

THE SPERMATIC MARKET: SURROGATE STOCK AND LIQUID ASSETS

JANICE G. RAYMOND

Women's Studies Program, Bartlett 208, University of Massachusetts, Amherst, MA 01003 U.S.A.

Synopsis – One aim of this article is to examine how normative motherhood pervades the discussion of surrogacy. How has motherhood been fabricated so that the very experience of it, the language that women use to describe that experience, and even the arguments that are framed both in defense of and in opposition to surrogacy are mired in essentialist constructs? The other aims of this work are many leveled but interconnected. *Proponents* of surrogate contracts have argued that banning contracts will take women back to the days of “biology is destiny.” Many *opponents* of surrogacy invoke the maternal instinct or maternal–infant bonding theory to counter surrogate contracts. Meanwhile, the Sorkow decision [in the Baby M case] institutionalized male “genetic fulfillment” in upholding the validity of surrogate contracts and awarding custody to the sperm donor, Bill Stern, and few seem to notice this new brand of father–right established as paternal essentialism. In the aftermath of the New Jersey court case, we learn that Betsy Stern will stay home and take care of the child, thus displacing maternal essentialism onto another woman. So where does essentialism lie, and whose essentialism has legal standing? Finally, this article examines the rise of the new reproductive technologies within a western context of returning-to-motherhood and baby craving and an extra–Western context of women as population polluters.

The rhetoric and reality of motherhood pervade every discussion of surrogacy. Motherhood gets framed as an instinct, a biological bond with a child, or as an unquestioned state of being that is the essence or pinnacle of female existence in the world. The taken-for-granted assumption is that all women mother or wish they could. Motherhood is so widely accepted as the core aspect of a woman's existence that it brooks no criticism. Feminists too have been reluctant to question the supposed *need* to mother expressed by some women, thus acquiescing in the view that motherhood is like a biological motor driving itself to fulfillment no matter what the obstacles and the cost to women.

For the more poetic, motherhood becomes an inspirational metaphor or symbol for the caring, the nurturing, and the sensitivity that women bring to a world that is ravaged by conflict. In the background of the discussion on the new reproductive technologies is the credo, usually unprofessed, that a real woman is a mother or one who acts like a mother.

One aim of this article is to examine how normative motherhood pervades the surrogacy discussion. How has motherhood been fabricated so that the very experience of it, the language that women use to describe that experience, and even the arguments that are framed in opposition to surrogacy, are mired in the mud of patriarchal constructionism.

The other aims of this work are many–leveled but interconnected. *Proponents* of surrogate contracts have argued that banning surrogacy will take women back to the days of “biology is destiny.” They assert that validating the surrogate contract debiologizes motherhood. Many *opponents* of surrogacy, from the religious and conservative spectrum, invoke the maternal instinct or maternal–infant bonding to counter surrogate contracts. Meanwhile, the Sorkow decision [in the Baby M case] institutionalized male “genetic fulfillment” in its validation of the surrogate contract and the awarding of the custody of the child to Bill Stern, and few seem to notice this new brand of father–right established as paternal essentialism. In the aftermath of the New Jersey court case, we learn that Betsy Stern will stay home and take care of the child, thus displacing maternal essentialism onto another woman. So where does essentialism¹ lie, and whose essentialism has legal standing?

The ideology and institution of motherhood (Rich, 1976: 13, 219) cannot be separated from

¹I use the term *essentialism* throughout this article in the following ways: the theory that certain attributes, qualities, and functions define a group or class and/or belong to them by nature – of their essence; the properties by means of which something can be placed in its proper class or identified as being what it is; something that is inherent, basic, indispensable, or necessary to a group's being.

male access and entitlement to women and that which issues from them. Motherhood as patriarchal

construct and container is buttressed by a virulent ideology and institution of father-right that increasingly reduces women to “alternative reproductive vehicles,” “incubators for men’s children,” and “rented wombs.” It is this resurgence of father-right that is made invisible in judicial and legislative decisions that uphold and regulate surrogate contracts. It is this resurgence of father-right that is ignored in so-called feminist statements that contend that banning surrogate contracts will reinforce biology as destiny for women.

The Sorkow decision sets up a spermatic market in which liquid assets wield control. The sperm donor has both money and vital fluids. The so-called surrogate has neither. She contributes mere egg and environment, the stock in the spermatic market. As stock, she is an instrument that is purchased in the manner of a transferable certificate. As stock, she is the raw material from which something – the child – is manufactured. As stock, she is kept for breeding purposes. This market, however, is not reducible to money and other liquid assets. It is a political economy, a “spermocracy” where the Rule of Sperm appropriates both woman and child. Male potency is power, exercised politically against the real potency of women whose far greater contribution and relationship to the child is rendered powerless.

