Introduction: making and breaking families – reading queer reproductions, stratified reproduction and reproductive justice together

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SYMPOSIUM: MAKING FAMILIES

Introduction: Making and breaking families — reading queer reproductions, stratified reproduction and reproductive justice together

The project

In February 2016 we convened a workshop at UC Berkeley, *Making Families: Transnational Surrogacy, Queer Kinship, and Reproductive Justice*. We were seeking to bring into direct conversation three theoretical frameworks that have each transformed scholarship and influenced practice around transnational surrogacy and reproduction: 'stratified reproduction', 'reproductive justice', and 'queer reproductions'. Given the different intellectual and activist genealogies of these three fields, our aim in the workshop and in this resulting symposium issuewas twofold: firstly, to draw out the explicit and implicit contributions of these three areas to understanding and helping shape the changing landscape of transnational surrogacy and assisted reproductive technology (ART) and secondly, to work through apparent tensions among these three approaches so as to forge intellectual and political solidarities that can strengthen scholarship and influence policy.

For the workshop, we invited a small number of speakers to initiate the inquiry (see www.makingfamilies.eu). As the issue came into focus, we invited a few of the many other experts in transnational surrogacy and/or one or more of the three fields of stratified reproduction, reproductive justice, and queer reproductions to submit papers so as to deepen the inquiry. The exercise has convinced us that combining insights from queer reproductions, stratified reproduction, and reproductive justice holds out hope for better relations and improved organization and regulation of ART. This symposium issue serves as an opening and an invitation to further scholarship and action.

In what follows, we first craft a route through the literatures on queer reproductions, reproductive justice, and stratified reproduction that highlight their potential for addressing core questions of justice in relation to transnational surrogacy and related reproductive technologies and the making and breaking of families. We then explore the tensions among them and consider how these tensions might be resolved or kept in productive difference. We introduce the individual papers in this symposium issue. We end with conclusions drawn from this collection of papers that would help develop policies that support LGBTQ+[1] and other non-normative reproducers who are currently medically under-served and/or over-policed in their own reproduction, and/or disproportionately likely to work as donors or surrogates for the reproduction of others.

Two orienting precepts have framed the workshop and symposium issue. First, we approached the project from the ethical perspective that self-identifying as LGBTQ+ or otherwise reproductively non-normative should not place unnecessary and exceptional demands or restrictions upon one's access to ART and other reproductive care and services. The second orienting precept was a commitment to working at a geographic and historical scale where the domestic and transnational hierarchies that fuel and are in turn fuelled by the fertility industry would be visible. Clinic-based and national ART policies and statistics tend not to make cross-border and cross-privilege patterns easily visible. Any policy recommendations from this project should seek to highlight and then reduce the ways in which the fertility industry is animated by and reproduces injustice for some individuals and families, and seek to augment ways in which reproductive rights and justice are served.

Queer reproductions

The transnational fertility industry emerged within specific politics of race, gender and sexuality, offering the hope of

[1] For the sake of the legibility of the term to interdisciplinary audiences, including academics and policy-makers, we have opted for the term 'LGBTQ+' in this publication, to signify all non-heteronormative sexuality and gender identities (lesbian, gay, bisexual, trans*, queer and other). It includes individuals who identify as gay men – and we refer to them as such – whose reproductive pathways are discussed in this symposium issue in depth.

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relief from the gendered sorrow and stigma of infertility, bringing new ways of making biologically related families to single women and lesbian and gay would-be parents. This process transformed women into the primary patients in IVF whether or not the reason for a couple's infertility lay in the woman's body, and in some places igniting abortion wars because of the production and demise of in-vitro human embryos. From the beginning, feminist, queer, critical race, and disability justice scholars, and critics of class dynamics, commodification, and the medicalization of birth, were part of articulating and shaping the stakes of the fertility industry (Thompson, 2002).

In these wider gender and sexuality politics of the field, work on LGBTQ+ reproduction arose in distinct subfields. These include 'LGBTQ+ family studies,' centred in psychology and family sociology, and 'queer kinship' and 'queer reproduction' studies, coming mostly from anthropology, science and technology studies, and gender and sexuality studies. Work in LGBTQ+ family studies analysed families created by parents identifying as LGBTQ+. Approaches labelled 'queer', on the other hand, often took a critical perspective toward normative reproductive arrangements and institutions made visible by LBGTQ+ family making.

LGBTQ+ families and queer reproduction

In the 1980s and 1990s – the early years of surrogacy and the fertility industry – LGBTQ+ individuals were widely stigmatised in regard to family formation, deemed unworthy to reproduce, unfit for rearing children, and contrary to the very notions of parenthood and family (Gabb, 2017; Golombok, 2015). The social organisation and regulation of ART in that early era consciously and unconsciously reflected dominant ideas of parental suitability, defining access to infertility treatment in terms of heterosexual exposure to unprotected sex without pregnancy, and basing treatment protocols around heterosexual couples and/or donors or surrogates standing in for them. LGBTQ+ people resorted to other ways of having children rather than through ART (Donovan et al., 2001; Weston, 1991), if they had children at all.[2] In the 2000s, a gradual shift occurred: lesbian women in the USA and elsewhere started to have children through fertility industry-aided donor insemination (Mamo, 2007). A few years later, gay men began to utilize IVF and enter commercial surrogacy agreements, with or without donor eggs (Lewin, 2009). The US federal gay marriage law of 2015 was part of a changing global panorama in which formal parenting rights were beginning to be granted to LGBTQ+ people. A narrative of reproductive loss and mourning, which earlier accompanied coming out as gay (Smietana et al., 2014), gradually gave way to a new procreative consciousness (Berkowitz, 2007) thanks to which young lesbian and gay adults started to imagine parenting as one of their life options (Pralat, 2016).

Recently, attention has also been drawn to bisexual parents. They had largely been made invisible by narratives that equated their experiences with those of lesbian or gay people, but recent studies carried out in the UK, Canada, Australia and New Zealand suggest that while bisexual parents may have had more options for having biological children than lesbian women or gay men, their family and kinship arrangements were often non-nuclear, multi-parent and shifting (Delvoye and Tasker, 2016; Power et al., 2012; Ross et al., 2012). Due to societal invisibilisation and stigmatization of their fluid identities, many bisexual parents have been found to suffer from significant minority stress.

Distinctive debates have emerged regarding the reproductivity and family and kinship formation by trans people. Gender transition for people who already have children may bear certain similarities to the situation of parents who come out to their children and partners as gay, lesbian or bisexual (Haines et al., 2014; Hines, 2006), but legal and social transphobia, manifested in such things as custody disputes simply because a parent is trans (perhaps especially if the parent is a trans woman), shape trans people's unique family making and breaking circumstances. Trans women of colour, in particular, are subject to high rates of violence and this additional precarity and susceptibility to premature death radically restricts any possibility of family formation (Bailey, 2013).

Fertility preservation, especially among children seeking biomedical gender transition, has become a cultural battleground. Some have argued that children cannot possibly know their future reproductive identities or desires and have used that to oppose offering surgery or hormones to prepubertal trans youth. Advocates for trans youth, on the other hand, have argued that affordable fertility preservation such as gamete freezing should be part of the normal care of trans youth regardless of which procedures they opt for (Halberstam, 2017). As noted by Doris Leibetseder (2017), legal requirement of gender confirmation surgery, still present in several countries, amount to a reproductive injustice for those trans individuals for whom surgery is not desired and/or accessible.

Echoing earlier debates about the suitability of interracial couples as parents (Twine, 2010), a shift occurred in many Western countries, in which psychologists debated whether LGBTQ+ parents' children differ from heterosexual parents' children (Gartrell and Bos, 2010; Golombok, 2015; Stotzer et al., 2014). The finding that there were few such differences – that lesbian, gay and trans families enjoyed positive family relationships – was instrumental in safeguarding laws seen as inclusive and supportive for LGBTQ+ families, such as gay marriage and the right to adopt. At the same time, critical queer scholars, including queer scholars of colour, questioned whether normalizing queer families was a desirable goal at all, and if instead we should follow queer family formations and embrace a diversity of family models beyond the classed, raced, patriarchal heteronormative nuclear family (Cohen, 2004; Eng, 2010; Muñoz, 1999; Stacey, 2004; Stacey and Biblarz, 2001; Yarbrough et al., 2018).

