merely instinctive. Secondly, Rawls makes an assumption, without explanation, that the constitution of the traditional family is just. But as Okin succinctly demonstrates, far too frequently this is not the case. She says:

If gendered family institutions are *not* just but are, rather, a relic of caste or feudal societies in which roles, responsibilities and resources are distributed, not in accordance with justice but in accordance with innate differences that are imbued with enormous social significance, then Rawls's whole structure of moral development seems to be built on uncertain ground. (her italics)<sup>57</sup>

It seems to me that these inconsistencies illustrate the pervasiveness of the polarized, gendered assumptions, which position woman as not just inferior, but also, often invisible, as a cultural agent in her own right.

Held's third proposition that the male conception of self has been harmful to woman is based on the traditional notion of the autonomous, separatist, self-interested ego being pitted against the universal, generalised perspective of everyone else. It has not encompassed the morally significant aspect of personal relationships that exist in families, between friends and which form communities, and especially not from woman's vantage point. Drawing on the work of Gilligan, (building, as mentioned earlier, on Chodorow's insights), Held asserts that woman's self-perception is affiliative.<sup>58</sup> Feminists exploring this self-in-relation conceptualisation of subjectivity do not view it as constituting a loss of self, but rather perceive it as a reciprocal, empathetic, intersubjective identity that gives validity to both self and other by the recognition that embodied relationships are the fabric of social realities.

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<sup>56</sup> S. Moller Okin, 'Reason and Feeling in Thinking about Justice', pp. 45-65, in *Feminist Ethics*, ed by M. Gatens, (Vermont: Ashgate Publishing Company & Aldershot: Dartmouth Publishing Company, 1998), p. 53.

<sup>57</sup> S. Moller Okin, 'Reason and Feeling in Thinking about Justice', p. 53.

<sup>58</sup> V. Held, 'Feminist Transformations of Moral Theory', pp. 22-24. Both Held and Gilligan also draw on the work of Jean Baker Miller, whose book, *Toward a New Psychology of Women*, re-evaluated woman's psychological qualities, judging them to be strengths rather than weaknesses.

Far from being restricted to the locality of the hearth, this way of seeing can encompass embodied relations with unknown persons, such as those suffering from famine, poverty and widespread disease overseas and future persons as yet unborn. Furthermore, it is both, in fact, a more *honest* and *healthy* account of human interaction. For in taking the masculinist view to its most ideal, Held cites the legal theorist Jennifer Nedelsky's observations and says, 'She sees the traditional liberal view of the self as implying that the most perfectly autonomous man is the most perfectly isolated, and finds this pathological.'<sup>59</sup>

### **Is it ethical to use a discourse to determine ethical behaviour that denies the specific subjectivity of woman?**

If it is the case that normative ethics has been founded on a notion of subjectivity that is inherently male, then two fundamental questions must be asked. The first one, initiated by modern thinking, which begins the gender critique of ethics, simply asks if this partial framework is an appropriate format in which to guide woman's moral decision-making. However, the second question, which is prompted by postmodern thinking in its critique of the critique, begins to undermine the concept of ethics itself, by plunging gender definition into a state of incoherence with its truth claims severely disrupted. The second question is this, 'does woman, ideologically speaking, have a subjectivity at all?'

Susan Frank Parsons, in a meticulous exploration of these issues, identifies three ways in which feminism (in itself dependant upon humanism and Enlightenment thinking) critiques ethical thinking with gender.<sup>60</sup> The first approach is an ethic of equality, which resonates with the stance undertaken by the feminist empiricists in epistemology. It holds to a universal human nature borne from the thinking that liberalism spawned and rejects essential differences, demanding, under a human rights banner, equality of opportunity for women and their equality of representation in all spheres of life. The problem with this approach is that difference is seen as something, not intrinsic to our humanness, but rather as a failure of meeting its most basic ideals, so that in Parsons' words, 'Thus women are to appear only to disappear. They are to be present as women only to efface themselves as women in particular.'<sup>61</sup> Moreover, this approach, by denying difference, does not appear to recognise the difficulties that seeking an equal place in a social fabric, which has been imbibed with male subjectivity, may incur.

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<sup>59</sup> V. Held, 'Feminist Transformations of Moral Theory', p. 25.

<sup>60</sup> S. Frank Parsons, *The Ethics of Gender*, (Oxford, Massachusetts: Blackwell Publishers, 2002), pp. 25-42.

<sup>61</sup> S. Frank Parsons, *The Ethics of Gender*, p. 30.

The second approach is an ethic of difference exemplified by Held's challenge to masculinist ideals, offering Gilligan's concept of self-in-relation as a paradigm for woman's account of her own subjectivity. Yet in the commendable desire to make woman visible, an ethic of difference can bind woman as effectively as patriarchy has in labelling, positioning, controlling and naming her subjectivity, restricting her from the freedom of simply being who she is.<sup>62</sup> In an era that offers woman choices to escape the domestic realm, she may find a prescriptive, feminist-defined subjectivity as stifling as the traditional one accorded to her.

The third approach is an ethics of liberation, which is primarily concerned with change, borne out of a Marxist understanding that we are socially constructed in our human being and becoming. It purports that we are shaped by language and practices and our notions of goodness and truth are historically situated. In this reading of gender difference, there is no essentialist nature, rather there is a quest to discover how it is that we are constructed into the roles that we perform and how power manifests itself in systems, discourses and language to implement our social moulding. The weakness with this ethic of gender lies in its vulnerability in trying to find an unconstructed location amidst the hugely powerful monoliths of human history and social systems. The desired, changed life that we strive for may not conform to 'the pattern of two genders imposed upon us by social convention and tradition.'<sup>63</sup>

Parsons draws our attention to the central importance of the self in constituting the discipline of ethics. She says:

This self, who comes to be the subject of ethics, becomes a kind of mediating figure. It mediates an ethical vision for the rest of humanity who may be caught up by the same insights and carried along into a better life as a result of following the advice given. So it is a kind of mediator of humanity to itself, representing us to ourselves for the betterment of our lives.<sup>64</sup>

But if that self is not a universal self as it has claimed to be, but rather a self expressing embodied, male experience, then several implications surely follow. Firstly, such an insight creates a space for woman to consider her own subjectivity, initially, thinking about how she has been traditionally named by patriarchy and then to decide how she wishes to name herself. Secondly, it disrupts the comfortable security on which ethics as a discourse concerning the good is based, for if its mediator is a falsely inclusive self, then it must be the

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<sup>62</sup> S. Frank Parsons, *The Ethics of Gender*, p. 35.

<sup>63</sup> S. Frank Parsons, *The Ethics of Gender*, p. 40.

<sup>64</sup> S. Frank Parsons, *The Ethics of gender*, p. 43.

case that all ethical taken-for-granted assumptions will need to be reassessed and reformulated. Thirdly, it proclaims the mediating self as gendered, and in so doing, suggests that, not only has ethics constructed woman as ontologically other, it has constructed, controlled and regulated man as subject. The truth that man is also a *gendered* subject has a positive aspect, in that, he too has a standpoint, rather than a universal, normative humanity. From this vantage point, he can also critique the hegemonic system that has named him and investigate the impugned territory of his masculinity in the same way that femininity has become disputed. However, such a venture may prove problematic, for, as Parsons cautions, this opportunity may allow him to return humbled back into the system that gave him power, reinforcing his dominant position within it.<sup>65</sup>

**But if woman's subjectivity has been falsely included in the universal self, who has she been in the ideological framework?**

In the ensuing years since the publication of her pioneering book, *The Second Sex*, Simone De Beauvoir's famous declaration, 'One is not born, but rather, becomes a woman,' has become a mantra for feminists.<sup>66</sup> Drawing on the anthropological insights of Lévi-Strauss, she demonstrates that, whilst creating otherness is a primordial facet of human consciousness, the alterity of woman is different to contrasting categories, because in terms of, say, racial otherness there is a reciprocity of alterity, but in the case of woman, she has no subjective referential of her own with which to reciprocate. De Beauvoir says:

For him she is sex – absolute sex, no less. She is defined and differentiated with reference to man and not he with reference to her; she is the incidental, the inessential as opposed to the essential. He is the Subject, he is the Absolute – she is the Other.<sup>67</sup>

Moreover, woman's opposition to her otherness is fragmented in a way that is unique compared to corresponding groups of people who oppose their subordination, by the fact that she is bonded through her allegiance to man through sexuality, familial or economic ties. These cultural constructions are so strong that woman, whether due to the interiorisation of her position or to the benefits that she may enjoy from the arrangement, is often complicit in maintaining the status quo.

Throughout history, woman has never claimed, or been able to claim her own subjectivity. She has been the medium of exchange between men, for even in

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<sup>65</sup> S. Frank Parsons, *The Ethics of gender*, p. 50.

<sup>66</sup> S. de Beauvoir, *The Second Sex*, translated and ed by H M Parshley, (London: Vintage, 1997, 1<sup>st</sup> pub in English, 1953, 1<sup>st</sup> pub in French as *Le Deuxième Sex*, Paris: Gallimard, 1949), p. 295.

<sup>67</sup> S. de Beauvoir, *The Second Sex*, p. 16.

marriage, there has never been a reciprocal bond between the sexes, but between men and men with women as the goods to change hands.<sup>68</sup> Nearly twenty years before Gilligan began her book, De Beauvoir recognised the investment that woman makes in her own moral code, which she knows is not men's, and that this creates a psychic divide within her. She asserts:

Woman knows that the masculine code is not hers, that man takes for granted she will not observe it since he urges her to abortion, adultery, wrongdoing, betrayals, and lies, which he condemns officially. She therefore calls upon other women to help define a set of 'local rules', so to speak, a moral code specifically for the female sex. It is not merely through malevolence that women comment on and criticize the behaviour of their friends interminably; in order to pass judgement on others and to regulate their own conduct, women need much more moral ingenuity than men do.<sup>69</sup>

In this excerpt, De Beauvoir addresses the moral complexities that woman's otherness creates in relation to male ethics that Gilligan does not. For De Beauvoir, woman's moral decision-making is a *response* to her constructed otherness, which recognises the ambivalent position in which patriarchy has placed her. In order to claim subjectivity, to be a 'true woman', woman has to accept herself as other. But as other, woman is condemned to immanence, for she has no subjective capacity for transcendence in her own right. However, her desire for transcendence can be accomplished in ways that have implications for theology and ethics. De Beauvoir demonstrates how salvation for woman is inextricably bound up with servitude. Religion provides woman with a God, who can grant her an escape from her imprisoned immanence through practicing a sincere faith that she may freely choose. De Beauvoir observes:

Man enjoys the great advantage of having a God endorse the codes he writes; and since man exercises a sovereign authority over woman, it is especially fortunate that this authority has been invested in him by the Supreme Being.<sup>70</sup>

In consciously accepting her otherness, and by an obedient devotion to children, husband, home, Church and country, woman may ensure her salvation and transcend her designated earthly inferiority by God's grace. By these rules, man transcends through his agency, whilst woman transcends through her obedience. De Beauvoir says, 'To sanctify this ranking in the name of the divine will is not at all to modify it, but on the contrary to intend its eternal fixation.'<sup>71</sup> Despite the secular nature of Western society, the influence of Christianity on what is deemed to be good remains prevalent in the popular consciousness. It seems to me that the feminist paradigm of woman's morality

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<sup>68</sup> S. de Beauvoir, *The second sex*, pp. 102-103.

<sup>69</sup> S. de Beauvoir, *The Second Sex*, p. 557.

<sup>70</sup> S. de Beauvoir, *The Second Sex*, p. 632.

<sup>71</sup> S. de Beauvoir, *The Second Sex*, p. 261.

being predominantly relational is compatible with De Beauvoir's theories. But if this is the case, then woman's sense of goodness is predicated on her being the other.

Furthermore, such a psychic disassociation of selfhood creates difficulties for woman when she crosses over the public/private divide into the world of work, where men are to treat her as an equal, but still regard her as the inessential. For man, the more status he acquires in the public domain, the greater is his standing in the home. Yet, De Beauvoir asserts, 'Whereas woman's independent successes are in contradiction with her femininity, since the 'true woman' is required to make herself object, to be the Other.'<sup>72</sup> In a feminist challenge to these public codes and to woman's disputed subjectivity, I propose to consider the work of Michel Foucault to explore the relationship between subjectivity, knowledge and power in the construction of social realities.

**'...I have built me a body whose ways are all open...' Foucault, the Philosopher and Historian of Otherwise.<sup>73</sup>**

#### **Birth**

Lord, I am born!  
I have built me a body  
Whose ways are all open,  
Whose currents run free,  
From the life that is thine  
Flowing ever within me,  
To the life that is mine  
Flowing outward through me.

I am clothed, and my raiment  
Fits smooth the spirit,  
The soul moves unhindered,  
The body is free;  
And the thought that my body  
Falls short of expressing,  
In texture and colour  
Unfoldeth on me.

The first two stanzas of *Birth* by Charlotte Perkins Gilman (1860-1935)<sup>74</sup>

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<sup>72</sup> S. de Beauvoir, *The Second Sex*, p. 291.

<sup>73</sup> The second part of the title of this section is taken from A. McHoul and W. Grace's preface to *A Foucault Primer: Discourse, Power and the Subject*, p. viii.

## Why is Foucault so important?

Michel Foucault (1926-1984) was a philosopher, historian and political activist, whose work was, and continues to be, enormously influential for theorists from a variety of academic disciplines. His, now famous, counter-history of ideas was a response to the ideological crisis of the 1960s and 1970s, when the then contemporary concepts of knowledge, discourse and power were proving to be problematic.<sup>75</sup> The predominating philosophies of Foucault's era were structuralism and hermeneutics, the latter being derived from phenomenology. In the traditional Marxist interpretation of the history of ideas and structural linguistics, notions such as the 'continuous progress of science' and the 'heroic creative agent' were in jeopardy, which initiated a space for thinking outside the concurrent systems of the time. This afforded Foucault the opportunity to develop his counter-history of ideas, which he preferred to describe as 'systems of thought' and considered them to be an object in their own right. Foucault referred to these systems as 'discursive formations' and to their analysis as 'archaeology.'

In addition to this ideological crisis, the Marxist concept of a base superstructure with its inherent economic determinism was fragmenting in the post-industrial culture and became increasingly unable to deal with the emerging struggles of race, gender and ecology. The rise of information technology replacing traditional manufacturing modes of production did not displace the capitalist power bases, but rather entrenched them in ways that had not been envisaged. In response to this cultural change, Foucault's understanding of power as relational and involved in the webs of everyday living, rather than imposed from the top down, offered an explanatory dynamic that the hitherto limited, mechanistic notion could not.

Moreover, Foucault's theories of discontinuity, particularly of science discourses, demonstrated that ideas do not have a steady onward progression, or a directed trajectory, and that by being dependant on particular, locally, historically contingent factors, they could have been otherwise to what they were and are. The notion of difference began to emerge, replacing hierarchies of superiority and inferiority in comparing theories and the sense of multiplicity as opposed to progression in the realm of competing ideas within a given

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<sup>74</sup> 'Birth' by Charlotte Perkins Gilman in V. Zundel, *Faith in her Words: Six Centuries of Women's Poetry* (Oxford: Lion Publishing plc, 1991), pp. 14-15.

<sup>75</sup> A. McHoul and W. Grace, *A Foucault Primer: Discourse, Power and the Subject*, (1<sup>st</sup> pub Australia: Melbourne University Press, 1993; this edition, London: UCL Press, 1995), pp. 1-25.



discipline gained acceptance. Changes in ideas no longer needed to be tied to individual thinkers or 'economic realities'.

Foucault's work as a historian was focused primarily on an ontology of the present and its purpose was to demonstrate the historical fragility of commonsense concepts. His concept of an 'ontology of the present' meant offering a perspective of the 'now' based on an archaeology of historical knowledges that have brought about certain ways of looking holistically at specific topics.<sup>76</sup> For example, common concepts, such as 'labour' or 'sexuality' came into existence framed by normalising borders containing what is acceptable knowledge within them and what is not. Foucault might ask 'how did this happen?' In addition, an understanding was taking root that theories could not be compared with each other using the object in question as a yardstick, for how can we know the object in its pure form? We can only know anything through the body of knowledge or the set of ideas that already describes, contains and produces it as an object or category. Foucault defends this stance when he says:

It is fruitful in a certain way to describe that-which-is by making it appear as something that might not be, or that might not be as it is. Which is why this designation or description of the real never has a prescriptive value of the kind, 'because this is, that will be'. It is also why, in my opinion, recourse to history – one of the great facts in French philosophical thought for at least twenty years – is meaningful to the extent that history serves to show how that-which-is has not always been; ie., that the things which seem most evident to us are always formed in the confluence of encounters and chances, during the course of a precarious and fragile history ... It means that they reside on a base of human practice and human history; and that since these things have been made, they can be unmade, as long as we know how it was that they were made.<sup>77</sup>

In his book, *The Order of Things* (1970), Foucault undertook an archaeology of the human sciences with a special regard for their relation to language (the French title, *Les mots et les choses*, means 'words and things'). The concepts behind structural linguistics had been fairly static during the upheaval affecting the traditional notions described earlier, only widening the theoretical confines of semiological/ structuralist thought founded by Ferdinand de Saussure. However, political critiques of structural linguistics linking it to bourgeois idealism led to a changed perception of discourse, in which it began to have an autonomy and materiality of its own. Its ability to produce social realities, rather than simply represent them gave it the impetus of a political tool.

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<sup>76</sup> I use the term 'holistic' to mean the whole knowledge about a topic, which includes the discursive techniques and practices which interconnect with the discourses concerning any given entity.

<sup>77</sup> M. Foucault, *Politics Philosophy Culture: Interviews and Other Writings 1977-1984*, (New York: Routledge, 1990), p. 37.

Foucault's interest was in rethinking the relationship of language to the world. How did language become perceived as a structure of representation? How do bodies of knowledge function? In *Madness and Civilisation*, for example, Foucault is not concerned with the history of psychiatry *per se*, but with how such a discipline came into being at all.

In the course of his work, Foucault was also concerned to reveal historically contingent, subjugated knowledges, which had been discredited by the official histories. These are the stories that the patients, criminals or lunatics tell about themselves. He says of these 'naïve' histories; 'It is through the reappearance of this knowledge, of these local popular knowledges, these disqualified knowledges, that criticism performs its work.'<sup>78</sup> Foucault was particularly keen to demonstrate the methods by which official knowledges create boundaries of normalization, and in so doing, illustrate how subjugated knowledges have been eclipsed by the hegemony of authoritative discourses. His insight that power is inextricably woven into this hierarchy of discourses is stressed when he says:

When the prisoners began to speak they possessed an individual theory of prisons, the penal system and justice. It is this form of discourse which ultimately matters, a discourse against power, the counter-discourse of prisoners and those we call delinquents—and not a theory about delinquency.<sup>79</sup>

Foucault's conception of how power operates continues to remain outside the popular, well-embedded notion of a top down, consciously applied, oppressive force. Rather, for Foucault, power is a discursive relation, encompassed in techniques, practices and processes, that functions between competing discourses and can, perhaps unwittingly, be appropriated and applied by the subjugated. As McHoul and Grace observe, 'Critique can sometimes, therefore, consist in *ceasing* to do something; in ceasing to repeat the official technique.' (their italics)<sup>80</sup> He is less interested in who wields power, rather seeking to understand how power manifests itself, how it governs and subjectifies human bodies and behaviour in concrete social realities. Foucault's critique is focused on the loci of power's extremities, where officialdom overexerts itself, such as the confessional or the prison. He is concerned with the field of power and how it functions, how through discourse and practices knowledge is investigated, accumulated and recorded and its material effects on the human and social body. Crucially, it is this approach to both the macro- and the micro-cultural

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<sup>78</sup> M. Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977* (Brighton: Harvester Press, 1980), p. 82.

<sup>79</sup> M. Foucault, *Language, Counter-memory, Practice: Selected Essays and Interviews*, (Oxford: Basil Blackwell, 1977), p. 209.

<sup>80</sup> A. McHoul and W. Grace, *A Foucault Primer*, p. 21.

aspects of a particular social practice that is so beneficial to my thesis and I propose to apply these avenues of investigation to my analysis of the NRTs.

### **Foucault and the body**

Foucault's capacity to use different axes from the established notions to form his questions has proved to be fruitful in generating other ways of thinking about everyday, taken-for-granted aspects of life. He says, 'As regards Marxism, I'm not one of those who try to elicit the effects of power at the level of ideology. Indeed I wonder whether, before one poses the question of ideology, it wouldn't be more materialist to study first the question of the body and the effects of power on it.'<sup>81</sup> Bryan Turner applies these Foucauldian insights to his research on the body, which is perceived as the site for, and the product of, political/ power relations.<sup>82</sup> Turner notes that for Foucault, the influences of power on the body come from two separate but interconnected sources; the first being involved with the individual body itself, described as 'anatomy-politics', which centre on the techniques and disciplines that foster 'docile', 'practised' and 'useful' bodies, fitting them for production and reproduction.

The second being the policies on the social body, referred to as 'bio-politics', which focus on the regulations that could be applied to the population. He cites Foucault's critical understanding that medical science is a focal point where these two axes meet, bringing the disciplines of professional medico-care practitioners into relationship with the controlling techniques of institutional establishments, such as hospitals, prisons and schools. Both techniques are often referred to as 'bio-power'. Foucault's insight that, 'The disciplines of the body and the regulations of the population constituted the two poles around which the organization of power over life was deployed,' is directly relevant to how a society deals with issues of fertility.<sup>83</sup>

In *The Birth of the Clinic*, Foucault demonstrates that sociology and medicine are intertwined, indeed, sociology and social medicine (from which modern medicine is founded) both originated from the knowledge and control of populations, made possible by appropriating Bentham's panopticon techniques of surveillance.<sup>84</sup> As Turner notes, 'The implication of Foucault's perspective is

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<sup>81</sup> M. Foucault, *Power/Knowledge: Selected Interviews*, p. 58.

<sup>82</sup> B. Turner, *The Body and Society: Explorations in Social Theory*, (London, California, New Delhi: Sage Publications, 1996 [1<sup>st</sup> ed pub by Basil Blackwell, 1984]), p 63.

<sup>83</sup> M. Foucault, *The History of Sexuality, Volume One: An Introduction*, (London: Allen Lane, 1979 [Fr1976]), p. 139.

<sup>84</sup> Bentham's Panopticon was a central tower in the prison, from which all prisoners could be seen. It had the effect of controlling behaviour despite the fact that obviously not all prisoners

that sociology is applied medicine and its target is the regulation of bodies.’<sup>85</sup> The industrial revolution with its need for an accumulation of docile and useful bodies necessitated the monastic habits of asceticism to be incorporated into the population. The dynamics of the panopticon were reflected in the popular embrace of the protestant work ethic, in which both public and private duties became individual callings without the overseer of the priest. The extent of this religious asceticism, which was reinforced by capitalist practices in an increasingly secular culture, stretched far beyond the factory gates into the marriage bed, where sexuality for pleasure was usurped by sexuality for procreation only.

Using Foucauldian analysis, Susan Parsons considers the social techniques that construct us as embodied subjects to fit into the historically contingent needs of any given society.<sup>86</sup> It is through our interaction with, and critically, our confession to, doctors, counsellors, teachers, ministers and our exposure to media expositions from such authorities that we come to know things as they see them. We then subject our bodies to the regimes of this knowledge, we take up its routines, and we become disciplined altering our behaviour to suit its conditions. In her interpretation of Foucault regarding ethical perimeters, Parsons elicits, ‘The moral codes of a society articulate its investment and expectation, its accounting of bodies, and these take up residence in its members, in a colonization of its docile bodies.’<sup>87</sup>

Those who dissent from the morality of the status quo will enunciate the competing discourses in any given discursive field, but they will be disadvantaged by the normalization techniques inherently attached to the dominant discourses that renders critique to the margins. For Foucault, ethics is primarily concerned with ‘the relation one has to oneself’.<sup>88</sup> He is concerned with how truth can be spoken, especially by those who are the object of study, such as the patient or the criminal. In researching *The History of Sexuality*, he says, ‘I will be doing the same thing with sexuality, only going back much

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could be observed simultaneously. The process has filtered into the current socio-cultural mechanisms of control, a good example being the speed camera, which can regulate the speed of motorists even when the camera is not operating. M. Foucault, *Discipline and Punish: The Birth of the Prison*, (London: Penguin Books, 1977, trans. By A. Sheridan, [1<sup>st</sup> pub as *Surveiller et punir: Naissance de la prison*, by Éditions Gallimard, 1975]), p. 200.

<sup>85</sup> B. Turner, *The Body and Society*, p. 75.

<sup>86</sup> S. Parsons, *The Ethics of Gender*, pp. 68-70.

<sup>87</sup> S. Parsons, *The Ethics of Gender*, p. 69.

<sup>88</sup> A. McHoul and W. Grace, *A Foucault Primer*, p. 24.

further: how does the subject speak truthfully about itself, inasmuch it is the subject of sexual pleasure? And at what price?'<sup>89</sup>

Lois McNay discusses the Foucauldian body and applies a feminist critique to this thinking.<sup>90</sup> She describes how Foucault, in *The History of Sexuality*, elucidates a theory of the body that manages to be anti-essentialist without denying its corporeality. In this text, Foucault claims that sexuality, far from being a natural phenomenon of unruly passions, is, in fact, a cultural construct produced through relations of power with the express intention of regulating sexual behaviour. McNay acknowledges the relevance of his theories to recent feminist scholarship and continues:

Following Foucault's point that the sexual body is both the principal instrument and effect of modern disciplinary power, feminists have shown how the various strategies of oppression around the female body – from ideological representations of femininity to concrete procedures of confinement and bodily control – were central to the maintenance of hierarchical relations.<sup>91</sup>

She discusses Foucault's understanding of how this was applied to the female body in the nineteenth century through the hysterisation of woman. A series of fragmenting discourses came into being that relied in part to the pre-existing, traditional concepts of woman, but which incorporated a new connection with the medical discourses of the period. The importance of reproduction, with its aim of population control was at the crux of these relations, which brought the medical rationale of hygiene to split cleanliness and pleasure in woman's sexuality. Working alongside Turner's description of the protestant work ethic, it is not hard to imagine how effective this was in creating the construct of woman's sexual passion as immoral and her desire for procreation without sexual pleasure as good. Furthermore, Foucault's understanding creates different ways of approaching an analysis of masculinity as a socio-historically contingent construct, rather than simply being 'normative humanity'.

### **Foucault and discourse**

I know how irritating it can be to treat discourses in terms not of the gentle, silent, intimate consciousness that is expressed in them, but of an obscure set of anonymous rules. How

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<sup>89</sup> M. Foucault, *Politics Philosophy Culture: Interviews and Other Writings 1977-1984*, (New York: Routledge, 1990), p. 30.

<sup>90</sup> L. McNay, *Foucault and Feminism: Power, Gender and the Self*, (Cambridge: Polity Press, 1992), pp. 28-38.

<sup>91</sup> L. McNay, *Foucault and Feminism*, p. 31.

unpleasant it is to reveal the limitations and necessities of a practice where one is used to seeing, in all its pure transparency, the expression of genius and freedom.<sup>92</sup>

I have already stated why Foucault's approach is relevant to my thesis; I now wish to begin to specify how I intend to utilise his perspective as an analytical tool. I would assert that discourses are the most easily accessible data that can encompass a wide-ranging study of micro- and macro-cultural assumptions, which are inherently enmeshed in bodies of holistic knowledge. I intend to demonstrate initially what Foucault understood by the term discourse, and then to draw together from his work critical themes that will enable me to construct my own investigative method for analysing discourses.

The first step must be to establish what Foucault means by his historical discourse analyses as opposed to other forms of discourse analysis that predominate in linguistics, socio-linguistics and sociology. McHoul and Grace explore this distinction, and whilst, by and large, it can be said that Foucault's approach is a social critique, whereas the other forms are not, this is not always the case and therefore needs clarification.<sup>93</sup> Non-Foucauldian approaches to discourse analysis are either formal or empirical. The formal perspective incorporates both a method from the school of French structuralism, which applies a social critique to texts called social semiotics, reading them for their gendered, racial or class bias, and also, a mechanistic style that searches for systemic rules lying behind and underpinning a text. The empirical stance is mainly a sociological one, and whilst it shares Foucault's concern for knowledge, it is more focused on technical expertise as opposed to the holistic, social knowledge of a given era that is Foucault's prime mission. It also centres on the dynamics of conversation, dissecting the ways in which participants correct or interrupt each other.

In contrast, Foucault's interest in discourse is as a body of *knowledge*, whether that is from an academic perspective, such as psychiatry, or from an organisational context, as in the disciplinary codes of a school. He is not interested in the language used per se, but rather in what is permitted to be said. Neither is he concerned with the rules of conversation with regard to such things as turn-taking to achieve a specific objective, instead, for example, his analysis would be to discover how medical discourse produces the social subject of 'patient.' His concept of a historical archive would be a collection of historically contingent discourses that could demonstrate the limits and forms of knowledge, expression, memory, conservation and reactivation of a

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<sup>92</sup> M. Foucault, *The Archaeology of Knowledge* (London: Routledge, 1991), Trans by A. Sheridan Smith, originally pub as *L'Archéologie du Savoir*, (Paris: Gallimard, 1969), p. 210.

<sup>93</sup> A. McHoul and W. Grace, *A Foucault Primer*, pp. 26-31.

particular discipline or institution.<sup>94</sup> For Foucault, a discourse is a specific, perimetered, category, which simultaneously constrains and enables writing and speaking within its boundaries. Through his historical analyses, he has illustrated that concepts such as labour, madness and humanity are historically contingent. Therefore, it must follow that, truth is something that can only be known in the context of what can be thought and said in a given body of knowledge. Truth is circumstantially conditional.

Foucault distinguishes his shift from a linguistic approach by conceptualizing a discourse as being constructed by a group of 'elements' referred to as statements. It is important not to confuse the statement with the sentence or the proposition, which are quite different. A statement is primarily a *functional*, not a representational entity and does not even have to be linguistically expressed. The statement can be a map, a graph, an icon or a spreadsheet, in fact, it can be anything that fulfills the second criterion for a statement which is that it must be a component of knowledge. The third criterion for a statement is that it should form part of a technique for the production of a human subject. It is not the same as a speech act, although a speech act can be part of a statement. A good example of a series of statements would be the admission procedure that is enacted when a person enters hospital. In reference to the Prologue, where this is mentioned, the speech acts, questions, form filling, instructions and staff/patient interaction fulfill each of the criteria of a statement that I have just listed.

Foucault describes the statement as 'not itself a unit, but a function that cuts across a domain of structures and possible unities, and which reveals them, with concrete contents, in time and space.'<sup>95</sup> The function of the admissions procedure encompassing a range of interpersonal and institutional techniques firmly initiates the stranger into her subjectified role of patient, a docile body, objectified by bodily tests and intrusive questioning, labelled and placed in her uniform of night attire by her territorial space, the hospital bed. In Foucault's conceptualisation of discourse, it always functions within relations of power, and language itself is one of the forces of the discourse, rather than its source. Jeremy Carrette underscores the relevance of the statement to Foucault when he says; 'Foucault's entire work examines these 'statements' in order to suspend the *a priori* assumptions of knowledge and uncover the laws that govern our knowledge.'<sup>96</sup> So in considering the statements that comprise the components of

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<sup>94</sup> M. Foucault, 'Politics and the Study of Discourse', pp. 7-26, in *Ideology and Consciousness* 3, 1978, (Fr. 1968).

<sup>95</sup> M. Foucault, *The Archaeology of Knowledge*, p. 86.

<sup>96</sup> J. Carrette, *Foucault and Religion: Spiritual corporality and political spirituality*, (London and New York: Routledge, 2000), p. 11.

a given socio-historic archive, Foucault advocates that the conditions in which these statements are formed are analysed and that there is an appreciation of fluidity and difference in the archive itself, through which power flows. In this way, a discourse can be connected to its political influences and implications.

In considering discourse from a Foucauldian perspective, different criteria become significant. Ordinarily a critical reading of a piece of text would require an appreciation of the objects studied, the operations by which these objects are treated, the inherent concepts of the discipline and the theoretical options which are available to challenge them. A Foucauldian reading, on the other hand, would identify the criteria of 'formation', 'transformation' and 'correlation' as being crucial in its analysis. Rules of formation require an investigation into the context, whereby the objects and ideas of the discourse are first brought into being. Transformation refers to the way in which the discourse can adapt itself and bring in new aspects and correlation describes the range of relations that the discourse has with other discourses and the non-discursive environment within which it is situated. According to McHoul and Grace:

Foucault suggests that history is differentiated and fragmented into particular discourses, and that each fragment (each discourse) has a threshold, a process of birth and an equally complex process of disappearance which can be analysed and described.<sup>97</sup>

In Foucauldian terms, these disappearances may mark a change in power techniques, where locally, historically contingent practices have induced a different social consciousness, subjectivity or perspective. For example, according to Foucault in *The Birth of the Clinic*, the emergence of modern medicine was elicited, not by inevitable scientific progression, but by the demise of the passive, typological description, giving rise to the interactive, dominatory medical gaze. The discourses of classical medicine discontinued because a totally different way of thinking about illness had appeared, in which symptoms had to be *interpreted* rather than their presence being indicative of a pre-determined, pathological essence.

### **Feminist critiques of Foucault**

Before, I bring together the usefulness of Foucault's work to my own methodology, I need to address Foucault's androcentric standpoint, already alluded to earlier, which has been a bone of contention for feminist scholarship, embracing his work, as it has, with some tension and ambivalence. As Susan Hekman states in her Introduction to *Feminist Interpretations of Michel Foucault*; 'The feminist question, Can the master's tools dismantle the master's house?

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<sup>97</sup> A. McHoul and Grace, *A Foucault Primer*, p. 51.



applies to Foucault as well as to the more orthodox authors of the canon.<sup>98</sup> McNay cites several feminist scholars who have criticised Foucault for the gender blindness in his work. For example, Sandra Lee Bartky points out that not all disciplinary practices are institutionally bound, and that woman, with particular regard to notions of beauty and body shape, is often constructed by more ethereal, open structures than the prison or the asylum.<sup>99</sup>

Furthermore, Patricia O'Brien demonstrates how in *Discipline and Punish*, Foucault makes the tacit presupposition that the disciplined body is a male one and consequently misses fundamental differences in the cultural perceptions of male and female criminality.<sup>100</sup> More significantly, such neglect becomes crucial in those studies that directly affect woman. For example, in his extensive research concerning sexuality, he does not conduct an examination of gender construction or indeed have much to say explicitly about woman at all.<sup>101</sup> In addition, Jon Simons points out that, 'In none of his analyses of that "form of power which makes individuals subjects" did Foucault pay any attention to women's enormous role, especially as mothers, in the process of subjectification.'<sup>102</sup> Not only does this exclusion leave out (by implication) vital data on a subject position that all humans have passed through, i.e. that of dependent child, but it also misses the crucial role of *empowerment* that mothers perform in the nurturing of humankind.

Moreover, Foucault, like Lawrence Kohlberg, conducted his studies exclusively on men. As Kohlberg's oversight has demonstrated, such an omission can have serious implications for the conclusions of far-reaching studies. Despite stressing the importance of subjugated knowledges, particularity, local context and historical contingency to the construction of truth claims, Foucault does not apply this to the most fundamental differential of all, that of gender. Ironically, this rendering of woman to invisibility is itself a technique of patriarchal normalization, which, as discussed earlier, situates male humanity as the universal norm and woman as other. In point of fact, Foucault, like the other male, post-structuralist thinkers, Lacan and Derrida, do not acknowledge their debt to De Beauvoir's pioneering work, *The Second Sex*, which established this ontological phenomenon.

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<sup>98</sup> S. Hekman (ed), *Feminist Interpretations of Michel Foucault*, (Pennsylvania: The Pennsylvania State University Press, 1996), pp. 1-2.

<sup>99</sup> Discussed in L. McNay, *Foucault and Feminism*, pp. 33-34.

<sup>100</sup> Discussed in L. McNay, *Foucault and Feminism*, pp. 34-35.

<sup>101</sup> S. Hekman (ed), *Feminist Interpretations of Michel Foucault*, p. 2.

<sup>102</sup> J. Simons, 'Foucault's Mother' in *Feminist Interpretations of Michel Foucault*, ed by S. Hekman,, (Pennsylvania: The Pennsylvania State University Press, 1996), p. 179.

In Chapter 5 of *The Birth of the Clinic*, Foucault traces the development of modern medical education through the establishment of teaching hospitals, which began its formation at the end of the eighteenth century. Hitherto, the practice of medicine had been unregulated and concern had been expressed about the numbers of 'quacks and charlatans' offering their services. Following the uprising of 1793, the practice of medicine by untaught persons had reached such alarming proportions that the Directoire had recalled the Assemblée des Cinq-Cents, and on two occasions, the government had asked for legislation to prevent further casualties of unsafe practice. Eventually, after a series of complex, social and legal restructuring, the practice of medicine became a closed profession requiring examination success, which resulted in the following declaration:

Any person practicing medicine who has not passed the examinations of the schools, or who has not appeared before the special juries, will be fined or, if the offence is repeated, committed to prison.<sup>103</sup>

Foucault's gender blindness is apparent in the absence of woman from his account. The practice of midwifery or the administrations by the 'wise woman of the village' receives no mention. Did the work of 'unqualified practitioners' include these aspects of medicine? Foucault does not say, yet his quotations from official documents of the time demonstrate that the phrase 'practicing the art of healing' is often used interchangeably with medicine, suggesting an all encompassing category of medical practice.<sup>104</sup> If the above decree included women healers who gleaned their knowledge by oral tradition, then women would have been excluded from any medical practice, as entry to the profession would have been closed to them. The custom of condemning women for witchcraft had demised in France since 1624 when automatic appeals to the Parlement of Paris had resulted in widespread acquittals.<sup>105</sup> As many such women were often in a powerful position as village healers, is it not reasonable to apply the hermeneutics of suspicion and ask if legislation was being used where burning had failed?

In fairness to Foucault, however, the focus of his account, as discussed earlier, was in establishing a change in the documented and official medical practice that had not been predicated on scientific progress, but on a change of

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<sup>103</sup> Cabanis, *Rapport du conseil des cinq cents sur un mode provisoire de police médicale*, 4 Messidor Year VI, pp. 12-18. Quoted in M. Foucault, *The Birth of the Clinic, An Archaeology of Medical Perception*, trans. By A. Sheridan Smith (London: Tavistock Publications Ltd, 1973), p. 78. Originally pub *Naissance de la Clinique* (Presses Universitaires de France, 1963).

<sup>104</sup> M. Foucault, *The Birth of the Clinic*, Quotations on pp. 76 and 77 use this terminology.

<sup>105</sup> F. Cross and E. Livingstone (eds), *The Oxford Dictionary of the Christian Church*, (Oxford: Oxford University Press, 1997 [3<sup>rd</sup> ed, 1<sup>st</sup> pub 1957]), p. 1757.

perception. However, it still may be the case that I am expressing legitimate concerns, for at the root of my challenge lies the normalisation techniques that separated medical knowledge as taught in the hospitals from that which was deemed to be from other sources. Furthermore, surely the exercising of power relations involved would be worthy of further examination as they rendered women with some authority and independence to further subjugation. However, again in fairness to Foucault, his extensive work on power came later than the publication of *The Birth of the Clinic*, and commentators, like myself, tend to apply an ad hoc critique of Foucault, encompassing the quotations and insights that he gleaned over a lifetime to particular aspects of his entire canon. In addition, his own work is eclectic rather than systematic occasioning contradictions in his thinking that have been challenged and caused contention, as in the following critique.

A commonly held feminist tension in Foucault's work is his seemingly ambivalent stance towards power and the subject in relation to a progressive politics of change. Firstly, in deconstructing the subject, Foucault deconstructs 'woman' and thereby problematises feminist politics in a similar way to the feminist empiricists and those espousing the ethics of equality, in that if the category of woman disappears, then there is no entity to oppress or to liberate. Secondly, the notion of constructed, 'docile', self-policing bodies suggests a closed system of power and McNay states; '... Foucault provides no way of going beyond the minimal notion of the subject as a purely determined category to a fuller understanding of the subject as a thinking, willing, responsible agent of choice.'<sup>106</sup>

Yet, in many instances, Foucault *does* suggest that individuals have agency. In an interview which appeared in *Concordia* in 1984, Foucault elaborates on his understanding of the ethics of the self, whereby he discusses freedom, ethics and the imperative to care for oneself.<sup>107</sup> Critically, his understanding of autonomy is different from traditional, normative, androcentric thinking in two specific ways. Firstly, he conceives of power in *relation* and considers care of the self a pre-requisite of care of the other, rather than as an end in itself. Secondly, he acknowledges the active role played by an individual in constituting his (sic) own selfhood, but continues to point out that the *practices* employed by that individual are not invented by him, but are those that he finds in his culture or

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<sup>106</sup> L. McNay, *Foucault: A Critical Introduction*, (Cambridge: Polity Press, 1994), pp. 103-104.

<sup>107</sup> M. Foucault interviewed by H. Becker, R. Fernet-Betancourt, and A. Gomez-Müller on 20/01/1984, entitled 'The Ethics of the Concern of the Self as a Practice of Freedom', in *Michel Foucault Ethics Essential Works of Foucault 1954-1984 Volume 1*, ed by P. Rabinow, (London: Penguin Books Ltd, 2000), pp. 281-301.

social group.<sup>108</sup> He concludes this interview with the following declaration in answer to the question, 'Do you think the role of philosophy is to warn of the dangers of power?'

This has always been an important function of philosophy. In its critical aspect—and I mean critical in a broad sense—philosophy is that which calls into question domination at every level and in every form in which it exists, whether political, economic, sexual, institutional, or what have you. To a certain extent, this critical function of philosophy derives from the Socratic injunction "Take care of yourself," in other words, "Make freedom your foundation, through the mastery of yourself."<sup>109</sup>

### **Utilising Foucault's male-centred philosophy for a methodology that is concerned with woman's subject position in the NRTs**

Perhaps it is fitting to begin with Foucault's own response when asked once about drawing upon Nietzsche's work:

For myself, I prefer to utilise the writers I like. The only valid tribute to thought such as Nietzsche's is precisely to use it, to deform it, to make it groan and protest. And if commentators say that I am being faithful or unfaithful to Nietzsche, that is of absolutely no interest.<sup>110</sup>

I would assert that it would have been most unusual for Foucault *not* to have had an androcentric perspective in his work. The extensive scholarship concerning feminist epistemology has surely demonstrated, even in the brief overview given at the beginning of this chapter, that all human perspectives can only ever be partial. Furthermore, despite their own experience, it still appears that when marginalised groups critique a hegemony relation that oppresses them, they can still fail to see the way in which their view is blinded by the dominant position, which they hold in relation to other subjugated positions. The Black womanists' challenge to the implicit racism inherent in some aspects of white feminists' work is a good illustration of this.

Moreover, in reference to the earlier part of the chapter, Haraway, Harding and Collins insist that recognizing partiality and undertaking a critical, contextual analysis, whilst being accountable for one's own voice, is a vital component of standpoint epistemology. In advocating an interdependent learning model (as suggested by Baier, Whitech and Ruddick) surely these epistemological themes apply to the knowledge of others as well as to one's own reflective stance. Is not

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<sup>108</sup> M. Foucault, 'The Ethics of the Concern for the Self as a Practice of Freedom', p. 291.

<sup>109</sup> M. Foucault, 'The Ethics of the Concern for the Self as a Practice of Freedom', pp. 300-301.

<sup>110</sup> M. Foucault, 'Prison Talk' in *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. C. Gordon (New York: Pantheon, 1980), pp. 53-54.

the practice that Foucault describes in his anecdotal aside an exemplification of such learning techniques in the academe? For, paradoxically, the 'commentators' are only extending the process of listening and response that Foucault eloquently describes as 'deforming thought making it groan and protest'.

In point of fact, it is only a relatively recent phenomenon that woman has been admitted to the academy and so it would impoverish feminist scholarship indeed, if one were only to utilise the work of those thinkers who were not gender blind. However, it is important to distinguish why I believe his work can be appropriated into a feminist agenda and yet why I do not consider, in my earlier critique, that normative ethics is the most felicitous framework to deliberate moral issues, particularly those that concern women. For surely, it might be said, I could similarly challenge the intrinsic androcentrism of traditional ethics and place it in the context of a feminist perspective, thereby creating a forum for more balanced moral reasoning. My brief response to this is primarily a question of size. In the case of using Foucauldian insights, I wish to underpin a workable methodology with a theoretical perspective, which encapsulates the interrelationship of knowledge, power and the subject through discourse and discursive practices. In the case of the history of Western traditional ethics, I wish to demonstrate that an ongoing, damaging ontology of woman, which disadvantages her, is imbibed in its very structures. The quest to deconstruct this centuries old framework is massive and will need the collaboration of many voices, of which this work is but one.

### **Incorporating Foucauldian insights into an analytical method**

Having established the underpinning foundations of a Foucauldian methodology, I will summarise these insights into four primary themes that will guide my research questions for discourse analysis. I will then describe how I intend to gather and use data for analysis and discuss why this method of collection is appropriate to the task in hand.

#### **Theme 1. An ontology of the present**

The ontology of any current situation can be elicited by considering the historically contingent trajectory that has brought a certain body of knowledge into its present way-of-being. The historical context of discourses and their associated discursive practices, which form, and are formed by, that body of knowledge, provides an understanding of their creation or demise that may hold clues to techniques, functions or changes in local practices. Often common assumptions abound within a body of knowledge that are taken for granted to

such an extent that one is genuinely surprised to discover that these are only relatively recent concepts. In revealing such assumptions, one can demonstrate that certain ways-of-being, not only could have *been* different, but also, could now be so.

## **Theme 2. Relations of power with regard to the body**

Foucault conceived of power as being primarily relational and his focus was always to discover *how* power was wielded, rather than by whom. In order to do this, his research was undertaken at the points where power relations were extreme, such as the prison and the asylum, consequently exposing the techniques of disciplinary power. His insight that bio-power was a feature of the modern society led him to reveal the changed power structure that focused on controlling 'biological life' through separate techniques of managing both the individual body and that of the population as a social body. The implication of Foucault's understanding is that the female body in its reproductive capacity is a crucial site for bio-power, where the two axes of anatomo- and bio-politics meet, suggesting that the NRTs would be a social practice worthy of Foucauldian consideration.

## **Theme 3. The relation of discourse to knowledge**

For Foucault, there exists a complex and intricate relationship between discourse, power, knowledge and the subject. In undertaking an archaeology of any given topic, Foucault was concerned to discover the statements that comprised the discourses of the time in order to examine not just what was known, but more importantly, what was permitted to be known. Statements are often comprised of more than just text, but nevertheless, a given text can be highly revealing of what constitutes acceptable knowledge and offer evidence of disciplinary techniques and how they function. (For in a historical archive, access to texts may be the only data available). It is through an analysis of discourses that the relations of power, which generate subject positions can be ascertained. In this respect, subjugated knowledges are important as a source of counter-discourse, revealing much in their vision of how disciplinary techniques are deployed.

## **Theme 4. The subject position of woman in the NRTs**

In this final theme, I propose to apply Foucauldian insights to the construction of gender that is evident in the discourses of the NRTs. Foucault's understanding that discourses generate subject positions is crucial here, for the

subject position of woman is a site of contention within the multiplicity of discourses that surround her body. For, as previously stated, not only do the two axes of biopower meet in the NRTs, but the ideological, traditional notions of woman, that have been briefly referred to in the sections on epistemology and ethics, also surface in metamorphosed complexity. Crucially, Foucault believed, in his later works, in an ethic of the self that was *a priori* to, or perhaps even a condition of, a care of others. Theme 4, therefore, will be concerned with the proposition that, if a feminist ethics of care requires firstly an ethics of self, then the subject position of woman in the NRTs must give her the conditions for this possibility.

### **Research questions**

In the interrogation of both secular and theological texts, which I shall undertake in Chapters Three, Four and Five, I will be guided by the following research questions. I have deliberately set the questions in a generic, Foucauldian format, permitting the particularity and context to be ascertained by the subject matter contained in the discourse itself.

Q. 1 What is the historical context of this discourse?

Q. 2 Can any correlating or opposing discourses be identified in the selected text?

Q. 3 Are there any common assumptions being cited in the discourse?

Q. 4 Are there any statements in the discourse functioning in a similar way to the panopticon, fostering the process of internalisation of 'good' behaviour?

Q. 5 Are there any gaps, misconceptions, silences or contradictions in the discourse that are unchallenged by common consent?

Q. 6 Who is speaking in the discourse and who is silent?

Q. 7 Are there any disciplinary techniques being applied in the discourse?

Q. 8 Can a subject position versus its other be identified in the discourse?

Q. 9 What type of language is being used and who is the intended audience?

Q. 10 Can relations of power, knowledge and the subject be identified in the way the discourse is structured?

## Selection of samples

The purpose of a Foucauldian analysis is to identify a statement or series of statements in order to determine how they are functioning in any specific discourse. The primary factor in determining both the choice and size of the selected samples refers back to my foundational research premise that woman-as-subject has been left out of the multiplicity of discourses that abound on the NRTs (see page 2). However, it should be noted that discourse analysis diverges most radically from the traditional view in that the accumulation of a large amount of data does not enhance the research; conversely it may well hamper the process. Jonathan Potter and Margaret Wetherell emphasise the point when they state, 'For discourse analysts the success of a study is *not* in the least dependent on sample size.' (their italics)<sup>111</sup> The second criterion for selection refers to the related question as to whose interests this omission serves. Consequently, I have chosen a variety of data from varying and wide-ranging social and cultural spheres in the macro-culture of the media, the Church and scientific texts in order to elicit examples of NRT discourses in the public domain. Some of the examples will be small, as in the clips from newspaper articles and journals, but others will be more substantial, as in the analysis of official church reports, Christian publications and the transcript of a television programme.

## Coding procedures

With regard to coding, I intend to take different approaches according to the particular requirements of both the texts and the context. For example, in comparative studies like the interrogation of church reports, or the theological publications, I will maintain the same categories of investigation. In the church reports, a word count of pertinent words will be a useful device to demonstrate emphasis over a large area of text. In undertaking the coding of the television programme, I intend to select the clips that focus on the critical theme that I have already deduced from watching the programme as a whole. In coding samples from a variety of newspapers and journals to illustrate the public consciousness, I shall do so according to the cultural significance of a specific event like the birth of Louise Brown, in order to analyse the ensuing discourses that indicate society's response to such occurrences.

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<sup>111</sup> J. Potter and M. Wetherell, *Discourse and Social Psychology: Beyond Attitudes and Behaviour*, (London; California; New Delhi: Sage Publications, 1987), p.161.



## **Evidence, analysis and validation**

Erica Burman and Ian Parker rightly point out, that discourse analysis is not a value-free activity.<sup>112</sup> My response to this is fourfold. Firstly, my perspective is clearly elicited in the Prologue and in my epistemological standpoint on page eleven; consequently my position is open to critique and examination. Secondly, the foundational premise challenging woman's subject position and the research questions have both been underpinned by a sound theoretical foundation. Thirdly, unlike many other research projects all the selected data have been taken from the public domain (some of which have been reproduced for the reader in Appendix I), which not only offers the reader open access for further exploration, but also serves to prevent researcher influence. Furthermore, the discourse *is* the data, and significant pieces are re-produced in the body of the thesis for readers to see for themselves.

Fourthly, and perhaps most crucially, analysis is not complete without its own validating procedures. In discourse analysis, coherence is both a self-reflective test for the researcher as well as a later tool of scrutiny for the reader. Simply put, coherence is explored through asking; 'does this reading make sense?' or 'are there any loose ends?' or 'is there any part of the discourse that doesn't fit this interpretation?' Potter and Wetherell encapsulate the process when they say, 'If the explanation covers both the broad pattern, and accounts for the micro-sequences, then we will take it more seriously.'<sup>113</sup> In other words, whilst my standpoint reflects the perspective that I am taking, nonetheless, it cannot validate a hypothesis if there are inconsistencies in my analytic interpretation.

## **Conclusion**

This foundational study has provided the investigative tools with which to deconstruct the discourses of the NRTs, with the primary aim of analysing how woman is being constructed and reconstructed. For, I believe it is not possible to offer a credible theological alternative to current Christian responses without first scrutinising in depth the complexities of the status quo. In the next chapter, I intend to turn to the work of other scholars, who have incorporated a Foucauldian-based methodology into their own research. This will not only serve to strengthen my case for applying Foucauldian systems of thinking to the discourses of the NRTs, but moreover, it will also provide the reader with examples of how functioning statements work in practice, providing a comparative yardstick for my own analyses.

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<sup>112</sup> E. Burman and I. Parker p. 162.

<sup>113</sup> J. Potter and M. Wetherell, *Discourse and Social psychology*, p. 170.

## CHAPTER TWO

### USING A FOUCAULDIAN DISCOURSE ANALYSIS IN THEOLOGY

We know that discourse has the power to arrest the flight of an arrow in a recess of time, in the space proper to it. It is quite likely as Homer has said, that the gods send disasters to men so that they can tell of them, and that in this possibility speech finds its infinite resourcefulness; it is quite likely that the approach of death – its sovereign gesture, its prominence within human memory – hollows out in the present and in existence the void toward which and from which we speak.<sup>1</sup>

M. Foucault 1963.

In Chapter One, I established the reasons for using a Foucauldian methodology to critique the moral framework upon which the ethics of the NRTs are deliberated. Foucault's work provides valuable insights for thinking differently and this axis of counter-thinking creates alternative questions that can be asked of text, discourses and bodies of knowledge. The relationship that exists between discourse and the webs of power that interconnect with it, the knowledge it mediates, the cultural practices that it legitimates and the subject positions that it offers, have proved fruitful to many theorists interested in cultural studies. It is no surprise, therefore, that a growing number of theologians have drawn on Foucault's ideas as a useful hermeneutic tool in their work. In this chapter, I intend to explore how Foucauldian theory and tools for discourse analysis are becoming an increasingly significant resource within Practical Theology.

#### Foucault as Hermeneutical Tool

Jeremy Carrette and Stephen Moore are two theologians, who have drawn on Foucault's work directly, although in differing ways, to explore Christianity from a critical vantage point. Carrette seeks to read Foucault's engagement with theological themes as a disruptive and radically transforming activity. He does not claim that Foucault, who was an atheist, was a closet theologian; rather, Carrette attempts to show 'how he transforms the map of religious thinking.'<sup>2</sup> Principally, he

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<sup>1</sup> M. Foucault, 'Language to Infinity' (originally published in *Tel quel* 15 [1963] pp.44-53) in *Michel Foucault aesthetics: essential works of Foucault 1954-1984 volume 2*, pp.89-101, ed by J. Faubion, (London; New York; Victoria; Ontario; Aukland: Penguin, 1994), p. 89.

<sup>2</sup> J. Carrette, *Foucault and Religion: Spiritual corporality and political spirituality*, (London and New York: Routledge, 2000), p. 142.

describes Foucault's work on religion as falling into two categories, that of a 'spiritual corporality' and a 'political spirituality'.<sup>3</sup>

He traces five interconnected themes from Foucault's work on religion. These are: an analysis of the cultural climate, the historical and social location of discourse, the predominance of the body and sexuality, the relations of power (particularly with regard to speech and silence) and the disciplinary technologies of the self. Foucault's primary concern with religious discourse was in its location in the day-to-day practices of human existence, that is, with the techniques of religious immanence, not religious transcendence. Carrette states:

Foucault's work provides a way of exploring the operations of religious discourse as a part of the ritual and practice of 'limitation' and 'exclusion' within a culture - it marks out the boundaries of life and death, the possible and the impossible, the acceptable and the unacceptable. Religious doctrine, like political and philosophical doctrine, shapes the 'utterances' and 'subjectivity' of an individual - it 'subjectifies' an individual.<sup>4</sup>

Moore draws on Foucauldian, poststructuralist insights to offer a fresh reading of the power of the cross in Christianity. He takes Foucault's pioneering work, *Discipline and Punish*, as a hermeneutical tool in his project to construct a critical dialogue with Pauline writings. Moore's understanding of these two thinkers is not that they need an introduction, but rather, as he hopes to demonstrate, 'that they are already deep in conversation.'<sup>5</sup> Foucault's contention that the demise of public torture and prison reform was a change from overt to covert disciplinary methods, rather than an enlightened, humanitarian progression, is a key factor for Moore in conceptualising the dynamics of power. He sees parallels with Christianity, inextricably bound to the cross, with power exercised on the body through dietary and sexual practices, but reaching into the psyche fashioning acceptable thoughts and feelings. This is what Foucault termed 'pastoral power'.<sup>6</sup> A power that began its trajectory in the Jewish conception of an omniscient God, was further enhanced by Pauline texts (Rom. 2:16, 29, 8:27; 1 Cor. 4:5, 14:25) and has become honed by centuries of discursive practices in the confessional.

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<sup>3</sup> J. Carrette, *Foucault and Religion*, pp. 4-5. 'Spiritual corporality' refers to the critique of the silencing powers of religion and 'political spirituality' refers to the critique of religious authority in the practices of confession.

<sup>4</sup> J. Carrette, *Foucault and Religion*, p. 145.

<sup>5</sup> S. Moore, *Poststructuralism and the New Testament: Derrida and Foucault at the Foot of the Cross*, (Minneapolis: Fortress Press, 1994), p. 94.

<sup>6</sup> S. Moore, *Poststructuralism and the New Testament*, p. 110.

## Foucault as Methodology

Whilst these ways of utilising Foucault's work are illuminating, nonetheless, they are not examples of using a Foucauldian *method*. Principally, they have drawn on Foucault's insights to critique the content of texts, bringing his counter-thinking to bear on established interpretations of familiar passages and orthodoxies. My concern, however, is less with the content of texts but rather how power relations are mediated and sustained through discursive practices. More relevant to this project is the work of Practical Theologians who have used Foucauldian insights to interrogate the production and reproduction of cultural norms. I begin with Elaine Graham's macro interrogation of representations of alterity in popular culture. I then focus upon more detailed analysis of specific cultural texts in the work of Clare Walsh, Mary McClintock-Fulkerson and Susan Dunlap. Finally, I consider Stephen Grimwood's revealing microanalysis of the way power relations are displayed within the pages of a single text.

### Understanding discourse in the wider context

Elaine Graham has undertaken an extensive, critical study of the current Western socio-cultural context in her recent book, *Representations of the post/human*.<sup>7</sup> In this pioneering work she interrogates the new digital, genetic, biomedical and cybernetic technologies of the 21<sup>st</sup> century with regard to the shifting boundaries defining what it means to be human. In this increasingly permeable categorization between human, non-human and machine, she also contends that a similar process is occurring in the dichotomy between fact and fiction. She undertakes her exploration by critically appraising popular films, literature and art in order to analyse the discourses of technoscience and science fiction, which are circulating in the social milieu. Her quest is profoundly theological with its mission to discover our identity and spirituality as human beings as the boundaries of ontological familiarity are being eroded by our technological expertise. Science fiction narratives inspired by transhumanism (the transitional or modified human) have consequently become pivotal to this challenge as Graham asserts:

Yet transhumanism betrays a doctrine of humanity informed fundamentally by a distrust of the body, death and finitude, issues which, as I shall indicate, have ethical, political and theological implications.<sup>8</sup>

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<sup>7</sup> E. Graham, *Representations of the post/human Monsters, Aliens and Others in popular Culture*, (Manchester: Manchester University Press, 2002)

<sup>8</sup> E. Graham, *Representations of the post/human*, p. 9.

## Graham's methodology

Graham draws on Foucault's archeological methods (the critique of the structures of knowledge) and genealogy (the critique of institutional regimes) to ground her interrogative approach. The marked acceleration and proliferation of the new, varying, yet often interconnected technologies, has created a 'Foucauldian' locus of extremity analogous with the prison and the asylum, offering an opportunity to explore taken for granted assumptions concerning the perimeters of what is understood to be human normality.<sup>9</sup> Graham puts it succinctly thus:

If the demarcation of modern selfhood can be undertaken within a diversity of institutions such as the clinic, the prison, the asylum and the confessional, then why not via the soap-opera, the virtual chat-line, the internet or the science-fiction fanzine?<sup>10</sup>

From these sites of popular discourses, Graham focuses upon the genre of science fiction as it presents a teratology, which she contends has particular cultural significance.<sup>11</sup> The fabrications that abound in film and television programmes, which are replicated in newspapers and advertisements, constantly act upon our imaginations in the reconfiguring of ontological categories. Graham applies the Foucauldian insight that it is here, in commercialised popular culture that techniques of power can be uncovered and subject positions can be constructed. She asserts that:

Monsters have a double function, therefore, simultaneously marking the boundaries between the normal and the pathological but also exposing the fragility of the very taken-for-grantedness of such categories.<sup>12</sup>

Graham does not pursue her analysis through a close reading of textual evidence; rather she views through a broad frame contemporary icons, myths and stories, such as *Frankenstein*, the *Star Trek* narratives, and films such as, *eXistenZ* and *GATTACA*. She illustrates the mixed public response to the explosion of technological innovation in terms of a spectrum between technophobia and technophilia, which provides an ideal methodological perspective for investigating the perimeters between machines, humanity and non-human creatures. Her quest is not

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<sup>9</sup> One example of the synergy of different technologies has been the use of computer technology in genetics, which has created the new discipline of bioinformatics. This combination accelerated the sequencing of the Human genome Project beyond all scientific predictions.

<sup>10</sup> E. Graham, *Representations of the post/human*, p. 13.

<sup>11</sup> Teratology is the study of what constitutes monstrosity.

<sup>12</sup> E. Graham, *Representations of the post/human*, p. 39.

so much to discover 'who we think we are', but to seize the 'Foucauldian opportunity of otherwise' to ask questions about *how* we have been constructed, so that we might discern more readily 'who we may become'. She says:

As refractions of the same, as evidence for the ascribed and not essential nature of human nature, monsters, aliens and others provide clues for the moral economy or 'ontological hygiene' by which future categories of the human/post/human might be decided.<sup>13</sup>

### **Graham's application of her methodology to the text**

Critically, Graham exposes just how much of our categorisation of what we consider to be human and non-human has depended on corporeal barriers. The horror of crossing a species/genetically-defined delineation is exemplified by the enduring myth of Frankenstein and its recent attribution to genetically modified foods. Graham offers a detailed interpretation of Shelley's novel, but admits that the popular myth will have been fuelled more by the Hollywood and Hammer movie images, which are not entirely faithful to the original story in several crucial aspects.<sup>14</sup> She contends that:

The choice of such a term as 'Frankenstein Food' relies, consciously or not, on long-standing associations which draw genetic modification into a wider discourse of dangerous knowledge, uncontrollable nature and mad scientists.<sup>15</sup>

Graham explores the crossing of the human/machine border through the *Terminator* and *Robocop* films, where she interrogates the way in which cyborg technology frees the imagination to escape vulnerable and clumsy embodiment, posing as it does, the consequent questions about what constitutes 'invincibility'. She notes that: 'Many of the most popular representations of cyborgs appear as hypermasculine killing machines, more *Marvel Comics* than cyberfeminism.'<sup>16</sup> Yet, essentially, *Robocop* is an injured human being whose healing has not been possible without the addition of prostheses. In the case of *Robocop*, both his prostheses and his weapons have been internally applied to transmute his physical integrity.

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<sup>13</sup> E. Graham, *Representations of the post/human*, p. 13.

<sup>14</sup> A notable difference, for example, is that in Shelley's original story the creature was able to speak articulately, this aspect of his humanness was denied him in the film versions. E. Graham, *Representations of the post/human*, p. 66.

<sup>15</sup> E. Graham, *Representations of the post/human*, p. 26.

<sup>16</sup> E. Graham, *Representations of the post/human*, p. 208.

Contrast this with the benign image of a bespectacled grandmother knitting a jumper for her grandchild. Her glasses and her knitting needles, both required for the job in hand, have not become part of her body, but otherwise there is no difference in the concept of using aids to assist human frailty and tools to undertake work. However, in crossing this hitherto impossible boundary, Robocop appears on the technophobia/ philia spectrum as an entity to question human values. Graham notes, 'Despite his grotesque bodily invulnerability, Robocop's superficial toughness conceals a deeper fragility.'<sup>17</sup> He remains haunted and tortured by his memories of both his attack, which without his transformation would have killed him, and of happier times with loved ones. Graham states that these feelings invoke a '... sense of the irrevocable loss of his humanity', but conversely, one could argue that such feelings suggest that despite his technological enhancements, his humanity remains.

Critically, as exemplified by the questioning of Robocop's humanity, a Foucauldian approach requires an investigation not of what is being represented *per se*, but rather asks, what entity of human ontology is being constructed through these specific dynamics of power, discourse and discursive domains which these icons of popular knowledge inhabit? Graham applies her methodology with the following considerations:

If an interrogation of the values currently informing representations of the post/human is to proceed, therefore, similar critical methods may usefully be deployed to those of genealogy and teratology. Just as the past is of interest to Foucault insofar as it provides him with clues (but never precedents) for the conditions under which the present may be produced, I would suggest that literature which dwells upon the fantastic, which summons up alternative universes, which imagines things differently, is engaging in a similar process of challenging the fixity of the *status quo*.<sup>18</sup>

### Capitalist Power

Jeremy Carrette, in his critical reflection of *Representations of the post/human*, focuses on the '... intriguing relationship here between the means of production and representation...' and argues that '... this is itself the silent technology or the silent machine in Graham's work.'<sup>19</sup> Carrette takes a perspective that plays on the concepts of technology,

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<sup>17</sup> E. Graham, *Representations of the post/human*, p. 209.

<sup>18</sup> E. Graham, *Representations of the post/human*, p. 40.

<sup>19</sup> J. Carrette, 'Cyborg Politics and Economic Realities: Reflections on Elaine Graham's *Representatives of the post/human*', pp.45-55, in *Theology and Sexuality: The Journal of the Centre for the Study of Christianity and Sexuality*, Vol. 10.2, March, 2004, p. 46.

production and machinery that Foucault used as metaphors to articulate his understanding of how discourses and discursive practices function in the construction of subjectivities. He says: 'Knowledge itself becomes a technology in Foucault, a means of production. Foucault's anti-humanist and historical positioning of knowledge cannot therefore be separated from the machine.'<sup>20</sup> Carrette uncovers the irony that Graham should deploy this metaphorical framework to critique the dynamics of these very same entities in the socio-cultural context. He alludes to Graham's insight 'that models of artificial intelligence (AI) run deep into the fabric of not only who we are *but also how we think about who we are*.'<sup>21</sup> (his emphasis) and suggests that if thinking itself is a technology, then the concepts of assimilation and agency become imperative in the politics of knowledge embodiment and how we co-evolve with our environment.

Carrette teases out the tension in Graham's work, which he discerns as her supposition '... that we are both 'co-evolving and intermingled agents in the construction of the post/human' (p.198) and subjects to 'corporate capitalism' (p.195).'<sup>22</sup> Carrette acknowledges that Graham is fully aware of the economic subtext of late capitalism, but he believes that the relationship between technology and capitalism goes still further and speculates as to how much the constructions, which spring from existing bastions of production such as Hollywood and the military, are driven by a deterministic, economic worldview. In summing up he contends that there is a deeper foundational question to pose in the exploration of ontology than 'who am I?'- that is to ask, 'how do I relate or exchange?'<sup>23</sup> Consequently, he continues: 'If those exchanges are built upon capital, on the accumulation of capital to make more money, then the question of 'representation' must itself be suspended inside the history of capitalism.'<sup>24</sup>

### **In what ways has Graham's methodological framework of Foucauldian analysis provided different insights?**

In her formidable work, Graham has reconfigured Foucault's genealogical and archeological processes to interrogate the representatives of the post/human in the current socio-cultural context,

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<sup>20</sup> J. Carrette, 'Cyborg Politics and Economic Realities' p. 47.

<sup>21</sup> J. Carrette, 'Cyborg Politics and Economic Realities', p. 48.

<sup>22</sup> J. Carrette, 'Cyborg Politics and Economic Realities', p. 50. The numbers in brackets refer to pages in *Representatives of the post/human*.

<sup>23</sup> J. Carrette, 'Cyborg Politics and Economic Realities' p. 54. Carrette adds that both Winnicott in psychoanalysis and Marcel Mauss in anthropology have made the point that it is only in the act of relation that we become aware of who we are.

<sup>24</sup> J. Carrette, 'Cyborg Politics and Economic Realities' p. 54.



producing a complex and insightful study into the ontological constructions of what constitutes human becoming. Her use of Foucault's conceptualisations illustrates how his counter-thinking can be consistently applied to varying cultural contexts providing an alternative perspective, which can, in turn, offer political tools for agency and change. She has provided me with an insightful framework for investigating the stories, icons and myths that imbue the discourses of the NRTs in order to discern the techniques of biopower in the exploding technological landscape of the 21<sup>st</sup> century. I will now turn to the work of scholars who have applied Foucauldian approaches to discourse theory in their various readings of specific texts.