THE SORKOW DECISION AND THE SPERMATIC MARKET

Surrogacy represents the ultimate denigration of women as reproductive objects and reproductive vehicles. The New Jersey court case institutionalized new standards for measuring “real women” utilizing the age-old stereotype of “fit mother.” It put women on trial as mothers.

The Sorkow decision makes this quite clear. It was Mary Beth Whitehead’s claim to Baby Sara that was put on trial, not Bill Stern’s. But more to the point, it was Mary Beth Whitehead herself who was made to stand and take judgment, not Bill Stern. The judge based his validation of the surrogacy contract on the supposed “right” of any woman to enter into such a contract. But rather than a vindication of the rights of women, the validation of the contract is more of a punishment for any woman who would revoke her “natural”

role as mother. What invalidated Whitehead from the beginning was her signing of the contract.

Whitehead’s initial “unnatural act” was reinforced by a series of more empirical “measurements.” The parade of expert witnesses who were called in to gauge Whitehead’s fitness for motherhood, including those who supposedly testified in her behalf, provided the damning evidence. She was accused of having a “myopic” view of motherhood and a “narcissistic personality disorder” based partly on the fact that she tinted her hair. And in the most well-known of such “empirical” standards, she was found wanting because she played patty-cake incorrectly with baby Sara and gave her the “wrong” toys – stuffed pandas instead of pots and pans. Many experts found her fundamental flaw to be her “domination” of her husband.

Judge Sorkow’s decision reified this “expert” witness evaluation into a legal finding of fact. Sorkow found Mary Beth Whitehead to be callous and indifferent to her husband’s alcohol abuse criticizing her as “a woman without empathy” (Superior Court of New Jersey, 1987: 106). The judge also castigated her for disregarding the recommendations of her son’s school district child study team, thereby “interposing herself in her son’s education” (Superior Court of New Jersey, 1987: 101). He said Whitehead exploited her daughter by bringing her to the courthouse for publicity, sought to have her testify about her feelings for the baby, and thereby used her children for her own “narcissistic ends” by her “fawning use of the media” (Superior Court of New Jersey, 1987: 100). As the final flaw of character, he found her to have a “genuine problem in recognizing and reporting the truth.” The Sorkow decision is a modern version of *The Scarlet Letter*, minus the good prose.

Sorkow’s public pillaging of Mary Beth Whitehead is in stark contrast to his public eulogy of Bill Stern. The Sorkow decision casts Stern in the role of a saint. As the son of the sole surviving members of a family to flee the Holocaust, Stern contributed to the support of his family by working at after school jobs. His father died when Bill Stern was twelve and then, following the death of Stern’s mother in 1983, “the desirability of having his own biological offspring became compelling to William Stern, thus making adoption a less desirable alternative” (Superior Court of New

Jersey, 1987: 22). With this short rendition of Stern's family history, a man's genetic destiny is rendered in a sympathetic light so as to make biological offspring "compelling." The stage for father essentialism is not only set but sentimentalized.

"The biological father pays the surrogate for her willingness to be impregnated and carry *his* child to term. At birth, the father does not purchase the child. *He cannot purchase what is already his*" (Superior Court of New Jersey, 1987: 71, emphasis mine). But *she* cannot change her mind about what is already hers because, in effect, it is his and not hers. Sperm plus money doth a father make.

Even the argument that a wealthier class of people will use a poorer group of women as their breeders is called "insensitive and offensive." Insensitive and offensive to whom? To those who will be used as breeders? No, "to the intense drive (whose drive?) to procreate naturally... This intense desire to propagate the species is fundamental. It is within the soul of all men and women regardless of economic status" (Superior Court of New Jersey, 1987: 72-73, parenthetical remarks mine).

The final pages of the Sorkow decision reify the ultimate ideology of father-right by chronicling what seems to be the court's finding of Whitehead's worst failing. "To this day she still appears to reject any role Mr. Stern played in the conception. She chooses to forget that *but for him there would be no child*" (Superior Court of New Jersey, 1987: 103, emphasis mine).

"But for him there would be no child." Haven't we heard this one before? These words take us back to the Aristotelian biology and ontology of man as the active principle of procreation and woman as the passive receptacle. The idea that women contribute mere matter to the child while men enspirit or ensoul has been a mainstay of the masculinist imagination for centuries. The Sorkow decision reinstates the claim for male procreative superiority.

Father essentialism is writ into the language of "surrogate mother." It privileges the male immediately. The term reinforces the man as the real, natural, biological parent while the real, natural, biological mother is rendered a mere "surrogate." What's in a term? Namely, meaning. Surrogate means "substitute," "one who takes the place of another." Are we to believe that a woman

who generated the egg, gestated the fetus, and gave birth to the child is a substitute mother? Are we further to believe that popping sperm into a jar is legally equatable, if not superior, to the contribution of egg, gestation, birth, energy, risk, and labor that attends female reproduction?

