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Introduction: Reproductive justice and queer and trans reproduction

Elif Gül (elif.guel@univie.ac.at) 

Caroline Hammer (caroline.hammer@uni-graz.at) 

Doris Leibetseder (doris.leibetseder@unibas.ch) 

Abstract: The introduction of this special issue addresses current political developments surrounding reproductive justice, particularly in the context of trans and queer issues, and outlines the concept of reproductive justice. The idea to the special issue stems from the symposium „Reproductive Justice in the Context of Queer and Trans Reproduction with Assisted Reproductive Technologies,“ held in 2024 at the University of Graz, and is an outcome of the Elisabeth List project with the same title, led by Martina Schmidhuber and Doris Leibetseder. The content of the conference is summarized, the questions raised by the symposium and the special issue are examined, and the contributions of the special issue are introduced.

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Introduction: Reproductive justice and queer and trans reproduction

This special issue on reproductive justice (RJ) is the outcome of the symposium “Reproductive justice in the context of queer and trans reproduction with assisted reproductive technologies” organized by our Elisabeth List Fellowship project group. The topic of queer and trans reproduction is highly relevant at a time when the LGBTIQ* community is coming under threat (again, especially in the United Kingdom (UK) and United States (US)) from right-wing parties claiming LGBTIQ* people were a menace to traditional family values, anti-gender campaigns are rising, gender and sexuality studies are increasingly being cast as scapegoats, and the right to abortion is in danger or has even been abolished in some countries (Poland, certain US states). The current US government sheds light on the kind of catastrophic impact extreme right-wing politics could have on Europe. The attacks in the US on LGBTIQ* people (especially trans and non-binary), RJ, health and education institutions and organisations, and on science and academia in general (Faust 2025; Hansler 2025; Lemkin Institute 2025a–c) must serve as cautionary examples for Europe.

RJ is not only about gender issues: it is about racism, class relations, ableism, hetero- and cisnormativity (Schultz 2023, 2). RJ is an intersectional theoretical and activist movement, as reproductive challenges and injustices exist for poorer people (e.g. those who need social welfare benefits), people with disabilities, queer and trans people, people of colour, and refugees and migrants in German-speaking and European countries (Kyere 2021b, 63-70). The building of alliances in thinking and activism corresponds to critical queer and trans politics, which themselves are inherently intersectional from their origin (Compare Gloria Anzaldúa 1981 and Dean Spade 2015). Difficult queer- and transfeminist reproductive discussions, for example about surrogacy, adoption and egg donors, have already been held before the current wave of extreme right-wing politics. However, as the new right-wing attacks aim at dividing feminist from queer and especially trans movements, it is more crucial than ever to debate those reproductive challenges together and not in isolation and definitely not against each other. In our current political climate, we desperately need a provocative and radicalised intersectional reproductive concept and movement that is built on alliances and solidarities, as single minorities can be weakened more easily. Furthermore, as some far-right wing governments (such as the US) are now moving very fast, a fast transformation into activist alliances and practi-

ces is crucial for reproductive academic discourses without diluting the content (Schultz 2023, 4).

RJ is an anti-essentialist political framework for alliances, and an activist movement. This movement originated in reproductive-health organizations for women of colour in the US in the 1990s. Today, workshops and events by and for feminist activists and theorists of RJ are held internationally, and RJ is finding more and more recognition in Europe and the German-speaking world. In Germany, events and publications about RJ have existed since 2021 (Ediger et al. 2021; Heinrich Böll Stiftung 2022a–b; Kitchen Politics 2021). With the project “Reproductive justice: queer and trans reproduction in Europe” (September 2023 – Spring 2025), the Elisabeth List Fellowship programme made an effort to expand the engagement with RJ to Austria.

Despite the origin in the US, the framework is useful in a German-speaking context, as antinatalism and selection of who should give birth and who should be born are crucial points in reproductive injustices here as well. Even after the nazi history of eugenic and sterilisation treatments sterilisations continued for people with disabilities and trans people after 1945 (for example until 2011 in Germany). Furthermore, Germany has a class selective pronatalistic family policy since the 2000s and plans to broaden its prenatal screening program (Kyere/Schultz 2024, 20).