### **Using discourse analysis to discern gender differences in the public sphere**

Although Clare Walsh is principally a feminist theorist, not a theologian, her methodological framework using discourse analysis is built on Foucauldian foundations and provides insightful direction for applying this approach. Moreover, her thesis, concentrating on gender and discourse in the public sphere, is relevant to the feminist perspective of my investigation, particularly as religious discourse features as a significant component of her research. Following an appraisal of her methodology, I intend to focus, briefly, on one aspect of her work, which is the case study she undertook on the discourses of woman's ordination in the Church of England. Her survey of textual sources encompassed the era that led up to, and continued after, the historic decision taken by the General Synod on 11 November 1992 to admit women to the priesthood.<sup>25</sup> Walsh draws on a variety of textual data taken from newspaper accounts, quotations from senior clerics and from her women priest interviewees.

### **Walsh's methodology**

Walsh describes her critical discourse analysis as distinctly feminist, which draws on a Foucauldian view of discourse 'as inextricably bound up with the social and, more radically, as *constitutive* of social identities and relations.' (her italics)<sup>26</sup> She acknowledges the poststructuralist feminist challenge to an overarching metalanguage, which contends that gender has become increasingly unstable as an identity category within

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<sup>25</sup> C. Walsh, *Gender and Discourse: language and power in politics, the Church and organisations*, (Edinburgh: Pearson Education Ltd, 2001). Her study on women priests is discussed in Chapter 6 'Speaking in Different Tongues? A Case Study of Women Priests in the Church of England', pp. 164-203.

<sup>26</sup> C. Walsh, *Gender and Discourse*, p. 27.

this broad, universal structure. In response to this assertion, Walsh claims that her perspective of metalanguage is one that is both contextually constrained and localised, in addition, it recognises the permeability of linguistic and semiotic boundaries.<sup>27</sup> Her primary goal is to apply such linguistic and social semiotic understandings to an analysis of broader discursive practices and social change in her dissection of gender. Critically, she emphasises her approach to selected texts as follows:

In my case, I am interested in looking for textual traces of shifts in gendered identities and relations that occur in periods of rapid discursive and institutional change. One needs, of course, to be alert to the dangers of tautology, but my intention in this book is not simply to use texts to *describe* these changes, but to help to *explain* them in a more nuanced way than would be possible in the absence of close attention to linguistic analysis.<sup>28</sup>(her emphasis)

Walsh advocates an integrational approach to the micro-reading of texts and the need for a flexible framework that can incorporate the particularities of the text/context interface, which she underscores by preferring to label the surrounding linguistic and non-linguistic elements as co(n)text. She discusses the importance of treating language, not as a descriptor but as a functioning dynamic in a network of relations, where meaning is conditioned by the specifics of the text in question. In this regard, reading the sequencing of words is important, but so too is the paradigmatic axis upon which the text is positioned. She explains the significance of this as:

Thus each item chosen can be set against choices that were *not* made, leading to a focus on structured absences from texts. Gaps in syntax, for instance, may be ideologically significant, because readers/listeners are invited to infer connections left implicit.<sup>29</sup> (her emphasis)

Such a close reading of both spoken and written co(n)texts, along with textual traces and varying interpretive cues (such as visual images or facial expressions depending on whether it is read or heard) often reveals contradictory and fragmented ideologies. With regard as to how such competing discourses may be assimilated, Walsh discusses the importance of the positionality of the reader/listener. For, despite the fact that textual traces and cues may be both unconsciously given and received, relying on stereotypical, commonsense assumptions in the socio-cultural context, nonetheless, a compliant readership cannot be guaranteed. For example, Walsh alludes to the fact that texts very often

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<sup>27</sup> C. Walsh, *Gender and Discourse*, p. 28.

<sup>28</sup> C. Walsh, *Gender and Discourse*, p. 28.

<sup>29</sup> C. Walsh, *Gender and Discourse*, p. 35.

position the reader as male (as in a similar fashion, films are inclined to perpetuate the male gaze) and whilst women may unconsciously absorb this, nevertheless, it can also serve to make them feel excluded.<sup>30</sup> (As is the case when ecclesiastical discourses overtly refer to people of faith as 'God's sons' rather than 'God's children'.) The use of the pronoun 'we' can similarly invite or marginalise the reader/listener, depending on the co(n)text and their positionality within it.

In order to offer an interpretation that makes sense of these conflicting interests, which, despite their ambivalence, often serve to promote the dominant, normative viewpoint, Walsh proposes that her analytical method 'will take functional categories as a *point of departure* for analysis.'<sup>31</sup> (her italics) She claims that language serves two primary functions, the interpersonal and the ideational, and that these metafunctions have subcategories variously relating to the text producer's identity and the addressee's positionality. She has tabulated these in a diagram to clarify her approach to discourse analysis, by illustrating the functional categories in an easy to follow framework, offering definable points of reference for the varying linguistic mechanisms that text producers employ in the structuring of a text/speech.<sup>32</sup> Her reasoning for the construction of such a tool is as follows:

The aim is to explore patterns of habituated use that function to reproduce normative gendered identities and relations. Although the meaning attached to these forms and categories in *specific* contexts is contingent on the interpretative assumptions that interlocutors bring to the speech situation, I intend to suggest that the *range* of meanings attached to given (inter)textual traces and cues is predictable.<sup>33</sup> (her italics)

She contends that the interpersonal function is the driving force of language, which is contrary to the more traditional line taken by male linguists who, with the notable exception of Toolan, promote the ideational function as predominant.<sup>34</sup> In defence of her stance, Walsh demonstrates that there are very few texts, even in the public realm, that have no interpersonal aspects. She suggests that this is due to the fact

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<sup>30</sup> C. Walsh, *Gender and Discourse*: Walsh contends through her research that, '... the producers of the majority of media texts are more likely to employ a mode of address that is inclusive of the lifeworld of *male* readers.' (her italics) p. 40. She also points out on p. 36 that readers may choose to read against dominant readings of texts.

<sup>31</sup> C. Walsh, *Gender and Discourse*, p. 36.

<sup>32</sup> C. Walsh, *Gender and Discourse*, p. 39, reproduced in Appendix I, p. 241.

<sup>33</sup> C. Walsh, *Gender and Discourse*, p. 36.

<sup>34</sup> C. Walsh, *Gender and Discourse*, p. 38. Toolan regards 'orientedness to others' as the pre-eminent function of language.

that as ideational values and beliefs are inherent in the social identities of text producers, therefore in promoting them, they will be likely to use interpersonal cues to phrase these sympathetically.

From the vantage point of text analysis, her next point is particularly helpful; '... framing devices act as interpretive cues, encouraging listeners/readers to take up compliant or resistant subject positions, which, in turn, helps to shape *their* identities.'<sup>35</sup> (her italics) With regard to the performative choices that women make in public service roles, Walsh's research has noted that they are constrained not only by institutional and societal constructions but *also* by the investments that the women have made in their own 'discursively produced femininity.'<sup>36</sup> Yet, the media resist these complexities of subject negotiation by persistently locating women in the public sphere in a preconceived, gendered framework. She suggests that in sites of popular culture, such as men's magazines (and I would include the tabloid press), women are more likely to be constructed *predominantly* by their gender than men are.<sup>37</sup>

Likewise, metaphors have a relational function, but because they link the text with notions and genres from outside its context, Walsh emphasises their intertextual power. Not only is the choice of metaphor by the text producer integral to her/his beliefs and values, and therefore, offers clues in analytical interpretation in the same way as a framing device serves to do, but also it has the capacity to construct discursive domains and can often incite an emotive response to an ideational text. In her appraisal of textual evidence leading up to the ordination of women to the priesthood, Walsh cites the work of both Cameron, who researched women's exclusion from religious ritualistic language, and Furlong, who studied the speeches of opposing clerics in the Church of England's debates. Cameron had expressed the antagonism to women performing sacramental acts as 'irrational dread' and Walsh adds:

'Irrational dread' manifested itself in *metaphors of disease* used by opponents to describe women supporters and their campaigning style. For instance, Furlong (1994:23) notes that speakers in the 1984 General Synod debate spoke of women as 'a virus in the bloodstream' who were engaged in 'destroying' and 'disembowelling' the Church.<sup>38</sup> (my emphasis)

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<sup>35</sup> C. Walsh, *Gender and Discourse*, p. 38.

<sup>36</sup> C. Walsh, *Gender and Discourse* p. 38.

<sup>37</sup> C. Walsh, *Gender and Discourse* p. 40.

<sup>38</sup> C. Walsh, *Gender and Discourse*, p. 167.

### **A summary of Walsh's findings in her study on of women priests**

Her findings depict the Church as an institution constructed on male-gendered discursive practices, whose competing ecclesiastic discourses on woman herald her as both chaotic and sexually predatory or self-sacrificial in service to others. The study also reveals continuing difficulties around inclusive language, an issue that when challenged is paradoxically considered either too negligible for discussion or to be verging on the demonic. The discourses that privilege the maleness of the priest standing in for Jesus, whilst heretical, nevertheless, remain influential. Ironically, these stand in juxtaposition with the *feminine*, private role that a priest performs in the public institution of the Church. Consequently, entry to the profession by 'real' women is deemed very threatening, especially, when they are also expected to be agents of reform.

With such confusion surrounding role performance, it is little wonder, therefore, that Walsh should conclude with the following comment concerning women priests:

What is clear is that their language and behaviour is more likely than those of male colleagues to be fractured by competing, and often contradictory, norms and expectations. From the outset, stereotypical assumptions about what their ministry would mean has constrained the subject positions available to women priests, leading some to adopt feminine norms that are at odds with their preferred discursive style.<sup>39</sup> (her italics)

### **In what ways has Walsh's methodological framework of discourse analysis provided new insights?**

Primarily, the difference that Walsh's framework has made is one of illuminating more fully the landscape upon which the performance of gender is negotiated in the public sphere. Her methodology was able to produce results that explained the way women's choices about their role were constrained, but also, it was able to demonstrate the ways in which women were, and are, able to make an impact on masculinist discursive norms, provided they followed a 'critical difference' approach. By 'critical difference' Walsh means an advocacy of gender inclusiveness policies as opposed to simply stopping at a critique of androcentric practices. Specifically, in her concluding comments on the study of women priests, Walsh could identify a positive outcome in the relationship between dominant and dominated discourses. She suggests that contrary to the common assumption that either the dominated

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<sup>39</sup> C. Walsh, *Gender and Discourse*, p. 201.

discourse is subsumed into the dominant one, or alternatively, works as a reverse discourse to its more authoritative other, rather, she claims there is a creative dialectic between the institutional structures and the transforming agency of individuals.

The crucial benefit of adopting discourse analysis as a methodology in this instance has been the illustration of how power performs in human relations, revealing the intricacies of conscious and unconscious negotiations that individuals undertake in realising their agency. The co(n)text, and its associated discursive practices, emerges as a crucial locus in this interplay, both as the field upon which human becoming takes place, and also, more significantly, as an integral part of the action itself. A methodology that considered text from a 'content and description' only perspective would not have been able to reveal these understandings of relational power.

In Chapter One, I described how Foucault conceptualised this process. Contrary to the understanding of passive docility that some of his writings may suggest, Foucault *does* claim that individuals have some agency in their own subject construction.<sup>40</sup> To recap, crucially, an understanding of this phenomenon is dependent upon the conception of power as relational *and* that the individual cannot invent new practices *ex nihilo*, but is always constrained by those that she finds in her own cultural context. This interplay of power, discourse and agency, is for Foucault, the basis for self-mastery, that is the foundation of an ethics of self. In the next section, I shall turn to the work of Mary McClintock-Fulkerson, who incorporates these insights into her application of a discourse analysis methodology for feminist theology in preference to the traditional approaches that rely predominantly on women's experience.

### **Using a Foucauldian method to elicit subject positions through discourse analysis**

#### **Discourse analysis versus women's experience as an analytical tool**

Mary McClintock-Fulkerson promotes the application of critical discourse analysis in feminist theology, because she claims that the traditional, feminist appeal to 'women's experience' has a universalising element, which is false, as it cannot account for the multiplicity of subject positions that woman occupies in her localised, particular context. She cites Tania Modlski's critique of this criticism, who says, 'but surely for

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<sup>40</sup> See Chapter One, pp. 38-9.

many women the phrase 'women's experience' is shorthand for 'women's experience of political oppression' and it is around this experience that they have organized and out of this experience that they have developed a sense of solidarity, commonality, and community.'<sup>41</sup>

McClintock-Fulkerson's response to this is twofold. She acknowledges that when an appeal to experience rests with these criteria, it is more analogous with standpoint theory, and therefore, must take account of the specific, socially constructed power formations. Whilst such a reading may not fully analyse the linguistic aspects, nevertheless, it moves women's experience away from an essentialising category. However, she claims that Rosemary Radford Reuther's adjure to experience is problematic because it includes a self-authenticating, revelatory aspect of the inner self that alludes to the pre-linguistic, shared consciousness of humanity, or more specifically in Reuther's definition, a shared consciousness of woman. McClintock-Fulkerson states, 'Self-authenticating subjectivity is hardly adequate to the commitment to social location feminists seek.'<sup>42</sup>

McClintock-Fulkerson's concern is that feminist theology has essentialised woman, and in the process has lost the ability to hear her in the varied range of identities in which she is located, especially in those of women who do not share feminist aspirations. Her plea to 'change the subject' is a clever interplaying of key themes; her premise is not to lose woman-as-subject, but to recognise her as 'subjects', comprising myriad identities and being constituted in a multiplicity of positions. In this way, one can approach the discourses of Christian women, who do not overtly challenge the androcentric structures of the Church, without doing so in a spirit of freeing them from their shackled realities. Succinctly, McClintock-Fulkerson points out that in attending to the other as a social subject, rather than as an individual, then 'hospitality to the other is not the vocation of helping, liberating the oppressed other; it is work to liberate ourselves in relation to the oppressed other.'<sup>43</sup> (her italics)

### **How is McClintock-Fulkerson's critical discourse methodology different from a feminist liberation theology one?**

Throughout her comparison of the two methodologies, McClintock-Fulkerson pursues her case that not only is a feminist theology method

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<sup>41</sup> M. McClintock-Fulkerson, *Changing the Subject: Women's Discourses and Feminist Theology*, (Minneapolis: Augsburg Fortress Publishers, 1994), p. 53.

<sup>42</sup> M. McClintock-Fulkerson, *Changing the Subject*, p. 56.

<sup>43</sup> M. McClintock-Fulkerson, *Changing the Subject*, p. 4.

unable to fulfil its goals due to its reliance on the false universal of women's experience, but it actually *maintains* the very structures it seeks to displace by deploying a method of analysis that fails to take account of the multiple discursive totalities that create a myriad of subject positions and practices for women. Simply put, by not attending to the interconnected relationship between power, discourse and the subject, the traditional method misses vital understanding that is bound up in the very evidence it is analysing. For example, in taking a Foucauldian approach to discourse a perspective emerges, which resists the traditional dichotomies that feminist theologies seek to challenge, but by their methods, are incapable of disrupting. McClintock-Fulkerson elaborates further:

At every point terms of oppression and liberation require that the intelligibility of reality be understood in terms of its creative instability – an instability displayed in all discourse. Dominant discursive formations neither silence all dissent nor present themselves with no boundaries or seams for the defining of an entity.<sup>44</sup>

She continues to explain that the concept of a 'sexist text' correctly implicates language with power, but hitherto, feminist theology has not been able to demonstrate the *located* relation of language and power to gender oppressions and liberations. She reaffirms the point underscored by Walsh, that if language is constitutive, then critically, it must be imperative to discover *how* it situates the subject. If that subject is uncoded, as in the basic proposition of woman's pre-linguistic consciousness, then it will be impossible to establish the affiliation with the interconnected web of discourse, systems of meaning and power relations that are so culturally and historically variable.

Similarly, whilst feminist theology underscores that social structures are inherent in the creation and maintenance of gender oppression, this remains unconnected from the discursive practices that inform the minute detail of how these structures are perpetuated. So, as McClintock-Fulkerson puts it, 'The gap between the hegemony of capitalist patriarchy, for example, and the discursive practices of the poor woman is not filled in.'<sup>45</sup> Furthermore, McClintock-Fulkerson claims that feminist theologies continue to perceive language as representational as opposed to the poststructuralist view that it is relational and differential. Consequently, their account of language production is through a variety of historical-critical methods and appeals to Christian tradition, which do not acknowledge that these methods are themselves encapsulated in a social system of meaning.

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<sup>44</sup> M. McClintock-Fulkerson, *Changing the Subject*, p.107.

<sup>45</sup> M. McClintock-Fulkerson, *Changing the Subject*, p.110.



Discourse theory directs a challenge to the heart of the cherished belief (by both androcentric and feminist traditions) that '...even as meaning is social and gets mediated through communal traditions, it is after all an individual consciousness that is the origin of religious traditions and their renewals.'<sup>46</sup> She demonstrates that the prevailing logic must suggest that women's collective experience is an analogous consciousness that can generate new traditions. However, she contends this is problematic by continuing:

As the destabilizing of the subject indicated, presenting the subject as the originating site of meaning production universalises women's experience with an uncoded subject and perpetuates the very practice feminists sought to expose and undermine - the false universal, man.<sup>47</sup>

With these justifications, McClintock-Fulkerson undertakes an analysis of the discourses of two very different communities of Christian women. Firstly, from the Presbyterian Women (PW), a group of mainly white, middle-class women from the Presbyterian Church in the USA, and secondly, from the Pentecostal, Church of God, Assemblies of God and independent holiness denominations, who comprise a group of economically marginalized churchwomen living in the rural and mountain communities of the USA.<sup>48</sup>

I have chosen to explore her research on the first group as her methodology here has produced significant insights relevant to my own research. Her work on the latter group, whilst providing some illuminating findings, nonetheless, was more problematic. Her case rested on the ability of Pentecostal women to negotiate subject positions through a Spirit-filled existence that accorded them personal empowerment, which, as economically marginalised women in a male dominated religion, would not have been open to them in any other capacity. My misgivings arise from the fact that these women believed *utterly* that this power came from God and, therefore, by suggesting that they used it as a way to achieve agency, actually serves to undermine their faith perspective.

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<sup>46</sup> M. McClintock- Fulkerson, *Changing the Subject*, p.109.

<sup>47</sup> M. McClintock- Fulkerson, *Changing the Subject*, p.109.

<sup>48</sup> M. McClintock- Fulkerson refers to the Presbyterian women as PW in her quotations but I have chosen to retain the full wording so as not to cause confusion with the publication of the same name.

## **A summary of McClintock-Fulkerson's findings in her study of the Presbyterian women**

McClintock-Fulkerson considered a variety of discourses in her study of Presbyterian Women. She traces the trajectory of their development from the late nineteenth century through an appraisal of their literature, which predominantly constitutes their magazines, *Presbyterian Women* (1946-1988) for the southern communities and *Outreach* (1947-1958) and *Concern* (1959-1988) for the northern branches.<sup>49</sup> From these primary sources, she identifies the discourses of capitalist patriarchy, conservative Princeton theology, class and religious tradition and the role of the middle-class homemaker as being central to this community. The Reformed theological vision, with its insistence on a scriptural basis for faith praxis, is also at the heart of the discursive arena, which these women inhabit. Alongside a firm justification by faith strand to this theology is an insistence on the societal nature of salvation, rather than a focus on private, personal faith. Women were not permitted to hold positions of authority till ordination was achieved in the northern and southern denominations in 1956 and 1964 respectively. However, for many women, this had not been a matter of particular contention or importance.

### **Discerning the field, mode and tenor of the Presbyterian Women's literature and practices**

In conducting her analysis of the Presbyterian women's discourse, McClintock-Fulkerson acknowledges the complexity of the task and describes what she was seeking to discern:

It is not simply one (written) text, nor is it simply the organizational activities. Our task is to discern patterns or subgenres within the written and organizational totality that is the Presbyterian Woman's discourse – the connections, the cohesive pieces that offer regularities comprising an overarching register (field, tenor, and mode). What we seek are utterances that are regular enough to allow us to perceive the expectations that accompany them and, the alterations of those expectations.<sup>50</sup>

The categories of field, tenor and mode may overlap, but McClintock-Fulkerson sets out her definitions of the terms and discusses how these aspects shape the Presbyterian women's discourse as a performance or a reading regime. Her purpose is to determine the interconnectedness with the dominant canon and to demonstrate how this relation operates.

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<sup>49</sup> It is interesting to note that the words 'outreach' and 'concern' encapsulate the Presbyterian women's most basic faith propositions, as will become apparent as their story unfolds.

<sup>50</sup> M. McClintock-Fulkerson, *Changing the Subject*, pp. 209-210.

The contents and ideas of the discourse comprise the field and these are predominantly not feminist, but rather depict motherhood and homemaking as, not just the epitome of the faithful Christian woman, but moreover, as her identity. The threads of cosy, privatised privilege are challenged by other strands in the field of critiquing material success and of taking responsibility for global transformation. By focusing on the scriptural call of welcome to the stranger, the Presbyterian women were able to create their own canonical response of Christian praxis that was centred initially on the affective domain of the hearth, but then reached out, through the mission field and the concept of Women's Work for Women, into the communities of the world.

The tenor alludes to the setting and process of speaking and practice. This aspect of the performative whole refers to the way interaction is established and McClintock-Fulkerson states: 'The kind of relations that are assumed and evoked by PW literature will have an important impact on its production of women as subjects.'<sup>51</sup> She identifies four principal tenors used for differing genres in the Presbyterian women's literature, firstly, a personalised mutuality in the conversational pieces, secondly, an egalitarian didacticism in field related issues, thirdly, male-gendered authoritarianism in the expert addresses and fourthly, a self-interrogative tenor found in issues of personal accountability. The mode of the monthly magazines refers to the medium of communication and includes the imagery, photographs, page layout and hierarchy of contents in their literature.

These factors working alongside each other construct a complex imperative exhorting the Presbyterian Woman to be simultaneously a powerful agent who is personally accountable to God for her agency, yet, by implication in the expert, paternal addresses, is incapable of deciding for herself, by virtue of her gender, from a full range of options for this agency. McClintock-Fulkerson neatly summarises this position when she says:

The tenor is one of respect for PW and a climate honouring the domestic and the ordinary in an unresolved tension with subjection to the domination of an authority and the interrogation of self-scrutiny. It is not just the identity of the Christian homemaker as responsible for the world neighbor that accounts for the discourse; the woman herself is being produced.<sup>52</sup>

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<sup>51</sup> M. McClintock-Fulkerson, *Changing the Subject*, p. 217.

<sup>52</sup> M. McClintock-Fulkerson, *Changing the Subject*, p. 228.

**In what ways has McClintock-Fulkerson's methodological framework of discourse analysis provided different insights?**

McClintock-Fulkerson has been able to illustrate the ambiguity, complexity and confusion of subject positions that the Presbyterian women have to negotiate, which would not have been illuminated by a traditional feminist theological approach. She has demonstrated that the constraints put upon these women have not reduced them to passive docility. They have selected discourses from their social group that are mandatory to all members (of both genders), such as having a biblical foundation for a habitus of faith praxis and a societal concept of salvation. They have taken the freedom that this subject position affords them of constructing an ethics of self that is not in constant struggle with their men folk. In so doing they have been able to enjoy the pleasures of the public sphere without derision and criticism.

Furthermore, as Karen Lebacqz says, 'I am inclined to agree with Sara Ruddick that the most profound change we could make to counteract the oppressions of sexism is not the inclusion of men in the private sphere but rather the inclusion of this discipline of compassionate thinking in the public sphere'.<sup>53</sup> From this vantage point, the work of the Presbyterian women might be perceived as radically transforming, which is something that would have been missed by a traditional feminist theology method. McClintock-Fulkerson concludes, 'Even as they are produced, Presbyterian Women are producers of wisdom from whom we have much to gain.'<sup>54</sup>

In the next section, I wish to explore whether discourse theory can also provide a more productive way for pastoral care-giving/sharing than the traditional model. It is clear that Christian discourses both empowered and disempowered the Presbyterian women, for, whilst it can be said that they overcame the constraints put upon them to a certain extent, nonetheless, sanctioned restrictions remained in place that did not allow them to flourish unfettered. Consequently, it is vital to ask if discourse theory can provide tools for critically appraising how Christian discourses contribute to the political landscape that shapes the socio-cultural context.

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<sup>53</sup> K. Lebacqz, 'The Weeping Womb: Why Beneficence Needs the Still Small Voice of Compassion' in Shelp, E. (ed.), *Secular Bioethics in Theological Perspective*, (Dordrecht, Boston, London: Kluwer Academic Publishers, 1996), p. 94.

<sup>54</sup> M. McClintock-Fulkerson, *Changing the Subject*, p. 238.

## Using discourse analysis in Pastoral Theology

In her article, 'Discourse theory and Pastoral Theology', Susan Dunlap makes a case for the reinterpretation of pastoral care grounded on the revelations that discourse theory provides concerning the impact of social and cultural structures on human dilemmas, which have, hitherto, been considered to be personal problems.<sup>55</sup> She draws attention to the work of other practical theologians who have been advocating this approach, citing John Patton, who '... has called this a shift to a "communal-contextual" paradigm in which attention is given to the impact of corporate structures, both ecclesial and cultural.'<sup>56</sup> Dunlap claims that the critical issue in pastoral care lies in linking the inner world of thoughts and feelings with the sociocultural context in which one is situated. She prefers to conceive of the 'self' as a 'subject position' as this rendering is more conducive to the Foucauldian discernment of individuals constituting and reconstituting a fluid subjectivity in the midst of competing discourses. Whilst the passions, desires and rages of individuals are keenly felt within, it is the *positionality* of discourse theory that locates them in a certain time, place and context.

Dunlap recognises the pastoral role of empowerment in this reading of subjectivity. She draws on Chris Weedon to support her case that individuals are not cast adrift in the ensuing discursive battles, but can be agents of choice, as multiple discourses create plurality of meanings.<sup>57</sup> Pastoral carer-givers are also conveyors of Christian discourses, and these too, are not exempt from contradictory strands, employing differing authority structures and discursive practices. She guards against perceiving individual subjectivity as an 'empty space', but invokes Kristeva's conceptualisation of the subject as a 'work in progress.'<sup>58</sup> With this in mind, empathy takes on a greater force. The affective component of standing alongside another's suffering is enhanced by a cognitive component that can challenge discourses that are harmful and damaging. This latter aspect relies on developing the art of asking contextual questions, which is for Dunlap, a crucial therapeutic skill.

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<sup>55</sup> S. Dunlap, 'Discourse Theory and Pastoral Theology' in *Feminist and Womanist Pastoral Theology*, ed by B. Miller-McLemore & B. Gill-Austern, (Nashville: Abingdon Press, 1999), pp. 133-147.

<sup>56</sup> S. Dunlap, 'Discourse Theory and Pastoral Theology' in *Feminist and Womanist Pastoral Theology*, ed by B. Miller-McLemore & B. Gill-Austern, (Nashville: Abingdon Press, 1999), p 134.

<sup>57</sup> S. Dunlap, 'Discourse Theory', p. 137.

<sup>58</sup> S. Dunlap, 'Discourse Theory', p. 138.

## Types of political discourse

Dunlap takes the application of discourse theory further by considering the discipline of Pastoral Theology as a discourse in the socio-political arena. She cites the work of Nancy Fraser, who distinguishes between three different, politically functioning types of discourses. Christian discourses can fall into each category, but more often than not, they belong to first two. *Reprivatisation* discourses serve to keep issues private, personal and apolitical. An example might be viewing domestic violence as a family, rather than, a societal issue. Secondly, *expert* discourses are those arising from authoritative institutions, such as the university or public bodies. In an echo of Foucauldian insight, Dunlap citing Fraser states: 'Experts tend to objectify those who needs are debated, who can be "rendered passive, positioned as potential recipients of predefined services rather than as agents involved in interpreting their needs and shaping their life conditions."' <sup>59</sup>

The final category is that of *oppositional* discourses. These are discourses that are marked by a change, by the contesting of a situation and challenging the previously held status quo. Often this marks the point where an issue moves from the domestic realm to the political, as in the defiance of Christian married women who were formerly told to accept deeply, unhappy domestic circumstances. Dunlap confronts pastoral practitioners and theologians and asks if it is not possible to choose to function as an oppositional discourse, to challenge the narrow definitions that the expert discourses create of the normal and the deviant, the righteous and the unworthy? To this end she advocates drawing on resources of cultural critique and resistance literature and to recognise the shared vulnerability of those of us who are the bearers of Pastoral Theology discourses falling prey to delivering an expert or reprivatisation discourse.

### **How does using discourse theory in Pastoral Theology make a difference?**

Dunlap's article demonstrates two important differences from traditional understandings for pastoral theologians to consider. The first lies in the role of giving pastoral care and learning to discern the nuances of discourse. Dunlap says:

As we listen to those to whom we give care, we can listen for the competing discourses in their words and in their actions. In one moment we may hear Christian discourse regarding love of neighbor and welcoming the stranger, at

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<sup>59</sup> S. Dunlap, 'Discourse Theory', p. 142.

another we may hear strains of capitalist ideology that more-is-better, or we may hear pop psychological language of codependency or Mars/Venus talk.<sup>60</sup>

Her advocacy to raise awareness of the differing subject positions that her clients find themselves beset by is resonant of McClintock-Fulkerson's work in defining and negotiating agency in these terms. Her second proposition is that as pastoral practitioners we are also 'bearers of discourse' and should therefore be concerned in raising our own awareness of the way in which we occupy subject positions and are active in the social construction of both ourselves and others. In drawing upon the work of Fraser, Dunlap has demonstrated how discourses can operate in the socio-political context, serving to silence opponents and to render issues into the private arena, shielding them from public scrutiny. I will now turn to the work of Steven Grimwood who has applied a Foucauldian perspective to an expert ecclesiastical discourse, exploring the way in which the knowledge it contains is constructed to become a dynamic of power rather than an illumination of meaning.

#### **Using a Foucauldian method to elicit power relations in an expert discourse**

In Grimwood's exploration of the House of Bishop's report, *Issues in Sexuality*, published in 1991, he sets the scene by stating that although this text is the 'Church of England's unofficial official view', nevertheless, 'it carries with it an authority derived from the status of those men who stand responsible for it.'<sup>61</sup> For Grimwood, questions surrounding power and authority are critical in the construction of subject positions, and more specifically, in the objectification of the other, who is acted upon by the field, tenor and mode of the discourse itself. Grimwood begins with an overview of the statement, the structure and contents, which I shall briefly outline here.

#### **The outline of the statement**

The introduction gives a background to the issues and expresses that the aim of the statement is "'to address certain practical questions" within the Church of England and "to help forward a general process, marked by greater trust and openness, of Christian reflection on the subject of

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<sup>60</sup> S. Dunlap, 'Discourse Theory', pp. 136-7.

<sup>61</sup> S. Grimwood, 'Some Foucauldian Perspectives on Issues in Human Sexuality' in *Theology and Sexuality: The Journal of the Centre for the Study of Christianity and Sexuality*, ed by E. Stuart & H. Walton, (Vol. 16 [2002] pp. 97-119), p. 98.

human sexuality.”<sup>62</sup> (Note here Walsh’s point regarding the use of interpersonal cues to drive the ideational thrust of a public document.) The second section offers a biblical perspective and an acknowledgement of the intricacies involved, especially in the light of current cultural thinking. However, the challenge that this presents is not discussed further in the document. The statement continues with a celebration of heterosexuality, a confirmation of the complementarity and essential difference of the sexes and the affirmation of the sacred nature of marriage and procreation. The next section reflects on homosexual relationships in correlation with Scripture and concludes with the following comment:

There is, therefore, in Scripture an evolving convergence on the ideal of lifelong, monogamous, heterosexual union as the setting intended by God for the proper development of men and women as sexual beings. Sexual activity of any kind outside marriage comes to be seen as sinful, and homosexual practice as especially dishonourable.<sup>63</sup>

The text then states that celibacy is an option for those who are called to it. This leads into the next section in which Christian heterosexual marriage is privileged as the zenithal intimate relationship against which all other sexual states of being are defined and measured. Two separated sections then follow, these are: ‘The Phenomenon of Homosexual Love’ and ‘The Homophile in the Life and Fellowship of the Church’. Grimwood points out that the first of the couplet, as the title suggests, ‘considers homosexuality as a thing to be studied and explored’.<sup>64</sup> The second part and final section of the statement explores the pastoral implications. To summarise, refraining from sexual activity in same-sex relations is praised, but the individual’s moral capacity to discern whether or not to do so is ratified. However, homosexual clergy and ordinands are called to abstain from sexual behaviour, not for the scriptural reasons given earlier, but because it was assumed that parishes would not accept it.

### **Grimwood’s methodology**

Whilst Grimwood draws on Foucault’s insights, nonetheless, he emphasises that there is no definitive ‘Foucauldian method’, but rather an approach based on his counter-thinking. By taking the interlinking of

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<sup>62</sup> S. Grimwood, ‘Some Foucauldian Perspectives’ p. 99. This quotation is taken from the statement itself, *Issues in human Sexuality: A Statement by the House of Bishops* (London: Church House Publishing, 1991) para. 1.9.

<sup>63</sup> *Issues in human Sexuality*, para. 2.29 quoted in S. Grimwood, ‘Some Foucauldian Perspectives’, p. 100.

<sup>64</sup> S. Grimwood, ‘Some Foucauldian Perspectives’, p. 101.



discourse, power and subjectivity as a basic premise, coupled with the persistent challenge to commonly held assumptions, Grimwood's questions revolve round the functioning aspect of the statement rather than its intrinsic meaning. He draws upon Foucault's enduring discernment of the centrality of the body as the locus of disciplinary techniques and notes Christianity's centuries long trajectory in the mastery of this power. He points out that in this struggle in which 'the body has become the battlefield', the fighting is silent, relying on the Foucauldian elicited weapons of 'anonymity ...classification...objectification.'<sup>65</sup> These weapons, he claims, are fundamental to the bishops' armoury.

The pivotal crux of his method is in applying Foucauldian counter-thinking to the questions he asks of the text itself. Rather than searching for meaning and truth in the *content*, he prefers to ask, 'for whom does this work?' and 'what does it do?' He continues, 'In this light, analyses of discourses - of what is said and who is permitted to speak - acquire a new urgency and importance, for what we are dealing with is not 'meaning' but power.'<sup>66</sup> By isolating excerpts from the body of the text and subjecting them to deliberations of *function* rather than reading them as traditional educational methods have taught us, the capacity of the statement to order 'a regulative worldview' becomes discernible, despite, or perhaps because of 'the appearance of (its) dispassionate objectivity.'<sup>67</sup>

Grimwood discerns a prime Foucauldian counter-cultural insight regarding the machinations of power when he says, "'power' does not equate with force; part of the exercise of power depends upon the freedom of the subject upon whom power is brought into operation.'<sup>68</sup> From this vantage point, the minutiae of the mundane, everyday, taken for granted aspects of life take on a heightened significance, what Foucault termed the 'micro-physics of power.'<sup>69</sup> Furthermore, Grimwood describes power's relational ontology and cites Foucault to demonstrate that we are all implicated, complicit and capable of resisting and exercising power relations. For, we cannot help *but* be so as social creatures interacting with each other within the cultural environment that we inhabit. However, we are unaware, for the most part, of how we play our role in this process and the success of power mechanisms is proportional to the capacity they have to hide themselves.

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<sup>65</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 105.

<sup>66</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 103.

<sup>67</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 97. These collocations are taken from the article's abstract.

<sup>68</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 105.

<sup>69</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 105.

### **Grimwood's application of his methodology to the text**

Grimwood discerns this phenomenon operating in the bishops' statement. The power behind the statement is masked by its *lack* of definitive, authoritarian proscriptions and its refusal to restrict the liberty of an individual to choose. He notes that the 'freedom of conscience' is a technique with a twofold function, in that not only does it create a condition of agency essential to the dynamics of power, it also draws in a wide circle of potential subjects from beyond the confines of the Church. Moreover, Grimwood discerns the disciplinary technique of Bentham's Panopticon at work in the statement by the way that the visibility of the cleric is emphasised, thereby highlighting that his or her behaviour is under the constant scrutiny of their parishioners and local community.<sup>70</sup> Foucault describes the technique thus:

Hence the major effect of the Panopticon: to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power.<sup>71</sup>

Referring to candidates for ordination, the bishops' statement declares:

[W]e do not think it right to interrogate individuals on their sexual lives, unless there are strong reasons for doing so. Ordinarily it should be left to the candidates' own consciences to act responsibly in this matter.<sup>72</sup>

By these means, the *choice* of individuals to regulate their behaviour in line with the statement's recommendations is secured.

### **How the boundaries of normality are constructed in the text**

For the panoptic technique to be effective, there must be a consensus of opinion within a community about what constitutes normal behaviour. Grimwood discerns the mechanisms within the bishops' statement that serve to construct and maintain the borders of normality that are permeable and fluid. In this instance the condition of heterosexual marriage is normalised, thereby creating its other, homosexuality, – to be objectified, studied and problematised. Grimwood cites Foucault's observations of the *École Militaire* in *Discipline and Punish*, in which individuals were regimented by a series of privileges and punishments to conform to the same mode of being in order that they would become

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<sup>70</sup> As discussed in Chapter One, p. 30-31, footnote 84.

<sup>71</sup> . M. Foucault, *Discipline and Punish*, p. 201.

<sup>72</sup> *Issues in human Sexuality*, para. 5.22 quoted in S. Grimwood, 'Some Foucauldian Perspectives' p. 107.

indistinguishable from each other. To achieve this end, they were compared to each other, rather than to a set of independent criteria, by being placed in a hierarchy of above or below an average gauged on the performance of their own group. Consequently the effect of this 'value-giving measure' was for them, as it is for others, 'the constraint of a conformity that must be achieved.'<sup>73</sup>

In a circular effect, Grimwood observes, that under these circumstances, there is less need for censure. The construction of a norm creates a boundary that, by implication, delineates a deviation. In the section entitled 'The Christian Vision for Sexuality' it is clear that heterosexual relations are privileged as ideal and that the context for this sexual expression is marriage. As in the *École Militaire*, individuals are measured against each other in relation to the desired model. The bishops' privileging of marriage is quoted thus:

Marriage being a part of God's good gift in creation, both the married state and others which are defined in relation to it can have this power for good [i.e. to transform fallen human nature] in all human life, wherever they are inspired by the same values and ideals, and can be a means of advancing the Kingdom of God.<sup>74</sup>

Consequently, from the perspective of the bishops' statement, being single (as opposed to being called to celibacy) is considered a *privation*. It is worth quoting here the bishops' description of singleness as a 'sad experience that, for whatever reason, the person they could and would have loved and married, and who could and would have loved and married them, has never entered their lives.'<sup>75</sup> This construction incites pity, and despite its apparent sympathy (or indeed because of it), it implicitly bears the silent, but pernicious, suggestion that there is something intrinsically 'not quite right' with the person who 'can't find anyone to marry them'. Unfortunately, the bishops' report is typical of ecclesiastical discourses giving this impression, rather than resisting it by heralding the scriptural affirmation of the God-given worth of every condition of human becoming. Grimwood refrains from structuring a hierarchy of conditions around the norm of marriage, but he continues:

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<sup>73</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 108. In a further footnote to this point, a recent article in *Weekend*, the accompanying Saturday magazine to the Guardian newspaper, entitled 'Haven't I seen you somewhere before?' (17/01/ 2004, p. 25) describes how definitions of physical beauty according to Hollywood and the surgeon's knife, have become the criteria of uniformity to which we are being culturally constructed to follow.

<sup>74</sup> *Issues in human Sexuality*, para. 3.16 quoted in S. Grimwood, 'Some Foucauldian Perspectives' p. 100.

<sup>75</sup> *Issues in human Sexuality*, para. 3.11 quoted in S. Grimwood, 'Some Foucauldian Perspectives' p. 109.

...however it is clear that marriage is represented as the definitive norm and that other conditions are exceptions to this rule. It is a norm that seduces us to conformity. Is it too much to say that heterosexuality is here set up as a compulsory, normative state, from which a special dispensation is required in order to be exempt?<sup>76</sup>

### How the other is silenced in the text

Foucault claimed that in order for a norm to succeed, it required an other against which it could be defined. For example, against the norm of sanity, madness needs to be explored, categorised, analysed and constructed as inferior. Robin Skynner and John Cleese use humour to highlight the incongruity of this, when they discuss the fact that very few studies are ever conducted on the mentally healthy. Cleese says:

You'd think that shrinks would discuss it, but they don't. But then the odd thing about psychiatry is that it's entirely based on the study of people who *aren't* doing very well – folk with 'problems'. I mean, if you wanted to write a book about how to paint or play chess, or be a good manager, you'd start by studying the people who were good at those things. And you wouldn't expect heavy sales of a book called *Play Championship Golf by Learning the Secrets of the Worst Twenty Players in the World*. (his italics)<sup>77</sup>

Furthermore, in creating the other to be scrutinised, heterosexuality escapes the same treatment. Grimwood states, 'In short, the subject privileges itself by being able to define itself over and against that which it constructs as its other.'<sup>78</sup> This technique creates non-personhood by transferring the label attached to the behaviour or condition on to the group of people who behave in a certain way. Thus, as Foucault demonstrated, up until the nineteenth century 'homosexuals' as a discrete group did not exist, rather, there were men who practised acts of sodomy.<sup>79</sup> The act was labelled, not the person committing it. In a similar way, common parlance refers to schizophrenics, not people suffering from schizophrenia.

The practice of regulation causes the number of discourses around the object in question to proliferate, as the bishops' text demonstrates in the call to take into account medical and scientific research on homosexuality.<sup>80</sup> However, the people who have been objectified by this

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<sup>76</sup> S. Grimwood, 'Some Foucauldian Perspectives', pp.109-110.

<sup>77</sup> R. Skynner and J. Cleese, *Life and how to survive it*, (London: Methuen London, 1993), p 1.

<sup>78</sup> S. Grimwood, 'Some Foucauldian Perspectives' p. 111.

<sup>79</sup> The issue of women's same-sex relationships is not discussed.

<sup>80</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 112.

labelling technique are, effectively, silenced. For, even if they contribute to any study, they are always hampered by being the object of that study. At no time could the other ever be on equal terms with its subject, because not only is the subject never scrutinised, but also moreover, such a notion would be considered unthinkable. The bishops refuse to take responsibility for their construction of homosexuality as other, by the following insincere appeal to 'common humanity'.

The general tendency in public discussion is to concentrate on the differences, real or alleged, between heterophiles and homophiles. We regard it as of the first importance to take the opposite line, and to emphasize the common humanity which they share.<sup>81</sup>

This quotation is particularly disingenuous when one considers the point of the whole document is precisely to accentuate the 'essentialist' differences between homosexuality and heterosexuality in order to create borders of normality in which homosexual practice is firmly located outside. Juxtapose this quotation with the one taken from paragraph 5.2 of the document:

Heterosexuality and homosexuality are *not equally congruous with the observed order of creation* or with the insights of revelation as the Church engages with these in the light of her pastoral ministry.<sup>82</sup> (my emphasis)

How can a common humanity be emphasized in paragraph 4.5, whilst simultaneously claiming that there is a divinely appointed hierarchy of human ontology in paragraph 5.2?

Grimwood hones in on the linguistically unusual in his textual analysis, by highlighting the use of the word 'homophile' rather than the more common term, homosexual. The bishops state that their reason for using a different word is so that it can be free of the negative connotations that surround the word homosexual. (It is interesting to note the meticulous care with language that the bishops admit they have taken in formulating their text.) However, Grimwood points out that this strategy also gives the bishops a 'clean slate on which to represent their other.'<sup>83</sup> The function of this controlling technique serves to further silence the homosexual subject, whilst the bishops can be heard loud and clear. This in turn has the effect of reinforcing the bishops' polarized, male, heterosexual normality. Of course one is free to challenge their position,

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<sup>81</sup> *Issues in human Sexuality*, para. 4.5 quoted in S. Grimwood, 'Some Foucauldian Perspectives' p.113.

<sup>82</sup> *Issues in human Sexuality*, para. 5.2 quoted in S. Grimwood, 'Some Foucauldian Perspectives' p.102.

<sup>83</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 115.

such agency is part of the power dynamic, but insidiously, it becomes more and more unthinkable to do so.

Foucault described this phenomenon by an analogous comparison with the painting *Las Meninas* by Velasquez, whereby the painter, in the act of representing could not both be portrayed in the picture and simultaneously be painting it. The insight drawn from this is that when one is representing the other as object, one's own subjectivity becomes concealed. Grimwood speculates as to how a document would read if the bishops were to reveal themselves as they began their exploration of the other, '(Imagine, for instance: 'we - that is a group of mainly white, European, heterosexual males - need to question...')'.<sup>84</sup> Whilst difficult to digest, it would be illuminating nonetheless.

### **Ecclesiastical power**

Although, on page 116 of his article, Grimwood states that the bishops control of what is said 'enables them to act both as 'Father and Judge'', nevertheless in his paper, he does not underscore the fact that the bishops wield greater power than a comparable secular consortium would do.<sup>85</sup> For, whilst the Foucauldian discerned techniques might be the same in a medical or scientific treatise, they will not be upheld by a divine arbiter as they are in an ecclesiastical document. The seductive and ambivalent power of spiritual belonging is expressed well by Richard Holloway in the following anecdotal account of his visit to St. Peter's Square:

I was overwhelmed by St Peter's and was made to feel puny and irrelevant in its confident vastness. I told John [the guide who was a Catholic priest] how I felt, how I almost wanted to hold up my hands in surrender and submission saying, 'OK, I give up, take me in.' 'That's what the bastards want you to do,' John replied, throwing a look of exasperated affection back over St. Peter's Square.<sup>86</sup>

Holloway demonstrates the psychological relief of being able to 'surrender' one's fears and to be enveloped within the protective and invincible power of a divinely appointed sanctuary. By saying, 'OK, I give up' Holloway also acknowledges that obedience to the institution's codes is part of the package of his deliverance. Consequently, it can be inferred that the churches' stance on same-sex relationships creates a

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<sup>84</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 117.

<sup>85</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 116. The phrase 'Father and Judge' is cited by Grimwood from M. Foucault, *The Order of Things: An Archaeology of the Human Sciences*, (London: Routledge, 1989), p. xv.

<sup>86</sup> R. Holloway, *Godless Morality: Keeping Religion out of Ethics*, (Edinburgh: Canongate Books Ltd., 1999) p. 153.

psychic crisis in the internal struggle of homosexuals in determining their subject position.<sup>87</sup>

In addition, the role of the Catholic priest in the anecdote illustrates a recognition of the destructive ability of the church's power when he refers to 'the bastards' wanting you to give in to them. Yet, as a priest, he is a gatekeeper to the system and by implication, therefore, he is part of it. The ambivalence of this subject position is illustrated by the phrase 'exasperated affection'. However, the sense of rebellion implied in his response is indicative of how the boundaries of 'normality' need to be constantly reaffirmed, challenged as they are by oppositional discourses both within the Church and from the secular society. Indeed, the fact that the bishops' statement was produced in the first place, may have been directly precipitated by the current discourses of tolerance (both secular and ecclesial) towards same-sex partnerships.

#### **In what ways has Grimwood's methodological framework of discourse analysis provided helpful insights?**

By applying an analysis of the discourse in the bishops' statement, Grimwood was able to uncover the techniques of construction that continue to place homosexuality outside the church's boundaries of inclusion. What becomes apparent is that this exclusion is *not* bound by issues of Scripture or 'nature', but by how those discourses function to categorise and displace the other. For, clearly, oppositional discourses illustrate how these entities could otherwise be conceptualised. The quest to seek 'greater trust and openness' in the statement's aims is demonstrated as false because those whose subjugated knowledges could edify heterosexuals, are silenced. Consequently, homosexuality, as Foucault declared of sex, becomes spoken of '*ad infinitum*, while exploiting it as *the secret*.'<sup>88</sup>

In addition, the techniques of power are highlighted by Grimwood's methods demonstrating Foucault's insights that, 'The history which bears and determines us has the form of a war rather than that of a language: relations of power, not relations of meaning.'<sup>89</sup> These techniques would have escaped exploration in a content-only analysis. Finally, in consideration of Dunlap's argument about the politicisation of discourses, I would contend that this discourse is not only an expert one,

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<sup>87</sup> *Issues in human Sexuality*, para 2.29 see endnote x1.

<sup>88</sup> M. Foucault, *The History of Sexuality. 1. An Introduction* (trans. R. Hurley, (London: Penguin books, 1990), p. 35.

<sup>89</sup> M. Foucault, 'Truth and Power' in P. Rabinow (ed) *The Foucault Reader* (London: Penguin Books, 1991), p. 56.

but is also a reprivatisation discourse, pushing the whole question of homosexual partnerships into the private sphere. In so doing, the Church does not have to face uncomfortable aspects of justice concerning the rights of long term homosexual partners with regard to such issues as pensions, inheritance and custody claims, which the secular world is currently debating in its legislative proposals.<sup>90</sup>

### **In summary: How this range of Foucauldian methodologies have provided guidance for my own research**

By giving close attention to the way that cultural and theological scholars have drawn on Foucault's theories of discourse, power and the subject to construct an alternative methodological approach, I have established that this can produce substantially different results from more traditional investigations. Whilst each scholar tailored their use of Foucault to suit the specific constraints of their study, nevertheless, each one creatively applied the same insights of searching for function rather than content and for technique rather than meaning. These methodologies provide helpful pathways for the next section, in which I shall apply the research questions, compiled at the end of Chapter One, to varying discourses on the NRTs.

Graham succinctly puts the case for studying the popular socio-cultural icons, myths and stories to discover the borders of what constitutes human norms. Whereas she selected teratology to interrogate these questions of ontological hygiene, I intend to choose those contemporary narratives surrounding the NRTs to discover how biopower is operating to construct norms of reproductive behaviour and family construction. Graham also establishes, by her findings, a strong case for utilising a genealogical and archeological approach to these investigations of function. Carrette, in his helpful critique of Graham's work, demonstrates that 'how do I relate or exchange?' (or 'how am I *constructed* to exchange?') is a more productive question than 'who am I?' in the light of a capitalist metasystem. His foregrounding that biotechnology is itself, first and foremost, bound within the capitalist system of commercial power, is a pertinent reminder that this should be predominant in any analysis of the NRTs.

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<sup>90</sup> On 31 March 2004 the Civil Partnership Bill was published awarding gay and lesbian people the right to same-sex civil ceremonies, guardianship and pension rights. (H. Carter & M. White, 'Rights for gay couples-but not marriage,' *The Guardian*, 1/04/2004, p. 9). The institutional Church has been silent about the societal injustice to those in long-term same-sex partnerships, leaving the struggle for parity with married heterosexuals to organisations in the secular domain.



Walsh, McClintock-Fulkerson and Grimwood provide examples of how a close Foucauldian counter-reading of selected texts can elicit findings that illustrate not only how discourses function, but also how, in turn, varying subject positions are created in the complex dialectic of individual agency, oppositional discourses and dominant structures. Furthermore, these findings also demonstrate that the techniques of power, which Foucault first described, have evolved with socio-cultural changes, thereby continuing to produce similar consequences in the construction of norms, the categorization of the other and the silencing of those objectified by the speaking subject. In addition, Dunlap has demonstrated how this alternative perspective can elucidate the pastoral situation by providing socio-cultural insights that can empower clients through their own struggles in negotiating an ethics of self.

## CHAPTER THREE

### UNDERTAKING A GENEALOGICAL APPROACH TO THE DISCOURSES OF THE NEW REPRODUCTIVE TECHNOLOGIES

Mill, he said, obscured, indeed denied the difference between the desirable and the desired, between what people do want, and what it is good that they should want. This argument was an object of great fascination to later philosophers and we spent much time in our undergraduate essays discussing it.<sup>1</sup>

Baroness Warnock, 1998.

Men are controlling not only what choices are open to women, but what choices women learn to want to make.<sup>2</sup>

Janice Raymond, 1988.

In this chapter, I propose to conduct an analysis of the discourses surrounding assisted conception that have abounded in the media reports since the birth of Louise Brown. The birth of the world's first IVF baby was a landmark, not just for its biomedical significance, but also for marking the beginning of public debate of what had been, hitherto, a phenomenon largely confined to research communities and scientific fiction. Since that day on 25 July 1978, a quarter of a century ago, the stories of procreative successes and controversies have consistently made headlines and front-page news, and this trend shows no sign of abating. Consequently, the competing NRT discourses have become commonplace and have assimilated into our socio-cultural environment, as familiar to us all as the mobile phone, the DVD and the Internet.

I shall follow a similar approach to Graham in conducting my own genealogical analysis of contemporary icons, myths and narratives, I intend to select articles from a range of tabloid and broadsheet newspapers to interrogate, not so much *what* people are saying, but rather *how* they are saying it.<sup>3</sup> I am interested in how the discourses are being constructed, what techniques are being deployed, who is speaking and who is silent. What sort of interpretive cues are being used? In the light of Walsh's helpful methodology, I would define anything as an interpretive cue that the text producer has used to indicate emphasis or evoke sympathy and could include the

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<sup>1</sup> Baroness Warnock talking about the influence of G. E. Moore and his opinions regarding John Stuart Mill's moral philosophy on her student days. M. Warnock, *An Intelligent Person's Guide to Ethics*, (London: Duckworth & Co. Ltd, 1998), p.13.

<sup>2</sup> Quoted in G. Corea, *The Mother Machine: Reproductive Technologies from Artificial Insemination to Artificial Wombs*, (London: The Women's Press, 1988) p. 233. Corea does not cite in her text which particular publication this quotation came from, consequently, the date given is from Corea's book.

<sup>3</sup> See Chapter Two, pp. 48-49.

following: words written in capitals or placed in inverted commas, emotive words and phrases, visual images and headlines.<sup>4</sup> Furthermore, just as Graham demonstrated the cultural significance of common phrases like 'Frankenstein food' (which has become synonymous with genetically modified produce) so I shall investigate what can be discerned in the similarly familiar epithets that define the new reproductive procedures.

It is beyond the scope of this study to include all the developments of the NRTs, which have taken place in the last twenty-five years. The act of separating the embryo from woman has had repercussions, which have reverberated through society impacting upon, not just biotechnology, but on the boundaries of expectation, possibility and the constitution of cultural norms. In a similar way that Graham's interrogation of teratology focused on what it means to be human, I would contend that the NRT discourses would be an equally revealing site of exploration, encompassing also the cultural ambivalences on what it means to be a family. In selecting texts for analysis, it will be impossible to cover every controversy or every genealogical connection that exists between all the aspects of this procreative innovation; consequently, it is important to state what my specific aims are.

Firstly, I wish to demonstrate my premise, as stated in chapter one, that the personhood of woman has been eclipsed from the competing mainstream NRT discourses and, in doing so, to elucidate the techniques and statements that construct her disappearance. Secondly, I wish to examine how the embryo has been constructed and how the discursive practices of the IVF clinic are interconnected with this construction. Thirdly, I will consider the repercussions for the family, but will centre this on woman and motherhood in order to provide a coherent boundary to the study and offer a depth of analysis to its findings. Finally, I intend to deduce from these analyses how techniques are being deployed, in the Foucauldian sense, through the formation, transformation and correlation of discourses in order to elicit the changing perimeters of culturally given human norms.

With this in mind, I have selected for analysis a small number of articles from the plethora that have been written, beginning with the announcement on the front-page of the Scottish Daily Express proclaiming Louise Brown's birth. All the articles are reproduced in Appendix I. I will present the analyses in chronological order so that any changes in the discourses used can be noted as IVF becomes assimilated through the years into the socio-cultural normality that it

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<sup>4</sup> See Chapter Two, p. 53.

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ARCHER SCOTTISH DAILY  
AT THE GAMES  
Page 38

# EXPRESS

No. 24,282

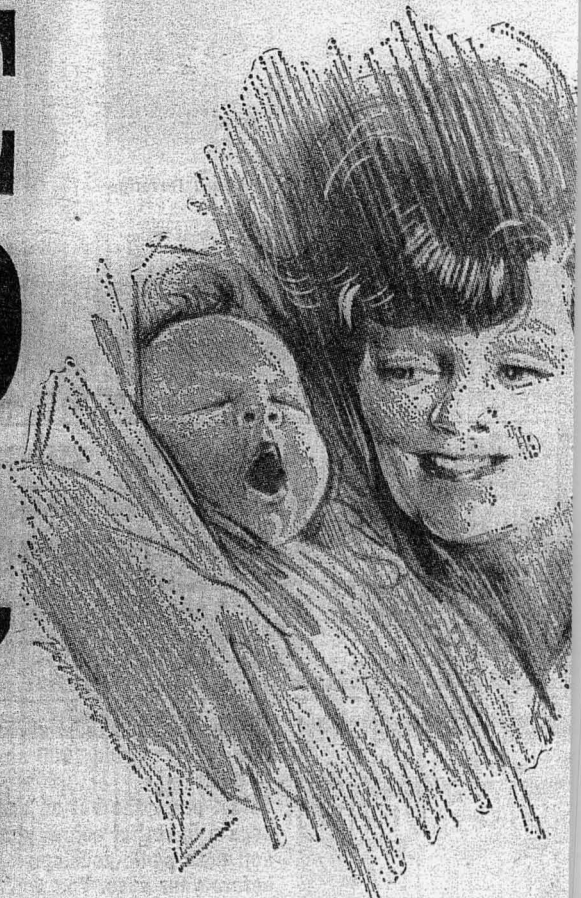
Thursday July 27 1978

Weather: Cloudy

8p

# THE WHOLE WORLD IN HER HANDS

## Test-tube baby 'just beautiful'—Stepptoe



**HERE she is—the mother with the whole world in her arms . . .**

By Harry Pugh and Frank Welsby

An Express artist recreates the scene in an Oldham hospital yesterday as supermum Lesley Brown, 32, cuddled the world's first test-tube baby.

Mrs. Brown, who lost a lot of blood during the caesarian operation, was resting last night.

She needs peace and plenty of relaxation to make a full recovery. The 5lb. 12oz. girl who made history when she bawled into the world on Tuesday night, is doing well, too.

And yesterday the man who made it all possible, gynaecologist Mr. Patrick Steptoe, described her as "beautiful."

He said the little miracle was

"a beautiful, normal baby which was crying its head off at birth."

And he added: "In a reasonable number of years there will be more babies of this kind."

"Instead of it being a seven day wonder, it will be a fairly commonplace affair."

Mr. Steptoe, 65, was showing the strain of the last two days as he answered questions from the world's Press in Manchester, with his colleague Dr. Robert Edwards, 52.

He said he was "absolutely whacked out." But he still managed to look as delighted as the baby's father, 38-year-old Mr. John Brown.

Mr. Brown, was over the moon. "She's my little girl—she's the greatest," he declared.

After nine years waiting for

Lesley to have a baby he was ready to cry for joy.

He told a relative: "She is just so beautiful. She hasn't got much hair—but she certainly did a lot of bawling and crying after she was born."

"She might be the most historic child in the universe, but to Lesley and I she is just a baby."

"I never thought anything could make me so happy. It's just too fantastic. It's just too good . . . too good."

Among the first visitors allowed in to see the baby was Mr. Brown's daughter from an earlier marriage, 17-year-old Sharon.

According to one of her friends, Sharon was "madly in love with the baby. She is just as thrilled

Turn to Page 3

### Clyde men all-out str

By Leslie

BRITAIN'S defence network faces a union siege today as shop stewards gather for a council of war.

Men from the Faslane complex on the Clyde will ask delegates from Ministry of Defence establishments throughout the country to step up their action in support of a pay claim.

One step they want taken is a national strike of all industrial civil servants.

The call will be discussed at a delegate conference which will be held in York.

The workers say they have fallen way behind private industry in the wages stakes. They want a two-stage pay deal on the lines of those won

# CHEERS FOR OUR KID

## Neighbours toast the birth of the century

**Express Staff Reporter**  
**NEIGHBOURS** of Mrs. Brown got out the champagne when they heard the news.

Mrs. Mary Whithey, 32, who lives next door in the row of terraced council houses in Bristol organised the celebration. She opened a bottle of champagne and other neighbours went to toast the new arrival. Mrs. Whithey, who has three sons aged between four and 10, said: "It is marvellous news. "I heard about it in

an early morning radio bulletin. We are all very pleased it has been a success."

Mrs. Lily Hutchings said: "I was jumping all over the house with excitement when I heard the news. "I hope other women who have the operation get the same happy result."

Mrs. Hazel Jones added: "Everyone in the street has been excited by the news. "We hope to have a party for Lesley when she returns home.

"We do not know if she will be coming back to her house, but if she does we hope she will show us the baby."



Dr. Edwards and Mr. Steptoe pictured yesterday

## Wonder baby

From Page One

as her father and step-mother". A TEST-TUBE baby operation was performed yesterday morning at a London teaching hospital, just under twelve hours after the birth of baby Brown.

The woman—the 13th to have the operation at St. Thomas's Hospital—heard about the news from Oldham as she was on her way to the hospital.

Said Professor Ronald Taylor, head of the Department of Obstetrics and Gynaecology at St. Thomas's: "She was very pleased and very cheered at the idea that the operation can be a success."

"The woman, who asked not to be named, is in her 30s. She already has two children and has been trying for a third for more than three years."

### Marvel

AN M.P. demanded yesterday that the Government should monitor the effects of a test-tube baby boom.

Labour M.P. Mr. Leo Abse told a Commons committee that the new "marvel of medical manipulation" could have malignant consequences. He said genetic engineering was going on in Russia. Some people had inhibitions about medicine moving into an area "which might have overtones of Hitler—who thought he could create a master race by experiment."

Mrs. Shirley Williams, Education and Science Secretary, had told him that the test-tube technique did not involve genetic manipulation.

THE CHURCH of Scotland

welcomes the test-tube baby technique, provided it was used with care and responsibility.

The Rev. James Simpson, of Dorloch, joint convener of a Kirk committee which looks after such matters, said it was in many ways merely an extension of methods already used in artificial insemination by donor.

But Roman Catholic Cardinal Gordon Gray expressed personal misgivings about the methods used and the possible consequences.

Mr. Steptoe and his partner spent 12 years before they got their technique right and enabled Mrs. Brown to have the baby she craved.

They are convinced they can repeat it and that little Miss Brown is not a one-off fluke.

Mr. Steptoe, who carried out the 10-minute caesarian operation, was able to prove the breakthrough to medical observers.

They were able to see that Mrs. Brown had no fallopian tubes and couldn't have a baby normally.

Of the 20,000 women in Britain who go to their doctors every year unable to have babies, 40 per cent have damaged or diseased fallopian tubes.

Mr. Steptoe and Dr. Edwards believe they can help a vast proportion of these women.

Said Dr. Edwards: "We are changing, testing, adapting all the time. I believe we can achieve a success rate of 50 per cent."

Mr. Steptoe decided on a Caesarian operation because Mrs. Brown developed blood poisoning, which could have caused a still birth.

## Help for Scots

By Jack Webster

THE successful birth should bring hope to many Scottish childless couples in about two years.

Gynaecologist Dr. Andrew Calder, of Glasgow Royal Infirmary, said: "The women who can be helped are those who produce a normal egg and have a normal womb."

The reason why many women cannot have children is because damage to the fallopian tubes prevents the egg passing through to be fertilised.

Dr. Steptoe has taken the egg out of the body, fertilised it in the laboratory with the husband's sperm and returned it to the womb, thus bypassing the damaged tubes.

### Technique

But he has also managed to have the fertilised egg accepted by the womb when returned to the body.

Dr. Calder said they should have full information when Dr. Steptoe's technique is written up in the medical journals.

He added: "There is no question of Dr. Steptoe keeping it as a secret."

"It will become widely known within a fairly short time."

"I should hope that we'll be doing this in Scotland in about two years. To expect it any earlier would be unrealistic."

The doctor warned that only some women could benefit.

He said: "It applies to women whose cause of childlessness is the damage to the fallopian tubes."



Les McKeown

## Rollers may sack singer Les

THE Bay City Rollers could be on the verge of splitting up.

American reports say they have warned lead singer Les McKeown they will sack him unless he stops being difficult.

Last night Rollers manager Tam Paton refused to confirm or deny the rumour after visiting the band in California.

But he had told them they would need their heads examined if they let petty considerations destroy their career.

The band stand to make £5 million from American projects in the next year.

These include a 13-part TV series and a feature film.

## STORM NIGHT

THE NIGHTMARE of a boy accused of murder ended yesterday when he was told: "You are free."

Edward Calder, 16, was given 40p for his bus fare home and released from the remand centre where he had been held for 11 weeks.

And last night a row was brewing over the way he was set free.

For his solicitor did not know that the boy had been released.

### Astonished

Calder, of Millroad Street, Caltan, Glasgow, walked out of Longriggend remand centre yesterday morning.

During the afternoon he went with his father to Glasgow Sheriff Court.

There he saw lawyer Mr. Joseph Beltrami, who had been preparing his defence for a High Court trial next month.

Mr. Beltrami was astonished

## Fumes hit swim

TWENTY PEOPLE—13 of them youngsters—were rushed to hospital yesterday after poisonous fumes filtered into a swimming pool.

The trouble started when two chemicals were accidentally brought into contact at Dumfries swimming pool boiler house and gave off toxic fumes.

The fumes quickly filtered upstairs into the baths area, which was busy with school-children on holiday.

Baths officials quickly evacuated the area and 17 of the bathers along with three baths officials were taken to Dumfries Infirmary for attention.

Three young girls and an adult were detained for observation. All were later released.

has now achieved. It will not be possible to document every significant biomedical and social breakthrough, but where these are pertinent to the selected text, I will refer to them.

**Critical Discourse Analysis No. 1: The front-page of the Scottish Daily Express, Thursday, July 27, 1978, written by H. Pugh & F. Welsby.<sup>5</sup>**

### **THE WHOLE WORLD IN HER HANDS Test-tube baby 'just beautiful' -Stephoe**

#### **The privileging of science**

The significance of this first article is that it set a precedent for the way in which the NRT initiated its public discourse, thereby, setting the scene for the multiplicity of discussions that followed, and consequently, it is worth examining in detail. This is demonstrated effectively by the headlining of the now familiar epithet, 'test-tube baby', which, despite being overtaken by the more correct phrase 'in vitro fertilisation (IVF)', nevertheless, was received into popular parlance as an unchallenged catch phrase that became part of the new discourses. In terms of their ability to construct, relay and evoke images, as Walsh demonstrated metaphors are able to do, both epithets privilege science-as-producer by their use of laboratory language. The common usage of these terms does not *feel* strange because they have been used and accepted by all commentators in both dominant and oppositional discourses. Yet, there are many medical breakthroughs that would not be possible without scientific intervention, such as a kidney transplant, but the names given to these procedures do not give the onus to the laboratory techniques. Indeed, the fertilisation of an embryo, whilst crucial, is only a small part of the process, yet the vital nurturing of its development in the uterus by the mother is overlooked in both familiar phrases.

The term 'Frankenstein', with its associated horrors, could not easily be used in an epithet about a human child as it is with food, but the myth is evoked by the use of phrases which point to Steptoe's 'fatherhood' as the human being responsible for Louise's conception. He is referred to as 'the man who made it all possible' and like any new 'father' he was described as 'showing the strain of the last two days' and being 'absolutely whacked out'. Like a 'good father' not only was he present at the birth, he even went one step further and delivered the baby. The article opens with the classic 'mother and baby are both doing well' discourse, but then Steptoe's comments

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<sup>5</sup> The article continues over onto p. 3 of the paper. The full transcript is reproduced in Appendix I pp. 227-230.

precede those of the husband. After two thirds of the front-page article, the reader is introduced to Mr. Brown by the following comment, that despite his tiredness, Steptoe; '... still managed to look as delighted as the baby's father, 38-year-old Mr. John Brown.'

Whilst Edwards is present alongside his colleague, it is Steptoe who is given prominence. In fact Edwards is only mentioned once on the front page and does not feature again till the last section of the article on page 3. Steptoe is always mentioned first in the pairing of the two (except in the photograph, but this is because Edwards is on the left of the picture). In one sentence, he is not even named but simply referred to as Steptoe's partner and his quotation is in the penultimate paragraph, all of which lessens the impact of both his words and his role.<sup>6</sup>

By putting Steptoe in the limelight, the clinical application of IVF is highlighted – indeed the whole article is geared towards a clinical stance by the inclusion of another woman undergoing IVF, the statistics of infertility and the hope expressed in the article for the '20,000 women who go to their doctor every year unable to have babies.' Yet, it was Edwards, the embryologist, who first approached Steptoe and persuaded him to try to replicate his successes with mouse embryology in humans.<sup>7</sup> He obtained his doctorate by perfecting IVF in mice and does not have a medical degree. However, by being referred to as *Dr. Edwards*, the less prominent partner in a clinical procedure, it is easy for readers to assume that he is a junior medical colleague rather than the driving force behind the research.

The hint of the importance of Louise's birth to the research community is given in the following couplet, which is in the final section of the article.

Mr. Steptoe, who carried out the 10-minute caesarean operation, was able to prove the breakthrough to medical observers.

They were able to see that Mrs. Brown had no fallopian tubes and couldn't have a baby normally.

