

What have we learned about reproductive justice from a philosophical point of view?

Mario Kropf (mario.kropf@uni-graz.at) 

Abstract: In this short essay, the conference on “Reproductive justice in the context of queer and trans reproduction with assisted reproductive technologies,” which took place in Graz in February 2024, and the presentations associated with it, are discussed from a philosophical perspective. The central question is what we have learned for our considerations of reproductive justice. To this end, this short contribution will discuss four points in more detail that appear particularly valuable from a subjective point of view. These include (1) reproductive justice and freedom, (2) reproduction and moral identity, (3) reproduction and equity, and (4) reproduction and care. This consideration shows what contribution the scientific achievements to date and the presentations at the conference have made so far. In addition, it highlights the work that still needs to be done in the future in order to make further progress towards the goal of reproductive justice.

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What have we learned about reproductive justice from a philosophical point of view?

In the following paragraphs, I would like to highlight what I consider to be the most important aspects of the conference on “Reproductive Justice in the Context of Queer and Trans Reproduction with Assisted Reproductive Technologies”, that took place in Graz in February 2024. I will focus on four issues and their interrelations: (1) reproductive justice and freedom, (2) reproduction and moral identity, (3) reproduction and equity, and (4) reproduction and care. In terms of reproductive justice, complex issues arise regarding access to specific technologies, further research in this context, the rejection of entrenched and sometimes institutionalized norms, and, not least, the individual realities and life plans of the people involved (Roberts 2015, 79f.; Tam 2021, 2f.). In most cases, reference is made to a right to one’s own reproduction, which can be derived from human rights (Ross 2017, 290f.). The following considerations, aspects and arguments seem to be particularly important, and I will attempt to formulate the core messages associated with them. The ultimate guiding question for this brief summary is: What did we learn about reproductive justice?

Reproductive justice and freedom

As the *first* important point, I would like to take a closer look at the notion of freedom within the LGBTIQ+ reproductive context from a philosophical perspective, freedom is a concept that is mostly associated with self-determination (Schockenhoff 2016, 71f.; Sahm 2020, 443ff.), the (moral) autonomy of the human being (Horn/Mieth/Scarano 2015, 52; Menke 2010, 678f.), or a free (and reflective) decision (Frankfurt 1988, 128ff.). The challenge regarding free decision-making became obvious in the considerations on *imagination* and especially through the difference between *if* and *how* (Robert Pralat). The question of *how* arises only *if* persons within a specific community have the opportunity to make free decisions and thus can also express a form of autonomy, however formulated. From the presentations, it became clear that this freedom must be provided independently of personal life choices, perspectives on sex and gender, and the convictions fundamentally associated with them. Similarly, the comments on people with disabilities (Ute Kalender), the question of bodily integrity and

autonomy (Marcin Smietana, Sonja Mackenzie, Laura Mamo), and the challenges surrounding legal fatherhood and legal motherhood (Alice Margaria) also helped to emphasize the aspect of freedom. Ultimately, the aim is to grant all people freedom with regard to their own life choices, regardless of which personal ideas of sex and gender are meaningful to them.

Reproduction and moral identity

A *second* aspect that particularly stuck in my mind is the question of self-image or, as it is more often referred to in philosophical contexts, human – and moral – identity (Reed/Aquino/Levy 2007, 181; Hardy/Nadal/Schwartz 2017, 97f.; Krettenauer 2020, 331). Several presentations (Doris Leibetseder, Annika Spahn) refer to various forms of discrimination against people associated with the LGBTIQ+ community simply because they are perceived as different. Sometimes this form of otherness is considered threatening, associated with personal aversion or general insecurity. However, it seems at least plausible to assume that people with such attitudes and fears lack important knowledge and understanding because they are not sufficiently informed or, perhaps, are not willing to open themselves to such information. This issue of different moral, gender and sexual identities was also highlighted in the discussion of sexual identity (Marcin Smietana, Sonja Mackenzie, Laura Mamo), sometimes differing perceptions of gender (Elgin Pecjak), or the very illustrative comments on heteronormativity (Annika Spahn). In line with the statements of Mick van Trotsenburg, we should be careful when making such prescriptions about how a particular identity should be lived and displayed in public. Ultimately, it is about the person concerned, their way of life and their interpretation of who they actually are (Kropf/Schmidhuber 2024, 6). Any suggestions or even prescriptions would therefore not only be unfair, but would make the idea of human and, more precisely, personal identity obsolete. The personal idea of identity cannot be meaningfully conceived without the individual in question, which is why individual preferences with regard to sex and gender, or an associated idea of one's own self, must be considered and accepted (Hardy/Carlo 2011, 213). People have different ideas about what is right and wrong for them, how exactly they imagine a happy life and how they want to represent themselves to their fellow human beings (Blasi 1993). To dictate this identity to them or even to declare certain forms of its design as wrong may be plausible in terms of a specific moral concept, but it is difficult to justify in ethical terms.