The theoretical framework of RJ originally consisted of three main points, the fourth was added later on:

- [1] The right to have a child under the conditions of one’s own choosing (including the type of obstetric care).
- [2] The right not to have a child and to secure access to safe birth control and abortion.
- [3] The right to parent children in an environment of one’s own choosing – free from institutional, structural, and interpersonal violence and under positive social, healthcare, and ecological conditions (Ross/Solinger 2017).
- [4] Some include a fourth basic principle – the right to sexual self-determination (Kyere 2021a).

The conceptual framework of RJ helps point out where intersectional inequalities and injustices in reproductive issues lie. Queer and trans people demand the same opportunities of reproduction as heterosexual and cis people. However, with regard to queer and trans reproduction, it is important to be aware that an oppressed group can exploit another discriminated group. For example, wealthy queer couples from the Global North could exploit surrogates from the Global South and endanger the surrogates’ (reproductive) health and therefore

their human right to (reproductive) health and to family life. An RJ lens also emphasizes how crucial it is to safeguard the human rights of the individuals and communities involved (Kyere/Schultz 2024, 19; Ross 2021; Ross/Solinger 2017, 20). The collective understanding of human rights consists of common experiences of oppressions, which are the conditions for agency but should be clearly distanced from any (neo)liberal and individualistic connections (Kyere/Schultz 2024, 19). A more individualistic approach such as to instrumentalize someone else's body for one's own desire and perhaps causing health problems for the other person, is not part of the RJ framework (Kyere/Schultz 2024, 20). However, it is not quite clear how to judge the non-heteronormative use of ART with a RJ approach. Loretta Ross questioned in 2022, the geneticisation and biologisation of kinship, as for her it is a narcissist self-aggrandizement of one's own biology and genetics (Kyere/Schultz 2024, 21). On the other side, it can be difficult for queer and trans people to adopt children, as there is often legal or informal discrimination in some countries and/or less children available for adoption, because of the prohibition of international adoption in certain states. In general, adoption comes with another set of ethical challenges. Although, if there would be less legal pushing towards biological and genetic kinship, it might also help queer and trans people to build family relations in a non-biological way, as they have already been used to doing with so called "chosen families". Overall, queer and trans reproduction appears twofold in a RJ discourse: queer and trans rights of sexual self-determination and queer and trans reproductive inequalities are part of the RJ fight, but the flip side is the possible exploitation if more people and bodies are included in the reproductive processes and thus, more ethical challenges come into play. Another challenge now for queer and trans people and families is, as we mentioned at the beginning, that increasingly right wing politics are reversing the recently gained reproductive rights and the right to form a family for queer and trans people - as seen in Italy, where the city of Milan is now solely allowed to give parental rights only to the biological parent of a same-sex couple (PBS News 2023).

Context for this special issue

As part of the project at the University of Graz, we organized a symposium with the title "Reproductive justice in the context of queer and trans reproduction with assisted reproductive technologies", which was held on 22–23 February 2024. This special issue was created to turn the presentations into publications and to add further aspects to continuing the discussion.

The two-day symposium was a hybrid event held in Graz. Participation was open to anybody interested and was free of charge. Invitations were sent to universities, medical staff, fertility organisations, and NGOs involved in queer and trans (reproductive) consultations. A total of 250 people attended the event; 50 of whom were there in person and 200 of whom were participating online.

The international and interdisciplinary programme covered different aspects of the reproductive process. It included eleven presentations and was closed by a roundtable on surrogacy with Veronika Siegl, Marcin Smietana, and Orit Chorzowicz-Bar. Welcoming remarks were given by Martina Schmidhuber, the host of the event, and senior fellow Doris Leibetseder (postdoc) introduced RJ and presented their research on (policy) recommendations regarding queer and trans RJ in Europe. Afterwards, our junior fellows, Elif Gül and Caroline Hammer, both doctoral candidates, presented their dissertation projects, one on obstetric violence and the other on ethical aspects of RJ and the use of assisted reproductive technologies (ART).

