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Regulating Reprogenetics: Strategic Sacralisation and Semantic Massage

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Abstract: This paper forms part of the feminist critique of the regulatory consequences of biomedicine's systematic exclusion of the role of women's bodies in the development of reprobogenetic technologies. I suggest that strategic use of notions of the sacred to decontextualise and delimit disagreement fosters this marginalisation. Here conceptions of the sacred and sacralisation afford a means by which pragmatic consensus over regulation may be achieved, through the deployment of a bricolage of dense images associated with cultural loyalties to solidify support or exclude contradictory elements. Hence an explicit renegotiation of the symbolic order structuring salient debates is necessary to disrupt and enrich the entrenched and exclusionary dominant discourse over reprobogenetic regulation. I draw upon previous analyses of strategic rhetoric associated with the regulation of infertility treatment and embryo research in the United Kingdom, the cultural anthropology of biomedicine and feminist ethnographies of reprobogenetics to illustrate these claims.

Keywords: Feminism, Infertility, Reprogenetic technology, Sacred

Introduction

Notions of the sacred in health care analysis tend to be restricted to claims of the sanctity of life in continuing controversies over medical decision-making at the beginning and end of life [10, 69]. I suggest that a broader interpretative unpacking of rhetorical strategic use of conceptions of the sacred, along with processes involving the ascription of sacred qualities, may promote more inclusionary reprobogenetic regulation. Legal and anthropological scholarship provide some support for this assertion. Close textual analysis of cases where claimants sought to recover for wrongful life or wrongful birth have noted judges' rhetorical deployment of tropes of the sanctity of life as a means of denying recovery [36]. Similarly, dissection of the reasoning of the European Court of Human Rights in *Pretty v United Kingdom* (Application 2346/02) [2001] 2 FCR 97 reveals how the links between religious heritage and rights jurisprudence operated to preserve a vision of life as sacred which underpinned the Court's decision that the right to life did not imply a right to die [87]. In addition, feminist anthropologists have traced the strategies whereby policy decisions over the regulation of human reproductive tissue were rendered acceptable through a reliance upon sacred iconography located in the shared symbolic order [18, 19, 71]. My proposed model asserts that the strategic deployment of sacralised images which conform with shared cultural narratives permits the removal of salient decisions from their social context. Practices which challenge these rhetorical strategies are thus likely to be condemned in terms which reflect the underpinnings of such narratives. Connections between nature, culture, kinship, reprobogenetics and the regulation of surrogacy will be explored in this light.

Consensus is unlikely on the ethical acceptability of rerogenetic research And techniques such as those involving human embryos. Indeed, public support for research at such moral boundaries may be always precarious and deeply ambivalent [49, 50]. At issue here is how incommensurate cultural values are to be involved in ethical discourse enabling negotiated regulatory compromises advantageous in a context of global competition [6, 70, 81]. Salter locates biopower today in 'cultural biopolitics' wherein states seek to control values which support or deter health technologies regulation, so that exchanges between states involved in the global knowledge economy are mirrored in a parallel moral economy where values are also traded [67]. My suggestion in this piece is that the cultural biopolitics of rerogenetic regulation involves a 'purification' [34], or decontextualisation of debate where the attempt to control values noted by Salter manifests in the exclusion or marginalisation of factors inconsistent with constructed sacralised narratives. Policy-makers deploy notions of the sacred to perform Latour's 'work of translation' to enable impure, pragmatic alliances. In this sense, sacralisation may enable the 'trade pidgin' approach to managing knowledge which Strathern envisages as curtailing critique [75]. Yet I would suggest here that unpacking these mechanisms involving the sacred affords an opportunity to recontextualise and renegotiate the symbolic order through a recognition of how the sacred is drawn upon in various realms in 'overlapping projects of world-making' [77, 85]. As rich textual analyses of the public and parliamentary debates surrounding the passing of the Human Fertilisation and Embryology Act 1990 are plentiful, I have chosen to draw upon these secondary sources to illustrate how both the Act's inception in the Warnock report [83] and its eventual passage demonstrate the workings of such political pragmatism [15, 44].

