

## The Philosophy of Reproduction

### Women and philosophy

If you are reading this, you are likely to be alive. And if you are alive, you are likely to be so as the result of a pregnancy. But how often have you pondered about those beginnings? How much thought have you given to how you came to be? The sciences (in particular, biology) have added immensely to our knowledge of reproduction, and so it is natural to think that questions pertaining to pregnancy are best left within the scientific domain. But this thought is mistaken, as there are philosophical issues about pregnancy that remain unanswered by the sciences, leaving many aspects of pregnancy a mystery. Despite that, many areas of philosophy, like metaphysics, are fairly new to considering pregnancy, and it is my hypothesis that the origins, as well as the fundamental approaches, of metaphysics (or philosophy more generally), could partially explain this.

Pregnancy is something that historically has mostly affected women. And philosophy is something that historically is dominated by men. Therefore, historically those who were involved in philosophy were not those who were involved in pregnancy (specifically, they either could not be pregnant, and those who could disproportionately had not been). Furthermore, women's ideas in philosophy (and beyond) have historically been underrepresented, and worse, silenced. This is to the detriment not just of the women but of the areas that have excluded them, which are deprived of their worthy contributions. I believe that the lack of diversity has led to the neglect of certain topics in philosophy, like pregnancy. For example, my recent work at the University of Southampton was on Elselijn Kingma's European Research Council funded project called '[Better Understanding the Metaphysics of Pregnancy](#)' which was the first major project of its kind! Given both the common and mundane nature of pregnancy as an essential part of the mammalian life cycle, and its highly unique aspects—the physical intertwinement of what might be considered two separate individuals—it is truly astonishing that not more attention in philosophy has been paid to this topic.

It is important to keep in mind, however, that the binary of men/women should be challenged in itself, rather than reinforced, as otherwise it leads to further discrimination. And, of course, in an ideal world the gender of the author/thinker/philosopher should simply be irrelevant. However, we are not living in a world where gender is irrelevant, which is why highlighting women's work is important (as I have done in my 2021 book [Women of Ideas](#)), as well as paying closer attention to highly gendered work, like pregnancy. This does not, however, make pregnancy a topic for only women to engage with specifically. I remember at the start of my career considering whether I, as a feminist, ought to specialise in feminist philosophy. Whilst I do indeed now engage with feminist philosophy, I am firmly of the opinion that I, as a feminist, ought to specialise in any area of philosophy that I like (as I do in metaphysics). Philosophers who are women are philosophers first, and incidentally women, yet the prejudice comes from taking them to be women first, and incidentally philosophers, as described by Rebecca Buxton and Lisa Whiting in discussing the reception of their 2020 book [The Philosopher Queens](#). It is seemingly harder to bring to mind names of philosophers who are women that are not side-lined as philosophers who write about women, for women. There are two important points which speak to this prejudice: (1)

philosophy of gender, pregnancy, and feminist philosophy are not solely by and for women, they are by and for everyone, and impact on everyone; (2) philosophers who are women do not solely work on the philosophy of gender, pregnancy, and feminist philosophy, they work in all areas of philosophy. As such, women philosophers are not philosophers for women.

A feminist, human-centered, (rather than man-centered) world of philosophy is still only in its early stages of the making, and philosophy still has a lot further to go in order to come to terms with its history and assumptions. Ideas (and the lack thereof) about pregnancy grew out of the positions of men of privilege, and those men used their analyses to justify those positions—a never-ending, and vicious, echo-chamber. But when women, people with different understandings of pregnancy as a state and possibility, enter the discussion, the analysis of pregnancy shifts. The same goes for the inclusion of trans-perspectives in this gendered area. As sociologist Barbara Katz Rothman describes: Philosophy has strong roots in a patriarchal society, a world in which men's bodies are the taken-for-granted ordinary, and women's an interesting variation; a world in which the children of men grow in the bodies of women, where the seed of Abraham covers the world. And so perhaps what is needed is a study of the sociology of philosophy (and the philosophy of sociology!) to offer new things to the discussion.