In several states in the USA and in some European countries, LGBTQ+ parents began to shift from mostly co-parenting children from previous heterosexual relationships, and/or multi-parent arrangements between individuals of various gender and sexuality identities, to forming intentionally LGBTQ+ families on the model of the heterosexual nuclear family (less frequently in the case of bisexual parents, see

[2] As still happens today for some couples, and is still dominant in some places, e.g. Eastern and Central Europe, Kulpa and Mizielinska (2011), Mizielinska and Stasinska (2018).

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Delvoye and Tasker, 2016). These new families were first created by lesbian or gay couples or singles through adoption, and later increasingly through medicalized assisted reproduction (Epstein, 2018; Mamo, 2007; Smietana, 2016). For gay men, surrogacy offered the opportunity to have genetically related children. In addition to any benefits of genetic relatedness to children gay men would share with heterosexual and lesbian parents, genetic relatedness offered gay men a bulwark against gender discrimination in adoption and custody in many legal systems (Goodfellow, 2015; Murphy, 2015). While gender norms have helped lesbian mothers draw on dominant scripts of femininity when fighting for parental rights (e.g. Lewin, 1993; Kantsa and Chalkidou, 2014), the same norms have sometimes intensified opposition to gay fatherhood. In most jurisdictions where only altruistic surrogacy is legal – such as in the UK and parts of New Zealand, Australia and Canada – contracts between resident individuals are possible regardless of sexual identity or civil status. However, in many other countries where some form of commercial surrogacy is currently legal, it has remained more restricted for gay men than for heterosexual intended parents (e.g. in Russia, India, Portugal). In many of the countries that legalized gay marriage or partnership, motherhood for women in lesbian couples may be more supported legally and socially than fatherhood in gay couples (Imaz, 2017). In some countries such as China or Singapore, LGBTQ+ family rights are not recognized and yet some gay men seek to have and raise genetically related offspring conceived through surrogacy abroad (Wang and Shan, 2017).

In the USA, LGBTQ+ affirmative psychological research and the rise of the global LGBTQ+ rights movement (Paternotte, 2015) combined with the consumer-orientation and state-by-state regulation of the fertility industry to make California in particular an important but expensive destination for gay surrogacy (Thompson, 2016). Gay men and heterosexual intended parents who could afford the expense of travel and commercial surrogacy abroad started commissioning surrogacy in those states in the USA where it is legal, and in other shifting locations such as India, Mexico, and Thailand before transnational surrogacy bans came into force (Schurr, 2018; Twine, 2015). Currently, the only stable surrogacy market available to intended parents of any nationality – as well as of any sexuality and civil status, including gay men – exists in some states in the USA, notably California.

The neoliberal form of the transnational fertility industry in the USA, as well as its use of imaginaries of middle-class gay couples with genetically related children resembling the dominant nuclear family model, have been subject to critique from queer scholars. Lisa Duggan (2002: 179) coined the term 'homonormativity' to condemn 'a politics that does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption'. Jasbir Puar (2007, 2013) warned against 'homonationalism' through which gay people with race, class, and citizenship privilege are included in a system of liberal gay-friendly laws, and thus become complicit in the exclusion of others without the same privilege. And Paola Bacchetta and Jin Haritaworn (2011: 134) drew attention to the 'homotransnationalism' characteristic of the transnational circulation of discourse that equates the global North with being queer friendly, including for queer family formation, while the rest of the world is described in the global North in 'neocolonial, orientalist, sexist, and queerphobic' ways that appear to foreclose queer reproductions.

Despite queer critique of neoliberal forms of family and marriage, and arguments for a distinctive and non-normative queer existence, scholars researching LGBTQ+ would-be parents and families continue to find genuine longing for children, families, and home. Ellen Lewin (2009) found this longing in her ethnographic account of diverse gay fathers in the USA and thus argued that some queer scholarship may have been perceived as an ideological imposition on gay people who wish to form families. Joshua Gamson (2015) has drawn attention to the double ethical burden for LGBTQ+ families of managing queer critiques in addition to the ever-present fear of the marginalization of their kinship ties with their children posed by normative social institutions and perceptions of proper family. Aaron Goodfellow (2015) refers to gay father families carrying this burden as 'suffering kinship' for the sake of 'precarious kinship'. This work justifying one's reproductive choices against accusations of selfishness or exploitation is a form of what Katharine Dow (2016) has called 'ethical labour'. She developed the concept in the context of her work with environmental charity workers who grappled with the ethical entanglements of their human reproductive desires in an overpopulated world. Joanna Mizielinska and Agata Stasinska (2018: 997) remind us that in countries characterized by homophobia and a lack of rights, LGBTQ+ people who create couples and families cannot be properly called 'homonormative' even if they are affluent and otherwise privileged, as their mere existence constitutes a subversive and dangerous act.

Queer kinship

Kinship, alongside family and reproduction, has been a distinctive angle from which LGBTQ+ family making has been studied, in particular in anthropology, cultural studies, and interdisciplinary studies of reproduction. In conversation with David Schneider's (1968) definition of Euro-American kinship as 'diffuse, enduring solidarity' rooted in biogenetic ties, in her work on gay kinship ideologies of the 1980s and 1990s in the USA, Kath Weston (1991, 1995) showed that as gay people sought legitimacy for their chosen and often non-biogenetic families and kinship ties, they claimed those families satisfied the common definitions of kinship as they provided endurance and solidarity. Weston argued that it is thus misleading to speak of 'gay kinship' as a freestanding paradigm, even though queer families were frequently of necessity chosen rather than biologically reproduced. Sara Ahmed (2017) reminds us that queer kinship (like feminist, racialized, and migrant experience of family) characteristically involves the necessity of risking 'lives, homes, relationships', and having to endure kinship loss.

In the early days of ART, feminist scholars approached kinship as a technology through which social and natural human life is organized (Franklin, 2013; Franklin and McKinnon, 2001; Haraway, 1997; Strathern, 1992). Ethnographic study of ART demonstrated that biology shapes kinship but that kinship also shapes biology (Franklin, 2002; Thompson, 2005), and that

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in the contemporary era biology and its meanings and uses are changing, relative, moldable and 'queer' (Carsten, 2004; Franklin, 2014). Cori Hayden (1995) showed that although lesbian mothers in the USA reaffirmed biological ties as a symbol of kinship, their practices of family creation challenged the dominant assumption that biological kinship is natural and self-evident. Judith Butler (2002) posed the question as to whether kinship is 'always already heterosexual', proposing that once we stop seeing kinship as determined by and a mere reflection of underlying heterosexual human biology, we can stop asking whether same-sex couples with children are 'natural'. These scholars noted that if there is nothing in biology itself that makes queer kinship unnatural, condemning other kinds of non-normative reproduction because they are seen as too abundant or too unnatural is also not sustainable.

In Kim TallBear's analysis of the 'compulsory settler sex, family and nation' (2018: 151), she argues that 'the aspirational ideal of middle-class nuclear family, including (hetero)normative coupledom with its compulsory biological reproduction' has been imposed on Indigenous peoples' extended family structures that historically included what today would be called consensual non-monogamy, as well as on their relationships to non-human species and the land. TallBear argues that this imposition serves the patriarchal heteronormative, and increasingly also homonormative, imperial state, and turns a decolonial lens toward normative marriage and family formations. This resonates with related critiques of the suppression of earlier forms of family and marriage in Europe and the USA documented by queer and feminist scholars (Federici, 2004; Franklin, 2018; Stacey, 2004), as well as with contemporary critiques of normative coupledom as a privileged principle of organizing LGBTQ+ families (Gabb, 2017).

So-called 'new' and 'critical' kinship studies (Kroløkke et al., 2017; Riggs and Peel, 2016) and studies of 'queer kinship' (Dahl and Gunnarsson Payne, 2014; Mizielinska et al., 2018) also developed as a critique of capitalist heteronormative, biogenetic and Euro-centric kinship models, and affirmed queer families and their rights. Damien Riggs and Elisabeth Peel introduced the term 'Western human kinship', echoing appeals for inter-species kinship instead of deadly human exceptionalism, and a call to 'make kin, not population' (Clarke and Haraway, 2018; Haraway, 1997). Charlotte Kroløkke et al. (2017) developed the concept of (im) mobilities to analyse the unequal resources that shape the forms and possibilities of kinship (see also Thompson, 2011). Ulrika Dahl and Jenny Gunnarsson Payne (2014) argued for broad and inclusive definitions of queer kinship that move beyond same-sex rights and identitarian concerns and instead urge us to attend to the ways in which webs of people care for each other and for one another's children.