Rerogenetic Decision-Making in Context

Policies governing the use of human reproductive tissue are embedded in ethical concerns over the appropriate limits to be placed upon the exploitation of "biovalue", or the commercial exploitation of "life itself" [23, 20, 81]. In that human reproductive tissue is both involved in assisted reproduction and has value as a commodity, its regulatory boundaries are unique, permeable and contested. Values established within health care law such as altruistic donation are in tension with the commercial potential of human reproductive tissue, whether in the form of gametes or as stem cells providing patentable genetic material [27, 38, 37, 55, 60, 61, 84]. Policies are decided within a context of nation states competing to provide hospitable regulatory structures in order to attract biotechnological investment, international agreements on trade and the contested regulation of biomedicine [61, 67, 70].

Decisions over how human reproductive tissue should be treated are unlikely to be consensual as disparate points of view are grounded in incommensurate moral universes. Oppositions are currently framed around conceptions of reproductive autonomy, the sanctity of life and human dignity. Those favouring free choice here would use autonomy to justify reducing regulation to the ensuring of safety after risk/benefit calculations [63, 32]. Disparate groups who oppose this regulatory stance within biomedicine seek to demarcate the permissible through reliance on concepts such as dignity, market-inalienability and human flourishing. Brownsword distinguishes between these attitudes to regulation, describing them respectively as the "ruling synthesis" and the "dignitarian alliance" [3, 4]. Certainly, the government response to the House of Commons Committee on Science and Technology's report on regulating the use of human reproductive tissue may be characterised as embodying this ruling synthesis [31].

Cultural anthropologists tend to focus on ethnographic studies of the impact of rerogenetics in order to stress the value of local knowledge for policy decisionmaking, compared to abstract disembodied universalised discourse [13, 22, 19, 17, 56, 57, 68, 73, 74, 89]. Strathern comments, "there is something about the market analogy that is less than benign. It tends to collapse all other analogies into itself, the

effect being rather like that of money itself which, in differentiating everything, makes itself the only source of difference” [1992b, pp. 35–36; cited in Sharp 68, p. 303]. Reducing ethical discussions to calculations of risk, benefit and profit may be seen as a purification in some sense equivalent to this.

Social scientists writing in this area agree. Sharp considers that “[o]nce issues of property ownership and autonomy take centre stage, they displace competing cultural constructions of the body, other possible reactions to the dilemmas of biotechnologies, and, finally, the shaping of alternative ethical responses” [68, p. 299]. Thus the use of metaphors and narratives charges commodities with symbolic sociopolitical significance. Images drawn from the human body, read as nature, order our understanding of the world [11]. Sharp draws upon the work of Richardson on ‘semantic massage’ to illuminate how persuasive images like the ‘gift of life’ are used to marginalise discord over the commodification of the body [62]. She asserts that “policy makers work cooperatively and aggressively to perpetuate language that foregrounds gift exchange even as they consider the further commodification of the body through a host of marketing strategies” [68, p. 315].

My argument in this article is that a central rhetorical device in this discourse of decision making over human reproductive tissue is the strategic deployment of notions of the sacred. In order to minimise public discord over contentious conflicts between, say, health care ethics and the politics of biovalue, policy makers and those who seek to influence them deploy semantic massage foregrounding sacralised icons and mechanisms. This is evident in the association between human reproductive tissue and genetics, which has impacted on decision-making processes not merely in terms of profit and the pragmatics of politics, but also as a signifier of new figurations of kinship, together with new views of health and moral responsibilities in relation to reproduction as mediated by risk [33, 52, 56, 57, 66]. I will now consider in greater depth the promise offered by feminist and anthropological explorations of the negotiation of meaning within these discourses.

Framing the Debate: Nature, Procreation and the Sacred

Discursive universes have collided over the proper place of the new reproductive technologies in Britain since the 1970s when the ‘biomedical industrial reproduction complex’ [65, p. 175] recognised their commercial potential. Simultaneously, those who had begun to define themselves as infertile sought treatment in increasing numbers, while National Health Service health care resources shrank. Decisions over human reproductive tissue have acted as a nexus for the sacralisation of the gene [28], for nature “enterprised up” [73, 74] and for a “trafficking in nature and in life itself” [22, 20, 21, 15]. My aim in this section is to use conceptual tools taken from the anthropology of technoscience to suggest that present regulatory difficulties stem in part from a failure to renegotiate or reinvent the distinctions between the biological and the social, or the person and the thing, or between nature and culture, in explicit contextual terms.