Next, Robert Pralat shed light on “Reproductive imaginations in queer family making” from a sociological perspective. Ute Kalender presented on “Queer reproductive justice: A meta-perspective on German debates”, displaying a creative way to frame queer RJ and the use of ART. In an online presentation, Alice Margaria elaborated on (prospective) trans parents in Europe from a legal perspective. The keynote was given by Kimala Price on “Reproductive justice: A brief history of a concept and a social movement”. The next day, Marcin Smietana gave a talk on “What’s queer got to do with it? Building an integrated theory of queer reproductive justice”, which was co-written with Sonja Mackenzie and Laura Mamo. Annika Spahn held an online presentation on redefining reproductive norms, uterus transplantation, trans pregnancy, and the role of heteronormativity. Elgin A. Pecjak presented his research on the desire for biogenic parenthood among transgender and gender-diverse individuals in Ontario. The next talk by Mick von Trotsenburg reflected on trans* reproduction and fertility from a medical perspective. Two talks focusing on birth and maternity were unfortunately cancelled: Rachelle Chadwick was supposed to discuss the many faces of birthing freedom, and Heba Farajallah had planned to present on maternity care for asylum-seeking women.

Guiding questions

For the symposium and this special issue, we asked the following questions:

- How can RJ support queer and trans people’s reproduction?
- What role do race, ethnicity, class, ability, and religion play?

- What are the ethical challenges in reproductive processes for queer and trans people?

Structure and contributions to this special issue

The contributions consist of a translation, essays, and research articles (with a double anonymised peer-review) covering a wide range of topics, methods, and geographical locations within the overall theme of queer and trans RJ. Starting with the translation of a story set in Berlin that exemplifies the complex ethical dimensions within queer and trans reproduction, the topics range from trans reproduction in Canada, trans temporalities in Germany, and non-monogamous care in queer and trans kinship formations to the reproductive role of a queer/trans witch in a Mexican novel, and finally the symposium report from the viewpoint of philosophical ethics.

The first contribution is **Ute Kalender's** mostly fictional text, which is a translation from a German version published in volume 15 of the Hirschfeld Lectures series in 2021. Her creative contribution discusses different queer and trans, Marxist-feminist and critical disability studies perspectives on reproductive technologies. Covering the most crucial ethical issues of queer and trans reproduction, the story provides a general overview of the critical topics in our special issue.

The next contribution, "Preliminary thoughts on non-monogamy, politics of care, and queer and trans existence" by **Rosa María García**, adds non-monogamy to the mix. She outlines how monogamous families organize reproduction and care in modern capitalist societies. RJ Garcia therefore sees RJ as a potential framework for redistributing care beyond the horizon of monogamy since it challenges existing hierarchies of whom care is attributed to in the first place.

Elgin A. Pecjak's contribution delves into why transgender and gender-diverse (TGGD) people show a lack of desire for biogenetical parenthood and egg freezing. This outcome is based on his doctoral research in Ontario on individuals who take or have taken testosterone. He used data from twenty-one surveys and nine follow-up semistructured interviews, though only two of the people interviewed had pursued egg freezing. Pecjak also discusses the barriers to non-biogenetical methods like adoption, fostering, or mentoring, which are preferred by TGGD people. In general, the barriers to parenthood for TGGD people are extensive, as Pecjak's research alarmingly exposes, so RJ for this group remains a crucial issue.

Holly Patch, Manuel Bolz, Mona Motakef, and Sabine Wöhlke continue with trans* biographies with a focus on temporalities. They relate them to the framework of RJ through a meta-analysis of three projects on trans* people's everyday experiences. One is about the medical treatment of trans* kids, the second about singers in a trans* chorus, and the third on doing reproduction with LGBTQ+ families. The combination of these different angles establishes a rich and fruitful ground for engaging with RJ and trans* lives.

Employing a queer and trans lens, **Elena von Ohlen's** contribution analyses how Fernanda Melchor's Mexican novel "Temporada de huracanes" (2017) represents RJ in the Spanish colonial empire during the Spanish Inquisition. Von Ohlen's analysis focuses on a chapter of Melchor's novel in which a teenager who is pregnant because of her stepfather's sexual abuse seeks la Bruja's (Spanish for witch with a female article) help. In this chapter la Bruja is marked as female to exemplify her empathic solidarity with the teenager.