The Sorkow decision rebiologizes father-right while debiologizing mother-right. A man's entitlement to his progeny, of course, is nothing new but in these days of disclaiming the dominance of nature over nurture, we find a new legal home for paternal natural law in the New Jersey court's validation of surrogate contracts. As surrogacy becomes part of the American landscape, whose essentialism really prevails? Better still, whose essentialism is upheld as a political "right?"

WHERE DOES THE REAL ESSENTIALISM LIE?

The real essentialism to be concerned about is the father's so-called "drive to procreate." Unfortunately, this has been ignored by many, including many feminists who defend surrogate contracts. They seem to worry that if the mother's claim to the child is recognized by law as prior and superior to the sperm donor's, and that if surrogate contracts are found to be legally void and unenforceable, women will be once more at the mercy of female biology. They are wary of a creeping maternal instinct and bonding environment that they say surrounds the opposition to surrogacy. Yet they seem not to notice that any defense of surrogacy will inevitably reinstitutionalize male genetic destiny, "father-right," and the primacy of the spermatic market. The Baby M decision was no victory for demythologizing biology. It remythologized male biology under the rubric of rights, that is, it recognized the father's "right to genetic fulfillment" as he father's "right to procreate" by any means possible.

Peggy Davis asks the rhetorical question, "Doesn't our opposition to surrogacy say something about the mythology of motherhood? Aren't we really talking more about mythology than biology? . . . Isn't it time we accepted some demystification?" (Rudner, 1987: 5). Judith Levine (1987: 16), in another misplaced critique of feminist essentializing of motherhood, cautions

women against “privileging” biological sex differences by opposing surrogacy.

Gestating a baby for nine months obviously cannot be compared to donating sperm. But does that mean, necessarily, that at birth mothers have more claim to children than fathers? Can we open up the definitions of “family”—and of men’s obligations within them – without abolishing “mother-right?”

Why choose this context to “open up” men’s obligations within families? Why assert male responsibility on the backs of women’s rights? Why use the language of “privileging biological sex differences” to misinterpret the feminist claim that what is at stake in surrogacy is the creation of a breeder class of women sanctioned by the state – not any female biological essence of mothering?

Note, however, that for all the intensity of Bill Stern’s “drive to procreate,” there seems to be no corresponding “drive” to rear the child. The New Jersey decision establishes a paternal entitlement based on what we could almost call a paternal instinct – without the sperm donor having to assume the consequences of such an “instinct.” The sacrifices of daily child rearing is the burden of the sperm donor’s wife.

The awarding of custody to the sperm donor is premised on displacing the supposed maternal instinct onto the “shadow wife.” We learn that Betsy Stern will “stay home” to care for Baby Sara. The message here is certainly that the child will have a “real mother” (i.e., one who remains home to care for her child). Betsy Stern will assume the traditional mothering location.

And so we arrive at a central paradox here. There is no lack of essentialism in the surrogacy context. But feminists and others who are concerned about this issue must ask where the real essentialism resides. The institution of surrogacy itself is built on the essentialism that women who are infertile have a desperate need for children. What we have seen, however, is that men whose wives are not necessarily infertile² have a desperate need to perpetuate their “genetic destiny.” Furthermore, maternal bonding ideology reasserts its role in the person of the shadow wife who will, as in the case of Betsy Stern, bear the childrearing consequences of a husband’s intense drive to procreate. Surrogacy is about two women doing for

one man, both of whom provide mere maternal environments. It is a reproductive menage à trois, again with the man at the center.

In the spermatic market of surrogacy contracts, the man becomes once more the active principle of procreation, the woman is reduced to a passive conduit, and the sperm donor’s wife is cast as the rejuvenated maternal principle. Join this history of father-right with the present social situation of the courts privileging fathers’ claims to custody, the sentimentalizing of father-child bonding in film and television, and the proliferation of “fathers’ rights” groups, and the spermatic market prevails.

This spermatic market is based on money, of course, where the ejaculation of sperm becomes conjoined with the expenditure of money. Having spent his sperm and his money, Stern is entitled to what both are said to produce – the child. The ancient connotations of sperm take on particular significance in the twentieth-century context of the new reproductive technologies. Men have been preoccupied with the loss of sperm from early times, viewing their sperm as vitalistic – as a “river of life” – and the loss of it as a depletion of necessary energy. As the ancient ejaculator was concerned with his sperm’s relation to sexuality, the modern sperm vendor is preoccupied with his sperm’s relation to reproduction.

The Sorkow decision establishes the man’s entitlement to the child on the grounds of genetic destiny. Male biological essentialism is reaffirmed as father-right. The history of patriarchy has reduced women to mere vessels for male “seed” – biologically, socially, and politically. Surrogacy gives this patriarchal history stark reality. She gestates and nurtures him and what issues from him. The eternal incubator.