Pottage, considering the relations between law and biopolitics, draws attention to Bernard Edelman’s characterisation of Anglo-Saxon law concerning individuality and the body as “cynical pragmatism” [59, p. 153]. It is the intention of this piece to contribute to the project of re-negotiation of meaning and regulation by developing the thesis that the rhetorical strategies involved in sacralisation circumvent explicit regulatory consideration of issues seen as overly controversial [36]. Parallel sacralised discourses which centre upon genes, reproduction, kinship and salvation converge upon reproductively regulated regulation, rendering it particularly vulnerable to cultural overdetermination. This narrows public debate to specific icons designated as the focus of intense meaning, such as embryos, pre-embryos and, later, stem cells. Ethical subtleties are elided as contextual factors become marginalised, or rendered invisible, preventing nuanced societal negotiations. Sites of such cultural location of intense meaning are particularly prone to semantic massage by policymakers anxious to marginalise controversy [51, 46, 47, 87]. I shall first place this

process in context, then sketch out some consequences of converging sacralising discourses.

The anthropology of the rerogenetic regulation begins with the observation that legislation here typically lacks a legitimate foundation for decision-making and debate [17]. This designates a crisis in the current Euro-American symbolic order as kinship gives fragment [1]. Anthropologists view cultural norms within human representations of the world as traditionally legitimated by reference to that which is constituted as natural or sacred, and, as such, removed from, and superior to, the petty doings of humanity [11]. These referents, of course, change with the times. In societies which become more secular, the sacred does not disappear but fragments and reattaches to cultural elements which are dense with meaning. As religion is a subset of the sacred rather than its equivalent, a dynamic symbiosis between sacralisation and secularisation may be found in all cultures. Demerath explains this as follows [9].

Since any culturally impregnated activity has potentially sacred functions, we need to consider secularisation as a process that may affect a much larger inventory of any society's cultural stock, including its political, economic, scientific and familistic values and practices. By the same token, the countervailing process of sacralisation may also involve these non-religious spheres ... Any probing analysis of the sacred or its secular tendencies and consequences must occur within a broader context. This is increasingly the case in increasingly complex and differentiated societies. (2000, p. 4)

Varieties of the sacred experience are demonstrable in rerogenetic decisionmaking. Integrative experiences such as healing encourage the ascription of godlike qualities to the healers, such as those who enable the infertile to bear children. Sacred quests motivate those committed to political causes and ideological battles, such as uncompromising proselytisers of ruling synthesis or dignitarian alliance viewpoints. When the sacred is interpreted as centred upon a Durkheimian collectivity, it is important to recall that, that which is civil may become sacred, as in national constitutions, human rights and ideas of community. Much of cultural anthropology has had as its focus the demonstration of the sacred resonance of family and kinship networks. Disagreements over decisions on the uses of human reproductive tissue are hence likely to include significant clashes of competing conceptions of the sacred, as in oppositions between sacralised autonomous choice and assertions of the sanctity of life in debates over whether, say, embryos should be created in order to be destroyed in the research process. Thus groups, concepts and processes involved in rerogenetic decision making may be viewed as structured by the sacred, sacralisation and desacralisation.

What, then, is the relationship between nature and the sacred as this applies to kinship and reproduction? Those studying the history of Euro-American thought have traced the movement of the sacred in Darwinian theory from God to Nature [88]. Yet as nature is increasingly subjected to human enterprise, 'nature enterprised up', it becomes perceived as endangered, vulnerable and unable to provide the baseline by which human actions may be justified. As a consequence, the new reproductive technologies and their potential fracturing of previously naturalised kinship relations give rise to peculiar difficulties in relation to their legal regulation [74]. In terms of the frame which I suggest would prove useful to analyse rerogenetic regulation, the sacred fragments: transcendence is still assigned to specific cultural icons, but without previous coherences in the shared symbolic order.

