Chapter 5
Reproducing Alterity: Ethical Subjectivity and Genetic Screening

5.1 Introduction

To a large extent, reproductive decisions are decisions about *who* comes into the world. As the non-identity problem discussed in the previous chapter makes clear, this is true of more traditional forms of decision-making and contingencies such as when conception occurs. It is also true, and increasingly obvious, with decisions about preimplantation and prenatal screening. Rather than address issues of the obligations that parents may have to give birth to specific children – such as those with the best chance of the best life – in this chapter, I want to ask what the fundamental stakes are of decisions about who comes into the world, and how screening technologies may impact upon this decision. In order to do this, I will first address and critique two kinds of arguments that have been provided that address this question: first, the defence of an ethics of the gift suggested by Michael Sandel; and second, the defence of a moral conception of human nature outlined by Jürgen Habermas. Both Sandel's and Habermas' recent interventions in reproductive ethics can be seen as responses to the perceived dangers of liberal eugenics, especially in terms of ethical self-perception and the relations that hold between ethical agents. The shared virtue of these approaches is that rather than focusing on the question of harm, they attempt to formulate critiques of genetic selection that highlight the nature of the ethical *relationships* that hold between parents and their children. They start from a more explicit recognition of the relational basis of ethics, though this is theorised in somewhat inchoate ways.

This relational focus is strongest in Sandel's communitarian critique of the genetic selection of the attributes of one's offspring. He argues that such selection undermines an 'ethics of the gift', which demands that one accept 'whoever comes'. Sandel's tack is promising, but ultimately unsatisfactory for several reasons. Primary among these is that in the absence of an alternative theorisation of the gift relation, Sandel's argument remains heavily theological. In response to this, I develop a non-theological approach to the ethical demand to accept 'who comes'. Habermas proposes that recent developments in genetic technologies, such as reproductive cloning and pre-implantation gentic diagnosis (PGD), threaten to transform the 'ethical self-understanding of the species', especially in the context of

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projects of liberal eugenics. I suggest that while Habermas' broad thesis on ethical self-understanding has some appeal, the dual arguments that he provides to elaborate the implications of the perceived transformation of ethical self-understanding inaccurately describe the effects of PGD. The affectivity of Habermas' argument is to shore up the moral import of the principles of liberalism – such as individual autonomy – in the face of a perceived threat, in this case wrought by technological change. Shifting affective modes, I want to suggest that while new reproductive and genetic technologies may well be changing our conception of ourselves as ethical agents, this is not reason in itself to resist such change. Rather, I will suggest that the 'epistemic' shift wrought by new technologies can be seen as an opportunity and invitation to re-imagine our ontologies of ourselves as ethical agents in such a way that rational individuality is no longer seen as the primary modality of being ethical.

In this spirit, I argue in this chapter that a richer conception of corporeal life and its role in establishing ethical responsiveness allows a more accurate depiction of the impacts of new genetic technologies on ethical self-understanding. To draw this out, I turn to the concept of singularity developed by theorists such as Jean-Luc Nancy and Adriana Cavarero through the distinction made by Hannah Arendt between 'who' and 'what' a person is. Nancy and Cavarero both posit the singularity of embodied beings as central to ethical relationality and freedom, and I take up these conceptions to help articulate the ethical implications of using PGD to select children with a particular genetic profile. Interestingly, focusing on the concept of singularities helps bring into focus the 'obscure relation' between ethical freedom and the contingency of one's origin that Habermas admits he finds himself unable to sufficiently elaborate.[1] Both following and diverging from Habermas and Sandel, then, I suggest that if anything is at stake in genetic selection it is the contingency that underpins the singularity and unpredictability of who someone is. That is to say, persons are increasingly born for 'what' they are, that is, for determinate qualities and characteristics, and not for the unexpected singularity of 'who' they are. I suggest that the concept of singularity helps to elucidate the condition of ethical agents in the midst of being with others. Moreover, this revised ontology of ethical subjectivity allows greater insight into the actual effects of PGD than the precepts of autonomous individuality permits. Even so, it should be noted at the outset that I refrain from developing prescriptive claims in relation to PGD on the basis of the insights that this revised ontology allows. This is because to do so would require further argumentation about the ethical significance of singularity than I will be able to provide here; more importantly, the framework I am suggesting challenges the move to prescription as the primary aim and end of ethical thinking in the first place.