Recent ethnographic and qualitative studies of queer reproduction using ART have revealed new kinds of relatedness emerging between LGBTQ+ parents and donors or surrogates who helped them. Many maintained relationships that neither corresponded to traditional kin roles nor were estranged (Blake et al., 2016; Courduriès, 2016; Jadva and Imrie, 2014; Mamo, 2007; Mohr, 2015; Nordqvist, 2012; Smietana, 2017). Research has also brought to light previously unnamed kinship forms, such as the 'affinity ties' identified by Laura Mamo (2007: 205) in which donors, surrogates and intended gay and lesbian parents choose one another for biological relationship not so much by physical resemblance as by a sense of affinity based on such things as shared interests, background, and values. As Mamo points out, the concept of affinity ties complicates the distinctions made in gay and lesbian kinship theories between ties created by blood and ties created by choice or love. Relationships between LGBTQ+ parents and people who help them to reproduce also complicate the distinctions made in anthropological theories of 'gift relationships' based on reciprocity, as opposed to 'commodity relationships' based on commercial exchange: recent research shows that potential or actual use of reproductive technologies, including surrogacy, is often approached simultaneously both as a gift and a commodity relationship between users and providers (Berend, 2016; Dow, 2016; Jacobson, 2016; Mohr, 2015; Smietana, 2017; Thompson, 2014).

Reproductive justice

The reproductive justice movement was formed by women of colour in the USA in 1994 in the aftermath of the *International Conference on Population and Development in Cairo*. Its explicit goal was to represent the needs of women of colour and other marginalized women and trans people by centering their voices, and thus uplifting the most marginalized families and communities. The flagship reproductive justice organization, *SisterSong: Women of Color Reproductive Justice Collective*, defines reproductive justice as, 'the human right to maintain personal bodily autonomy, have children, not have children and parent the children we have in safe and sustainable communities' (SisterSong; Ross, 2006).

Reproductive justice expands the narrow focus on contraceptive and abortion access and fertility services of white middle-class reproductive rights movements, and incorporates families' rights to be able to raise their children free from economic and state violence (Price, 2010). The shift from reproductive rights to reproductive justice includes pivoting away from the idea of increasing reproductive choice and toward increased reproductive access and human rights. Reproductive justice scholar and curator, and contributor to this symposium issue and to the *Making Families* workshop, Zakiya Luna, argues that reproductive justice comprises analytic framework, movement, praxis (theory and practice) and vision of the world (Luna and Luker, 2013).

Reproductive justice is both an activist movement and a movement very much in dialogue with Black, Indigenous, and other women of colour and queer of colour feminist scholarship. In 1977 the Black Lesbian feminist Combahee River Collective released the *Combahee River Collective Statement*. This now legendary manifesto articulated their commitment' to struggling against racial, sexual, heterosexual, and class oppression', and 'the development of integrated analysis and practice based upon the fact that the major systems of oppression are interlocking', setting in motion the powerful analytic and activist trajectory combining different axes of power and a focus on violence against women of colour that Kimberlé Crenshaw would label 'intersectionality' (Crenshaw, 1991). One year after the *Combahee River Collective Statement* manifesto was published, Louise Brown,

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the first 'test-tube' baby, was born in Oldham, England. The following decades witnessed the rapid development and emergence of a global fertility industry including reproductive labourers in an increasingly competitive global marketplace. Feminist and critical race scholars identified a number of ethical, moral and legal problems that are especially visible from a reproductive justice – rather than a reproductive choice – vantage point. These include the human rights of reproductive labourers and access to treatment for those without economic means and otherwise marginalized (e.g. Ainsworth, 2014; Almeling, 2011; Inhorn, 2003; Mohapatra, 2012; Nahman, 2006; Thompson, 2005; Twine, 2015).

Scholars, policymakers, reproductive justice activists and healthcare providers face a number of competing challenges when considering how to respond to the concerns of would-be parents and reproductive service providers (surrogates and gamete providers). The fertility industry is a global profit-making industry that developed without any transnational or legally mandated bioethical guidelines in place. The fertility industry provides 'services' without systematically providing ongoing or long-term mental health or medical care to service providers or recipients. This industry also fails to serve a large proportion of the world's infertile population due to normative, regulatory and price barriers.

The significant long-term effects on the psychological, emotional, or physical health of women and men participating in this industry as surrogates or donating their genetic material remain unknown. There is a particular need for more long-term research on the reproductive 'after-life' of gestational surrogates and ovum donors. The first-ever longitudinal studies to be carried out examine the psychological well-being of altruistic surrogates and their families, as well as children born through surrogacy in the UK (Golombok, 2015; Jadva et al., 2015). This field of research will fill an important empirical gap in the literature as the global surrogacy industry continues to grow. When the reproductive service work is undertaken in circumstances of migratory and/or economic precarity, the chances of reproductive service providers' voices being heard and/or their having access to quality healthcare diminishes. For example, surrogates in India were found to experience high levels of depression, with regard to low social support during pregnancy, hiding surrogacy and criticism over it (Lamba et al., 2018).

Studies of transnational and forced adoption show that the logics of race, class, and nation have been central to de-kinning children and parents from one another for far longer than ART has been available (Choy, 2009; Gordon, 2001; Howell, 2006; Marre and Briggs, 2009). Not surprisingly, then, feminist and critical race scholars have found continuing neo- and post-colonial echoes in the ways in which caste, class, racial and ethnic hierarchies still structure the delivery and marketing of ART (Andreassen, 2017; Davda, 2018; Homanen, 2018; Inhorn and Fakih, 2006; Quiroga, 2007; Russell, 2015; Thompson, 2005, 2009, 2011; Twine, 2015). For example, poor women, and women who are the direct descendants of formerly enslaved or colonized people in the USA, continue to face barriers to fertility. Dorothy Roberts' work has uncovered the racial and class anti-natalism and de-kinning that confronts Black women, children, and families in contemporary USA, especially in its confrontation with family services, drug policy, and the criminal legal system in what Michelle Alexander has called the 'new Jim Crow' (Alexander, 2010; Roberts, 1997, 2002). Khiara Bridges has documented the denial of a right to privacy and over-surveillance of poor women of colour during pregnancy and birth even though they are highly likely to be medically underserved (Bridges, 2008, 2017). Poor women of colour are not perceived or defined as a 'market' for fertility services because they do not possess the financial resources to purchase these services and these services are typically not included (in the North American context) as part of mandated reproductive healthcare coverage. Similar exclusion from fertility markets happens to those men who represent subordinated or marginalized masculinities by virtue of their class, race, citizenship or other positionalities (Connell, 2005).

The debate surrounding the use of ART and the transnational fertility industry includes an analysis of the ideologies and ongoing state practices that render some women and men as more 'fit' or 'unfit' for parenthood, which France Winddance Twine (2017) has called "'the fertility continuum'. In the twentieth century the logics of eugenics were mainstream – endorsed and taught at universities. These logics, which privileged and supported the reproductive liberty of some, while restricting that of others, continues to have an afterlife in the fertility industry. The situation today is more complicated because economically privileged people of all racial, ethnic, religious and national origins can participate in this industry. However, those most likely to possess the financial resources to purchase ART services remain over-determined by the racial, class and opportunity structures established over the previous centuries of slavery, genocide and colonization.

Borders, prisons, occupation, and militarized zones all function as racialized reproductive technologies calling for decolonial and demilitarizing responses (Kanaaneh, 2002; Nahman, 2011; Sufrin et al., 2015; Vertommen, 2015). Capitalism and the way that childbirth continues to be commodified interacts with these migratory, military, and carceral patterns. Women who give birth under poverty and/or who do not have control over their reproductive lives may be fertile but not able to care for their children, and they can also be economically coerced into entering the fertility industry as reproductive service providers in exchange for migration or precarity. Ironically, based on the same inequality, in the USA only a certain class of women may be perceived as respectable and trustworthy enough to be recruited for surrogacy, often lower middle-class white women of Protestant backgrounds (Smietana, 2017), and in the Indian former surrogacy industry, surrogates needed to have at least some social and economic capital to be recruited (Rudrappa, 2015). The discourses of 'choice' and 'altruism' thus need qualification and turn out to overlap with the structural inequality built upon centuries of racism, colonialism, neocolonialism, militarism, and capitalism (Thompson, 2011; Twine and Gardener, 2013).