The promise of this approach for the project of public involvement in the renegotiation and renewal of the symbolic order rendered necessary by the new reproductive technologies is clearly demonstrable. An example here is Carol Delaney's characterisation of paternity as a cultural construct [8]:

[P]aternity is a concept, the meaning of which is derived from its interrelations with other concepts and beliefs ... a conceptual relation [not] a categorical entity, the presence or absence of which can be determined empirically. (1986, p. 495)

Such a perspective would clearly assist courts and policy makers charged with assigning legal parenthood where this does not correlate in a simple fashion with intended genetic inheritance, such as in cases involving surrogacy, arguments between those whose gametes have created embryos over their future and mistakes in fertilisation during IVF treatment. Desacralised, genetic ties may be framed as an optional element of familial ties. Similarly, a perception of kinship networks as modulated by choices of family form and membership would permit a flexibility many would support [39]. Indeed, the recent recognition of same-sex marriages, the registration of civil union partnerships and the ability of single adults and same-sex partners to access reproductive services as well as to adopt can be seen in this light. Thus the destabilisation of how we make sense of our selves, our kin, our world and our future ushered in by the new reproductive technologies offers us a chance to reimagine collective life and laws in a way which enlarges our shared symbolic order.

Sacralisation as a Representative Strategy

Sacred figurations are those where we locate our assumptions of truth and our hopes for transcendence. Donna Haraway has traced how, through what she terms 'salvatory narratives', ideas of evolution and progress have been melded with traditional Christian stories of salvation to support science's position as provider of universalised truth. In Haraway's view,

[t]he overwhelming power of the images that promise fulfilment (or damnation) on earth infuses secular histories of progress and apocalypse. Secular salvation history depends on the power of images and the temporality of ultimate threats and promises to contain the heteroglossia and flux of events. ... The discourses of genetics and information sciences are especially replete with instances of barely secularized Christian figural realism at work. (1997, p. 11)

I have suggested above that nature 'enterprised up' loses the capacity to act as a site for the sacred. Culturally reframed as biology, it gives rise instead to figurations of the gene and of 'life itself' [16]. 'Life itself' enables a sanitisation and decontextualisation of technoscientific practices as it "depends on the erasure of the apparatuses of production and articulatory relationships that make up all objects of attention, including genes, as well as on denial of fears and desires in technoscience. [28, p. 10]

Hence our hopes for transcendence locate themselves not only in narratives of science as creator, but, more specifically, in the biomaterials of the new reproductic technologies. DNA has been sacralised as "not just a biological structure, but as a cultural icon, a symbol and even a magical force. ... a self explanatory icon of genetic determinism" [80, p. 164]. Analysis of contemporary genetic folklore reveals that the DNA-print is also perceived as providing certainties as the ultimate identifier, "the essence of identity and the source of social difference" [53, p. 198]. Seductive images such as that of DNA as the language of the sacred text of the Book of Life promise "the possibility of a final solution to the uncertainties of living ... because they interlock scientific, cultural and theological narratives" [80, p. 152]. The gene has become that magical object, a fetish [14].

What this frame of inquiry establishes is how far a location of intense cultural meaning on an object or a concept may initiate a process of sacralisation, and how, once this sacrum has been established, it becomes decontextualised. This leaves it peculiarly resistant to rational inquiry or assessment. Yet detailed conceptual unpacking may enable this. A recontextualisation may take place, enabling a more

complex renegotiation of the salient issues. In order to illustrate this process, I wish now to turn to the processes whereby the Human Fertilisation and Embryology Act 1990 came into being, considered from the perspective of the analytic framework established above. My purpose here is to demonstrate how sacralisation may be used to sideline issues which are perceived as too politically inflammatory, here, surrogacy, to reach pragmatic regulatory compromises. The feminist concerns explored demonstrate that this decontextualised, universalist view of the situation is misleading. Yet policy makers' strategic deployment of sacralisation favours it as enabling a pragmatic compromise.

Salvation Stories, Sacrams and Surrogacy

Sacralised foetal figurations assisted the conception of the regulatory structure governing the new reproductive technologies. Given the centrality of kinship to the Euro-American symbolic order, debate over desirable legal structures ordering family life might be expected to appeal to the 'natural' as a legitimising device. However, the destabilising of this baseline by the fracturing of the components of the 'facts of life' rendered the strategic recourse to sacralisation more central to policy makers' search for a pragmatic compromise over regulation.