²Betsy Stern has a mild form of multiple sclerosis. She is not infertile and perhaps for this reason, the Sorkow decision went to great lengths to define infertility in the broadest way. Doctors are divided on what risks a pregnancy would entail for women with such a form of multiple sclerosis. But the court held that “A risk, though minimal, remains a risk to one who is faced with it and so it was a genuine risk to Mrs. Stern” (Superior Court of New Jersey, 1987: 82).

THE MYTH AND MANIPULATION OF THE

MATERNAL INSTINCT

Many *opponents* of surrogacy invoke the maternal instinct or maternal–infant bonding theories as a basis for outlawing surrogacy. Some claim that nothing should sever the mother’s biological claim to the child, especially not a contract or commercial transaction. It is important to examine motherhood essentialism, particularly as it is transposed through the myth and manipulation of the maternal instinct. At the same time, however, it is more important to recognize that motherhood essentialism has no standing in law, except for the standing that is given to it in reinforcing father-right. Therefore, those who use it to oppose surrogacy will find that it carries little weight as long as it is used in opposition to father-right. When motherhood essentialism is used in the service of father-right, as it is by the surrogate industry, it affects court decisions and public policy.

In the 1987 New Jersey court case on surrogacy, Mary Beth Whitehead was depicted as “nothing” without baby Sara, reinforcing the traditionalist perspective that women are “nothing” without children. Harold Cassidy, Whitehead’s lawyer, stated: “She was made for motherhood” (quoted in the *Boston Globe*, 1987: 4). One of the “experts” appearing on behalf of Mary Beth Whitehead at the trial testified that “a mother formed a bond with her child in pregnancy and that this bond and an eventual bond of child-to-mother were enduring” (Hanley, 1987).

Motherhood essentialism often relies on the maternal instinct theory. For example, from the religious opponents of surrogacy, Rabbi Joseph Stern, a halachic expert in Jewish ethics and medicine and professor of Jewish law at Hebrew College, maintains that the surrogate mother contract “contravenes the maternal instinct in womankind ...” (quoted in Antonelli, 1987: 1). Richard Doerflinger, assistant director of the National Conference of Catholic Bishops Office for Pro-Life Activities calls surrogacy “a fundamental contradiction of the maternal instinct” (quoted in NOW Compilation, 1987: 10).

Newspaper columnists such as A. M. Rosenthal also invoke a maternal essentialism in opposition to surrogacy. Rosenthal states that a challenge to Judge Sorkow’s ruling that “a deal is a deal” can be found in “the changes in a women’s body and

mind during pregnancy that bind her to the baby . . .” (Rosenthal, 1987, 27 E).

Many ex-surrogates who fight bravely to retain their children, when asked what they think entitles them to custody, defend their rights as mothers based on a “law of nature” or “the way God made men and women different.” Mary Beth Whitehead at the founding press conference of the National Coalition Against Surrogacy, stated that “Judge Harvey Sorkow in enforcing the contract has violated nature’s law... Men and women are different... The Mother is the heart... I don’t want to be a man... It’s just the way it is.” When asked what made her change her mind and revoke the surrogate contract, Patty Foster explained that “My hormones changed” (C-SPAN, 1987).

It is not surprising, of course, that this is the reasoning that many women fall back on. Having been damned as unnatural mothers for giving their babies away in the first place, they rely on the rhetoric of natural motherhood to regain their children. This is the language and reasoning available to them from eons of patriarchal constructionism. It has constructed them and they in turn will reconstruct it. It is this reasoning, however, that has confined women to the motherhood ghetto. And it is this reasoning that will never move women out of that ghetto, nor will it stop the institution of surrogacy from moving forward. Instead, it solidifies that institution, sentimentalizing the act of bearing babies for supposedly infertile persons as the greatest gift a woman could give. And it covers over the political reality that the only essentialism that has legal standing is the genetic destiny of the father.

An uncritical acceptance of maternal bonding theory or a maternal instinct cannot overcome the affront to women that the Sorkow decision represents. Motherhood, although a biological capability, is not reducible to biology. Motherhood is a *relationship* that occurs within a social, political and historical context. Motherhood is not a woman’s essence, a mystical state of being, or historically unchanging. Motherhood is whatever a given culture makes of it. It is fundamentally social, fundamentally relational, and it is not female being as such, which does not mean that it is not real.

Any woman who assumes a pregnancy enters into a personal and social relationship with a fetus who may become a child, although this

relationship is not necessarily a positive one. Women who are forced into pregnancy against their will are not portrayed as the showcases of the maternal instinct. And that is the point. A relationship occurs within a social context. Pregnancy is a relationship formed within different personal and social contexts. Relationships *may* foster significant ties between those involved. They do not always do so, depending on the personal and social context.