This is the first, tiny suggestion in the article of Lesley Brown's role as 'guinea pig' in the research aspect of IVF, which has been given a clinical façade in the article so far. The lack of fallopian tubes proves beyond any doubt that fertilisation had to take place outside the

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<sup>6</sup> The part played by the embryologists in the NRT has remained in the shadows ever since – a fact acknowledged by Dr Jamieson in my interview with her. See Appendix IV, p. 279.

<sup>7</sup> Discussed in L. Silver, *Remaking Eden: Cloning, Genetic Engineering and the Future of Humankind?* (London: Phoenix, 1999), p.79.

P. Steptoe & R. Edwards, 'Birth After the Reimplantation of a Human Embryo', in 'Letters to the Editor' of *The Lancet*, August 12, 1978, p.366.

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## Letters to the Editor

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### BIRTH AFTER THE REIMPLANTATION OF A HUMAN EMBRYO

SIR,—We wish to report that one of our patients, a 30-year-old nulliparous married woman, was safely delivered by caesarean section on July 25, 1978, of a normal healthy infant girl weighing 2700 g. The patient had been referred to one of us (P.C.S.) in 1976 with a history of 9 years' infertility, tubal occlusions, and unsuccessful salpingostomies done in 1970 with excision of the ampullæ of both oviducts followed by persistent tubal blockages. Laparoscopy in February, 1977, revealed grossly distorted tubal remnants with occlusion and peritubal and ovarian adhesions. Laparotomy in August, 1977, was done with excision of the remains of both tubes, adhesolysis, and suspension of the ovaries in good position for oocyte recovery.

Pregnancy was established after laparoscopic recovery of an oocyte on Nov. 10, 1977, in-vitro fertilisation and normal cleavage in culture media, and the reimplantation of the 8-cell embryo into the uterus 2½ days later. Amniocentesis at 16 weeks' pregnancy revealed normal  $\alpha$ -fetoprotein levels, with no chromosome abnormalities in a 46 XX fetus. On the day of delivery the mother was 38 weeks and 5 days by dates from her last menstrual period, and she had pre-eclamptic toxæmia. Blood-pressure was fluctuating around 140/95, œdema involved both legs up to knee level together with the abdomen, back, hands, and face; the blood-uric-acid was 390  $\mu$ mol/l, and albumin 0.5 g/l of urine. Ultrasonic scanning and radiographic appearances showed that the fetus had grown slowly for several weeks from week 30. Blood-œstriols and human placental lactogen levels also dropped below the normal levels during this period. However, the fetus grew considerably during the last 10 days before delivery while placental function improved greatly. On the day of delivery the biparietal diameter had reached 9.6 cm, and 5 ml of amniotic fluid was removed safely under sonic control. The lecithin: sphingomyelin ratio was 3.9:1, indicative of maturity and a low risk of the respiratory-distress syndrome.

We hope to publish further medical and scientific details in your columns at a later date.

Department of  
Obstetrics and Gynæcology,  
General Hospital,  
Oldham OL1 2JH

University Physiology Laboratory,  
Cambridge CB2 3EG

P. C. STEPTOE

R. G. EDWARDS

The classification of p  
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body, giving absolute credence to the work of Edwards and Steptoe.<sup>8</sup> Furthermore, medical observers were present in order to verify this. Interestingly, following Edward's comments in the penultimate sentence, in which he indirectly talks about research, the closing sentence reads thus: 'Mr. Steptoe decided on a Caesarean operation because Mrs. Brown developed blood poisoning, which could have resulted in a still birth,' thereby effectively eclipsing the research aspect with a clinical rationale.

The dominant discourse in the article is one of approbation. The use of emotive language constructs scientific intervention as benevolently and heroically bestowing happiness on the family and simultaneously constructing the family as a quintessential good. Consider the following: 'Mr. Steptoe and his partner spent 12 years before they got their technique right and enabled Mrs. Brown to have the baby she craved.' Louise is a 'miracle', but still a 'beautiful normal baby', she's 'the greatest', 'she might be the most historic child in the universe, but to Lesley and I she is just a baby.' 'It's just too fantastic. It's just too good... too good.' Sharon, Louise's stepsister is 'madly in love with the baby' and as 'thrilled as her father and step-mother'. The point is not to deny that these are true quotations given in a moment of genuine joy, but their selection and prominence, set in the stone of a front-page, constructs images that filter into the popular consciousness. Foucault always reminds us that whatever we read could have been otherwise written.

The oppositional discourse in the article is provided by the Labour MP, Leo Abse, whose following emotive quotation appears irrational in the context of the whole text: 'He said genetic engineering was going on in Russia. Some people had inhibitions about medicine moving in to an area which might have overtones of Hitler - who thought he could create a master race by experiment.' References to Russia, demonised by the Cold War and to Hitler juxtaposed next to the happiness of an ordinary family effectively allow these comments to be ignored. In addition, they are immediately quashed by Shirley Williams in her capacity as Secretary for Science and Education and then followed by ecclesiastical approval from the Church of Scotland, both representing legal and moral governance. Whilst the Catholic Church representative did not give his approval, nevertheless, his comments were couched as 'personal misgivings' rather than an official line. The oppositional comments are structured into a positive-negative-positive sandwich, between the medically healed family and

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<sup>8</sup> The birth is documented in a letter to the *Lancet*, where the details of the baby's IVF conception are given. P. Steptoe & R. Edwards, 'Birth After the Reimplantation of a Human Embryo', in 'Letters to the Editor' of *The Lancet*, August 12, 1978, p.366. Reproduced here for historical interest.

the establishments of state and church, thereby effectively downplaying legitimate concerns.

### **The construction of woman**

The privileging of science and *man* as progenitor continues throughout the text by the way in which the male medics and the father are given precedence, and more importantly, speech. The headline quotes Steptoe, not the parents. In fact, the only person who is not quoted is Lesley Brown. She is talked *about*; the reader learns her age, her medical history, her marital status and the events of her operation. Her picture is drawn, her current medical condition is given and she is praised as a 'supermum', even Louise is twice described as making a lot of noise, but her mother remains silent.

By comparison, Steptoe, Edwards, Mr. Brown, a friend of Sharon's, the Brown's neighbours, two MPs, two church leaders and a doctor from St Thomas' Hospital are all directly or indirectly quoted in the article. Furthermore, whilst the woman undergoing IVF at St Thomas' Hospital does not wish to be named, nonetheless, she could still have voiced her opinion. The reader is told about how she feels on hearing about the birth of Louise Brown in the quotation from her doctor. In reality, both these women will have needed considerable determination and agency to put themselves through the gruelling procedures of IVF knowing that it was an entirely experimental technique. Yet by their silence in the discourse they are rendered as passive.

Yet, the construction goes even deeper than simply passivity per se. As discussed in chapter one, De Beauvoir revealed woman's alterity to man, demonstrating her association with the lesser, fleshly realm of childbirth, nurturing and death, but not, ironically, with the *agency* of giving life. Martin's article, in Chapter One, illustrated how biological discourses on human reproduction, with which we are all familiar, give agency to the sperm, not the egg, reflecting socio-cultural attitudes rather than scientific facts.<sup>9</sup> Grimwood's analysis of the bishops' statement exhibited the technique, first described by Foucault, of endlessly talking about the other, whilst simultaneously forbidding the other a voice *and* not permitting themselves, that is, the bishops to be similarly interrogated.

The effect of this practice is to make questioning the speakers as unthinkable, whilst giving free rein to study the others as objects. In the bishops' statement, the speakers were ecclesiastical leaders who sought medical expertise; in this newspaper story, it is the scientists

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<sup>9</sup> See Chapter One, p.5.

who are predominant, seeking the approbation from the church. In both cases, by being linked together in the discourse as those with permission to speak, they wield a power over the object, *even* when they speak in opposition. In fact, dissenting voices that speak *for* the object can further this deployment by disguising the way in which this removes the agency of the other to speak at all.

By relating these interconnected insights to the construction of woman in the newspaper text, her voicelessness becomes synonymous with her *reproductive* passivity. We are told that Lesley Brown 'craved' for a baby and when she is successful, she is praised as 'supermum'. She is the womb, to be impregnated, or not (from the male oppositional discourse), in order to please her husband. The article was written by two men, who chose, as text producers, to emphasise this particular comment by the use of italics: '*After nine years waiting for Lesley to have a baby he (John Brown) was ready to cry for joy.*' As I have shown earlier in the analysis, the paper chose to quote the father's rapture, even though *he* already had a child. Even Sharon, his daughter is not quoted directly.

Although Shirley Williams is indirectly quoted, this is in her capacity as a representative of the state, as the inclusion of her title demonstrates. Her comments refute those of Leo Abse; she 'told him that the test-tube technique did not involve genetic manipulation', reflecting a government response rather than a personal one. When women are permitted to speak, as the neighbours do, they all express their excitement 'at the news', for 'the happy result', 'pleased it has been a success'. These remarks disclose the women's delight for the *procedure*, not for Lesley herself, as might be expected from friends after seeing someone go through nine years of experimental infertility treatment.

### **The construction of the family**

It has been noted by recent social commentators that there has been a socio-cultural resurgence in the value of the family, in contrast to the consensus circulating in the 60s and 70s about its demise as a social unit.<sup>10</sup> What is interesting about this comment is that the public interest surrounding the NRTs has created, by implication, a renewal of discourses about the family that may, in part, be responsible for its current prominence in the cultural milieu. Furthermore, in terms of

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<sup>10</sup> A good example of this is Mary Kenny's article, 'The strange rebirth of the family', (*Guardian*, 27/01/2004, p. 26) in which Kenny, ironically, links her commentary to a comment made by Suzi Leather, the current chair of the HFEA, without attributing this socio-cultural change to the rise of family discourses brought about by the public interest in the NRTs.

the discourse, the construction of woman-as-womb inevitably draws on that of woman-as-mother, pitting this subject position against that of woman as independent, working citizen.

In his paper, Grimwood discerned how the technique of normalisation, which Foucault described in the *École Militaire*, was being deployed in the bishops' statement to privilege heterosexual union over homosexual partnerships and marriage as the epitome of this hierarchy. In this newspaper text, being a mother is similarly upheld as the pinnacle role for woman. There is nothing new in this construction, De Beauvoir's insight that woman can only gain transcendence through her service to husband, family, church and country is now a familiar refrain. What is significant is that this notion has been subsumed into the NRT discourses as part of its body of knowledge.

For, as woman is constructed as reproductively passive, so is she rewarded with the immensely powerful statement, both in the headline and printed in bold font in the opening sentence; 'Here she is –the mother with the whole world in her arms...' What is odd about this first sentence is the juxtaposition of such power with the pronoun 'she', rather than 'Lesley Brown'. Whilst Lesley is named in the second sentence with the epithet 'supermum', nevertheless, the use of a pronoun prior to naming someone is noteworthy because it is linguistically unusual. The effect it has on the reader is to associate generic motherhood, not particularity of personhood, with woman's attainment of worthiness.

The construction of the family in the article is especially interesting because the Browns are not a typical infertile couple. Mr. Brown already had a daughter from a previous marriage; indeed, his proven fertility may even have been a consideration for their selection on to the IVF programme. The idea of women having babies for their husbands, rather than for themselves is endorsed by the fact that the authors chose to phrase the father's joy by saying that, 'After nine years *waiting* for Lesley to have a baby he was ready to cry for joy' (my italics here). Thereby, however unintentionally, invoking the image that Lesley had been remiss in her wifely duties by keeping her husband 'waiting'.

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# Mixed blessings for Britain's Brave New Birth

THERE WILL be the highest praise for the medical, scientific and technical skills displayed by Mr. Patrick Steptoe, the Oldham gynaecologist, and Dr. Robert Edwards, the Cambridge physiologist.

The birth of a daughter to Mr. and Mrs. John Brown was due to their work. Without it Mrs. Brown would not have conceived.

Mr. and Mrs. Brown have so far emerged from the attentions of the world's Press apparently unscathed. It is to be hoped rather than expected, that they will be able to lead as normal lives as possible. This however, as the parents of what is everywhere described as the world's first "test-tube" baby is going to be extremely difficult.

As for the baby herself, she is likely to be a subject of acute public interest at least until such time as she may in turn become a mother herself.

The case for protecting the anonymity of parents and child in this unique occasion was very strong, but the pressures, financial, professional and others were far too powerful for there ever to be any real chance of keeping the names concealed out of it.

Few parents, if any, in the position of the Browns, with a fortune dangled in front of them, would have done other than take the cash and hope for the best.

As for the gynaecologist and the physiologist, we need to recognise that fame is the spur of a great deal of pioneering medical and scientific research.

### Acclaim

Their satisfaction, far more than any material rewards, will remain, having been the first men to have fertilised a human egg in vitro, which is to say, in glass, in a test-tube outside the womb. Their work together has been painstaking and long, and they deserve their acclaim.

Moreover, as their techniques are improved and their knowledge disseminated through the medical and scientific world, we may expect many wives who hitherto because of gynaecological effects have been unable to bear their husbands' children will now be enabled to do so.

This said, the happy birth is

• If I peer into the future I see a society of people bred to measure •

very unlikely to prove an unmixed blessing and may be the precursor of disaster. The baby, the infant, the little girl, the adolescent girl, the young woman, she will be subjected to constant publicity which cannot but give her an abnormal upbringing which she will need a tough and stable temperament to survive relatively unscathed. She can only hope to grow up as normal as possible. Normal she cannot be.

She is no physical freak, but she is unique, the consequence of being the product of a very abnormal conception in a test-tube.

Whether the world at large will become a better place as a result of this new technique of conception is to be doubted

It is safe to assume that the technique, at present expensive, difficult and in part secret, will in due course become cheap and easy and public property.

This will help wives who want children by their husbands and who cannot at present have them.

But the technique opens up many other possibilities, some of which are undoubtedly alarming.

It so happens that in the Brown case, the husband's sperm fertilised the wife's egg—and it was this fact which led the medical profession's ethical advisers to pronounce that no ethical considerations arose.

But any man's sperm could have been used. Scientifically,



by  
**GEORGE  
GALE**

It was irrelevant that the husband's was used.

This means that women will be able to have their eggs fertilised, without intercourse from banked sperm. They can already do so now, through artificial insemination by donor, a process which disturbs some doctors but not others.

The new process, however, suggests that soon one woman's egg could be fertilised in a test-tube then planted in another woman's womb.

Parents will be able to decide the sex of their children. Children will be born with unknown fathers and unknown mothers.

This may all sound far-fetched, but it is already beginning to happen, the techniques are already beginning to be understood.

And if conception can take place in a test-tube and life be sustained therein for days, as the cells divide and multiply towards the formation of the foetus how long will it be before a foetus itself is grown to maturity within the laboratory?

### Frightening

All this is alarming and disturbing enough. But what is far more frightening altogether, is the possibility now opened up of genetic engineering on a massive scale, performed by scientists working under the direction of the state. Such a brave new world may be on our doorstep not so long after 1984.

Societies based upon the family prevent such breeding taking place.

It could very easily happen again. We already have sperm banks and may soon have egg banks. Under the guise of eliminating hereditary diseases and defects, governments could easily insist upon the "right" or "best" kind of genetic material to be used.

The next stage could then be the banning of the natural-born children, in order to eliminate all risk of hereditary defects. Far-fetched? Of course it is far-fetched.

But the birth of the Brown baby in Oldham has already fetched us far along that road. Is it a road we want to travel along? It is a road irresistably attractive to genetic engineers.

I have no desire to travel along that road. But if I peer into the future as far as this human eye can see, I begin to see in the far distance a society of people bred to measure, and I don't like the sight at all.

## A real load of rubbish

OLD NEWSPAPERS, bottles, jam jars, straw, egg boxes and dying plants might sound like a load of old rubbish to you and me, but to others, it's all art.

Should you possess any of the above garbage (sorry, artistic materials) there's a gallery that is very anxious to have it. Indeed, they'll even come and remove it for you.

It's all required for an exhibition by artist Chris Marshall, 27, at London's Air Gallery. And at the moment air is just about all it contains—but Marshall plans to fill in the emptiness with your litter, and create a marsh-like environment which, he calls art, but others might less

kindly call an indoor rubbish dump.

Already 400 invitations have been sent out. Each is a plastic envelope containing fragments of vegetable matter... to get things started, I suppose.

Says the gallery's director Moira Kelly, 26: "Chris's marsh won't be an exact replica of the real thing but a place that will provide all the necessities for everyday human life as well as the usual flora and fauna."

Fauna will include certain small creatures, like frogs, grasshoppers and newts, who will take up residence among the rubbish, thus adding a lively touch of realism.

But it's the litter that's needed to fill in the spaces in between the newts... piles of

it. And to collect it, the gallery has laid on a 35 cwt. truck, hired at a cost of £18 a day, to lumber round London in search of the stuff.

The public, while being asked to supply rubbish, is also in quite a different way, supplying the money to back this exhibition, most of which is subsidised by the Arts Council. In other words, you and me.

So, bring on your rubbish, whatever it is. Especially those egg boxes. "You wouldn't know anyone who might have a couple of hundred of them?" asks Moira Kelly.

Possibly the Arts Council has the answer.

John Rydon

**Critical Discourse Analysis No. 2: The Express Commentary in the Scottish Daily Express, Thursday, July 27, 1978, written by George Gale, p.10.<sup>11</sup>**

### **Mixed Blessings for Britain's Brave New Birth**

Whilst the front-page news article contained only a small section of oppositional discourse, the Express featured a dissentient commentary by George Gale describing Louise Brown's entry to the world as 'Britain's Brave New Birth.' The content of this piece offers more considered argument in its critique of IVF than the quotation attributed to Abse in the front-page article. The epithet of Brave New World, used in the title and again in the body of the text, has become synonymous with dissent towards the NRTs by evoking the dystopia of Aldous Huxley's novel of the same name published in 1932. Huxley's predictions of in vitro fertilisation and surrogate motherhood have become concrete realities and genetic engineering has become a sophisticated practice in animals.<sup>12</sup> The accuracy of these prophecies gives the epithet an edge, invoking the concept of a post/human existence, which the story so effectively captures. The piece reflects this in its attitude and content. However, in conducting an analysis of the text, it is the similarities and differences of the *constructions* that I am concerned with, not the content of contrary views.

### **The privileging of science**

It is no surprise, given the title, that science is privileged again, albeit, this time for what Gale perceives as its frightening possibilities rather than its benevolent ones. The piece begins; 'THERE WILL be the highest praise for the medical, scientific and technical skills displayed by Mr. Patrick Steptoe, the Oldham gynaecologist, and Dr. Robert Edwards, the Cambridge physiologist.' From this introduction, the clinical, benevolent façade of IVF begins to unravel with Gale's critique. Underpinning the oppositional content, the myth of Frankenstein is again evoked, but, unlike the first article, Gale does not concentrate on the 'fatherhood' of Steptoe, but rather focuses on the 'difference' of the child. The article appeals to boundaries of

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<sup>11</sup> The full transcript is reproduced in Appendix I pp. 230-233.

<sup>12</sup> Whilst commercial surrogacy is illegal in Britain, this is not the case in the USA. With the use of the Internet and relatively cheap travel (compared to the costs of the NRTs) it has become a viable route to parenthood for wealthy, infertile couples and gay partners. Genetic engineering in human beings remains at the level of embryo selection, but in animals it has taken place within the genome itself; ANDi, a rhesus monkey, which harbours a gene in all his cells that makes jellyfish glow green, is just one example. (J. Meek, 'ANDi, first GM primate. Will humans be next?' The Guardian, 12/01/ 2001.)

commonplace normality, as demonstrated by the following excerpts, in which I have highlighted the words that support this construction. Note the use of the word 'product' in the final extract signifying that Louise was 'made', rather than 'came into being' through fertilisation.

Mr. And Mrs. Brown have so far emerged from the attentions of the world's Press apparently *unscathed*. It is to be hoped rather than expected, that they will be able to lead as *normal* lives as possible. This however, as the parents of what is everywhere described as the world's first "test-tube" baby is going to be *extremely difficult*.

This said the happy birth is very unlikely to prove an unmixed blessing and may be the precursor of *disaster*. The baby, the infant, the little girl, the adolescent girl, the young woman: she will be subjected to constant publicity which cannot but give her an *abnormal* upbringing which she will need a tough and stable temperament to survive relatively *unscathed*. She can only hope to grow up as *normal* as possible. *Normal she cannot be*.

She is no physical *freak*; but she is *unique*, the consequence of being the *product* of a very *abnormal* conception in a test-tube.

### **The construction of woman**

Despite the fact that the subject matter of the whole article requires the personal agency of women, and the effects of that agency are discussed, nevertheless, woman is again talked about, not listened to. Gale refers to wives being 'unable to bear their husband's children' and 'who want children by their husband', which has the double effect of keeping the NRTs within the confines of marriage and upholding the construction that women have children, not for their own pleasure, but for their husband's. Gale makes a very strange claim about Louise. He says; 'As for the baby herself, she is likely to be a subject of acute public interest at least until such time as she may in turn become a mother herself.' Why would the act of becoming a *mother* make a difference to Louise's interest rating? In accord with the composition of woman in the first article, motherhood is constructed here as giving societal status at the price of losing personal uniqueness.

In Gale's article, whereas there is recognition and praise for the scientists, albeit with the caveat of their desires for fame and the consequences of their actions long term, there is none for Lesley Brown. In this dissenting article, she has been subsumed into the couplet Mr. and Mrs. Brown, who are constructed as blameworthy and 'bad' parents, as the above excerpts illustrate, for the 'abnormal upbringing' that Gale asserts Louise will receive. He says, referring to the Browns' notoriety; 'Few parents, if any, in the position of the Browns, with a fortune dangled in front of them, would have done

other than take the cash and hope for the best.' Because of the tone of the piece, Gale's opening of 'few parents if any in the position of the Browns' is insufficient to negate the image conveyed of money grabbing fame-seekers. The fact that the Browns may have spent a considerable 'fortune' in putting Lesley through an untried, experimental procedure is overlooked.<sup>13</sup> In both dominant and dissenting discourses, whether praised or scapegoated, woman remains objectified, passive and silent.

### **The construction of the family**

Gale raises the spectre of fear regarding the father's hereditary status in the family unit in this following excerpt:

But the technique opens up many other possibilities, some of which are undoubtedly alarming.

It so happens that in the Brown case, the husband's sperm fertilised the wife's egg –and it was this fact which led the medical profession's ethical advisers to pronounce that no ethical considerations arose.

But any man's sperm could have been used. Scientifically, it was irrelevant that the husband's was used.

This means that women will be able to have their eggs fertilised, without intercourse from banked sperm. They can already do so now, through artificial insemination by donor, a process which disturbs some doctors but not others.

What is strange about these concerns is that fertilisation outside the body does not make the likelihood of using donor sperm more likely than it is with artificial insemination, as even Gale himself admits. Moreover, women have been able to access 'donor' sperm for centuries using the procreative method of sexual intercourse. In fact, it was not publicly envisioned at this stage that IVF could help sub-fertile men in the way that Intra-Cytoplasmic Sperm Injection (ICSI) now does.<sup>14</sup> What becomes apparent here is an ambivalence in the male control of reproduction, highlighted by the comment that this

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<sup>13</sup> Whilst Steptoe and Edwards did not open their private IVF clinic at Bourne Hall Clinic, Cambridgeshire till 1980, nonetheless, the Brown's had to pay for their treatment at Oldham hospital. G. Corea recounts Lesley's description of egg collection and says: 'Steptoe wanted her to stay in the hospital one more day to recuperate but she and her husband could not afford the expense.' G. Corea, *The Mother Machine: Reproductive Technologies from Artificial Insemination to Artificial Wombs*, (London: The Women's Press, 1988), p. 176.

<sup>14</sup> ICSI is a process used to bypass infertility, where the problem lies with the availability of sufficient active sperm in the man's semen. The woman undertakes IVF and an individual sperm is injected into each collected egg. Public concern has centred on the possibility of risks to the child from poor quality sperm. However, the ethical concerns about subjecting a healthy, fertile patient to potentially risky treatment, when the affliction lies with another person, is often overlooked.



was the aspect that troubled the ethical committee most. (Whether or not this is true does not matter, but the fact that the text producer included it, is crucial.)

Under the subheading, 'Frightening', Gale writes the following:

But what is far more frightening altogether, is the possibility now opened up of genetic engineering on a massive scale, performed by scientists working under the direction of the state. Such a brave new world may be on our doorstep not so long after 1984.

Societies based upon the family prevent such breeding taking place.

What is interesting here is the juxtaposition of the strong family discourse on the front-page and the fear of donor gametes, genetically engineered babies and motherless clones in the dissenting discourse. The paradox lies in Gale's assertion that 'Societies based on the family prevent such breeding taking place' –in that it is *precisely* the construction of a perfect family depicted earlier in the paper that creates the desire in the cultural consciousness to manipulate reproduction.

### **The year of legislation -1990**

Moving on 12 years from the birth of Louise Brown, Steptoe's predictions in the front-page story were becoming realised. In response to societal concern, the government had established the Committee of Inquiry into Human Fertilisation and Embryology in 1982, commonly known as the Warnock Report, which took its title from its chairperson, Baroness Warnock. Its findings were submitted to ministers in 1984 and subsequently debated in the House of Commons later that year. Public consultation was encouraged and nearly fifty churches sent their submissions to the Warnock Committee and many published their own official responses to the Warnock Report. After several delays, and fierce debate, the Human Fertilisation and Embryology Bill finally became law in 1990.

The next text that I shall scrutinise is an expert secular discourse from the Journal, *Nature*, dated 19 April 1990, in which there is both an article concerning the voting of the Human Fertilisation and Embryology Bill, to take place on the 23 April, and an editorial commentary on the subject. I have chosen the editorial piece for an analysis of the discourse.

### Embryo Research

#### **The British House of Commons should this week settle for the government's bill on embryo research**

It can be ascertained from the content of this discourse that the emphasis on the proposed bill is focused towards embryo research rather than infertility treatments. In fact, the example of the clinical application of IVF in the text is for *fertile* couples; the medical expectations of this procedure have long since passed the cautionary advice of the Scottish doctor in 1978, who said, 'It applies to women whose cause of childlessness is the damage to the fallopian tubes.'<sup>16</sup> Moreover, the word embryo did not appear in the first article, whereas it dominates this one. Whilst, it is to be expected that a scientific treatise would focus on research, it should be noted that it was also this aspect of the bill, which was causing the greatest controversy and the most vociferous lobbying to parliament.

The text producer's interpretive cues leave the reader in no doubt of his/her bias for the bill to be passed. The comment that the recommendations of the Warnock committee are 'now five years stale', implies, in this context, that pro-research legislation is long overdue. The use of the word 'stale' as opposed to the more usual 'old' is a cue of authoritative impatience, which sets the tone of the whole article. The second sentence retains this imperious mood, opening thus: 'That is why it is to be hoped that all concerned will pay more than passing attention to the article on page 768 of this issue...' Walsh's point is useful here, that interpretive cues not only express the text producer's identity, but they also serve to construct the reader's. She described the positionality of the reader as significant, as readers who feel excluded by the text's tone, mode or content may resist cues of linguistic inclusion. (For example, women reading a text that specifically speaks to men only, are ambivalently both drawn and rejected by the discourse.) The tone of this article would engender feelings of righteous indignation to a pro-research readership, however, in dissenting readers, it might well inflame their antagonism.

In response to the work being undertaken at Hammersmith Hospital, where embryos were being selected for their gender in order to prevent certain genetic conditions, the editorial comments; 'It is

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<sup>15</sup> The full transcript is reproduced in Appendix I pp. 233-234.

<sup>16</sup> J. Webster, 'Help for Scots', *The Scottish Daily Express*, 27/07/ 1978, p. 3.

important and relevant to the Embryo Bill that it is entirely predicted that the technique would be effective: endless experiments with other mammals have given ample assurance that it would be.' The strength of feeling here is conveyed by the use of the couplets, as in 'important/relevant' and the cues of certainty, 'entirely predicted' and 'ample assurance' that 'endless experiments' had proved. In this excerpt the authority of the editor has subtly transmuted into the supremacy of science, in a similar fashion to the bishops' statement, where the dominion of the church leaders became that of God. A dissenting reader now challenges science itself.

The technique of permitting the reader the freedom to hold opposing views is deployed in the penultimate paragraph and includes the following statement; 'There are many who hold that neither abortion nor the manipulation of embryos should be allowed.' As in the bishops' statement, the permission to choose belies the way in which the discourse has already constructed the reader's subject position, ensuring that a sympathetic reader will agree to the content of their own volition. By these means, employed throughout the whole piece, the reader will be more likely to accept the final, and most provocative, sentence; 'And properly briefed, the authority [i.e. the proposed HFEA] should give the lie to those who also argue that the manipulation of embryos before implantation is the beginning of a dangerous slippery slope.'

### **The construction of woman**

Despite the fact that woman's anatomy (uterus, X-chromosome), and reproductive activities (implantation, pregnancy, abortion) are mentioned, woman herself is absent from the discourse. In a straight reading of the piece, familiar as we all are with accounts of embryo research in our daily papers, this does not seem odd. Indeed, it is precisely the Foucauldian challenge to everyday, commonplace assumptions that requires us to deploy a method of counter-thinking. For, as in this discourse, it has become normal to discuss woman's bodily parts and functions without acknowledgment to her. In this text, woman's reproductive passivity has effectively made her invisible, yet without her concrete *agency*, there would be no embryos on which to conduct the research that the piece so vehemently endorses.

Moreover, by the way the text does not make its appeal for research to *women*, but to fellow scientists, it thereby effectively constructs woman as a compliant, passive, available research object. In addition, by not conceding to a woman's potential to refuse permission for embryo research, her agency is even further eclipsed. Finally, the

already quoted sentence that includes the following phrase, 'endless experiments with other mammals' simultaneously equates woman with animal research and ensures her invisibility. For, in its insistence that embryo manipulation (i.e. removing a cell) could be 'entirely predicted' and that the 'technique would be effective' it overlooks and negates the fact that this experiment will be conducted for the first time inside women's bodies. It is worth noting, that Edwards and Steptoe undertook their IVF experimental procedures on women based on the Edward's successes with mouse embryology. IVF had not been conducted on primates prior to being undertaken in women.<sup>17</sup>

### **The construction of the embryo**

The whole tone of the piece is couched in the impersonal language that befits the scientific culture, masking, as I have shown in the first section, its emotive stance behind a so-called objectivity. This linguistic ambivalence is deployed in the references to the embryo and is a significant technique in its construction. The article's standpoint towards the embryo is effectively signposted by the shortening of the proposed legislation in the text from the 'Human Fertilisation and Embryology Bill' to simply the 'Embryo Bill'. In this text, the embryo is constructed as a research object. Whilst the research at Hammersmith Hospital to help families with hereditary sex-linked conditions is described in purely scientific terms, disregarding not only the emotionally charged potential of this work, but also the parent's agency altogether, the words used in reference to the embryo are, conversely, highly emotive.

Consider the following; the embryo is to be 'manipulated' (this term appears three times in the text), have its properties 'exploited', to have cells removed, to be 'screened' and 'implanted' and in addition, 'Defective embryos will, of course, be discarded.' Notably, this last sentence could have been written differently to convey the same information, thus: 'embryos carrying a defective gene will, of course, not be implanted in the uterus.' There are two techniques operating here simultaneously to achieve the same effect. Firstly, there is the transference from a defective gene to a defective embryo, which follows the technique of objectification of others described by Foucault in the categorisation of homosexuals as a species, who had, hitherto, been men who practised acts of sodomy. Secondly, by using highly charged words such as 'manipulate', 'exploit', 'defective' and 'discard', which would be horrific in the case of a human child but are acceptable for research objects, the emotive terms effectively *distance*

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<sup>17</sup> L. Silver, *Remaking Eden: Cloning, Genetic Engineering and the Future of Humankind?* (London: Phoenix, 1999), p.79.

the embryo from its potential of becoming human. In the context of a discourse that uses the Foucauldian tools of 'anonymity ...classification...objectification' the research potential of the embryo is secured.<sup>18</sup>

### **The year of designer babies - 2000**

It is now twenty-two years since the birth of Louise Brown. In the course of my research, I undertook a newspaper search of all the NRT related articles in September and October 2000 that appeared in the Scottish Daily Mail and the Sun newspaper.<sup>19</sup> The choice of these two particular months was not entirely random, as I was interested in the reporting of the first 'designer baby', Adam Nash, who was selected as an embryo to be both free of his sister's inherited Fanconi anaemia, and also to be a tissue type to provide her with life-saving stem cells from his umbilical cord.

However, in conducting a coding of these stories, I discovered a plethora of articles on the NRT, both news and commentary, that covered the front-pages, the inside spreads, the editorial and social opinion slots, the supplements and the readers' letters page. I have tabulated these articles in chronological order, giving the headlines, subheadings and photographic captions, where appropriate, to provide an overview of the prolific, circulating discourses that were in the cultural milieu of that selected period. Whilst it may have been a particularly controversial time, the sheer abundance and front-page prominence of these stories demonstrates both the popular interest and the high level of exposure of NRT discourses to the public consciousness.

### **A Summary of the newspaper accounts**

Out of a possible 61 days in the two-month period, the Sun ran NRT related stories on 12 days and the Scottish Daily Mail featured articles on 19 days, covering a total of 24 different days between the two papers. The Sun dedicated 23 pages to NRT stories, the Scottish Daily Mail, 34 pages.<sup>20</sup> The number of front page features for the Sun was two, for the Scottish Daily Mail, four.

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<sup>18</sup> S. Grimwood, 'Some Foucauldian Perspectives', p. 105.

<sup>19</sup> Occasionally some articles are from the Scottish Sun, and when this occurs, it is noted in the reference.

<sup>20</sup> Whilst I included the account of a murder in the USA in my coding, because of the discourse concerning a woman so desperate to have a baby that she would murder someone for this, nonetheless, this story has not been included in this count.

#### **Critical Discourse Analysis No. 4: The Headlines of Articles featuring the NRT and associated topics in the period between September and October 2000 in the Scottish Daily Mail and the Sun Newspapers<sup>21</sup>**

For my third critical analysis, I propose to interrogate the headlines that have been used to give titles to these stories and commentaries. In extending Walsh's useful insights regarding the text producer's and reader's identity, I would suggest that headlines are particularly significant interpretative cues.<sup>22</sup> From the text producer's vantage point, they are designed specifically to draw the reader's attention to encourage the article to be read, and most importantly, when they appear on the front-page, for the paper to be bought. The fact that six NRT related stories graced the front-pages is significant in itself, as the editorial selection would have had sales figures in mind when choosing to give them front-page prominence. The headline has to sum up the gist of the story with an emotive thrust, usually negative and voyeuristic, of shock, horror or fear, or occasionally hope, to entice the reader.

With regard to new procedures of assisted conception, the media have immense power over the discourse, because they are often the first people to bring the story to public attention. In this way, it is the media, who will be responsible for naming the processes, not the scientific community. Once the papers have coined an epithet, it sticks, even being used in common parlance by the medical profession and the broadsheets. Furthermore, the stance that their dominant discourse takes is influential over their readership, as they have expertise in couching the issues in everyday language and aspire to champion the feelings and thoughts of the 'common man' (sic) soliciting his sympathy to their views by their defence of his interests. Occasionally, the tabloids misread the mood of their readership as in the recent case when Frank Bruno was taken ill with depression.<sup>23</sup> In that particular instance, the Sun's rapid retreat from their original standpoint in response to readers' criticism demonstrates the

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<sup>21</sup> The complete list has been transcribed in chronological order in Appendix I, pp. 235-241. All quotations given in this section from the papers' headlines will be reproduced in the way in which they appeared in the paper with regard to the use of capitals, italics, inverted commas and so forth. Cited articles are also listed in the bibliography, but some quotations are from the captions under photographs, which are in the Appendix only.

<sup>22</sup> See Chapter Two, p. 54.

<sup>23</sup> The early editions of the Sun newspaper on Tuesday 23/09/2003 ran the headline, 'Bonkers Bruno locked up', but following a storm of protest from readers, later editions changed the headline to 'Sad Bruno in mental home.' Moreover, in response to their readership, the Sun not only called Bruno a hero, but also set up a fund to support people with mental health difficulties.

symbiosis of this relationship, illustrating that the cultural ambience is also a critical factor for the paper in the selection of news items.

The two newspapers selected for the coding have a wide readership directed at different sections of the population. The Sun's NRT stories were centred more on the sensational human aspects, whilst the Mail's remit included issues of biotechnology and its implications. A close inspection of both papers' linguistic structuring of their headlines demonstrates that they are not that different from each other. Both papers use sensational language, eye-catching epithets and emotive terms, however, the Sun is more likely to use vernacular language, such as 'tot' as opposed to child, than the Mail.

### **Dominating stories**

#### **The Hampshire IVF Clinics story**

Three news stories dominated this two-month period; the first was the one, in which frozen embryos had been lost at two Hampshire IVF clinics. Whilst the Mail featured this story once on page 17: 'Mothers told: You may have had the wrong test-tube baby', 'Embryologist is suspended amid fears of a fertility clinic mix-up' (B. Marsh, 23 Sept), the Sun chose to give it enormous prominence. The Sun not only gave front-page coverage on two separate occasions, (23 & 25 September) but also, on the 23 when the story broke, it dedicated four other pages and included an editorial comment. In addition, the Sun ran the story for a further five days, choosing to interview one of the affected couples in a two-page feature. The front-page headline on the 23<sup>rd</sup> opened with '80 COUPLES IN BABY MIX-UP NIGHTMARE' and the subsequent, running headline on each of the four following pages read 'BRITAIN'S BABY MIX-UP SCANDAL'.

What is significant in these headlines is the fact that it was *embryos* that had been misplaced, not babies. Whilst it would be entirely legitimate to speculate in the article the possibility that some embryos might have been implanted and subsequently developed in the wrong mothers, nonetheless, at this stage that was not concretely proven. In contrast to the article in *Nature*, where the embryo had been constructed as a research object, in these misleading titles, it is being constructed as having almost conclusive human potential. Consider the following: 'THEY'VE LOST OUR LAST HOPE OF A BABY' and 'MUM: CLINIC LOST SIX OF MY 'BABIES''. This second headline is the only one in which babies has been put in inverted commas. A further function of this discourse serves to undermine the fact that, for most women, IVF remains statistically an unsuccessful procedure, currently running at about 20 per cent.

Moreover, the Sun's treatment of this news story, promotes a clinical, as opposed to a research, standpoint to IVF, paradoxically, by its concerted condemnation of *medical* unprofessionalism. This is borne out by the letters page, where the headline reads 'Test-tube baby scandal shows we can't trust NHS' and refers to this being the 'latest in a line of NHS scandals' (Sun, S. Cook, 2 Oct, p. 28,). Whether this misconception was deliberate or not (the paper refers to the clinics in its own pages as 'private'), nevertheless, by identifying IVF with the NHS, its clinical application is reinforced. In addition, the tone of righteous indignation by the Sun, indicated by the repeated word 'scandal', is specifically directed at the clinics, not at the couples, nor at the process. Indeed, the response from readers on the letter's page (The Sun, 'Test-tube babies scandal shows we can't trust NHS', 2 October, p.28) demonstrates how far IVF has been assimilated into socio-cultural thinking as a normal, alternative method of procreation.

Furthermore, on page 5 of the Sun newspaper on 23 September, there is a photograph of Louise Brown as a teenager with an IVF baby.<sup>24</sup> It is juxtaposed next to the headline: 'PIONEERS IN LONG, HARD FIGHT TO CREATE FAMILIES'. Gale's predictions that Louise Brown would retain her notoriety have come to fruition, but not in the way he had envisioned. The construction of (good) IVF practitioners as heroic has lost its Frankenstein edge with the promotion of Louise's *normality*; in addition, their service in providing IVF is constructed as a 'battle for the good' in the creation of *families*, not just babies. In this way dissenting voices align themselves as anti-medicine and, more powerfully, anti-family thus ensuring the symbiotically secured place of IVF in the mainstream culture. Yet, paradoxically, the stories covered in this two-month period alone illustrate just how much IVF has created the conditions for biotechnological research to flourish.

### **The Nash family story**

Whilst the Mail had featured the 'lost embryo' story, its coverage was less prominent and less sensational. However, it chose to give front-page coverage to the second major story in the two-month period with the following headline: 'BABY MADE IN A TEST TUBE TO SAVE HIS SISTER'. This was the beginning of the Nash family controversy, in which Adam Nash was conceived by IVF and his embryo was selected to be both free of his sister's inherited condition and also to be a tissue match to provide vital stem cells to save her life. The Mail's coverage on the 4 October included a referral to Adam

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<sup>24</sup> As it is 22 years since her birth, presumably this is an old photograph.



on page 11 as a 'spare-part' baby, but elsewhere the epithet 'designer' baby was used in the text and in the headlines of the following day's papers. The epithet 'designer baby' has become synonymous with children born from embryos *selected* for their ability to help others, not as the misleading phrase suggests, engineered embryos. In some respects, the phrase, 'spare-part' baby in the Mail's October 4<sup>th</sup> headline was a more accurate, albeit derogatory, epithet, as Adam *was* chosen for his spare parts (literally), that is, his umbilical stem cells.

The word 'designer' is interesting as it is not a wholly negative word, unlike 'spare-parts' in the images it conjures. What is notable about 'designer' is that whilst it retains vestiges of the Frankenstein myth in the notion of 'making a product of human creation', paradoxically, it loses the laboratory image of test-tube and IVF in favour of a more up-market concept bringing to mind the popular, cultural obsession of designer, consumer goods. Whilst 'designer labels' have received condemnation in oppositional consumer discourses, nevertheless, they retain a 'must-have' construction in the discourses of popular consumerism. Consequently, whilst dissenting voices may herald the possibilities of human genetic engineering in this new development of the NRT, they are battling against a construction that has latched on to a primary feature of Western capitalism.

The following headlines demonstrate both papers' approbation of Adam's selection, emotively eliciting hope, sacrifice, saving lives and family love: 'ETHICAL STORM AS 'DESIGNER BABY' SAVES SISTER'S LIFE', 'KISS OF LIFE ... Molly gives a loving cuddle to tiny Adam, whose cells are saving her', 'ONLY GOOD CAN COME OF ADAM'S CASE' (The Sun, 5 October) 'Ethics don't matter: As a mother, I'd do anything to save my child's life. An American couple defend their right to have a 'designer baby.' (Mail, 5 October) 'We want a test-tube lifesaver for our girl too', 'BRITS COUPLE'S BID TO COPY FAMILY WITH DESIGNER BABY', 'We are not playing God we just want to save our little girl,' and the photograph caption, 'LIFELINE... Ellen and Simone, who can be saved by IVF baby'. (Sun Woman, 6 Oct)

The headlines used to describe IVF and its biotechnological development of embryo examination has, in this instance, promoted a heroic construction with the phrases, 'kiss of life,' 'lifeline,' 'lifesaver' and the repeated verb, 'save', which is used five times in this selection of examples alone. What is significant here is the building of a construction of the embryo that has, by implication, a potential for saving lives. The biomedical establishment's predictions of stem cell technology both tap into this construction, whilst simultaneously, strengthening it. The embryo's subject position is becoming

increasingly complex with contradictory roles of research object, having concrete human potential and heroic lifesaver.

### **The Masterton family story**

Whereas the Nash family had received enormous media sympathy, by comparison, the story of the Masterton family, which broke on the following day, did not. The Mastertons' young daughter had died in a bonfire accident and the couple, who had four older boys, wanted to use IVF and embryo sex selection to have another daughter. The Sun's coverage of the Nash and Masterton cases was less prominent than its coverage of the first story had been. However, the stance it took was similar to the Mail's in terms of supporting the Nashes, but not the Mastertons as coverage of their case included a commentary with the following headline: 'WHY PARENTS SHOULD NOT HAVE THIS CHOICE' (J. Thornton, 19 Oct, p.19).

In contrast, the Mail chose to give a consecutive day's front-page coverage on the 5 October to this story with the following headline: 'NOW THE 'RIGHT' TO CHOOSE THE BABY'S SEX', '24 hours after the U.S. designer baby storm, a British couple demand a test-tube daughter' (M. Seamark & J. Mills). They dedicated pages four and five to the story with the headlines: 'All we want is a girl like Nicole', 'Couple who lost their only daughter in bonfire tragedy say they will take their fight to the European Court in bid to ensure their IVF child is female'. Notably, the paper featured a social commentary across the same two pages with the headline: 'Special pleading must not be allowed to prevail.' On page 13, the Mail continued its coverage of the Nash family with the following headlines: 'Ethics don't matter: As a mother, I'd do anything to save my child's life', 'An American couple defend their right to have a 'designer baby.'"

There are several pertinent issues that these headlines reveal, which are fuelled by the close proximity of the two stories occurring at the same time. Both papers studied chose to take advantage of this phenomenon in their commentaries. Firstly, despite acknowledging the Mastertons' tragedy, with regard to the death of their daughter, nonetheless, the Mail's condemnation of their wishes is couched in unsympathetic language. The front-page headline begins with the word 'now' giving the tone of exasperated impatience to what follows. The word 'right' is placed in inverted commas, conveying the Mail's obvious challenge to this assertion and in direct contrast to the article on page 13, where the use of the word 'right' in connection with the Nash family has no inverted commas. In addition, by choosing the word 'demand', as opposed to request, or more emotively plead, the paper places the Mastertons in a position of

truculence. This is reinforced by the headline on pages four and five, which describes them as taking 'their *fight* to the European Court.' (my emphasis)

In keeping with the headlines that the Nash family were given, the Mail, if sympathetic to their cause might have written something like, 'Bereaved couple beg for test-tube daughter to heal their family'. For, as we have observed, the concept of embryo selection to save others has the paper's approbation and the notion of IVF creating 'families' is now circulating in the popular consciousness. There is a certain irony that the Mail chose to headline their article about the Nash family on page 13, in the same edition, with the opening words: 'Ethics don't matter'. The headlines of the next few days convey the ambivalence that the Mail takes towards embryo selection with the following headlines: On the 6 October, 'Adam, first child in new era of hope', 'As a row over designer babies erupts on both sides of the Atlantic, one British couple tells Femail... How we selected the sex of our darling daughter'.<sup>25</sup> 'Was 'engineering' baby wrong? (Letters page). On the 17 October, 'New twist in storm over sex selection of babies'. On 20 October, 'Saved, the girl given 'designer baby' cells.'

Perhaps, it is no surprise then, that with the controversy of these two cases, the Mail should yet again bring a NRT story to its front-page on the 23 October. It must have been the case that these stories were giving good sales figures which, again, reflects the symbiotic relationship of the media and popular interest, and critically, the backdrop of a capitalist system that underpins both newspaper sales and biotechnology. What is notable about the story on the front-page of the 23 October was that it hooked into the sensationalism of the month's coverage of the NRT, rather than having any substantial newsworthy value in its own right.

The emotive headline read: 'IVF TEST TO GIVE PARENTS 'PERFECT BABIES'', followed by an inside headline on page 6, which said, 'Do we want baby quality control?' The crux of the story was a technique of screening in IVF clinics to ensure the best embryos were selected for implantation in order to improve success rates. In one sense, it was merely an extension of good practice that had been undertaken since the beginning of IVF, that is, to place the healthiest looking embryos in the womb, if there were several to offer a choice, in order to increase the chances of implantation. However, the thrust of the headline has two subtle functions working in parallel to each other. It invokes both the myth of Brave New World, and more powerfully, the horrors of the Holocaust, whilst *simultaneously*, promoting the

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<sup>25</sup> This was done by sperm differentiation and artificial insemination of the husband's sperm, not through IVF.

technology of IVF in a competitive, capitalist system, in which the elite are valued and their prowess is sought after.

### **The construction of woman as mother**

What is significant in these three stories is that woman, whom I have previously demonstrated has had a construction of reproductive passivity that obscures her personhood, is speaking in these discourses. It might seem at this juncture that either my analyses in the earlier section need to be revised, or alternatively the climate has changed dramatically, constructing woman differently. It is my contention that the previous analyses remain valid and that the statements, being fluid in their power to construct, have 'transformed' and 'correlated' with the passage of time adapting to the socio-cultural changes that have occurred over twenty-two years.<sup>26</sup>

For example, one of the correlative techniques that has been assimilated into the cultural milieu is the 'media confessional', whereby both celebrities and non-famous people pour out their personal stories to the media that, hitherto, would have only been divulged to a close confidante. When woman speaks in these NRT discourses, she is doing so in the manner of this discursive practice. Furthermore, I will reveal in my examples, that the construction of reproductive passivity has 'transformed' from silence into woman's speaking, thereby, paradoxically, eliciting woman as agent in her own passivity, which accords this construction even greater power. For, a close reading of that voice demonstrates that woman is only being permitted to speak as 'mother' and through her speech a construction is being formed of woman, who will 'do anything' to be a mother, and as a mother, will 'do anything' for her child. What is *missing* from her speech is any critique of IVF, the clinics, the cost, her treatment, requests for spare embryos, and very little description, if any, of her work or wider interests.

The Sun's extensive coverage of the lost embryos included a two-page interview with one of the couples concerned on the 3 October, followed by a further two-page feature on the following day. In the text of both articles respectively entitled: 'We'll never know if our 'babies' were thrown out as trash .. or is someone else having our children?' and 'I see mums playing in the park and I know I will never do that', it is Lisa Butlin, the woman, who is accorded the most speech. Other mothers who speak are as follows:

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<sup>26</sup> This is discussed in Chapter One, p. 35.

Jane Parfitt, 'As a surrogate mother I just wanted to give to others, but I ended up destroying my own marriage.' (Mail, L. Gibson, 29 Sept, pp. 32-33)

Lisa Nash, 'Why I gave birth to a 'spare-part' baby.' (Mail, J. Chapman, 4 Oct, p. 11) Lisa Nash is quoted at length in the text, not her husband, although the headline is not taken from any of her words; I would suggest the text producer compiled this. 'Ethics don't matter: As a mother, I'd do anything to save my child's life.' (Mail, S. Chalmers, 5 Oct, p. 13)

Louise Masterton, whose husband is also quoted, 'All we want is a girl like Nicole' (Mail, L. Collins, 5 Oct, p. 4-5)

Ellen Phillipson, whose daughter also has Fanconi anaemia, 'We want a test-tube lifesaver for our girl too' (Sun Woman, R. Perrie, 6 Oct, pp. 1-2)

Gill Clark and her husband both talk about having a daughter using artificial insemination of his sperm, following a process of screening to separate X and Y chromosome bearing sperm, 'How we selected the sex of our darling daughter'. (Mail, 6 Oct, pp. 30-31)

Pat Anthony and her daughter Karen discuss Pat's surrogacy of her daughter's three embryos (fertilised by Karen's husband) and the subsequent birth of triplets, now 13 years old, 'The triplets who discovered granny gave birth to them'. (Mail Supplement, Weekend, 28 Oct, pp. 26-27.)

In the course of this analysis, as previously stated, I am not in *any* way decrying the genuine distress of these people (or the joy in the case of the Clarks and Pat Anthony's family) nor am I criticising the desire to become a mother or the terrible panic one feels when one's child is very sick. What I am endeavouring to illustrate is that in the selection, prominence and structuring of the discourses that tell these stories, techniques of objectification, normalisation and construction are being consciously and unconsciously deployed by the text producer and similarly received by the reader. For example, the adjective most commonly applied to these couples, and the women in particular, is 'desperate'. Whilst for each individual this may be the case, nonetheless, by its repetitive use and persistent exposure, it becomes a mantra, constructing woman as incomplete if childless. Ironically, this only serves to make acceptance of infertility even harder to bear.

Furthermore, this construction of motherhood is particularly significant in a time of demographic change when both men and

women are marrying later and having fewer children at an older age than ever before.<sup>27</sup> I have phrased this last sentence carefully as it takes a couple to marry (or cohabit) and start a family. However, this obvious fact goes against the grain of the dominant everyday discourses, which antagonistically places the responsibility for late motherhood on woman's shoulders alone. A typical example of this can be found in the headlines of my selected two-month period: 'How older mothers put baby at risk' (Scottish Daily Mail, J. Chapman, 28 Sept 2000, p. 19)

The article discusses the dangers, and a few benefits, of older motherhood solely in terms of woman, such as; 'Researchers already know that *women who wait* until their mid-thirties to start a family double their chances of miscarriage'. (my emphasis)<sup>28</sup> Conversely, older single women, who are not in a relationship and yet wish to have a child, are maligned in the NRT discourses for seeking single parenthood. Ironically, it is the agency of men that is missing from these accounts. Furthermore, by aligning male procreation with virility, the treatment of late fatherhood is usually constructed with admiration, even envy, in celebrity accounts, with some discourses suggesting that older men make better fathers.<sup>29</sup>

I would contend that these discourses, which give sympathetic encouragement to IVF participants and accord blame to older mothers and single mothers are working to construct woman as 'mother in the nuclear family' by the technique observed by Foucault in the *École*

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<sup>27</sup> In 2000, the average age for first marriages was 30 for men and 28 for women. In 1961, it was 26 and 23 respectively. In 2002, there were just under 9 births per 1000 women aged 40, but this has nearly doubled since the 1980s. The average age for women to have a child is 29.3 compared with 25 ten years ago (when one takes into account the number of young single mums who will be included in this statistic, bringing the mean down, for many career women the average age is likely to be higher than this). The fastest growing age group for births is women aged 35-39 and 40 and over.

<sup>28</sup> Although the article states that older mothers are more likely to breast feed and have more intelligent children, nonetheless, the overwhelming content suggests that older mothers are endangering their baby's health.

<sup>29</sup> A good example of this is the article written by Dennis Barker (who became a father at 61) in his advice to Sir Ralph Halpern, who had also just become a father at 61. The piece is an unabashed polemic in defence of older fathers being better parents with such comments as the following: 'It leaves more energy for when it is really needed - such as when matters of health and education are to the fore or when the child is in any sort of real predicament. You may miss the fact that your child is unhappy or otherwise in a mess if you are too concerned that his or her scuffed shoes let your own reputation down, which you are more like to do at 25 than 55.' (D. Barker, 'How's your old man?' *The Guardian*, 17/10/2000). In addition, the aspect of dying before the child reaches adulthood is treated as a sadness, rather than an irresponsibility, although this is often the accusation aimed at women who become mothers after the menopause with IVF.

*Militaire*. Bucking against the demographic trend, young, married motherhood is exemplified as ideal, but it is woman alone, who is targeted by privileges and punishments towards this conformity. In addition, by consistently revealing the ages of the couples involved in IVF, which are usually mid to late 30s or early 40s, the technique of blaming 'older women who wait' subtly apports responsibility onto infertile women for their own predicament. As I have said, there is nothing new in this societal subject positioning of woman, but what is innovative, is the way in which the discourses of the NRT have embraced this orthodoxy within the biotechnological post/human vision.

The media treatment of the Masterton couple requires exploration, as this was a dominant story, which stood out from the others due to the lack of public sympathy it received.<sup>30</sup> Currently, sex selection of embryos is permitted for medical reasons, that is, to prevent the conception of children with genetically inherited sex-linked conditions, such as haemophilia, but prohibited for social ones. Possibly in light of the Masterton case, the HFEA were recently commissioned by the Department of Health to conduct a public consultation on the matter with regard to changing the rules concerning this. The results of the survey were that the public did not want sex selection for social reasons, despite the potential caveat that this should be only used for family balancing following the birth of two children of the same sex.<sup>31</sup>

Whether it is the case that the media had judged the public mood correctly or whether popular feeling had been influenced by the media condemnation, it is impossible to surmise. It seems to have been the case that a distinction was made between having IVF to save an existing child and having IVF to *replace* a dead one, which the media championed despite the couple's protestations that this was not the reason for their request. In considering what this discourse means in terms of the construction of woman as mother, there is a

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<sup>30</sup> I discussed this case, briefly, in my interview with the Rev Dr R. Holloway, who was personally sympathetic to their plight. See Appendix II, p. 248.

<sup>31</sup> The Rev Dr R. Holloway was involved in the first public consultation on sex selection, when he was serving on the HFEA, which took place in 1993 –see Appendix II, pp. 244-5. More recently, the minutes of the HFEA's May 2002 meeting demonstrated that there was a Steering Group on Sex Selection (<http://www.hfea.gov.uk/AboutHFEA/AuthorityMinutes/2002/May2002>, p. 3). At the request of the Secretary of State for Health a second consultation was launched on 23 October 2002, which considered the issue of sex selection for 'family balancing.'<http://www.hfea.gov.uk/PressOffice/Archive/56345735>, p.1) On 12 November 2003, the HFEA announced their recommendations that sex selection with regard to sperm sorting should be regulated and that the current policy of using sex selection of embryos to prevent sex-linked diseases only should continue. (<http://www.hfea.gov.uk/PressOffice/Archive>, p. 3).

definite punishment being applied to the woman seeking motherhood outside the boundaries of what constitutes the 'normal' family. I have said 'woman' because, as I have demonstrated, it is to woman that the techniques of persuasive conformity are directed. Woman's desires to selflessly have a child for her husband or to save a sibling are sanctioned, but her desires to have a child to satisfy her own needs are not.

### **The construction of woman as animal**

I wish now to interrogate a different aspect of the construction of woman that is becoming increasingly prevalent with the rise of popular biotechnology discourses. As I shall demonstrate, it is not a new subject position, nor a fixed one; indeed, my analysis in this case, centres on how the fluidity of a construction *per se* can be part of its functioning capability. It is my contention that the discourses of animal and human biotechnology have commonalities that pass through an increasingly permeable boundary. Furthermore, the route of linguistic osmosis, through which knowledge and functioning statements pass, is centred in both discourses on *female* bodies. In this way, animal discourses correspond predominantly with constructions of woman, as opposed to generic humanity. It is my premise that as these discourses deploy reproductive language interchangeably, a technique is being established whereby animal biotechnology, by transformation, can find an entry into the discourses of woman without *seeming* unusual.

Moreover this opening is strengthened by constructions and entrenched ideological concepts of woman passing through the boundary into the animal discourses. I referred in Chapter One to Foucault's understanding that statements were primarily *functioning* units that can cut across structures and that 'an appreciation of fluidity and difference' was essential to the conceptualisation of how power flows. Moreover, this cognisance is critical in aligning the discourses to their political influences and ramifications. The use of this particular technique operates by the assimilation of the atypical into the everyday, creating a newly established 'commonplace' where challenge becomes unthinkable.

As I have previously argued the case that the article in *Nature* constructed woman as a compliant research object, I propose now to conduct an analysis on an animal discourse in order to demonstrate my premise that constructions of woman have transformed into the textual statements contained within it.

In the selected two-month period of coded newspaper stories, there is an article on animal research that I have chosen to analyse. I propose



to split the analysis into two sections, the headline and then the text of the article. I will begin by focusing on the headline itself, which is a highly significant interpretive cue that draws and prepares the reader for what follows. I would assert that headlines have the potential to be immensely powerful because they can evoke discursive fields that unconsciously positions a reader into a multiplicity of interlocking discourses and ideologies *before* they begin to read the text. The following is a particularly good example.

**Critical Discourse Analysis No.5: The Scottish Daily Mail, 9 October 2000, p.25, written by B. Marsh<sup>32</sup>**

### **The cow that brings hope of resurrection for extinct species**

#### **The headline**

The headline begins with 'the cow', which is also a well used and highly familiar, derisory epithet for woman. Whilst some of the content was about using cows as surrogates for an endangered species, nonetheless, the title could have been written otherwise, after all it was hardly the domestic cow that devised the biotechnology that made this possible. This is the first word that is read, and in a similar way to the working of metaphors, all the images and meanings of this word will be consciously and unconsciously conveyed to the reader. There is a photograph that accompanies the article of a gaur and her calf. The caption underneath states, 'Breakthrough: Gaurs like these could flourish again if cloning proves a success.' What is interesting about this with regard to the headline is that a picture of a farmyard cow is *not* featured. The photograph correctly points the reader to the fact that this is an animal discourse, whilst simultaneously leaving a discursive space for the images of 'cow'. This permits all the unconsciously conveyed meanings of 'cow' to remain in the mind without securing them to a picture of bovine familiarity.

The words 'hope' and 'resurrection,' in *juxtaposition*, are reminiscent of the gospel story conveying multiple images of the divine, of self-sacrifice, of new life and the miraculous. This correlation between the discourses of biotechnology and religious symbolism has become part of everyday parlance, especially since the advent of the Human Genome Project, which has claimed so much media attention, since it was announced on 26 June 2000.<sup>33</sup> What is pertinent in this case is

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<sup>32</sup> The full transcript is reproduced in Appendix I pp. 241-2.

<sup>33</sup> Press announcements included such headlines as: 'The book of life' (*The Times*, *The Financial Times*, *The Observer*), 'the story of life' (*The Guardian*), 'life's secret manual' (*Evening Standard*) and 'The miraculous map of mankind' (*Daily Mail*). Taken from the Wellcome News Supplement, Commemorative Issue, *Unveiling the human genome: The first draft 2001*, (London: The Wellcome Trust, 2001), p. 9. Also in

that the rise of the new construction of the embryo as 'lifesaver', which, as I have already mentioned, is being established in the context of the designer baby discourses, is being transformed to the ultimate pinnacle of 'life-giver' by its *correlation* with the discourses of religious symbolism.

However, the crucial word in the title is the one, which joins together 'cow' with 'hope of resurrection', that is the word '*brings*'. It is only in a close reading of a text that the inconsistencies or incongruity of a phrase can be discerned and I have already pointed out that it is not the cow that brings 'hope' but the new technologies. It is my contention that the use of the word '*brings*' demonstrates how discourses correlate, in the Foucauldian sense, and that a further ideological discourse is being recalled in this statement. In a similar way that I have demonstrated how the NRT discourses have been able to encompass and transform the traditional notions of woman's place *and responsibility for* the nuclear family, so now I wish to illustrate how these discourses are transforming another centuries old orthodoxy.

For, as I discussed in chapter one, Simone de Beauvoir's penetrating insights established that woman could only attain transcendence in her capacity to serve husband, family, church and country, as opposed to man who could do so in his own right. Man transcends through his own agency, whilst woman does so through her obedience. Yet, obedience is, in effect, actively choosing to be subservient to the rule of another, in other words, to *choose* passivity. De Beauvoir demonstrated that woman was ideologically positioned to achieve spiritual and ontological equality by her servitude and in this headline the cow is given parallel 'rights' in its capacity as 'willing flesh' to do the same. As the word 'cow' conjures up the derogatory icon of stupid woman, the title serves as both a justification of using woman as a surrogate, whilst simultaneously elevating her if she makes this her choice.

For, in this headline, it is the cow in its utterly, passive, reproductive role, which 'brings hope of resurrection'. The following three words 'for extinct species' leaves the reader in no doubt that, in this context, resurrection is meant (almost) literally. In this way the headline functions to accord an action of sublime passivity with one that is *simultaneously* divine, for could there be any higher spiritual power than bringing the dead to life? Furthermore, does this not also

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selection of coded headlines, Found, the secret of eternal life (well, at least if you're a worm)' (Scottish Daily Mail), 1/09/2000, J. Chapman, p. 29.

resonate with the first article twenty-two years ago, when Lesley Brown, constructed as passive, generic mother, 'held the whole world in her hands.'

## The article

### The significance of the cow

The article opens with the announcement that: 'Scientists using cloning techniques believe they may have found a way to eradicate the threat of extinction for endangered species.' Despite the elevation of the cow in the headline, this first sentence firmly re-establishes science as progenitor. The text continues: 'In a unique experiment conducted in the U.S., a rare ox-like jungle animal known as a gaur has been cloned and its embryo implanted in the womb of an ordinary domestic cow.' There are three significant antithetical phrases operating in this sentence, two of which are featured at one end of the spectrum and one at the opposite end. The continuum in question is one of extra/ordinariness.

The first two phrases are disparate in content but are aligned by their locus in the spectrum; the text informs the reader that 'a *unique* experiment' is conducted on 'a *rare* ox-like *jungle* animal' conveying images of exclusivity in both cases and exotica in the second. The corresponding other, 'an *ordinary* domestic cow' relates antithetically to the rarity of the gaur in content and to the uniqueness of the experiment in the construction of the spectrum. Thus the statement functions in a similar fashion to the headline by elevating the ordinariness of the cow into something special by its reproductive passivity. Yet, the statement functions at an even deeper level. For, in a Foucauldian interrogation of the everyday, why is the farmyard cow so described? Why has the text superimposed the Western human constructs of ontological hierarchy onto these animals *in this way*? For conversely, is it not the cow that is unique in its bountiful service to humankind, providing the nation with seemingly endless supplies of food and clothing? After all, whilst environmentally tragic, the extinction of gaurs could pass without notice but the loss of our cattle herds would be a catastrophe.

Moreover, not all cultures view the cow in this way as the Hindu construct of sacred status illustrates. By the use of the word 'domestic', as opposed to 'familiar' or 'plentiful', enhanced by the preceding word 'ordinary', the text producer has transformed the statement (in the Foucauldian sense) to correlate with the culturally assimilated and everyday construction of woman as 'ordinary, domestic supplier of bodily needs,' that is, mother. This connection is

further enhanced by the information that it has been possible to 'clone' the extraneous 'embryo' and 'implant' it in the 'womb'. These terms are now so familiar to the non-scientific reader from the NRT discourses that they can be written without the need for an explanatory comment. It is, therefore, noteworthy that the use of the word 'womb' is retained as opposed to the biological term of reference 'uterus', which might afford some distance between animal and woman. For, 'womb' is a far more emotive term, which touches a multiplicity of maternal images from non-scientific discourses that uterus does not. The effect of these opening statements is to place animal and woman in a discursive close proximity, whilst elevating science to god-like omnipotence.

The text continues: 'The breakthrough could have huge implications for the 5,435 animal species classed as 'threatened' by the World Conservation Union which include a quarter of all mammals and one in eight species of birds.' The simplicity of the text belies the enormous jump that has been made from a tentative beginning using a surrogate cow into the heroic potential for saving the world. Nearly every word in the sentence emotively taps into the (genuine) popular anxiety for planetary environmental health. My critique is not of that valid concern, but to the way a solution is being constructed. Words and epithets such as, 'breakthrough', 'huge implications', '5,435 species', 'threatened', 'World Conservation', 'quarter of all mammals' conjure up a picture of global calamity that can only be solved by cloning! In terms of the content this misses the critique of the problem, but in terms of the way the discourse is *functioning*, cloning and surrogacy are being constructed as saviours. In the permeability of an animal/woman boundary, the concepts of 'saving others' can move across the discourses gathering strength from their correlations and interconnections.

### **The significance of naming**

The article then states: 'The gaur is a humpbacked, cow-like animal native to India and Burma. The latest member of its species is due to be born to a cow called Bessie in Iowa next month.' In an incredible turn-about-face the discourse quashes the elevated status of its alluring creature by the adjective 'humpbacked' and raises the surrogate cow to unprecedented heights of human equivalency by the act of naming her. It is my contention that the act of conferring a name to an animal is highly significant, for in human society, the importance of giving or withholding a name is perceived respectively as an affirming or disempowering act. What is significant, in this instance, as it is with the keeping of pets, is that this is a human

construct, which situates specially favoured animals into a higher ontological place than they would otherwise be located.

Peter Singer elucidates clearly in his article 'All Animals are Equal' that human beings are speciesist with regard to animals in the same way that they can be racist and sexist to others of their own species and that this stems from the ideological roots of human dignity in the 'Great Chain of Being', where man's pivotal place above the animals was established.<sup>34</sup> However, I would contend that not only did the chain legitimise man's focal position, it also established the problematic concept of *hierarchy-of-being*, which has been used *within* the spectrum of humanity, as his reference to sexism and racism validates.

Moreover, because this chain was primarily conceived to address problems of theodicy, it enmeshed a divine justification for its own existence within the very concept of hierarchy itself. Kathleen Sands describes how ontology and worthiness became inextricably linked in this chain; she says, 'The notions of superior and inferior forms of beings, however, did refer to something: the supposed natural inequality of created goods, expressed in the Neoplatonic metaphor of an organic chain in which degrees of *goodness* were at the same time degrees of being (my italics).'<sup>35</sup> Consequently, *naming* an animal functions to send a powerful message about transcendence with regard to reproductive passivity. Whilst the import of the message will patently mean nothing to animals, its significance will permeate to woman, as a way of circumventing her ontological position.

Other examples in the text of interchangeable language and anthropomorphism are as follows:

This created an embryo with the gaur's characteristics which is *now growing inside Bessie*.

The panda's closest relatives -racoons and rabbits- are not *ideal surrogate mothers*, so a female black bear is being lined up to *carry a baby*.

A clear choice is being made by the text producer (albeit unconsciously) to use popular vernacular phrases rather than scientific terminology to describe reproductive events. The phrase 'now growing inside Bessie' as opposed to 'developing in the surrogate cow' is more intimate and personal than scientific language, tapping into the ways women often speak about their pregnancies. It

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<sup>34</sup> P. Singer, 'All Animals are Equal,' pp. 461-470, in *Bioethics: An Anthology*, Ed by H. Kuhse & P. Singer, (Oxford & Massachusetts: Blackwell Publishers, 1999) p. 468.