In the final contribution to this special issue, **Mario Kropf** provides a personal overview of our symposium by addressing what we have learned about RJ from a philosophical point of view. Kropf considers the question by placing RJ in the context of four essential philosophical concepts and moral values: freedom, moral identity, equity, and care. All in all, these four aspects reveal a more humane approach to RJ by putting humans with their own stories, personal identities, interpretations of life, and needs at the center of action and reflection.

Concluding remarks

Coming back to the questions raised at the beginning, we look at the first question, how can RJ support queer and trans people's reproduction?

We find answers in Kalenders queer-feminist perspective that understands reproductive technologies as new potentials for building families and kinship. However, Pecjak distinguishes between different barriers to pregnancy and to egg freezing for TGGD people. For the first, Pecjak found that bottom dysphoria, a lack of resources, and the gendered social construction of pregnancy in Western societies were the main reasons. For the second, it was the financial cost, the physical invasiveness including the fear of transphobia also in the forms of pathologization and voyeurism, the necessity of ceasing or waiting to begin testosterone, and a general lack of knowledge about fertility preservation.

Patch, Bolz, Motakef, and Wöhlke look at how trans* temporalities interact with the concept of reproductive justice. It draws on the concept of chrononormativity and how its cis-gendered dimensions in law, society, and medicine affect

trans* people and create reproductive and epistemic injustice. The authors ask how temporalities structure legal and medical institutions and how this might affect trans* people's everyday practices. They come to the conclusion that trans* lives can be summarized as preventing, postponing, and becoming.

The RJ of non-monogamous trans and queer relationships offers, according to García, a different understanding and practice of care that represents a critique and form of resistance to modern capitalist societies.

Looking at the second explicit intersectional question, what role do race, ethnicity, class, ability, and religion play, this special issue highlights in Garcías contribution that RJ is where social justice and reproductive rights intersect. RJ manifests in the field of social reproduction, that is, in the reproduction of social structures and systems, in which race, gender, sexuality, social status, and so on, play a role. Kalender narrates from another view that draws on critical disability studies, which understands ART as new eugenics. Pecjak sees a lack of resources as a barrier to the use of ART for TGGD people. Von Ohlen draws on theoretical works by Gloria Anzaldúa and María Lugones in pointing out various intersectionalities of witches in New Spain/Mexico. As in Melchor's novel, most of them were portrayed as being fluid both in their human and animal appearances and in their sexuality and gender expressions. Most of them were also of indigenous, African, or mestizo heritage and were midwives who carried out abortions or provided abortifacients. As Silvia Federici (2021) has argued, the persecution of witches targeted diverse sexual practices, gender identities, and non-reproductive sexualities. Witches in this novel can be seen as queer and trans RJ activists during the inquisition in Spanish colonies.

Finally, the last question on the ethical challenges in reproductive processes for queer and trans people, is answered with Kalenders Marxist-feminist and critical disability concern of ART as new forms of exploitative labour and new eugenics. For Pecjak the ethical challenge exists in the financial affordability of ART and in the discrimination of TGGD people in a medical environment. According to Kropf one of the ethical challenges is the moral value of freedom which is associated with self-determination, moral autonomy, and the possibility of free decision-making. Particularly in the case of reproduction in the context of LGBTIQ+ communities, one can ask to what extent this freedom exists. The second challenge is that of a moral identity (self-image), based on individual and subjective expressions of identity and interpretations of ways of life. It is very hard to justify reducing these possibilities according to certain norms or understandings of what a good life is or, in the context of reproduction, to justify prescribing how and by whom reproduction is to be fulfilled. For the last two challenges of equity and care, the focus is on institutional and practical dimen-

sions of RJ. Laws regulating access to ART and adequate healthcare also need to be oriented towards different communities and should reflect the special needs within these communities. The same holds true for people in medical institutions who care for individuals. Not only should up-to-date standards of reproductive technologies and care measures be given to potential parents and other people involved in reproductive processes, but this attitude towards reproductive workers (egg donors, surrogates, etc.) is essential as well.

With this special issue we hope to have highlighted how broad, diverse, and complex the global field of queer and trans RJ is and what kinds of challenges remain, including the ethical considerations coming from various points of view, the actual lack of desire for (biological) parenthood due to queer and trans discrimination, and the role of temporalities, (neo)colonialism, monogamous norms, and geopolitical power asymmetries.

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