The current regulatory structure originated with the birth of Louise Brown, the first 'test tube baby' in 1978. The Warnock Committee was set up in 1982 to advise legislators, government and the general public on human fertilisation and embryology. The Warnock report, published in 1984, was followed in 1986 by a consultation paper seeking public views. A White Paper containing proposed legislation published in 1987 went before Parliament in 1989, and was enacted after impassioned debates and amendments in 1990. Commercial surrogacy had been banned in the Surrogacy Arrangements Act 1986 after a moral panic following media hysteria over Kim Cotton's commissioned pregnancy. The rhetoric in the public and parliamentary debates which ushered through the approval of in-vitro fertilisation defined the world of achieved conception in the language of the renewal of hope and miracle babies, with IVF considered as "giving nature a helping hand" [19, p. 200]. Eyewitness testimonies were referred to as 'conversion experiences' [19, p. 202]. Women's bodies, whether those of nurses or would-be mothers, were figured as suffering devotional icons, the mater dolorosa whose faith would lead to the joy of a holy child [19, p. 206]. Imagery of the foetus took on Christ-like significance, acting as a sacrum, or focal point for transcendent emotions. This rhetorical strategy built upon already established figurations of the foetus as sacrificial sacrum from the abortion debates in the United States and Germany [12, 24]. Scientists in white coats figured both technological progress and the male Creator, completing the cast of the Holy Family salvation story. Sarah Franklin explains that,

[t]hrough IVF, science and nature are unified in an act of pro-creation. This is a critical interface. Symbolically, this union and its 'fruit' not only signify, but actualise, the potency of natural science in the service of the natural family. Where there was no family, technology has enabled one, through an act of miraculous creation, at once the product of nature and science. (Franklin, 1997, p. 207)

My argument here is that this narratised confluence of the Holy Family and sacralised science enabled certain previously unconceivable practices to enter public debate in search of legitimation while simultaneously excluding the rhetorically inconsistent. Those which could be brought within the salvation story, IVF and embryo research, flourished, whereas surrogacy, which could not, became discursively invisible in ways which matter. Strategic semantic massage was crucial in this process.

Scientists viewed embryos resulting from in-vitro encounters of sperm and egg which were not used in IVF as desirable research material. This aim was not only

semiotically incompatible with the Holy Family symbology, but was also in direct conflict with Enoch Powell's Unborn Child's (Protection) Bill, which set out to ban all human embryo research on the grounds that the embryo is a full human being, and had been approved by a substantial majority in its second reading in February 1985. Pat Spallone has traced the history whereby the term pre-embryo, strategically (and successfully) invented for the subsequent debate, came to be perceived as related to no-one. She associates this process with the previous establishment of the foetus as "an emblem, an image of life itself and the true person, thus leaving out the life, body and person of the pregnant woman" (1996, p. 209). The parliamentary debates on embryo research maintained this separation in that the mother figured most frequently as the embryo's 'source of nutrition' or its 'environment' [15, 48, 71, p. 219]. Franklin describes the embryo as "a kind of liminal kinship entity ... betwixt and between humanity and otherness", arguing that the contestations over embryo research 'provide a template of cultural definitions of what it is to be a person and of what makes a kinship tie: they are late twentieth century debates over the meanings of naturalness and humanness' (1995b, pp. 336–337).

The fact that an embryo can develop into a human being fully only inside a woman's body, and can be created outside a woman's body only through surgical and hormonal intervention in a woman's body was discursively marginalised [18]. Hilary Rose points out that as the infertile moved from being "something of a pariah group, associated with messy and undignified procedures", to becoming "the potential recipients of glamorous, highly scientised medicine", there was a silencing about certain aspects of the price to be paid (1994, p. 180). The most obvious of these is the pain, inconvenience and uncertain risks suffered by the women undergoing infertility treatment. Rose emphasises the way in which the Warnock report and the subsequent legislative debate sidelined any discussion over the appropriate degree of professional control over treatment and refused to consider the political economy of infertility, despite the health care resource allocation preoccupations of the time.

Nowhere was there going to be an attempt to try to estimate the incidence of the problem, to establish, however tentatively, how many people were childless or childfree, or to consider the most appropriate models of services. What was offered was an 'ethical' debate around treatment that assumed and constructed a universal longing for children, and assumed and constructed a universal provision of infertility treatment without even the most rudimentary financial calculations. (1994, p. 182)

My contention here is that considering these discursively excluded elements together will enhance understandings of the difficulties surrounding the reproductic regulation. The figuration of men in white coats experimenting on human reproductive material was likely to fuel fears of scientists playing God with human life, especially given the associations of embryos with foetuses and abortion [45]. These fears were successfully culturally allayed, by and large, via the placement of the scientist as Father/Creator helping nature to achieve the Holy Family. Such a location, along with the sacralisation of the embryo and the constructed identity of the pre-embryo, encouraged the imagery of women as containers (mothers as bearing rather than creating children). It was infertile women's purportedly universal longing for a child rather than actual child bearing which was foregrounded as justifying the new reproductive technologies.