<sup>35</sup> K. Sands, *Escape from Paradise: Evil and Tragedy in Feminist Theology*, (Minneapolis: Augsburg Fortress, 1994) p. 2.

is my assertion that this is not simply a point of pedantry, for, in other contexts, language differentials are critical in making clear distinctions between human beings and the animal kingdom. Paradoxically, this is most obvious when an animal label is used as an insult as in cow, cat, bitch, dog, beached whale, ass, vixen and so forth. That these epithets should be most often directed at woman further illustrates the previous assertion regarding the Chain of Being.

In the second excerpt, the description of animal surrogates as mothers is disconcerting, precisely because there is no distinction being made between animal and woman. By contrast, bulls are described as impregnating cows, not *fathering* calves and male animal progenitors are known as studs, not fathers.<sup>36</sup> Moreover, whilst it may be acceptable in an animal discourse to discuss surrogates in terms of how 'ideal' they are, the transference of this concept onto human beings is both offensive and ethically dubious. The concluding phrase 'carry a baby' effectively demonstrates the fluidity of transformation that has been active in this text, for the language is so emotively human it would be considered anthropomorphic in any article, let alone one that is discussing biotechnological developments in animals.

### **The significance of science fiction**

The text continues:

Researchers hope to use the same technology to clone giant pandas. They believe they may even be able to recreate a species of Spanish mountain goat which died out nine months ago, using some of the animals preserved cells.

If successful, scientists will have accomplished the world's first resurrection of an extinct species, bringing the dinosaur theme park fantasy in Spielberg's Jurassic Park a step nearer to theoretical reality.

Animals whose wombs are deemed suitable to carry a different species could be implanted with an unlimited succession of species on the endangered list.

Pertinently, sandwiched in between these paragraphs the paper had highlighted in bold and larger font, 'We have a duty to do this', which was not directly taken from the text of the article. Blended into the sense of the miraculous is the imposition of duty with all its connotations of stoic, moral forbearance and religiosity. It is a word that is used to send people into situations against their will for a higher moral good. Its use in this context acts as an interpretive cue, not only revealing the text producer's identity but also functioning as

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<sup>36</sup> With regard to conferring animal epithets onto humans, stud is considered complimentary not offensive.

a justification device in the punishment/privilege normalising technique.

In these excerpts the text is drawing on two powerful, circulating, interconnected discourses, which are predominant in the cultural climate. The first is the one I have previously discussed, that of biotechnology as miraculous saviour, imbibing cloning and surrogacy as its vehicles of realisation. The second one is the discourse of the superhuman, which Graham interrogated in her genealogical approach to the perimeters of post/human ontological hygiene. Graham notes that, 'Transhumanism celebrates technology as the manifestation of human liberation from bondage to nature, finitude, and the vagaries of disease, decay and death.'<sup>37</sup> It is powerfully evoked here by reference to Jurassic Park, a work of science fiction that is 'a step nearer to theoretical reality.'

Notably, the backdrop to this discourse is a capitalist system that has invested heavily in biotechnology and expects returns on that investment, offering a solution to the world's problems by a route of further sophisticated consumerism as opposed to one of genuine conservation. For, would it not be more effective to seek ways of arresting resource exploitation, thereby preserving environments for species to flourish, than to offer expensive ways to treat the symptoms leaving the underlying disease untouched? The text continues with the following comments:

Robert Lanza, vice president of medical and scientific development at Advanced Cell Technology, said: 'It's not science fiction, it's real.

'A hundred species are lost every day and these mass extinctions are mostly our own doing. Now we have the technology to reverse that, I think we have the responsibility to try.'

Having informed the reader that Jurassic Park is a 'step nearer to theoretical reality', the text producer includes the quotation from the scientists that this is '*not science fiction, it's real*'. (my italics) This functions to challenge the borders of what constitutes human norms by adding a frisson of fear and excitement to those deep-seated human fantasies of overcoming human mortality. Immediately, the quotation continues by expressing the loss of species in a couplet for emphasis, 'a hundred species are lost every day' and 'mass extinctions' then follows this with an admission of it being 'our own doing'. The subtle use of the pronoun 'our' and 'we' in the next sentence engages the reader as complicit in both the problem and the

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<sup>37</sup> E. Graham, *Representations of the post/human Monsters, Aliens and Others in Popular Culture*, (Manchester: Manchester University Press, 2002), p. 9.

solution. 'Now *we* have the technology to reverse that, I think *we* have the responsibility to try.'

The discourse taps into the well-established construction of science as 'progression' and 'miraculous saviour' and that of 'experts knowing what is best' and offers the individual reader, who feels powerless in the face of global calamity, a way of atonement. In terms of the content the piece is comically illogical, for unless the conditions for survival are changed, then cloned species will continue to become extinct. This aspect is not addressed in the article; the dissent expressed is directed at the difficulties of using different species as surrogates and the ethics of creating duplicate creatures. Whilst it may seem that I am labouring a point that is irrelevant to my main premise, I would argue that in terms of how the discourse is *functioning*, it is critical to my central contentions. For these statements are engaging readers, in a Foucauldian sense, in constructions and subject positions that, as I have demonstrated, can transform through the permeable barrier into the discourses of woman and thereby into post/human norms.

**Critical Discourse Analysis No. 6: The BBC Documentary, *Creation*, from the series 'How to Build a Human' screened in 2001.<sup>38</sup>**

In this next section, I propose to conduct a critical discourse analysis on a BBC television documentary, *Creation*, the first in a series entitled *How to Build a Human*, which was shown in 2001. The subject of the documentary is therapeutic cloning and its potential to cure a wide range of conditions, for which current treatment can only offer palliative remedies. Through this analysis, I intend to demonstrate how differing and sometimes contradictory constructions of woman have been incorporated teleologically in the discourse to support stem cell research. Some of the constructions and the subject positions, which they engender, have already been discussed and I will refer to these without repeating what has already been established.

### **Creation**

The film centres on a commercial company, Advanced Cell Technology (ACT), in Worcester, Massachusetts, which is coincidentally the same corporation that featured in the previous newspaper account. The film follows the actions of its main protagonist, Dr. Jose Cibelli, who aims to be the first person to clone a human embryo by nuclear transfer. The programme is delivered in

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<sup>38</sup> For this critical discourse analysis, I have chosen to place the coded excerpts in to the body of the text, as they are relatively short and this allows the reader easy access to the discourse being analysed.



the style of a drama-documentary, hyped up with exciting music, science-fiction images and projections, interspersed with interviews from experts and 'ordinary' people. In recalling Walsh's insights that interpersonal framing devices are the 'driving force' of language, then it follows that these intertextual devices of the film genre can be powerful collaborators in the deployment of functioning statements. Consequently, I have included a few pictures taken from the programme to give a flavour of the visual aspect.

For, if the evocation of discursive fields engendered by metaphors in the thrust of a headline can be an effective technique, how much more influential will these interpretive cues be as they encompass the sensory receptors of sight, sound and imagination? In the context of this particular programme, I would assert that these are primarily interpersonal rather than ideational framing devices due to their capacity to affect a powerful emotional response in the viewer. As Grimwood demonstrated in his analysis, this technique is most servicable when it seduces, rather than overtly coerces the reader/viewer, by means of the punishment/privilege technique, as opposed to one of open command or condemnation.

It will be helpful at this point to give a brief explanation of my methodology, with special regard to the process of coding that I chose to employ. After several viewings, I selected the most relevant clips which involved the central theme, and transcribed these as closely as possible from the sound track. The numbers in brackets indicate the length of time in counted seconds between each phrase. In the film these gaps were filled by music and images, the effect of which is difficult to convey by a written transcription, but should be acknowledged as a significant framing device. I have included repeated words and speech hesitations from the interviews with Cibelli as they occurred on the sound track.

### **A brief explanation of the science involved**

I interviewed Professor Ian Wilmut from the Roslin Institute and was able to put questions to him that related, not only to stem cell therapy, but also to specific points raised by this programme. The full transcription of the interview can be found in Appendix III. The biotechnology of cloning is evolving rapidly; consequently the contemporary scientific knowledge at the time that this programme was screened may well be out of date when this thesis is completed. For the purposes of discourse analysis and the demonstration of power operating through textual constructions, as established by Foucault, this does not matter. What is crucial, however, is to argue the central premise through an analysis of the film set in the era in

which it was screened, thereby establishing contentions, which if accepted, can be adapted to the changing biotechnological arena. With these criteria, I shall give a brief explanation of the scientific background to the film that was current at the time it was televised.

The term cloning means making an exact genetic copy of an organism, but it refers to two distinctly different processes. Natural cloning occurs when a cell divides and replicates its genetic constitution, as occurs in the development of identical twins. The scientifically induced method of cloning is more accurately termed somatic cell nuclear transfer (SCNT) or cell nucleus replacement (CNT). This process involves removing the nucleus from an ovum (which contains half the chromosomes) and replacing it with a nucleus taken from any cell of another individual of the same species containing the full number. The egg is then activated, usually with an electric impulse, to begin developing as it would if fertilised naturally.

Reproductive cloning would entail the embryo being inserted into a surrogate uterus in order for it to develop, as was the case with Dolly, a Finn-Dorset ewe, which was the first mammal ever to be cloned from an adult body cell.<sup>39</sup> Therapeutic cloning, whilst identical in the creation of the clone, only allows embryonic development up to about 50 cells, when the undifferentiated stem cells can be used to replace damaged cells in living individuals of the same species with chronic disease states. (An embryo of 50 cells would only be a few days old and well within the 14-day limit set out in the HFE Act.) Critically, undifferentiated stem cells have not yet been internally programmed to become specialised in any way, consequently they are described as totipotent and can take on the characteristics of any cell type. Fully developed creatures do have some stem cells, but these are pluripotent, that is, they can specialise into a variety of cells but only within a narrow margin.<sup>40</sup> For example, blood stem cells can become red or white blood cells, but not muscle or nerve cells. IVF has provided the means to collect embryonic stem cells from spare embryos and routinely freezing umbilical stem cells would be another source, but these stem cells, whilst sufficiently totipotent, may cause

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<sup>39</sup> I. Wilmut, K. Campbell & C. Tudge, *The Second Creation: The Age of Biological Control by the scientists who cloned Dolly*, (London: Headline, 2000), p. 15.

<sup>40</sup> Even at this time, work was being carried out in the U.S. by Catherine Verfaillie from the University of Minnesota who has discovered adult stem cells in bone marrow. These cells, called multipotent adult progenitor cells (MAPC), have been isolated from 70% of human volunteers. In addition, another biotech company, MorphoGen Pharmaceuticals in San Diego has found them in skin and muscle. NewScientist.com, 'Ultimate stem cell discovered' 23/01/02. <http://www.newscientist.com/news/news.jsp?id=ns99991826>

problems of rejection similar to organ transplantation if used in patients with a different tissue type.

However, according to Professor Wilmut, tissues have varying immunological responses, for example, nerve cells have almost no problems with rejection, (they are said to have 'immune privilege') whilst bone marrow cells require very specific tissue typing.<sup>41</sup> So for some tissues, cell lines of 20 or maybe even 200 different types could be established from an IVF embryo, which would cover most of the population. It would only be necessary to clone embryos to prevent immunological rejection in cases where the tissue typing was for a much larger variation. A further point, whilst it may be possible in the future to turn an adult differentiated cell into a totipotent stem cell, it may always be preferable to use an embryonic cell due to aging factors in the adult cell.<sup>42</sup> To summarise, the future scenario envisioned could be thus; a patient who needs stem cells to repair damaged tissue, say following a heart attack, could provide a cell from scraping the inside of their mouth, from which the nucleus would be removed and inserted into a prepared donor egg. The cloned egg would then be activated and at approximately 50 cells of development it would be used to treat the patient from whom the original nucleus was taken. This would guarantee the exact tissue match.

### **The scientific narrative**

The consideration of the scientific narrative will consist of a detailed analysis of three extracts from the film. Whilst there will be scientific aspects in later clips, these will be selected primarily for their greater contribution to their constructions of woman.

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<sup>41</sup> See Appendix III, p. 254. I shall refer to this point again later on as it makes it completely unnecessary to use therapeutic cloning for repairing nerve cells. A cell line taken from a 'spare' IVF embryo would be sufficient, if nerve cells have immune privilege.

<sup>42</sup> NewScientist.com, 'Stem cells linked to life expectancy', 22/07/02 <http://www.newscientist.com/news/news.jsp?id=ns99992556> This article does not discuss adult stem cells with regard to their therapeutic use, but says of them, 'The finding supports the theory that we age because our stem cells essentially run out of juice and can no longer cope with the degree of cell turnover needed to keep our organs young.' Whilst Professor Wilmut agreed with my assertions, he did suggest that the problem could be fairly easily overcome by increasing the length of the telomeres. See Appendix III, p. 257.

## Transcript No. 1 from the Film's Introduction



### CREATION

We are setting out on a fantastic voyage [5] a journey into inner space [5] into the world of ourselves [3] because this is where our future lies [1] inside each one of us [1] never before could we navigate this microscopic universe or view it so clearly [3]

At the heart of each cell is DNA the substance that builds every living creature on this planet [5] and now for the first time in history not only can we read our own DNA we can manipulate it [3]

The future is here now [3] it promises to rebuild broken lives [5] cells will be engineered to grow new organs [5] it heralds a brave new world of prediction [5] superhumans with unhuman abilities [5] the hope of extended lives a true elixir of youth [7] This is the 8<sup>th</sup> day of creation as we explore how to build a human

#### Critical discourse analysis

The introduction sets both the scene and the tone of the programme by the use of exciting music and images of outer space that change to

similar constellations of inner space. It cleverly evokes the Star Trek science fiction narrative by the maintenance of exotic, planetary imagery and in the mimicry of the first line of the discourse, 'We are setting out on a fantastic journey, a journey into inner space, into the world of ourselves.'<sup>43</sup> In the same way that the previous account stressed that science fiction was becoming reality, so too does this clip with greater force by insisting that its science fiction tropes are *already* an actuality. This sense of inevitability is secured by several devices; firstly, by the use of the following phrases: 'this is where our future lies' and 'the future is here now', which is an interesting manipulation of concepts as the future, by its very essence, can never be 'now'.

Secondly, by using the inclusive, interpersonal framing technique of deploying the pronouns, 'we' and 'our' throughout the film, the viewer is unconsciously enticed into a collaborative position. These two techniques work together to invoke a situation where 'we' have no choice. There is no room in the discourse for dissent, it does not ask 'is this what you want?' nor even does it state 'this is the way it will be', rather it infers by the use of phrases such as, 'never before', 'for the first time in history' and 'here now' that 'this is the way it is'. In addition, the unforeseeable nature of scientific predictions is contraindicated by the use of the indicative verbs 'will', and 'can' as opposed to the subjunctive 'may,' when the text proclaims that 'we *can* read our own DNA', 'we *can* manipulate it', 'cells *will* be engineered', 'it *promises* to rebuild broken lives.'<sup>44</sup>

At the heart of this inexorable depiction of biotechnological reality, lies a challenge to the concept of divine responsibility for human transcendence. The opening imagery of creation, both interstellar and cellular, corresponds with the closing line 'this is the 8<sup>th</sup> day of creation as *we* explore how to build a human ... Creation' (my italics). The text producer taps into the seductive power of transhumanism by offering transcendence of mortal fallibility by the claims to overcome decay 'grow new organs,' uncertainty, 'brave new world of prediction', human limitation, 'superhumans with unhuman abilities' and death, 'extended lives a true elixir of youth.' The accompanying imagery to this excerpt was pure science fiction and could be considered comic in another context, but this was a serious documentary about a real issue. The Foucauldian challenge would not be to the accuracy of the claims, nor to the irresponsibility of

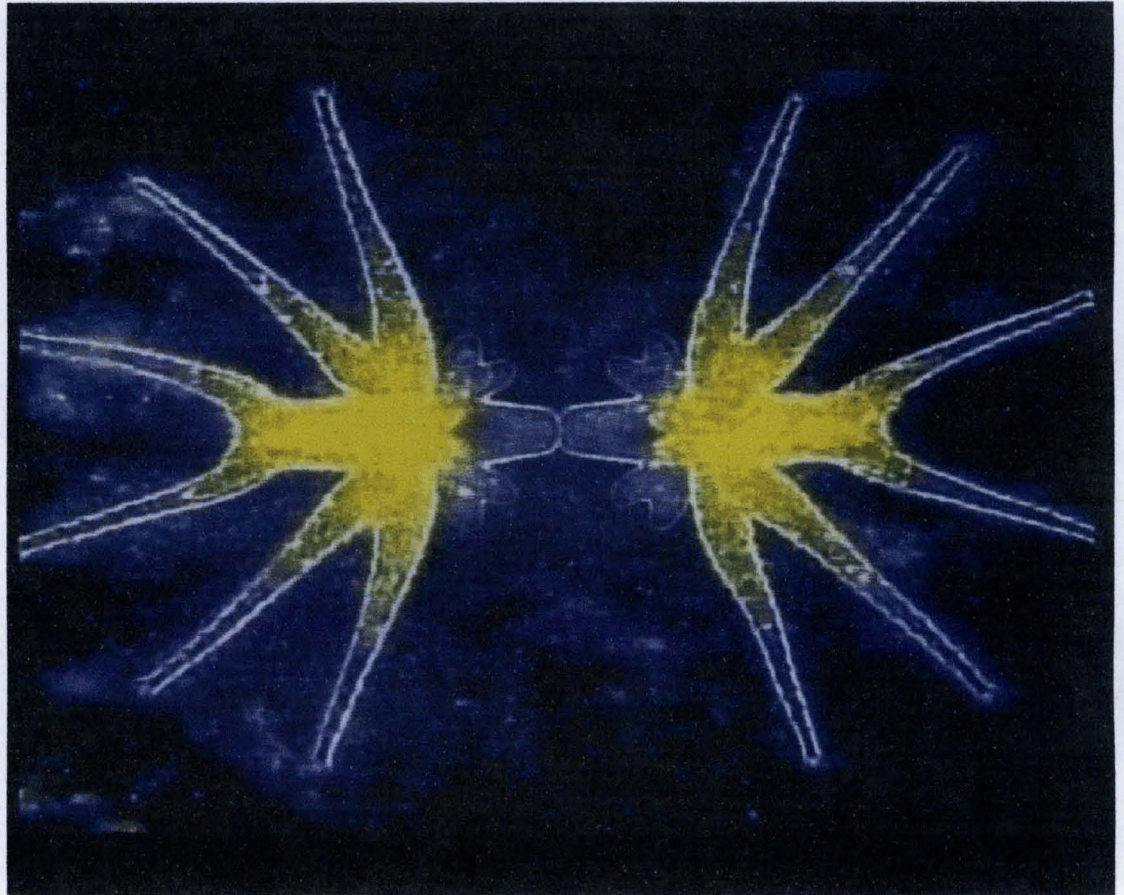
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<sup>43</sup> In the Star Trek series, each story line evolved around the crew of the star ship Enterprise as they travelled into previously uncharted regions of outer space.

<sup>44</sup> This attitude is very different from the line taken by Professor Wilmut in my interview, where he stresses throughout that there is so much we do not yet know and the uncertainty of how new discoveries may change the landscape from what is now envisioned. See Appendix III.

them, but rather would ask, 'why is science being constructed in this way?' and 'whose interests does it serve?'

**Transcript No. 2, which immediately followed the previous clip**



**DEPICTION OF PRIMEVAL CLONING**

**In the beginning was the cell and all life was single-celled [3] and the cells multiplied [2] by cloning [3] by creating identical copies [10]**

**For billions of years this was the way life reproduced [10] clones ruled the world mindless and immortal [12]**

**Then under water sex evolved [] sperm met egg the mingling of genes sparked an explosion of life millions of new species [12] and this potent mix of sex and chance ultimately led to us [10]**

**It's taken millions of years for blind chance to turn us from primitive humans to modern man [6] but now we are taking charge [10]**

**Biologists are learning how to clone and they are mixing genes to create new species but above all they are becoming masters of the molecules they study. We are at a turning point in history and the**

**potential impact of this work excites leaders in the field like Princeton's Lee Silver.**

### **Critical discourse analysis**

There is a misconception being played out in this excerpt, which was clarified in the brief scientific explanation that I provided, but is not attempted here. Natural cloning is a dissimilar process from SCNT, but the distinction is not made explicit in the text. Cloning is presented as ancient, natural and integral to life itself. The differential set out in the discourse between cell division and therapeutic cloning is one of human dominion, not biology, consider the following phrases; 'we are at a *turning point* in history,' 'now we are *taking charge*, 'biologists are *learning how to clone*,' and consequently becoming the '*masters of the molecules*' (my emphasis). Professor Ian Wilmut, the creator of Dolly, puts it succinctly when he says, 'Note, now - a crucial point - that clones produced by nuclear transfer are *not* directly comparable to clones produced by embryo splitting, whether these are produced artificially or naturally, in the form of identical twins' (his italics).<sup>45</sup>

Critically, what is at stake in terms of a Foucauldian analysis is not the misconception itself, but rather how this functions as a *statement* in the discourse. Cloning is being portrayed as an ancient and natural norm to justify the process of therapeutic cloning with the incitement, and privilege, of human control. The programme validates this premise later on when the viewer is introduced to Sarah, a woman who is pregnant with identical triplets, which the film describes as 'natures clones'. The voice-over proclaims that 'nature is *practised* at making *human* clones so the odds are high of a successful outcome' (my emphasis). This claim is patently phrased to support the programme's technique of justification, for natural identical triplets are extremely rare, and as a woman's body is best suited to carrying and delivering one baby, the odds of producing three healthy babies without medical intervention are quite low.<sup>46</sup>

The implicit challenge to divine responsibility continues in this clip, which in the screening of the programme flowed from the previous excerpt that ended with the word 'creation'. This extract is delivered with a backdrop of volcanic imagery resembling the formulation of life on earth. The transcript begins by echoing the words of John's

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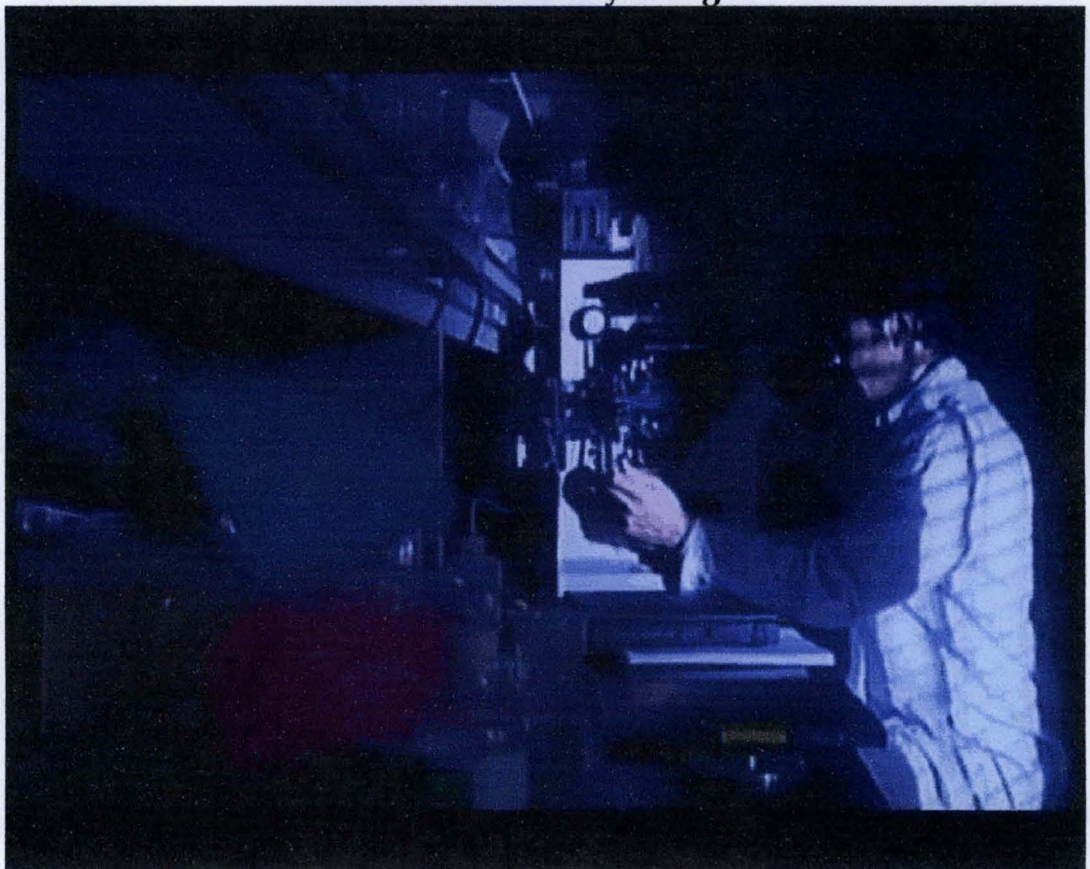
<sup>45</sup> I. Wilmut, K. Campbell & C. Tudge, *The Second Creation; The Age of Biological Control by the Scientists who cloned Dolly*, (London: Headline Book Publishing, 2000), p. 71.

<sup>46</sup> Mortality rates for triplets are significantly higher (up to 44%) than for singletons at all three stages of statistical measurement, stillbirth, infant and perinatal counts. <http://www.hfea.gov.uk/PressOffice/Backgroundpapers/MultipleBirths>, p. 2.

Gospel, 'In the beginning was the cell', rather than the Word. The sentence continues to privilege cloning as the most basic foundational principle of life itself, 'and all life was single-celled and the cells multiplied by cloning.' Yet whilst the resonance of Scripture evokes discursive religious concepts, the text is staunchly atheist.

For, it states that 'clones ruled the world mindless and immortal', which specifically rejects a divine *plan* by giving dominion to *eternal* life forms with no agency. This is underscored by the repetition of 'chance', first in the 'potent mix with sex', and then followed by the more definitive statement; 'It's taken millions of years for *blind chance* to turn us from primitive humans to modern man'. By evoking religious symbolism and simultaneously denying its divine origin, the discourse invites the collaborative viewer to justifiably step into the discursive space of evolutionary responsibility, which is, in reality, not the province of the common man (sic), but rather the empire of biotech capitalism.

**Transcript No. 3**  
**The ACT Laboratory at Night**



**CIBELLI WORKING AT NIGHT IN HIS LABORATORY**



**Some of the most exciting and controversial work in modern biology is going on inside this building [3] in here they are about to attempt something that has never been done before [2] to clone a human embryo [10]**

**Dr. Jose Cibelli is working late because tomorrow morning he will start an extraordinary experiment [3] Jose's dream is to develop new ways to repair damaged humans and he plans to do it by cloning.**

### **Critical discourse analysis**

This is the clip in which the viewer is first introduced to the principal character of the film, Dr. Jose Cibelli. In keeping with the dramatic style of the programme the scene is set at night to the accompaniment of eerie music. The camera pans the laboratory in darkness till it rests upon the figure of Cibelli working alone under a single light, which casts shadows around him, conveying unmistakably the culturally, familiar icon of Frankenstein. The construction of Cibelli as lone hero-scientist, who is 'working late' in order to fulfil his 'dream' 'to repair damaged humans' stands antagonistically alongside the science fiction trope arousing notions of secrecy, illicitness, dedication and, most of all, excitement. This is underlined by both the first line of the transcript, 'Some of the *most exciting and controversial* work...' and also the description of his assignment as an '*extraordinary* experiment'.

Whilst evoking the images of Frankenstein might seem to work against the validation for therapeutic cloning, nonetheless, it also serves to reinforce the central theme of imagined science fiction being currently realised in contemporary biotechnology. Throughout the programme Cibelli is consistently referred to as Jose, rather than Dr. Cibelli, inviting the already complicit viewer into an intimate relationship with him and his project. The film portrays, inaccurately, a Frankenstein image of a loner, which ignores the authenticity of teamwork and scientific networking and never explores the commercial aspect of cloning, with its concomitant capitalist interests that might make Cibelli a man of fortune.

### **How the programme continues**

Following this excerpt, the film introduces us to Dr. Judson Somerville. His tragic story is reconstructed for the viewer's benefit. He is a white, heterosexual, married man with a young family, who became a paraplegic through a cycling accident. The programme involves the viewer in this deserving person's case by interviewing him at home with his family and by filming his daily struggles with

his condition; thus securing the viewer's sympathy to a particular individual.<sup>47</sup>



**DR JUDSON SOMMERVILLE**

The film then focuses on the work of biologists who have demonstrated that rats can regenerate their spinal nerves with stem cell technology, which was, hitherto, impossible. The viewer is left with the inference that damaged spinal nerves could likewise be cured in human beings.

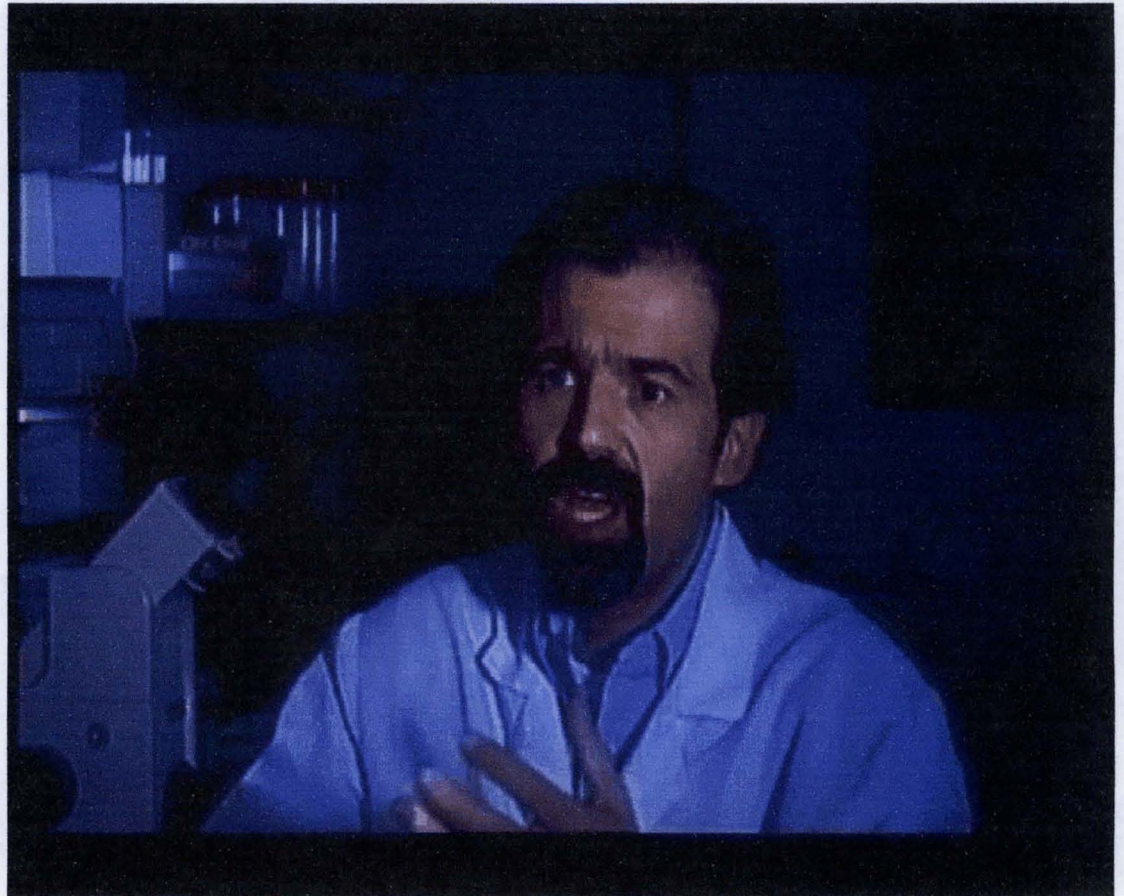
Following this, the programme devotes substantial dramatic footage in following Cibelli's efforts to find suitable human eggs, which are essential for his attempt to clone a human embryo. I have selected three extracts, in which contradictory constructions of woman are used to promote the donation of ova for this purpose. The existence of totally disparate constructions of woman is so commonplace that they can be used in tandem in a single discourse without arousing any conscious notion of incongruity. Familiar examples in the cultural

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<sup>47</sup> When I refer to this man as 'deserving', I am not personally suggesting that this patient is more deserving than any other, but rather that he fits every criteria that would satisfy public scrutiny ensuring their support of his case.

milieu are virgin/whore, tigress/doormat, angel-in-the-house/evil temptress, and career woman/mother. What is significant from a Foucauldian stance is the way in which transformation and correlation of statements function to engender specific subject positions by ignoring glaring inconsistencies, which might disrupt the central purpose of a discourse.

#### Extract 1



**DR JOSE CIBELLI PUTTING HIS CASE FOR NEEDING HUMAN OVA**

**Dr. Jose Cibelli however is going into unknown territory with his experiments [5]**

**To clone a human embryo Jose first needs human eggs [10]**

**A human egg like this barely visible to the naked eye [2] it could easily fit on to the tip of a pin [1] unlike the cow or bovine eggs Jose practises with human eggs are in extremely short supply [2] tomorrow he'll work with some for the first time [2]**

***Jose speaking* "I have access to hundreds and hundreds of bovine eggs every day human eggs is completely different you have only perhaps [2] tomorrow we're gonna get only [1] we can get anywhere**

**from zero to twenty [2] and [1] each one of them has to survive [1] I can not afford to kill one of them."**

### **Critical discourse analysis**

In this first extract the shortage of human eggs is raised. Having presented a sympathetic case for therapeutic cloning, the transcript makes it explicit that; 'To clone a human embryo Jose first needs human eggs'. Immediately following this the viewer is informed with superlative emphasis that human eggs are 'in *extremely short supply*'. Cibelli, already constructed as heroic, contrasts this shortage with a hyperbole of bovine accessibility. Recalling my assertions regarding the discursive space where woman and cow are already in close proximity, woman is elevated in this instance by her exclusivity. Note, for example, that Cibelli only 'practises' on bovine eggs. Furthermore the urgency of Cibelli's tone regarding woman's ova is compelling, consider the phrases regarding her ova; 'has to survive' and 'I cannot afford to *kill* one of them'. The use of 'kill' as opposed to 'lose' is an important interpretive cue because of its inaccuracy. Biologically, eggs cannot be killed because they are not organisms, but the verb conveys both their human potential and also Cibelli's sovereignty over them.

### **Extract 2**

Extract 2 follows an explanation of why cloning one's own embryo would prevent organ rejection and involves the potential recipient, Judson Somerville, whom we have already met. One of the incongruities of this programme, is that Cibelli does not need to use therapeutic cloning to provide a stem cell for this patient, as I mentioned earlier, nerves cells have immune privilege, and therefore, Sommerville would not experience the rejection from an IVF stem cell that the programme insists would occur.<sup>48</sup>

**And this is why Jose is preparing to clone cells from Judson [7] he passionately believes that this process called therapeutic cloning could transform the lives of many people [5]**

***Jose speaking* "A recent survey is saying that about [1] a hundred and twenty million people can potentially benefit from this therapy so this is a revolution in medicine."**

The significance of this extract is in its powerful justification for Cibelli's work. The survey is dropped like a bombshell into the

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<sup>48</sup> Mentioned on p. 114, footnote 41; see Appendix III, p. 254 for interview reference.

discourse without any reference as to who undertook it and without any further collaborative evidence from either Cibelli or the programme makers as to the authenticity of its claims.<sup>49</sup> Rosalind Gill discusses how a speaker's citation of 'surveys' adds persuasive authority and a sense of objectivity to their claims and helps to distance 'pertinent facts' from a standpoint of self-interest.<sup>50</sup> Critically, with regard to this specific documentary, this citation has even greater significance. For, neither Cibelli, nor the documentary producers make any attempt to explain, explore or challenge the inconsistency of juxtaposing the specified tiny number of eggs available against the (again) specified vast numbers of people who could potentially use them. Simply put, according to the programme's scientific commentary, one would need a minimum of 120 million eggs to provide this 'revolution in medicine'.

### Extract 3

The third transcript, Extract 3, far from addressing this anomaly, actually reinforces it to the point of melodrama, by inviting the viewer to witness Cibelli as he collects human eggs from a local clinic. The filming enhances the language by focusing on Cibelli nervously tapping his fingers and feet (in close up) and by the presence of the security guard, whose services are not employed by IVF clinics. It is a demonstration of blatant propaganda, and isolated in this way, appears ludicrously comic. Yet, seen in the context of the film at home, its power would have been highly seductive.

**Using cloned stem cells doctors will grow spare parts that are exact doubles of the originals [23] but this vision of the future depends on creating cloned human embryos [2] something no-one has ever done before [6] Jose Cibelli however is going to try [7] (my italics)**

**The BBC have been given exclusive access to follow the whole procedure [6]**

**First of all Jose needs human eggs [7] he waits outside while they are collected from an anonymous donor at a nearby clinic [6] human eggs are so hard to obtain that initially Jose's wife volunteered to donate hers [2]**

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<sup>49</sup> Professor Wilmut considered this number to be a gross exaggeration and expressed surprise at the figure throughout the interview. See Appendix III.

<sup>50</sup> R. Gill, 'Justifying Injustice: Broadcasters' accounts of inequality in radio' in *Discourse Analytic Research; Repertoires and Readings of Texts in Action*, ed by E. Burman & I. Parker, (London & New York: Routledge, 1993) pp. 80-81.

*Jose speaking* "This is a difficult procedure my my wife wanted to do it and um she partially started to to to be stimulated and then has to be stop she's not the right age so I [1] am very very thankful for this woman whose gonna help us uh get the research plan."

A security guard is with Jose to ensure the eggs don't go astray [8]

Human eggs are precious because a woman's ovaries normally produce just one egg every month [10]

But under the influence of hormone injections a woman's body can produce up to twenty eggs at a time [10] as with infertility treatments the eggs are collected under local anaesthetic [2] afterwards the eggs are carefully counted and inspected [12] each egg is less than a tenth of a millimetre wide [8]

*Female reporter speaking (as Jose emerges from the clinic with the eggs)* "Jose do you know how many?"

*Jose speaking* "Er we got er seven [1] seven so that's good they predicted last night I didn't get that message but they predicted eight so they got seven that's pretty good" [10]

These eggs could mark the start of a new era in medicine [2] the quest to repair people by cloning [3]



THE SECURITY GUARD EMPLOYED TO PROTECT THE EGGS

## Critical discourse analysis

For this analysis, I will comment on pertinent phrases in the extract and then discuss the differing constructions of woman that the discourse formulates, transforms and correlates with. Note, firstly, that the interpersonal framing device (first line second paragraph), 'the BBC have been given *exclusive* access,' also privileges the viewer, who has already been linguistically enticed into intimate abetment. The first paragraph masks the anomalies within its content by deploying a tone of simplistic authority. Consider the opening phrases: 'will grow spare parts', rather than the more honest 'may be able to' and 'exact doubles of the originals,' which is scientifically inaccurate. It follows with the comment 'this vision of the future *depends* on creating cloned human embryos', placing the responsibility for human flourishing on to a process that 'no-one has ever done before'.

The second sentence of the second paragraph repeats the familiar refrain, 'First of all Jose needs human eggs', with the persistent accompanying claim that they 'are so hard to obtain'. This is underscored in the film by the deployment of a security guard, whom the viewer is informed, will 'ensure the eggs don't go astray'. In this way, the discourse continues its parallel mantra of the miraculous cure of cloning juxtaposed next to the egg shortage that would make it impossible, without addressing the inconsistency of this. The following phrase explains why the eggs are 'precious' linking their value as a resource with the need for special protection. An unseen female reporter asks with quivering emotion, 'Jose do you know how many?' thereby projecting womanly concern into the charade. The clip ends with the now familiar, but unsubstantiated, claim that 'these eggs could mark the start of a new era in medicine ... the quest to repair people by cloning'.

## Woman as Animal

The paragraph describing egg collection is highly reminiscent of farm animal discourse. It opens with the provocative sentence; 'Human eggs are *precious* because a woman's ovaries normally *produce just one* egg every month' (my emphasis). The text has transformed the subject position of woman's reproductive capability from her potential to be a mother into her capacity to be an egg donor. Her ova should be 'precious' because they can develop into her children, not because of their scarcity for donation purposes; moreover, one egg is the perfect number for procreation, yet the inclusion of the adverb 'just' changes this ideal into a deficiency. In addition, the word 'produce' is a significant interpretive cue because a more accurate, biological term

would be 'release,' yet 'produce' has connotations with commercial farming.

Whilst egg collection is being described, the camera pans across an operating theatre, where the unknown woman is hidden from view behind green sheets. The voice-over proclaims, 'under the influence of hormone injections a woman's body can produce up to twenty eggs', which not only repeats the loaded word 'produce', but also further extinguishes the woman's personhood by the specification that it is her *body*, which is performing this task. Following the retrieval of eggs, the viewer is informed that they are 'carefully counted and inspected,' which is linguistically synonymous with the discourses of the farming fraternity. Gena Corea demonstrates that this associative language is not innovative to the IVF discourses as doctors were using it in bygone times to describe the supervision of wetnurses. She says, 'Under medical control, as physician's reports reveal, wetnurses were screened, inspected, controlled, devalued and viewed as cows.'<sup>51</sup>



**AN OUT OF FOCUS SHOT OF THE OPERATING THEATRE**

The discourse demonstrates the fluidity of constructions that can be appropriated for a specific purpose. The animal-as-produce discourse correlates with the discourses of exonerated biotech manipulation

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<sup>51</sup> G. Corea, *The Mother Machine: Reproductive Technologies from Artificial Insemination to Artificial Wombs*, (London: The Women's Press, 1988) p. 240.



over creatures unable to resist. The fact that foxhunting can cause such public outrage compared to the relative public silence on using animals for genetic experimentation, demonstrates just how entrenched the rhetorical justification for animal exploitation in medical research truly is.<sup>52</sup> The long established ideology of ontological inequality, discussed earlier, not only provides a discursive, liminal space where animals and woman (and other people considered of lesser worth) are in propinquity, but also creates a locus where this utilitarian validation of medical practices for the overall human good can appropriate human bodies if required.<sup>53</sup>

### Woman as Invisible

My foremost contention from the introduction of this thesis, was that woman was missing from the discourses of the NRT, despite the fact that she is essential to the process. This incongruity is ably demonstrated throughout the programme, with its emphasis on woman's bodily resources and its simultaneous obscuration of her personhood. What is perplexing in terms of the content of this film is that it desperately requires the agency of woman, but it maintains a male gaze, directing its message to her covertly.<sup>54</sup> However, with regard to how the film *functions*, the incongruity can be understood as a powerful technique playing to the De Beauvoirian insight of constructing woman's passivity so she can acquire ontological parity.

The principal agents of the film are all men. Sir Ian Holm, an acclaimed man of social status provides the authoritative voice-over, disabling any challenge to the certainty and inconsistencies of the programme's stated claims. Cibelli, Somerville, the renowned experts, and the scientists and medics featured in incidental clips, are all male.

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<sup>52</sup> RSPCA, 20/08/2001, <http://www.rspca.org/content/news/BiotechIncrease.html> The RSPCA have called for the 'staggering increase' of animals used in biotechnology to be critically reviewed. Home Office statistics reveal that between 1999 and 2000 there has been a rise of 14% in the numbers of animals used for genetic manipulation. Moreover, there has been an alarming rise in the last decade from 48,000 in 1990 to 582,000 in the year 2000, which is threatening the overall UK decline in animal experimentation that had been taking place over the last 20 years.

<sup>53</sup> Whilst the now infamous human experiments of the Nazi concentration camps are an extreme example of this, the use of African peoples in developing the vaccine for polio and, more recently, as already stated, the ways in which women were used in early IVF research, lies within the mainstream of public acceptability. Indeed, the research focus for IVF has been on the embryo (both by the scientists themselves and uppermost in public concern) rather than on the long-term effects of the various hormones used on women's bodies. (D. Steinberg, *Bodies in Glass: Genetics, Eugenics, Embryo Ethics*, [Manchester and New York: Manchester University Press, 1997], pp. 65 & 34-5.

<sup>54</sup> Discussed in Chapter Two, pp. 53-54.

Even the scene depicting human evolution places a chimpanzee next to a boy rather than a girl. Woman is not only absent in any active roles, she also remains invisible in her passive role, *except* when she is interviewed in her capacity as mother, where she is given both visibility and speech.

The viewer is introduced to Sarah, pregnant with triplets and later on to a mother of a severely disabled child, whom her husband would like to clone, although she does not want this. In contrast, the woman donor and Cibelli's wife are neither seen nor heard and the female interviewer, who only poses one question in the whole programme, is heard off camera. The transcript is not able to convey her physical absence, nor her emotional tone, but the film makes use of both. For, whilst it may seem an insignificant detail, nonetheless, it functions to secure feminine collusion with the patriarchal project.

### **Woman as Selfless-giver**

The incongruity of egg shortage versus the desperate need for ova finally comes together in this construction. For, simply put, if sufficient numbers of women donate their eggs, the problem is solved. In direct contrast to the effacement of woman as animal and woman as invisible, this construction praises woman to the highest moral pinnacle of self-sacrifice. Cibelli describes his wife's devotion to his project, she '*volunteered to donate hers*' and '*she wanted to do it*', indicating by double emphasis her cooperation, rather than any coercion, in her service to her husband and humankind. She had to '*stop*' because of her '*age*', not because of the difficulties involved, which Cibelli admits to, nor because of the dangers to her health, which he does not.

However, Cibelli has found an '*anonymous donor*;' the repetition of the word donor confers altruism and divorces the project from its commercial reality. The viewer is not told whether or not the woman was paid for her eggs, or even if she was paid expenses for her time. The inference in the text is to suggest not, especially as Cibelli says, '*I am very, very thankful for this woman whose gonna help us get the research plan.*' This construction of woman as selfless-giver is culturally familiar in the discursive notions of both motherhood and the religious symbolism of the Virgin Mary. It is no surprise, therefore, that the programme should reinforce the value of mothers by the conferred status of visibility and speech that it gave to two of them. The donation of eggs could elevate both the childless, as well as the fertile, woman by her singular capacity to provide for the chronically sick.

Gena Corea has written extensively on how woman's emotional composition is exploited by the commercial surrogate industry in the U.S.<sup>55</sup> She draws on the work of Margaret Adams, who has coined woman's role of nurturing others to their own detriment as the 'Compassion Trap'. In a comparative analogy to this situation, Corea states:

Pharmacrats searching for surrogate mothers or egg donors exploit woman's emotional structure. They appeal on the media for compassionate women to come forward and "give the gift of life" to a sorrowing couple. They call these women "special" and praise them as selfless, loving, sensitive and big-hearted.<sup>56</sup>

Significantly, the psychological aspect of the selfless-giver is further enhanced in this discourse, where the giving is *itself* already gendered by its need for solely, female anatomy, as opposed to a text on nursing or parenting, where it could be argued that both men and women are equally competent to provide nurturing skills. Crucially, from a Foucauldian point of view, woman's 'emotional structure' is not a static 'given' to be exploited per se, rather she is constantly negotiating subject positions, one of which is powerfully influenced by this ideologically founded construction. Consequently, discourses that appeal to her 'compassionate' nature must continually deploy techniques of power to construct a locus for her to actualise her fostering capacity, and in so doing, the flowing mechanisms of control are exercised.

### **Woman as Commodity**

Carrette, in his critique of Graham's *Representations of the post/human*, identifies the critical role of capitalism in the power dynamic of technological progress when he states:

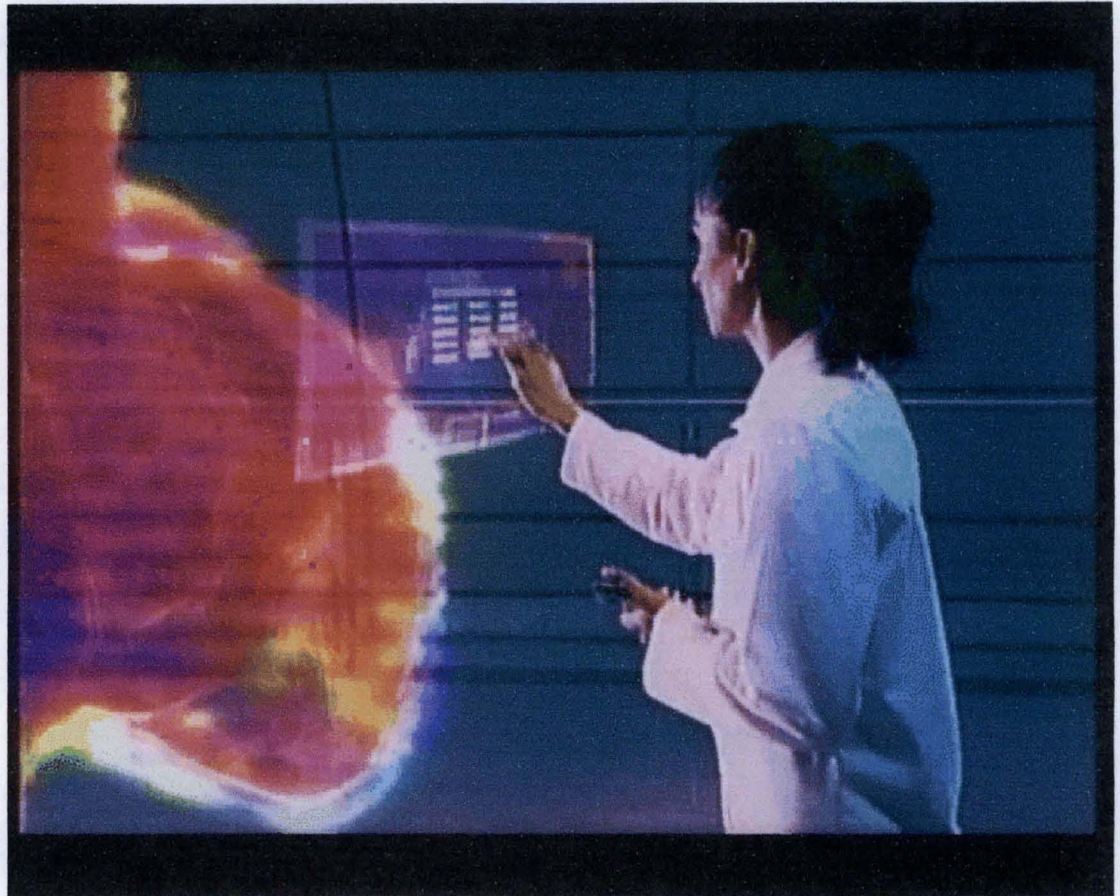
I think the key underlying question is the relation between capitalism and technology. If we follow the basis of capitalism, according to Marx's analysis at least, such a relation is to maximise capital. It then follows that greater efficiency and endless new markets are required, both generated by technological invention. Technology creates new worlds of consumption and increases its production with the development of ever-new technology, which creates yet more consumption and more technology for yet more capital.<sup>57</sup>

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<sup>55</sup> G. Corea, *The Mother Machine*, Chapter 11, 'Surrogate Motherhood: Happy Breeder Woman', pp. 213-249.

<sup>56</sup> G. Corea, *The Mother Machine*, p. 231.

<sup>57</sup> J. Carrette, 'Cyborg Politics and Economic Realities: Reflections on Elaine Graham's *Representations of the post/human*' (pp. 45-55) in *Theology and Sexuality: The Journal of the Centre for the Study of Christianity and Sexuality*, Vol.10.2, March 2004, p. 52.



### **A GLIMPSE INTO A BIOTECHNOLOGICAL FUTURE**

The construction of woman as commodity is hidden in the discourse by the emphasis on her voluntary contribution, but the implications of what is being proposed reveal its lucrative promise. The capitalist machinery of biotech markets, health insurance and pharmaceutical companies is poised to take advantage of this new technology and its medical progeny. That the film should effectively ignore these commercial aspects of therapeutic cloning, couching their delivery in altruistic rhetoric, exposes non-innocence at best and deliberate manipulation at worst.

The increasing longevity that is being forecast in Western demographics will provide a market of wealthy elders beset with chronic conditions suitable for stem cell therapy. By choosing a young, healthy, albeit disabled, recipient for the programme, the issue of using young women's bodies to prolong older people's lives is deflected from both open discussion and belated reflection. Furthermore, the tone of inevitability that was present from the beginning of the programme and the lack of dissenting critique sways the viewer from asking if equivalent funding would not benefit more people's health globally by providing a good diet, vaccines, antibiotics and retroviral drugs. Unfortunately, these people's incapacity to pay makes them a poor investment option.

Conversely, however, impoverished persons may find their own body parts a potential source of income in this biotech marketplace and in terms of therapeutic cloning, women will be more at risk from exploitation than men. Women in the developing world may 'choose' to donate their ova as a means of feeding their families, whilst simultaneously controlling their fertility, in an analogous situation to lower income women in the U.S., who choose to become surrogate mothers for the minimum wage. Even as long ago as 1984, the surrogate industry was planning to use women from the Orient, because they would only need to have their living and travelling expenses paid. 'Though such women receive no pay, Stehura said, they benefit from the arrangement because they get to live. "Often they're looking for a survival situation- something to do to pay for the food and rent."'58

Despite the fact that selling ova is illegal in the U.K., a pharmaceutical firm were able to circumvent this in a recent case where research was being conducted on egg maturation in the laboratory. A licence is required from the HFEA only if eggs are to be fertilised and, as this was not to be the case, financial recompense could be offered.<sup>59</sup> Initially, the drugs company wanted to pay the women £4000 but the hospital ethical committee at Leeds General Infirmary, where the trials were being undertaken, felt this would be an inducement. With regard to egg shortage, it was reported that 96 women took part in the trials. It could be argued, that in a free market society, woman should be given the choice to partake in ova donation if she needs the money, or alternatively, she should be permitted to help an elderly, beloved grandparent create stem cells on an entirely voluntary basis.

However, Andrea Dworkin in conversation with Corea, points out that freedom of choice for women is singularly absent when it refers to other aspects of a woman's life, such as becoming a surgeon, for example. She continues:

Feminists make that argument and it is, in the common parlance, not a 'sexy' argument. Nobody pays any attention to it. And the only time you hear institutional people – people who represent and are part of the establishment –

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<sup>58</sup> G. Corea, *The Mother Machine*; John Stehura is the president of the Bionetics Foundation. P.245.

<sup>59</sup> S. Templeton, 'Scientists pay women £1500 for their eggs; Outcry as pharmaceutical firm exploits loophole', *Sunday Herald*, Front-page, 30/11/2003. There is an irony in this case that if the ethics committee had been truly concerned about the principle of inducement, they should have kept to the HFEA rules of expenses only. For, £1,500 would still be a financial inducement for many women. I would argue that the 'ethics' committee permitted the principle to be flouted, whilst saving the pharmaceutical company considerable funds. Why pay women £4000 for their eggs when you can get away with £1500?

discuss woman's equality or woman's freedom is in the context of equal rights to prostitution, equal right to some form of selling of the body, selling of the self, something that is unconscionable in any circumstance, something for which there usually *is* no analogy with men but a specious analogy is being made. (her emphasis)<sup>60</sup>

The subject of therapeutic cloning was the vehicle of content for these very real concerns, but the point of the analysis was to illustrate these fluid constructions in working practice. Whether or not they materialise into commercial stem cell therapy as possibly envisioned only time will tell, nonetheless, they are actively flowing in the cultural milieu, engendering a host of contraindicatory subject positions for woman to negotiate.

### Summary

In drawing together the various analyses of this chapter, I have demonstrated how statements (in the Foucauldian sense) function through discourse, transforming constructions, in this instance of woman and the embryo, for the purposes of biopower, and in addition, that this is inextricably entwined with biotech capitalism. The discourses that flow from the newspapers illustrate the way in which these constructions are able to transform centuries old ideologies into contemporary, everyday commonalities that have been unconsciously assimilated into popular acceptance.

From the very initiation of the NRT public discourses, science was privileged as the primary progenitor signalled by the now mundane epithet, 'test-tube baby,' which transformed into the more commonly used term 'IVF', thereby, securing the laboratory connotations of its vernacular predecessor. Louise Brown has retained her notoriety, but far from being cast into the horrors of a Frankenstein nightmare, as Gale predicted, she has become the epitome of normality, which has, in part, been responsible for transforming the Frankenstein myth into a frisson of permissible human dominion. The embryo has emerged as a political entity, constructed into contradictory subject positions of research object, of having definitive human potential and of sacrificial saviour. It has also transformed *conceptually* in the popular consciousness from a metaphorically, separated being to a literally, separated one.

Long established constructions of woman have transmuted into the NRT discourses, and in so doing, her subject position of reproductive passivity has been strengthened, whilst paradoxically, the textual *content* has accorded her greater procreative choice. Moreover, further anomalies with regard to woman have emerged; as the hidden shame

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<sup>60</sup> Quoted in, G. Corea, *The Mother Machine*, p. 227-8.

of infertility has gained public sympathy and openness, it has *solidified* the construction of woman-as-mother, thereby, securing childlessness as a lack in woman. The techniques used to create norms, as illustrated by Foucault in the *École Militaire*, have apportioned the demographic responsibility for a falling birth rate to woman, yet the *functioning* statements inherent in the analyses accord procreative agency to man –and science. In addition, whilst motherhood is increasingly held in high esteem, conversely, it is simultaneously constructed as generic and splintered, divorcing it from the personhood of the individual woman.

Similarly, as woman becomes increasingly crucial to the biotechnological market place, her invisibility as a *person* is procured. Ironically, her obscuration is itself covert, because like homosexuality in the bishops' statement, reproductive woman is the object to be studied ad nauseam, but not heard, except in the capacity of 'desperate mother'. Finally, the article on cow surrogates and the documentary established that the permeable boundary between animal and woman creates a constructed pathway for biotechnological capitalism to utilise human females without causing popular disquiet, or even public attention.

It is much clearer to see, from this analytical standpoint, a technique of power operating, which would not be so apparent from an analysis of content alone. Recalling Dunlap's insights, the personal, inner turmoil of infertility, *whilst no less felt*, can be better understood amidst the conflicting subject positions that beset the infertile woman and a raised awareness of this can be helpful in pastoral support and prophetic critique. Crucially then, the question I must now ask is, 'what are the churches saying about IVF?' In the next chapter, I propose to address this by undertaking a similar analysis of the way in which the Church approaches the NRTs.

## CHAPTER FOUR

### AN EXPLORATION INTO WHAT THE CHURCHES ARE SAYING ABOUT THE NEW REPRODUCTIVE TECHNOLOGIES

We must not expect the discourses on sex to tell us, above all, what strategy they derive from, or what moral divisions they accompany, or what ideology – dominant or dominated – they represent; rather we must question them on the two levels of their tactical productivity (what reciprocal effects of power and knowledge they ensure) and their strategical integration (what conjunction and what force relationship make their utilization necessary in a given episode of the various confrontations that occur).<sup>1</sup>

M. Foucault, 1976.

The family was the crystal in the deployment of sexuality: it seemed to be the source of a sexuality which it actually only reflected and diffracted. By virtue of its permeability, and through that process of reflections to the outside, it became one of the most valuable tactical components of the deployment.<sup>2</sup>

M. Foucault, 1976.

In this chapter, I shall begin by assessing the content of what the churches are saying about the NRTs in order to offer a broad overview of their views and a brief historical trajectory of how these have been shaped by procreative linked debates in the past. This is necessary to provide a foundation for the following section, which will examine the discourses of two church reports using the Foucauldian approach that I have applied to the media texts. By interrogating ecclesiastic documents, I am aware that this is not entirely representative of the range of theological thinking within a given denomination to which a report belongs. Nevertheless, church statements are indicative of a denomination's leadership and expert opinion, which holds immense power as Grimwood demonstrated on page 73. Moreover, as previously attested by Foucault and illustrated by Grimwood, the authority of expert ecclesiastical discourses is substantially *increased* by their permission for members to be free to follow their own conscience in the matters under discussion.

In addition to the church reports, in order to provide a broader perspective, I shall examine three theological publications concerning the NRTs (see Chapter Five). In all cases my exploration of religious opinion

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<sup>1</sup> M. Foucault, *The Will to Knowledge: The History of Sexuality Volume 1*, translated by R. Hurley, [1<sup>st</sup> pub Paris: Éditions Gallimard, 1976], (London; New York; Victoria; Ontario; Auckland: Penguin Books, 1979), p. 102.

<sup>2</sup> M. Foucault, *The Will to Knowledge*, p. 111.



constrained to interrogating the constructions of woman and the embryo within Christianity, so that I can maintain consistency and depth in the analyses that are to follow.

### **An overview of the content of the churches' methodologies and outcomes in their reports on human fertilisation and embryology**

In considering what the churches have said about assisted reproduction, it is significant to note that they *responded* to government initiative, firstly to the Committee and secondly to the Warnock Report, in the same way, that with regard to stem cell technology, they are responding to the Donaldson Report.<sup>3</sup> Despite their differing outcomes, all the denominations have converged in their choice of foundational themes and have followed similar methodologies in their consultative approach. Each one has taken into account, to varying degrees, similar, specifically selected aspects of Scripture and Church tradition. For example, the scriptural presupposition that human beings are made in the image of God (Gen. 1:26) is a unifying, authoritative precedent. The incarnation of God in Christ, the redemptive action of the cross and the relational aspect of God through Christ with humanity also inaugurate the theological assertions in many of the reports. For the Roman Catholic Church patristic teaching and previous Magisterial Statements are also crucial.

In addition, scientific evidence and the advice of professionals involved in clinical practice have been taken into account, providing the working parties with data about conception and embryonic development. In common with each other, the churches assert that the embryo is human and genetically complete from conception and that, given the right environment, it will develop into a human being. Some church commentators also believe that the evidence of twinning prior to the primitive streak and embryo wastage are also significant.<sup>4</sup> Norman Ford succinctly sums up the ecclesiastic consensus when he states:

Being viable inside or outside the mother's womb makes a difference to the kind of dependence required for survival, not a difference to being a human individual or

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<sup>3</sup> In Britain the Committee of Inquiry into Human Fertilisation and Embryology was established in 1982, its findings, known as the Warnock Report, were submitted to ministers in 1984 and subsequently debated in the House of Commons later that year. Public consultation was encouraged and nearly fifty churches sent their submissions to the Warnock Committee and many published their own official responses to the Warnock Report.

<sup>4</sup> K. Kelly, *Life and Love: Towards a Christian dialogue on bioethical questions*, (London: Collins Liturgical Publications, 1987), p. 72.

not. Viability outside the womb cannot be advanced as a genuine intrinsic criterion for being a human individual. The fetus that is only viable within the womb is already a distinct human individual, even if it depends on the mother to continue living.<sup>5</sup>

However, the churches are also in agreement that scientific knowledge, in itself, cannot determine when personhood begins and that this aspect of moral judgement lies in the domain of theologians and philosophers, although none of the reports make explicit at what point ensoulment occurs in their church official statements.

In addition, the committees have all upheld the institution of marriage in their documents and discussed the NRTs only in relation to a married couple. The contemporary experience of individual believers and the practice of exercising reason are cited as being essential components of structuring moral guidelines, although, in a similar way to the formation of the bishops' statement with regard to listening to the views of practicing homosexuals, women's account of their own experiences of infertility and undergoing treatment have been consistently overlooked.<sup>6</sup> Whilst some denominations have independently raised other relevant concerns, nonetheless, the *primary* objections of all the churches to IVF stem from its clinical procedures and what this entails for the embryo, the marital relational goods and the ensuing child.

Essentially, these constitute the following specific points: the breaking of the unitive and procreative aspects of sexual intercourse, the IVF baby being a product of human technology, the experimentation on, or destruction of, unwanted embryos and the prospect of donor involvement and surrogacy. Whilst the churches were similar in their approaches, their outcomes differed according to the measure of provisionality that was permitted by their theological standpoint. Moreover, the outcomes reveal that the emphasis on doctrine and the absence of the IVF participant's voice in the methodologies is reflected in these accounts, which provide either limited, ambivalent pastoral guidance or none at all.

The Roman Catholic Church proscribes IVF on all the above counts. The definitive document, *Donum Vitae*, states that IVF breaks the unitive and procreative aspect of marriage, which it contends is held in the act of sexual intercourse itself, and asserts that any destruction of embryos is

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<sup>5</sup> N. Ford, *When did I begin? Conception of the human individual in history, philosophy and science*, (Cambridge: Cambridge University Press, 1988), p. 80.

<sup>6</sup> K. Kelly, *Life and Love*: p. 85. Kelly points out that women are not properly represented at the level of church debate at which official statements are discussed and produced.

an act of murder. In addition, donor involvement and surrogacy are forbidden. I will interrogate these issues in the second section, when I undertake a critical discourse analysis of *Donum Vitae*. The Protestant churches, for the most part, having reached different conclusions on both contraception and abortion, in their *interpretation* of the same moral dilemmas, all give approval to IVF with various caveats of concern.

The Church of England, in its report *Personal Origins*, which I shall later analyse in depth, outlines a position regarding the unitive and procreative aspects of a marriage that the other Protestant churches assent to, which is that they are held together more by a loving relationship than by the act of sexual intercourse per se. This understanding makes both contraception and IVF something that, far from being destructive to marital goods, can substantially enrich them.<sup>7</sup> All the Protestant churches are wary and equivocal of donor involvement, except the Church of Scotland, which rejects it entirely. They are all in accord in explicitly condemning surrogacy.<sup>8</sup>

On the question of the moral status of the embryo there is equivocation around the issues of spare embryos left over from the clinical practice of superovulation, and on the embryo experimentation that has been intrinsic to the actual development of IVF itself. This ambivalence from the official line can leave individual congregations and believers in an unconfirmed position with regard to undertaking IVF and the pastoral issues surrounding it. For example, the Church of Scotland states:

As a technique to relieve infertility within the husband/ wife relationship, IVF raises no moral questions. However, when superovulation is used to produce more embryos than will be transferred to the mother's uterus, questions arise concerning the deliberate creation of new life without hope of its potential being realized.<sup>9</sup>

Superovulation is used in the routine clinical practice of IVF in order to prepare as many eggs as possible for ovulation, up to about twenty. A large clutch of ova is by no means guaranteed, nor do they all automatically fertilise, so this is undertaken to maximise the possibility of producing sufficient viable embryos for transfer back to the uterus. If

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<sup>7</sup> The Board for Social Responsibility of the General Synod of the Church of England, *Personal Origins: The Report of a Working Party on Human Fertilisation and Embryology of the Board for Social Responsibility*, (London: Church House Publishing, 2<sup>nd</sup> ed 1996[1st pub 1985]) p. 50.

<sup>8</sup> This is despite the fact, ironically, that there is scriptural precedence for surrogacy in the families of both Abraham and Jacob.

<sup>9</sup> Church of Scotland Board of Social Responsibility: Study Group on Abortion and Report on Warnock Report in *Reports to the General Assembly*, 1985, p. 290.

more embryos are produced than are required, they may be frozen, which can save the woman from repeating egg collection a second, and sometimes third, time with all its inherent difficulties.<sup>10</sup> Consequently, for sound clinical reasons, superovulation remains an integral part of the IVF package. In light of this, the report's statement is both inconsistent and confusing. For, having stated that IVF 'raises no moral objections', it then cites a principal remonstrance against its routine practice in the very next sentence.

The Baptist Union of Great Britain have included as contrary factors to the affirmation of IVF the two following comments; '(a) the danger as with any genetic manipulation of treating human life as mere genetic material; (b) the question of the cost of the process in the light of just distribution of resources.' However, having raised these two important issues, the report continues, 'But in many situations these factors could be outweighed by the benefit of relieving the pain of childlessness, and the responsibility of man to co-operate with God in the enrichment of life.'<sup>11</sup> Thus an opportunity to explore the issues further was lost.

Similarly, both the Roman Catholic Church and the Church of England have voiced concerns about making the IVF baby into a 'product'. The possibilities of where this might lead society is taken up in *Personal Origins* with the following comment; 'What is feared is the impact on our culture of a technological way of thinking about sexual intercourse and procreation.'<sup>12</sup> In both cases the issue remained embedded in the context of the nuclear, married family foregoing the opportunity to explore in depth such issues as back-door eugenics, the medicalisation of women's reproduction, or the effect of technology on simultaneously increasing and limiting choices. The separation of intercourse from procreation was predominant again in the discussions surrounding donor involvement, which might have opened up an examination of the cultural meaning of the family in current western society. The Church of England did take this opportunity to discuss whether or not genetic relationality in families was crucial and admitted in *Personal Origins* to a difference of opinion on the matter in the following statement:

We differ on this depending on whether we see the genetic as the most basic manifestation of the personal and find the alienation of genetic parenthood from marriage a development which undermines the Christian understanding; or

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<sup>10</sup> See Appendix IV, p.272.

<sup>11</sup> Baptist Union of Great Britain and Ireland Submission to the Warnock Committee prepared by a working party under the auspices of the Baptist Union Department of Mission (unpublished, March 1983) p. 8.