In the *Convention on the Prevention and Punishment of the Crime of Genocide* (United Nations, 1948), two of the five definitions of genocide address the immediate concerns of reproductive justice, namely, 'imposing measures intended to prevent births within the group', and 'forcibly transferring children of the group to another group'. Indigenous women, in particular, have articulated their fight for reproductive rights and justice in terms of genocide

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and neo-colonial appropriation, and called for decolonial reproductive studies (Ralstin-Lewis, 2005; TallBear, 2018; Vega, 2016). Women and men with disabilities continue to resist their own extinction and assert their reproductive, sexual and family rights even as they face an ongoing history of sterilization and the widespread use of reproductive technologies to screen against and deselect disability (Asch, 1989; Asch and Wasserman, 2014; Berne et al., 2015). Forced sterilization, especially of Black and Latina mothers, also has a long history and was still occurring in California prisons as recently as 2013 (Davis, 2003; Gutierrez and Fuentes, 2009; Stern et al., 2017). Dorothy Roberts and Sujatha Jesudason (2013), as well as France Winddance Twine (2017), have called for movement intersectionality around race, gender, and disability in the context of the rise of reproductive and genetic technologies. Laura Mamo and Eli Alston-Stepnitz (2014) adopted Sonja Mackenzie's (2013) concept of 'structural intimacies' to bring queer reproduction and reproductive justice necessarily under the same lens.

The reproductive justice movement advocates for the most marginalized families and makes visible the most historically violent and discriminatory family making and/or breaking practices. Yet it is a powerful force for hope, resistance, and other ways of doing and imagining family. In the lives of the most vulnerable, alternative forms of family flourish, including multi-generational and mixed biological and non-biological families and patterns of care and support. And in the collective struggle against poverty, racism, sexism, ableism, and other forms of violence it promises true progress for everyone on earth toward a less genocidal world and more flourishing future for our families. Work such as Noël Sturgeon' (2010) idea of planetary environmental reproductive justice makes clear that the revolution that the reproductive justice movement and women of colour have brought about in framing reproductive liberty is life-giving, not only for humans but also for the planet.

Stratified reproduction

The concept of stratified reproduction was developed by the anthropologist Shellee Colen to describe the economic forces and affective conditions surrounding West Indian childcare workers in New York leaving behind their own families to take care of wealthy New Yorkers' families so as to provide for their own families back home (Colen, 1995). The concept was taken up in the landmark 1995 collection, *Conceiving the New World Order: the Global Politics of Reproduction*, edited by Faye Ginsburg and Rayna Rapp, in which Colen's, 1995 paper appeared. Ginsburg and Rapp define stratified reproduction as the local and global circumstances whereby 'some categories of people are empowered to nurture and reproduce, while others are disempowered'. The concept captures the transnational hierarchies that are the legacy of colonial, imperial and diasporic 'non-flat world' routes along which gendered and racialized reproductive and productive labour moves (Thompson, 2011; Twine 2011, 2015; Twine and Gardener, 2013; Franklin, 2011; Nakano Glenn, 2010; Ginsburg and Rapp, 1995).

Stratified reproduction has much in common with reproductive justice, with which it overlaps in drawing attention to the persistence of historical patterns of inequality and discrimination in the valuing of some but not other reproductions. The two frameworks differ in a number of ways, however. Stratified reproduction is primarily an analytic and descriptive concept whereas reproductive justice names both an activist movement and an analytic framework. Stratified reproduction references patterns of movement by some to undertake reproductive and care work for others that are enabled by global patterns of inequality. This displacement follows the paths of elite and non-elite labour, capital, power, and conquest. Reproductive justice, on the other hand, started as an organization of women of colour in the USA and is first and foremost a movement rooted in community. Stratified reproduction is mostly about relative resource poverty and socioeconomic gradients that fuel working class labour migration. Reproductive justice is more concerned with reproductive abjection, societal discrimination, and state institutions that use race as a technology to tear apart rather than support some kinds of families. Despite these differences, however, work within both frameworks emphasizes the connections between domestic hierarchies within the modern nation state based on race, class, gender, indigeneity, and transnational hierarchies among nations. Laura Briggs' (2017) idea that 'all politics is reproductive politics' captures the way these interact to saturate the political space.

Postcolonial, critical race and indigenous approaches transgress the system of delimiting reproduction by nation states, as do studies of refugee and migrant fertility (Tremayne, 2001). Powerful nations have long managed the reproduction of human citizens and resident non-humans in the interests of the empire and interstate commerce (Franklin, 2007). Nation state interests in their population often stem from and result in what Charis Thompson (2005, 2011) has called 'selective pronatalism', where policies that differentially restrict access to either contraception or proception reflect historical imaginaries fuelled by settler colonial, colonial, or imperial ambitions and/or religious, class, ability, and race supremacy. In the case of LGBTQ+ people, the 'homonationalism' (Puar, 2007) and 'homotransnationalism' (Bacchetta and Haritaworn, 2015) discussed above refer to nationalist and global patterns of support for the reproduction of others who can either afford private reproductive services or whose family making abjection in their own country can be cast as representing civilizational superiority. Daphna Birenbaum-Carmeli (2004) developed the concept of the 'muting (of) state interest', to describe the ways in which the Israeli state hides its interest in enlarging the state's Jewish population by cloaking its liberal but selectively pronatalist IVF policies in the privatized language of women's anguish and a discourse of a self-regulating sector that manifests national technical prowess.

Stratified reproduction is evident in transnational surrogacy and cross-border reproductive travel, which often exacerbates global divides (Deomampo, 2016; Rudrappa, 2015). Trudie Gerrits (2018) used the framework of stratified reproduction to describe those who travel to Ghana from nearby African nations and the reproductive return of Ghanaian citizens living abroad to access reproductive technologies in Ghanaian fertility clinics. She finds that familiarity and communication is vital in these elite movements, but also that the ready supply of appropriate and 'bioavailable' (Cohen, 2007) local individuals working as surrogates and gamete donors draws the diaspora home and powers Ghana's regional reproductive

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tourism. Zeynep Gurtin (2016) has described a system that she calls 'patriarchal pronatalism', where Turkey's combination of Islam, secularism, the confines of marriage, and prohibitions on travelling abroad to access procedures forbidden at home have extended the reach of the state's patriarchal power but in a pronatalist IVF boom. Marcia Inhorn has documented the rise of regional cross-border reproductive travel 'reprohubs', in the Gulf States to which both 'repro-VIPs' seeking treatment, and 'repro-migrant' reproductive workers travel (Inhorn, 2015).

In some countries in the global south, transnational stratified reproduction that reflects prior colonial or imperial relations also reflects local and national meanings that value reproduction differently and that at least partially resist previous relations of power, and everywhere cultural specificity modulates transnational dynamics (Franklin and Inhorn, 2016; Merleau-Ponty, 2017). Aditya Bharadwaj's (2008) concept of 'bio-crossings' evident in Indian assisted procreation and stem-cell therapy captures this combination of being part of the frontier of international biomedicine and yet being distinctively Indian and resisting colonial meanings and valuations. Andrea Whittaker's term 'culture mediums' likewise demonstrates the ways in which different cultures both mediate and are mediated by ART, making specific patterns, practices and meanings recur in one place that would be unlikely elsewhere (Whittaker, 2015). Gonzalez Santos and colleagues documented the different reporting of a procedure of mitochondrial donation involving personnel from, and travel to or from, Mexico, the UK and the US, and found that accounts in each country differed in ways that made sense in terms of 'cultural (un)feasibility' (Gonzalez-Santos et al., 2018). Likewise, Lucy van de Wiel found differences in how the British and Dutch news media report egg freezing and reproductive ageing (Van de Wiel, 2014).

Nations also engage in selection and deselection that stratify reproduction. Selecting for and against certain characteristics in children has increasingly been medicalized and normalized in individualistic, wealthy competitive liberal democracies where prenatal testing followed by 'therapeutic abortion' for increasingly minor anomalies has become routine. Likewise in wealthy welfare states like Iceland, for example, Down syndrome has been virtually eliminated. Disability rights and justice scholar and activist Marsha Saxton has been arguing for several decades against the use of reproductive technologies as deselection tools (Saxton, 1984, 2006). She notes the irony of a situation where disabled people's progress in achieving disability rights and biomedical progress in fighting serious diseases have collided with the rise in reproductive screening and sorting technologies that allow parents to deselect – and increasingly select – certain characteristics. Marit Melhuus (2012) coined the phrase 'the sorting society', to describe Norway's reluctance, given its history, to approve reproductive technology procedures that might take the country to a new eugenic phase. Q12 Ayo Wahlberg's and Tine Gammeltoft's (2018) edited book, *Selective Reproduction in the 21st Century*, however, demonstrates the rise globally of biomedical reproductive procedures that are normalizing biomedical deselection.