This is not to deny the intense, if often ambivalent, ties and pleasures that women get from gestating and birthing children. However, to assert that these ties and pleasures – this so-called bonding – are historically and culturally fashioned is to locate them in a different context than biology.

Relationships are often the basis on which legal claims can be made. The birthing mother who claims her child in the surrogacy context is asserting that her *relationship* to the child privileges her claim. The legal claim of the birthing mother is based on her prior and established relationship to the fetus becoming a child. It is also based on her *contribution* to the child. The father's relationship and contribution to the fetus becoming a child is not equal to the mother's. The father does not assume the risks of conception, pregnancy, and birth, nor does he do the work of carrying the fetus for nine months. Yet one of the most superficial notions that has surfaced in the surrogacy debate is that sperm is equal to egg, gestation, and birthing. In the Sorkow decision, however, the "equalizers" went further. They declared the male genetic contribution to supersede the female genetic, gestational, and generative contribution.

This is an outrageous statement about reality. To disregard the mother's prior and established relationship and contribution to the fetus becoming a child is to turn the woman into an "alternative reproductive vehicle," "a surrogate uterus," and "a rented womb." To ignore a birthing mother's prior relational claim, to disregard her far greater material contribution, is to reduce her to a mechanized object, negate her human capacity for relationship, and create a new traffic in women as commodities to be bought and sold for breeding purposes.

Relationships have always been biologized. For example, sexuality has been rationalized, mostly

for men, as a biological drive. "He needs it." "A natural woman puts out for a natural man." Men are often portrayed as biologically incapable of resisting what is labeled female seduction. "It was the woman, she made me do it." Women, on the other hand, have often been depicted as having a masochistic biological need to be loved, thereby accepting abusive sexual acts as fulfilling this supposed essential need. "No means yes." "Every woman wants to be taken."

The biologizing of sexual relationships pervert physical feelings into encrusted essences of a person's being. Thus too with maternal instinct and bonding theories. Physical elements and biological capacities such as the mother's ability to feel the child moving in the womb, become statements about motherhood in toto, when they are only a part of what pregnancy is. Experiences that have biological variables, such as orgasms and breast feeding, somehow come to be defined as instincts or drives.

Those who argue that the use of new reproductive technologies themselves will aid in debiologizing motherhood fail to understand how these technologies are actually fostering a social context in which motherhood is being rebiologized. First of all, the new reproductive technologies help establish motherhood as essential for women. Medicine and the media portray the technologies as enhancing women's "natural" and even "desperate" need to mother. The picture of desperate women has not only come to dominate the debate, thus serving as the benevolent therapeutic rationale for the new reproductive technologies. This desperation itself is seen to be the result of women's essential craving for children.

Women who are infertile are now pressured into trying more and more invasive, intrusive, and debilitating procedures. The normalization and routinization of procedures such as IVF and embryo transfer, and their acceptance into the mainstream of obstetrical technology, can only promote the idea that an infertile woman hasn't "done enough" unless she tries yet another invasive and destructive technology.

The ability of the male medical system to create women in its own image is what is at stake here. The image of the long-suffering woman willing to bear any pain and sacrifice for others – especially her children yet-to-be – is given new meaning. The

violence against women that these procedures inflict is nullified. Women become the expected recipients of this kind of pain and suffering that is covered over by the language of therapy, transformed into “treatments,” and performed “for our own good.” The image of woman as a *reproductive resource*, as a field to be seeded, ploughed, and ultimately harvested for the fruit of the womb becomes flesh.

Surrogacy is also built on the fiction-become-truth that women want children by any means possible. The potential of the new reproductive technologies to rebiologize motherhood has hardly been explored and certainly not in the right place.

The new reproductive technologies are developing within a pronatalist and normative motherhood climate. But it is not enough to call this climate pronatalist. It is, at its core, deeply woman hating. The context in which all of the new reproductive technologies are developing is one in which the integrity of women’s bodies is repeatedly violated. The assault on a woman’s bodily and spiritual integrity is intrinsic not only to these technologies but to a culture in which women’s integrity is undermined in many ways. And it is only within such a culture where, for example, prostitution and pornography denigrate a woman’s total being – where they can indeed be justified as options for women’s economic survival – that surrogacy can be portrayed as necessary “women’s work.”

Antifeminism allows for this selling of women’s wombs in the marketplace while denying women dignified economic survival elsewhere. Antifeminism honors the reproductive absolutism of male genetic destiny. Antifeminism exploits the sentimental slough of normative motherhood and baby craving.