<sup>12</sup> *Personal Origins*, p. 49.

whether we judge that, although everyone is fundamentally influenced and limited by his or her genetic endowment, nevertheless the overriding factor is the social context which can assure proper love, respect and care. To this extent the question of genetic origin is not of fundamental importance, when compared with the question of how the child will be loved and cared for.<sup>13</sup>

But here, as elsewhere in the church statements, there was limited discussion followed by an ambivalent decision on donor involvement that does make explicit whether the Church of England accepts it or not.<sup>14</sup>

The British Council of Churches and Free Church Council Report *Choices in Childlessness* (1982) has commendable contrasts from the other church reports, which are worth highlighting. The title of the report itself is significant, in that the emphasis is dissimilar and indicates a more contextual perspective by centring on people's agency and the concept of a childfree existence, rather than on fertilisation and embryology. As in *Personal Origins*, the report openly acknowledged a divergence of opinion when this arose, as it did with donor involvement, and stated both positions, rather than trying to arrive at a fudged compromise. Moreover, the report considered the issue of marriages that were deliberately childless and debated whether this was unchristian, or even, inhuman.<sup>15</sup>

Following a theologically insightful statement the report suggests that some fertile couples may have a vocational calling to be childless in the same way that other Christians feel called to celibacy. By including the procreative choices of the fertile in this report, the issue of in/fertility is considered from a communal perspective preventing a polarisation where the fertile make pronouncements that the infertile are expected to obey. Kevin Kelly observes that this report incorporated more of the female voice than the other church reports and that, unlike the other churches, an equal number of women and men were on the joint working party that produced it.<sup>16</sup>

Although IVF is a new phenomenon, the two primary, ecclesiastic censures against it have been considered previously; firstly, separating the unitive and procreative aspects of marriage has been discussed with

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<sup>13</sup>*Personal Origins*, p. 52.

<sup>14</sup>K. Kelly, *Life and Love*, p. 30. Kelly points out that the positive affirmation given to AID in the Church of England's Response to the Warnock Report was not included in its later publication *Personal Origins*.

<sup>15</sup>K. Kelly, *Life and Love*, p. 43.

<sup>16</sup> K. Kelly, *Life and Love*, p. 103.

regard to contraception, and secondly, the destruction of fetal life has been debated for centuries with regard to abortion. As this brief overview of the reports' content has demonstrated these former deliberations and the moral trajectory that each church has formulated from them, dominate the church statements, despite the fact that, ironically, the purpose of IVF is to engender pregnancy rather than to prevent or terminate it. However, Deborah Steinberg points to the inherent psychological connection between the two procedures when she states that IVF 'has made material the ideological separation between woman and embryo that underpins anti-abortion ideology.'<sup>17</sup> For this reason, it will be helpful to briefly examine the moral framework in which the churches have considered the dilemma of abortion before conducting the critical discourse analysis on the two church reports.

### **The moral framework in which the churches deliberate abortion**

Somebody has written a note to Giant,  
it is not signed.  
It only says,  
'I've known you since the beginning.'  
Giant doesn't know what it means,  
but it makes him feel  
almost content.<sup>18</sup>

S. Henderson, 1989.

Recalling Foucault's insights, if historically contingent discourses delineate the limits and forms of a particular subject-knowledge, then scrutinising abortion rhetoric will demonstrate the way it has been traditionally framed.<sup>19</sup> All the church debates on abortion have been deliberated within a justice ethics perspective, wherein universal rules predominate over relationships and the language of rights takes precedence over responsibilities. Whilst context and particularity are often considerations, these are always discussed in the light of, and secondary to, abstract principles, creating a dichotomy of good and bad reasons. This, in turn, as Janet Hadley succinctly points out '... is a treacherous moral enterprise.'<sup>20</sup> Whilst this position is commonly held by the secular world, and therefore familiar to us all, nevertheless, an alternative viewpoint is possible. In contrast to Ford's standpoint, cited above, Adrienne Rich speaks from outside his way of seeing when she

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<sup>17</sup> D. Steinberg, *Bodies in Glass: genetics, eugenics, and embryo ethics*, (Manchester: Manchester University Press, 1997) p 64.

<sup>18</sup> S. Henderson, *A Giant's Scrapbook*, (London: Spire, 1989), p. 11.

<sup>19</sup> See Chapter One, pp. 33-4.

<sup>20</sup> J. Hadley, *Abortion: Between Freedom and Necessity*, (London: Virago, 1996), p. 80.

says, 'The child that I carry for nine months can be defined *neither* as me nor as not-me.'<sup>21</sup>

However, despite the fact that the ethics of care has provided feminist scholarship with an alternative moral framework, many feminist ethicists are uncomfortable with eschewing the androcentric model entirely, since, as Held puts it, '... women so clearly need and deserve more justice and fairness than we have received in political life, on the job, at school, and especially at home in the division of labor in the household.'<sup>22</sup> Furthermore, in appraising moral approaches, Hadley also acknowledges that rights language is '... the borrowed language of feminism' and that, 'Tactically, rights have proved a most successful way of obtaining access to legal abortion.'<sup>23</sup> Yet, the difficulties with a rights approach, is that it constructs the mother and her fetus into adversarial positions, because, by the very nature of the situation, opposing rights have to be taken into consideration. These male ethics are so deeply culturally embedded that De Beauvoir describes a woman contemplating abortion as being 'divided against herself.'<sup>24</sup>

Richard Hare, who purports that using the Golden Rule in the abortion debate would be more suitable has made this point.<sup>25</sup> He claims that the conflicting rights argument of mother and fetus and its supplementary debate over embryonic personhood, is extremely unhelpful because no one has come up with a plausible method of evaluating rights. He continues; 'Rights are the stamping ground of intuitionists and it would be difficult to find any claim confidently asserted to a right which could not be confidently countered by a claim to another right, such that both rights cannot simultaneously be complied with.'<sup>26</sup> The difficulty is specifically acknowledged in the following excerpt from the Church of England's publication, *Abortion: An Ethical Discussion*, which was the Board of Social Responsibility's contribution to the debate preceding the 1967 Abortion Act. It states:

The foetus, as potentially a human life, has a significance which must not be overlooked, minimised or denied. Indeed the problem of abortion is *precisely the problem of weighing the claims of the mother against the claims of the foetus and vice versa*,

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<sup>21</sup> A. Rich *Of Woman Born*, (New York: W. W. Norton, 1976)

<sup>22</sup> V. Held (ed) *Justice and Care: Essential Readings in Feminist Ethics*, (Colorado; Oxford: Westview Press, 1995), p. 1.

<sup>23</sup> J. Hadley, *Abortion: Between Freedom and Necessity*, p. 76.

<sup>24</sup> S. de Beauvoir, *The Second Sex*, p 508.

<sup>25</sup> R. E. Hare, 'Abortion and the Golden Rule', in *Bioethics An Anthology*, edited by H. Kuhse and P. Singer (Oxford: Blackwell Publishers, 1999) pp. 58-68.

<sup>26</sup> R. E. Hare, 'Abortion and the Golden Rule', pp. 58-9.

*when they conflict; though it is important that neither be thought of in isolation from the family group of which they are a part.*<sup>27</sup>(my italics)

The Church of Scotland's struggle with the conflicting rights dilemma was publicly played out in its Reports to the General Assembly of 1985 and 1986. The historical precursor to this was influenced by the events surrounding the debate in 1966 leading up to the legislation of the Abortion Act, when the General Assembly issued a statement that contained two rights perspectives. Firstly, it claimed that, 'the inviolability of the foetus is one of the fundamentals and must be defended', and secondly, that 'we recognise that this general right is, in certain circumstances, in conflict with other rights. In the Reformed Church, the paramount concern has been for the mother.'<sup>28</sup>

However, following this declaration, the Church of Scotland became increasingly anxious with the way in which the first right was being ignored by the practical implementation of the Abortion Act and in 1985, persuaded by the strong views of Professor Thomas Torrance, it chose to revoke its earlier recommendation in the 1966 statement that abortion could be permitted if continuation of the pregnancy 'would involve serious risk to the life or grave injury to the health whether physical or mental of the pregnant woman whether before or after birth of the child.'<sup>29</sup> After much debate, and with a narrow majority, this condition was changed to:

From our belief in the sanctity of all human life we are convinced that the inviolability of the foetus can be brought into question only in the case of risk to maternal life and when all alternatives have been exhausted.<sup>30</sup>

Almost immediately, grave disquiet was expressed by many of Scotland's theologians, who worried about the pastoral implications for rape victims, and publicly dissociated themselves from this decision. The return to the former 1966 broader ruling was made in 1986 in Professor Torrance's absence.

The Methodist Church produced a document, *Abortion Reconsidered: The Methodist Statement and its Background* (1977) in response to the formal statement made at its Conference the previous year. It mentions three

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<sup>27</sup> CIO, *Abortion, An Ethical Discussion*, (London: Church Information Office, 1965) p. 61.

<sup>28</sup> Church of Scotland, *Reports to the General Assembly, Social and Moral Welfare*, (Edinburgh: Church of Scotland, 1966) p. 475.

<sup>29</sup> Church of Scotland, *Reports to the General Assembly*, p. 473-6. Discussed in K. Kelly, *Life and Love*, pp. 52-3.

<sup>30</sup> Church of Scotland, *Reports to the General Assembly, Board of Social Responsibility* (Edinburgh: Church of Scotland, 1985) p. 287.



rights to be considered, which stand side by side together in point 6 of the publication quoted here and highlighted in italics:

On one side of the abortion debate is the view which seeks to uphold the value and importance of all forms of human life by asserting that *the foetus has an inviolable right to life* and that there must be no external interference with the process which will lead to the birth of a living human being. The other side of the debate emphasises the interests of the mother. The foetus is totally dependent on her for at least the first twenty weeks of the pregnancy and, it is therefore argued, *she has a total right to decide whether or not to continue the pregnancy*. It is further argued that a child has *the right to be born healthy and wanted*.<sup>31</sup> (my italics)

In weighing up how to resolve the conflict between those rights, the Methodist perspective concentrated on the relational aspects of personhood and stated that whilst the fetus possesses individual identity, 'it lacks independence and the ability to respond to relationships.'<sup>32</sup> For the Methodist Church, the fetus' human dignity is something that increases with its development and it does not view any boundary as definitive before that of viability to survive independently. Whilst the Baptist Union of Great Britain and Ireland is a voluntary association of approximately 2,400 churches, their collective thinking on this issue can be discerned from their submission to the Warnock Committee. The Baptist perception on conflicting 'claims' is to consider the maxim of the 'lesser of two evils' and suggests that not to do so is 'to blunt moral sensitivity.'<sup>33</sup> Again, conflicting rights must return to the status of the embryo and the distinction that the Baptists make is between having life and having 'human personality' in the sense of acquiring full humanity. If a fetus cannot survive independently, then it remains a potential human personality, but similarly to the Methodist view, one that gains increasing significance as it develops.

Critically, as Hare has stated, and as the various churches have demonstrated, the moral status of the embryo is pivotal to the outcome of conflicting rights, despite the fact that the definitions given to determine personhood become specious if used outside the abortion debate. For example, the ability to make relationships cannot, surely, be a prerequisite for determining full human status, or people with profound mental disability, mental illness, or unconscious patients, whose

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<sup>31</sup> Division of Social Responsibility of the Methodist Church edited by J. Atkinson, *Abortion reconsidered: The Methodist Statement and its Background*, (Methodist Publishing House, 1966) point 6.

<sup>32</sup> Division of Social Responsibility for the Methodist Church, *Abortion reconsidered*, point 3.

<sup>33</sup> K. Kelly, *Life and Love*, quoting from the Baptist Union of Great Britain and Ireland Submission to the Warnock Committee, p. 62.

condition causes dysfunction in relating, would be excluded. Similar arguments can be invoked against the Baptist requirement of having a personality. For both the Methodists and the Baptists, the notion of increasing human worth being aligned to growth and development might suggest, by implication, that the elderly and dying should be accorded less worth as they degenerate further and lose their faculties. Ironically, the drive to create human rights legislation has been precisely to protect such vulnerable people.

These ethical anomalies in the content and the moral framework create considerable confusion. Yet, no denomination seems to have queried the framework in which the way of seeing is already set. For example, why should personhood *per se* be the definitive axis of conflicting rights; why not consider sentience- the capacity to suffer - as a critical factor? Early abortion would be preferable to a later one, not because the fetus was more intrinsically human, but because, due to its increased neurone development, it would be more likely to experience pain and fear. Gilligan's research demonstrated that women who contemplate abortion often think in terms of conflicting responsibilities rather than conflicting rights.<sup>34</sup> The following excerpt is from a study by Baban and David on Romanian women who sought illegal abortions during the rule of Ceaucescu:

Almost every woman considered abortion as a way to protect and secure her existing family. As they perceived their sacrifice as a form of devotion, the women took upon themselves all possible risks to their health, freedom and well-being ... 'I did what I did for my family, to bring up children. I was confident God would understand.'<sup>35</sup>

By undertaking discourse analysis, I propose to offer, not a clearer solution - these will always remain morally complex issues - but a different way of conceptualising the problems. By interrogating key subject positions, and by determining how these positions have been constructed, I hope to prepare the way for a different agenda. Understanding the web of interlocking discourses can illuminate how knowledge perception can be holistically different, and possess equal, or possibly greater, validity. And what of woman? Her construction is not only pivotal to the conflicting rights discourse, but, more critically, to the

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<sup>34</sup> Gilligan interviewed 29 women, who were contemplating abortion in one of the studies she undertook, described in her book *A Different Voice*.

<sup>35</sup> A. Baban and H. David, *Voices of Romanian Women: Perceptions of Sexuality, Reproductive Behavior and Partner Relations during the Ceaucescu Era*, (Bethesda, Md.: Transnational Family Research Institute, 1994). Quoted in J. Hadley, *Abortion: Between Freedom and Necessity*, p. 78.

whole ecclesiastic response to biopower. Clearly, even this brief exploration has shown that she often perceives reproductive issues differently to the churches. Having raised awareness of the historical importance of the abortion debate and an appreciation that these discourses have transformed and correlated into the NRT deliberations, I shall now conduct an analysis of how the Roman Catholic Church and the Church of England have formulated their human fertilisation and embryology reports.

### **The critical discourse analysis of two church reports concerning the NRTs**

I have chosen to apply an analogous structured layout for both documents for ease of comparison between them. In addition, I have conducted a word count on key words in each analysis to determine any corresponding and contrasting emphases in the documents. This is a helpful aid to coding, in that it can provide ideational evidence across a substantive text.

### **Instruction on Respect for Human Life in its Origin and the Dignity of Procreation, *Donum Vitae***

#### **Replies to certain questions of the day<sup>36</sup>**

#### **The structure of the document**

The statement is published as a small booklet of 45 pages and is comprised of a foreword, an introduction that recalls 'fundamental principles' and three main sections. The first sentence of the foreword sets the scene and reads thus:

The congregation for the Doctrine of the Faith has been approached by various Episcopal Conferences or individual Bishops, by theologians, doctors and scientists, concerning biomedical techniques which make it possible to intervene in the initial phase of the life of a human being and in the very process of procreation and their conformity with the principles of Catholic morality.<sup>37</sup>

I do not know whether or not Catholic women have sought advice from the Congregation for the Doctrine of the Faith as to where they stand vis-à-vis Catholic teaching on the NRTs, but as this opening sentence

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<sup>36</sup> Congregation for the Doctrine of the Faith, *Instruction on Respect for Human Life in its Origin and the Dignity of Procreation, Donum Vitae*, (Boston: Pauline Books/Media, 1987).

<sup>37</sup>*Donum Vitae*, p.4

explicitly demonstrates, the report's directive does not seek to engage *with* them in any way. In addition, building on Dunlap's insights regarding the politicisation of discourses, this declaration overtly signals the document to be an expert treatise.

The foreword continues to describe in the following extract the content of its three parts, illustrating that infertility per se is not a concern, rather the technologies that endeavour to alleviate it are the main focus.

...; the *first part* will have as its subject respect for the human being from the first moment of his or her existence; the *second part* will deal with the moral questions raised by technical interventions on human procreation; the *third part* will offer some orientations on the relationships between moral law and civil law in terms of the respect due to human embryos and fetuses and as regards the legitimacy of techniques of artificial procreation. [their italics]<sup>38</sup>

The document is broken down into the following headings, which demonstrate effectively the issues that were judged to be significant:<sup>39</sup>

## INTRODUCTION

1. BIOMEDICAL RESEARCH AND THE TEACHING OF THE CHURCH
2. SCIENCE AND TECHNOLOGY AT THE SERVICE OF THE HUMAN PERSON
3. ANTHROPOLOGY AND PROCEDURES IN THE BIOMEDICAL FIELD
4. FUNDAMENTAL CRITERIA FOR A MORAL JUDGEMENT
5. TEACHINGS OF THE MAGISTERIUM

## PART I

### RESPECT FOR HUMAN EMBRYOS

1. What Respect is Due to the Human Embryo, Taking into Account his Nature and Identity?
2. Is Prenatal Diagnosis Morally Licit?
3. Are Therapeutic Procedures Carried Out on the Human Embryo Licit?
4. How is One to Evaluate Morally Research and Experimentation on Human Embryos and Fetuses?
5. How is One to Evaluate Morally the Use for Research Purposes of Embryos Obtained by Fertilization 'in Vitro'?
6. What Judgement Should Be Made on Other Procedures of Manipulating Embryos Connected with the "Techniques of Human Reproduction"?

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<sup>38</sup> *Donum Vitae*, p.4.

<sup>39</sup> Capitals and lower case letters are used as written in the document.

## PART II

### INTERVENTIONS UPON HUMAN PROCREATION

#### A. HETEROLOGOUS ARTIFICIAL FERTILIZATION

1. Why Must human Procreation Take Place in Marriage?
2. Does Heterologous Artificial Fertilization Conform to the Dignity of the Couple and to the Truth of Marriage?
3. Is "Surrogate" Motherhood Morally Licit?

#### B. HOMOLOGOUS ARTIFICIAL FERTILIZATION

4. What Connection is Required from the Moral Point of View between Procreation and the Conjugal Act?
5. Is Homologous 'In Vitro' Fertilization Morally Licit?
6. How Is Homologous Artificial Insemination to be Evaluated From the Moral Point of View?
7. What Moral Criterion Can Be Proposed With Regard to Medical Intervention in Human Procreation?
8. The Suffering caused by Infertility in Marriage

## PART III

### MORAL AND CIVIL LAW

#### THE VALUES AND MORAL OBLIGATIONS THAT CIVIL LEGISLATION MUST RESPECT AND SANCTION IN THIS MATTER

It should be noted that the only aspect of the report to address infertility is point 8, page 33, where just over a page is devoted to 'The Suffering Caused by Infertility in Marriage', otherwise the entire document focuses on the embryo and the marital goods and how these are effected by the clinical practice of IVF, encompassing pre-natal diagnosis, donor involvement and surrogacy.

#### **The language used in the document**

The extracts and headlines that I have so far included are illustrative of the linguistic style of the report. It is couched in formal and seemingly 'impartial' language, although this impartiality is thinly disguised by highly emotive terms that betray a definite bias. The text contains words and phrases expressed in the superlative, such as; 'gravely illicit act', 'embryos are sacrificed', 'corpses of human embryos and fetuses', 'kills defenceless human beings' and 'dynamic of violence and domination'. However, the authoritative tone of the document, which is enhanced by the use of the imperative verb rather than the subjunctive declaring that things *must* be so, obscures its proclivity, especially when it makes

frequent claims to 'rational reflection' and states that it 'puts forward the divine law in order to accomplish the work of truth and liberation.'<sup>40</sup>

The discourse is developed within an androcentric, justice ethics framework, which deploys the rhetoric of rights, universal abstract principles and legalism. The generic, universal man and its accompanying male pronouns are used to refer to humankind, almost exclusively, throughout the whole document and I shall return to this aspect later in my analysis of woman's construction. Whilst emotive terms are invoked, as previously described, these are reserved to preserve the sanctity of the rules, not to shed light on relational contexts or to deliberate points of equivocation, neither of which are permitted. In undertaking a count of key words to reveal the document's standpoint, the word 'rights' was used 39 times and 'abortion' was cited 12 times, despite this being a report on assisted conception. Furthermore, the words to import legality; 'law', 'legislation', 'legislator', 'licit' and 'illicit' occur 47 times, notwithstanding the fact that apart from the small, final section, this refers to moral law as defined by Catholic teaching, not civil law.

### **The construction of woman**

I have already demonstrated in the report's overview that, despite the fact that the NRTs predominantly affect not only women's bodies but also their life choices, this report on assisted conception does not focus on woman, or even on infertility, in its content. This, *in itself*, is a powerful interpretive cue by the text producer(s), promoting their standpoint of woman's insignificance in procreation. It is highly reminiscent of the secular scientific text in *Nature*, that was similarly directed to fellow experts and in which woman was also absent, in spite of repeated referrals to her body parts. Both documents reflect Foucault's insights that 'the body has become the battlefield', which was cited by Grimwood in his analysis.<sup>41</sup> Moreover, I shall demonstrate that the weapons of 'anonymity, classification and objectification' continue to be powerful operatives in this ecclesiastic treatise.<sup>42</sup>

In addition, with regard to infertility, the report consistently refers to those unable to conceive as 'sterile'. In fact, the only time 'infertility' is used is in point 8 of Part II, as shown in the overview of the document's structure. Again, with reference to Walsh's methodology and the

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<sup>40</sup> *Donum Vitae*, p. 10 & p. 6, respectively.

<sup>41</sup> See Chapter Two, p. 68.

<sup>42</sup> Originally cited in Chapter Two, p.68.

examples that I have provided in Chapter Three, the discursive fields opened up by this word are harsher and more finite than those associated with 'infertility'. Moreover, the word 'sterile' invokes belonging to a discrete group or type, rather than denoting a condition with which we might all be afflicted. It serves to polarise the issue in direct contrast to the way in which *Choices in Childlessness* did not.

I propose to utilise two linguistic tools to interrogate the report's techniques of securing woman's invisibility in the discourse. Firstly, I shall examine the way non-inclusive language is deployed throughout the text, and secondly, I shall conduct a keyword count on the times 'woman' is cited. With regard to the first consideration, whilst the inclusive word 'person' or 'people' is used intermittently throughout the report, the pronoun that refers back to these terms in a sentence is almost always masculine. The pronoun 'she' is used three times to refer to the church and only once on its own to refer specifically to woman, which will be discussed later with regard to motherhood.

Incongruously, the term 'his or her' is cited six times in reference to 'person', 'child' or 'embryo', and 'it' is used twice with reference to a child and an embryo. Yet, the infrequent citing of the double pronouns interchanging with the male only term creates, not only an inconsistency, but also, paradoxically, a sense of inferiority to the feminine aspect that is greater than having no citation at all. For, whilst using non-inclusive language reveals the text producer's identity, nonetheless, it could simply be seen to reinforce the 'objective', formal rhetoric that has already been highlighted. However, the *occasional*, intermittent use of the feminine pronouns is a technique of power functioning in the discourse.

This can be discerned in point 3. of the Introduction, entitled 'Anthropology and Procedures in the Biomedical Field'. There are seven paragraphs in this section. The first four discuss the moral imperative to perceive the human body as both 'corporeal and spiritual'. The final three seek to apply these principles of anthropology to the biomedical domain. Initially, it is not clear in the first two paragraphs whether this directive is aimed at the moral status of the embryo or the ethics of adult decision-making. The third paragraph, however, clarifies the text producer's position when it states:

The natural moral law expresses and lays down the purposes, rights and duties which are based upon the bodily and spiritual nature of the human person. Therefore this law cannot be thought of as simply a set of norms on the biological level; rather it must be defined as the rational order whereby man is called by the

Creator to direct and regulate *his life and actions and in particular to make use of his own body*.<sup>43</sup> (my italics)

Clearly, this section has moved from the integrity of the embryo to the integrity of human agency. The fourth paragraph continues to uphold moral agency in masculinist language, saying:

A first consequence can be deduced from these principles: An intervention on the human body affects not only the tissues, the organs and their functions but also involves the person *himself* on different levels. It involves therefore, perhaps in an implicit but nonetheless real way, a moral significance and responsibility. Pope John Paul II forcefully reaffirmed this to the World Medical Association when he said: "each human person, in *his* absolutely unique singularity, is constituted not only by *his* spirit, but by *his* body as well. Thus, in the body and through the body, one touches the person *himself* in *his* concrete reality. To respect the dignity of man consequently amounts to safeguarding this identity of the *man* 'corpore et anima unus', as the Second Vatican Council says (Gaudium et Spes, 14, par. 1).<sup>44</sup> (my emphasis)

Whilst this paragraph pertains to the moral responsibility that all people have to their spiritual and fleshly cohesiveness, in the context of *this* document, it specifically relates to the procedures that primarily women undertake in assisted conception, as theirs is the greater part. In addition, it is directed at those who, either theologically or medically, will be the overseers not the recipients. Consequently, as the text consistently refers to 'his body' when it really means 'her body' it creates an ambivalence, whereby bodies, dominion and moral accountability become disconnected.

The following paragraph compounds, rather than clarifies, this inconclusiveness by its abstract referral to 'decision-making' with regard to 'procedures which are not strictly therapeutic', which is a statement that in itself begs the question, 'what is meant by 'strictly' and 'therapeutic'?'

It is on the basis of this anthropological vision that one is to find the fundamental criteria for decision-making in the case of procedures which are not strictly therapeutic, as, for example, those aimed at the improvement of the human biological condition.<sup>45</sup>

Finally, it is in the following paragraph that both couplets of 'man/woman' and 'his/her' appear, with the pronouns coming first:

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<sup>43</sup> *Donum Vitae*, p. 8.

<sup>44</sup> *Donum Vitae*, pp. 8-9.

<sup>45</sup> *Donum Vitae*, p. 9.



Applied biology and medicine work together for the integral good of human life when they come to the aid of a person stricken by illness and infirmity and when they respect *his or her* dignity as a creature of God. *No biologist or doctor can reasonably claim, by virtue of his scientific competence, to be able to decide on people's origin or destiny.* This norm must be applied in a particular way in the field of sexuality and procreation, in which man and woman actualise the fundamental values of love and life.<sup>46</sup> (my emphasis)

Whilst, the previous paragraphs were implicitly directed at the biomedical community, now their directive is made explicit. The report appeals to practitioners of 'applied biology and medicine' by saying that they work for the 'good of human life' when they 'respect his or *her* dignity'. The inclusion of this one small pronoun at *this* contextual moment (which has, until now, been missing) is deeply significant. For, it resolves the discursive equivocacy by appealing to the practitioners to apply this 'anthropological vision' to women's bodies as their moral duty. Having secured their dominion, the sentence that immediately follows relates this assigned duty, not to woman, but to the *embryo*. Woman is sidelined and remains an incidental procreative component, as De Beauvoir originally claimed, the 'inessential'.<sup>47</sup>

With regard to the word count, the words signifying woman appear 39 times and include 'woman', 'female', 'wife', 'mother/hood'. On 16 of these occasions the words are preceded by the male counterpart 'man', 'male', 'husband' and 'father/hood', representing a pair and are interchangeable in meaning with couple, spouse or parent/hood. Out of the 20 occasions that the word 'woman' or 'mother/hood' is used without a preceding correlative, 8 refer directly to her body or body parts, 6 to surrogacy, 2 to donor involvement, 2 to pre-natal testing, 1 to abortion and 1 to consent for post-mortem on an embryo or fetus.<sup>48</sup> There is only *one* instance in the whole document where the feminine word takes precedence over the male complement and that is on page 34 in the small section on 'The Suffering caused by Infertility in Marriage', where motherhood comes before fatherhood.

This method of coding demonstrates that woman is subsumed into a couple or into her body parts. The reproductive passivity and absence of personhood are reminiscent of the secular constructions analysed in Chapter Three. Similarly, woman is only accorded subjectivity in the role of mother, reflecting De Beauvoir's cultural observations of how woman

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<sup>46</sup>*Donum Vitae*, p. 9.

<sup>47</sup>Discussed in Chapter One, p. 24.

<sup>48</sup> The significance of this will be discussed in the construction of the embryo in the next section.

gains her subjectivity through service, discussed in Chapter One.<sup>49</sup> However, in contrast to the frequently sentimentalised media accounts, in this report, her subjectivity as mother is accentuated when she acts *against* her designated role. For example, on the one hand, the document consistently refers to the male-female pair who seek help together for their 'sterility' (despite the fact that it is the woman who is clinically the patient, even when the problem lies with the man); yet, in undertaking pre-natal diagnosis with a view to termination, the document states:

Thus a *woman* would be committing a gravely illicit act if she were to request such a diagnosis with the deliberate intention of having an abortion should the results confirm the existence of a malformation or abnormality.<sup>50</sup> (my italics)

The absence of the preceding male complement makes her alone responsible for both the abortion and simultaneously rebelling against her allotted role of 'sacrificial motherhood', for in the case of pre-natal diagnosis, she would be aborting a fetus, who would need an inordinate amount of care. Whilst the text continues to cite that others would be colluding with her, nevertheless, the language is softer to them and she is given precedence *in the text*. Her action is described as a 'gravely illicit act', whereas her spouse and relatives 'would be acting in a manner contrary to the moral law'. The specialist 'would be guilty of illicit *collaboration*' (my italics), placing the moral onus on woman. This is also the only occasion in the report that the pronoun 'she' is used alone, except when it refers to the church.

Kathleen Sands illuminates this stance in her exposition on rationalism and dualism in Western Christianity, whereby woman has been 'symbolically associated with evil both as the demonic Other and as the rebellious inferior.'<sup>51</sup> She says; 'However, under any serious threat to patriarchal hegemony – for example, *female reproductive freedom – rationalistic egalitarianism readily gives way to the demonization of women*'.<sup>52</sup> (my italics) Yet, when that motherhood is denied her, the document still calls upon her to be sacrificial, for the *only* time in the whole document that the feminine complement precedes the male, is when motherhood comes before fatherhood, cited earlier in point 8, 'The Suffering caused by Infertility in Marriage.' Note that this pertinent sentence immediately follows: 'Spouses who find themselves in this sad

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<sup>49</sup> Discussed in Chapter One, p. 25.

<sup>50</sup> *Donum Vitae*, p. 15.

<sup>51</sup> K. Sands, *Escape from Paradise: Evil and Tragedy in Feminist Theology*, (Minneapolis: Fortress Press, 1994) p. 5. Her reference to the Neoplatonic Chain of Being was discussed in Chapter Three, p. 108.

<sup>52</sup> K. Sands, *Escape from Paradise*, p. 5.

situation are called to find in it an opportunity for sharing in a particular way in the Lord's Cross, the source of spiritual fruitfulness.<sup>53</sup>

### **The construction of the embryo**

It is clear from the structure of the document that disquietude for the embryo dominates the report. The examples of emotionally charged words already cited are, but a few of the many, which are used to protect its moral status. In the counting of keywords, those that denote the unborn child (including 'embryo', 'pre-embryo', 'zygote', 'fetus' and the 'unborn child') occur 85 times throughout the text. Even this count does *not* include all the references to the embryo, where a phrase such as 'in relation to human life and its beginnings' is used, nor does it include the times ET (embryo transfer) is cited, as this is a procedure.<sup>54</sup> Moreover, often the words 'embryo and fetus' are used in tandem, giving emphasis to the unborn child by a double reference. As can be seen, this is in stark contrast to the number of times words denoting woman are used, as discussed previously.

However, illustrating concern for the embryo does not delve into its construction or its subject position. In recalling the analysis of the secular scientific discourse from *Nature* in Chapter Three, the embryo was also similarly privileged. Furthermore, the linguistic style was formal and, again, affecting terms towards the embryo were deployed, but its construction could not be more different to the one created here.<sup>55</sup> Ironically, whilst emotive terms were used in the scientific treatise to distance the embryo from its humanity, they are used here to construct it as, not just potentially human, but *fully* human from the moment of conception. This is achieved in several ways.

Firstly, it is repeatedly stated as an absolute, unequivocal fact, and such is the strength of this conviction, it creates ambivalence in certain passages as to whether the text is referring to embryos or adults as pointed out in the first two paragraphs of point 3 of the Introduction on the anthropological vision. Secondly, the text not only states the embryo's fully human status, it *accords* it equal, or greater status, to fully developed natals. For example, I have already discussed the report's emphasis on legalism and that this is mostly pertaining to moral law, without any caveat that others might justifiably hold different views. In Part I, 'Respect for Human Embryos', the Second Vatican Council's

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<sup>53</sup> *Donum Vitae*, p. 34.

<sup>54</sup> *Donum Vitae*, p. 6.

<sup>55</sup> Chapter Three, pp. 91-92.

document is quoted thus: 'Life once conceived, must be protected with the utmost care; abortion and infanticide are abominable *crimes*.' (my italics)<sup>56</sup> Whilst infanticide is recognised by the State as a crime, abortion is, in fact, legal. It is more usual to refer to an opposing moral stance as 'unethical', rather than 'criminal', but in so doing, not only does the report create emphasis in its content, crucially, it serves to construct the embryo as a birthed individual.

It is testament to the power of construction through discourse that an ideological subject position can gain such momentum through a given text that the reader absorbs the construction without finding paragraphs such as the following incongruous. The penultimate paragraph of Part I, point 4. reads:

In the case of experimentation that is clearly therapeutic, namely, when it is a matter of experimental forms of therapy used for the benefit of the embryo itself in a *final attempt to save its life*, and in the absence of other reliable forms of therapy, recourse to drugs or procedures not yet fully tested can be licit.<sup>57</sup> (my italics)

One has to be reminded that the early embryo is barely visible to the naked eye, that the cell or cells are undifferentiated and that its 'life', whether within the mother's body or not, is extremely tenuous, and even after implantation has occurred, it remains at a precarious stage of development. Lee Silver emphasises this point when he says, 'The normal reproductive biology of human beings is such that 75 percent of all *naturally* fertilized eggs will succumb to death *naturally* before the nine-month period of gestation is completed.'<sup>58</sup> (his italics) Yet, by using the phrase 'in a final attempt to save its life' and referring to 'reliable forms of therapy' an embodied individual is created in the imagination of the reader.

This effect is taken to extreme in the following paragraph, which opens thus:

*The corpses of human embryos and fetuses, whether they have been deliberately aborted or not, must be respected just as the remains of other human beings. In particular, they cannot be subjected to mutilation or to autopsies if their death has not been verified*

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<sup>56</sup> *Donum Vitae*, p. 13. The use of the word 'crime' in relation to embryo experimentation is used again on p. 17.

<sup>57</sup> *Donum Vitae*, pp. 17-18.

<sup>58</sup> L. Silver, *Remaking Eden*, p. 50-51. Sir Robert Winston also claims that 40% of human embryos do not fertilise and many that do are lost after implantation R. Winston, *Infertility: A Sympathetic Approach*, (London: Martin Dunitz, 1986), pp.23-4.

and without the consent of the parents or of the mother.<sup>59</sup> (their italics, my underlining)

It cannot be said that, biologically, dead embryos could either be described as 'corpses', or that an 'autopsy' could be performed on them. The conferring of full moral status is an ethical stance, it does not endow a body when one has not yet developed, but the statement functions to make visible that which is not yet so.

These are examples that demonstrate the embryo's equal status with natus, but earlier I had alluded to occasions when it was accorded *primacy* over birthed individuals. I would assert that this ontological superiority has correlated into this treatise from Roman Catholic abortion discourses; in other words, this functioning construction pre-existed the NRTs. In the final part of the Introduction, the penultimate paragraph ends with:

God alone is the Lord of life from its beginning until its end: no one can, in any circumstances, claim the right to destroy directly an *innocent* human being.<sup>60</sup> (my emphasis)

The key word here is 'innocent'. The *function* of describing a fertilised cell as an 'innocent' human being, not only infers 'guilt' to a mother who does not wish to be pregnant, it also projects *sentience* onto an entity that clearly has none. This aspect has not gone unnoticed by other denominations, which ignore it, or as in the case of the Church of England, specifically cite it as being unhelpful due to the implication of maternal guilt.<sup>61</sup>

However, the inference goes further, for, within the perimeters of Roman Catholic teaching on abortion, if the embryo is constructed as fully human, then given the circumstances of a potential termination where equal rights conflict, the *innocent* embryo is given absolute protection, even if the life of the mother is threatened. It is only morally permissible to take the life of the fetus if it is taken 'indirectly' in the principle of double effect, which is also invoked in the killing of the innocent in wartime.<sup>62</sup> Such an absolutist stance has its own moral predicaments and

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<sup>59</sup>*Donum Vitae*, p. 18.

<sup>60</sup>*Donum Vitae*, p. 11.

<sup>61</sup> K. Boyd, B. Callaghan, E. Shotter, *Life Before Birth: Consensus in Medical Ethics* (London: SPCK, 1986), p. 25.

<sup>62</sup> D. Smith, *Life and Morality*, p30.

Consequently, the removal of the fallopian tube in an ectopic pregnancy is considered an indirect killing of the foetus because the primary intention is to save the mother's life and the death of the foetus is caused as a by-product of this. For, in the case of an

David Smith describes how the term 'invincible ignorance' can be invoked when a woman is so traumatised by her situation that she has an 'overall inability to cope with a certain moral imperative'.<sup>63</sup> The implication being that she is ethically unable to attain 'the highest regards of the Gospel', which is hauntingly reminiscent of Lawrence Kohlberg's conclusions described in Chapter One.<sup>64</sup> However, with regard to the embryo, its construction of 'innocent' from abortion rhetoric has *justified* its ontological position above woman.

My use of the word 'justified' implies that I consider there to be a more fundamental reason for the embryo's higher status. The following two extracts, which also illustrate the embryo's primacy, deploy a textual device that *simultaneously* demonstrates the embryo to be ideologically male. Moreover, these examples overtly confirm that which is covertly implied throughout. The first instance is in Part I, point 2, third paragraph, which refers to prenatal diagnosis:

Such diagnosis is permissible, with the consent of the parents after they have been adequately informed, if the methods employed *safeguard the life and integrity of the embryo and the mother*, without subjecting them to disproportionate risks. (my italics)<sup>65</sup>

The second instance pertains to embryo research in point 4. of Part I and the opening paragraph reads thus:

*Medical research must refrain from operations on live embryos, unless there is a moral certainty of not causing harm to the life and integrity of the unborn child and the mother, and on the condition that the parents have given their free and informed consent to the procedure.* It follows that all research, even when limited to the simple observation of the embryo, would become illicit were it to involve risk to the embryo's physical integrity or life by reason of the methods used or the effects induced.<sup>66</sup> (their italics, my underlining)

I have already shown throughout the report, except in one significant phrase regarding self-sacrifice in childlessness, that when female and male terms are used in tandem, the male counterpart *always* precedes its female complement. In both extracts above, when mother is cited in a

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ectopic pregnancy, it is not possible to wait until the child is born or to save the mother other than by surgical intervention. However, undertaking a fetal craniotomy to save the life of the mother is *not* permissible because in this instance, whilst the intention to save the life of the mother is good, 'directly taking the life of an innocent fetus' is evil.

<sup>63</sup> D. Smith, *Life and Morality*, p. 37.

<sup>64</sup> D. Smith, *Life and Morality*, p. 37. For reference to Kohlberg, see Chapter One, p. 19.

<sup>65</sup> *Donum Vitae*, p.15.

<sup>66</sup> *Donum Vitae*, p.16.

couplet with the embryo/unborn child, it is the *embryo* which takes antecedence, thereby according it both predominance *and* masculinity.

Furthermore, the context of these two citations is deeply significant, for they both relate to the 'life and integrity' of the pair. This functions to situate the ideologically male fertilised cell on a higher ontological plane than woman, *even* when she is performing her one and only truly merited duty of servitude, that of mother.<sup>67</sup> This is underscored in the second extract by the following sentence that relates solely to concern for the embryo's life. Nowhere in the entire document is there any concern for woman, either regarding the experimental procedures undertaken on *her* body, or in the pastoral care that she might require throughout the process of infertility treatments or in the acceptance of unwanted childlessness.<sup>68</sup> It is the ideational conferring of masculinity on to the embryo, which is the real reason that it has been accorded special protection in abortion discourses.

It may be helpful to perceive this conceptualisation of the embryo through De Beauvoir's insights of woman's subjective otherness. For, in the ideological separation of mother and embryo that abortion and IVF have progressively accentuated and made more adversarial, the embryo is male and subject to the mother who is other. Imogen Tyler succinctly points out:

As philosophy has provided the template for foetal personhood it is not surprising that the foetus is almost exclusively signified as white and male or that commentators have noted how the foetus appears to have been formed within and by the most traditional narratives of individualized Western selfhood.<sup>69</sup>

From this interpretation, the almost hysterical response to embryo research and loss through IVF can be better understood, not as an attack on a small number of differentiated cells, but as a perceived destruction of the male subject, infused with the same androcentric privileges as the autonomous elite men who have produced this report and for whom it is intended.

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<sup>67</sup> I discussed in the construction of woman that the only time woman becomes visible, and is subject in her own right, is when she is mother.

<sup>68</sup> I mentioned in Chapter Three, p. 91 that IVF was undertaken on women following success with mice, without first conducting experimental research on primates.

<sup>69</sup> I. Tyler, 'Reframing pregnant embodiment' in *Transformations: Thinking Through Feminism* ed by M. McNeil, L. Pearce, and B. Skeggs, (London and New York: Routledge, 2000) p. 299.

## Summary of the discourse analysis

This report is explicitly an expert discourse that seeks to expound its standpoint not only to the ecclesiastic community, but also to practitioners in the biomedical field. It is supremely didactic and brooks no dissention, yet despite the utilisation of a formal, abstract, authoritative rhetoric, it is an emotively charged treatise. Its purpose is to protect the embryo from any interference, and to this end, it deploys textual techniques to secure an embryonic construction in the discursive fields of ontological worthiness equivalent to the elite, adult male.<sup>70</sup> Woman, by contrast, is obliterated ontologically and is constructed as a potentially rebellious womb to be controlled by those more capable of exercising moral agency. For, not only is the embryo accorded greater human worth than woman, it is also endowed with *actual* sentience that woman is denied by the obscuration of her personhood.

Whilst, it could be argued that an appraisal of the content alone would reveal the text's deeply misogynist standpoint, nevertheless, undertaking a discourse analysis offers greater scope for interrogation. For, by engaging with the politicisation of the treatise, as Dunlap and Grimwood have also elicited, the techniques of power operating throughout the discourse are exposed as colluding with, and constructing further, the systems of socio-cultural control rather than being claims to an essential 'truth'. Consequently, it becomes possible to unravel the correlating and transforming statements of historical ideologies and interrogate the source of their claims with an oppositional rationale, which forces those systems to be examined rather than remaining hidden. In this way, not only can other outcomes be considered as authentic alternatives, but also more crucially, differing frameworks of thinking can be theologically validated.

## Personal Origins

### The Report of a Working Party on Human Fertilisation and Embryology of the Board for Social Responsibility

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<sup>70</sup> This is underscored by the fact that The Roman Catholic Church has given approval to biotechnology in agriculture according to a press release from Crop Biotech Update [http://www.isaaa.org/kc/CBTnews/CBT\\_recent.htm](http://www.isaaa.org/kc/CBTnews/CBT_recent.htm). Bishop Elio Sgreccia, vice president of the Pontifical Academy for Life stated, 'God has given man the task and responsibility to govern creation, which implies a grave responsibility.' He continued 'The use of plants and animals is legitimate, but it does not represent an absolute right. The Church has an open but conditioned position.'



## **The structure of the document**

The document is published as a booklet, with a colourful abstract cover, comprising 75 pages with a foreword from both the first and second edition and 2 appendices consisting of the resources and bibliography used. Following an introduction of 15 points, the book is divided into 6 sections with the following headings:<sup>71</sup>

### **1. Developments in assisted conception**

Artificial insemination by husband or donor

*In vitro* fertilisation

Cryopreservation

Spare embryos

Related Techniques

Wider applications of IVF

Ovum donation

Embryo donation

Surrogate motherhood

Male infertility

Other possibilities arising from these new techniques

Genetic screening

Gene therapy

Sex selection

Research

Other ethical dilemmas

Concluding comment

The fear of genetics

The way forward

### **2. Human dominion**

The impact of modern science

Christian responses

Creation and 'Natural law'

Order in Nature

Human responsibility

Eschatology

The Kingdom of God

Jesus Christ and the Divine purpose

### **3. The status of the human embryo**

The Christian tradition

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<sup>71</sup> These are set out as featured in the Contents page.

The formed and unformed foetus  
The development of the early embryo  
Different interpretations of the status of the early embryo

#### **4. Marriage and the family**

#### **5. Conclusions for practice**

Technologies for resolving infertility

Enabling natural fertilisation

Artificial insemination by husband

*In vitro* fertilisation

Enabling fertilisation through the use of donor gametes

Donor insemination

Egg donation

Embryo donation

Permissible intervention

Surrogacy and womb-leasing

Secondary effects of these practices

Spare embryos

Research

In conclusion

#### **6. Questions concerning pastoral care**

Infertility and childlessness

Marriage

Family

Identity

Human life

Other people

The main concerns set out in the Introduction are demonstrably similar to those espoused in *Donum Vitae* and are as follows:

We have identified three major areas of debate:

(a) The status of the fertilized egg or early embryo, and the protection it should be given (Chapter 3);

(b) The nature of the marriage bond, and the effect on it of the introduction of a third (or even fourth) party in artificial insemination by donor (DI), ovum donation etc. (Chapter 4);

(c) The nature and extent of divine providence and human responsibility  
(Chapter 2).<sup>72</sup>

The prioritising of the embryo can be seen from the order of main points and although it is dealt with in Chapter 3, the second chapter on human dominion directly concerns procreative control and limitations and therefore is a relevant preamble to it. The first chapter, as shown in the headings, deals comprehensively with the developments in assisted conception techniques, the fifth chapter provides conclusions for clinical practice and the final chapter of 6 pages is devoted to 'Questions concerning pastoral care'. Whilst the terminology is quite different, it can be seen by the sequencing of issues and the textual space given to them, that this report has a comparable framework to *Donum Vitae*.

### The language used in the document

However, as can be seen from the above quotation and the list of contents, the language used in this report is very different from the way in which the Roman Catholic text is written. It is couched in a user-friendly style, less formal, less authoritative and openly equivocal. The use of the inclusive pronoun 'we' to signify, not only the working party, but also the Christian community is indicative of a much more 'softly-softly' approach to the subject. There is little, if any, use of the generic 'man' to mean humankind and the paired terms of couple and parents are frequently used rather than the linguistically cumbersome duo of 'husband and wife' or 'father and mother'. The tone is conveyed by the subjunctive mood, rather than the imperative and often admits to a difference of opinion within the working party that permits indeterminacy in the reader. The following sentences in point 59 are typical: 'We ought not to be surprised by the fact that Christians react in different ways to these changes. In considering modern developments in the field of human embryology we ourselves have reacted in two contrasting ways.'<sup>73</sup>

Consequently, it may seem that this document encompasses more of a contextual approach than the formal, abstract, principle-led perspective of *Donum Vitae*. However, whilst the tone and language are less absolutist, nevertheless, the emphasis of the document remains fixed on a similar androcentric standpoint demonstrated by the fact that the same issues are considered to be of paramount importance. Furthermore, the softer language disguises the fact that woman is still covertly subsumed

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<sup>72</sup> *Personal Origins*, p. 2.

<sup>73</sup> *Personal Origins*, p. 25.

into the agency of the man by the use of the term 'couple', which will be discussed in greater depth in the next section. In addition, it can be recalled from earlier analyses, that the use of the pronoun 'we' is a powerful interpretive device that seductively, and unconsciously, draws the reader into compliance with the text producer(s)' standpoint.

Moreover, as Grimwood demonstrated, permitting 'freedom of conscience' can be an immensely powerful technique to regulate behaviour. The treatise is an expert discourse, which appointed 'two moral theologians, a social theologian, an experimental biologist and a geneticist' on to the working party, but did not feel the need to listen to women undergoing treatment.<sup>74</sup> In addition, the bibliography reveals an emphasis towards other expert discourses predominantly surrounding concern for the embryo, only one book out of 40 was written from the perspective of personal experience and even this was a Christian publication. There are no feminist publications that would have provided alternative standpoints, priorities and concern for woman's part in the NRTs. Clearly, these anomalies require further scrutiny.

The discourse deploys a variety of techniques analogous to the 'hidden curriculum.' Simply put, the text does not do what it says it is doing. For example, I have demonstrated that the historical trajectory of the abortion debate has correlated into the NRT discourses, transforming both the rhetoric and the moral framework, with its inherent rights language, into the church statements on assisted conception. This point has not gone unnoticed by the working party and the report acknowledges the problematic of conflicting rights in the following extract. Consequently, the word 'rights' is not cited in the document after the declaration in paragraph 9, which states:

Other language used to describe the status of the foetus is that of 'rights', often contrasting the 'right' of the mother with the 'right' to life. We have not found this helpful. Scripture does not use such concepts, but speaks instead of responsibilities or duties and their associated privileges.<sup>75</sup>

However, despite this declaration, nevertheless, a *similar* argument ensues regarding the humanness of the early embryo that takes place when conflicting rights are discussed. Ironically, what the report demonstrates is that simply using different words is neither sufficient to provide, nor indicative of, a changed *perspective*; the framework remains unchanged, but this is obscured by the absence of typical language.

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<sup>74</sup> *Personal Origins*, p. 1.

<sup>75</sup> *Personal Origins*, p. 4.

Similarly, the report does not utilise overtly legalistic vocabulary, such as the formal terms *il/licit* as the statement from *Donum Vitae* did, although legal phraseology does occur 17 times.

A further, pertinent example can be found in the final paragraph of the Introduction. For, in this extract, the report explicitly recognises that the abortion issue has influenced their discussions and reads thus:

The arguments about assisted conception matters have inevitably but sadly inherited the dissensions and traditions of the abortion debate. On the one hand, English law has accepted that there are circumstances which allow the therapeutic termination of pregnancy; on the other, there are many Christians who regard the legalisation of abortion as a symptom of and spur to moral decadence. It is not easy to reconcile the extreme views expressed in the abortion controversy, and it has to be accepted that a similar polarisation is manifest in the debate about new reproductive technologies.<sup>76</sup>

True to its assertions, the report makes reference to abortion 23 times and contextualises its standpoint from the very perspective that it purports to be disinclined to take. Note the inclusion of the adverb 'sadly', when referring to the 'inevitability' of including the traditions of the abortion debate. This small interpretive cue functions interpersonally to promote a sense of reluctance on the part of the working party to tread this path again, but later on their ideational desire to do so is reiterated by the phrase, 'and it has to be *accepted* that similar polarisation is manifest in the debate about new reproductive technologies'. However, recalling the Foucauldian understanding of 'otherwise', this need *not* have been the case; the text producer(s) could have chosen to focus on other issues, such as, the relational aspects of infertility and the role of the church in providing constructive avenues of pastoral support.

Further examination of this extract reveals another interpretive cue; the reader is informed that 'English law has accepted' conditions for abortion, but that '*many Christians*' regard it as culminating in 'moral decadence'. By aligning the State with a pro-abortion stance and large numbers of anonymous Christians with an anti-abortion perspective, a similar effect is created in the discourse to the referral of the unreferenced survey in the documentary analysis.<sup>77</sup> The analogy lies in the fact that it functions to add weight to an argument, or in this case, to

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<sup>76</sup> *Personal Origins*, p. 6.

<sup>77</sup> See Chapter Three, p. 124, footnote 50. Rosalind Gill points out that a text producer's citation of 'surveys' is highly persuasive and adds both a sense of authority and objectivity to their claims, distancing 'pertinent facts' from a standpoint of personal advantage.

adopting a perspective, that is *removed* from a standpoint of self-interest and, crucially, personal accountability.

Furthermore, this is reminiscent of the techniques used in the bishop's statement that Grimwood discerned, where the freedom to have homosexual relationships was permitted, whilst at the same time it was made clear that this would be outside the borders of what constituted normal Christian morality. Other Christian ethics, such as celebrating reciprocal, mutually enriching and monogamous sexual relationships were not encompassed into a same-sex union. Correspondingly here, the *Christian* requirement to place the embryo at the centre of procreative morality is being formulated at the expense of promoting alternative ethical considerations.

### **The construction of woman**

The techniques of disguising intent behind a softer approach are also deployed in determining the subject position of woman. As previously stated, more inclusive terminology is used in this report, in addition to the words 'couple' and 'parent', woman is often referred to as the 'female partner' signifying an equal status and reflecting current socio-linguistic trends used now to describe one's spouse, cohabitee or boy/girl friend of either sex. The comparative word count reveals that words used to import 'woman' occur 71 times and are rarely, if ever, used in tandem with the male counterpart, however, 44 of these instances arise in the first chapter and refer mostly to the body in describing assisted conception procedures. These citations are far less than those referring to the embryo, which is not surprising as the contents page demonstrates just how much of the document focuses on the embryo, not woman.

The report's even-handedness in the aspect of gender terminology may seduce the reader into thinking that the report is according woman more visibility and ontological equality than either *Donum Vitae* or *Nature*. However, in common with those texts as well as the media accounts and the documentary, woman only features in the report in the context of her body parts and in relation to her role as wife and mother. By the role of wife, with regard to assisted conception, I refer to the constructed duty of providing a child for her husband. I propose in the following extracts to demonstrate how techniques operating in the discourse achieve this.

The techniques that construct woman's subject position are deployed by an attitude of balance that belies a reality of unequal participation. In addition to the use of gender inclusive words, the document achieves its

equitable stance by comments such as, 'Infertility affects both sexes and it has many causes.'<sup>78</sup> Yet, whilst this creates an impression of equal respect, *nowhere* in the document is it made explicit that it is woman, who shoulders almost all the investigations and treatment and consequently bears the total risk of experimental and established procedures as well as the considerable discomfort of these. In addition these burdens, together with those of embarrassment and work related difficulties, fall mostly on her, *even*, when the problem lies with the man.

In the first chapter, it states that, '*In vitro* fertilisation (IVF) can overcome *female* infertility, and may be regarded very broadly as the female equivalent of AIH.' (my italics for female)<sup>79</sup> In light of this, consider paragraph 35, headed by the title 'Male infertility', just 5 pages later than the above comment:

In around 40% of infertile couples the problem lies with the male rather than with the female. Again, the causes are many and AIH and DI are two techniques which can be used in such cases. *More recent techniques may also involve in vitro fertilisation and are increasingly used to help couples where the males produce few active sperm.* An example is ICSI (Intra-Cytoplasmic Sperm Injection) where an individual sperm is injected into an egg. Some concerns have been expressed about its risks connected with this technique; as with all new techniques, the HFEA is monitoring this closely.<sup>80</sup> (my emphasis)

The paragraph opens with the statistic that in 40% of cases of infertility, 'the problem lies with the male.' By listing AIH, DI and IVF as possible treatments for *him*, especially as it was previously stated that IVF is used to 'overcome female infertility,' the woman's part in undergoing treatment for her partner's medical condition is effectively hidden. Note too, that the use of the word 'couple' in this extract, far from including woman, actually distances her from the reality of her participation. Ironically, this ethical dilemma does not feature in the lengthy theological considerations of bodily integrity, discussed in Chapter 2 of the document, which I shall examine in the next section on the embryo's construction.

The final chapter on pastoral care continues in this vein. Whilst couched in the now familiar cosy language, paragraph 153 functions not only to subsume woman's greater involvement into the ubiquitous couple, but also it accords the man visibility in the *sole* physical activity that might cause him some distress. It reads as follows:

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<sup>78</sup> *Personal Origins*, p. 8.

<sup>79</sup> *Personal Origins*, p. 10

<sup>80</sup> *Personal Origins*, p. 15.

In counselling couples who are unable to have children of their own it is important to bear in mind particular points in their experience. For example, where couples are unable to have children it is predominantly the woman who seeks professional help. Yet in around 40 per cent of cases it is the man who is infertile. This suggests that men have difficulty in coming to terms with infertility, and pastoral care may need to take account of this. It is also worth bearing in mind how daunting and discouraging it can be to couples when seeking help to be faced with the routines of infertility clinics involving the giving of endless personal histories to doctors, and the requirement to *masturbate* to order. Some clinics are more sensitive than others. It can be very humiliating for a couple. (my italics)<sup>81</sup>

In this extract, following the claim that it is the woman who is more likely to seek professional help, the reader's attention is drawn again to the fact that in 40% of infertility cases, the difficulties lie with the man. This acts as a textual device giving man visibility in the discourse. It allows the next sentence to flow naturally without causing any incongruity. Yet, the fact that more women seek professional help than men does not 'suggest that men have more difficulty in coming to terms with infertility' at all. It is a completely arbitrary conclusion to make that does not take into account a multiplicity of socio-cultural factors, and furthermore, it ignores a patently obvious fact. For, the prospect that a couple might be infertile *begins* with the lack of conception taking place within the woman's body, consequently, it *has* to be woman who first seeks help, whatever the reason might be.

As she will be the partner upon whom the greater weight is placed in terms of deciding how far to go with medical procedures on *her* body, it is little wonder that she may be predominant in seeking guidance and support. Woman's invisibility is so entrenched that even when her need for emotional support becomes statistically evident, the text producers have turned this around calling for pastoral care to take more account of the male partner. Having highlighted man, the paragraph continues to describe the rigours of treatment in terms of the 'couple', obscuring, yet again, woman's part. By singling out for sympathetic comment the man's requirement to masturbate, the text continues to privilege male bodily integrity over woman's.

I am fully aware that masturbating to order is difficult; my point is not to disparage the man's part, but to demonstrate that the weight of concern, and more crucially, textual *visibility*, is utterly disproportionate to the reality of the situation. Furthermore, the empathy given to the infertile man that is not commensurately given to the infertile woman, demonstrates an ideological position. For despite references to the

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<sup>81</sup> *Personal Origins*, p. 67.



contrary as this sentence alludes, 'A couple may need reassuring that their sexual relationship in their marriage is valid, God-given, loving and responsible even though children are not conceived,'<sup>82</sup> the hidden message of the text is that the infertile wife has failed her husband in her only valued role.

The one place in the whole document, where this emphasis is different, is in the quotation taken from the HFE Act, which appears in paragraph 147. I have reproduced the entire paragraph to demonstrate the contrast of style and prioritisation:

The needs of people seeking pastoral support will vary not only according to their own personal reactions and experience but also according to the quality of service offered to them by any agencies with which they may be in touch or considering approaching. The HFE Act recognises the importance of this aspect for it states that '*A woman shall not be provided with any treatment services... unless the woman being treated, and where she is being treated together with a man, the man have been given a suitable opportunity to receive proper counselling about the implications of taking the proposed steps and have been provided with such relevant information as is proper.*' The HFEA Code of Practice gives detailed instructions as to how this should be carried out.<sup>83</sup> (my italics)

The HFE Act's quotation deals with the reality of the NRTs in that it recognises woman to be the person who undergoes treatment and, furthermore, that she may, or may not, be doing so with a male partner.

### **The construction of the embryo**

The historical trajectory of the abortion debate is especially pertinent to this report. The Church of England's publication, *Abortion: An Ethical Discussion*, which preceded the 1967 Abortion Act, had permitted abortion in certain circumstances. However, after the implementation of the Act, as had been the case in the Church of Scotland, some members expressed disquiet concerning the numbers of abortions being performed.<sup>84</sup> The advent of IVF provided the Board of Social Responsibility with an opportunity to reconsider the moral status of the embryo, as the excerpt cited on page 163 demonstrated. The working party found that they were divided on the issue, and whilst the report illuminates their equivocation by overtly stating, and respecting, two opposing stances on the moral status of the embryo, nonetheless, the

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<sup>82</sup> *Personal Origins*, p. 67.

<sup>83</sup> *Personal Origins*, p. 65.

<sup>84</sup> K. Boyd et al, *Life Before Birth*, p. 31.

consequence of this is an ambivalent outcome.<sup>85</sup> One opinion stresses the inviolability of the embryo from fertilisation; the other considers consciousness (occurring at approximately 40 days after conception) to be the arbitrating factor in deciding moral status and concludes that prior to differentiation the embryo has fewer claims to equal status.<sup>86</sup>

What is striking about this report, in terms of correlating discourses, is that abortion was still an issue for the Church of England, whereas, unlike the Roman Catholic Church, contraception was not. Significantly, contraception has been traditionally discussed within the contextual framework of disrupting the unitive and procreative bonds rather than within the abortion debate. In the chapter entitled 'Marriage and the family', the document states, 'Anglicans usually hold that love may be expressed through sexual intercourse even when the use of contraceptives prevents the possibility of procreation, and that it is quite proper to plan both the number and timing of children within a marriage.'<sup>87</sup> There is no caveat to say that only certain forms of contraception should be used. Yet, it is well known that the intrauterine device and certain types of pill work by preventing embryo implantation, and therefore, will involve the destruction of the early embryo. It is precisely because this line of thinking ensues from a different archaeological directive that the issue of the embryo's moral status does not become a stumbling block to the use of contraceptives.

Moreover, I would contend that the disparity over the moral status of the embryo contained in this report arises from the *construction* of the embryo as fully human, which has transformed into the NRT discourses from traditional abortion rhetoric. The moral status of the embryo dominates the report's content, which, as with *Donum Vitae*, emphasises the text producers' ideational emphasis to the reader about what is deemed to be important. The comparative word count further illustrates this preoccupation in that the words to denote the unborn child occur 165 times, and this does not include the adjective embryonic, which is frequently used. In addition, the following example demonstrates this construction functioning in the text.

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<sup>85</sup> The Church of England's acceptance of IVF 'in principle' has the following caveat 'Some of us, however, are not able to support IVF in practice.' This is due to the destruction or experimentation of the early embryo that practical application of IVF incurs. *Personal Origins* p. 56.

<sup>86</sup> *Personal Origins*, pp. 38-40.

<sup>87</sup> *Personal Origins*, p. 47.

Chapter 2, entitled 'Human dominion' is *Personal Origin's* theological interpretation of human behaviour, which is equivalent to *Donum Vitae's* anthropological vision, particularly the section headed 'Jesus Christ and the Divine purpose'.<sup>88</sup> Certain ambiguities arise here that are similar to those elicited in *Donum Vitae'*, whereby the discussion regarding the importance of the harmony between body and spirit (para. 66) conceptualises an *embodied* entity in the mind of the reader. As the subject matter of the report is generated from procedures undertaken on women's *actual* bodies, the following paragraph could easily have been talking about the role of woman in assisted conception, as the embryo does not *yet* have a body. Paragraph 67 reads thus:

We turn from this to consider the subject of the often quoted warning that personal dominion over ourselves threatens to become the dominion of some people over other people. *The covenant we make one with another, our equality before God and within the community of fellowship, may be threatened if we view one another only as a body which may be used for whatever good purpose we choose.* The existence of codes of ethics (such as the Hippocratic Oath and the Helsinki Declaration) governing scientific experiments on human subjects is clear acknowledgement of this. Indeed we can learn from the limits imposed by these codes. (my emphasis)

The highlighted sentence could have referred to the use of woman's body in treating another's medical condition, or it might have alluded to the experimental nature of the NRTs, whereby woman's consent to risky procedures is complicated by issues of trust in the medical profession and desperation on her part to become pregnant at any cost. These are valid ethical concerns about consent, power and the psychological pressure that is placed on woman to achieve subjectivity through motherhood. However, in later paragraphs, it becomes clear that this is a preamble to considering the ethics of embryo experimentation. Paragraph 71 includes the following comment: 'It is clear that experiments on embryos would be difficult to justify under these general principles on consent, because of the qualification concerning actual harm, and on either the maximum or minimal (proxy) notions of the meaning of consent.'

I am not suggesting that embryo experimentation is not an important issue. My point is that by couching this discussion in such terms as 'the value placed on the body' and 'bodily life' (para. 66), a construction of embodied existence in the embryo is being established in the mind of the reader *before* the ontological status of the embryo is debated in the following chapter. A tally of words denoting 'body' in the section, 'Jesus Christ and the divine purpose' (pp.28-31) reveals the citation of

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<sup>88</sup>*Personal Origins*, p. 28-31.

'body/ies' 17 times and 'embodied' twice. In this light, it is ironic that the Warnock Report's recommendations of protection to the embryo from the appearance of the primitive streak, when individual development is established, is closer to the report's requirement of bodily integrity than its own divided working party's stipulation of consciousness at 40 days.

What is happening in this document is comparable to the constructions of 'nature' discussed by Macnaghten in his analysis of a public inquiry into planning application for a landfill site, which I have previously referred to in Chapter One.<sup>89</sup> In his analysis, Macnaghten demonstrated that three different constructions of nature were being deployed interchangeably creating ambiguities of meaning. In his summing up he says:

And finally, it illustrates how these processes of argumentation were constrained by, and determinant of, external sources of power in a framework of social relationships. In other words, arguments over nature could not be seen as free floating but constrained and limited by existing power structures of what *was permitted to count*.<sup>90</sup> (my emphasis)

Similarly, here the archaeological trajectories of different lines of thinking permit the embryo to count in the NRT discourses, but not in those discussing contraception, because arguments over the embryo are not 'free floating', but are constrained by, as 'nature' was above, power structures that continue to operate through the transmutation and correlation of discourses.

### Summary of the discourse analysis

*Personal Origins*, like *Donum Vitae*, is an expert treatise. However, its direction and tone are different; it deploys inclusive interpretive cues, such as using personal pronouns to seduce the reader to its ideational position and by encouraging the freedom to hold a range of views. Its open, easily readable, linguistic style invites non-clerical Christians to read it, thereby encompassing and *involving* a wider readership beyond the theological community and interested clinicians. Whilst this may seem at first to be a far more concerted approach than *Donum Vitae* to dealing with the issues of the NRTs, its framework and constructed subject positions of woman and the embryo demonstrate that a similar agenda is still operating. Ironically, as Foucault first illustrated and Grimwood discerned in the bishops' statement, such an approach is

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<sup>89</sup>See Chapter One, p. 10.

<sup>90</sup> P. Macnaghten, 'Discourses of Nature:' p. 69.

more powerful than the didactic, proscriptive stance taken by the Roman Catholic Church.

In addition, I have demonstrated that woman remains hidden and the report does not address the monumental issues that affect *her* and *her* bodily integrity regarding the harmony of spirit and flesh that is so crucial to the divine anthropological vision. The disregard of her personhood is more insidious in this statement, than in *Donum Vitae*, because it is less obvious and becomes, therefore, more likely to be accepted. Without undertaking discourse analysis, it is difficult to challenge just *how* this text is functioning to undermine her well-being and to demonstrate that, despite its protestations to the contrary, the text producers have further entrenched the adversarial conflict of woman and her embryo. For, whilst the report does not forbid IVF outright, nevertheless, its total lack of recognition of woman's part leaves her without a valid claim to, or an understanding of, the critical pastoral advocacy that she is due in dealing with the feelings of hopelessness engendered by infertility and the biomedical minefield of the NRTs.

### **Conclusion**

These analyses of two ecclesiastic reports demonstrate that the church has imbibed constructions of woman that are deleterious to her and in so doing, they have foreclosed both pastoral and prophetic opportunities of advocacy. Moreover, there is no reflection in either document about how much emphasis the institutional church *itself* places on the status of motherhood, leaving woman psychically bereft when that option is denied her. How ironic is the case that these male ethics should continue to play a part in preventing woman from achieving the motherhood that they so persistently urge upon her. In Chapter Five, I propose to interrogate the wider theological community to ascertain whether woman's subject position of invisibility has been noted and challenged by those who have engaged with the NRTs.

## CHAPTER FIVE

### APPRAISING MAINSTREAM TEXTS FROM THE WIDER THEOLOGICAL COMMUNITY

But if these fears are acknowledged, do they form a proper basis for moral judgement? Is the 'unnatural' wrong because we designate it so out of fear? I do not think so. I believe that we ought to face our fears and recognize them for what they are: the fear of losing our certainty about natural laws by allowing everything that is possible to be tried; and the fear of losing touch with nature as it is, of alienating ourselves from that of which as human beings we form a part. We should not deny or ridicule, or otherwise attempt to dismiss, such fears.<sup>1</sup>

Mary Warnock, 2002.

Truth-seeking requires a necessary asceticism; it calls upon us to give up what we are tempted to cling to for the wrong reasons.<sup>2</sup>

Richard Holloway, 1997.

In summarising the findings of Chapter Four, it would appear that the discourses of the church reports reflect a similarly constructed subject position of woman to that, which is found in the secular press and scientific treatises. If anything, the De Beauvoirian analysis of woman as 'incidental' unless, or until, she gains transcendence through service as wife and mother, is demonstrated even more sharply by the church statements on human fertilisation. For, in these documents, woman only becomes visible when her *lack* or rebellion to this end is evident, that is, when she deviates from her role by aborting a fetus or refuses repeated pregnancy in the case of the Roman Catholic Church. In the case of the more muted style of *Personal Origins*, woman's failure to produce a child for her husband is signified by the disproportionate sympathy given to him in the IVF process, when it is she who must undergo the rigours of treatment. What remains hidden, in both cases, is her particular pain of infertility with the inherent social and family shame and isolation together with the uncertainty of varying investigations and experimental, often unsuccessful, procedures.