### **The metaphysics of pregnancy**

One of the central (though underexplored) questions in the metaphysics of pregnancy is this: Is the foetus a part of the pregnant organism? Elselijn Kingma (in her 2019 paper 'Were You a Part of Your Mother?: The Metaphysics of Pregnancy') defends the parthood model, which takes the foetus to be a proper part of the pregnant organism. To be a proper part of something is to be a section of a whole, which comprises only some of the whole thing, and is not identified by the whole thing itself. In the case of pregnancy, the pregnant organism is the whole, where the maternal organism has many sections, such as the pregnant organism's arms, legs, heart, and lungs, etc. The foetus is simply one of those sections. And so we can say on this parthood model that the foetus is a proper part of the pregnant organism, just like any other part of the pregnant organism. But it is important to note that the foetus may also be very different from the other parts of the pregnant organism, as all the parts are different to each other in their own way, and some may be entities of their own with their own special status as well as being a part of something else. So all that this model states is that the foetus is a part of the pregnant organism, but it does not specify what sort of thing the foetus is. On this model, the foetus and the pregnant organism are not seen as completely separate things, but rather are related to each other as a part is to a whole. For the sake of an analogy, we can compare this metaphysical relationship between the pregnant organism and foetus as being like that of a cat to its tail. The foetus is a part of the pregnant organism just like a tail is a part of a cat. But a tail of a cat is not a cat itself – it is just a cat's tail! Whereas, the foetus may at some point during the pregnancy actually be the same sort of thing as the pregnant organism. For example, the foetus may be a human, just like the pregnant organism is a human.

So can a human be part of another human? Imagine that you shave the cat's hair off on Sunday before it has an operation at the vets. On Sunday, we have the cat without hair, which is in some sense a part of the cat that existed on Saturday, since it is just like the cat

on Saturday with a part removed (namely the hair part), leaving the bald part of the cat to roam free. So on Saturday we have the complete cat, *avec* hair, and on Sunday a part is removed, leaving us with the remaining cat, *sans* hair. Is the bald cat from Sunday a part of the hairy cat on Saturday? We may think, well, surely not, since if that were the case then on Saturday there would be two cats that are present – the bald one and the hairy one, where the bald one is part of the hairy one – and that is too many of the same cat existing in the same place at the same time.

For this sort of reason, some philosophers have held a ‘maximality’ principle which restricts the type of thing that one can have as a part to not including the same type of thing as the whole. In other words, the maximality principle in this context claims that no thing can be a proper part of the same type of thing. So no cat can be a proper part of a cat, and no human can be a proper part of a human. This avoids the overpopulation that arises from co-location. Now if this maximality principle is true, then the parthood model of the metaphysics of pregnancy would have to claim that the foetus and the pregnant organism are different types of things. This is because if the foetus is a proper part of the pregnant organism, and no thing can be a proper part of the same type of thing, then the foetus is not the same type of thing as the pregnant organism of which it is a part.

In the case of people, the pregnant organism is a human, so what is the foetus if it is not a human? Perhaps the foetus only becomes a human in its own right at birth, once it is no longer a part of the pregnant organism. If that is so, then we are making a mistake when we affectionately coo at pregnant people’s bumps as if it were a human in there and call it ‘baby’. According to the parthood model combined with a maximality principle, it would be more accurate for us to look upon pregnant bumps as if they were a growth of the pregnant person’s own body, where they are growing their very own foetus part which is not a separate human existing inside of them. This certainly seems to be plausible early on in pregnancy, because just after the time of conception the foetus is only constituted by a bunch of cells which you may think hardly qualifies as being a human – it doesn’t look, think, or act like a human! However, towards the end of pregnancy this combination of views may seem less plausible, since just before birth the foetus does seem to have many of the features of a human (although whether it is able to think and class as a person with rights and moral status is a different question). In order for the parthood model to allow for the foetus to be the same type of thing as the pregnant organism, the maximality principle must be rejected. Otherwise, if the maximality principle is true, and the foetus and the pregnant organism are the same types of thing, then the parthood model must be rejected, as the foetus cannot be considered part of a pregnant organism.

An alternative view to the parthood model is the container model, which seems to be the extreme opposite of it, since it claims the foetus is not a part of the pregnant organism, but rather is contained inside the pregnant organism. So, according to this container model, the pregnant organism is literally a container for the foetus, where the relationship between the pregnant organism and foetus is like that of a house to a tenant. The foetus, as a tenant, inhabits the pregnant organism, which hosts the foetus inside of it. This is a view which is described by Barry Smith and Berit Brogaard (in their 2003 paper ‘Sixteen days’), who provide the analogy of the foetus being inside some space in the pregnant organism in much the

same way as a tub of yogurt is inside a fridge, or, in the cliché example, the way a bun is inside an oven.

Contemporary Western culture has a tendency to depict, speak of, and imagine fetuses as already separate, individuated ‘babies’ that are incubated inside a pregnant organism. The frequency with which we hear of ‘buns in the oven’ provides some support for this claim, but also telling are the efforts to depict: (1) the physical continuity between the fetus and the subsequent baby (using imagery of fetuses as practically fully-formed babies rather than what is more appropriate for their gestational stage of development); and (2) the physical discontinuity between fetus and pregnant organism (using imagery of the fetus as freely floating inside a bubble-like womb rather than the complex intertwinement within the pregnant organism’s body). So according to the container model there is nothing more to pregnancy than the incubation of an already separate individual—a baby—inside the womb. And birth, on this view, is a mere change of environment, where the only difference between a new-born baby and a fetus is their location.