EXPECTED MOTHERHOOD AND BABY CRAVING

It is significant that the rise of the new reproductive technologies is happening at a time when women in the West are being reminded by the media that if they reach thirty without having borne children, they are living half lives. On the other hand, women in non-Western countries are looked upon as polluting the world by having too many babies. And thus corresponding technologies and arrangements to control women and women’s

biological capacities have arisen to meet the so-called respective female “problematic.” In the West, surrogacy, in vitro fertilization, and embryo transfer; in the East, sterilization and sex predetermination used to decrease the number of girls and thus the proliferation of population polluters.

Since the Reagan administration in America and the ascendancy of conservative governments elsewhere in the West, there has been a reemphasis on “family values” and the nuclear family. A 1986 Reagan administration report on the family tentatively recommended a higher tax exemption of \$5000 per child, up from the present exemption of \$2000. Two GOP presidential aspirants, Pat Robertson and Jack Kemp, have brought the issue of low American fertility rates to the 1988 presidential campaign trail. The conservative political climate also has fostered a withdrawal from political feminism and an emphasis on hetero-relations.³

Other nations such as Singapore are retreating from their low birth rate policies of the past. In Singapore, the birth rate fell below projected governmental figures. It dwindled most among the “best and the brightest.” The government is especially taking note of its “best and brightest” woman problem. Two-fifths of all women graduates, if present trends continue, will not get married, and so Singapore will not have its “best and brightest” babies. Combine this with a population increase among Malays and Indians, and Singapore faces a supposed “birth dearth” of its dominant racial constituency (*The Australian*, 1987).

The Birth Dearth is the title of a 1987 book authored by Ben Wattenberg of the conservative American Enterprise Institute. Its theme is that the “free, modern, industrial world” is not reproducing fast enough to replace itself. What about the developing world? Although there has been a tremendous decline in Third World fertility, it’s not enough to stem the growth of its population.

Women (i.e., some women) are not bearing enough children over an extended period of time. As incomes rise, as women move into the work force, and as education increases, fertility falls.

Demographer Charles Westoff of Princeton estimates that 50 percent of young American women will bear either no children or one

child... A study by Harvard and Yale social scientists described an America of the future with much depressed marriage rates... Millions of young women were scared silly about the prospect of never marrying or having children. Yet somehow society seems to be directing them along that path.

... Growing old without offspring is, quite simply, quite sad for most people (Wattenberg, 1987: 60).

The Harvard-Yale study referred to by Wattenberg was one that the media touted as evidence that modern single women who had put career first were now realizing the error of their ways and craving marriage and motherhood. Since then, the American media has been on a more-than-usual marriage and motherhood kick as necessary to the emotional well-being of the modern woman. This study was featured in widely read magazines such as *Newsweek* and *People*, both giving it cover-story prominence. According to the Harvard – Yale experts, a woman of 30 has a 20 percent chance of marrying; at 35, her chances decrease to 5 percent; and at 40, *Newsweek* wrote that such upwardly mobile women were more likely to be shot by a terrorist than ever to “tie the knot!” (*Newsweek*, 1986: 55). The study’s dependence on traditional hetero-relational attitudes and perceptions, such as women rushing “to catch husbands,” was both explicit and implicit. The fact that women might choose not to marry and have children, that women might find happiness, love, and security with other women – be they friends or lovers – was precluded by both the language and interpretation of the study.

Another article featured on the front page of the *New York Times*, which picked up on the Harvard-Yale study, related the “sad stories” of a generation of “liberated” women, all single and approaching 40. The article was spuriously titled “Single Women: Coping With a Void.” In soap opera and wildly anecdotal style, Jane Gross wrote: “There is a single woman in New York, bright

darkness hugs the city and lights go on in warm kitchens” (Gross, 1987: 1). This article dredged up numerous examples of women who had “missed out” on marriage and kids. Upon a closer examination of their narratives, however, the reader found that the “sad stories” of these women were more the function of the reporter’s style and tone, than of what was said by the women themselves.

What the Harvard–Yale study and the *New York Times* article don’t cite is the dismal marriage and family picture: the high incidence of child abuse, battered wives, the high divorce and remarriage rates, and the high increases in teenage pregnancy. What about these “sad stories” that challenge the picture of hearth and home as a haven for women and the promise of total fulfillment?

What is going on here? The *New York Times* reporter continues: “Women with less glamorous jobs seem to suffer far more,” and likewise, women in “boring, day-to-day” jobs, for whom “dating becomes more important” (Gross, 1987: B2). What these comments point to – in spite of what they are meant to convey – is the reality that many women are channeled into economically discriminatory, low-paying, and dead-ended jobs that often prompt them to seek material and emotional security in the traditional places – men, marriage, and family.