Critical race, queer of colour, and disability justice scholars have also intervened in drawing attention to the stratified effects upon reproduction and family security of transnational and regional hierarchies of toxic exposure (Chen, 2012; Lamoreux, 2016; Agard-Jones, 2013; Murphy, 2017; Sturgeon, 2010). This work emphasizes the fundamental importance of Q13 environmental injustice to reproductive justice. Toxic exposure produces disability that is then reproductively discriminated against, and frequently causes infertility, producing the need for ART and forcing those disproportionately exposed to keep falling under the genocidal logic of disability antinatalisms (Heffernan, 2017; Kafer, 2013). This work captures the importance of living in good relation with other species and with earth and planetary systems for the sake of the long-term sustainability of all reproductions.

Stratified reproduction has always also referred to the affective ways in which displaced and undervalued reproduction and family is made bearable and the inequality masked. The literature on ART captures some of the psychological aspects that lead to and stem from stratified reproduction. Mwenza Blell and colleagues refer to the changing family aesthetics of being caught between Pakistani and UK meanings of family and reproduction living in communities in the North of England while undergoing infertility treatment (Hampshire et al., 2012). Blell (2018) shows how belonging to a subordinated masculinity such as British Pakistani may make patients particularly vulnerable during infertility treatment. The concept of 'obligatory effort,' was coined to describe the way that normative social pressure to reproduce to show one's fitness can get turned into a personal obligation to try everything even when trying is not accompanied by a neoliberal understanding of choice or control (Teman et al., 2016). Sebastian Mohr (2014) found that it is not exactly accurate to speak of motivation when explaining why some Danish men become sperm donors; rather, their answers speak to patterns of stratified reproduction that go far beyond individual motivation even while being carried out through the will and action of individuals. Thompson's (2005) concepts of 'strategic naturalization' and 'anticipatory socionaturalisation', and Berkowitz' (2007) concept of 'procreative consciousness' both name active strategies by the infertile or assumed non-reproductive to counter stigma and bring themselves into reproductivity. Marcin Smietana describes the 'affective de-commodifying and economic de-kinning' efforts that gay men use to have good relations during commercial surrogacy, and Ingvill Stuvøy explores the metaphors that re-domesticate reproduction and family making that have become commodified during transnational surrogacy (Smietana, 2017; Stuvøy, 2018).

In the current moment, ART is becoming part of platform capitalism and what Sarah Franklin has called the 'transbiology' era is emerging (Franklin, 2006). Developments in the platforming of reproductive technologies risk masking and inuring us, as distributed technological systems are inclined to do, to the inequalities that sustain stratified reproduction. Paying renewed attention now to patterns of stratified reproduction will remind those of us involved in activism, policy and scholarship for better reproductive futures to work to reduce the family violence of displaced care and reproductive labour migration.

The tensions

We began with two concerns: self-identifying as LGBTQ+ should not place exceptional demands or restrictions upon

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one's access to reproductive care and services, any more than one's class, race, gender, nation, disability, religion, infertility, or relationship status should. The literatures we have highlighted draw attention to how the so-called Euro-American kinship structures and nuclear heterosexual families are privileged over other family forms with respect to the structure of and access to reproductive services in many parts of the world. Second, these literatures remind us that the fertility industry cannot be understood without paying careful attention to the racial ideologies, heteronormativity, gender logics, and European neo-colonial practices that continue to structure the experiences of fertility and childbirth for women and men of diverse backgrounds. A primary goal of the *Making Families* conference and this symposium issue is to build upon these literatures while also moving beyond the binary mode of seeing ART as increasing the reproductive choice of LGBTQ+ intended parents while compromising the health of reproductive labourers and those unable to access the technologies for reasons of economic, national, racial and other kinds of stratification. To achieve our goal, we brought the subfields of queer reproductions, reproductive justice, and stratified reproduction into critical dialogue around the practices and use of ART, bringing attention to the tensions between these subfields.

As documented in the previous sections, each of these subfields highlights particular constituents and concerns and each works against specific patterns of discrimination in relation to reproductive care and services. If one focuses on access to parenthood for those who cannot reproduce biologically any other way, or if one focuses on reproductive labourers, or if one focuses on those who are chronically medically under-served and over-surveilled, different barriers to making families and different critiques of ART tend to get foregrounded. A focus on reproducers using ART – LGBTQ+, single, infertile – reveals a continuing struggle to access affordable treatment and to overcome gender- and sexuality-based stigma and discrimination that makes women feel their gender identity requires marriage and children, while LGBTQ+ individuals must battle the opposite.

A focus on reproductive labourers highlights the systemic conditions that turn surrogacy and gamete donation into commercial work or services that are sought or endured. These conditions include family, friendship, and compassion-based altruism, which is not always without economic and other kinds of reward, but which can also be exploitative. All too often, surrogacy fulfils an economic need to provide resources to enable families to secure access to other resources such as education or housing. Surrogacy provides one avenue to manage economic insecurity, and this pattern stretches from low-income to middle-income surrogates. Surrogacy is often undertaken because it is a form of gendered work that facilitates a woman's ability to care for her own children at home. Women with partners in the military or migrant labour such that the woman's reproductive capacity is taken as evidence of patriarchal family, may perceive surrogacy as a way to earn money while being single parents to their own children.

For sperm and egg donors, matching, health, and eugenic logics make some gametes desirable and/or saleable and thus provide a way to support migration or fund travel and overseas work experience and education. Temporary mismatches between one's class and presumed reproductive fitness on the one hand, and one's economic situation on the other, such as young elite USA university students facing student debt, are also exploited by recruiters of donor gametes. Each of these patterns brings up issues – from recruitment through the future existence of children who may try to contact surrogates and genetic parents – that raise concerns with activists. In general, the level of social, political, and economic disenfranchisement of the reproductive labourer is taken to be an indicator of the level of exploitation involved, and this has underwritten bans by several countries in the Global South on international surrogacy.

Focusing on the medically underserved and over-surveilled puts the spotlight on those for whom infertility may be common, and among whom many may also be LGBTQ+, but for whom having and keeping one's own children, and being able to access any kind of reproductive service is not guaranteed and so is the most urgent matter. In many countries, those in the most precarious positions are also the most likely to be incarcerated, the least likely to have educational opportunity and upward mobility, and the most likely to have their children removed by the state. In conflict zones, during forced and economic migration, in prison, and so-called 'failed states', children are often separated from their natal families. The legacies of colonialism, slavery, and civilizational conflict sedimented into property regimes and laws mean that correlations between race, ethnicity, religion, and poverty co-exist intergenerationally in many places. The most important issues around reproductive services become battling health and other enduring inequalities and averting death and kinship theft. One's identification as fertile or not or LGBTQ+ or not is less important than being subject to systematic disenfranchisement, de-kinning, and premature death.

The reality of access to reproductive services, especially for gay men, exaggerates the difference in these positions. With commercial surrogacy being available only in some states in the USA for gay men, gay surrogacy by necessity operates in a realm of affluence, privacy, cross-border mobility, and consumer choice that seems to separate it from the concerns of advocates of domestic and transnational reproductive justice. It is thus not surprising that increasing the reproductive choice of LGBTQ+ intended parents has come to seem to be at the expense of reproductive labourers and to be mute as regards those unable to access the technologies for reasons of economic, national, racial and other kinds of stratification. In fact, though, the majority of infertile and/or LGBTQ+ individuals are not privileged, and many are not only economically insecure themselves but much more vulnerable because of their LGBTQ+ and/or infertile status. Even among those gay men who do access commercial surrogacy, an assumption of wealth and privilege masks the ways in which many far-from-affluent would-be parents, including gay fathers, mortgage other aspects of their lives and lean on family and friends to make ART affordable. This apparent binary also makes invisible the ways in which LGBTQ+ reproduction and family making, even when relatively elite, is still stigmatized and subject to violence and denial. And it masks the common cause, demonstrated in some of the papers in this symposium issue, that some reproductive labourers and gay fathers make. Overall, advocates for LGBTQ+ family making

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have every reason to make common cause with those who focus on the wellbeing of reproductive labourers and the underserved.

There is an urgent need to counter patterns that reproduce normative family ideals. It our hope that this symposium issue will produce a greater awareness of the different kinds of family making and/or breaking and encourage cross-movement advocacy.

The contributions

In this section, we summarize the articles included in this symposium issue, and we discuss (i) how they draw on and contribute to scholarship on transnational surrogacy, stratified reproduction, queer reproduction, and reproductive justice, so as in turn to help understand and shape ART today; and (ii) how the articles in this issue help work through the tensions among transnational surrogacy, queer kinship and reproductive justice, so as to help forge intellectual and political solidarities with which to attend to the life, death and migratory stakes of surrogacy and reproductive technologies today. Following the Editorial and this Introduction, the issue includes three commentaries in a section headed 'Queering Kinship 2.0' and eleven original research articles divided into five thematic sections: 'Autonomy and Justice', 'Circulations', 'Framings', 'Markets' and 'Belonging'.