It is worth noting that the answer to our metaphysical question about pregnancy—the options between the parthood model, the container model, and other models not described here—is not a matter of choice, nor an argument over the language we use to describe what is otherwise considered the same situation. Rather, it seems, there is a fact of the matter to be found, and the truth about the metaphysical relationship between the fetus and the pregnant organism will have far-reaching implications for our moral and legal practices involving pregnancy, as I will demonstrate in the next section. And so whilst philosophy as a research area or theoretical endeavour does not necessarily set out to make the social world better, the work does have its consequences. Specifically, our conclusions about what a pregnancy is can have significant impact.

### **Ethical implications**

The applications of these models and concepts are not limited to debates in metaphysics: they also feature in debates in reproductive ethics. Many of the reasons that we cite to support our stance on abortion, surrogacy, and other assisted reproductive technologies, for example, are based (sometimes unknowingly) on metaphysical grounds (though admittedly the grounds are not so much regarding the relationship between fetus and gestator, but more commonly regarding what sort of thing the fetus is). As such, it is important to look carefully at these metaphysical grounds if they are to be used as motivation for or against a reproductive ethical issue, and challenge any metaphysical assumptions that may have been made. The metaphysics of pregnancy matters not only because it has such implications, but it also lies within many of our surface values and disputes regarding pregnancy and the ethical questions that accompany it, which can be some of the most divisive social value questions we face.

Whilst I have discussed the connection of the metaphysics of pregnancy to artificial wombs and ectogenesis elsewhere (in my 2020 and 2021 papers), here, I will just discuss the connection with surrogacy (as I do in my 2017 and 2018 papers). The container model is particularly evident in our concept of surrogate pregnancy and at least appears to underpin most moral and legal views of surrogacy. The container model creates the image of the

pregnant organism as an incubator or environment for the foetus, where the foetus develops as an independent entity, separate from, and merely inside of, the pregnant organism. The very naming of the surrogate as the 'host' demonstrates that the surrogate is seen as housing a separate entity, and surrogacy is often described as renting a womb. This shows that the surrogate is seen as a container, where the foetus inhabits the space that the surrogate host provides. Surrogacy is widely regarded as a service of gestation, where what the surrogate provides is the use of their body as a space within which the foetus can grow. As a result, surrogacy is thought of as bodily labour, where the work required is to provide nutrients and physical care to the foetus, implying that the role of the surrogate is to be a safe container for the foetus to grow independently. This all strongly suggests a container model in the metaphysics of pregnancy.

Understanding surrogacy in this way helps to remove any ownership or connection that the surrogate may have with the foetus, such that there is no integration or interaction between them that could interfere with the intended parents' claim to the foetus. This contributes to depersonalising the pregnant organism by seeing them only as a space to go in and out of, a space that is rented in surrogacy. It appears that not only do promoters of surrogacy presuppose such a container model, but they may also depend on it. In order to conceive of the pregnant organism in surrogacy as a 'surrogate mother' and not *the* mother, they need to be seen only as a swappable container for the foetus without having any claim to it.

But on the parthood view of the metaphysics of pregnancy, the foetus is actually literally a part of that surrogate. Rather than renting a space like a womb, surrogacy then appears more like the trade of a body part (namely the foetus, a part of the surrogate). Now if this foetus is itself classified as a human (which it is at least after birth), as well as being a part of the human maternal organism (thus rejecting the maximality principle), then a surrogate transaction is both a trade of a body part and a trade of a human. If the foetus is a part of the pregnant organism, then the pregnant organism is not so easily interchangeable as the pregnant organism and foetus are then more inextricably connected, much more so than if the pregnant organism is a container. One would not simply be removing the foetus from its container during birth but actually detaching the foetus from its whole. The connection between a part and its whole seems far stronger and more intimate than the connection between the contained and its container, making the swapping of the whole less flexible than the swapping of the container. A container can change what it contains without much change to itself, just as the contained can find a new container without much change to itself. Whereas a whole cannot change its parts without some variation in what the whole is like, and so the removal of a part from a whole is more disruptive than the removal of the contained from a container.

On the parthood model the pregnant organism does not contain a foetus that may already 'belong' to someone else—it is their own part to give away if they so choose. There is more claim to ownership over what is a part of you than what you contain, especially if someone else claims ownership over what they put in you to contain for them. So, rather than the returning of someone else's genetic material that the surrogate contains (as the container model would suggest), on the parthood model, we see the giving away of the surrogate's own gestational product which was once a part of them. Therefore, on the parthood model,

surrogacy seems to be like the sale of a product, where that product is the foetus-part of a pregnant organism which may itself be classified as a human; this contrasts with the bodily labour of renting a womb that is suggested by the container model.