Material inconsistent with this sacralised salvatory narrative, like surrogacy, was condemned as unnatural. One of the reasons why surrogacy does not fit comfortably into salvation stories of heroic intervention to help nature along is that IVF is very likely to involve the treatment of fertile women. Those who undergo IVF in order to ensure that their infertile male partners have access to children to whom they are genetically related, along with those who seek donor insemination in order to have a child without a male partner, may at least be subsumed under the category of women yearning for a child and so naturalised. Surrogates, however, are

fertile women whose impregnation, whether or not by IVF, and intention of parting with the child they bear together disrupt the symbology which eased the new reproductive technologies into cultural and legal acceptance. Whether they offer gestational services for altruistic or economic reasons, they are failing to conform to the woman as yearning receptacle model. By doing so they raise the otherwise invisibilised and uncomfortable issues of assisted conception as a business, and of gendered exploitation as a practice based on the figuring of woman as enforcedly altruistic. Surrogacy problematises female autonomy, provokes paternalistic controls over would-be surrogates' choices and juxtaposes a claim to infertility treatment with a provision of services many regard as exploitative.

Yet who is being exploited, by what means and by whom, if at all, remain contentious. The demonisation of commercial surrogacy which accompanied the passing of the Surrogacy Arrangements Act 1985 helped to ensure that rational public debate over the incidence of infertility, the commercial interests of the biomedical industrial reproduction complex, the health care resource allocation implications of infertility treatment and the gendered altruism required of women undergoing infertility treatment, donating gametes and providing gestational services in the interests of the privileged passing on their genetic heritage failed to take place. The continuation of this stance in subsequent official reports demonstrates how strategic deployment of sacralisation prevents the recontextualisation and renegotiation of these issues which is essential if public participation in decision making over human reproductive tissue is to take place in any realistic sense [2, 30, 31, 39]. Yet feminist explorations of reproductives provide valuable examples of how this recontextualisation and renegotiation might take place.

Feminists Recontextualisations and Renegotiations

I have argued above that a strategic deployment of sacralisation has resulted in a decontextualisation of issues around human reproductive tissue, such as the incidence of infertility, the commercial interests of the biomedical industrial reproduction complex, the health care resource allocation implications of infertility treatment and the gendered altruism required of women undergoing infertility treatment, donating gametes and providing gestational services in the interests of the privileged passing on their genetic heritage. As a consequence, public involvement in a renegotiation of the symbolic order has been compromised. Yet the shift in feminist views of women's relationship with the new reproductive technologies from one of gendered exploitation to a more nuanced appreciation of women's agency in engaging in choices and the creation of meanings demonstrates how this might take place.

Many feminists contemplating new reproductive technologies originally opposed them as irrevocably embedded in technopatriarchy and so hostile to women's interests [5, 25]. More recently, others have considered that these technologies may have a place within feminists' support for women's reproductive self-determination, taking a contextual approach to problems of infertility and childlessness which hesitates to label those women involved in the new reproductive technologies as exploited or as suffering from false consciousness [19]. Feminist ethnographic research here provides a more modulated representation, pointing to women's ability to produce connections which destabilise reductionist versions of kinship [26] and overturn the marginalisation of women as foetal containers [89]. Indeed, the sacralisation of women as nurturers may serve to provide those who support and oppose abortion with common ground which moves beyond the polarities of choice/right to life politics [24]. This reframing of the issues can be seen in terms of a move from the initially relatively simplistic conception of woman as an oppressed sacrum to a portrayal of women exercising choice and renegotiating cultural understandings [54]. The current regulation of surrogacy may provide a comparable example. I would argue that this, as exemplified in the Brazier and Warnock reports, is based upon a sacralised picture of women as victims, vulnerable to exploitation and commodification. Imposing a universalised gendered altruism on parties to