Queering Kinship 2.0

'Queering Kinship 2.0' presents the contributions from three sociologists renowned for their research and publications on LGBTQ+ families, who were all present at the *Making Families* workshop: Judith Stacey, Joshua Gamson and Laura Mamo. This opening section provides a transcribed and lightly edited version of the commentary that Judith Stacey delivered at the end of the symposium day, 'Queer reproductive justice?' (Stacey, 2018, this issue). The commentary revisits Stacey's own role in feminist and queer studies and politics in the USA in the early 1970s and asks what has been lost and gained in the interim. As early critiques of mainstream family institutions gradually turned into a mainstreaming pro-family shift in feminist and gay narratives, Stacey found herself in an ambivalent position of defending gay and lesbian families in the gay marriage campaign, despite identifying as a feminist and queer sociologist who had previously criticized the very institutions of marriage and family. Stacey further notes that despite some early engagements between queer and reproductive justice scholars and activists, conversations between the current celebratory queer family discourse (which now includes surrogacy) and reproductive justice advocates have become scarce. She suggests that an exploration of the relationships between gay parents and reproductive labourers who help them could offer avenues for conversations between queer kinship and reproductive justice, and for building new solidarities.

Joshua Gamson, in his commentary 'Kindred spirits?' (Gamson, 2018, this issue), sees hope in relationships, conversations and solidarities between different participants of reproductive arrangements as a way towards family justice. He points to an ethical surrogacy framework elaborated jointly by gay parents and women who help them as surrogates and donors, and he calls for open adoption and ongoing relationships between adoptive parents and birth families (also see Marre and Briggs, 2009). Building solidarities of this kind, Gamson argues, may be a way out of inequities that continue to shape family making. In his account, equitable access to and support for self-determination is the shared goal through which family justice can be sought.

In the final commentary, 'Queering reproduction in transnational bioeconomies' (Mamo, 2018, this issue), Laura Mamo sets out a project of transnational queer reproductive justice. For Mamo, queer reproductive justice involves accountability on the part of everyone who participates in ART toward intended parents and reproductive labourers alike. To be accountable, she argues, is to understand the inequities in the global bioeconomy of assisted reproduction. This does not necessarily mean opting out of ART but it does mean finding ways of making the increasingly neoliberal logics of reproduction visible and counteracting them with an ethic of care and with policies that support non-normative kinship configurations and all their participants.

Autonomy and Justice

In the section on 'Autonomy and Justice',established scholars of reproductive justice and ART discuss the implications of reproductive justice for queer family formation, focusing on the different conditions needed for autonomy depending on one's economic and other kinds of structural positioning. The section includes Camisha Russell's article, 'Rights-holders or refugees? Do gay men need reproductive justice?' (Russell, 2018, this issue). Russell explores gay surrogacy's relationship to reproductive rights and reproductive justice. Russell reminds readers that the reproductive justice movement emphasizes the inadequacy of the language of reproductive choice for many women of colour in the USA, given that racial and economic discrimination greatly affects their ability to decide freely whether or not to have children and to keep them and raise them in safe and healthy environments. As Russell argues, however, this is not necessarily the case for those gay men who are wealthy and mobile enough to pursue surrogacy. Therefore, she argues that despite shared historical experiences of discrimination and stigmatization in relation to reproduction, the situation for many women of colour in the USA and that of gay men pursuing surrogacy is not parallel, and the latter is not strictly a matter of reproductive justice. In addition, the language of justice or of any duty on society's part would imply a problematic 'duty' on the part of women to serve as egg donors or surrogates. Barriers to adoption or to gay parenthood based on a belief in gay men's unfitness as parents could be perceived as reproductive injustice, as could the situation facing economically precarious gay would-be fathers who cannot afford surrogacy, but Russell argues that free-market rights rather than reproductive justice are at stake in gay surrogacy itself. Russell proposes expanding the concept of procreative liberty to fight together for marginalized family forms and reproductive justice.

Zakiya Luna's article 'Reproductive justice and queering family' (Luna, 2018, this issue) centres the possibilities of

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coalitions between families that are in some way disruptive and therefore queer in the sense of being non-normative, such as single-mother families, queer-parent families, families of colour, and economically disadvantaged families. Through a media analysis, Luna juxtaposes stories of assisted reproduction used or refused by woman-of-colour celebrities with stories about infertility in blogs written by economically disadvantaged women of colour. Of the two wealthy celebrity narratives she examines, one features a choice to use ART and the other actively refuses it, referring to the importance of being able to love and live happily in homes that do not contain one's own children. Both challenge norms of appropriate family, one by speaking openly about the range of people who she included in the idea of family and the other by speaking openly about resisting the imperatives to pursue technology just because a person can. Luna argues, however, that both were speaking from the relatively safe position of socially-sanctioned heterosexual marriage and financial independence of celebrity. She reminds us that LGBTQ+, unmarried people, and poor people remain under social surveillance for their reproduction and their choices regarding marriage, and that it is important to remember what one economically disadvantaged blogger wrote, that the stigma around non-traditional families does not go away with access to ART. Luna suggests forming coalitions between different kinds of disruptive families as a way forward to break down the multiple economic, regulatory, and discriminatory barriers to thriving as different kinds of families.

Jenny Gunnarsson Payne's article, 'Autonomy in altruistic surrogacy, conflicting kinship grammars, and intentional multilineal kinship', (Gunnarsson Payne, 2018, this issue) also highlights the crucial importance of dialogue and collaboration between gay men and women who undertake surrogacy, arguing for the need to share custody to protect autonomy where necessary. She analyses two reports commissioned by the Swedish government to evaluate the possibility of legalizing altruistic surrogacy in Sweden. Although one report came out in favour of surrogacy and the other against it, both reports used the same argument of women's bodily autonomy and self-determination. Gunnarsson Payne proposes that any queer and feminist version of surrogacy should include the surrogate mother's right to change her mind alongside the intended parents' rights to have children. To avert the nuclear family-based custody disputes that this could potentially engender, Gunnarsson Payne suggests that surrogacy contracts should always include the possibility of queer kinship, with custody shared between the surrogate mother and the commissioning parents, should the surrogate choose it at any point of the process. She proposes a queerfeminist legalization of surrogacy where the linear nuclear conflict between the kinship grammar of gestation and the kinship grammar of parental intent is solved by acknowledging multilineal parental kinship constellations.

Circulations

The section on 'Circulations' foregrounds understanding the ways in which race and migration are produced within the structural and institutional materialities of discrimination and inequality so that race and migration themselves become technologies of family making and breaking. In her article, 'Making mothers in jail: Carceral reproduction of normative motherhood', Carolyn Sufrin (Sufrin, 2018, this issue) analyzes the lived experiences of reproductive (in) justice of incarcerated women. The mass incarceration of people of colour in the USA is a reproductive technology itself, she argues. Birthing mothers and their children born in prison are de-kinned in various ways, turning incarcerated women into unconsenting gestational carriers for the state, which both takes over their children and yet does not acknowledge or support their families. The rarity of a case of an inmate undergoing IVF in jail stands in contrast to the ways in which incarcerated women are not normally encouraged to reproduce. Sufrin argues instead that what is reproduced within the prison through its official courses for inmates are assumptions of heteronormative reproduction, and white middle-class family values and normative motherhood. Given that these norms do not take into account the structural reality and options shaping these women's lives outside of the jail, they further serve to undermine family beyond prison. Sufrin's ethnography is an acute reminder of mass incarceration as reproductive injustice and makes explicit the need for rights to keep and raise one's children in healthy and safe environments in addition to rights to have or not have children.

Michal Nahman's article, 'Migrant Extractability: Centring the voices of egg providers in cross-border reproduction', (Nahman, 2018, this issue) focuses on egg donors or providers, who she conceptualizes as being at the beginning of a value chain of reproduction. Spain performs about 50% of egg donations in Europe, out of which 25% are carried out by migrant women, and Nahman's paper is based on ethnographic interviews with migrant egg providers in Spain. Nahman argues that it is crucial to take into account the perspectives of providers of eggs in discussions on surrogacy. Egg providers are often ignored in debates on justice in surrogacy because of a focus on the physicality and long-term nature of the work of surrogates, because of donor anonymity procedures, and because donors are often assumed to be higher status than surrogates – eggs tend to be selected for embodying the eugenic markers of race and class privilege. Nahman shows, however, that in Spanish egg donation three intersecting inequalities act upon egg providers to make them extractable and thus to become both workers and commodities: their migrant status, their precarious working contracts, and what Nahman calls their postcolonial white race. The interviewed egg providers are classified as white for the purposes of ART, making their eggs suitable for whitening projects of reproductive choice, but they come from Eastern and post-communist countries at the margins of Europe. The global circulation of eggs sheds light on the ways race and migration continue to shape one another and do so through stratifying reproduction and making and breaking families.