Reproduction and equity

With the *third* aspect, I would like to emphasize the dimension of justice, and which is also reflected in the description of the conference. There are so many different concepts of justice, such as social justice, compensatory and retributive justice, legal justice, moral justice or intergenerational justice. It seems impossible to resolve such a general question, which is why I only want to focus on one particular dimension. When we talk about distributive justice, for example, we are talking about distributing certain goods that are important to people (Nozick 2011, 254-6ff.). Adequate access to health care seems one such good, especially as it makes other values and life goals possible (Kreß 2003, 50f.). In most cases, the distribution refers to the benefits, specific needs, personal contributions or other relevant criteria, but usually not exclusively, by taking gender-specific differences into account. There seems to be a particular need for each person, especially in terms of access to healthcare, ART (assisted reproductive technologies) and also to facilities where people feel comfortable (Doris Leibetseder). Several presentations highlighted various issues faced by people in the LGBTIQ+ community, such as a lack of or inadequate medical support (Mick van Trotsenburg), discrimination or general reluctance. However, *personal* support in the healthcare system seems to be crucial on the one hand and, on the other, can be made understandable by pointing out equal access (Sandel 2010, 212f.). The fact that justice in this context requires the possibility for every person to receive medical and nursing care when they need it and according to their specific situation was also emphasized in a similar way in other presentations, by queer justice (Marcin Smietana, Sonja Mackenzie, Laura Mamo), social justice and human rights-based approaches (Kimala Price), or basically meeting individual needs by providing individualized therapeutic options (Robert Pralat, Elgin Pecjak). What we ultimately need seems to be a healthcare system that recognizes different individuals and their specific needs and seeks to circumvent established and sometimes counterproductive policies or procedures in order to meet the demands often associated with the notion of equity.

Reproduction and care

My *fourth* and final point, that I consider particularly important is the examination of the concept of caring (Noddings 2015, 74f.), a perspective of care (Biller-Andorno 2001, 55f.), or beneficence (Beauchamp/Childress 2019, 219f.), which is important in medical ethics – and also when considering the conference. Colleagues at the conference made it clear that we need a kind of com-

munity orientation (Doris Leibetseder) that relates to the human community in general and the LGBTIQ+ community in particular. According to the above-mentioned approach in health care, institutions and health care systems – respectively, the people in charge – must convey or at least signal a certain attitude, which should ultimately be conveyed by the employees (Mick van Trotsenburg). Patients should not only feel safe, be provided with medical and nursing expertise or treated using state-of-the-art methods and technology, but also with caring behavior and a benevolent attitude on the part of the staff. This is also associated with the distinction between caring *for* and caring *about*, which, in line with the previous remarks, corresponds to a care-related standard or a specific attitude (Jecker/Self 1994, 63f.). Sometimes an honest conversation (Mick van Trotsenburg) is important and sufficient, for example when nurses signal personal affection (Ute Kalender) and want to establish a subjective connection with the people they care for (Noddings 2015, 77). These and similar attitudes can be covered by the term “*ethics of care*” (Marcin Smietana, Sonja Mackenzie, Laura Mamo), which is concerned with the patient, their specific needs, fears and concerns, and not just with meeting professional requirements. A distinction may be made between caring for a particular person and caring about a particular person, but in the context of the LGBTIQ+ community, and in general among people seeking health services, both forms are essential. A doctor or nurse must ensure adequate treatment while also treating the individual with welcoming, friendly, and caring behavior.

Conclusion

What can definitively be stated about the conference in Graz is the fact that *reproductive justice* is not only meaningful as a term or concept from a philosophical point of view. Above all, it is crucial that people and groups that have been insufficiently considered from a theoretical and practical point of view are brought more to the fore. The presentations, the stimulating discussions and the podium discussion contributed to drawing attention to important and often marginalized aspects in the reproductive context. Even though numerous publications, initiatives and associations have become more established in recent years, the ultimate concern must continue to be considered in the future. This means that issues of justice, with regard to reproductive technologies and the associated access opportunities for individuals, must be given even more consideration in research, society, politics and the economy. Just because people can be assigned to a specific group or possibly cannot be integrated into the current norm, this can in no way justify withholding opportunities that are subjectively

considered relevant. Thanks to the participants and actively participating people, we have now learned even more about the importance of non-discriminatory and humane reproductive justice, which I hope will continue in the future. Finally, I would also like to thank the organizing team, and all the individuals involved, who made a significant and essential contribution to making this conference such a great success.