surrogacy arrangements decontextualises surrogacy from the fact that assisted reproduction operates within a commercial context. Failing to draw upon the experiences of the women involved in providing surrogacy services or to address their concerns like the enforceability of surrogacy agreements results in regulation which protects in theory rather than in practice [39]. In addition, renegotiations of reprobogenetic regulation and cultural symbology based upon women's experiences are compromised. The apprehension of complexity and agency brought into being by feminist research into other areas of assisted reproduction as sketched out above is lacking. Thus, feminist ethnographies which focus upon the understandings of those involved and how these lead to the creation of new meanings demonstrate the operation of a recontextualisation and renegotiation of the issues surrounding women in relation to reprobogenetics [56, 57, 23].

Conclusion

In my view, attempts to analyse debates over decision making in relation to human reproductive tissue which oppose the 'ruling synthesis' rhetoric of autonomy, choice and rights to that of the 'dignitarian alliance' championing of relationality, altruism and responsibilities are using a conceptual framework which has reached an impasse, while alternative discursive representations involved in the dichotomising of commodification and market-inalienability provide too impoverished a set of descriptors to remedy this. The anthropology of technoscience view of the present difficulties surrounding reprobogenetic decision-making instead promotes as necessary public renegotiation over the distinctions between the biological and the social, the person and the thing and the means of cultural legitimation in explicit contextual terms.

I have drawn upon conceptions of the sacred as deployed in the debates surrounding the passage of the Human Fertilisation and Embryology Act 1990 to illustrate the framework suggested in this piece. While space precludes my doing so here in relation to subsequent reprobogenetic regulation, such as that over stem cell research, I should like to sketch out some possibilities for future inquiry. Feminist analyses of stem cell regulation evidence comparable exclusionary rhetorical strategies and semantic massage. For example, the risks associated with egg donation, the high failure rates of IVF and the problematics of designating healthy embryos as 'spare', along with the views of the women subjects of reprobogenetic technologies, are elided from salvatory narratives wherein technoscientists offer redemption to groups constructed as suffering [56]. Yet the need to gain not only public approval but also to guarantee reliable sources of stem cells through donated embryos has created significant contextual differences. Feminists note that strategically hyped promises of stem cell technologies promote feelings of obligation amongst those who could donate embryos [56, 57, 86]. Here the rhetoric of the sacred gift of life aligns itself with the recent focus on the anthropology of hope [43, 42, 76]. Consideration of the relationship between anthropology and theology suggests that the analytic frame provided by the sacred may afford additional understandings. Robbins draws upon Milbank's claim that secular reason is based upon an ontology of power and conflict [40] to assert that anthropology should "take on the challenge to find real otherness at the fundamental level of social ontology" in order to show the world how to find hope for real change without God [64, p. 292]. Feminist ethnographies explored above elucidating altruistic motivations of those working within reprobogenetics or donating reproductive tissue delineate ontologies of interdependent interconnectedness mirroring communitarian underpinnings of healthcare regulation as influenced by the legacy of Titmuss [2, 78, 79]. Gifts of human tissue may be read here as rhetorically induced exploitation, or as more complex choices to sustain mutuality in a noninnocent view of life itself as sacred. The potential of the sacred to contribute to the renegotiation and recontextualisation of the symbolic order within overlapping projects of world-making may be seen here.

Without this perspective, in the absence of shared ethical values, political pragmatism ensures that the default position is regulatory oversight of a range of 'safe' choices based upon expert assessments of risk and benefit. This regulatory strategy fails to promote public negotiation, despite the rhetoric of participation, as agency is reduced to autonomy and resistance to risk. For example, recent changes in policies, such as that removing anonymity from gamete donors, within the regulation of assisted reproduction have been criticised by clinicians, ethicists and the public for a disregard of the experiences and views of those involved [7, 29, 60]. Yet there is an undoubted consensus among commentators that provided such dialogue takes place within a context where issues are appropriately framed, fruitful explorations of the ambiguities of extant expert and local knowledge and responses can take place [35, 41, 58, 72, 82]. It is in this spirit that this article proposes an unpacking of rhetorical strategies which have deployed sacralisation in such a way as to reverse acontextualisation, in order to promote the necessary renegotiation of the cultural symbolic order where human reproductive tissue is concerned.

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