Framings

In the section on 'Framings', surrogacy is situated within broader narrative and material processes. In her article, 'Land, Women, and Techno-Pastoralism in Southern Karnataka, India', Sharmila Rudrappa (Rudrappa, 2018, this issue) draws parallels between the treatment of working-class women's

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bodies in Indian surrogacy and the treatment of land in the agriculture of the Indian state of Karnataka. Rudrappa argues that Indian women in surrogacy dormitories become not-mothers and not-workers through the absolute alienation of their wombs rather than the alienation of their labour. Rudrappa documents a necroeconomy dating back to the 1875–76 famine, the subsequent construction of a dam, birth-control clinics, population-control programmes and the agricultural interventions of the Green Revolution, up to today's regenerative medicine and stem cell manufacturing in which both agricultural and poor women's bodily labour have long been intertwined as raw materials for bio-capital development. Rudrappa argues for changing the necropolitical patterns according to which poor women's body parts and bodily processes, and the land, are turned into pure exploitable natural resources. Surrogate mothers and the land both need to be acknowledged as, and granted the protections of, labour and agency unto themselves to break this framing.

Ingvill Stuvøy in her article, 'Troublesome reproduction: Surrogacy under scrutiny', (Stuvøy, 2018, this issue) draws out the multiple scholarly framings within which surrogacy has been situated. Stuvøy finds that scholars' framings depend upon whom of the different people taking part in surrogacy they focus. When the focus is on surrogacy as a way of becoming parents, scholars tend to problematize who can afford it, because surrogacy is typically only available for the relatively wealthy, as a matter of consumer choice. Scholars who focus on commercial surrogacy as a way to have babies tend to trouble the commodification of women's bodies and of babies represented by their incorporation into the market. Scholars who centre those who provide reproductive assistance trouble the exploitation of the women gestating and birthing the children. Stuvøy suggests bringing these frames together to find ways to promote and protect the rights and well-being of reproductive assisters, those seeking help making families, and each of their families and children simultaneously. She proposes moving away from understanding surrogacy as a substitution or a transaction within a commissioning couple's reproduction, and instead understanding it as a relational being-together that makes visible the fact that reproduction is always a collaborative and relational endeavour that neo-liberal logics misrepresent.

Although Kim TallBear's paper from the workshop, 'Looking for love and relations in many languages', is not included in this symposium issue due to time pressure, she consented to including a description of it in this introduction. Her paper addressed the critical and solo polyamory she practices as a form of decolonizing relations. She explained that she has come to understand the idea of 'Indigenizing' sexuality as paradoxical and not her project. Rather, TallBear argued that critical nonmonogamy has taught her more fluidity between different categories of relationships, i.e. between 'friend'and 'lover', and is a step toward disaggregating sexuality and sex back into good relations. Via this form of polyamory, she has begun to be able to de-fetishize sex, making it one important form of relating but not a necessarily privileged form of relating. This reframing of sexuality away from settler colonial, patriarchal, property-based forms of family making and breaking is a powerful way to begin anew to form good relations in and around reproduction.

Markets

In the section on 'Markets', the focus shifts towards the perspectives of gay men who seek surrogacy through the commercial surrogacy market in the USA, which is currently their only stable surrogacy market. Heather Jacobson in her article, 'The recruitment of gay men as surrogacy clients in the infertility industry in the USA', (Jacobson, 2018, this issue) combines a quantitative and qualitative analysis of infertility clinic and surrogacy agency websites in the USA so as to gauge whether the surrogacy industry there is encouraging or discouraging gay men as surrogacy consumers. The relevance of this analysis is underscored by other research that shows how websites are a primary source of information for gay men seeking parenthood. Not surprisingly, she finds in her analysis of 547 websites that clinics and agencies that explicitly address gay men are concentrated in the states and regions where commercial surrogacy for gay men is not illegal or politically contested. She finds most of the sites rely on heterosexist assumptions and do not directly advertise to men in general, and especially not to gay men. Jacobson suggests that limited online information and the geographic clustering of surrogacy agencies and infertility clinics, in addition to the cost of surrogacy, further limits the market to intended gay fathers of higher socio-economic status who can access information and who live in or can travel to information- and surrogacy-rich areas. The unintended consequences of this niche market may be undermining solidarity between wealthier and less affluent gay men, as well as discouraging gay men's procreative consciousness in general.

Marcin Smietana's qualitative research study, 'Procreative consciousness in a global market? Gay men's paths to surrogacy in the USA,' (Smietana, 2018, this issue) documents the emergence of gay men's procreative consciousness and their reproductive decision-making in order to pursue transnational or domestic surrogacy in the USA. Smietana finds that there are several phases through which the awareness of being reproductive subjects emerges among his interviewees, including several barriers that need to be surmounted. Despite recent accounts of supposed 'gayby booms', gay men do not typically experience the same societal pressure to reproduce that women and straight men often refer to as adding to the burden of infertility. Rather, they have to fight against the opposite in developing a sense of their own procreative consciousness as potential parents. The possibility of being a genetic parent is also a major hurdle, given the current need to work with surrogates and egg donors to bring about genetic parenthood for gay men (recent scientific breakthroughs involving same-sex mammalian sexual reproduction are still far from the human clinic). Smietana focuses in particular on how his interviewees come to think of themselves as potential biological parents who then have no choice but to become part of a global surrogacy market about which they might be distinctly ambivalent. He finds a high level of consciousness among these gay men not only of their own efforts to claim reproductive rights but also of the rights and well-being of those who help them as surrogates and donors. Similarly, he finds that donors and surrogates often find extra meaning in helping gay men who have no other access to biological parenthood and who are frequently discriminated against in adoption. The global market and the recognition of stratified

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reproductive labour is not antithetical to, but rather an integral part of how this mutual concern and consciousness is articulated by all parties. Smietana argues that, despite the challenges of the market, there is much to be learned from how gay men, surrogates and egg donors navigate these relations that is of relevance to efforts to take into account the rights of and justice for all parties concerned.

Belonging

The last section, 'Belonging', foregrounds gay men's belonging in families and the nation. Damien Riggs' article, 'Making matter matter: Meanings accorded to genetic material among Australian gay men', (Riggs, 2018, this issue), draws on his previous work with Australian gay men to explore meanings accorded to genetic relatedness. Riggs identifies four ways in which Australian gay men strategically naturalize genetic relatedness: claiming kinship as sperm donors, negotiating being the 'bio-dad' or the 'non-bio-dad' in gay couples in surrogacy arrangements, minimizing kinship with genetically related women who act as egg donors, and controlling the flow of information to children about their genetic relations. Overall, Riggs finds Australian gay men imbue genetic matter with kinship in ways that align with their family-building objectives and with state requirements for reproductive citizenship. Riggs argues that the fight for gay men's state-sanctioned biological parenthood risks turning the woman working with gay fathers into mere service providers. Riggs argues for the need to recentre all parties in genetic and non-genetic relatedness, without necessarily arguing that all parties are kin. Kinship always involves the strategic and active making and unmaking of relatedness. Matter matters in conferring kinship, but not in a simple essentialist way. Recognizing the contributions of surrogates and egg donors to gay father reproduction need not confer kinship or threaten the very legitimacy of their family formations.

Jérôme Courduriès' article, 'At the nation's doorstep: The fate of children in France born via surrogacy', (Courduriès, 2018, this issue) examines the limits of reproductive citizenship in France. Drawing on his ethnographic research with French gay fathers through transnational surrogacy, and legal and archival analysis, Courduriès explores the tangible legal consequences of the French state's rejection of surrogacy and of children born to French nationals through this method abroad. Some surrogacy-born children live in France with American or Canadian passports granted in those countries through *jus soli*, while those born in Russia or India remain stateless and require a special consular permit. Courduriès' interviewees – both gay and heterosexual – managed to live successfully with their foreign-born children in France, but because they couldn't include their children in the French civil register or obtain French nationality for them, many administrative tasks were much more burdensome. Most importantly, the refusal to admit surrogacy-born children to the French national community despite intentional and genetic parenthood, means that inheritance and other kinship rights are not recognized. Courduriès documents these families' struggles for legal and social recognition, including arguing for the need to queer kinship against Republic-sanctioned civil norms. Paradoxically, surrogacy families also advocate for the normative nuclear ideal of genetically related family that excludes and stigmatizes so many, because it would grant citizenship to foreign-born surrogacy children with at least one French-national parent.