References

- Beauchamp, Tom L./Childress, James F. (2019): Principles of biomedical ethics. New York, Oxford: Oxford University Press.
- Billier-Andorno, Nikola (2001): Gerechtigkeit und Fürsorge. Zur Möglichkeit einer integrativen Medizinethik. Frankfurt am Main: Campus Verlag.
- Blasi, Augusto (1993): The development of identity: Some implications for moral functioning. In: Noam, Gil G./Wren, Thomas E./Nunner-Winkler, Gertrud/Edelstein, Wolfgang (ed.): The moral self. Cambridge, Massachusetts, London: The MIT Press, 99–122.
- Frankfurt, Harry G. (1988): Freedom of the Will and the Concept of a Person. In: Goodman, Michael F. (ed.): What Is a Person?. Totowa: Humana Press, 127–144. doi: [10.1007/978-1-4612-3950-5_6](https://doi.org/10.1007/978-1-4612-3950-5_6)
- Hardy, Sam A./Carlo, Gustavo (2011): Moral identity: What is it, how does it develop, and is it linked to moral action? In: Child Development Perspectives 5(3), 212–218. doi: [10.1111/j.1750-8606.2011.00189.x](https://doi.org/10.1111/j.1750-8606.2011.00189.x)
- Hardy, Sam A./Nadal, Amber R. C./Schwartz, Seth J. (2017): The integration of personal identity, religious identity, and moral identity in emerging adulthood. In: Identity 17(2), 96–107. doi: [10.1080/15283488.2017.1305905](https://doi.org/10.1080/15283488.2017.1305905)
- Horn, Christoph/Mieth Corinna/Scarano, Nico (2015): Immanuel Kant Grundlegung zur Metaphysik der Sitten. Kommentar von Christoph Horn, Corinna Mieth und Nico Scarano. 4. Auflage. Frankfurt am Main: Suhrkamp.
- Jecker, Nancy S./Self, Donnie J. (1994): Separating care and cure: An analysis of historical and contemporary images of nursing and medicine. In: Beauchamp, Tom L./Walters, LeRoy (ed.): Contemporary Issues in Bioethics. 4. Auflage. Belmont: Wadsworth Publishing, 58–68.
- Kreß, Hartmut (2003): Medizinische Ethik. Kulturelle Grundlagen und ethische Wertkonflikte heutiger Medizin. Stuttgart: W. Kohlhammer.

- Krettenauer, Tobias (2020): Moral identity as a goal of moral action: A self-determination theory perspective. In: *Journal of Moral Education* 49(3), 330–345. doi: [10.1080/03057240.2019.1698414](https://doi.org/10.1080/03057240.2019.1698414)
- Kropf, Mario/Schmidhuber, Martina (2024): Family caregivers and the ethical relevance of moral identity. In: *Nursing inquiry* 31(4), 1–9. doi: [10.1111/nin.12670](https://doi.org/10.1111/nin.12670)
- Menke, Christoph (2010): Autonomie und Befreiung. In: *Deutsche Zeitschrift für Philosophie* 58(5), 675–695. doi: [10.1524/dzph.2010.58.5.675](https://doi.org/10.1524/dzph.2010.58.5.675)
- Noddings, Nel (2015): Care ethics and „caring“ organizations. In: Engster, Daniel/Hamington, Maurice (ed.): *Care ethics and political theory*. Oxford: Oxford University Press, 72–84. doi: [10.1093/acprof:oso/9780198716341.003.0005](https://doi.org/10.1093/acprof:oso/9780198716341.003.0005)
- Nozick, Robert (2011): *Anarchie, Staat, Utopia*. München: Olzog.
- Reed, Americus/Aquino, Karl/Levy, Eric (2007): Moral identity and judgments of charitable behaviors. In: *Journal of Marketing* 71(1), 178–193. doi: [10.1509/jmkg.71.1.178](https://doi.org/10.1509/jmkg.71.1.178)
- Roberts, Dorothy (2015): Reproductive Justice, Not Just Rights. In: *Dissent* 62(4), 79–82. doi: [10.1353/dss.2015.0073](https://doi.org/10.1353/dss.2015.0073)
- Ross, Loretta J. (2017): Reproductive Justice as Intersectional Feminist Activism. In: *Souls* 19(3), 286–314. doi: [10.1080/10999949.2017.1389634](https://doi.org/10.1080/10999949.2017.1389634)
- Sahm, Stephan (2020): Ärztlich assistierter Suizid. In: *Der Onkologe* 26(5), 443–448. doi: [10.1007/s00761-020-00750-5](https://doi.org/10.1007/s00761-020-00750-5)
- Sandel, Michael J. (2010): *Justice. What's the right thing to do?* New York: Farrar Straus and Giroux. doi: [10.1037/e597132010-001](https://doi.org/10.1037/e597132010-001)
- Schockenhoff, Eberhard (2016): Selbstbestimmtes Sterben? Zur Funktion des Autonomiearguments in der Debatte um die Sterbehilfe. In: Schaupp, Walter/Kröll, Wolfgang/Ruckenbauer, Hans-Walter (ed.): *Medizin – Macht – Zwang. Wie frei sind wir angesichts des medizinischen Fortschritts?* Berlin: Nomos, 71–89. doi: [10.5771/9783845273587-71](https://doi.org/10.5771/9783845273587-71)
- Tam, Michelle W. (2021): Queering reproductive access: reproductive justice in assisted reproductive technologies. In: *Reproductive Health* 18 (164), 1–6. doi: [10.1186/s12978-021-01214-8](https://doi.org/10.1186/s12978-021-01214-8)