Many women might never have gotten married and had children if such heterorelational, promarriage, and pronatalist attitudes as expressed in the above sources had not impelled them. Motherhood as ideology and as institution has compensated for a great deal of the oppression women experience inside and outside their homes. The media sentimentalizes motherhood, along with those arrangements and technologies that make supposedly infertile women into mothers. The acceptance of motherhood and the sentimentalizing of our subordination has been women’s stake in the system. Women are being taken for a ride and urged to conform once more to heterorelational lives.

“The Well of Loneliness” becomes a ruse for “The Spinster as Enemy.” A woman is fulfilled through breeding. She enters reality only as a mother, and any woman who rejects that role is suspect, disorderly, and out of place. Various strategies are used to suggest and ultimately to ensure that women conform. Media use soft-sell

³The worldview that women exist for men and only in relation to them. See Janice G. Raymond, 1986, *A Passion for Friends A Philosophy of Female Affection*, Beacon Press, Boston.

accomplished, who dreads nightfall, when

methods (i.e., portraying women who do not marry and produce babies as living lives at the edges of despondency and despair). States use more hard-sell methods (i.e., reversing liberal access to birth control and sanctioning the use of women as reproductive commodities). But more is also at stake here. There is a relation between the extent to which the media, the state, and other institutions manage motherhood, and the ways in which these institutions try to crush the potential for independence in all women. Spinster baiting reflects this agenda, as do the various medical measures that have been instituted to manage women's reproductive capacities since the rise of gynecology and obstetrics in the nineteenth century. Soft and hard-sell measures are meant to check female autonomy, drawing women back to the fold.

Normative motherhood also brings spinsters back to the fold. It seems that the only way that lesbianism has taken its place in this world of normative motherhood is by the recent entrance of the lesbian mother. By virtue of becoming mothers, somehow lesbians too may prove that they are real women. Many lesbians perceive having babies by artificial insemination, for example, as a rebellious act against the patriarchal standard of fit mother. Renouncing the heterosexual and nuclear family container, some see themselves negating the societal contradiction that there is no such creature as lesbian and mother, proving to the world that both go together. What is anathema to the patriarchy is transformed into a revolutionary act. Challenging the patriarchal standard of fit mother, however, doesn't challenge the standard of fit woman.

It is significant in these return-to- motherhood days that lesbians must exercise rebellion by becoming that which has been constructed as women's eternal destiny. At the very least, lesbians should question a politics that accommodates its rebelliousness so easily to a male-dominant destiny for women. And as the lesbian mother enters the center stage of the lesbian community, the politics of motherhood are relegated to a bit part. Motherhood as institution, and the ways in which it impinges on all women – lesbians included – gets bracketed. The remothering of women, this time in the name of lesbian rebellion, exerts a reconseratizing influence on feminist politics.

The political Right has always used

motherhood in a reactionary sense to glorify, disguise, and reinforce women's oppression. It has romanticized traditional motherhood at the expense of recognizing women's subordination in marriage and family, as well as in society at large. It has glorified motherhood, thereby sentimentalizing women's subordination in the family.

The religious Right has also traditionally reinforced the oppression of women in the family. In Latin America, the Catholic Church has prevented many governments from implementing voluntary family planning services. "Left-wing movements in Latin America have also tended to oppose family planning, failing to distinguish between population control interventions from abroad and women's real need for birth control" (Hartmann, 1987: 50).

As women in such countries begin to confront issues of sterilization abuse, contraception availability, and reproductive control, they find that the issue goes far beyond the use and abuse of such technologies. Reproductive rights must be founded on women's achieving basic rights and control in every area of their lives – most basically, the right and ability to choose *if* they want children, *when*, and under what conditions. Reproductive rights must be defined much more broadly than in the past, and this social and political emphasis meets opposition from the Left as well as the Right. Feminist advocacy of reproductive freedom cannot merely point to the uses and abuses of the new reproductive technologies, for example. It must specify as part of the content of such freedom, the option to remain man, marriage, and childfree.

Feminism will never challenge the compulsory nature of motherhood – motherhood as institution – until it challenges several other things. First, it must confront the institutional context that directs women into marriage and/or motherhood, while ignoring single and/or lesbian living, as well as a childfree existence, as *choices to be fostered*, not as options to be tolerated and the less talked about, the better.

Second, feminism has been uncritically supportive, as Judith Blake has pointed out, of the "do both" syndrome; i.e., motherhood and careers . . . as a combination to which all women have a right . . . thus stressing women's right not to have to make a choice" (Trebilcock, 1984: 288). As Martha Gimenez says, if childlessness were a

legitimate option for women, it would have had as equally a prominent place as the “do both” syndrome in feminist writings (Trebilcot, 1984: 291).

Third, feminism has emphasized a woman’s right to control her body in many contexts such as abortion, sterilization, the new reproductive technologies, and sexuality. This emphasis on a woman’s right to control her sexual and reproductive behavior – thus to control her body – without including in the content of that right the possibility of opting out of heterosexuality and motherhood altogether are, by omission, supportive of prescriptive heterosexuality and motherhood.