Mirroring Harding's premise regarding traditional notions of objectivity, my contentions are that the church has taken a view that is both too narrow and too broad and has thereby missed vital issues in need of

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<sup>1</sup> M. Warnock, *Making babies: Is There a Right to have Children?* (Oxford: Oxford University Press, 2002), p. 83.

<sup>2</sup> R. Holloway, *Dancing on the Edge*, (London: Fount Paperbacks, 1997), p. 194.

theological critique, prophetic opportunity and pastoral support.<sup>3</sup> Its view is too narrow, not because it draws on Scripture, but more importantly, because it turns to the traditionally *selected* texts and accompanying discourses that have formed ecclesiastical opinion throughout the centuries without taking into account any contemporary, deconstructive, hermeneutical insights from the plethora of liberation, feminist, queer, body and post-modern theologies available. Furthermore, it has chosen to ignore the texts on infertility and surrogacy, which feature in the Hebrew Bible, and which might be a source of contemplation, preferring instead to focus on references to the embryo.<sup>4</sup>

It is too broad because it uses a framework that is constructed on ethical convictions of universality, which purports that the impartial, objective, abstract, principle-led rationality is the definitive method for moral deliberation, consequently, ignoring context and particularity as valid considerations. An imperative question to ask is; 'Is this ethical structure deployed or critiqued by other Christian commentators?' In Chapter 2, Grimwood's analysis of the bishops' statement demonstrated how influential expert, church reports are to the theological community, but nevertheless, in mounting a substantial critique against the framework deployed by the church, it would be prudent to explore Christian opinion beyond the confines of the ecclesiastical elite.

In order to do this effectively, I propose to undertake an archaeological critique of three mainstream theological texts on the NRTs, which will be comparable to Graham's interrogation of popular science fiction narratives. The three publications that I have selected are *Fertility and Faith* by Brendan McCarthy, *Reproductive Technology* by Brent Waters and *The Ethics of IVF* by Anthony Dyson. My rationale for choosing these three particular texts is that, in each case, the author has expressed dissatisfaction with the perimeters of the current debate and seeks to take a different standpoint from the status quo. The fact that these authors hold this view is indicative of both the sheer complexity of the issues and also the inadequate ecclesiastical response to them. As I discussed in Chapter One, the success of discourses analysis is not dependent upon sample size, consequently an interrogation of three

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<sup>3</sup> See Chapter One, p. 8.

<sup>4</sup> The stories of Abraham, Sarah and Hagar (Gen. Chapters, 15-21); Isaac and Rebekah (Gen.25:21); Jacob, Rachel and Leah (Gen. Chapters, 29 & 31); Hannah at the temple (1 Sam., Chapter 1) and Elizabeth and Zachariah (Luke 1:5-2) all illustrate the anguish of infertility.

texts, in which each are seeking to find an alternative vantage point, merits a credible source for critique.<sup>5</sup>

My interrogation of these works will be primarily an archaeological examination of their systems of thinking, in the Foucauldian sense, rather than reviewing their arguments per se. I will outline the text producer's perception of the specific shortcomings that he wishes to overcome, thereby eliciting his identity, and compare these with my own contentions. Thereafter, I will be more concerned with how the discourse constructs woman and the embryo, and the ethical framework that has been deployed to do so, in line with the premises of this thesis, rather than discerning whether the text fulfils its own objectives.

**B. McCarthy, *Fertility and Faith: The ethics of human fertilisation*, (Leicester: Inter-Varsity Press, 1997)**

### **The aims and objectives of the book**

The first question to ask of these three publications is 'what was the author's critical premise for seeking a different approach?' In McCarthy's case, his primary objection was that he considered the Warnock Report, which was, in his opinion, pivotal in establishing the agenda for assisted conception, to be lacking in its failure to produce a coherent relationship between law and morality and also in its ambivalent deliberations with regard to reason and sentiment in moral decision-making. Consequently, he felt the need to revisit Warnock in order to clarify his objections and states:

We can be sure, then, that the correct starting-place for our investigation of human fertilization and embryology is to examine the agenda set by the Warnock Report. The Warnock debate was not concluded by the publishing of the committee's report; it still continues today.<sup>6</sup>

He does, however, acknowledge and share Mary Warnock's prioritising of the moral status of the embryo as the 'greatest single concern' and reflects that in his study.<sup>7</sup>

A further issue for McCarthy was the churches' response to Warnock, particularly in their varied approaches and disparate outcomes

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<sup>5</sup> See Chapter One, p. 43.

<sup>6</sup> B. McCarthy, *Fertility and Faith: The ethics of human fertilisation*, (Leicester: Inter-Varsity Press, 1997), p. 13.

<sup>7</sup> B. McCarthy, *Fertility and Faith*, p. 8.



(conversely, I have argued in Chapter Four, that their perspectives were remarkably convergent, despite the differing results), which he believes led to a confusing Christian message to the world. For McCarthy, Christian morality is established by doing God's will and he puts his case thus:

To act in a morally correct manner is to act in accordance with God's will. Certainly, it is difficult to see how a Christian could argue that to obey God's will would be to act in an immoral manner or that to disobey it would be to act in a moral manner.<sup>8</sup>

He draws on the work of Brunner, Barth and Bonhoeffer to defend his case, but unfortunately does not address the most quintessential problem for believers, which is the discernment of what God's will *is* in any given context. Such difficulties occupied Kathleen Sands in her theological deliberations on evil when she said:

When I fight injustices—for example, those suffered by lesbians and gay men—I am uneasily aware that there is no higher ground from which to adjudicate the differences between me and my opponents over what is “natural” or “just”; what I judge to be culpable evil, they assess as natural good.<sup>9</sup>

In his quest to promote a unifying theological premise upon which all Christians can agree, McCarthy misses the irony of his position in two aspects. Firstly, the anomalies of combining philosophical principles and sentiment in the Warnock Report, which he asserts are problematic, are comparative to the difficulties inherent in determining ethics based on reason and revelation, which he promotes. For, in both cases, the problem of dealing with emotional, intuitive or spiritual responses in a paradigm of thinking that cannot contain, and often devalues, non-rational aspects of human understanding, will always cause discrepancies unless the system itself is scrutinised.<sup>10</sup> Secondly, his disparagement of utilitarianism illustrates precisely the very dilemmas that exist in using God's will as a means of working out what action is morally sound. He states:

Since, in utilitarianism, we must make moral decisions on the basis of our own interpretation of any given situation, utilitarianism proves to be a very uncertain foundation for ethics.<sup>11</sup>

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<sup>8</sup> B. McCarthy, *Fertility and Faith*, p. 24.

<sup>9</sup> K. Sands, *Escape from Paradise*, p. ix.

<sup>10</sup> I have used the term 'non-rational' to mean understanding that is not reached by reason alone, that is, which includes spiritual or emotional thinking. I do not believe this is 'irrational', but it is outside the perimeters of uncontextualised reason, which is a model of epistemology that I have already discussed as being problematic in Chapter One, p.11.

<sup>11</sup> B. McCarthy, *Fertility and Faith*, p. 30.

## The identity of the text producer

The first point to make about McCarthy's identity as the text producer is his adherence, already demonstrated in part, to a principle-led framework that seeks universality. This is further illustrated by the fact that on the book's back cover, the following information is given:

*Brendan McCarthy is a pastor of a community church  
In Northern Ireland.  
After their first two children died at birth  
due to a rare medical condition,  
He and his wife began to investigate infertility treatments  
and faced the question of which, if any,  
were compatible with their faith.  
This book grew out of that initial research.*

Presumably, this tragic history is mentioned to inform prospective buyers that McCarthy has had personal experience of the issues discussed in his book. However, this is the only time that his story is disclosed, it is never discussed in the text itself, which suggests his investment in an objective, value-free epistemological model that would not brook any subjective input. Indeed, he is critical of feelings having any part in moral decision-making, from his analysis of Warnock, despite the fact, ironically, that the book itself was initiated by them. Yet, the detailed critique of this epistemological model undertaken in Chapter One of this thesis, demonstrated that eschewing one's partial and particular context leaves one's subjective view undeclared, and far from strengthening a study, it becomes hidden in the 'view from nowhere' insightfully described by Haraway.

McCarthy provides evidence of this by his use the personal pronouns 'we' and 'our' that he deploys in his linguistic style and which act as interpersonal, interpretive cues, invoking complicity in the reader, to support his ideational directives. For example, he says, 'Once again, *we* may be tempted to go for a simple, clear-cut statement of principle: the Bible is God's Word and must be obeyed.' (my italics)<sup>12</sup> The epistemological difficulties of an unacknowledged standpoint are made apparent in this extract, as the technique of assuming that 'we' might all be in agreement in interpreting 'God's Word' permits a subjective viewpoint to lose its accountability. I will give a second example of this in the next section; for, as this technique is indicative of McCarthy's identity, it can be used to determine his stake in the traditional constructions of woman.

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<sup>12</sup> B. McCarthy, *Fertility and Faith*, p. 36.

## The construction of woman in the text

The book's contents page, which includes chapters on Warnock, the embryo, sexual ethics and theological responses to NRT procedures, together with McCarthy's stated priorities, suggest that woman is absent from this text, except in the context of her body with regard to assisted conception technologies and what is expected of her regarding sexual ethics in marriage as defined by ecclesiastic tradition. What is noteworthy from the author's Preface, is that, on two occasions, he acknowledges the potential of feminist commentary to his research, but then discards the opportunity of drawing on this resource. These two instances are cited here:

While it would be interesting to examine the Warnock debate from the perspective of humanist or feminist or medical contributors, the objective of this book is to concentrate on ethical and theological implications of the debate, viewed from a Christian perspective.<sup>13</sup>

Yet, over the next page, *Christian* feminist commentary is also omitted:

Other topics, such as the wider implications of scientific intrusion into the processes of reproduction or the *distinctive insights of feminist theology*, are not dealt with here; interesting as these topics are, they were not to the fore in establishing current United Kingdom legislation. (my italics)<sup>14</sup>

In the first excerpt, McCarthy chooses to eschew feminist, oppositional discourses because they are not relevant to a Christian viewpoint and in the second quotation feminist theologies are not used as a critical resource because they were not consulted in the original debate. Yet, as already discussed, McCarthy's principal objection to the Warnock Report was that it did not fully explore the issues involved at the time and his primary aim in writing the book is to address that failing. He claims his study will encompass the following remit:

The debate and its underlying principles are explored from legal, medical, philosophical, ethical, theological and practical purposes. One of the disappointing features of the debate which took place *was that contributors tended to approach the subject from too narrow a perspective*; this is also true of many books written since the publication of the Warnock Report. (my emphasis)<sup>15</sup>

In the light of his intended propositions, his rationales for excluding feminist commentary on a topic that primarily affects the bodies and

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<sup>13</sup> B. McCarthy, *Fertility and Faith*, p. 7.

<sup>14</sup> B. McCarthy, *Fertility and Faith*, p. 8.

<sup>15</sup> B. McCarthy, *Fertility and Faith*, p. 9.

lives of women require critical analysis. I would attribute this omission to the process of objectification, illuminated by the Foucauldian insights discussed in Chapter One and revealed in Grimwood's analysis of the bishops' statement. In this particular case the technique has rendered woman's reproductive passivity and personal invisibility to become so entrenched in the ecclesiastical discourses surrounding procreation that it has become 'unthinkable' to consider her involvement as having anything relevant to contribute. I would also contend that McCarthy has imbibed the hostility towards the 'rebellious' woman that is inherent in the constructions of the church reports. This can be deduced from his discussions on abortion.

In the first chapter, 'The agenda set by Warnock', he traces the trajectory of abortion legislation and misses the irony of his following justification for doing so:

The Warnock Committee did not meet in a vacuum. Existing laws provided a basis for the committee's deliberations, and those laws carried with them the ethical principles on which they were founded. *It would have been asking too much, perhaps, to have hoped that the Warnock Committee would have returned to first principles in examining crucial issues such as the status of the human embryo. Almost inevitably, the committee chose to build on existing laws and attitudes without any detailed questioning of their underlying principles.* (my italics)<sup>16</sup>

I have drawn attention in the excerpt to both McCarthy's interpretive subjectivity, in the first emphasis, and to his lack of appreciation that his critique of the committee describes precisely his position of building on existing (ecclesiastical) laws and attitudes without any detailed questioning of their underlying systems of thinking, in the second.

In his appraisal of the Bourne case, McCarthy uses the interpersonal cue of the pronoun 'us' to promote his standpoint regarding the effect this pivotal case had on abortion law. Briefly, the obstetrician, Mr. Bourne undertook an abortion on a 15-year-old girl, who had been raped, and was acquitted on the grounds, previously established in the 1929 Act, that to continue the pregnancy would endanger the girl's life. McCarthy's comment is illuminating:

The most significant point, *for us*, is the fact that at no time did Bourne believe the girl was in danger of dying as a result of the pregnancy. He carried out the abortion because he believed that the health of the girl was at risk due to psychological pressures placed upon her by the rape and pregnancy. The judge, in his summing up, stated that if the continuance of a pregnancy was likely to result in the woman becoming a physical or mental wreck, then a doctor who performed an abortion in

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<sup>16</sup> B. McCarthy, *Fertility and Faith*, p. 13.

that honest belief can be said to have acted in order to preserve the woman's life.  
(my italics)<sup>17</sup>

Firstly, it is important to point out just how effective the two small words, 'for us' are as an interpersonal technique and a marker of the text producer's identity. In a reading for content, these will be unconsciously seducing the reader into a complicit position with the author's undeclared standpoint, and thereby be constructing the discursive fields of what constitutes the 'right' viewpoint; it is a technique of normalisation. Secondly, McCarthy's description of the judge's summing up is not given in quotation marks and therefore the characterisation of a woman 'becoming a physical or mental *wreck*' is presumably his polemical interpretation. His use of derogatory terms to comment upon such a human tragedy serves to underscore his covert subject position, his eschewing of a relational context and his acceptance of the unfavourable, ecclesiastic construction of woman as described in the analysis of the church reports.

This assertion can be further discerned in Chapter 4, 'The status of the human embryo: a theological approach.' Under the heading, 'Christian Tradition', quotations are cited from eminent church fathers such as, Arthenagoras, Tertullian, Clement of Alexandria, Minicus Felix, Gregory, Jerome and Augustine of Hippo to elicit their thoughts on the status of the unborn child. What is notable, but not surprising, about these ancient citations is that, in nearly every case, woman alone is condemned for, not only abortion, but also for the 'sin' of an unwanted pregnancy. Consider the examples in these extracts:

What sense does it make to think of us as murderers when we see *women* who practise abortion are murderers and will render account to God for abortion? [my emphasis] (Arthenagoras in his apology to pagan charges that Christians were murderers)<sup>18</sup>

*Women who, in order to conceal fornication, make use of deadly medicines which lead directly to ruin, destroy all humanity along with the fetus.* [my emphasis] (Clement of Alexandria)<sup>19</sup>

Others, when they find they are with child as a result of *their* sin, practice abortion with drugs, and so frequently bring about their own death, taking with them to the lower world the guilt of three crimes: suicide, adultery against Christ and child-murder. [my emphasis](Jerome, on the fate of consecrated Christian virgins found with child)<sup>20</sup>

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<sup>17</sup> B. McCarthy, *Fertility and Faith*, p. 16.

<sup>18</sup> B. McCarthy, *Fertility and Faith*, p. 90.

<sup>19</sup> B. McCarthy, *Fertility and Faith*, pp. 90-1.

<sup>20</sup> B. McCarthy, *Fertility and Faith*, p. 94.

McCarthy has critiqued Warnock for using existing laws and attitudes in formulating policy, but here he is actively pursuing the same course. For, whilst there is a clear directive from the tradition on the perils of abortion, it is imbued with an attitude that constructs woman as totally blameworthy. In his quest to seek guidance on the moral status of the embryo from theological treatises, he makes no attempt to deconstruct their polemic against woman. Recalling the Foucauldian mantra of 'otherwise', it should be noted that the text producer felt there was not space in his study for feminist insights, yet he chose to include a plethora of quotations from ancient texts that now form part of *his* discourse with their constructions of woman remaining intact.

For, far from disassembling this ideological stance, McCarthy follows these quotations with the following claim:

These comments are *unambiguous* in their condemnation of abortion and those who practise it. Other less orthodox second-century writings, such as the *Apocalypse of Peter* and the *Christian Sibyllines*, *delight* in describing in lurid detail the horrors and torments awaiting those who procure abortions and are consigned to hell for their sins.<sup>21</sup> (my emphasis)

Critically, in his first sentence, he aligns himself with the traditional discourses and their condemnation of woman, by the use of the word 'unambiguous', and by choosing not to acknowledge contextual considerations, either towards the dual responsibility for an unwanted conception (if consensual, otherwise the responsibility would be man's alone), or towards the extremely vulnerable position that this eventuality would place woman in. In his second sentence, the use of the word 'delight' is significant. In the first place, the word is *his* choice, and without critique, it becomes a stance that he does not disassociate himself from. Secondly, it might seem to those readers who hold a more uncertain position on the 'will of God' that drawing on a Christian tradition, which 'delights' in the suffering of others is an unsuitable foundation for moral arbitration.

In Chapter 8, entitled, 'Egg and embryo donation', McCarthy provides an illuminating example of woman's construction within his theological treatise. The paragraph reads thus:

As we have seen, in DI, the sperm of a third party is used to inseminate a woman in order to fulfil a function which her husband is not able to fulfil. In accepting such a treatment, a woman or a couple must accept a degree of intrusion into their

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<sup>21</sup> B. McCarthy, *Fertility and Faith*, p. 91.

relationship, even if this cannot be equated with adultery. In the case of egg donation, a third party must also be used, but in this case the woman accepts from another woman something which she is unable to provide for herself: a healthy ovum. In this instance there is, at most, minimal intrusion into the marital relationship, for what is happening is not something which can ever be mirrored naturally within marriage. The woman is not accepting something which in a natural way she could have received from her husband as part of their sexual life together, while, of course, the husband is not receiving anything. In some ways it may be suggested that egg donation resembles organ donation more than it does DI, for there are no sexual overtones in receiving an egg from another woman as there are in receiving sperm from a man.<sup>22</sup>

It is worth reiterating that my aim here is not to argue for or against gamete donation, rather to discern from this passage how woman is being constructed.

In this extract, the transmuted discourses of church tradition, anachronistic and socio-biological notions of procreation and woman's constructed absence can all be discerned. These transmutations correlate with the ecclesiastical doctrine concerning the marital bond and to what extent it is broken by gamete donation. In the first sentence the discursive scene is initiated by describing the infertile man, as having a 'function' he is unable to fulfil, whereas later on in the passage, woman is depicted as being unable to 'provide' from her body. The mirroring of male agency in giving life and female passivity in providing her body are reconstructed in different ways throughout the text. It should also be noted that the text producer uses the words 'husband' and 'woman', not wife, in this extract, reflecting his ideational privileging of not only specified male over unspecified female, but also as a projected transference onto the gametes, giving sperm greater precedence than ova.

McCarthy claims that in undergoing DI, 'a couple must accept a degree of intrusion into their relationship, even if this cannot be equated with adultery', but later on states that in egg donation, 'there is, at most, minimal intrusion into the marital relationship'. He maintains that sperm donation is the greater intrusive act, because this can be achieved by natural means, whereas ovum donation cannot. I would contend that this fact has no relevance; if it has been established that DI is not commensurate with adultery because it is consensual and marital betrayal has not taken place, then to say it is more intrusive because it *could* be undertaken by an adulterous act, is an absurdity. Furthermore, he does not take into account that sperm donation is far *less* intrusive as a procedure than the invasive, painful, complex, drug induced, potentially

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<sup>22</sup> B. McCarthy, *Fertility and Faith*, p. 194.

dangerous process that is required to extract eggs. The fact that such aspects of practice are excluded from the text is itself indicative of woman's subjective absence.

The ideological objections that the churches have to masturbation in AIH and DI, derived from anachronistic notions of 'wasting seed' that were based upon ancient, and incorrect, understandings of reproductive biology are present in the discursive fields of this passage. For, Aristotle's assertion that woman provided the nurturing 'soil' for the seed to grow, but did not have a 'seed' of her own to contribute, retains an ideological strand in this discourse.<sup>23</sup> It can be discerned by the idea that there is a 'minimal intrusion' in receiving donated eggs compared to DI and by the fact that greater weight is given to ecclesiastical objections to masturbation than to the realities of producing male gametes.

In the third sentence, McCarthy refers directly to egg donation and his choice of verbs is significant, 'In the case of egg donation, a third party must also be used, but in this case the woman accepts from another woman something which she is unable to provide for herself: a healthy ovum.' Imagine how unthinkable it would be to switch this around and write that a man accepts something from another man that he is unable to provide for himself (which really means, if roles are reversed, *for his wife*): healthy sperm. The next sentence continues, 'The woman is not *accepting* something which in a natural way she could have *received* from her husband as part of their sexual life together, while, of course, the husband is not *receiving* anything'. Critically, in this sentence, the author has drawn upon the discursive notion that what is ideologically vital, is that the woman is the passive recipient, *not* the husband.

In addition, the sperm is privileged as the gamete of agency and sole importance, promoting the womb as a critical location for its nurturing, rather than the egg as being of any consequence. Not only is woman's hidden personhood transposed on to her ova, but also what is revealed here, is that serving her husband's desire for his gamete to be given life is being constructed as having greater importance *to her*, than her desire for her own gamete's potential to be realised. I am well aware that it is obvious that such a choice would only be considered if a woman could not produce her own eggs for any reason, however, in terms of discourse analysis, this is irrelevant. What is crucial is *how* the text producer constructs woman's subject position in the text as he argues his case.

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<sup>23</sup> Norman Ford provides an illuminating account of Aristotle's biological and philosophical understanding of human reproduction in his book, *When did I begin?*, p. 25-36.



## The construction of the embryo

McCarthy admits that the moral status of the embryo is his primary ethical consideration and he devotes almost a third of the book specifically to defending the embryo's status as commensurate with an adult's. He says, 'We ought to emphasize that the human embryo is to be treated, in principle, with the same respect as a human child or adult.'<sup>24</sup> The caveat, 'in principle', is due to the acceptance that 'a right to life is not absolute'.<sup>25</sup> He splits his defence into a biblical and a theological approach to the issues. In Chapter 3, 'The status of the human embryo: a biblical approach,' he cites texts that provide evidence of God's intention for individuals, not only whilst they are in still in the womb, but even before conception. Jeremiah 1:5 perfectly illustrates this:

Before I formed you in the womb I knew you,  
and before you were born I consecrated you;  
I appointed you a prophet to the nations.<sup>26</sup>

McCarthy continues to put his case for all embryos based on these readings when he says:

What may be said of these men because of their distinctive calling can, it must be presumed, also be said of every individual who may have a more general or less spectacular role to fulfil God's purposes.<sup>27</sup>

However, God's call to individuals could equally be used to justify all methods of assisted conception. Simply put, if every individual is called by God to come into being before they are conceived, and if fertility is a gift from God, as is later argued, then, following this line of reasoning, no child could come into being through the NRTs, if God had not willed it so. Furthermore, with regard to theodicy, such an interpretation could be problematic for those whose conception was wrought with suffering, such as through rape, or resulting in a debilitating congenital condition or being born addicted to heroin or infected with HIV. Even McCarthy experiences difficulties with this line of thinking as this later excerpt illustrates:

This does not necessarily suggest, however, that every embryo is a person, since there is no way of proving that every embryo is 'called', only that every 'called' person must at some time be an embryo.<sup>28</sup>

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<sup>24</sup> B. McCarthy, *Fertility and Faith*, p. 137.

<sup>25</sup> B. McCarthy, *Fertility and Faith*, p. 207.

<sup>26</sup> B. McCarthy, *Fertility and Faith*, quoted on p. 71.

<sup>27</sup> B. McCarthy, *Fertility and Faith*, p. 71.

<sup>28</sup> B. McCarthy, *Fertility and Faith*, p. 87.

I would contend that McCarthy is unaware of the inherent difficulties in trying to establish 'first principles' using scripture and tradition, without first deconstructing the textual framework, or establishing a theological standpoint regarding God's will. For, in his text, God has become the view from nowhere. In addition, there is no recognition that the churches' working parties may also have had similar difficulties, resulting in the disparate response that McCarthy claimed was confusing to the world.

In the latter half of the book, McCarthy considers specific procedures of the NRTs in separate chapters and includes a clear and concise description of the various official denominational responses to each one. However, in his appraisal of the various NRTs, McCarthy deliberates on the moral validity of the techniques from the standpoint of the embryo, constructed as a vulnerable, fully human being. However, as the text producer is McCarthy, not the embryo, it is McCarthy's undeclared, subjective view, which has imbibed the ecclesiastic constructions, that transmutes through the discourse. Whilst this perspective offers some important safeguards regarding the commodification of potential children as products, nevertheless, it is not always argued from this viewpoint, rather the interests of the embryo are paramount. An example of this can be deduced from the discussion on spare embryos in the chapter on IVF. One option discussed would be to offer an unwanted embryo to another woman. McCarthy comments thus:

This situation would, of course, be highly unsatisfactory, but we are placed in this position because we have to try and balance the *importance of the life of the embryo* with the importance of maintaining the link between genetic and legal parenthood. This is a difficult decision to make, but the most loving and just solution *must be to attempt to safeguard the life of the embryo.* (my emphasis)<sup>29</sup>

In this extract the 'life of the embryo' takes precedent over the lives of birthed individuals in the subject position it holds in the discourse. By placing the 'life of the embryo' as the main consideration, whilst simultaneously harbouring a construction of woman that is passive and hidden, the pastoral needs of women undergoing treatment remain persistently invisible. Moreover, the concern with the personhood of the embryo signals its conceptualised gender as male, for if adult, sentient woman is constructed without subjectivity, there could be little consideration for her in her embryonic stage.

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<sup>29</sup> B. McCarthy, *Fertility and Faith*, p. 206.

In her book, *Becoming Divine*, Grace Jantzen traces how traditional Christianity has been fixated on death and preparing for the after-life at the expense of facing the reality of this world. She claims that this fascination extends to other realms beyond earthly existence and quotes Luce Irigaray thus:

The patriarchal order is based upon worlds of the beyond: *worlds of before birth* and especially of the after-life, other planets to be discovered and exploited for survival, etc. It doesn't appreciate the real value of the world we have and draws up its often bankrupt blueprints on the basis of hypothetical worlds.<sup>30</sup> (my emphasis)

McCarthy's choice to draw upon biblical texts that feature accounts of pre-natal life rather than upon those, which deal with the pain of infertility, demonstrate Irigaray's point, particularly as this emphasis obscures the concrete, actual, lived experience of human suffering. His accentuation towards the abstract, unknown realm of God's province is illustrated here:

It is entirely reasonable to argue that all embryos should be treated, not in the light of what they can actually do as embryos, but in the light of God's eternal 'call' of individuals to enter into fellowship with him. This 'call' extends throughout their entire history, including their period as embryos and fetuses.<sup>31</sup>

### Summary

In conclusion, I would assert that McCarthy's book is not providing anything substantially different from that, which has gone before, although the churches' responses to the NRTs are clarified in a helpful way. Whilst his aim was to examine the Warnock Report further, he chose not to appropriate contemporary, oppositional discourses that might have given him the tools to see differently. By not attempting to deconstruct the epistemological models or ethical systems that constitute the traditional, ecclesiastical discourses, he was unaware of the inconsistencies in his arguments and did not provide the unifying Christian response that he sought to do. His lack of recognition that an uncontextualised account of 'God's will' is deeply problematic as a basis for an ethical foundation undermined his search for the 'first principles' that he was seeking to provide. The difficulty is succinctly put by Richard Holloway, when he says:

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<sup>30</sup> Quoted in G. Jantzen, *Becoming Divine: Towards a Feminist Philosophy of Religion*, (Manchester: Manchester University press, 1998), p.130.

<sup>31</sup> B. McCarthy, *Fertility and Faith*, p. 82.

We either admit that God is, to some extent at least, a human construct that is subject to criticism and evolution, or we weld religion to unsustainable prejudices that guarantee its rejection for the best, not the worst of reasons, so that to abandon it becomes a virtuous act of revolt against an oppressive force that imprisons rather than liberates humanity.<sup>32</sup>

In addition, his failure to separate the rational from the non-rational epistemologically led to further anomalies in his argument. He was unable to discern that what he found to be so problematic in the Warnock Report, that is, Mary Warnock's 'confusion' between reason and sentiment' was masquerading in his own undeclared standpoint, whereby his intuitive feelings were hidden within the abstract, objective framework of universal principles. I would contend that both McCarthy and Warnock were exhibiting similar emotional responses to those described by Jürgen Habermas, who claims that people's attitudes to prepersonal life are characterised differently from those directed to other ethical issues and describes them thus:

They do not touch on this or that difference in the great variety of cultural forms of life, but on those intuitive self-descriptions that guide our own identification *as human beings* – that is, our self-understanding as members of the species. If I'm not mistaken in my assessment of the debate over the "use" of embryos for research, or over the conditional creation of embryos, it is disgust at something obscene rather than moral indignation proper that comes to be expressed in our emotional reactions. (his italics)<sup>33</sup>

With regard to McCarthy's construction of woman, she remains as hidden in his text as she is in the church reports. The ethical considerations of the NRTs are never viewed from her standpoint and her subject position as defined by ecclesiastical and traditional discourses not only lies unchallenged, but also is continually reconstructed by the text producer. The procreative discourses, both ancient and contemporary, have colluded in the discourse with other ideational strands from the churches' tradition to secure woman as passive, generic, objectified, provider of bodily needs and nurturer of her husband's progeny.

Unlike the embryo, she is constructed as a non-person, silenced, without feelings, fears or desires of her own. The choice not to consult those who could have spoken theologically on her behalf was taken by active omission, rather than by careless oversight. Bernadette Waterman Ward in exploring René Girard's theories in relation to abortion discusses how

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<sup>32</sup> R. Holloway, *Godless Morality: Keeping Religion out of Ethics*, (Canongate: Edinburgh, 1999), p. 4.

<sup>33</sup> J. Habermas, *The Future of Human Nature*, (Polity Press: Cambridge, 2003), p. 39.

woman's self-definition is dependant on being in relationship with a man. She cites the results of a survey undertaken at Emory University to discover what sexual information most young, sexually active girls wanted to know, and says:

And so ingrained was their habit of defining their own needs as the needs of a male person that 85% wanted to know "How to say no without hurting the other's feelings."<sup>34</sup>

I would contend that McCarthy's discourse, with its invitation to reader complicity in the deployment of personal pronouns and interpretive asides, is also actively constructing woman into this position of self-definition in her reproductive role.

The construction of the embryo is constituted as fully human, and despite certain caveats in the content that this does not mean a 'right to life', nevertheless, as the embryo's subject position takes precedence over other human beings, its construction becomes all encompassing, endowing it with greater humanity than birthed individuals. The space that the text producer devotes to God's realm of the eternal 'beyond' before birth, compared to the consideration given to the practicalities of living through infertility and its consequences, demonstrates his (unconscious) commitment to patriarchal ideologies and his preference for the abstract, rather than the actual. By producing a text in which these constructions of woman and embryo are intertwined, the relational connection is further severed. Ideologically, the male embryo is aligned with the patriarchal progenitor, which, spiritually, is God and the keepers of ecclesiastic tradition, and biologically, is the sperm, the active agent that gives life.

**B. Waters, *Reproductive Technology: Towards a Theology of Procreative Stewardship*, (London: Darton, Longman and Todd Ltd, 2001)**

### **The aims and objectives of the book**

Waters' overriding concern, which he addresses and critiques throughout his text, is with the 'dominant moral framework' of procreative liberty in which, he asserts, the ethics of the NRT are deliberated.<sup>35</sup> He claims the central tenet of this framework is that people

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<sup>34</sup> B. Waterman Ward, 'Abortion as Sacrament: Mimetic Desire and Sacrifice in Sexual Politics' (pp. 18-35) in *Contagion*, ed by A. McKenna, Vol.7, Spring 2000, p. 21.

<sup>35</sup> B. Waters, *Reproductive Technology: Towards a Theology of Procreative Stewardship*, (London: Darton, Longman and Todd Ltd, 2001), p. 2.

have a fundamental interest to avoid or pursue their reproductive desires, and thereby, they have the right to deploy medical intervention and techniques to these ends. He presents his objection to this proposition thus:

The principal complaint against this moral framework is its excessive individualism. In fixating on the reproductive interests and rights of individuals, a larger network of biological and social relationships impinging upon the moral ordering of procreation and child-rearing are virtually ignored. Consequently, procreative liberty fails to address a number of significant moral considerations. Given these limitations, an alternative framework is needed.<sup>36</sup>

He proffers an alternative theological framework of procreative stewardship with four main themes that closely follow the selected ecclesiastic doctrines outlined in Chapter 4, which were common to all the churches' responses to the Warnock Report. Theme one reflects the Genesis reading of humans bearing God's likeness and that life is a gift and a loan from God. Waters' expounds this to encompass 'dominion', through Christ's resurrection, of a 'vindicated order' in fellowship with one another.<sup>37</sup> Theme two features the anthropological vision, in which, Waters eschews a dualist understanding of humankind, emphasising that body and soul are inherently interconnected. Theme three centres on the marital bond, which he underscores as bearing a threefold 'sign, covenant and vocation' of mutual belonging into which children may be received as a gift from God. The fourth theme is in regard to 'procreative stewardship', which places the covenantal perspective as formative in how procreation is 'ordered'. Waters' own standpoint is not always clear, but it is confirmed towards the latter end of the book when he says, 'The account of procreative stewardship being developed in this book argues in favour of placing extensive restrictions on ART.'<sup>38</sup>

From my understanding of Waters' text, his use of the term 'moral framework' is different to mine, and to avoid confusion, I will clarify my position. I would assert that his definition of 'procreative liberty' does not constitute a moral *framework*, but rather, it is a particular standpoint held within the universalising, androcentric meta-framework of justice ethics. The primary language of 'procreative liberty's' foundational premise is 'rights', which is indicative of this overarching, uncontextualised framework, demonstrating it to be a view, not a

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<sup>36</sup> B. Waters, *Reproductive Technology*: p. 3.

<sup>37</sup> I have put inverted commas around the words and phrases that are Water's own chosen words, which I shall discuss in the section describing the identity of the text producer.

<sup>38</sup> B. Waters, *Reproductive Technology*, p. 100.

separate structure. Furthermore, I would contend that the theological alternative that Waters' proposes, is, in point of fact, contained within this same meta-framework and whilst it does constitute a different perspective, nevertheless, it transmutes and retains similar constructions. Given that Waters pays attention in his critique to issues of relationship that are foundational to an ethics of care, my assertions require further explanation. I will address this in the next section, as the analysis of Waters' identity as text producer is crucial to my argument.

### **The identity of the text producer**

To reiterate, the emphasis of the content and the discourse used in this book are different from the normative theological treatises concerning human reproduction. The contents page cites the following chapter headings: Reproductive Options, Theological Themes, Childlessness and Parenthood, Preventing and Assisting Reproduction and Quality Control and Experimentation. In addition, in the discourse Waters expresses concepts of mutuality in the marriage bond and underscores this by preferring to give woman precedence in the couplet 'woman and man', which sends powerful messages to the reader by the atypical ordering of these two words. In reference to a child, he will often cite a daughter, rather than a son as an example, as this excerpt shows in the discussion on familial relationships:

A daughter, for instance, may command her father to fulfil responsibilities incumbent on him as her father not only for her own well-being, but also for the good of their family.<sup>39</sup>

As demonstrated here, relational connections are given prominence over abstract principles and although Waters draws on tradition and scripture, this is not undertaken in the manner of proof-texting to validate God's will. Furthermore, he ends each chapter with a short case study, depicting a complex, human, procreative dilemma for the reader to ponder. His alternative approach does bear fruit as different issues of the NRTs are highlighted and explored theologically in greater depth, than has otherwise been the case. For example, his polemic against the commodification of children includes this crucial insight:

Those who presume that technology emancipates people from natural constraints fail to recognise that they become equally constrained by the imposed destiny of technical skill and planning in which they are already enveloped. Moderns deceive

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<sup>39</sup> B. Waters, *Reproductive Technology*, pp. 46-7.

themselves into believing that the quality of their freedom is proportional to the quality of options at their disposal.<sup>40</sup>

It would seem from this analysis so far that my premises are unjustified; in order to put my case for claiming that this text correlates with traditional constructions, I will begin by citing several points, which were raised in my methodology. In Chapter One, I discussed how normative ethics was problematic to woman, because it was based on a gendered, masculinist perspective that falsely claimed universality. Parsons' analysis revealed two important dynamics of response that I would claim are techniques of this text. Firstly, she critiqued an ethics of equality, which eschews difference, by asserting, ' Thus women are to appear only to disappear.'<sup>41</sup> Secondly, she pointed out that a positive aspect of recognising that the 'mediating self' of ethics has traditionally been expressing male, embodied experience could enable man to redefine his gendered standpoint. However, she also cautioned that this insight might enable man to 'return humbled back into the system that gave him power, reinforcing his dominant position within it.'<sup>42</sup>

I would contend that woman's disappearance via the route of equality and man's humbled, reinforced position of dominance are closely intertwined in this book and this will underpin my interrogation of woman's construction in the next section. However, firstly, Waters provides a good illustration of my premise in Chapter 3, where he expounds on his four themes of procreative stewardship. He outlines his first theme by saying, ' ... life is a gift given by God. Since humans belong to God, they should not treat themselves or others as possessions or property.'<sup>43</sup> Yet, what comes across in the text is an exposition on power and control that is underpinned by the account of creation in Genesis, although specific scriptural references are not directly cited.

The section includes reference to Christ's resurrection, but this is not interpreted as signifying empowerment of the vulnerable, but as 'vindication of a created order'. To illustrate my assertions, I have listed the words denoting power that have been used, and I have indicated, by a word count in brackets, how many times they appear in this small section of four and a half pages, they are: stewardship (13), obedience (2), conformity (3), command (10), dominion (11), govern (5), order (15),

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<sup>40</sup> B. Waters, *Reproductive Technology*, p. 93.

<sup>41</sup> See Chapter One, p. 22.

<sup>42</sup> See Chapter One, p. 24.

<sup>43</sup> B. Waters, *Reproductive Technology*, p. 33.



entrust (6), vindicate (11), authority (9), subdue (3), lordship (1), submit (1), subjecting (2), mandate (3), and empower (1).<sup>44</sup>

Moreover, the phrase, 'vindicated order', which is reminiscent of traditional notions reflecting the Neoplatonic Chain of Being, is frequently asserted in differing ways throughout the text as the word count demonstrates. This ideational emphasis is a cause for concern because, as I discussed in Chapter Three, the traditional application of the Chain of Being has been particularly harmful to woman.<sup>45</sup> Furthermore, as Waters establishes his foundation for procreative authority from the Genesis discourse, without constituting what is actually *meant* by a 'created ordering', he, consequently, leaves this open to interpretation. His 'humbled' re-entry into the system, which softens his polemic, is demonstrated by his insistence that stewardship must be undertaken in fellowship, not expressed so much in community, but in the woman/man partnership. He says:

There is, for instance, the task of *co-operation*. Humans cannot faithfully assert their dominion, or be faithful stewards in isolation from each other. Thus the blessing of dominion is given equally to woman and man; they are commissioned together by God as female and male. (his italics)<sup>46</sup>

What is significant in this section, exemplified in this excerpt, is that the *particularity* of woman's unique position in human reproduction disappears into the ephemeral notion of equality. The account is disingenuous on two fronts. Firstly, stewardship over the earth, in recorded history, has never been shared equally between woman and man, and this being the case, the promotion of such a balance of power requires an acknowledgement that this is a revisioning of the status quo, not a given precept. Secondly, there is no recognition that human procreation, in actuality, is *not* an equal enterprise (except in relation to the part played by gametes) with regard to the biological emphasis on woman's body, the social impact on woman's life style and the ideological notions constructing motherhood as woman's transcendent fulfilment. It is this failure to take account of difference, particularity and context that locates Waters' framework in the broad spectrum of normative ethics, and which becomes problematic in his relational perspective.

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<sup>44</sup> I have listed the root words, but in my count I have included different grammatical forms of the words. Two examples will illustrate my coding; steward and stewardship come under the same count, and govern and governance are not differentiated.

<sup>45</sup> The Neoplatonic Chain of Being has been discussed previously in Chapter Three, see p. 108.

<sup>46</sup> B. Waters, *Reproductive Technology*, p. 35.

## The construction of woman in the text

Whilst, as I have already stated, woman is accorded 'equality' throughout the text, nevertheless, her specific subject position is silenced in the discourse. I have selected three areas for examination based on the criteria of particularity, or more accurately, its notable absence. The first account lies with Waters' critique of procreative liberty, when he (rightly) asserts that, '... as humans exert greater control over the reproductive process, a sense of mystery is being displaced by one of mastery.'<sup>47</sup> What is missing from his assessment is the acknowledgement that feminist commentators have been saying this for several decades, especially in regard to the medicalisation of natural childbirth, pointing to the statistics illustrating an increasing number of caesarean sections to validate their claims. By leaving aside this aspect of the evidence, the text producer does not interrogate the historical and gendered implications of this mastery, which did not begin with the NRT. Furthermore, by ignoring the particularity of woman's bodily significance to biopower, which is the root of this mastery, he misses an opportunity to interrogate the systems of biocapitalism that underpin the socio-cultural norms of commodification that he is seeking to prevent.

The second area for exploration is Waters' discussion on contraception. Despite saying in his fourth theological theme, 'Natural or artificial methods of preventing conception may be employed if the purpose is to enable the unfolding of familial love', Waters later invokes *Humanae Vitae* (1968) as a foundational document on the subject.<sup>48</sup> In Chapter 4, he devotes a section to 'Preventing Reproduction' focusing solely on this report, for as he later states:

As the preceding discussions suggest, *Humanae Vitae* and *Donum Vitae* may serve as landmarks for plotting points within the field of Christian moral deliberation on the ordering of human fertility and infertility. (my emphasis)<sup>49</sup>

This seeming contradiction in Waters' text is indicative of a repeated ambivalence that creates confusion in the content in other areas that will be addressed as my analysis continues. From a Foucauldian point of

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<sup>47</sup> B. Waters, *Reproductive Technology*, p. 2.

<sup>48</sup> B. Waters, *Reproductive Technology*, p. 50. Whilst some Roman Catholic commentators assert that this document is not as proscriptive to contraception as it might appear, nevertheless, other commentators, such as Dyson, find it unequivocal. He says, 'This happened to contraception in Pope Paul VI's encyclical *Humanae Vitae* where, ostensibly on the basis of natural law, artificial contraception was found to be unethical without exceptions.' T. Dyson, *The Ethics of IVF*, (London: Mowbray, 1995), p. 52.

<sup>49</sup> B. Waters, *Reproductive Technology*, p. 90.

view, these anomalies allow constructions to permeate the text from discourses that the text producer refutes in his theological premises. For example, the word 'ordering' in the above extract aligns with his constructions of a 'vindicated order', yet he distances himself in the content from the Roman Catholic dictums. Furthermore, my analysis of *Donum Vitae*, in Chapter 4 of this thesis demonstrated that woman is not held in equal regard to man in that document and by appropriating the Roman Catholic reports as 'landmarks', her construction of non-personhood can be successfully secreted into this discourse under the banner of 'equality.'

From this vantage point, it will not be surprising to note that this section conducts its appraisal of contraception without any regard for woman's particular situation, despite the citing of theological opposition to *Humanae Vitae*. For, dissenting arguments are presented to the tenets of the treatise, they do not challenge the structure of the document itself or question the theological premises on which these tenets are based. This is analogous to Jantzen's point when she says that even in a secular society the concept of God as divine, omnipotent, eternal disembodied Father is held by theists and atheists alike. Consequently, they '... tacitly agree on the masculinized nature of the God whose existence they dispute'.<sup>50</sup>

It is becoming evident from my critique, why I have concerns with the text producer's ideational premise that procreative stewardship should be based on a relational approach. For, it is not possible to have a relational structure for ethical deliberation if one of the participants is *constructed* as a non-person. In order to interrogate this further, I will turn to Waters' exposition of his third theme, that of 'Marriage and Family.' His justification of a relational approach is stated thus:

The emerging pattern does not so much reflect a revision of traditional mores governing sexual conduct, procreation and child-rearing as it does a competing account of what gives these activities their meaning and significance. Displacing a normative framework of *marital and familial relationships* in favour of one emphasising *individual interests and rights* entails a collision of contending principles shaping subsequent moral deliberation. (his italics)<sup>51</sup>

The first point to make is to challenge Waters' foundational claim of a 'normative framework of *marital and familial relationships*'. For, analogous to Okin's critique of Rawls' treatise, *A Theory of Justice* in Chapter One, Waters, like Rawls, makes assumptions about the family that are not sufficiently deconstructed before building a moral perspective based on

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<sup>50</sup> G. Jantzen, *Becoming Divine*, p. 10.

<sup>51</sup> B. Waters, *Reproductive Technology*, p. 19.

their norms.<sup>52</sup> In the case of Rawls, his predication of a just society did not take into account, firstly, woman's role in formulating a sense of justice as the primary nurturer, from whom foundational values are learnt, and secondly, he did not give due consideration to the fact that his preferred model of the family was itself in need of a justice analysis. In the case of Waters, his description of 'normative' marital relations constituting 'a life of mutual belonging and self-sacrifice' have a different interpretation from a contemporary understanding, if they are to be viewed as a covenant (as he asserts they should be), which is 'accountable to the church.'<sup>53</sup>

For, it is the case that the traditional household codes, expressed in Ephesians 5:22-6:9 do not constitute equal reciprocity as Waters acknowledges, again ambivalently, in the following chapter. Drawing on James Dunn he accepts that, '... 'the patriarchal character' of the times is evident in the man asserting his authority over the members of his household.'<sup>54</sup> Whilst he maintains that the household codes were not accommodating the prevalent norms of the era by 'reconceiving a fundamental mutuality and equality in Christ,' nevertheless, he does not appreciate how repeated reference to these codes reconstitutes their constructed (patriarchal) subject positions.<sup>55</sup> As Daphne Hampson succinctly summarises:

Even if rationally they acknowledge that times have changed, at a subconscious level, when from childhood this literature is repeatedly heard in a scared setting, people gain a sense that it is 'natural' that men should, for example, be head of households. The fact that these things are not voiced makes them all the more potent.<sup>56</sup>

To illustrate my point further, it is helpful to consider how Waters describes the third aspect of his threefold, theological perspective of the marriage bond, that of vocation:

In faithfully, fulfilling the roles as wife and husband in covenant, we may also speak about marriage as a *vocation*. A vocation marks an obedient response to a particular command of God in which one way of life is followed to the exclusion of other possible ways. A vocation orders one's life within those circumstances where one is called to follow Christ. The particularity of a vocation, however, is not synonymous with receiving private instructions from God. Although how one follows a vocation may

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<sup>52</sup> Discussed in Chapter One, p. 21.

<sup>53</sup> B. Waters, *Reproductive Technology*, pp. 41-2.

<sup>54</sup> B. Waters, *Reproductive Technology*, p. 61.

<sup>55</sup> B. Waters, *Reproductive Technology*, p. 61.

<sup>56</sup> D. Hampson, 'On Autonomy and Heteronomy,' pp.1-16, in *Swallowing a Fishbone? Feminist Theologians Debate Christianity*, ed by D. Hampson, (London: SPCK, 1996), p. 7.

contain unique qualities, there is nonetheless continuity over time on how a vocation should be followed. Otherwise we could not discern the difference between an obedient and disobedient response to God's command. (his italics, my underlining)<sup>57</sup>

In keeping with Waters' polemic on stewardship, discussed in the previous section, it is worth highlighting how words denoting power are used in this excerpt on vocation. 'Dis/obedience' is cited three times and 'command' is used twice and both terms are deployed in reference to 'following' (used four times), stemming from the Christian call to 'follow Christ.' But Waters is at pains to emphasise that such a calling 'is not synonymous with receiving private instructions from God,' but that one must look to tradition, which he phrases as 'continuity over time', in order to discern 'how a vocation should be followed.' As Hampson points out, 'Christians can never simply say that it is unethical to discriminate against persons and that is the end of it. They must always make reference to a particular past history.'<sup>58</sup>

The anomalies in the content create confusion, but if Waters claims to hold a position of 'mutual belonging' this should be evident from his constructions of woman in the discourse. Mutuality in relation does not mean treating the other in the same way as oneself, it means respecting and caring for the other's individual situation as *different* to one's own, and by means of listening and empathetic understanding endeavouring to stand in their shoes. Yet, in a book that underscores the importance of relationality, there is no mention of woman's central role in procreation. In her personhood, woman is absent. For example, in his critique of technology, cited earlier, he does not interrogate how the choices of prenatal testing and IVF have both 'emancipated *woman* from natural constraints' as well as 'equally constraining *her*'. It is woman, not 'a couple', who must undergo an abortion, should a couple decide not to go ahead with a pregnancy after prenatal testing. Again, it is woman, who must undertake the rigours of repeated IVF cycles and cope with the psychological consequences of her body's failure, should a couple decide to keep trying. Waters does not address this aspect, which is succinctly described by Sarah Franklin, when she says:

Deciding to abandon hope for success may have become much more difficult after 'living for the dream' from cycle to cycle, often over several years. Against the urge to terminate unsuccessful treatment may be the fear that success is only one step away. Hence, the certainty of resolution – one way or the other – which often characterises the decision to undertake IVF can be seen to dissipate over the course

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<sup>57</sup>B. Waters, *Reproductive Technology*, p. 42.

<sup>58</sup>D. Hampson, 'On Autonomy and Heteronomy', p. 6.

of serial failure (which, even for the minority of couples who eventually succeed, most often comprises the better part of their treatment).<sup>59</sup>

### The construction of the embryo

It can be discerned by the chapter headings cited earlier, that Waters' approach does not place the embryo at the centre of his study. In fact, unlike other theological treatises on procreation, the moral status of the embryo is not discussed at all in typical terminology and it is difficult to elicit from Waters' discussions what his standpoint is on this issue. Furthermore, his relational position is better contextualised in relation to the embryo than it is to woman. This is especially illustrated in Chapter 5, 'Quality Control and Experimentation', where he undertakes an exploration of pre-implantation genetic diagnosis (PGD). His central tenet throughout this chapter is towards the 'parent-child relationship', not the life of the embryo per se. Ironically, having argued that procreative liberty encompasses increasing medicalisation and mastery of reproduction, which he asserts is detrimentally changing moral perceptions, he is sympathetic to the medical intervention of PGD, which would not have been possible without the technical advances made through IVF.

Consequently, determining the embryo's construction through a variety of fragmented discourses, it is not possible to provide a conclusive picture, as it was, for example, in the secular treatise from *Nature* in Chapter Three.<sup>60</sup> This is not an uncommon feature of discourse as has been highlighted by the scholars' discourse analyses in Chapter Two. However, there is evidence from Water's exposition that a construction of the embryo as fully human constitutes a strong, ideational thread, despite its atypical absence from the text's central focus and the author's affirmation of PGD. Consider the following two excerpts:

Instead of bypassing potentially defective genes by using donated gametes, medical attention is focused on expediting what may be considered the *death of a dying embryo.*' (my italics)<sup>61</sup>

The objection fails to acknowledge that within a restricted diagnostic context the purpose of embryo selection is not to exclude offspring, but to prevent the further development of an *already mortally ill embryo* whose birth would virtually preclude any parent-child relationship.<sup>62</sup> (my italics)

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<sup>59</sup> S. Franklin, *Embodied Progress: A cultural account of assisted conception*, (London; New York: Routledge, 1997), p. 12.

<sup>60</sup> See Chapter Three, pp. 91-2.

<sup>61</sup> Waters, *Reproductive Technology*, p. 119.

<sup>62</sup> Waters, *Reproductive Technology*, pp. 119-120.

In both of these extracts, the embryo is constructed as a birthed individual. Synonymous with *Donum Vitae's* conceptualisation of an embryo that fails to evolve as constituting a corpse requiring an autopsy, Waters confers a body that can become 'mortally ill' and 'die' on to a cluster of undifferentiated cells that have yet to develop one.<sup>63</sup> In addition, Waters places the following words and phrases in inverted commas suggesting his ideational ambivalence towards them, (I have used italics in each case to highlight the specific words):

The HFEA also regulates research conducted on human embryos '*outside the body*'.

To secure a research licence it must be demonstrated that the use of human embryos is '*necessary or desirable*'...

Embryos used for research must be '*obtained with appropriate consent*' ...

It is forbidden to use or keep an embryo past the fourteenth day of development or appearance of the '*primitive streak*'...

... the use of quality-control techniques in a manner that '*respects*' human embryos.

<sup>64</sup>

Ironically, it appears that within the text producer's discourse, lies an ideational struggle between a desire for reproductive dominion in PGD, expressed through his notion of procreative stewardship and a construction of the embryo that, if fully realised, would prohibit any agency in its destruction. Water moves between competing discourses to attempt a way to alleviate the suffering of parents, who carry hereditary conditions, without (seemingly) perceiving this anomaly.

## Summary

Whilst this text acknowledges that existing ecclesiastic responses to the NRTs are inadequate, it does not offer a clear alternative. In the first place, it does not give sufficient analysis to deconstructing the current situation and demonstrates a misunderstanding of moral frameworks as defined by feminist ethics. Whilst the differing moral frameworks of justice and care have been fiercely contested since Gilligan's pioneering work, *In a Different Voice*, nevertheless, their distinctive variations stem from fundamental perceptions that cannot be simply 'mixed in' without foundational changes in concepts of thinking. Sara Ruddick illuminates my point succinctly when she explains her vision of how these two perspectives can work together:

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<sup>63</sup> See Chapter Four, p. 155.

<sup>64</sup> Waters, *Reproductive Technology*, pp. 108-9.

I believe that “justice “ and “care”, when more appropriately elaborated, usefully mark alternate moral visions, conflicts, virtues and ways of reasoning. I also believe that the capacity to welcome irreducible differences of perspective, as much as the insight each affords, illuminates moral conflict in both personal and public contexts. If there are two irreducible orientations, individuals can learn to shift between them while discussants can acknowledge that they “see” the same situation yet see so differently that they cannot at once understand each other’s moral reasoning. Because there are contrasting perspectives rather than a multiperspectival array, a disruptive and illuminating shift of moral perspective in regard to the same phenomena becomes possible.<sup>65</sup>

In this text, the producer draws on an unacknowledged feminist critique to deploy interpretive cues of equality, mutuality and relationality without applying these concepts in the structures of his discourse. His failure to recognise that procreation, and involvement in the NRTs, is a vastly different experience for woman than it is for man, demonstrates this lack of understanding. Whilst his critique of individualism and an appreciation of the relational context has created fresh perspectives from traditional ecclesiastic treatises, nevertheless, this has been clouded by a false mutuality in his vision of family relations that presents an ideal belied by reliance on a tradition, which has consistently failed to promote it in praxis.

The competing discourses have been blurred in this text with glaring anomalies of content, whereby the producer makes opposing claims in different sections of the book. For example, his promotion of PGD stands in direct contrast to his stated preference for ‘extensive restrictions on ART’ and his equivocal stance on contraception is equally confusing. However, the most telling issue of all is his account of procreative stewardship, which is not a vision of prophetic, oppositional empowerment for NRT participants against the structures of biopower, but rather an androcentric mirroring of Genesis that moves the NRTs into a privatised domain ‘vindicating the traditional ecclesiastical order’ of male procreative agency.

**A. Dyson, *The Ethics of IVF* (London: Mowbray, 1995)**

### **The aims and objectives of the book**

The third publication to be considered was inspired, in common with the other two texts, by the notion that the ethical issues involving IVF had

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<sup>65</sup> S. Ruddick, ‘Injustice in Families: Assault and Domination [1995], (203-223) in *Justice and Care: Essential Readings in Feminist Ethics*, ed by V. Held, (Colorado; Oxford: Westview Press, 1995), p. 205.



not been sufficiently addressed in the Christian response to them. However, in contrast to the previous authors, it is not the lack of a definitive Christian response that Dyson objects to, but rather the persistent drive by some theologians to find an all encompassing one. It is worth quoting in full Dyson's principal objections:

I shall register in this book a measure of dismay about *some* of the biblical, theological and ethical treatments of IVF which have appeared from Christian sources. It seems that the lessons, coming from over one hundred years of development of the critical method employed on the study of the Bible and tradition, have not been widely heeded. Moreover, some Christians judge that, with biblical and/or theological principles, we can arrive at definitive ethical conclusions without assistance from secular sources of knowledge and judgement. But I am clear in my own mind that neither Christian biblical study, nor Christian theology, nor for that matter Christian ethics, can *by themselves* settle the urgent and difficult questions thrown up by the NRTs, and not least IVF. We need to listen to many different voices. (his italics)<sup>66</sup>

In addition, Dyson also identifies two areas that have proved to be problematic with regard to effective communication: that of mediation between the disciplines of ethics and science, and the epistemological dichotomy between theory and experience. This latter division mirrors the justice and care perspectives that have been referred to as androcentric and feminine systems of thinking, and whilst Dyson does not gender them in this extract, nevertheless, their locus and praxis positions them in the gendered camps that were explored in Chapter One.<sup>67</sup>

It seems as if theoretical and abstract reasoning belong to the public realm and are fully approved, whilst the different tiers of human, especially emotional, experience are not regarded as ethically respectable, and are thus relegated to the private realm.<sup>68</sup>

In a further contrast to typical theological approaches to the NRTs, the book sets out to consider the complex ethical issues of IVF holistically, not just in terms of the moral status of the embryo. The contents page marks a radical departure from conventional Christian texts on this subject, which might be missed by secular critics, in that it places *IVF* as its central focus. Consider the chapter headings as follows:

Editor's foreword, Acknowledgements, Definitions, Introduction, Infertility, Historical moments, The IVF process and its ethical problems, Risks and successes,

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<sup>66</sup> A. Dyson, *The Ethics of IVF*, pp. 7-8.

<sup>67</sup> See Chapter One, pp.18-20.

<sup>68</sup> A. Dyson, *The Ethics of IVF*, p. 7.

Feminist critiques of the NRTs and of IVF, IVF and natural law, IVF and the Bible, IVF: towards responsibility, Some IVF participants, IVF and embryo research, Human fertilisation and embryology: Act and Authority, The wider society, Conclusion.<sup>69</sup>

This is in stark contrast to the two church reports and McCarthy's publication, where infertility, IVF per se and woman were relegated in varying degrees by concerns relating to the embryo. Whilst Water's contents page was also seeking a different route, Dyson places the problem and the participants at the heart of his text in contrast to Waters who speaks at great length around the issues but leaves out the emotional pain of infertility and woman's part therein. In so doing, Dyson provides space for considering relevant topics that have hitherto been ignored, such as, the female partner of the male donor. However, the book's most radical departure from the normative Christian treatise is in its proactive choice to listen to the voice of woman, both as IVF participant and as feminist commentator, as can be seen by his dedication of the whole of Chapter 5 to feminist critiques.

Dyson's primary response to the ethical dilemmas of IVF, and therefore his overriding aim, is to promote an ethic of responsibility, which is similar to Water's call to procreative stewardship, but the way in which these two theologians pursue their understanding of this concept could not be more different. Dyson's approach is characterised by a search for understanding and a refusal to make definitive ethical pronouncements, rather than by a will to power and control.

### **The identity of the text producer**

The ideational concepts set out in the aims of the book are backed up by the interpretive cues that the text producer uses to investigate his premises. In keeping with his eschewing of a conclusive approach, his linguistic style is open, questioning and thought provoking, which provides a forum for the reader to listen rather than be told. Inherently, Dyson *respects* his reader to think for her or himself, preferring to illuminate the complexities of the issues, by conversely, writing in a clear, easily readable style that clarifies medical terminology and presents useful data succinctly.

Perhaps, the best example of acting differently is the inclusion of IVF participants speaking about their experiences interspersed throughout the chapter on infertility. In terms of the *content*, this creative device is

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<sup>69</sup> The full page of contents: A. Dyson, *The Ethics of IVF*, p. v.

immensely successful in bridging the dichotomy of factual information and personal experience that Dyson had found to be problematic in his critique of ethical responses to IVF. Furthermore, by placing these extracts directly into the first chapter alongside the physical data, rather than in a discrete final chapter or an appendix, a powerful interpersonal message is sent to the reader. Building again on Walsh's helpful methodology that the ideational is driven by the interpersonal, this message has a twofold effect.<sup>70</sup>

Firstly, it signals in the content that feelings are important considerations, but secondly, and more importantly, it constructs the male text producer as sympathetic to woman's position. This latter aspect is far more penetrating to the discursive fields of infertility and IVF situated in the unconscious realm of the reader, and as this occurs in the first chapter, it sets the scene for what is to follow. I will return to this point in my discussion on the construction of woman, for, despite its innovative difference to the content, I would contend that it has not been so productive in constructing woman's subject position. Finally, these components constitute the text producer's overall style locating the ethical complexities of IVF in the lived reality of human existence rather than the mysterious, eternal world of beyond. It is a work of Practical Theology, written in the context of praxis, not in the abstract of doctrine.

### **The construction of woman in the text**

I have already alluded to the fact that this book is very different to normative Christian discourses on the NRT by its inclusion of woman that is not only overtly undertaken, but also referred to by the author himself as being unusual, as these extracts demonstrate.

It is astonishing that most of the contemporary literature on IVF virtually or wholly ignores the feminist arguments.<sup>71</sup>

Surprisingly, very few of the books and articles about IVF make any reference at all to the feminist challenge. As far as my reading goes, feminists are correct in observing that none of the male-centred criticisms of the NRTs, be they conservative or radical, has opposed the technologies because of what they do to women.<sup>72</sup>

In terms of the content, this book comprises one of the most enlightened texts on IVF that I've encountered. However, notwithstanding that fact, from the vantage point of critical discourse analysis, one must ask; but

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<sup>70</sup> See Chapter Two, p. 54.

<sup>71</sup> A. Dyson, *The Ethics of IVF*, p. 6.

<sup>72</sup> A. Dyson, *The Ethics of IVF*, p. 43.

'how is woman constructed in this text?' Has the conscious effort to make her visible accorded her a different *construction* from normative treatises? I would answer in the negative, for, I would allege that she is still constructed as reproductively passive. Dyson makes similar claims in his critique of IVF to those that I have already stated in this thesis, such as the high failure rate of IVF and the lack of research on primates before attempting IVF on women.<sup>73</sup> These are not normally mentioned in Christian accounts of the NRTs, so why do I assert that *his* accounts construct woman as passive, whereas my critique does not?

In the first place, Dyson inadvertently creates a false dichotomy between IVF participants and feminist scholars analogous with the divide between the Presbyterian women and feminist theologians that McClintock-Fulkerson sought to unravel in her analyses discussed in Chapter Two.<sup>74</sup> In the Introduction, he characterises the feminist response to IVF by saying that whilst there are varying stances of feminist dissent; '...all, including Firestone, would agree that the NRTs, *in our kind of society*, represent in differing degrees a serious threat to woman's self-consciousness - and to her body as well.' (my underlining; his italics)<sup>75</sup> He continues to immediately expound this in the following extract constructing IVF participants as *unthinking* woman, 'caught up' 'will-nilly' in events that her more intellectual sisters would not be associated with:

At the first level, the threatening character of the NRTs can be a cause of damage to the individual woman. But that is not the end of the ethical argument. At the second level, a *systemic* threat is encountered. The woman, whatever the outcome for her as an individual, is caught up in, and willy-nilly contributes to, patterns of injustice which affect entire sectors of the world society' (his italics, my underlining)<sup>76</sup>

In a text such as this one, which appreciates the infinite complexities of human dilemmas, it is surprising to find so many absolutist statements contained in the above excerpts that are left unexplained. For example, there is no elucidation as to how *specifically* IVF participants contribute to 'patterns of injustice which affect entire sectors of the world society'. For, whilst IVF is ethically equivocal, it cannot be denied that it has brought immense fulfilment to thousands of infertile couples and may have provided considerable benefit to some women's self-consciousness. Later on in the book, Dyson underscores this construction of haplessness, when he generalises:

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<sup>73</sup> A. Dyson, *The Ethics of IVF*, p. 46.

<sup>74</sup> See Chapter Two, pp. 57-63.

<sup>75</sup> A. Dyson, *The Ethics of IVF*, p. 6.

<sup>76</sup> A. Dyson, *The Ethics of IVF*, p. 6.

All this relates closely to the theme of exploitation of women by the NRTs and, in particular, by IVF.<sup>77</sup>

Woman has a multiplicity of subject positions, and even as 'infertile woman' these are fractured by class, race, wealth and education. By condemning IVF as exploitative to all women, Dyson blurs the distinction between those women who are vulnerable due to economic or emotional reasons, and therefore more likely to be exploited by biopower, and those who are in stronger positions. In practice, this vulnerability might constitute some groups of poorer women selling their ova and wombs, whilst others might have less access to IVF for their own procreative desires.

Moreover, by separating IVF participants' emotional comments in Chapter 1 of his book from the intellectual critique of feminists in Chapter 5 he has effectively reintroduced *in construction* the very dichotomy of theory and experience that he was attempting to bridge in the content. Ironically, his (genuine) sympathy as text producer only serves to reinforce this construction, which comes across as patronising, as similarly was the case with the Presbyterian women. McClintock-Fulkerson demonstrated that the Presbyterian women, whilst constructed and constrained by normative, sexist perimeters were, nevertheless, able to exercise considerable creative agency in circumventing them. The fact that they chose to do this in such a way that did not involve confronting specific sexist proscriptions, did not mean that they behaved in a passive way, although this is how some feminist commentary would have labelled their behaviour. McClintock-Fulkerson was able to show, by critical discourse analysis, that this was not the whole picture.

She claimed that, whilst feminist theology highlighted the socio-cultural structures that create and maintain patriarchal oppression, nevertheless, this critique did not connect with the discursive practices that cause these systems to be perpetuated. So, as McClintock-Fulkerson put it, 'The gap between the hegemony of capitalist patriarchy, for example, and the discursive practices of the poor woman is not filled in.'<sup>78</sup> In a comparative analogy, I would argue that in this account, the anti-IVF feminist critiques and the IVF participants' voices create a gap whereby, the hegemony of biopower and the discursive practices of the infertile woman are not filled in. Crucially, it is important to distinguish between

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<sup>77</sup>A. Dyson, *The Ethics of IVF*, p. 48.

<sup>78</sup>See Chapter Two, p. 59. M. McClintock-Fulkerson, *Changing the Subject*, p. 110.

how the systems of biopower operate with regard to capitalist and eugenic undertones that construct woman as reproductively passive in order to accomplish their procreative agency, and woman's ability to determine her own ethics of self within this socio-cultural milieu. By falsely dividing woman into two discrete groups, the emotional participants and the intellectual dissenters, Dyson has effectively perpetuated the very construction that feeds the biocapitalist machine.

This construction of passive, coerced IVF participant continues in the following comment:

It would hardly be denied that women often experience intense pressure to undertake IVF. That pressure can come from the partner, would-be grandparents, from female friends, from a commercial market with a huge turnover relating to all sorts of goods to attract the would-be or actual mother, and from a general natalist climate which is difficult to characterise, but which is nonetheless experienced as very real.<sup>79</sup>

With regard to women's desire to become mothers, I would disagree with Dyson that the most intense pressure comes from partner, family and friends, I would assert that it comes from the woman herself. However, I do converge with Dyson that the 'natalist climate' has considerable influence. Dyson's analysis is unable to interrogate the minutiae of this discursive field, which I interrogated in Chapter Three, whereby woman has to negotiate a range of competing discourses that call on her simultaneously to have a career, watch her biological clock and take responsibility for childcare. These are fractured by discourses of societal approbation (the perfect mother) and discipline (the desperate childless woman who left it too late), which transmute throughout the NRT newspaper stories as a technique of normalisation.

Ironically, whilst woman is constructed as reproductively passive, the responsibility for demographic catastrophe is given solely to her. Furthermore, when a woman actively pursues procreative intervention, for what is perceived as her own desires rather than her husband's or her children's, she is publicly castigated as the treatment of the Masterton case demonstrated. Crucially, the difference that discourse analysis makes, is that the technique of self-mastery for woman, as she contemplates an ethics of self in determining her procreative choices, is illuminated as being immensely complex. In contrast to the subject position afforded her by Dyson of exploited, emotional and unthinking, she is shown to be actively engaged in a constant struggle of self-definition. However, perhaps, Dyson's construction of woman as

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<sup>79</sup> A. Dyson, *The Ethics of IVF*, p. 75.

procreatively passive is epitomised by his failure to address her part in his ethic of responsibility. If, as he asserts, she contributes to patterns of injustice by her participation in IVF programmes, how then should she act more responsibly? By giving woman visibility in the process and critique of IVF, but absenting her specific contribution from the agency of responsibility, Dyson constructs her, by his omission, as unable to take part in this vital role.