Yet given the complexity of these debates, the parthood and container models will not on their own be sufficient to determine the legitimacy or illegitimacy of such stances, since the models alone do not determine the status of the foetus or what sort of thing the foetus is, but rather only whether it is a part of the pregnant organism or not. What would then be required to make the necessary connection between these models and the bio-political views is some further philosophy, such as an endorsement or rejection of a maximality principle so as to determine whether the foetus is itself a human, an exploration of the nature of personal identity for foetuses so as to determine their personhood and moral status, and most importantly (in my opinion) a feminist understanding of the pregnant person's rights with respect to the produce and use of their body. So, although no moral conclusions follow directly from the metaphysical models I've outlined, we do need to get clear about these metaphysical issues if we want to think coherently about the ethical and political questions surrounding reproduction. It really does make a difference whether you have a bun in your oven or whether the foetus is genuinely part of you.

### **Methodological problems**

Now that we can be sure that the debate matters, what can count as evidence or data for or against the seemingly competing views within it? As a first step, I think that clarifying what the aim of the question is will help to determine the methodology. Namely, whether the purpose of the question is to understand which metaphysical view either most accurately describes what we already take pregnancy to be like or best prescribes how we ought to understand pregnancy.

On the one hand, if investigating which theory best fits the world, you start with the backdrop of the world as evidence, and test the theories against it in order to find a match. Thus, the theory is in question and the world gives the answer, such that theories are, crudely, in the business of describing the world. As such, with regard to pregnancy, say that we hold the following as evidence for whether the foetus is a part of the gestator or not: the way we speak of gestators; how gestators feel, see, and think of themselves; how gestators are treated in law, society, and in medical practice, for example. We would then look to see which view of pregnancy fits best with these bits of evidence, in order to capture and clarify what we take pregnancy to be like. On the other hand, if investigating what the world is like (or ought to be like), you look to theories for guidance. As such, the world is in question (or is up-for-grabs, if you like), and the theories give answers, so that the theories are prescribing the world. With regard to pregnancy, then, the evidence base for finding out whether the foetus is a part of the gestator or not would come from our most successful theories – whatever those theories predict is the case would be what we ought to take as the case. We therefore would learn about and perhaps change our metaphysical view of pregnancy as a result of theorising. Yet it is unclear on which hand to start, and which theories in which domains are relevant.

Given how metaphysics has developed without much consideration of pregnancy, it looks like our metaphysical theories have evolved against a tribunal of experience that did not

include pregnancy. So, ought we now take pregnancy seriously, only accepting metaphysical theories that accommodate our understanding of pregnancy? But this is easier said than done, and it cannot be done in isolation since our understanding of pregnancy is incomplete. Thus, we see the question arise: what role should pregnancy play in determining our metaphysics, and what role should metaphysics play in determining our view of pregnancy? Indeed, we should not evaluate a topic from a place that has not developed with the topic in mind. Especially when there may be biases and assumptions about that topic already built into the machinery! But, the problem is, we do not have an answer about what we take pregnancy to be like, as this is precisely our question that we are investigating. So how are we to know whether to revise our metaphysics in light of pregnancy, when we do not yet know whether we have a case of a human foetus being a part of a human gestator, for example? Without such information about pregnancy, we cannot use it as a knock-down argument against a theory that cannot accommodate for it. In order to take pregnancy seriously, on its own terms, we need to know about pregnancy. But we do not – it is, currently, an open question as to whether the foetus is a part of the gestator.

As I outline in my forthcoming papers, sometimes a theory will tell us about pregnancy, and force change in our understanding of pregnancy. Yet our theories are not completely adequate without being built using the data that pregnancy provides. And so sometimes pregnancy will provide recalcitrant data that forces change in our theories. Yet whether pregnancy provides recalcitrant data requires us to figure out what we think of pregnancy, as our understanding of pregnancy is not completely adequate either. The upshot is, as we go back and forth in both directions in this process of mutual adjustment we aim to rid of bias and presuppositions, arriving at better, fairer, results that are hopefully closer to truth. We will need to decide when to adjust in which direction based on our intuitions. We will need to decide when something counts as a counterexample based on our intuitions. Now of course the use of intuitions in philosophical theorising has already received much attention which I do not aim to recount here. But what I will add is the particular problems that such use of intuitions will have in the case of pregnancy. Not only may our intuitions be misleading when they are corrupted by many influencing factors (including what the dominant view might be), but also, not everyone's intuitions are equally considered as reliable (consider the 'hysterical' 'hormonal' woman who is unfairly not listened to, for example). But it may be the least dogmatic and most intellectually honest way to proceed, and given the current state of the debate, I argue that we ought to rethink pregnancy in light of theories, as well as rethinking theories in light of pregnancy, without presuming that we have enough unbiased evidence to do either of those things alone (because we simply do not!).

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