No technology of birth control, abortion, or sterilization, no amount of education about sexuality, no juggling of family roles to accommodate working mothers, will ever give women control of their bodies and lives until women have the power to choose not to be wives and mothers, and *not* to “do both.” Reproductive freedom means more than the economic, vocational, and social means to ensure reproductive self-determination and voluntary childbearing. Until the option not to marry and have children is as encouraged and concretely fostered as traditional or alternative childbearing and rearing, there is no real challenge to expected motherhood. Reproductive choice remains narrow and abstract.

Many will choose to see this as an anti-motherhood position, as many have represented the feminist critique of pornography as antisex. This reinforces the fiction that female sexuality and reproduction are mere individual destinies, and that all we need do is positivize female sexuality and the joys of motherhood. Reproductive freedom as a comprehensive political position, must articulate a resistance to motherhood as institution; a refusal to profess loyalty to a system of subordination whose dynamic is the male control, use of, and access to women and what issues from women; and an affirmation of women’s ethical possibilities beyond motherhood and the metaphors of motherhood (i.e., beyond nurturing, selfless giving, and caretaking the world). No emphasis on these moral qualities of women will free women, whether it comes from traditionalists such as Phyllis Schlafly who advocate that women “keep America good,” or from feminists who want to positivize the differences that women have by

virtue of their capacity to mother.

Motherhood is invariably portrayed as the material or metaphorical act for women’s activity in the world. Thus other acts that women perform get relegated to a “reproductive consciousness”– acts such as peacemaking, nurturing, and sensitivity. All these are framed by the metaphors of motherhood and, in many instances, are seen to proceed from this innate biological capability whether actualized or not. It is almost as if female peacemaking, nurturing, sensitivity, and ultimately the integrity and dignity of woman herself can only be recognized and affirmed in relation to her so-called, encompassing, reproductive consciousness.

So ultimately motherhood ends up detracting from womanhood. Female integrity and the independent state of female being cannot be affirmed in and of themselves. Somehow, all that women do must be related to a reproductive consciousness.

Feminism will never challenge the normative nature of motherhood – motherhood as institution – if it continues to frame female action in the world in maternal and reproductive metaphors. Motherhood as an experience, motherhood as metaphor, in spite of all the positive testimonies of women who manage to mother with strength and courage, in spite of all the mothers and non-mothers who nurture and caretake the world, will not make a dent in the institution of motherhood if women can enter reality primarily as mothers, or primarily as those who act like mothers. Women will never challenge the spermatic market – its surrogate stock and liquid assets – by idealizing motherhood as a collective power for women. Power does not come from a biological capacity. It proceeds from the collective courage and strength of women who, often under the worst of conditions, have claimed their power *as women who act in the world*, have taken that power out of the service of men, and have made it real for other women.

REFERENCES

- Antonelli, Judith. 1987. “No” to surrogate mothering. *Jewish Advocate*, January 22: 1,21.
- The Australian*. 1987. Love boat city on a new course. January 7.
- The Boston Globe*. 1987. Surrogate mother contract, custody

- disputes go to trial. January 6: 4.
- C-SPAN Videotape. 1987. Surrogate mothers. August 31.
- Gross, Jane. 1987. Single women: Coping with a void. *New York Times*. April 4: 1, B2.
- Hanley, Robert. 1987. Bonding described by doctor at custody trial for Baby M. *New York Times*. February 27: 27.
- Hartmann, Betsy. 1987. *Reproductive Rights and Wrongs: The Global Politics of Population Control & Contraceptive Choice*. Harper & Row, New York.
- Levine, Judith. Motherhood is powerless. 1987. *Village Voice*. April 14: 15–16.
- Newsweek*. 1986. Too late for Prince Charming? June 2: 54–61.
- NOW Legal Defense and Education Fund. 1987. Compilation of Positions Articulated *In re Baby M* and Surrogate Arrangements: 1–15.
- Rich, Adrienne. 1976. *Of Women Born: Motherhood as Experience and Institution*. W. W. Norton & Company, Inc., New York.
- Rosenthal, A. M. 1987. The mother and the judge. *New York Times*, April 5: E27.
- Rudner, Andrea. 1987. Women must control their reproduction. *New Directions for Women*, July/August: 5.
- Superior Court of New Jersey. 1987. “In the Matter of Baby’M.” Opinion. March 31: 1–121.
- Trebilcot, Joyce. 1983. *Mothering: Essays in Feminist Theory*. Rowman & Allanheld, Totowa, New Jersey.
- Wattenberg, Ben. 1987. The birth dearth (excerpt). *U.S. News & World Report* June 22: 56–65.