### The construction of the embryo

As has already been made clear, the moral status of the embryo does not dominate this text, which Dyson obliquely refers to as being unusual, when he states:

So dominant has the embryo-foetus become in many ethical presentations of IVF that other important *dramatis personae* often fade into relative invisibility.<sup>80</sup>

Furthermore, the contents page reproduced in the aims and objectives section demonstrates this, as the subject is not discussed until the tenth of thirteen chapters. Even more significantly, embryo concerns are not *primarily* addressed in the two chapters, 'IVF and natural law' and 'IVF and the Bible'. Yet, it is Dyson's ideational emphasis on the lived reality, rather than the eternal world of beyond, which becomes most evident in his treatment of the embryo. Whilst he recognises that conceptualisations regarding personhood and embryo rights are far more than simply subjective viewpoints, nonetheless, he is at pains to present the following standpoint:

But a different *kind* of argument suggests, and the commentary which I have presented reinforces, that these different views on human personhood are in fact *acts of cultural construction* drawing upon scientific, sociological, anthropological, historical, moral, religious and other sources. These constructs are not rigid and fixed, but they have their own history, as they negotiate different ethical problems and they respond to new or revised data.(his italics)<sup>81</sup>

Consequently, his discourse resists the constructions of 'fully human', 'research object' or 'saviour' that have been prevalent in the spectrum of Christian and secular discourses that have been scrutinised so far. Dyson's open style of reflective conversation partner structures his ethical commitment to continuing dialogue and of acting responsibly, thereby refusing to make any definitive statements. In this instance, his

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<sup>80</sup> A. Dyson, *The Ethics of IVF*, p. 73.

<sup>81</sup> A. Dyson, *The Ethics of IVF*, p. 91.

content and construction of the embryo are much more aligned than was the case in his treatment of woman.

### Summary

It has been fitting to end my exploration of Christian responses to the NRTs with this text that, in so many ways, refutes the normative, traditional approaches and produces a treatise, which opens the boundaries of the subject rather than maintains them within pre-set, narrow perimeters. Moreover, it demonstrates that Christian tradition has within its wide ranging characteristics, qualities of contemplative engagement, compassion and questioning critique as well as fervent calls to doctrinal absolutes. Its style of a holistic approach to ethical complexities, which seeks first to understand, is willing to listen and is grounded by the context of socio-cultural reality brings fresh perspectives to the ongoing Christian debate.

The text producer has made a conscious effort to overcome the barriers of communication that he had ascertained were problematic in the plethora of other Christian responses. Most notably, with regard to the premises of this thesis, he sought the feminist critique and participants' voices to provide a more balanced and informed perspective. In turning to Scripture, he kept the question of IVF and infertility uppermost in his exploration thus rendering the status of the embryo to one aspect of this enquiry rather than privileging it above, and to the exclusion of, other vital concerns. My challenge to his construction of woman does not detract from his active choice to include her.

The visibility of woman in the discourse is a marked departure from which to build. That she has been divided and constructed as reproductively passive is easier to challenge now that she can, at least, be seen. For, Dyson has broken through the technique, demonstrated by Grimwood in the Bishops' statement, whereby the other is endlessly talked about, but not spoken to. However, by giving the feminist commentators their due recognition in a separate chapter, another difficulty is created. Firstly, this chapter can simply be omitted by those who are not interested in their critiques, whereas this would have been far more onerous a task had their insights been dispersed throughout the text. Secondly, it sends a powerful signal in *construction* that is not intended in the content. It suggests to the reader that only 'feminists' – a marginalized, disparate group hold these views. This is not helped by the fact that Dyson does not challenge the medico-scientific community with the same fervour as the feminists do.



In his chapter 'Historical moments', he rightly points to the fact that IVF has a history, which well preceded the advent of Louise Brown's birth. He says:

But I do want to convey, at this early stage, a sense of the human ingenuity, persistence and achievement in responding, from different angles, to the challenge of *infertility*.(my italics)<sup>82</sup>

Contrast this statement with the way Dyson refers to the corpus of feminist opinion:

The principal conclusions of this corpus are that women's contribution to the practice of medicine has, on the initiative of male society in general, and male medicine in particular, been progressively devalued and marginalized; that the control of women's reproductive medicine has been wrested from women by men; that masculinist philosophical-scientific presentations of women's reproductive biology have distorted fundamentally the image of womankind with the consequence that greater control has been gained over women's social future.<sup>83</sup>

It is as if Dyson has not listened to the feminist critique, because if he had, he might have accorded more hermeneutics of suspicion to the way scientists doggedly pursued a 'cure' for infertility, which was a low medical priority before the impact of IVF. Not only has it been the work of embryologists, not medics, which have been foremost in developing IVF, but moreover, overcoming female infertility by an external route provides access to the embryo, which is an invaluable commodity to the biomedical community. My challenge goes further. Having elicited these concerns from the feminist critiques, why are they absent from the ethic of responsibility? How are we to act? There is insufficient challenge to the pervasive operation of biopower and biocapitalism and no directive to connect its modus operandi with the discursive practices of the NRTs. I would contend that the first act of responsibility would be to start making these connections.

## Conclusion

In forming a conclusion to the findings of these three texts, I would assert that using critical discourse analysis has been illuminating in the way it has demonstrated how functioning statements transmute and correlate through content connecting with discursive fields in the unconscious mind of the reader. It has enabled anomalies to be interrogated and techniques of normalisation to be explored. In the first text, *Fertility and*

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<sup>82</sup> A. Dyson, *The Ethics of IVF*, p. 21.

<sup>83</sup> A. Dyson, *The Ethics of IVF*, p. 45.

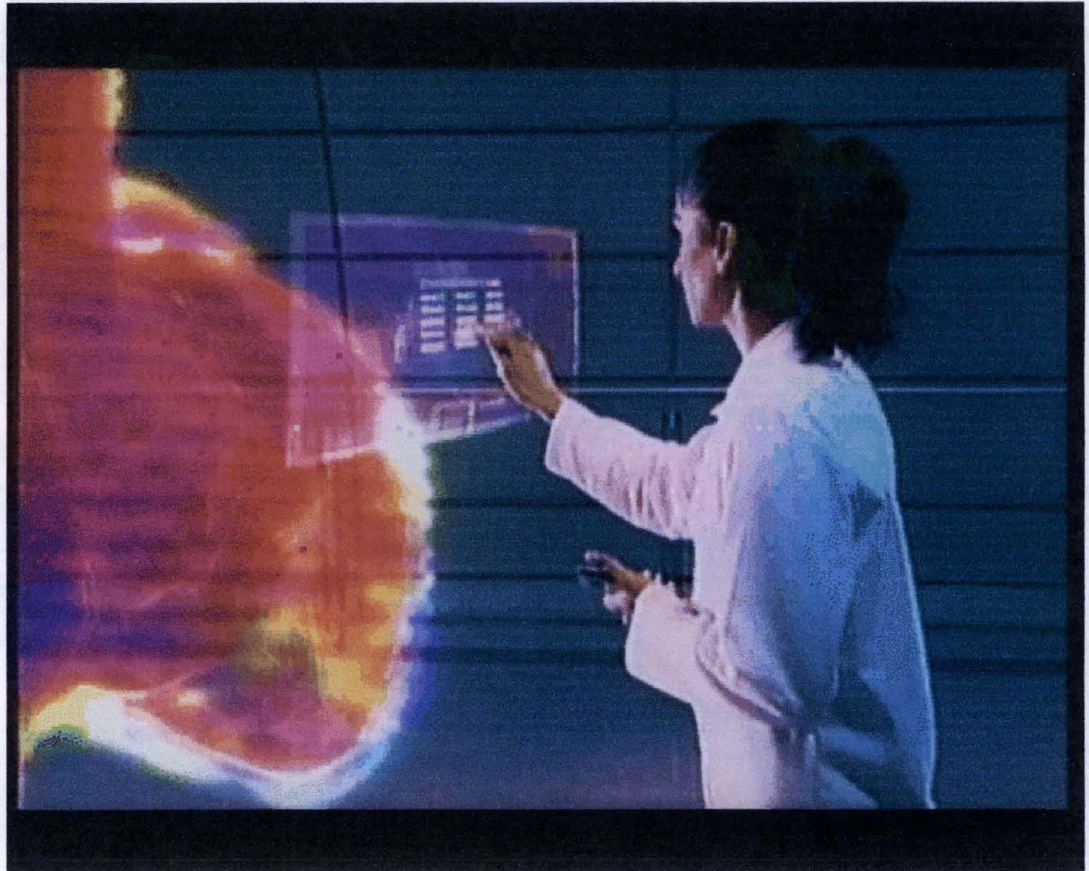
*Faith*, despite the author's claims that he was setting out to provide a definitive Christian response, he followed the traditional perimeters of the church reports, imbibing their constructions of woman and the embryo, eschewing the opportunities to find a fresh perspective that a variety of liberation, feminist, body and queer theologies could have provided. His failure to understand the critical differences in epistemological models was evident both in his critique of Warnock and in his own theological premises. His refusal to declare a standpoint in the interests of objectivity, ironically, suffused his text with subjective interpersonal cues.

The second text, *Reproductive Technology*, succeeded in taking a different route from the traditional line, but discourse analysis was able to discern that the constructions, which transmuted through his content, were as traditional as those contained in the church reports. By not attending to sufficient deconstruction before setting out to undertake a different perspective, these competing strands created confusing ambivalences. In addition, with regard to woman's subject position, his text was more alarming than an absolutist treatise. For, his content of mutuality and relationality was better able to hide damaging constructions of woman that lay in the functioning statements of vindicated order and procreative power.

The third text, *The Ethics of IVF*, was different in its approach and provided a powerful challenge to the church reports by its adherence to alternative, valid aspects of Christian tradition that have not been appropriated by the ecclesiastic elite. Whilst the constructions of woman were problematic, nevertheless, her visibility broke through the technique of examining the other whilst maintaining them as the secret, which had been predominant in the bishops' statement as elicited by Grimwood's analysis. For this, Dyson is to be applauded. All three texts are expert discourses. Water's text has aspects of a privatisation discourse and Dyson's has aspects of an oppositional discourse. However, none of these publications explicitly explore the relationship between biopower and the participants of IVF, which might provide the pastoral tools that Dunlap considered vital for supporting another to determine an ethics of self. If the construction of woman is consistently determined as reproductively passive, by secular and Christian accounts, how then should the church proceed? I propose to address this question in the conclusion of my thesis, setting an agenda for change.

## CHAPTER SIX

### CONCEPTUALISING AN A/GENDER FOR CHANGE



Christianity has never been at its best when it has turned its back on uncomfortable truths and new knowledge. It has nothing to fear from the truth, no matter how challenging, and in its most creative periods it has adapted its central message to the ideas of the day and has sought to express itself through the best intellectual or scientific models for understanding reality. This confident openness to new truth has always been in tension, not only with a valid desire to be true to its own tradition, but with static and authoritarian versions of Christianity. Today this kind of Christian openness is threatened by a number of pressures.<sup>1</sup>

R. Holloway

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<sup>1</sup> R. Holloway. *Dancing on the Edge*. p. XIII

## IN CONCLUSION

However, as a postmodern, gender-sensitive and performative discipline, pastoral theology is less concerned to legislate about the application of eternal moral norms or rules articulated outside the situation, as it is concerned to act as interpreter of the resources by which the faith-community may cultivate its sensibility for disclosure. Pastoral theology does not neglect the imperatives of hope and obligation, but refuses to absolutize the epistemological foundations of pastoral response and transformative *praxis* in the interests of a larger vision yet to come.<sup>1</sup>

Elaine Graham 1996.

### What is my understanding of Practical Theology?

Despite its detailed exploration of socio-cultural issues, my thesis is a work of Practical Theology not an undertaking in cultural studies. I propose in my concluding comments to begin by outlining my understanding of what constitutes Practical or Pastoral Theology as a discipline in order to place my findings into the theological context.<sup>2</sup> Whilst originally the role of Practical Theology was, for much of its history, concerned solely with the task of educating ministers, it has developed significantly in more recent times to encompass a much broader vision and audience. Stephen Pattison's evocative description is particularly helpful when he says:

Pastoral Theology is more like living water than a tablet of stone. It is something that moves and changes shape, content and appearance, like a lake, over time.<sup>3</sup>

In accordance with this fluid conceptualisation of the discipline, many practical theologians find their inspirational source for re-interpreting theological doctrines, not only from reflecting on responsive Christian praxis, but moreover, from the contemporary, complex, messy, lived situation of the human struggle itself. In their work of engaging with Scripture, Christian tradition, belief, praxis and secular wisdom, practical theologians have often found that the tenacity of spirit by those who are already grappling with any given problem may form the foundation of their theological illumination.

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<sup>1</sup>E. Graham, *Transforming Practice: Pastoral Theology in an Age of Uncertainty*, (London: Mowbray, 1996), pp. 209-210.

<sup>2</sup>Traditionally Pastoral Theology was concerned with individual pastoral care and counselling, whilst Practical Theology was the domain of teaching ministerial functions, such as preaching, liturgy and church organisation; both titles are now used interchangeably.

<sup>3</sup>S. Pattison, *A Vision of Pastoral Theology*, Edinburgh: Contact Pastoral Monograph No 4, 1994), pp. 9-10.

Such was the case with the emergence of Liberation Theology, rising from the purposeful activities of the poor in Latin America to be agents of their own social change. If Practical Theology seeks to ask the question, 'How are we walking alongside the other in this situation?' and follows this with, 'Can we learn from our inquiry to walk better?' Then, it may be the *situation* that becomes the source of both transforming practice and theological understanding.

It is a mark of respect to, and Christian love for, the other that any dialogue should be marked by mutuality and reciprocity in the exchange of values and worldviews. However, this is in tension with the fact that, as practical theologians we are inclined, either implicitly or explicitly, to place our Christian beliefs in a position of moral superiority due to our faith perspective. As Graham says of Tillich's model of 'ultimate concern' in the pastoral encounter, it '...assumes that the values of theology and psychology point to one single convergent, and ultimately Christian, Truth'.<sup>4</sup>

Yet, the notion of a single convergent Christian Truth has been fractured by the plethora of varying interpretations that Christians hold regarding their theology. Just to take one example, the scholarship of feminist theologians, such as Fiorenza, Reuther, Hampson, Daly and many others has demonstrated unequivocally that Scripture and Christian tradition have been formed through patriarchal cultures, which have consistently denied woman her full humanity, both in the faith-community and beyond. Yet such moral ambiguity is often overlooked in the reference to tradition and in the privileging of the congregation as the locus of moral discourse. In his research of church communities, the well renowned theologian Don Browning neglected to scrutinise the mechanisms of justice within the congregation itself. Graham, in reference to his studies, says:

There is little attention to the internal power relations of the congregations, nor any commitment towards looking at exclusions of gender, race or class within them.<sup>5</sup>

Such anomalies pose a dilemma for critical correlation, in that, the conversation could be reduced to a form of theological relativism, whereby divine revelation *per se* is abandoned and the dialogue continues between varying social constructs. Such is Richard Holloway's point in his publication *Godless Morality*, and indeed, this might be less

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<sup>4</sup>E. Graham, *Transforming Practice*, p.70

<sup>5</sup>E. Graham, *Transforming Practice*, p.91.

harmful to human flourishing than the way in which some Christians have, and still do, use theological power as a means of social control.

However, as a person of faith, believing that God is All, I take the position that divine revelation continues in the active process of seeking God's direction through dialogue, worship, reflection, prayer and praxis. As I explored in Chapter One, human beings are constrained by their finitude and cultural locus, but the Spirit is not, as Jesus said, it is like the wind and blows where it will (John 3: 8). Consequently, I would assert that the commitment to dialogue and reflection includes an obligation to listen with humility to the Word as it is spoken through the varying forms of theological reflection in order to discern how Christian praxis can best be transformed in each social context that presents itself.

The ultimate Truth is not to be found as a set of rules, but is more analogous to a horizon that, whilst it is always elusive and untouchable, can occasionally seem very close. The journey towards that horizon may require the reformulation of boundaries and even the revisioning of metanarratives as Paul discovered on the road to Damascus and later in his ensuing struggles with the cultural mores of circumcision and the food laws. I have confined my investigation of the NRTs to exploring the discourses relating to them, leaving out other aspects of enquiry that would be included in a holistic approach to critical correlation. The reason for this is that a broader sweep would have reduced the depth of my research and so I have chosen to concentrate on one area in detail.

### **How then does my interrogation of secular and theological discourses relating to the NRTs make a contribution to Practical Theology?**

The discourses surrounding the NRTs are a critical component of the contemporary situation that affects those who discover they are infertile and who subsequently decide upon a medical option to overcome their problem. I have frequently drawn on Foucault's understanding of power relations to demonstrate how discourse is intrinsically connected to practice, and this is the case whether it occurs in the IVF clinic or the faith-community. Whilst it is true that it is the practice itself, which embeds a functioning technique into the culture, yet without a detailed questioning of the discourses underpinning that practice, effective resistance to it becomes much more difficult, or even 'unthinkable', to challenge. I would assert that transformation of any given practice can be much better supported if there is an awareness of how the techniques of power are operating to sustain it. Consequently, it is from this vantage point that my findings provide illumination to an ongoing theological

discussion. In the following section I shall briefly summarise my findings and then offer suggestions as to how such understanding might transform praxis both pastorally and prophetically.

### **The summary of my findings**

The interrogation of secular discourses undertaken in Chapter Three was necessary to establish a baseline for the everyday, taken for granted constructions of woman and the embryo that the popular narratives of the NRTs have made familiar to us all. Woman was constructed serially, and sometimes simultaneously, as: reproductively passive, childless/older and desperate, selfless-giver, research object, animal, and supermum. The embryo's construction was similarly equivocal: research object, saviour and fully human. The findings demonstrated that a variety of functioning statements were constructing both entities into subject positions that were ambivalent, often adversarial, and which were rarely challenged, or even noticed, by both dominant and oppositional texts.

In differing ways, these constructions were a cause for grave disquiet, particularly against a backdrop of biopower and biocapitalism, in which Carrette's crucial question of 'how do I exchange?' is especially pertinent. As it is the role of the church to speak out against the world's popular values, particularly when those values encompass wealth and power, which undermine human worth, my next logical step was to interrogate theological discourses to explore whether or not the church was fulfilling this critical role.

In deconstructing the ecclesiastical responses to the NRTs, my findings have demonstrated that the ethical framework, in which these issues have been deliberated, is the normative, androcentric, justice structure, which is also dominant in secular accounts. An interrogation of the historical trajectory of traditional treatises illustrated how these have correlated into the theological community's NRT discourses, and thereby, secured this particular form of moral reasoning to such an extent that it has become *unthinkable* to approach the subject differently. But what of the churches' pastoral and prophetic role in the field of infertility and biopower; has the church been able to speak out from within this familiar framework? I would contend that, whilst it has indeed spoken, it has not fulfilled its prophetic and pastoral role, because, crucially, it is not speaking *differently* from the secular discourses in the most fundamental aspect. For, not only have the churches failed to take account of the subject position of assigned to

woman in the secular discourses of the NRTs, their construction of her is often more damaging than that which is found in secular tracts.

### **The theological construction of woman**

This thesis has repeatedly demonstrated that it is *woman's* body, upon which biopower is founded and it is *her* ethics of self, which is crucial to determining how that power weaves through the discursive practices of the NRTs. Yet the textual techniques in the church reports and mainstream texts not only render her invisible, but they also *separate* her body from her personhood. (It is ironic that they conversely construct the embryo as having both these aspects utterly connected.) Woman is hidden more effectively in the theological discourses because she does not even have the voice that the media accounts give her. Whilst the popular stories also divide her into unrealistic and opposing positions, nevertheless, her visibility, as in Dyson's text, at least gives her a potential platform from which to challenge these constructions.

Furthermore, in the secular accounts, woman is more likely to be heard in her own right, because they reflect the socio-cultural realities of procreative woman existing outside marriage. On the other hand, the theological community are resolute in constraining their deliberations to the context of a married couple. Whilst, it could be legitimately argued that the church could not do otherwise as this would undermine their commitment to marriage, nonetheless, as Foucault has shown, not to do 'otherwise' is to operate within the perimeter of what is permitted within a discipline or institution.

Significantly, the ecclesiastical sanctification of marriage and the family, that is evident not only in the texts analysed in this thesis, but also in church liturgies and services, serves to prolong the subjugation of single and childless women within the church.<sup>6</sup> Furthermore, because woman's personhood is suppressed, the church fails to reflect on the double bind it places woman in by only according her acknowledgement as mother and then ignoring her plight when she cannot achieve this prized subject position. It is therefore, not best placed to offer pastoral support for the anguish of infertility, when it has been complicit in denying woman fulfilment through other worthwhile avenues. Whilst woman still does

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6 In their book, *Silence in Heaven: A Book of Women's Preaching*, the editors H. Walton and S. Durber discuss how church services (and preaching in particular) have excluded the insights and experiences of women from the faith story. (London: SCM Press Ltd, 1994), pp. xi-xix.



not enjoy full parity in secular society, at least there is some recognition of this injustice in the oppositional discourses circulating in the media.

For example, Dame Ruth Deech, the former Chair of the Human Fertilisation and Embryology Authority (HFEA), related her concerns in a recent public lecture that women were being pressurised to 'do everything' to have a baby and that this resulted in couples remortgaging their homes due to the cost in the private clinics of repeated cycles.<sup>7</sup> (For whilst, *scientifically*, IVF is quite successful for a new venture, its failure rate remains high, with a current 'take-home-baby' rate of about 17-20%. Many women undertake several cycles and still end up with nothing, which can be far more psychologically destructive than accepting infertility as a given, which occurred prior to the advent of IVF.) Deech felt that the media gave a false impression of IVF as a cure-all and that society was not sufficiently compassionate to women who cannot have children. Why was the church not saying these things, when in its role as a pastoral organisation it should have been closest to the sort of problems that Deech was identifying?

The Foucauldian concept that everyday knowledge becomes the most difficult to challenge is borne out by the fact that woman's disappearance from the NRT discourses is so taken for granted that it elicits no surprise or comment, not even from women themselves who ingest the same cultural constructions.<sup>8</sup> For, in the anthropological vision contained in both church reports and the published texts, the opportunity to promote the dignity of woman and address a multiplicity of issues concerning her welfare has been consistently forgone, with the notable exception of Dyson. However, even his critique did not focus on connecting the discursive practices of the IVF clinic with current lucrative opportunities in the biotechnology field.

### **Pastoral implications of woman's textual invisibility**

Why has no church asked the most fundamental pastoral question, 'How best can we support a woman through her unwanted childlessness and her decision whether or not to try the NRTs?' Ironically, the similarities with abortion are again evident here, for whilst it takes a couple to make a baby and a couple to discover their infertility; the resolution to both these dilemmas must take place within a woman's body and must,

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<sup>7</sup> Ruth Deech was speaking at The Royal Philosophical Society of Glasgow in November 2002.

<sup>8</sup> I am referring here to popular conceptualisations, feminist scholars have drawn attention to the way in which woman's interests in the NRT have not been considered.

therefore, be subject to her agency. Why then is the scriptural guidance of the anthropological vision not supporting woman as she determines her ethics of self through these deliberations? For even in Dyson's enlightened text, such moral responsibility is not accorded her.

Moreover, as I said in the introductory paragraphs to this thesis, the theological discourses construct the boundaries not only of what counts as knowledge for the church, but also what is considered to be important or relevant to the debate. As woman's invisibility is perpetually reinforced, the issues that she must face with the ever-increasing biotechnological advances are never addressed from her vantage point. Whilst they may be debated from the standpoint of the embryo, it is woman, not the embryo, who must take responsible action. Consequently, the practices of the IVF clinic that affect her are not scrutinised, leaving any pastoral support that may be given to infertile couples open to the dangers of being uninformed and counterproductive.

None of the practical issues which woman faces are presented in ways that can offer her critical support, such as the following: choosing whether or not to opt for IVF, another treatment, or adoption, making decisions about frozen embryos, egg sharing or using donor gametes, choosing ICSI, undergoing repeated superovulation, finding sufficient funding, choosing whether to pay for PGD or opt for early termination of an affected fetus, and deciding whether to donate spare embryos for research or to help another childless couple. An awareness of the emotional devastation that these pressures cause caught up as they are in the cycle of hope and failure is woefully missing from the church reports.

As a pastoral organisation, with its listening ear open to the difficulties of lived realities, the church should have been more attuned, paradoxically, to the problems of IVF success. Yet, it has been the secular world, which has raised concerns on issues such as the number of embryos returned to the uterus that has resulted in a huge increase in multiple births. A more careful appraisal would have demonstrated that the real costs of IVF to the NHS are the increased demands on the Special Care Baby Units that have had to provide for premature babies resulting from multiple birth deliveries. Moreover, the sufferings of both children born prematurely and of parents watching their newborn babies struggle for life are greater concerns than the fate of an embryo of less than 14 days.

When, tragically, a death or disability results, the disappointment and grief after years of yearning for a baby can be devastating. If all goes well and the babies go home, raising twins and triplets is immensely stressful

and expensive, which, again, can be particularly hard after years of infertility and a draining of personal wealth in paying for treatments. The practice of returning three embryos has now been prohibited by the HFEA; new guidelines stipulate that only two embryos can be returned.<sup>9</sup> It would be possible to freeze a clutch of embryos and put one back each month, both relieving woman from the prospect of repeated superovulation and mirroring closely the circumstances of natural conception. Not only would this be best practice for the well-being of both mother and baby, it would incur savings to the Special Care Baby Units.<sup>10</sup> Yet, the church was unanimously silent on this issue.

### **Prophetic implications of woman's textual invisibility**

As woman's invisibility in the church reports has resulted in a lack of concern for her pastoral care, so similarly, issues of prophetic importance that her presence would have signalled have also been missed. For example, whilst the churches have discussed consent and experimentation in all their reports in relation to the embryo, *none* of them has applied their concerns to woman's part in the NRTs. There has been no discussion regarding the origins of IVF, when as I have stated previously, there was no research undertaken on primates before IVF was offered as a treatment for infertile women. In addition, there has been no follow up research undertaken on the effects of repeated superovulation on women's bodies, despite the fact that recent surveys on the contraceptive pill and hormone replacement therapy suggest that hormonal interference might have long-term harmful effects.

In addition, the commodification of reproduction and the competitive practices of private clinics to achieve good success ratings, contribute to further medicalisation of women's reproduction and a limiting of some choices, whilst paradoxically extending others. The use of donor gametes and embryos generates an ethical minefield, for in order to maintain a good statistical success rating, clinics may put pressure on younger women to donate eggs and on older women to accept them.

Moreover, the theological community has not discussed the macro-cultural issues that relate to these critical micro-practices from *woman's* particular locus. By maintaining the embryo's interests as predominant, whilst simultaneously absencing woman as person from the text, insufficient data is explored from which to understand how biopower is

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<sup>9</sup> See the Prologue, p. xi; footnote 2.

<sup>10</sup> The NHS might be persuaded to offer a more equitable IVF service if this became common practice.

operating in the discursive practices of the IVF clinic. For, even when issues are raised, such as the increasing medicalisation of human reproduction, they are not viewed in the light of the historical practices that are the means through patriarchy authority. Such reflection was woefully missing from Waters' text, despite the fact that this was fundamental to his critique of the status quo. How then can the church speak out in truth, when it ignores so many interconnected complexities?

Whilst further issues of prophetic concern have emerged since the publication of the church reports, nonetheless, in their deliberations over stem cell technology, the churches remain entrenched in the same perspective and continue to privilege the embryo over woman. The need for donor eggs may or may not escalate depending upon the scientific discoveries and techniques that emerge in the future, but IVF has made commonplace the method of egg recovery needed for this. The analysis of the television programme in Chapter Three demonstrated that the circulating and ambivalent constructions of woman as self-less giver and woman as animal could be deployed by biocapitalism for its own lucrative ends. Moreover, the advent of procreative tourism, which needs to be challenged in its own right as an integral part of biopower's dynamic web, could incorporate poor women in the developing world in commercial ova donation. In its commitment to human worth and dignity, the church should be speaking out about these concerns.

The media treatment of 'designer babies' also discussed in Chapter Three, incorporated oppositional, secular prophetic elements, in the envisioning of genetically engineered superhumans. Whilst much of this could be discounted as hysterical fabulations, nonetheless, more realistic social justice concerns are certainly an issue that should cause disquiet. For, IVF could be used by young, elite, *fertile* couples to eliminate genetic propensity to common diseases such as diabetes, cancer and heart conditions from, not only their embryo, but from their descendents also. Operating within the accepted values of doing 'the best for one's children' and 'taking personal responsibility for health', these practices are far more likely to be assimilated into popular cultural practice.

This would have implications for increasing the 'nature' gap between the haves and have-nots that is already sustained through the 'nurture' gap of poverty, unequal access to resources and inequality of opportunity. A form of eugenics via individual agency could be created that is resonant of the way in which the discourses of the protestant work ethic, capitalist practices and the hysterisation of woman combined to undermine sexual

pleasure in the marital bed as discussed in Chapter One.<sup>11</sup> By using historical analyses based on Foucauldian principles, it is possible to ground a prophetic call for caution based on the knowledge of how social constructions can work alongside socio-cultural opportunities in the relational web of biopower. Again, woman is strategic to this dynamic, and by omitting her from theological concerns, the church denies itself a position from which to effectively, and compassionately, make challenges on these issues.

### **The theological construction of the embryo**

From the constructions that abound in the secular and theological discourses, the embryo has emerged as an unembodied, free-floating, political entity, which has taken on the projections of man's fantasies, desires and fears. If woman's body is the battlefield, then the embryo severed from its roots, has become the contested territory. The theological community's defence of it could be viewed as heroic in this metaphor by protecting its moral status from the clutches of biocapitalism, however, discourse analysis has demonstrated that other, less honourable, dynamics are operating in this contest of power. For the theological analyses have revealed that it is not biocapitalism that has been their ideological adversary, but woman. In saying this, however, I do not deny that the Church's defence of the embryo has been effective in providing a religious brake to some of the potential excesses of the NRTs, and that this has, inadvertently, also protected woman.

However, when that protection is based on flawed and damaging constructions, it becomes problematic as this thesis has demonstrated. As I have shown, the theological construction of the embryo must be correlated with previously established discourses on abortion. In traditional accounts, through a dynamic of psychic empathy, ecclesiastic text producers have reflected themselves in the *threatened* embryo and constructed it accordingly, that is, as an embodied, elite, male adult, who is vulnerable to woman. The irony that, *in reality*, it is the unintentionally pregnant woman who has been placed in a position of powerlessness and vulnerability is utterly irrelevant to the functioning of this construction in theological tracts.

This understanding illuminates why the debates over consent and research move so easily from generic man, as envisaged in the anthropological vision, to the embryo without incorporating woman's

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<sup>11</sup> See Chapter One, p. 32.

different position. It also provides insight into why woman is perceived in the discursive fields of the cultural unconscious as the enemy, and why she is accorded such high ontological regard, and *gratitude*, as mother. This construction has been so entrenched that it has confused moral reasoning in the status of the embryo, which is discerned by Jürgen Habermas when he says:

It does not solely belong to human dignity to qualify as “not to be disposed over” [“*unverfügbar*”]. Something may, for good moral reasons, be not for us to dispose over and still not be “inviolable” [“*unantastbar*”] in the sense of the unrestricted or absolute validity of fundamental rights (which is constituted for “human dignity” as defined in Article 1 of the Basic Law).<sup>12</sup>

### **How can the faith-community meaningfully respond to these issues?**

Clearly, the first step towards any oppositional praxis relating to the NRTs would be to make woman visible, thereby enabling the process of her taking responsibility for her ethics of self in ways that could be seen and heard in the theological community. Yet, given that so many of the NRT discourses hide woman, how can this be overturned? One of the difficulties for the woman in the pew, who finds herself faced with the dilemmas of infertility and its technological choices, is that her local congregation may be ill-equipped to support her for many reasons. As Western church communities are shrinking and constitute higher numbers of older people in the local congregation, she may find herself isolated both in terms of her predicament *per se*, and also by the low priority that the NRTs may be given by those who have left their childbearing years behind them. This is not to say that older people would be unsympathetic, rather that other issues may be of greater concern to them.

Paradoxically, in thriving congregations where the emphasis towards family centred services, Sunday school teaching and child orientated initiatives may be much more prominent, personal disclosure from those suffering from unwanted childlessness may be even more difficult. Moreover, in such congregations, where an almost weekly baptism takes place, the heartache of those who find this celebratory service extremely painful will often be hidden away from public scrutiny. Infertility is a condition that, despite its recent media popularity, still remains a deeply private and shameful issue for many women and is something that they might shrink from discussing with a male minister. In addition, the churches’ public statements that are quoted in press reports suggest an

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<sup>12</sup>J. Habermas, *The Future of Human Nature*, (Polity Press: Cambridge, 2003), p.31.

ambivalent line at best, and a hostile one in many instances, which serves to keep the dilemma in the domestic, private and secular domain.

Critically then, for woman's visibility in relation to the NRTs to actualise and for her voice to be heard in oppositional theological discourses, there needs to be a corporate locus that exists beyond the local situation. There are already established networks of Christian women, who are the bearers of resistant discourses and practices for other aspects of woman's particular difficulties. These networks have gained expertise in providing alternative liturgies, prayer networks, support groups and spiritual direction that could offer a starting place, and thereafter, many avenues of theological support for infertile women on their personal journey. In turn, by opening their doors to the predicament of unwanted childlessness and its incumbent technological minefield, these networks could be enriched and informed by the experiences of women who could be invited to share their feelings without fear of judgement.

This agenda for change is not without hope or precedent for other issues of concern to women have flourished due to the empowering of women-church connections organised alongside the mainstream congregational church. The plight of domestic violence, also a private and shameful issue that remained hidden due to its theological embarrassment factor ('it doesn't happen in our backyard') has been exposed by these mechanisms. Whilst such uncovering does not dissipate the problem, its visibility initiates the opportunity for change. These networks have provided a platform upon which alternative ways of living, speaking and acting are first imagined and then begin to take shape.

Critically, as these are *theological* networks, the richness of the Christian tradition has been revisited for different narratives, liturgies and inspirational prayers to ground the revisioning and reformulation of orthodoxy. I would even suggest that this process is, in fact, at the very heart of Christian orthopraxis. Not only could these networks offer succour for the childless woman, but they could also effect real change in the theological understanding of infertility and the NRTs. For when the only challenge to the church comes from secular sources, the theological position becomes entrenched across a faith divide, which serves to reinforce the traditional discourses surrounding human reproduction particularly those, as I have demonstrated, that stem from abortion and their misogynist perception of woman.

Moreover, a response from the wider faith-community could begin to question the moral framework in which the NRTs are couched. I have

already stated that women need justice and do not suggest that it should be abandoned for an ethics of care, but the traditional framework of the public sphere might be turned around so that the overarching moral framework is one of care mitigated by justice. Ironically, this is not as radically different as it first appears, for as Held asserts, women have been familiar with this domestic model of practice for centuries:

Though justice is surely a most important moral value, much life has gone on without it, and much of that life has been moderately good. There has, for instance, been little justice within the family, but much care; so we can have care without justice.<sup>13</sup>

This concept has scriptural validity in the calls to act justly and show mercy (Mic 6:8, Zec 7:9, Mt 23:23, Jas 2:13) and furthermore, in James' letter, compassion is given precedent:

Speak and act as those who are going to be judged by the law that gives freedoms, because judgement without mercy will be shown to anyone who has not been merciful. Mercy triumphs over judgement! (James 2:12-13.)

I believe that a foundational place to start such a changed perspective lies in the concept of relationality that is integral to an ethics of care. Whilst the embryo lies separated from woman in the petri dish, ironically, I would contend that it is in this most vulnerable place that the *relational* connection with woman might prevent the worst excesses of biotechnology becoming reality. For, in this regard, relationality is not predominantly an ideological position; it is a concrete one. This is not at variance with Steinberg's assertions, as one can be separated and still in relationship. Crucially and incongruously, it has become forgotten that without woman's *desire* for children, whether this is socially constructed or not, there would be no need of assisted conception, no opportunity to gain access to the embryo and no bodies made available for the forces of biopower and biocapitalism to operate through.

The ecclesiastical placing of the anthropological vision as a pivotal prophetic and pastoral priority, reflecting the scriptural presupposition that human beings are made in the image of God (Gen. 1:26) could remain an authoritative foundation in this changed structure. But rather than situating generic man at the centre of this vision, it could be turned to encompass spiritually embodied woman as befits her role in the NRTs. As Janet Martin Soskice argued in her debate with Daphne Hampson, turning symbols is possible:

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<sup>13</sup> V. Held, 'The Meshing of Care and Justice', pp.537-541, in *Feminist Ethics*, ed by M. Gatens, p. 540.



They vary from culture to culture, they shift over time, they turn and they can be turned. Symbols, like languages themselves, are social products and not natural kinds like porcupines or zinc.<sup>14</sup>

The embryo would remain a vital consideration, but in this framework, it would not be constructed as adversarial to woman, nor as threatened by her, nor even as separated from her, but as potential life in waiting to be returned to her. The relational framework would place family *responsibility* at the heart of this vision, addressing issues such as the splitting of parenthood and promoting the welfare of children. Within an overarching framework of care, aspects of justice regarding woman's role as worker and mother could be addressed as socio-cultural imperatives that require prophetic critique of capitalist practices that also impede *man's* role in this relational structure.

Furthermore, by deliberating issues from within a meta-structure of care as opposed to justice, the pastoral needs would gain precedence. Not only would this offer greater compassionate support to couples working through their infertility, it would also serve to highlight the discursive practices of the IVF clinic, revealing the macro-cultural systems that underpin these practices. Finally, whilst a corporate challenge from a *theological* source would not wave a magic wand, it could, nonetheless, offer new ways of seeing and new possibilities for being church that affirm woman's place as co-creator, rather than as rebellious other.

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<sup>14</sup>J. Martin Soskice, 'Turning the Symbols', pp. 17- 32, in *Swallowing a Fishbone? Feminist Theologians Debate Christianity* ed by D. Hampson, (London: SPCK, 1996), p. 27.

## EPILOGUE

I began this thesis with a Prologue that recounted my story of secondary infertility, which began twenty-five years ago with the birth of my first-born son and became a journey, which may not have even ended here. I discussed in the first chapter why I felt it was important to declare a personal standpoint and, moreover, I established that such a standpoint is predominantly an alternative *position*, from which it is possible to see differently. This is not analogous to an opinion, as feminist theologies demonstrate, for there can be a plethora of opinions that can emanate from a particular locus. As the feminist theorists were careful to emphasise, personal experience must be open to critique and validation to counter the dangers of relativism, and whilst to do so places one in a position of vulnerability, nonetheless, the knowledge of how something *feels*, is too precious not to be used in theological reflection.

I hope that I have contributed something worthwhile to the ethical debate surrounding the NRTs, which has been enhanced by my lived experience of IVF – bringing together in this study woman as body and woman as person from my position as participant ethnographer. I owe a debt of gratitude to the work of Foucault, and to those scholars who have incorporated his insights before me, as his understanding of social construction through knowledge and discourse has been invaluable. I have found discourse analysis to be a highly effective tool for deconstruction, which is critical when the material to be interrogated has an emotive and subjective element. I believe Practical Theology can only benefit from its assimilation into the discipline's toolbox as a primary aid for theological enquiry.

My research has had to have perimeters in order to achieve sufficient depth and so, inevitably, there will be important issues that I have not had the scope to explore. In addition, my perspective will have had its own blind spots that other IVF participants could illuminate. Even putting aside the extensive NRT dilemmas that I did not experience, such as eventual IVF failure, using donor gametes or embryos and being a carrier of an inherited disease, one of the major limitations to this study was the omission of man's part in the NRTs. This was forgone due to the enormous undertaking of demonstrating woman's invisibility in both secular and theological discourses and to establishing her particular importance to the functioning of biopower. It was not possible to also consider the particularity of man's situation, but this does not mean that I consider it to be unworthy of reflected study. On the contrary, it would be immensely useful to have a man's personal account that did not speak

generically in terms of abstract principles, but which reflected on his own personal feelings.

Whilst the boundaries of this thesis have not been able to connect all the discursive practices of the IVF clinic with meta-arching systems of power, nevertheless, I hope that I have established that these connections exist. In addition, I have shown that due to the unprecedented interest of the media in issues relating to the NRTs, newspaper discourses impact on socio-cultural norms that encompass both the fertile and infertile alike. Finally, I have demonstrated that the ethical framework, which the church uses, has fallible aspects that prevent it from fulfilling its critical role of applying the teaching of Christ to woman's dilemmas in the world. What began in the reflections on the NRTs could be applied to a far wider socio-cultural context, particularly the vision of founding care ethics as the overarching moral framework, informed and constrained by the praxis of justice.

## APPENDIX I

### TRANSCRIPTS OF NEWSPAPER ARTICLES USED FOR DISCOURSE ANALYSIS IN CHAPTER THREE

The articles used for discourse analysis in Chapter Three have been reproduced here for reference. The first piece is the announcement of Louise Brown's birth taken from the Scottish Daily Express; the second is the Express commentary, written by George Gale in the same newspaper edition. The editor's opinion from the journal *Nature* is the third article. The final section contains the headlines of all the articles from the Scottish Daily Mail and the Sun newspapers, which featured the NRTs and related topics within the time period of September and October 2000.

**Article No. 1: The front-page of the Scottish Daily Express, No. 24,282, Thursday, July 27, 1978.<sup>1</sup>**

#### **THE WHOLE WORLD IN HER HANDS Test-tube baby 'just beautiful' -Step toe**

Here she is -the mother with the whole world in her arms...

An Express artist creates the scene in an Oldam hospital yesterday as supermum Lesley Brown, 32, cuddled the world's first test-tube baby.

Mrs. Brown, who lost a lot of blood during the caesarean operation, was resting last night.

She needs peace and plenty of relaxation to make a full recovery. The 5lb. 12oz. girl who made history when she bawled into the world on Tuesday night, is doing well, too.

And yesterday the man, who made it all possible, gynaecologist Mr. Patrick Steptoe, described her as "beautiful."

He said the little miracle was " a beautiful, normal baby which was crying its head off at birth."

And he added: "In a reasonable number of years there will be more babies of this kind.

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<sup>1</sup> I have reproduced the front-page text with its continuation on page 3. I have put spaces to indicate where the newspaper has indented new paragraphs and kept the punctuation as the original. The article included a large portrait sketch on the right side of the front-page of Lesley Brown and Louise.

“Instead of it being a seven day wonder, it will be a fairly commonplace affair.”

Mr. Steptoe, 65, was showing the strain of the last two days as he answered questions from the world’s Press in Manchester, with his colleague Dr. Robert Edwards, 52.

He said he was “absolutely whacked out.” But he still managed to look as delighted as the baby’s father, 38-year-old Mr. John Brown.

Mr. Brown was over the moon. “She’s my little girl – she’s the greatest,” he declared.

*After nine years of waiting for Lesley to have a baby he was ready to cry for joy.*

He told a relative: “She is just so beautiful. She hasn’t got much hair – but she certainly did a lot of bawling and crying after she was born.

“She might be the most historic child in the universe, but to Lesley and I she is just a baby.

“I never thought anything could make me so happy. It’s just too fantastic. It’s just too good ... too good.”

Among the first visitors allowed in to see the baby was Mr. Brown’s daughter from an earlier marriage, 17-year-old Sharon.

According to one of her friends, Sharon was “madly in love with the baby. She is just as thrilled...

(End of front-page, the article continues on page 3, which also contains a piece with delighted comments from the Brown’s neighbours [which includes a photograph of them toasting the birth with champagne] and a further section entitled, ‘Help for Scots’, which promises hope for childless couples in Scotland. On page 3, the continuation of the article from page one has the subheading ‘Wonder baby’, and above this there is a photograph of Dr. Edwards and Mr. Steptoe, both smiling. )

... as her father and step-mother.”

A TEST-TUBE baby operation was performed yesterday morning at a London teaching hospital, just under twelve hours after the birth of baby Brown.

The woman – the 13<sup>th</sup> to have the operation at St Thomas's Hospital – heard about the news from Oldham as she was on her way to the hospital.

Said Professor Ronald Taylor, head of the Department of Obstetrics and gynaecology at St. Thomas's: "She was very pleased and very cheered at the idea that the operation can be a success."

The woman, who asked not to be named, is in her 30s. She already has two children and has been trying for a third for more than three years.

### **Marvel**

AN M.P. demanded yesterday that the Government should monitor the effects of a test-tube baby boom.

Labour M.P. Mr. Leo Abse bid a Commons committee that the new "marvel of medical manipulation" could have malignant consequences.

He said genetic engineering was going on in Russia. Some people had inhibitions about medicine moving into an area which might have overtones of Hitler – who thought he could create a master race by experiment."

Mrs. Shirley Williams, Education and Science Secretary, had told him that the test-tube techniques did not involve genetic manipulation.

THE CHURCH of Scotland welcomes the test-tube baby technique, provided it was used with care and responsibility.

The Rev. James Simpson, of Dornoch, joint convener of a Kirk committee which looks after such matters, said it was in many ways merely an extension of methods used in artificial insemination by donor.

But Roman Catholic Cardinal Gordon Gray expressed personal misgivings about the methods used and the possible consequences.

Mr. Steptoe and his partner spent 12 years before they got their technique right and enabled Mrs. Brown to have the baby she craved.

They are convinced they can repeat it and that little Miss Brown is not a one-off fluke.

Mr. Steptoe, who carried out the 10-minute caesarean operation was able to prove the breakthrough to medical observers.

They were able to see that Mrs. Brown had no fallopian tubes and couldn't have a baby normally.

Of the 20,000 women in Britain who go to their doctors every year unable to have babies, 40 per cent have damaged or diseased fallopian tubes.

Mr. Steptoe and Dr. Edwards believe they can help a vast proportion of these women.

Said Dr. Edwards: "We are changing, testing, adapting all the time. I believe we can achieve a success rate of 50 per cent."

Mr. Steptoe decided on a Caesarean operation because Mrs. Brown developed blood poisoning, which could have caused a still birth.

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**Article No. 2: Mixed Blessings for Britain's Brave New Birth' by George Gale in the Scottish Daily Express, No. 24,282, Thursday, July 27, 1978, p.10.**

### **Mixed Blessings for Britain's Brave New Birth**

There will be the highest praise for the medical, scientific and technical skills displayed by Mr. Patrick Steptoe, the Oldham gynaecologist, and Mr. Robert Edwards, the Cambridge physiologist.

The birth of a daughter to Mr. and Mrs. John Brown was due to their work. Without it Mrs. Brown would not have conceived.

Mr. And Mrs. Brown have so far emerged from the attentions of the world's Press apparently unscathed. It is to be hoped rather than

expected, that they will be able to lead as normal lives as possible. This however, as the parents of what is everywhere described as the world's first "test-tube" baby is going to be extremely difficult.

As for the baby herself, she is likely to be a subject of acute public interest at least until such time as she may in turn become a mother herself.

The case for protecting the anonymity of parents and child in this unique occasion was very strong: but the pressures, financial, professional and others were far too powerful for there ever to be any real chance of keeping the names concerned out of it.

Few parents, if any, in the position of the Browns, with a fortune dangled in front of them, would have done other than take the cash and hope for the best.

As for the gynaecologist and the physiologist, we need to recognise that fame is the spur of a great deal of pioneering medical and scientific research.

### **Acclaim**

Their satisfaction, far more than any material rewards, will remain having been the first men to have fertilised a human egg in vitro, which is to say, in glass, in a test-tube outside the womb. Their work together has been painstaking and long, and they deserve their acclaim.

Moreover, as their techniques are improved and their knowledge disseminated through the medical and scientific world, we may expect many wives who hitherto because of gynaecological effects have been unable to bear their husbands' children will now be enabled to do so.

This said, the happy birth is very unlikely to prove an unmixed blessing and may be the precursor of disaster. The baby, the infant, the little girl, the adolescent girl, the young woman: she will be subjected to constant publicity which cannot but give her an abnormal upbringing which she will need a tough and stable temperament to survive relatively unscathed. She can only hope to grow up as normal as possible. Normal she cannot be.

She is no physical freak: but she is unique, the consequence of being the product of a very abnormal conception in a test-tube.



Whether the world at large will become a better place as a result of this new technique of conception is to be doubted. It is safe to assume that the technique, at present expensive, difficult and in part secret, will in due course become cheap and easy and public property.

This will help wives who want children by their husbands, and who cannot at present have them.

But the technique opens up many other possibilities, some of which are undoubtedly alarming.

It so happens that in the Brown case, the husband's sperm fertilised the wife's egg – and it was this fact which led the medical profession's ethical advisers to pronounce that no ethical considerations arose.

But any man's sperm could have been used. Scientifically, it was irrelevant that the husband's was used.

This means that women will be able to have their eggs fertilised, without intercourse from banked sperm. They can already do so now, through artificial insemination by donor, a process which disturbs some doctors but not others.

The new process, however, suggests that soon one woman's egg could be fertilised in a test-tube then planted in another woman's womb.

Parents will be able to decide the sex of their children. Children will be born with unknown fathers and unknown mothers.

This may all sound far-fetched: but it is already beginning to happen: the techniques are already beginning to be understood.

And if conception can take place in a test-tube and life be sustained therein for days, as the cells divide and multiply towards the formation of the foetus how long will it be before a foetus itself is grown to maturity within the laboratory?

### **Frightening**

All this is alarming and disturbing enough. But what is far more frightening altogether, is the possibility now opened up of genetic engineering on a massive scale, performed by scientists working under the direction of the state. Such a brave new world may be on our doorstep not so long after 1984.

Societies based upon the family prevent such breeding taking place.

It could very easily happen again. We already have sperm banks and may soon have egg banks. Under the guise of eliminating hereditary diseases and defects, governments could easily insist upon the "right" or "best" kind of genetic material to be used.

The next stage could then be the banning of the natural-born children, in order, to eliminate all risk of hereditary defects. Far-fetched? Of course it is far-fetched.

But the birth of the brown baby in Oldham has already fetched us far along that road. Is it a road we want to travel along? It is a road irresistibly attractive to genetic engineers.

I have no desire to travel along that road. But if I peer into the future as far as I can see, I begin to see in the far distance a society of people bred to measure: and I don't like the sight at all.

**Article No. 3: The Editor's Opinion in *Nature*, VOL 344 19 April 1990, p. 690.**

### **Embryo Research**

**The British House of Commons should this week settle for the government's bill on embryo research.**

The bill to give effect to the recommendations of the Warnock committee, now five years stale, reaches the House of Commons this week, perhaps even today (see opposite). That is why it is to be hoped that all concerned will pay more than passing attention to the article on page 768 of this issue, which carries one of the first formal reports to have appeared in print of the potential benefits of the manipulation of human embryos before they have been implanted in the uterus.

What Professor Robert Winston and Dr Alan Handyside have done is to exploit the property (well-known in, for example, the mouse) that not all the cells in an early embryo are necessary for its successful development. It is possible to take one cell from, say, the four-cell stage of the embryo's development, use that cell for making a diagnosis of the genetic condition of the embryo as a whole, and still look to the remaining cells to yield a viable fetus. What the work at the Hammersmith Hospital has shown is that it is possible to use this technique for screening embryos for their gender, using for implantation only female embryos, almost certain to be free from genetic defects linked with the X-chromosome, of which females carry two, one from each parent.

It is important and relevant to the Embryo Bill that it is entirely predicted that the technique would be effective: endless experiments with other mammals have given ample assurance that it would be. But this implies that the technique is an operational technique – a means of avoiding genetic defects that might otherwise be detectable only much later in pregnancy, perhaps resulting legitimately in abortion. It has been used, with approval of the voluntary committee set up to span the long wait for the Embryo Bill, and will no doubt be more generally applied when there is a legal framework in which other groups can operate. Defective embryos will, of course, be discarded. The ethical question for most people is whether the discarding of some out of several embryos at this stage is preferable to an abortion later. The House of Commons cannot be in much doubt where its decision should lie. In logic, those who support the present abortion law cannot easily oppose the Embryo Bill.

But that, of course, does not dispose of all the arguments. There are many who hold that neither abortion nor the manipulation of embryos should be allowed. The opinion, which has as a corollary the view that the birth of children with avoidable genetic defects is virtuous in some sense, deserves respect as a matter of civil comity. It is also relevant that, at least for recessive genes, there may be genetic arguments for caution: the disadvantages of the homozygote may be more easily recognized than the advantages of the heterozygote.

But that, fortunately, is but yet another argument for caution, which is one of the considerations that should weigh with the Licensing Authority which, the British Government proposes, will replace the voluntary committee that has stood in for it. And, properly briefed, the authority should give the lie to those who also argue that manipulation of embryos before implantation is the beginning of a dangerous slippery slope.

**Article No. 4: Headlines of Articles from the Scottish Daily Mail and the Sun Newspapers Featuring the NRT and Related Topics in September and October 2000<sup>2</sup>**

**SEPTEMBER 2000**

**THE SUN NEWSPAPER**

**5<sup>th</sup> Lottery Twinner; Sam's test-tube babies are paid for by the Lotto, (no author cited) p.15.**

**23<sup>rd</sup> World Exclusive  
80 COUPLES IN BABY MIX-UP NIGHTMARE  
Scandal of hospitals' frozen embryos blunder  
FULL STORY-SEE PAGES 2,3,4 AND 5  
Includes a photograph of a small fetus with the caption  
'New life.. but tots may have grown in wrong womb', J. Askill, Front-page.**

**BRITAIN'S BABY MIX-UP SCANDAL (Covers pp. 2-3)  
BABIES COULD BE SITTING ON THE KNEES OF WRONG  
MUMS Implant 'bungle' shock for parents, J. Askill, p. 2.**

**SECURITY VITAL WITH IVF  
Includes a half-page explanation of the IVF process with  
photographs, J. Thornton, p. 3.**

**BRITAIN'S BABY MIX-UP SCANDAL  
How will they cope? Hell facing IVF parents  
PIONEERS IN LONG, HARD FIGHT TO CREATE  
FAMILIES  
Includes a photograph with the caption, 'Miracles ... test-tube  
tot Louise Brown as a teenager with IVF baby', V. Grimshaw,  
pp. 4-5.**

**THE SUN SAYS  
Parents need the truth, now  
The first paragraph of the Sun's editorial reads:  
'THE first thing to say about the test-tube baby scandal in  
today's Sun is this:**

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<sup>2</sup> The papers' headlines have been reproduced in the way in which they appeared in the paper with regard to the use of capitals, italics, inverted commas and so forth. Unfortunately, it is not possible to convey the size of the print used, but in a page layout, I have called the largest sized print the headline and the smaller printed title, if one accompanies it, the subheading. I have maintained this rule of coding, even if, as often happens, the smaller printed title is placed above the main headline.

There is nothing **WRONG** with the practice of in vitro fertilisation', Sun Editorial, p. 8.

- 25<sup>th</sup> THE GREAT IVF SCANDAL  
THEY'VE LOST OUR LAST HOPE OF A BABY** (*The Scottish Sun*), J. Askill, Front-page.

**THE GREAT IVF SCANDAL  
AGONISING WAIT FOR 10 MOTHERS  
DNA tests to see if their babies are theirs**  
Includes a photograph of the Hampshire IVF clinic and an enlarged fertilised egg with the caption:  
**'Birth treatment... childless couples' hopes were pinned on fertilised eggs like this, left'**, (*The Scottish Sun*), J. Askill, pp. 4-5.

- 26<sup>th</sup> EMBRYO BOSS IN PROBE ON CLINIC'S CASH**, J. Askill & T. Kandohla, p. 2.

- 27<sup>th</sup> THE GREAT IVF SCANDAL  
MUM: CLINIC LOST SIX OF MY 'BABIES'**  
**'Embryos alive somewhere'**, J. Askill, p.2.

- 30<sup>th</sup> FRAUD COPS SWOOP ON BABY CLINIC**  
Includes a photograph of the Hampshire clinic with the subheading: **'Pair fear 'theft' of embryos'**, S. Evison, p.9.

#### THE SCOTTISH DAILY MAIL

- 1<sup>st</sup> Found, the secret of eternal life (well, at least if you're a worm)**, J. Chapman, p. 29.
- 8<sup>th</sup> The heart repair kit; Cardiac cells could be made to fix themselves**, R. Gray, p. 37.
- 22<sup>nd</sup> Disabled parents in fight for gene rights; Let deaf couples select deaf children, say charities**, B. Marsh, p.15.
- 23<sup>rd</sup> Mothers told: You may have had the wrong test-tube baby  
Embryologist is suspended amid fears of a fertility clinic mix-up**, B. Marsh, p.17.
- 25<sup>th</sup> Anguish of mother in frozen embryo mix-up**, M. Bayley, p.18.
- 26<sup>th</sup> How Dolly genetics will help gay men conceive  
Technique means 'no need for a mother'**  
Includes diagram of donor egg and surrogacy plus a

photograph of Dolly with the caption: **'World first: Dolly has led to controversial advances in genetics'**, J. Chapman, p.22.

- 28<sup>th</sup> **WARNING OVER GM ANIMALS IMMUNE TO PAIN, S. Poulter, Front-page.**  
Continues on p. 2 under the heading:  
**Warning on Frankenstein Farmyards**

**How older mothers put baby at risk**

The opening sentence reads: 'Older mothers are more likely to have smaller weaker babies who risk growing up with serious health problems, according to a study.'

pregnancy with the caption:

**'High risk strategy: Madonna was 41 when she gave birth to her son'**, J. Chapman, p. 19.

- 29<sup>th</sup> **FRANKENSTEIN'S FARMYARD**  
**If we let scientists defy nature, it is we who should be called animals**, C. Tudge, p. 12.

**As a surrogate mother I just wanted to give to others, but I ended up destroying my own marriage**

Includes photographs with the caption: 'Surrogate mother Jane Parfitt (left) brought family joy to David and Debbie Howells (top with baby Grace). But it was at the cost of her own marriage to Tony (above)', L. Gibson, pp. 32-33.

**Man's IVF victory**

**Ex-boyfriend wins right to be father to a child conceived after break-up**, M. Bayley, p. 41.

OCTOBER 2000

THE SUN NEWSPAPER

- 2<sup>nd</sup> **Test-tube babies scandal shows we can't trust NHS**  
This is the Sue Cook readers' letters page. There were 13 letters printed. The introductory paragraph from S. Cook stated:  
**'THE BIG ISSUE The Sun exclusively revealed that a shocking mix-up at Hampshire fertility clinics means mums may have given birth to test-tube babies who are not theirs. You were shocked by the embryos outrage - the latest in a line of NHS scandals across the country.'**, S. Cook, p. 28.
- 3<sup>rd</sup> **EXCLUSIVE: COUPLE AT THE HEART OF EMBRYOS SCANDAL TALK TO THE SUN**

**We'll never know if our 'babies were thrown out as trash ..or is someone else having our children?**

Includes a photograph of the IVF clinic with the caption:  
**'Riddle .. the private Hampshire Clinic where the embryos frozen for Lisa and Peter went missing'**

Also, page 5 includes a full-size photograph and laboratory type photographs of the IVF procedure. The caption under the couple reads:

**'Agony .. Lisa and Peter told the Sun of their torment', S. Evison, p. 4-5.**

**4<sup>th</sup> DAY 2: COUPLE AT THE CENTRE OF LOST-EMBRYO SCANDAL OPEN THEIR HEARTS**

**I see mums playing with their children in the park and know I will never do that**

Includes photograph of the couple on p. 2 (*Sun Woman*), S. Evison, pp. 2-3.

**TOT SURVIVES HORROR ATTACK  
KILLER SLICES UNBORN BABY OUT OF MUM**

Although this report of a murder in the USA is not about the NRTs, I have included it for the paragraph written in italics that the story includes: *'Cops believe 39-year-old Bica -who had pretended to her husband she was pregnant - killed Theresa to steal her baby after answering an ad for a Jeep she had for sale.'*, V. Newton, p. 23.

**5<sup>th</sup> ETHICAL STORM AS 'DESIGNER BABY' SAVES SISTER'S LIFE**

**Was it right to breed this test-tube tot just for his blood cells?**  
Includes a picture of Molly kissing Adam, the caption reads:  
**'KISS OF LIFE ... Molly gives a loving cuddle to tiny Adam, whose cells are saving her'**

Dr Peter Bromwich and Dr Vivienne Nathanson give affirmative and negative responses to the question respectively. The page also includes two other articles: **Couple's struggle for right to have little girl**, K. McAlpine and **ONLY GOOD CAN COME OF ADAM'S CASE**, D. Sanders, p. 6.

**6<sup>th</sup> We want a test-tube lifesaver for our girl too  
BRIT COUPLE'S BID TO COPY FAMILY WITH DESIGNER BABY**

**We are not playing God we just want to save our little girl**

Includes two photographs of the mother and daughter, the second carries the caption: **'LIFELINE ... Ellen and Simone, who can be saved by IVF baby'** (*Sun Woman*), R. Perrie, pp.1-2.

**Gene genius**

**LIFE'S BLUEPRINT IS THE KEY TO BEATING DISEASE**  
(*Sun Woman*), Dr R. Viner, p. 6.

**19<sup>th</sup> WE'LL USE EURO LAW TO CHOOSE OUR BABY'S SEX**

**Couple's 'designer' tot bid**

Includes a photograph of the couple, the caption reads: **'Desperate .. Alan and Louise, who long for a girl'**, C. Hartley  
Also includes a commentary: **WHY PARENTS SHOULD NOT HAVE THIS CHOICE**, J. Thornton, p. 19.

**THE SCOTTISH DAILY MAIL**

**2<sup>nd</sup> Infertility failure**

**Couples still suffering in the IVF postcode lottery despite Minister's order**, I. Smith, p.21.

**4<sup>th</sup> BABY MADE IN A TEST TUBE TO SAVE HIS SISTER**

Includes a half-page size photograph of Molly Nash cuddling her baby brother Adam, Front -page, continues on pp. 10-11..

**Moral and medical dilemma as a couple conceive a child whose blood will save their dying daughter** (subheading covers pp. 10-11)

**Human life is sacred no more COMMENTARY**, A. O'Hear (Professor of Philosophy at Bradford University), p.10.

**Why I gave birth to a 'spare-part' baby**

Includes a photograph of the Nash family with the caption: **'Jack and Lisa Nash with Molly and Adam: 'You cannot judge us unless you've been in our shoes''**, J. Chapman, p.11.

**5<sup>th</sup> NOW THE 'RIGHT ' TO CHOOSE THE BABY'S SEX**

**24 hours after the U.S. designer baby storm, a British couple demand a test tube daughter**, M. Seamark & J. Mills, Front-page.

**All we want is a girl like Nicole**

**Couple who lost their only daughter in bonfire tragedy say they will take their fight to the European Court in bid to ensure their IVF child is female**, L. Collins, pp. 4-5.

Also across pp. 4-5 there is a commentary by K. Grant: **Special pleading must not be allowed to prevail**



**Ethics don't matter: As a mother, I'd do anything to save my child's life: An American couple defend their right to have a 'designer baby'**

Includes the photograph of the Nash family, which was used in yesterday's feature with the caption: 'Jack and Linda Nash with Molly and Adam: They must wait to see if the transplant works', S. Chalmers, p.13.

6<sup>th</sup> **Adam, first child in new era of hope**, C. Douglas Home, p.13.

**As a row over designer babies erupts on both sides of the Atlantic, one British couple tells Femal ...**

**How we selected the sex of our darling daughter**

Includes a photograph of the couple with their daughter with the caption: 'Happy family: Gill and Neil Clark with their daughter Sophie May, born through controversial fertility treatment', A. Mollard, pp. 30-31.

**Was 'engineering' baby wrong?**, Readers'letters, p.61.

9<sup>th</sup> **The cow that brings hope of resurrection for extinct species**

Includes a photograph of cow and calf, the caption beneath reads: 'Breakthrough: Gaurs like these could flourish again if cloning proves a success', B. Marsh, p.25.

10<sup>th</sup> **Embryo scientists take a step towards cloning spare parts**, J. Chapman, p.37.

17<sup>th</sup> **New twist in storm over sex selection of babies**, J. Chapman, p.10.

20<sup>th</sup> **Saved, the girl given 'designer baby' cells**, (no author cited), p21.

23<sup>rd</sup> **IVF TEST TO GIVE PARENTS 'PERFECT BABIES'**, B. Marsh, Front-page.

**Do we want baby quality control?** (continued from page 1, p. 6)

Also **Winston warns Viagra mother**, C. Kitchen, p. 6.

28<sup>th</sup> **The triplets who discovered that granny gave birth to them Triplets David, Jose and Paula knew they grew inside their grandmother's tummy. But it is only now, 13 years on, they realise just how much they owe to Pat Anthony, who at 48 became the first woman to act as a host surrogate for her own daughter. SUE REID finds what effect making medical**

**history has had on the family**, S. Reid, (*SDM Supplement, Weekend*), pp. 26-27.

30<sup>th</sup> **Dolly the sheep to face early retirement**, (no author cited) p.17.

**Article No. 5: Critical Discourse Analysis No.5: The Scottish Daily Mail, 9 October 2000, p.25, written by B. Marsh**

**The cow that brings hope of resurrection for extinct species**

SCIENTISTS using cloning techniques believe they may have found a way to eradicate the threat of extinction for endangered species.

In a unique experiment conducted in the U.S., a rare ox-like jungle animal known as a gaur has been cloned and its embryo implanted in the womb of an ordinary domestic cow.

The breakthrough could have huge implications for the 5,435 animal species classed as 'threatened' by the World conservation Union which include a quarter of all mammals and one in eight species of birds.

The gaur is a hump-backed cow-like animal native to India and Burma. The latest member of its species is due to be born to a cow called Bessie in Iowa next month.

Researchers hope to use the same technology to clone giant pandas. They believe they may even be able to recreate a species of Spanish

**'We have a duty to do this'**

mountain goat which died out nine months ago, using some of the animal's preserved cells.

If successful, scientists will have accomplished the world's first resurrection of an extinct species, bringing the dinosaur theme park fantasy in Spielberg's Jurassic Park a step nearer to theoretical reality.

Animals whose wombs are deemed suitable to carry a different species could be implanted with an unlimited succession of species on the endangered list.

This could see threatened creatures such as the Ethiopian wolf, sea otter, Iberian lynx and mongoose flourishing again. The cloning technique is described in the latest issue of the specialist journal *Cloning*.

A single skin cell was taken from a dead gaur and fused to a cow's egg from which the genes had been removed.

This created an embryo with the gaur's characteristics which is now growing inside Bessie.

Scientists in Massachusetts, from biotechnology firm, Advanced Cell Technology, are also looking to clone giant pandas using preserved cells from animals that died in Washington's National Zoo during the 1990s.

The panda's closest relatives – racoons and rabbits – are not ideal surrogate mothers, so a female black bear is being lined up to carry a baby.

Robert Lanza, vice president of medical and scientific development at advanced Cell Technology, said: 'It's not science fiction, it's real.

'A hundred species are lost every day and these mass extinctions are mostly our own doing. Now we have the technology to reverse that, I think we have the responsibility to try.'

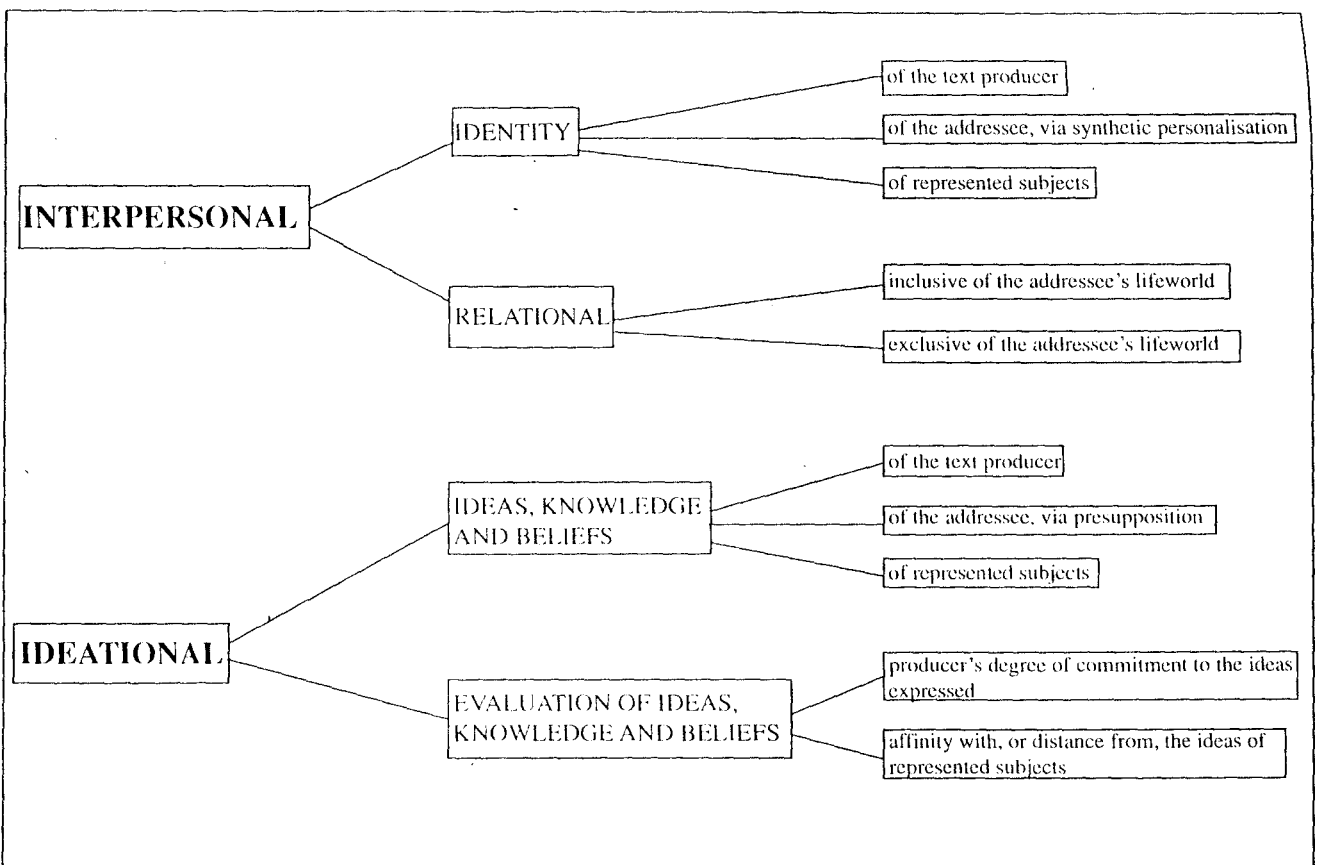
However, the ethical implications of cloning remain unresolved. Some conservationists argue that the technology flies in the face of nature and creates homogenous populations of duplicate creatures.