Conclusions

In this symposium issue, we have argued that the use of transnational surrogacy and related ART requires an analytical approach that draws upon the scholarship in the fields of queer reproductions, stratified reproduction, and reproductive justice (see Table 1). This approach stems from a fundamental orientation in these three fields that pays close attention to the ways in which some families are broken up or forbidden from forming at all because of the privileging of some families and not others. This approach demands that we move towards the inclusion of non-normative family forms and their flourishing. It also highlights the significance of the making and breaking of families, which is central to contemporary socio-political dynamics that reproduce (or sustain) hierarchies of race, class, nation, (hetero)sexuality, and disability. It requires scholars, public policy makers, healthcare providers and others to reimagine a collective procreative consciousness where LGBTQ+, those who work as assistive reproducers, and other non-normative reproducers (the infertile, the poor, the racially and religiously minoritized, the precarious migrant, those with disabilities, those not in nuclear families, the incarcerated) have access to reproductive justice and other rights that work in the local, national, and transnational contexts of their own identities and lives. And it also calls for an awareness of the environmental and inter-species embeddedness of reproduction without which inequality, toxic exposure, and biodiversity and climate crisis will likely exacerbate the very hierarchies that support some families and not others.

This introduction and the papers provide several arguments and findings that offer new concepts and alternatives that enable us to rethink, reframe and develop new policies around family making. Prison, especially in the USA, and non-elite migration emerged as built on race as a technology and on family breaking and separation. Those working as surrogates or egg donors displayed a wide range of positionalities, ranging from collaboration for different but compatible ends with shared values about the process, to instrumentalization for migration or marginal income, to exploitation depending on the national and transnational context and conditions of autonomy and precarity. Wealth, celebrity, and other forms of privilege continue to link reproductive technologies, including surrogacy, to class privilege and consumer choice. Thus, class status produces completely different meanings and experiences of ART. Reproductive loss and refusal continue to feature strongly in LGBTQ+ and heterosexual interactions with ART in ways that mirror or push against gender, sexual, and family norms. Making families that include children begins with adoption, conception, or co-parenting but does not end there. It continues to be the case that the risks of not being able to keep and raise children up to and after birth free from economic and state violence and discrimination are extremely unevenly distributed.

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Table 1 A summary of the concerns that each of the subfields of reproductive justice, queer reproductions, and stratified reproduction bring to the fore and the perspectives engendered by thinking about them together. It should be read first diagonally, top left to bottom right (in bold), and then at the intersections.

PolicyFraming	Reproductive Justice	Stratified Reproduction	Queer Reproductions
Reproductive Justice	**Access to life-saving care and services, and the right to keep and raise one's children free from poverty and state violence needed**	Internal divisions within society interact withthe global divisions driving cross-border reproductive care and services	LGBTQ+ persons' care and servicesmust include rights for donors and surrogates alongside LGBTQ+ rights
Stratified Reproduction	Reproductive services and rightsneeded for those on low incomes, people with disabilities, by region, race, ethnicity, religion, within and between nations	**No group should be more likely to provide reproductive care and services for others (due,for example,to poverty or migration) than to receive the same care and services**	LGBTQ+ cross-border reproducers have surrogates, donors, and children who cross borders who need better protection
Queer Reproductions	Low income and precarious LGBTQ+ persons must not be excluded from LGBTQI+ reproductive care and services	LGBTQ+ need for reproductive care and services drives border crossing for them and for others doing reproductive work with them	**Identifying as LGBTQ+ should not place exceptional demands or restrictions upon one's access to reproductive care and services**

In the papers, LGBTQ+ reproducers find themselves working in multiple registers, for their own reproductive consciousness and for good ethical commercial and/or interpersonal relationship with reproductive assisters. The only stable destination for gay fathers to access surrogacy has become commercial surrogacy in California, the largest state in the USA. This is possible because in the USA where regulations apply primarily to publicly funded activities, the private sector ironically protects reproductive privacy. This means that many gay would-be fathers who lack the economic resources cannot access surrogacy and biological parenthood. Those who can access surrogacy then find themselves participating in a system that undermines solidarity and normalizes elite gay parenthood through consumer culture rather than system change. Gay would-be fathers working with surrogates thus often find themselves, in the face of critique and their own political beliefs, performing ethical work to dissociate their desire for family from their solidarity with LGBTQ+ community while simultaneously continuing to battle homophobia in society at large. Access to LBGTQ+ family making remains a huge problem worldwide, and in many jurisdictions gay fathers continue to fight for their own and their children's basic citizenship rights and recognition.

Many of the contributors to this symposium issue identified positive aspects and/or argued for strategies to make things better. For example, the struggle for gay fathers to achieve family and state legitimacy through biological parenthood often requires downplaying the contribution of surrogates and egg donors to family making, but the papers show that other kinds of connection and care also occur that are hopeful. In commercial surrogacy, for it to go well, good pay and working conditions require surrogates, donors, and the commissioning parent(s)-to-be interacting in ways that are based on gratitude and respect from the would-be parents for the reproductive assisters, and that help separate the intended parents from those doing an important paid job. In practice, when things do go well, genuine connections are made. Interactions also often include things that make these particular corporeal jobs meaningful, such as agreeing to share positive information about the donor and surrogate with the children, keeping in contact in the future, and showing monetary and affective support of the surrogate's and donor's own family making and -keeping projects.

Furthermore, surrogates and donors working with gay men often explicitly value collaborating in the work of making gay men's reproduction possible in a homophobic society. Altruistic surrogacy is usually undertaken in welfare states that support gender and sexual equity, although many of these same states use family formation differentially in immigration according to racializing logics and religious affiliation. Where sexual orientation and gender identity does not preclude citizenship, and thus where resembling the patriarchal nuclear family is not a requirement of state recognition, LGBTQ+ families can be at the forefront of moving beyond the restrictions of nuclear family. In place of cognatic linear descent models of kinship, wider networks of carers and more kinds of parents can perhaps be recognized, more accurately reflecting the complex webs of care that families require.

Reproductive, family, and planetary loss haunts these pages but there is also qualified hope. Several of the papers

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argued for advocates for justice for LGBTQ+ and other non-normative families to come together to fight collectively for the rights of non-normative families. Experiences of family breaking and non-recognition are shared across different groups, even though the particular kinds of de-kinning and the level and kind of exclusion, violence, discrimination and stigma varies. There is hope in the idea of a shared struggle to combat the hierarchies, laws and norms that continue to render many forms of family illegible and unprotected. Joining forces with reproductive justice activists to push for policies that explicitly address access to proceptive and contraceptive technologies and to family thriving, recognition, safety, and support over the long haul would strengthen movement-specific efforts to fight for justice. Likewise, this symposium issue suggests the importance of working with groups who advocate prison abolition or reform, migration reform, LGBTQ+ justice, and disability justice.

This symposium issue and this introduction also suggest there is hope in working together to protect other species and the environment for their own sakes but also to halt climate and toxic exposure injustice and growing inequality. This suggests being in solidarity with those who work to change how humans live and who advocate non-genocidal, anti-racist human population reduction based on properly valuing non-, differently, or less biologically reproductive human family formations.

Given the current speed with which ART and the associated global fertility industry are developing, perhaps the most important lesson of this symposium issue has been making visible the scale, speed of change and dilemmas in this industry. Egg freezing, the global consolidation of the industry, platforming of the drug, equipment and clinical aspects of ART, and the economic behemoth that it has become deserve sustained scholarly attention. In particular, developments in the science and industry may render surrogacy and gamete donation obsolete in the not-too-distant future, and platforming and economies of scale may allow for certain price reductions and more flexible supply chains with more points of service delivery. But this growth will also make it more and more difficult to see inside the 'black box to notice who benefits and who does not. As scholars such as Ruha Benjamin and Safiya Noble have argued, technologies bake oppression into the infrastructure and the materiality and sociality of the normal (Benjamin, 2016; Noble, 2018). Making families from the perspective of queer reproductions, reproductive justice, and stratified reproduction first requires making these processes, problems, and hope visible.

Q27 Uncited references

Ross and Solinger, 2017
SurrogART project, n.d

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