5.2 Genetic Selection and Ethical Self-Understanding

The possibilities for ensuring offspring with specific genetic traits – such as through using PGD to select for or against characteristics, or more interventionist technologies that may allow for the modification of genomes – are at the heart of debates

[1] Habermas, Jürgen. 2003. *The future of human nature*. Cambridge and Malden, MA: Polity, 75.

on genetic enhancement and procreative beneficence. The decisions that these technologies provoke about *which* child parents should seek to give birth to appear to many as novel, and moreover, as indicative of an overreaching of parental and medical power. To be sure, parents have previously had some control over the genetic characteristics of their children, through the choices that are made about reproductive partners for instance. But new technologies allow far greater control and require more fine-grained decisions, decisions that are often made between an array of already existing embryos. Whether or not decisions about who is born are in principle novel, then, the technological developments of the past decade or so certainly suggest that they are different in scope than has been the case previously. Liberal eugenicists have denied that this extension of parental choice introduces unprecedented moral questions – since these choices are not morally distinct from decisions about education, specialised training and so on. On the other hand, critics of liberal eugenics have sought to emphasise a disparity in these kinds of parental decisions, suggesting that new levels of genetic control or mastery introduce damaging aspects into the relationships that ought to hold between parents and their children.

Two such critical approaches have been especially influential within the literature on the selection of future children using technologies such as PGD. While promising in their shift of focus to the relational aspect of ethics, both these approaches are ultimately uncompelling and I discuss each in turn here. The first of these is Michael Sandel's communitarian critique of the drive to genetic perfectionism, which he argues, undermines our sense of an ethics of the gift. Sandel argues that an ethics of the gift is enlivened by the 'openness to the unbidden' outlined by theologian, William F. May. He writes, '[t]o appreciate children as gifts is to accept them as they come, not as objects of our design, or products of our will, or instruments of our ambition'.[2] The problem with a drive to master the genetic features of children, then, is the 'human disposition it expresses and promotes', a disposition which transforms three key characteristics of our moral landscape: humility, responsibility and solidarity. While undermining humility and a solidarity based on the shared human characteristic of being subject to the 'genetic lottery', genetic mastery actually increases a sense of responsibility. That is, it makes parents responsible 'for choosing, or failing to choose, the right traits for their children'[3] in a way that they are not responsible when such traits are considered as matters of chance, nature or the actions of God.

While the theological connotations of Sandel's approach are reasonably clear, especially in the idea that a gift presupposes a giver – in this case, God – Sandel argues that an ethics of the gift can also be based on secular grounds. The secular idea of the gift that he wishes to mobilise, he suggests, is the same as the sense of a gift that is invoked in the common idea that a special talent is spoken of as a 'gift'. However, this is an uncompelling argument for a secular ethics of the gift, not least because it is not clear that this idea of the gift is necessarily secular. The claim that a rare musical talent is a 'gift' may well be meant in a theological way – that

[2] Sandel, Michael. 2007. *The case against perfection*. Cambridge, Mass and London: Belknap Press of Harvard University Press, 45.

[3] Ibid., 87.

is, in the sense that the talent is a gift from God. Moreover, if the meaning is simply secular, then the notion of the gift invoked is simply metaphoric – there is no actual gift, but we think of it *as if* there were. But a metaphor on its own does not seem a solid foundation upon which to build an ethics. What is required here is a much more substantial analysis and reworking of the gift relation, such that it does not presuppose a theologically inspired metaphysics that will be uncompelling for many. This reworking will also have to be able to extract the notion of the gift from the relationship of giver and receiver, and hence of reciprocity, that it usually presupposes. Such an ethics has been suggested by a number of philosophers, primarily Emmanuel Levinas and Jacques Derrida, and scholars who draw on their groundbreaking work. Such an ethics might be thought of as an ethics of the 'gift of the other',[4] that is, in terms that emphasise the ethical importance of alterity and the incommensurate hold the other has upon each of us. In the section that follows, I draw upon one such account, which focuses most specifically on the ethical significance of birth.