Kent Radford, of the Wildlife Conservation Society in New York, said: 'There is a very hollow echo of a gaur in the birth of that animal to a cow in Iowa.'

David Wildt, chief of reproductive sciences at the national Zoo's Conservation and Research Centre, added: 'It's one thing to be a gaur in a domestic cow, which is very closely related.

'It is much more difficult to put a giant panda in a black bear. There has been very little work with embryo transfer in bears.'

The Tabular Diagram of Linguistic Metafunctions showing Subfunctions from Walsh's Critical Discourse Methodology



## APPENDIX II

### INTERVIEW WITH REV DR RICHARD HOLLOWAY: THE EPISCOPAL BISHOP OF SCOTLAND

This interview took place on 14 March 2001 at the Episcopal Bishop's official residence in Edinburgh. In addition to being a renowned and well-published theologian, Rev Dr R. Holloway was a serving member of the HFEA for seven years. The interview was taped and I have edited it after transcription, but I have endeavoured to retain the conversational feel of the interview. For ease of reading, I have put my questions in bold font.

**JS: I understand that you were a member of the HFEA for seven years; how did that appointment take place, were you invited to go on the Committee or did you apply? Could you tell me a little about your role?**

**RH:** I got a call from a civil servant saying that they were putting this authority together, around 1989 or the beginning of 1990, and would I be interested in serving? I knew nothing about the subject at that time; I was out of the country when the Warnock report came out. I was intrigued and said yes, and then the Secretary of State for Health formally invited me. I became a member of the authority before the Act was finally put through in the summer of 1990. There were twenty of us, a mixture of lay and professionals, clinicians and embryologists. Most of us were lay members in some sense, with an interest in ethics. I'm not a good scientist so it did take me a while to get my head around that side of it, enough to engage intelligently, but I eventually did and I ended up chairing the ethics sub-committee. That was an awkward development, because one of the things that the authority did was, not only to license and invigilate the process that was going on at the centres, (and I did what they all do which was to go on visits), they also kept abreast of developments and monitored public opinion. For example, there was for instance a big debate about whether it would ever be right to use fetal ovarian tissue.

**JS: How was that done?**

**RH:** We did that by a process of internal discussions. First of all, we would develop, not necessarily a view, but we would develop the topic and then we would issue a discussion document. We issued such a document on sex selection and tens of thousands of copies were sent

around the country. As part of our remit, we invited responses and, in fact, I chaired a number of debates up and down the country. One of the best was here in Edinburgh on the fetal ovarian tissue issue, which was never really a runner. Most people out there had no ideas about this stuff. I didn't want to be too far ahead of public opinion because obviously social change in this kind of area has to be managed very carefully. I don't think that many people, except infertile couples and clinicians, had heard of using ovarian tissue till a number of stories hit the press. An embryologist had been talking about using fetal ovarian tissue, at the same time as the guy in Italy was offering treatment to menopausal women. It was during the silly season when a number of stories hit the press, with headlines such as 'babies from dead babies' and 'daughters to grandmothers.' The phone started ringing and the authority became a hot ticket. This became one of those media stories that has run ever since and it's hot news. You normally serve five years on the HFEA, but they kept me on for a couple of extra years.

**JS: I was going to ask how you would describe the process of ethical debate but you've probably covered that, did you feel that it was evenly balanced?**

**RH:** Opinion wise?

**JS:** Yes

**RH:** There was probably a fairly good spread, but if you come in as Mr or Mrs Citizen you become, to some extent, an expert by virtue of being on the authority. Certainly, you are more of an expert than someone you do a box pop with off the street, and knowledge always complicates opinion. Well I hope it does. The people who have the strongest views on things are not infrequently the ones who are most ignorant of the issues. So inevitably as your knowledge bank increases, things that were shocking or off putting to you (what Stephen Hillier, an embryologist here in Edinburgh, calls the yuck factor) gradually diminish. It is very hard to decide whether you're being corrupted or whether you're being educated. I think I prefer the second one.

With regard to how ethical change takes place, I think a deep underlying theoretical issue is really 'what is ethics?' Are there absolute values out there that we discover, put there by God or some other power, or is it really up to us to organise society in ways that are comfortable to us? I've become in my approach to ethics a kind of humanist, in the sense that I believe that ethics is what we choose, that I don't think there are any, or

many, obvious and absolute principles that should govern us. We have to make a distinction between a preference and an ethic. What I mean by this is that I may not want to go down the IVF route, I may not want to have a face lift, I may not want to practise sodomy, for all sorts of reasons, including aesthetics, prejudice, whatever. The point is, I can state that preference, but where do you get the authority to say 'and it is wrong'? What do you mean by wrong? All of that is very much in flux at the moment, which is what makes ethical debate so interesting in our culture - partly because there are so many different value systems. For myself, if I were a woman of 61, I'm certain I wouldn't want a child, but do I have the right to forbid another woman of 61 to go ahead, who may be a millionaire with a house full of servants? I don't know.

**JS: Yes, what is interesting is that if a man of 90 fathers a child people say things like 'what stamina' and 'good on yer mate' yet he is never going to live to see the child into adolescence. However, if an older woman, who may well live to see her child into adolescence, does the same, the typical reaction is 'shock, horror, probe.' So what is informing this reaction?**

**RH: Yes, there's a lot of kind of gender discourse in there.**

**JS: We're much more aware of that these days. I read your book *Godless Morality* and I am fascinated by it because I feel its less godless than it first appears, I'm not fooled.**

**RH: Yes, but I think that inevitably we're on the human side of this and I think we should content ourselves with that and debate with it on that level. Let's not get on to God.**

**JS: No, right, we won't! Although, I was going to ask you how you feel your theology has helped you in making ethical decisions? What I mean is, as you have had a life immersed in theology and thinking through biblical issues (I read your book *Dancing on the Edge*, where there is a lot of references to the parables and the teaching of Jesus), surely, these things have informed your prejudices, or your values, even if the construct of authority is taken away. How has this helped you?**

**RH: I don't know whether helped is the right word, it has certainly informed me and kept me moving, because like most Christians, or most people with a system, I started with an a priori set of approaches to things. However, increasingly I have thought my way out of a prioriism**

into a kind of state of deep provisionality. I think, for me increasingly, the trouble with theology and the church is that it is a closed system and that it simply goes on repeating itself. Obviously, if you belong to an a priori system, a closed system that operates from fixed principles and values, then you can more or less figure out your answer to anything if you've got the programme. It's like a piece of theological software; you shove it in, you ask the question, and out comes the answer. I have moved right away from that because I no longer understand theology in that sense.

I think the classic example of that kind of a prioriism is the Roman Catholic moral tradition, which can be very flexible and evolutionary, but on the whole it operates from fixed principles, for example, the moral status of the embryo as fully human and the moral status of sexual intercourse as a purely procreative act. If you begin with those principles then you can answer certain questions. If all acts of sexual intercourse have to be open to procreation, and if you cannot interfere with that, therefore contraception is wrong. If the embryo, at whatever moment you fix it, has full moral status then to interfere, to experiment, is torture or murder; you draw those conclusions from your basic a priori principles. But if you don't operate on that then you have to think issues through. You can come up with maybe a general approach, and my own general approach to that, and I know you don't want to get into the status of the embryo, my own general approach to that is, it doesn't have full human status.

**JS: It's okay; it was a later question and you've answered it!**

**RH:** I'm not sure what the doctrine of the soul is. The notion that at the point of implantation an immortal soul is zapped into that little creature ... and so you're dealing with some kind of eternity, well, I no longer think in those terms. So that means for me, that ethics consists of the human community painstakingly working out an ethic, an ethic that we can live with, one which I hope does good, rather than does harm. There are inevitably tragic choices that you have to make, for instance, the freedom to have an abortion. Although I would be anti-abortion in terms of my own instincts, I'd rather abortion didn't happen, but I would prefer that it were legally possible than have it outlawed.

And so to return to the question of the embryo; I think that clearly the issue becomes incrementally more problematic the further into the life of the potential creature you go. I would see no problems with the morning after pill, but a Roman Catholic would have problems with it as it brings



about an abortion, because even though it's only 12 hours old, it's got the moral status of a full human being. I hope the morning after pill will become so efficient that it will put the abortion industry out of business. I think there is something instinctive in us that doesn't like to see babies damaged, I mean, abortion is the killing of a baby. I hope that captures some of the perplexity of my own position.

**JS: Do you have any absolute no-go areas in the field of new reproductive technologies?**

**RH:** Well I could anticipate a number of, I would have thought, very unlikely scenarios, such as the one described in the novel *The Handmaid's Tale*. They maintain young women who are fertile and they simply use them as kind of embryo slaves, obviously anything that invades human freedom without consent is wrong. To me consent is a pretty absolute principle, I don't have many, but I do not think that you can colonise human beings in that way. So consent would be important. I think, say women took over the world, and decided they wanted to keep men simply as sperm banks - there's something to be said for that as men are a bloody nuisance - and they put them all on a desert island and milked their sperm! Well, clearly anything like that would not be right.

Also, I have reservations, like most people, about the way the cloning thing could go, although I'm not as squeamish about that as some people are. It may be that some of my objections are aesthetic, and I would not rule out on a priori grounds the possibility of using the cloning technique in cases where the other infertility approaches are absolutely not working. So I could see cases being made, and I think that my overall principle would be that it's quite good to have a general rule, but it has to be open to exceptions. That's one reason why I'm not an absolute rejectionist with sex selection. I would have at least listened to the Mastertons' case, and tried to understand the psychological oddness and pressure there. At the moment, it's permitted for medical reasons but only that, I don't think there's a great moral leap between that and for certain kinds of non-medical selection reasons.

**JS: The irony in that case, I know people get terribly worked up about it, but there are millions of girls aborted because of their sex in the developing world, and I mean millions, and then here is one couple who actually want a girl and I've often thought, oh why can't they just do it.**

**RH:** Yes, I know. Well they did try but they failed.

**JS: Yes, they went to Italy didn't they?**

**RH:** Yes, I'm not quite sure what the deal was but apparently a male embryo was donated and they've given up.

**JS: I had sympathy for them.**

**RH:** Yes, I had a lot of sympathy and I thought that at least the HFEA should have considered their case. They said they would consider an application if they found a centre that would treat them, but no centre was probably going to go through that. It would probably be ruled out on a priori grounds, because the rule is in this country that you can only have it for medical reasons.

**JS: I think there is a clinic in London that does sperm selection and that's sex selection by natural methods.**

**RH:** The role of fashion in these things is extraordinary. I mean, I'm not in favour of hunting but the cruelty that we inflict on the animals that we eat is on a far higher plane than the cruelty we inflict on the animals that we hunt.

**JS: I agree. I don't know if we've touched on this question, but how do you believe society makes it's ethical decisions? I'm interested in the role of the media in the symbiotic dynamic of reflecting and constructing public opinion.**

**RH:** Oh sure, I agree with that. I think the interesting thing about our society is that it is not complete, but it is increasingly postmodern. We are aware of many value systems, and we are also aware that value systems can disagree with each other but still be value systems, and so choice becomes very important. You also have on the other side an antithetic to that, which is an increasingly interventionist society. For instance, it's not inconceivable to me that in a new politics, say in 20 years time, they might outlaw cigarettes. I happen to be a libertarian about stuff like that, I mean, I know that cigarettes are damaging to health, in fact, it's the single biggest killer. Cannabis doesn't kill anyone, it may make you dopey, but it doesn't kill you. Yet, that's the one that's outlawed.

I also think that another aspect in culture shift and ethical change is the prophetic role; this is where I still have a residual theological element

because I think that prophetic individuals and groups challenge the norm. Nietzsche made the same point that the thing that keeps communities evolving is the awkward customer, the heretic, the degenerate, the person who challenges, you can come up with any number of examples. They usually get biffed about by the system for challenging it, but they're the ones who keep society healthy. It can work both ways of course because you can get people whose vision into the future is a profit one. For example, the tie between the big drug companies and the embryology industry (when I went to the conferences that they had, I was outraged) but I was also intrigued by the connection between the big drug companies and the gynaecology industry.

**JS: I'm glad you said that because one of the things that worries me is the pharmaceutical companies who are producing more and more for the 10% of the global population who can afford it and not the 90% who can't. I think the genetics phenomenon with its individualised therapies will increase this trend.**

**RH:** Genetic aristocracy, yes. It will happen because that's the way the powerful always arrange reality to suit themselves. That's where the role of government might come in because you might recognise that and develop policies that would moderate that.

**JS: One of my prepared questions was have you any fears for the future in this area?**

**RH:** Fear is too strong a word, obviously concern; I mean I'm not a frightenable person. I think there could be terribly bad things out there including meteorites that might smash the whole globe, but we are better to cope bit by bit, to think our way through and challenge. We might get ambushed, but if we do, we do. If you know anything about human nature, you will know that corruption is as mathematically certain a possibility as goodness. Both are with us. But I don't myself, emphasise the evil that we do over the good that we do. I would rather that we emphasise using these things, emphasise the possibility of doing good things with them and then you can balance the evil. But you won't rule the evil out. Simply to dismiss things because they're capable of an evil intention invariably fails. I think policies that try to rule evil out end up by becoming themselves monstrously dictatorial. But again there's a balance.

**JS: How would you advise the church to proceed?**

**RH:** I do not like churches pronouncing as churches. I don't mind them in generic terms saying we should do more for the poor, that we should care for the sick, but when they actually as churches start pronouncing on a whole range of issues, I don't think they're speaking for most of their members, even the Roman Catholic Church, which is the most authoritarian and works from a priori principles. When I hear the Archbishop of Canterbury denouncing the Internet for instance, I think, 'Oh for God's sake George, just belt up'. Okay, we know people abuse the Internet but they abuse the telephone, they abuse anything. Why churches get into the scolding side of those things is partly a throwback to the church seeing itself as a modern, as opposed to a postmodern institution, as an authority which tells people how they should be thinking and leading their lives. This is one reason why the church feels uncomfortable; they are finding it very difficult to respond to our kind of culture.

It's interesting that the press like it when the church makes pronouncements. They will phone up Cardinal Winning and get a diatribe and that's great news. They will in fact phone round, I get a lot of this, and they will have a spread, you know 'Maverick Bishop Holloway in Favour of...' or 'The Moderator of the Wee Frees Denounces...', they seem to think there's a kind of pantomime. That doesn't rule out the fact that there are Christians on all sides of these debates who are experts, conservative experts, liberals, fine, they state their point of view. But for a church as such, I think to be in the pronouncement business on highly technical stuff like this, is something they have to be careful about. I think it's legitimate for them to appoint a commission and to produce a report, and maybe even to take a line, a cautious line, just watch the cloning thing. The Church of Scotland is quite good at this with its 'Church and Nation', 'Science and Technology Unit', all of that and they produce documents that other people can read. They will say this is in favour, this is against, that kind of thing. I think they can make themselves look stupid. The Anglican Church, for instance, ruled out contraception till 1948. Now what was sacred in 1948? That a thing that was sinful in 1947 could suddenly become virtuous in 1948? That's why I think they need a bit more modesty and a bit more provisionality, and perhaps state their thinking saying this is where we are now, but I think they should cork Annie.

**JS:** People get frightened of putting too much certainty into a system, in that, when the system falls down your whole faith thing falls with it.

**RH:** Oh yes, yes. You're bereft, yes. That's where I think churches should be wary of being authority systems and I think there should be a strong element of provisionality and irony in everything that we say. I think that for me an enduring principle, an enduring end, is acknowledging that the powerful run things to suit themselves. It should be one of the roles of a church that follows Jesus to want to balance and neutralise, to some extent, the effect of that on the weak and the poor and the victims. I think that's a good general principle. That's a good socialist principle. Socialists tend to get all mixed up about the best means to do that so that they turn fundamentalist about nationalisation. I think all fundamentalisms are wrong. But apart from that I think the church should be a little more modest in the way it goes on about stuff. It has been so terribly wrong in the past, mainly about women, but about lots of other things too.

**JS:** Have you got any final word of advice or caution, or suggestion that you think might be useful to me?

**RH:** I think you should try and distinguish between factual reporting and honest expressing of your own opinion. And not use one as a disguised version of the other. There's no absolutely objective reporting but I don't also see why you shouldn't be passionate in the expression of your own opinions on the subject and maybe just your own gut reactions to stuff, you know.

**JS:** Thank you so much for such an interesting interview.

### APPENDIX III

#### **INTERVIEW WITH PROFESSOR IAN WILMUT: HEAD OF DEPARTMENT OF GENE EXPRESSION AND DEVELOPMENT AT THE ROSLIN INSTITUTE**

This interview took place on 5 September 2002 at the Roslin Institute in Edinburgh. Professor I. Wilmut was primarily responsible, along with his colleague Dr. Keith Campbell, for cloning Dolly the sheep from an adult Finn-Dorset's mammary cell. She was not the first sheep to be cloned, but she was the first to be cloned from an adult cell, and up until her birth in 1997, most scientists had not believed that to be possible. At the time of the interview Professor Wilmut was submitting a research proposal on human embryos through his ethics committee (the full process is explained in the interview). On the 9 June 2003, the HFEA granted the Roslin Institute a licence to produce and maintain embryonic stem cells in culture.<sup>1</sup> The interview was taped and I have edited it after transcription, whilst endeavouring to retain the conversational feel of the interview. For ease of reading, I have put my questions in bold font.

**JS: As I understand it, the advantage of therapeutic cloning is that an individual clone will be able to produce stem cells that won't be rejected by the recipient. Is that correct?**

**Prof W:** That's the expectation, yes. There is actually a very small caveat about that, which nobody yet knows the answer to. Some cell surface proteins actually come from the mitochondria, which are the very small organising cells that mostly make energy. Some of those proteins come on to the cell surface and there is a question as to whether if you clone an egg with different mitochondria that these proteins might get on to the cell surface. If that were the case it would cause a problem. The people who know about this say there are ways of dealing with that if it proves to be an issue. However, they would certainly be much more like the patient than cells that come from anywhere else so there would be an advantage.

**JS: What sort of things could the mitochondria inside the egg influence?**

**Prof W:** They could influence all sorts of things, although the effects are not expected to be very large. I suppose I tend to come at these things from an agricultural end. People who've looked at milk

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<sup>1</sup> From the HFEA Press Office at <http://www.hfea.gov.uk/PressOffice/Archive>, p.4.

production in probably thousands of cows, certainly hundreds of cows, can find a very small proportion of the difference between cows, which they can attribute to the mitochondria. It's very small, probably 5% or something like that. That would be one way of looking at it, another way, of course, is if some disease is associated with the mitochondria. Some of these are identifiable, so you could look and see. All of these issues are issues that you need to have in mind, but they're probably not big issues.

**JS: I spoke to Mary Warnock at the Edinburgh Book Festival and asked her a question about therapeutic cloning. My concern is, if it were ever to take off as a commercialised venture (Prof W: Yes) then nobody seems to have actually thought about the donors, the women (Prof W: Yes) that would be required. If we've got potentially a hundred and twenty million people to be cured, which was recently quoted (Prof W: Is that right?) Yes, I'll come to that question in a minute; my concern is the 120 million women whose individual eggs (Prof W: Yes) would be needed for each therapeutic clone. When I put this question to Mary Warnock she said basically I'd got my science wrong and that we wouldn't need all these eggs, but to be honest I don't think I've got my science wrong.**

**Prof W: No. (JS: Because otherwise you could just use embryos from IVF, couldn't you?)** Yes that's right, that's right. 120 million, it sounds a very large number doesn't it. If you start back at the beginning with cell therapy, let's call it, no cloning involved, right. In the community I mix in there isn't a consensus about how important immune rejection will be. It's also clear to me that you have to think about different situations, so that, for example, inside the nervous system (the brain, spinal cord and so on) there is very little immune rejection. People call it immune privilege, they say there's no rejection, that's probably going too far, but there's very little. In which case it might not matter where those cells come from. There are some other situations where the disease is auto-immune, like type one diabetes. It's a while since I asked anybody working in this area, but when I did, nobody knew how the auto-immunity process happens, so they didn't know exactly what would happen if you put the same cells back.

**JS: So there might be a problem doing that?**

**Prof W:** Yes, in that situation. But the classic one, which most of these conversations seem to relate to are situations like the heart, for example, where it's probably not auto-immune. You are going to get massive immune response. I guess you've got different organs, the heart is one, and the liver is another, where you will get immunological differences. The people who are active in this area

give very different opinions as to how important these immunological differences really are. Some people will say that you only need an array of, say 20 different cell lines or 200 or whatever the number is, fairly small numbers and beyond that immune rejection is not so important, you can treat it fairly well.

**JS: Sorry to stop you, but can I ask you to clarify what you mean by cell lines, I'm a bit confused about the stem cell banks and cell lines, presumably, they could be from any embryo.**

**Prof W:** Yes. So some people would say all you need is whatever their number is, and sometimes it's as low as 20 and sometimes it's up to 200, and that's all you need. That would get you close enough to, let's say, most people. I think there might be some people who would be so different that they would fall out. Opinions vary, some scientists will say that, others will say no that's not true, what you need is to get a perfect match. Again, it probably varies for different tissues.

**JS: Could these cell lines be taken from any embryo?**

**Prof W:** Any donated embryo, yes. So one of the issues the community needs to think about is, if the number were 20, they would have to be very different. So probably that would mean different racial groups as a way of getting as bigger mix as possible. If the number really were only 20, you could probably get all of them by donation over a period of time. If the number is 200, probably you could achieve this, but it could take quite a long time, just by chance. If the number is 2000 or more, then you probably have got a good case to clone some embryos to then get what you want. If it were 120 million, I find it hard to believe that it is ...

**JS: No sorry.... (Prof W: That's patients?) Yes, it was a recent documentary on the BBC entitled *Creation*, first in the series called 'How to Build a Human', which featured the American firm ACT in Massachusetts (Prof W: Yes) trying to clone a human embryo for stem cells. In that film, the guy, Cibelli, said that a recent survey, although he didn't say where it was from, showed that therapeutic cloning could offer cures for potentially 120 million people.**

**Prof W:** Yes. You see another way of looking into it, I mean, I think the fundamental thing to all of this is nobody knows. You won't get consensus. But another way of looking at this is to think about bone marrow donation -is it the Anthony Nolan Trust? It probably does vary with different tissues, but clearly with that tissue, the bone marrow, they want a perfect match. In which case you probably are into, I wouldn't be surprised if it is millions, but somebody speaking there would know. It probably varies from one condition to another,



of one tissue or organ to another, but it's probably true to say that nobody really knows.

**JS: To go back to the cell lines, when you're talking about these numbers 20, 200, whatever, can you tell under the microscope if the stem cells are slightly different in one embryo from another?**

**Prof W:** No. You'd have to do microbiology. It's the same as with bone marrow donation, where they take some of the cells and do tests to see what immunological types they are. You'd have to do the same things with cell lines. Unfortunately because these are genetically controlled you can't even tell from the parents. You may be able to look at the parents and things may come together in the right way to give us what we want. However, there's only ever going to be, depending on exactly what the mix is, a one in two or a one in four chance, that you'll actually get the mix that you want, because that embryo will get half from each parent.

**JS: Is that the same thing as when they're talking about tissue typing for embryos when they want to match the right embryo for another sibling? (Prof W: Yes, yes, exactly that, yes tissue typing is a good phrase.) That's helpful, thank you. Now there are some scientists -I've read in the New Scientist - who say that adult stem cells are being discovered, which can differentiate. I was wondering how viable the prospect was of using these adult stem cells, because another article that I've read said that adult stem cells may not yield sufficiently *viable* stem cells, so would they be as full of juice as it were?**

**Prof W:** The main thing I would say about most of these situations, I suspect, is that we don't know. Most of the generalisations come from mouse experiments, the human work's coming along behind it, but guided by, informed by the mouse work. The generalisations are that embryo stem cells are immortal, that's exactly the word people use; that they will last forever. They'll certainly last for a very long time. Therefore you can get very large numbers of them; the principle is unlimited. It's actually wrong when you come to the crunch, we've been using embryo stem cell lines (mouse embryo stem cell lines) in our research and they just ceased to be normal after having taken them from one dish to another. You grow them up in a dish till they get crowded and then you separate them. They went through 19 passages, then they just went clunk: they were not really useful after that so this idea that they're immortal is an exaggeration.

Therefore you can get as many numbers as you want. If you get your organisation right; you multiply first before you make them go down particular routes, in principle you can get as many neurones or

muscle cells, or whatever it is that you want, as long as you get the organisation right. With regard to adult cells, our information is that they do have a shorter life, as you say, therefore you can't get as many and there's a worry that they wouldn't last as long in the patient. There are obvious ways of trying to overcome that. It's likely to be to do with telomere lengths in the cells, which we can extend very easily. So of all the problems which would be listed in this area that would be a comparatively easy one to overcome.

**JS:** In a lot of the conditions that therapeutic cloning was offering cures for, things like Parkinson's or Alzheimer's, you're actually dealing with older people whose adult stem cells are probably beginning to degenerate in their bodies anyway. (Prof W: Yes) So from my point of view -as again I'm always looking at the donor egg, because nobody seems to have thought about the women who are going to provide all these eggs - (Prof W: Yes) embryonic stem cells may be preferable from their clone (Prof W: Yes) than from their adult bodies?

**Prof W:** Yes. That's certainly the argument that the embryo stem cell people would offer. What people would be saying now, I'm sure you've heard it directly, is that there's far more confidence that we can get what we want from stem cells, that they will have a normal life span. Whether that judgement would still be true 2, 5 or 10 years from now, who knows?

**JS:** Thank you. There's another thing that came out in the New Scientist, my source of scientific information - the same company that were featured in the programme were working on parthenogenic embryos to harvest stem cells. Now that would actually prevent the destruction of embryos (Prof W: Yes) so it would get them off the hook with a lot of religious people, but they would still need a large availability of eggs, (Prof W: Yes) so how viable do you think this alternative route is?

**Prof W:** Not. It's for a different reason. There's a group of genes that are known as the imprinted genes, whose function depends on which parent it comes from. You have two copies of almost all genes, the function of a particular copy depends on which parent it comes from, so that, I'm not very good at remembering which is which, you'll have some genes which control fetal growth, where, for example, the copy from the father will work but the copy from the mother doesn't work. Now if you've got a parthenogenetically activated egg this copy doesn't exist, so there'll be no copy of those genes functioning.

They don't only work during the fetal stage, they're very important during the fetal stage, but they're also important later. It's this

requirement for a copy from each parent, which is the reason why parthenogenesis won't produce offspring, because it's just lethal. So without knowing exactly just how it would go wrong, the fear would be that if you grew embryo stem cells from these embryos and put them into patients something would go wrong with the function. It might be that they would function in some tissues, if having a father's copy weren't important for, let's say the liver, fine. However, if it's important for the organ that you're trying to repair, then it's not really worth it.

**JS: And it's so experimental that you might not realise what the situation is till you've got it in somebody?**

**Prof W:** I think this will be true for a lot of things though, and I think that one of the other questions that society has to look at is 'How do we go if these potential treatments aren't safe?' So there will be lots of experiments putting human cells into mice, which are genetically deficient so they don't reject cells, that is, they don't have an immune response. There will probably be some studies where they're put into bigger animals; it's not the size that counts it's the fact that they'll live longer. In farm animals you can see how these cells function over a number of years.

The next step would be to put the cells into a patient who was going to die anyway, because he or she has got nothing to lose, so they would be willing to try a new treatment. When that begins to work, the system will begin to say, okay, now let's start to do this in others. It is a very important question, which, because it's a few years away yet, we can't really try to answer. If you look at the research papers you will find that some of the experiments, where cells are put into mice, it's rats actually, are being done now. That's how people know. So they put human cells into rats, and then look to see if it appears to correct the condition at all.

**JS: It's interesting, I know it's probably not quite a strict analogy, but it didn't happen with IVF (Prof W: No) because IVF went very quickly from mice (Prof W: Yes) into human beings (Prof W: Yes) it didn't even go through primates did it? (Prof W: No.) As I understand it. (Prof W: That's correct, yes.) So a lot of the women were actually paying to be guinea pigs...**

**Prof W:** That's correct. We were very lucky. There's no question that biologists outside the reproductive clinics recognise that, no question. Some of the people in the clinics recognise it, but not all. You will, sometimes, at meetings get debates between two groups of people, where people will say there's a new treatment, for example, which

would produce sperm for a man who didn't have any of his own. It might be where the man's partner is beginning to get to an age where she's going to become less and less fertile, that it's appropriate to take a risk. The clinicians, I suppose, I don't think it would be fair to say this is financially driven, I think this is probably ...

**JS: Is it research driven?**

**Prof W:** It's partly research driven, partly probably genuine compassion as well, actually. I mean, these are people who sit and talk to patients and have to say I'm sorry I can't do anymore for you, which wouldn't be very nice. I'm sure some of it's genuine compassion. Other people, somebody like myself, who wouldn't have to face the couple, would say you might produce a child that could be damaged in some way. Now, of course, the HFEA would stop if there was something like that, you wouldn't be able to do that in this country. So there's less chance of it happening now. You're absolutely right the first IVFs, we were very fortunate ....

**JS: Do you think that my concerns are valid about needing ova?**

**Prof W:** Right, let's address that particular issue. I can't actually tell you the number of ova in the ovaries at birth, several hundred of oocytes, and of course, most of these are wasted. Actually, working it out over a 30- 40 year period of one a month, it's hundreds ... almost all of them are wasted. So it becomes, as it were, a tissue donation issue that, I don't know if you carry a donor card...

**JS: Well yes, but it's interesting, I'm too old now with my ovaries, but I wouldn't want my ovaries used - anything else, but not my eggs.**

**Prof W:** This is probably the reason why the people who do think about the biological point of view hesitate to raise it. It was discussed; I think you'll find it was discussed. I don't know how much it was recorded in the Donaldson Report, I happen to know the reproductive biologist on that. So it could be tissue donations...

**JS: Would that be viable from cadavers?<sup>2</sup>**

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<sup>2</sup> I was exploring these possible sources of ova with Professor Wilmut from what might be scientifically possible; however, since this interview the HFEA have issued two press statements banning the use of ova from either cadavers or fetal tissue. ('HFEA does not allow donated eggs from deceased women', 15/10/2003 and 'HFEA confirms legal position on use of fetal ovarian tissue', 1/07/2003) <http://www.hfea.gov.uk/PressOffice/Archive>, p.3.

**Prof W:** Well, it would obviously depend on the reproductive health of the person concerned. Now the techniques to grow these eggs don't exist at the moment. In terms of the tens of thousands of patients being treated in the future, and say, by then that this is the way to resolve the issue, then the techniques could be worked on as a matter of fundamental biological interest. For example, what controls the egg to grow may be discovered because it provides information on some causes of infertility. This could be used in infertility treatment, so it's not just for cell therapy. So, if this really was an issue and if it proved to be the best way of dealing with things and it was socially acceptable, then, 120 million sounds a bit exaggerated ... However, you could certainly get tens of thousands of oocytes in principle at some time in the distant future.

**JS:** It's interesting that you thought if large numbers of eggs were needed they might be harvested from aborted fetuses. Wouldn't that bring in another difficulty? (Prof W: Yes it would) Would they be too immature to be useful, anyway?

**Prof W:** It would present another problem with maturation, but no I would have thought not. You remember there was a lot of publicity at some point because the Edinburgh scientists...

**JS:** Yes, I remember Richard Holloway making a comment about it. There is something ethically chilling about taking the eggs of a fetus, who has had no chance of a life herself, but I just wondered, because sometimes things that society finds unethical in its current era, a hundred years down the line, they become acceptable.

**Prof W:** What I think, if I can use this, (please refer to Diagram 1.) I don't know if will make sense to look at this, but we can try. The classic way that developmental biologists used to think is that you have an egg, it gets fertilised, becomes a blastocyst and, of course, then develops to become a person or an adult.

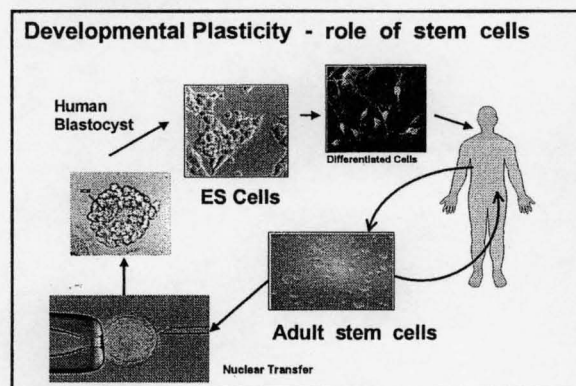
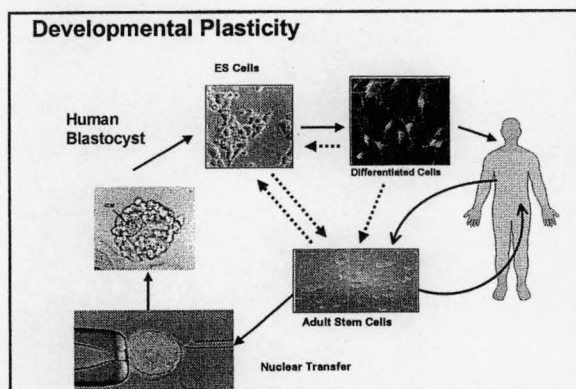


Diagram 1.

The view was that this is very much a linear process, you go that way and then that's it. What people have found in the last five years, through the ways of getting embryonic stem cells, and perhaps adult stem cells and differentiated stem cells, is that this is much less of a linear process than we might have expected. So clearly, one of the things in this diagram is, you take a cell from the patient, you do nuclear transfer and in principle you can get another adult. This means that the nucleus is much less fixed than we had previously thought - there's much more flexibility.

But what people are beginning to do with these adult cells is to show that adult stem cells will probably change into different types of stem cells. What research, the dotted lines rather than the solid lines (see Diagram 2.), is beginning to discover, is that if we take adult stem cells and treat them in particular ways, we can make them become something more equivalent to an embryo stem cell, for example. A question to ask might be, 'can we find ways, or even, do we need adult stem cells, or can we take a differentiated cell, and make it go back round these?' In other words, I personally see this whole area of biology as being very new, very open, and likely to be the solution to the issues that you're raising. I don't know how, I don't pretend to know how, but I would like to think that some of our research might contribute to it.



**Diagram 2.**

Certainly, the ways in which we will actually solve these issues, practical issues, let's say in 30 or 50 years time, will be very different from the sort of things that we're thinking about now. So frankly, I don't see the need for tens of thousands of oocytes, I think that's very unlikely. It's more likely that they'll find a way of taking cells from an adult, maybe some of the types of adult stem cells that people are talking about, and treat them using knowledge, some of which will come from the cloning world, some of which will come from other

sources. What happens during cloning is that that nucleus gets exposed to things in the egg, which could bring about changes, so we could go back and be able to control all of development. What happens in the culture experiments with stem cells is that there are things outside the cell which act on it to make it go from one thing to another.

So, if people take adult stem cells say, for example, from the bone marrow, and put them into an animal and then find them in the liver, the reason why they've changed is because of things in the liver, which say to that cell you can become a liver cell rather than being a bone marrow cell. Now if you just crank the plot back, 10 years would comfortably cover it, 5 would just about cover it, none of that was being thought about 5 years ago. So there's a complete revolution in this area of thinking, which people are still working through. Scientists don't turn like a switch, they take quite a long time for new ideas to percolate, and you hear pennies dropping in the back of your mind, that's another implication of all of this. So the implications of this will go on being uncovered for 5, 10, 20 years; that's how I see your problem being solved.

**JS: Thank you. Do you think that ethical difficulties actually do influence the research, for example, the fact that society finds experimentation on the embryos an issue, would that lead scientists to try and find different ways of getting stem cells?**

**Prof W:** To be very pedantic about your question, I think, because of regulations, the answer is yes. What would happen if there weren't regulations I'm not sure. If it were left to personal judgement, it would depend on the person, wouldn't it? In this country, it's clear that the legal framework says that, if, for example, we want to clone a human embryo, or even produce an embryo by fertilisation, we have to have a very good reason to do it. We have to be doing something, achieving something that we can't achieve in any other way. So certainly the regulations do make a difference.

**JS: Given the lack of research on women's bodies and the effects of repeated superovulation (Prof W: Yes) does it concern you that if large numbers of eggs were needed -if you were wrong in your suppositions, for example, for we don't know how things will turn out - might this affect the lives of young women possibly precipitating early menopause and early onset of osteoporosis?**

**Prof W:** Yes, I don't know, it's a little bit out of my area, how does the system decide how many times it will treat a patient, is there a rule?

**JS: Well, I think basically, if you're willing to pay (Prof W: Yes) you can have as many goes as you want because if you go to a clinic that says look we can't treat you, I think probably the NHS clinics might say, look you've reached the end of the road, but there's probably always going to be a private clinic somewhere that will do it.**

**Prof W:** There's a very small risk with the superovulation procedure, I don't know what the risk incidence probability is, but there is a small risk. However, there's another slightly different way, so I will tell you, for example, that the proposal we're developing - it hasn't gone forward yet - but the proposal we're developing would be to take eggs from smaller follicles so that the woman would not have to be superovulated. Now they will be less developed so our research effort will be put into growing those eggs on to the later stage. We believe that would be really less unpleasant; I mean, you can tell me how unpleasant the side effects are, nausea and other problems associated with superovulation? That wouldn't happen. The health risk is because of the risk of bleeding and if you're not puncturing large follicles then there is much less risk attached and so on. This sort of thing is taken into account, the actual precise question you ask, I don't know.

**JS: Even the harvesting of them is much more difficult than it is of male gametes, (Prof W: Yes) if you don't have a general anaesthetic, because that carries a risk; it is actually quite a painful procedure.**

**Prof W:** I have two daughters, 30ish, you can imagine in the family situation, they'll be, let's be hopeful, optimistic, by the time I have a health problem they'll be menopausal by then.

**JS: But it might be your grandchildren, your granddaughters ... I have addressed this in the paper that I've written. By constructing woman as a self-less giver, you could commercially 'pharm' and exploit poor women, but also, even in your own family, (Prof W: Yes) there'd be huge pressure (Prof W: Indeed there would) because it would be the young girls, the 18 to 20, 30 year olds, it would be the granddaughters.**

**Prof W:** I think, this is a bit different, but, if you speak to the companies who might one day offer this sort of treatment, they don't imagine treating the older people, with let's say Parkinson's, for example, it would be the early onset cases that they imagine treating. So I think the idea, which I must admit I probably carelessly, inadvertently, implied that the 70 or 80 year old patient who begins to suffer will be easy to treat, is not actually the way the companies envisage it. In the first place, they think about the people with the



longer life spans, and probably a smaller number. I suspect that that 120 million is scooping up everybody.

**JS:** Oh, I'm sure it was, you know, they cite 'a survey', but they never said who had actually done the survey. (Prof W: Yes) On the other hand, being cynical of our society, I mean in the Western hemisphere, if you've got wealthy, elite 80 year olds with Parkinson's who will pay a lot of money (Prof W: Yes) then I'm sure those original intentions may go out the window, especially with big business and American health insurance (Prof W: Yes, yes).

**Prof W:** I'm sure you know that in this country we can't pay for eggs, it's impossible, so that's blocked.<sup>3</sup> I think that the way this whole technique will come about is that it will evolve in different ways. Some particular cases will be picked out earlier, with some it will be appropriate to take a risk and there will be other conditions where the immune response is not an issue, where it will be possible to deal with them in a simpler way. There'll be some conditions, which will be treated quite quickly, probably, a fairly small number of years before the first and it will evolve from there. People will learn, not just from the basic research on the patient, but also from the patients themselves. But I just don't see the sort of things that people are envisaging in detail now will be the way in 10 years time, let alone 20 or 30 years time, because the biology will go on changing. Some people would write off therapeutic cloning, some people would say that you're never, ever going to do that, now I wouldn't do that, but I do think from a therapeutic point of view, it will affect the small end of the spectrum, only very special cases.

Let's say, for example, that if you put the same cells back into a diabetic you do not get the same response. For example, to put immunologically matched islets back into a juvenile diabetic, say at the age of 20, then you've got an average of 60 years left. You could, of course, have spent quite a lot of money on that doing a health benefit analysis. This isn't a commercial analysis, but the cost, the current treatment of diabetes, the insulin and so on. My father was a long term diabetic, but in those days it was the old-fashioned approach to monitoring health, such as giving insulin appropriately. Nonetheless, the failures, the blindness, the loss of sensitivity in the limbs, things like that, then it really would be appropriate, you'd be spending quite a lot of money.

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<sup>3</sup> I have discussed the case in Chapter Three, where women *were* paid for their eggs in this country and have commented further on it on page 267, which includes Chapter Three's page and footnote reference.

One way of doing that might be to clone. But the idea that, let's say, you'd spend the same amount of money on a patient with open Parkinson's, it's just not right. Partly, because of the biology, because the immunological response would be a lot less in the grey member. Whereas for the diabetic the consequences of taking immunorepressant drugs for 60 years would be considerable, the consequences for a 80 year old, if you need to take immunorepressant drugs would be a lot less. So there'll be all sorts; people tend to think of this as being one condition, it's just not. There's a whole range of different conditions and situations and so on.

**JS: I suppose if you were taking a clone of someone who'd got early onset diabetes that stem cell may in, say 30 years, do it again, if that's the way it's programmed ... (Prof W: It's a possibility, yes, you'd have to learn). But then if you were 30, it would give you, possibly, another 30 years freedom from it, so you could do it again when you were 60. (Prof W: Yes)**

**Prof W:** Another thing about diabetes is that it's not immediately life threatening (**JS: No**) so you can keep the patient going. I mean, one of the drawbacks that people point out about cloning is that you have to organise, get the eggs, clone, grow to the blastocyst, isolate the stem cells, test them and prove they're okay, produce isles, prove they're okay and pop them in, it can take months before they're ready.

.....

At this point the second side of the tape ended. I was, however, privileged to ask Professor Wilmut further questions. I asked him about his position as a member of the Church of Scotland and he said that although he was on the Board of Social Responsibility, personally, he was agnostic and not a member. I asked him about the serendipity that he often refers to in his book and if he thought that was the work of the Spirit. He said no, because it works both ways and would then apply to the bad things that happen. He said his motto, which could be his epitaph, was this: 'continue ambitious research, but be cautious in application'. In other words, research as widely as you can, everything, but be very cautious how you apply that knowledge.

For, often the biggest impact of a specific scientific discovery turns out to be different from what was envisaged at the time of its inception. As an example of this, he cited the work undertaken into artificial insemination, which was originally carried out to prevent the spread of venereal disease in cattle. The techniques were built up in the 30s and 40s, but in the 50s a pioneering paper was written by

Robertson and Rendell, which suggested that if you were going to use artificial insemination, you should look at the quality of the bulls first, this changed the whole application of the technique.

I asked Prof Wilmot whether he was surprised about the widespread interest in Dolly and he said yes. He expected that there would be media attention at first, but thought that it would die down, however, it has never gone away. I also asked him if Roslin had an ethics committee of their own and he said that they do. There are two committees, one is an animal committee, which considers the proposed animal research and deliberates on contentious issues. This committee includes one outsider.

The other committee considers any proposed human research and consists of 8 members, 6 of whom are outsiders. The ethical process is both complex and lengthy. Any project, which involves research on humans (presumably embryos), has to go before this committee and then before the management at Roslin. This takes place before it is explored by the ethics department of the selected clinic/s that will be involved and by the investors who are putting up the finance. Only then, if all are in harmony, will an application to the HFEA be considered. Three members out of the eight on the ethics committee are women. The Chair is an expert in genetics law and the other outsiders have embryology or medical expertise, including the philosopher. They were selected for their specialist knowledge and for their capacity to give the required commitment to the committee.

### **Reflections on the Interview**

I am extremely grateful to Professor Wilmot for the two, undisturbed hours of his time, which he gave up for this interview and for his patient consideration of my questions. It will always be a treasured memory of my PhD research. That Professor Wilmot could have been bothered to devote two hours in a busy day to a theology student's research says a great deal about his commitment to the ethical aspects of his work. In addition, that I was able to put my questions about the BBC documentary, 'How to Build a Human' to such a renowned and eminent pioneer of the scientific community, was an enormous privilege. Professor Wilmot was able to quash some of the programme's claims that I had found spurious by his extensive knowledge of both the specific intricacies of embryology and the ways in which scientific endeavour works in the biotechnology community. His insistence on the *lack of certainty* of how science might develop, and therefore its unpredictability, was refreshingly honest.

However, from my position of critical reflection, I do have some concerns regarding his responses. As a scientist, who admitted having had qualms over the first IVF practices, I felt he did not apply sufficient hermeneutics of concern to the potential uses and abuses of scientific research, even, and perhaps especially, to that which he himself was undertaking. Whilst, he made his position absolutely clear, 'research all, apply cautiously', nevertheless, he should have learnt, post-Dolly, that when one opens the Pandora's box of discovery, one no longer has control on the latter half of his mantra. Whilst, his responses demonstrate that it may well be possible to undertake therapeutic cloning for stem cell therapy without recourse to using ova from millions of women, allaying my concerns regarding the documentary featured in Chapter Three, nevertheless, I would assert that he retained a position of innocence regarding the powers of biocapitalism.

A good example of this was his insistence that women would never be paid for their eggs in this country. In Chapter Three, I cited a case whereby women *were* paid for their eggs, because the pharmaceutical firm concerned were able to find a loophole in the HFEA regulations.<sup>4</sup> The reason the ova were needed was for research into ovum maturation, and a licence is required from the HFEA only if eggs are to be fertilised. Consequently, the principle of paying for gametes could be bypassed due to the details of the research programme. Ironically, the research that Professor Wilmut was proposing to undertake was on egg maturation. (I have no idea, but it may even be the case that this was his research.)

The point I wish to emphasise, is that, whilst on the one hand Professor Wilmut was alleviating my concerns regarding the exploitation of women for their ova in therapeutic cloning, he was, at the same time, contemplating different research that required access to women's gametes. As I have pointed out in footnote 2 of this Appendix, currently the HFEA regulations are quite clear that ovaries from fetuses and cadavers cannot be used and that women should not be paid for egg donation. Yet, I would assert that, from both Professor Wilmut's own research and the potential of stem cell therapy, human ova could still be a sought-after commodity.

An interesting post-script to this interview is the recent announcement in the Guardian that Professor Wilmut has been granted a licence from the HFEA to clone human embryos in order to research motor neurone disease.<sup>5</sup> The press statement said that donated embryos from IVF couples would be used.

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<sup>4</sup> See Chapter Three, p. 132; footnote 59.

<sup>5</sup> I. Semple, 'Cloning hope for neurone disease', the *Guardian* (29/09/04), p. 12.

## APPENDIX IV

### **INTERVIEW WITH DR JAMIESON: EMBRYOLOGIST AT GLASGOW ASSISTED CONCEPTION UNIT**

This interview took place on 21 January 2003 at the Glasgow Assisted Conception Unit based at the Glasgow Royal Infirmary. Dr. Jamieson is a member of the Health Professions Council and has recently been appointed as a member of the HFEA. The interview was taped and I have edited it after transcription. For ease of reading, I have put my questions in bold font.

**JS: How long have you been involved with clinical IVF?**

**Dr J:** Since 1984, I was a geneticist before that and got sidetracked into this.

**JS: What significant changes have you witnessed since 1984?**

**Dr J:** There have been a lot. Well, there has been a huge improvement in the success rate. The HFEA have brought regulation to the field and embryologists are now much better trained than they were initially. We were pretty much pioneers in the beginning developing the techniques, but now we have excellent training programmes for embryologists in the UK. Also we have a much more professional workforce.

**JS: What procedures do you offer at this clinic?**

**Dr J:** We have IVF, ICSI, donor insemination and egg donation on a limited programme, however, we don't do any GIFT.<sup>1</sup> The history of the department was involved in developing the techniques of growing multiple follicles so we have a very large practice of treating unexplained infertility with ovulatory problems.

**JS: Do you do any preimplantation genetic diagnosis (PGD)?**

**Dr J:** We do. We have a clinical licence for it, but we haven't secured the funding yet. So we're hoping to become the Scottish Centre for PGD, but at the moment it's in its embryonic stages. We are one of the five centres in the UK that have a licence.

**JS: What particular conditions would you be doing that for?**

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<sup>1</sup> ICSI (Intra-Cytoplasmic Sperm Injection) is similar to IVF, but a single sperm is injected into an egg. GIFT (Gamete Intra-Fallopian Transfer) requires the removal of eggs, but they are mixed with the sperm and returned immediately to the fallopian tubes, not placed in a petri dish to fertilise.

**Dr J:** Before you can be licensed in PGD, you have to prove your expertise in diagnosing that particular problem and provide evidence for the HFEA to that effect. So far we're only licensed for sex-linked disorders. Only patients with that particular need have a realistic chance of being treated by us in the immediate future.

**JS:** How long have you been involved with intra-cytoplasmic sperm injection (ICSI)?

**Dr J:** It's about 7 or 8 years now.

**JS:** Are there any follow-up studies undertaken on any of the pregnancies or on the children born? Primarily with ICSI, but also with any of the other assisted conception techniques?

**Dr J:** There are a limited number of follow-ups. The HFEA collect information on the births of any congenital abnormalities, of gestation, weight, sex, but that's all the information they collect. So you have a certain amount of information about conditions at birth.

**JS:** Is that from all the children?

**Dr J:** Yes, all the children born as a result of assisted conception, all the births are recorded.

**JS:** So how does that work from your point of view? Is it your responsibility to give them that information?

**Dr J:** Yes. When a woman has a pregnancy scan, we give her a form and a letter and ask her to return it to us when she has delivered. A certain proportion lose the letter, but we have a responsibility to get in touch with them. We're very lucky that our population is reasonably local, so we do manage to get 99.9% of the follow-ups. Some of the London clinics have a lot of people coming from abroad and they have more trouble following up the outcomes. The outcome of the treatment is very important. For example, if you had somebody coming in to your clinic and you weren't sure if they were suitable for IVF or ICSI, one of the options would be to treat half of the eggs with IVF and half with ICSI, in order to find out what the appropriate treatment would be in the future. However, the HFEA, being anxious to follow up the treatments, don't want you to put one of each of the embryos back together, because if a child were to be born, you wouldn't know which one it was. So if you choose to halve the eggs

in this way, you can only put the IVF embryos back or the ICSI embryos back, except in a small number of exceptional cases.

**JS: When I had IVF I was never given a letter from my clinic and told to officially report back when I 'd had my babies. Because of this, I'd wondered if perhaps follow-up was something that had been recommended by Warnock but wasn't actually taking place.**

**Dr J:** It does take place. Can I ask you where you had your IVF?

**JS:** I had two goes at Hammersmith, which were not successful, then I went to Midland Fertility Services ...

**Dr J:** Oh yes, at Aldridge.

**JS:** I don't know whether it was because I went back to show them the babies anyway, but I didn't have a letter to take with me, or anything like that.

**Dr J:** No, that's the way we do it, but there is a legal responsibility to do that, in the last ten years certainly. Because of the confidentiality regulations we have to do it through the patient, we think that's the best way to do it. We can't ask the hospital to report it to us because that would be a violation of the confidentiality laws. There are a very limited number of follow-up studies that go further. For instance the Brussels group has done one on ICSI.

**JS:** There are some queries about the children born from ICSI, that they may be more prone to certain syndromes and have abnormalities, is that right? So everyone's followed up to birth and from then a few studies continue?

**Dr J:** Yes there are limited studies, but they are local.

**JS:** What about research on women and the effects of IVF on their bodies?

**Dr J:** These are very limited. There have been some reports of women having ovarian cancer following stimulation, but there is a limited, very limited follow-up of women. You know 20, 50 years down the road somewhere, following people through the menopause etc would be a possibility, but there are a limited number of studies.

**JS:** Do you know of any such research?

**Dr J:** There possibly is some, but I don't know of any. I'm sure there will be ...

**JS: I'm not so sure there will be actually (laughs) I think women are left out of the equation far too much.**

**Dr J: Yes, yes.**

**JS: For instance, it would have been helpful to have undertaken a long-term study to see whether superovulation effected menopause (Dr J: Yes) particularly with say early menopause and osteoporosis (Dr J: Yes). That study might actually have been very helpful in thinking about therapeutic cloning if girls, young women, are going to be expected - I know we're looking into the future a bit - to superovulate to produce eggs for these therapies. None of these studies have been done with IVF to say whether that is safe (Dr J: Yes) in the long-term or not.**

**Dr J: I think it's likely they will be done, but again they're likely to be local, not national, and you probably need that to get the proper data.**

**JS: Okay, but there will be a funding issue...**

**Dr J: As always ...**

**JS: Has any research been undertaken on the psychological effects?**

**Dr J: Yes, there are quite a few published studies in *Human Reproduction*; and the counselling group, the British Infertility Counselling Association, their members are involved in that.**

**JS: Originally IVF was supposed to be only for women with blocked fallopian tubes, I know this is no longer the case, but what percentage of infertile patients are you now able to treat?**

**Dr J: I would say 95%, because even the severely infertile men can be helped. Older women are still a major problem, due to the limited number of eggs that are available. You can treat them, but success is low.**

**JS: What are your clinic's current success rates?**

**Dr J: Currently the live birth rate is at 25% per cycle started. We also have a freezing programme, which has a 20% live birth rate.**

**JS: Those are high figures, aren't they?**



**Dr J:** Yes, yes, they're good. We had the highest success rate in the last patient guide for embryo freezing, so that's a big part of our programme. We'll be quite conservative; we will actually withhold a transfer in a fresh cycle if the patient is slightly unwell or maybe has become hyperstimulated, and freeze the embryos. We have a very good chance of success once the hormone problem comes back to normal. However, in terms of league tables that would be counted as a failed cycle, so that's one of the pressures on people. We have to ask ourselves, 'do we want to be top of the league table at the expense of the patient?' We've always taken the view that safety comes first, but the frozen cycles contribute greatly to the pregnancy rate in an overall context.

**JS:** That's quite a boon, because, obviously patients don't have to go through superovulation.

**Dr J:** Absolutely.

**JS:** Do you break the statistics down by age?

**Dr J:** We don't treat anyone over 40 because our patients are NHS patients.

**JS:** Are they all NHS?

**Dr J:** We have a very small number of private, self-funding patients through the university, but that's relatively new. The NHS funds 95% of our patients; each of the Health Boards has an age limit and they also specify the number of cycles of treatment a patient can have.

**JS:** And how many treatment cycles can they have here?

**Dr J:** It depends on who they're with, either two or three cycles. A treatment cycle for us consists of a superovulation and all the embryos that come from that cycle, which means we may have two, or even three, transfers from one cycle. That's how we calculate it. We don't think it's fair for one person who has a large number of eggs to have a fresh cycle and two frozen ones and be told that's finished. They have two or three stimulations depending on the Health Board.

**JS:** That seems very good and from that you've got 25% success rate?

**Dr J:** Yes, 25% for fresh embryos.

**JS:** Do you have statistics for women over 35? Is there a marked difference between the age groups?

**Dr J:** We don't notice any difference until ... I think the last time we did the statistics it was 38. Above that age, we saw a reduced pregnancy rate, but there wasn't a huge difference. We tend to have a fairly clustered age group, sort of 25 -35, so we may have less of a spectrum perhaps than private units who may take a higher proportion of older women.

**JS:** I think the private clinics do that more because they have to go there (Dr J: Yes). Now you do egg donation here (Dr J: Yes) do women who donate eggs get any special favours?

**Dr J:** Not at all, they just get travel expenses. We have a very small number of people that might be called altruistic egg donors. If there has been any publicity, or a television programme, quite a lot of women come forward and we send them an information pack. A large number will drop out at that point, once they realize what's involved. If they wish to continue they'll get an appointment with the doctor who deals specifically with egg donation. A limited number of people come forward to give an anonymous donation, there are a higher number of people who are willing to donate for a sister or a friend; known donors are slightly higher.

**JS:** Do any of the women going through the programme offer to donate eggs if they have a surplus?

**Dr J:** No, again ... you'll be aware of egg-sharing schemes (JS: Yes), which I'm not a great fan of, for various reasons, but the incentive there is financial. The people going through our programme, if they have extra eggs they prefer them to be in the freezer, just in case it doesn't work. We don't approach them to ask either, as we don't think this is appropriate.

**JS:** No. Its a different thing with your clinic being 95% NHS (Dr J: Yes). How long do they have to wait for treatment, what's the average waiting list?

**Dr J:** It's only about 18 months at the moment; again it depends on the Health Board. But the waiting lists are relatively short, they used to be about three years, but now it's a year to 18 months, which is quite good.

**JS:** So if you had your superovulation and two further attempts with your frozen embryos, then you'd have to wait perhaps another 18 months for another go?

**Dr J:** No, no, you'd come straight back.

**JS: You do? That's really good.**

**Dr J:** Once you've been through the screening you can have your first treatment as soon as you like. We prefer people to have their treatments in a reasonable time frame from the management point of view, because it helps us to manage the budgets, we need to know how many people to bring off the waiting list and so on. It's best for us, but some people don't wish to do that. They may have a year in between treatments from their own choice or else they may have two or three treatments very close together. There's no restriction. The waiting list is only for the first treatment.

**JS: I was going to ask more questions about donated ova, but really they would apply to clinics where people were egg sharing. Statistics, and I'm not sure if they're true or not, say that 70% of women who receive donated ova have actually got functioning ovaries and there is some evidence that because they are older they are under pressure to take a donated egg. There have been claims that, in the States, clinics will actually refuse older women treatment unless they take donated eggs. I'd also read on the Internet that the American clinics were doing unethical things to improve their statistics, like putting younger women to the top of the queue.**

**Dr J:** We don't... I mean, there's pressure to succeed, in that you want to do the best for the people who come to you for treatment. You would certainly be very anxious if you were significantly lower than the other clinics, but perhaps we're in the privileged position that we don't feel the pressure to manipulate or it just doesn't help.

**JS: And perhaps being NHS funded gives you some protection from this?**

**Dr J:** Yes to a certain extent. The Health Boards still have the option of saying, we're not sending you any more patients, they will go to Dundee because they're doing much better, so it's still a pressure.

**JS: The other question I was going to ask is that if they can afford to pay is there any limit on the number of times women can try? But that doesn't apply to you?**

**Dr J:** I was always impressed that people were given a realistic response, if people had a very low success rate, they didn't let them come back.

**JS: Have you any ethical qualms about any aspects of your work?**

**Dr J:** Not qualms, there's nothing that I do that I'm not comfortable with ethically. I once worked in India with an ex-clinical colleague, who is an ethical

person, and they found in India that without regulation, without the ethical and moral stance, that you could find yourself being asked to do things that we wouldn't agree with. I do try to warn people who go to do work outside the UK that they've got to be very careful that they're not going to be compromised in any way, because we do get used to the framework here.

**JS: What sort of things might one be asked to do?**

**Dr J:** Well, this didn't happen at the clinic that I was involved in, but I'm told there are clinics that buy an ICSI microscope, but never take it out of the box. They tell patients they're having ICSI, but actually they're having donor sperm.

**JS:** That's awful...

**Dr J:** Yes, but this is a different culture, I'd like to think. Quite horrific...

**JS: What do you think about the embryo, are you quite happy with the 14 day ruling?**

**Dr J:** Oh, absolutely. There's nothing that we've been involved with that grows embryos longer than blastocyst - day 5 or day 6 - and if you accept that the embryo is... that you can work with the embryo in any way, then there has to be a finite point and day 14 does seem quite appropriate. But I'm unaware of any work at all that actually goes beyond the blastocyst stage, so I don't think the 14 day rule is a problem for most people working in the field.

**JS: You personally don't have any qualms about working with the blastocyst, in the sense that say the Roman Catholic Church would say that it's a human being from the moment of conception?**

**Dr J:** I'm always aware that I have a responsibility to the embryos, but I consider them as potential life and not ... I don't think I could do the work I do to be honest, it would be unbearable, but that's the belief I had before I started the work. They have potential and therefore we have responsibility to look after them to the best of our ability.

**JS: Have you got any fears for the future of assisted conception techniques?**

**Dr J:** Yes, we just have to look at the headlines from cloning and Mr Antinori, even at the ethical context of what they're trying to do and whether we should do it or not. I don't believe they have done it or even attempted to do it. However, Antonori probably has and it's been done without a proper scientific workout. So it's been undertaken whilst completely exploiting the patients, who

are coming forward desperate for help, and the risks involved are huge. That type of work does worry me.

**JS: Do you require patient's consent for all research undertaken on embryos?**

**Dr J:** Yes, yes. The HFEA consent form has a box specifically about consent. Also they can tick for research if they wish to. If we were going to ask them to donate any embryos, which weren't suitable for transfer or freezing, we would also ask them to fill in a specific consent form for the research project involved.

**JS: How many embryos do you currently transfer back to the uterus?**

**Dr J:** Two, we changed before the HFEA required us to do so, and the pregnancy rate went up!

**JS: Oh, that's very interesting.**

**Dr J:** It coincided with an improvement in our success rates, but we still have 30% twins. So the HFEA are now asking whether we should be considering a single embryo transfer and the HFEA itself is also looking at whether there are people who should only have one.

**JS: Nowadays with freezing being so good (Dr J: Yes) it doesn't really matter, because if you've got nine fertilized embryos (Dr J: Yes) you can just spend nine months having one returned, just like you would in normal conception (Dr J: Yes).**

**Dr J:** I think there is a clinic in Sweden, where you can have as many embryos transferred as you like as long as it's one at a time. Again people will feel a compromise with success rates and the patients will feel a conflict with cost, but we're certainly looking to see if there's a group of people that we could comfortably transfer a single embryo.

**JS: The irony is ... as someone who actually got pregnant with twins, it can be so fraught, not the wonderful experience that you've dreamed about. I was very lucky mine didn't go into special care and all the rest of it, but it was still a hell of a first year. It's very expensive as well, when you're successful...**

**Dr J:** When I'm doing a lecture to a patient group coming through, I show, a picture of one baby and say I'm sure you'd be happy with this. Then I show twins, a lot of people see that as the ideal, and then triplets, which is obviously not ideal. They all see that triplets are a bad outcome, but I'm not sure that people realise that twins can cause problems. Most of the time it's okay with

twins, but we do occasionally get a poor outcome. The complications are higher with twins than with singletons, with early birth and so on. However, I think a lot of clinics are just getting used to the idea of two embryo transfers, so to go to one might be too much for them, but that will come.

**JS: Another thing is the hidden costs to the Special Care Baby Units (Dr J: Yes, yes) the private clinics get all the profit and the NHS gets drained resources which is hardly fair. (Dr J: Yes, as a consequence, absolutely) You said you are now a member of the HFEA ... so congratulations (Dr J: Thank you) how did that happen? Were you invited or did you apply?**

**Dr J:** You apply. There were a number of people who were invited to apply. But you are appointed by the Department of Health under the Nolan Principles of Public Office. There was a fairly gruelling interview against fairly stiff competition, so I was very pleased. I've just had my first meeting last week, a very interesting group of people.

**JS: How do feel about a small group of people being given really quite big ethical decisions to make on behalf of society, (like the decision made over the Whitakers and the Hashmis over PGD)?**

**Dr J:** I think the composition of the Authority does enable it to make ethical decisions with the mix of people who are appointed; there is always a majority of lay people. We have, for example, the Bishop of Rochester on the Authority and a Professor of Philosophy from York University and Clare Benn from CHILD representing patients' groups on the committee. That is why such a selection of people with those varied backgrounds and skills are put together - to make those decisions, which are not taken lightly. You'll be aware that the authority of the HFEA to make those decisions has been challenged by CORE, but is going back to appeal. I think a critical point is when the HFEA doesn't feel able to make a leap in decision making on behalf of society and that is the point when they have to go to public consultation, like in the case of donor anonymity, for example. And we'll just have to see how the review works out.

**JS: Like sex selection, I suppose, because that's another thing there's been a consultation on.**

**Dr J:** Yes, that consultation has been requested by the Department of Health and they asked the HFEA to do it. So it wasn't the HFEA that initiated it, as a lot of people think.

**JS: Do you think the Masterton case that hit the headlines had something to do with that?**

**Dr J:** Is that the case in Fife where the little girl died? (**JS: That's right, yes**). It possibly brought it to public attention. The last time consultation was undertaken, sex selection for family balancing was considered too trivial a reason to allow it at the embryo stage. It'll be interesting to see what the response is this time.<sup>2</sup>

**JS: Do you find the HFEA helpful in regulating the clinics and do you think they've got enough teeth?**

**Dr J:** I think they've been hampered by lack of funding, the HFEA was formed more than 10 years ago now and until this year the income they had was the same. The funding was capped. Whenever we treat a patient there is a fee to be paid for that treatment cycle, so, inevitably, the income to the HFEA went up, but when it went up beyond a certain limit Mr Brown got it. So it's only now that I think it's being properly funded. The inspection process will be strengthened and the policy department will be able to do its work more efficiently. They'll have more staff to perform the task that they're actually asked to do.

**JS: Do you think it will prevent situations, as much as is humanly possible, like the incidence of embryo mix-ups that hit the papers last year?**

**Dr J:** We can never, ever say that a mistake can't happen. It's quite interesting, because it was a mix-up in a very overworked laboratory, which turned out to be a major factor. We were asked to introduce double witnessing for all of our procedures; many of our procedures were already double witnessed anyway. However, it has had huge implications for the workload in the laboratory, the number of people you have and so on. Some embryologists were quite offended that their working practice, which they considered safe, had to have this extra check in. More recently, most embryologists that I've spoken to, find it very, very reassuring that they have a witness. It's not so much the process that is important, which is done accurately anyway, but that you can show that you did it to the right standard.

**JS: It's similar to when I was nursing; in the end checking drugs makes you feel safer.**

**Dr J:** One thing we've always done is when a patient comes in for an embryo transfer we don't say 'are you Mrs Bloggs?' we ask them their name, because

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<sup>2</sup> See Chapter 3, p.24, footnote 31 for details of HFEA consultations on sex selection.

people in that stressful situation might just say yes. It mustn't be a passive response, we ask for a date of birth as well, and then the embryologist and the doctor sign it. The safeguards are there.

**JS: Well thank you very much, is there anything you'd like to ask me? I could stay here another hour talking to you but I'm conscious I've already gone over your time.**

**Dr J: Yes, I'm a bit busy today; I've got to attend the induction course for the HFEA tomorrow and Thursday.**

**JS: Good luck with that anyway, I'm very pleased for you that you got on there, I'm sure it will be very interesting.**

**Dr J: I'm only the second embryologist that's been on it unbelievably. There have been lots of professors of obs and gynae.**

**JS: Gosh, it's funny isn't it? I mean the embryologist, it's like the Steptoe and Edwards partnership, the public got the 'Steptoe is responsible', (Dr J: Yes) but it was Edwards who approached him and he'd been working on mice embryos for a decade before he did so.**

**Dr J: We've just had the Association of Clinical Embryologists' Annual Conference here in Glasgow and because we have been getting so much bad publicity due to everything that's happened, we actually invited the press in for briefings. They were very interested in what we were saying. We're being a bit more pro-active and getting our story over. (JS: Yes, because you're sort of the 'backroom boys') Yes. (JS: No offence) Well it's true and a lot of us are not particularly comfortable about doing it, but we think it's important.**

**JS: Well thank you very much. Do you mind me asking do you get any remuneration for going on to the HFEA?**

**Dr J: Yes I do and it's published in the Annual Report as to how much. It's voluntary so I do the HFEA work in my own time and it doesn't conflict with my NHS work.**

**JS: Thank you.**



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