Before this, though, the second critique I wish to discuss is that of Jürgen Habermas, which is based on a postmetaphysical account of human nature and the role this plays in modern ethical self-understanding. Habermas has argued against the project of a liberal eugenics, particularly focusing on the ethical implications of PGD in relation to 'saviour siblings' and genetic modification. He attempts to rest his opposition to the perceived threat of liberal eugenics on liberal grounds, and develops two arguments to this end. The first of these is that, far from enhancing individual autonomy, genetic intervention has the capacity to undermine the individual's capacity to 'be oneself' in the strong ethical sense of living one's own freely chosen life. Shifting focus from the liberty enacted in parental choice to the ethical freedom of the resultant child, he argues that genetic selection and modification threaten one's sense of oneself as an autonomous person, since they involve being treated as an object, and the mode of action taken toward the embryo is one of instrumentalisation. Habermas claims that the 'primary mode of experience, and also the one 'by' which the subjectivity of the human person lives, is that of being a body'.[5] Consequently, to the extent that one recognises one's body as being made by another, one's sense of oneself 'collides with the reifying perspective of a producer or bricoleur'.[6] His second point of opposition targets the claim that the principles of justice as fairness not only permit but require genetic selection and modification. He argues that rather than fulfilling the principle of universal egalitarianism, these practices undermine it by establishing an unprecedented interpersonal relation in which the programmed subject of genetic intervention never has the opportunity to reverse the relation that obtains between themselves and their designer. As Habermas writes, 'eugenic programming establishes a permanent dependence between persons who

[4]Guenther, Lisa. 2006. *The gift of the other: Lévinas and the politics of reproduction.* Albany, NY: SUNY Press.

[5]Habermas. *The future of human nature*, 50.

[6]Ibid., 51. Emphasis in original.

know that one of them is principally barred from changing *social* places with the other', since 'the product cannot . . . draw up a design for its designer'.[7] Such relations, he argues, are 'foreign to the reciprocal and symmetrical relations of mutual recognition' otherwise established in the liberal social world of 'free and equal persons'.[8]

There are a number of ways in which the arguments presented by Habermas remain unconvincing. For one, his rhetoric of 'programming' and 'design' radically overestimates both the efficacy and extent of the kinds of interventions currently permitted by PGD. Selecting embryos on the basis of having or not having a particular genetic trait does not amount to the thoroughgoing intervention that Habermas seems to have in mind. Even in the more speculative realm of genetic enhancement, or modification for non-therapeutic reasons, the kinds of interventions that may be possible are not in the realm of a genetic 'bricolage'.[9] More specifically, Habermas' claim for the uniqueness of the irreversibility of the relation established between the 'designer' and the 'designed' requires some explanation of the incommensurable moral significance of genetic intervention. It is hard to see, for instance, how this relation is different from and more morally problematic than other non-reversible relations such as the genealogical irreversibility necessarily entailed in parent-child relations. Habermas does attempt an explanation of this, saying that the dependence entailed in normal parent-child relations 'only engages the child's existence . . . not their essence' and entails 'no qualitative determination of any kind of their future life'.[10] However, this explanation is notably opaque and dissatisfying.

Much could be said about Habermas' specific figuration of genetics, existence and essence at this point, but let me focus instead on the broader issue at stake. What underpins Habermas' arguments against liberal eugenics and PGD is a particular philosophical approach to the moral status of nature, or what some have called a return to the 'moralisation of human nature'.[11] For Habermas, the stakes of new genetic technologies are not simply the principles of individual autonomy and universal egalitarianism as cornerstone principles of liberal democracy, but rather, our *understanding of ourselves* as a species capable of moral action and freedom upon which those principles are built. Habermas argues that our ethical self-understanding is built upon an Aristotelian undertow in our lifeworld. Because of this, we readily distinguish between the organic and inorganic, the natural and the social, even if these categorical distinctions are no longer founded on

[7] Ibid., 65.

[8] Ibid.

[9] While there is much fantastic and philosophical speculation about enhancing desirable traits such as intelligence, memory and physical agility and endurance, at least for now, genetic modification is technically more in the realm of gene replacement therapy and epigenetics, which permits the regulation of gene expression. Even these fields are proving more difficult than was initially supposed.

[10] Habermas. *The future of human nature*, 64.

[11] Ibid., 23; also see Fukuyama, Francis. 2003. *Our posthuman future: Consequences of the biotechnology revolution*. London: Profile Books.

ontological claims. The difficulty that biotechnological intervention creates in this context is that of the 'dedifferentiation' of these categories. This means those things that are 'given' or 'come to be by nature', are increasingly treated in accordance with the same objectifying mode of action that we take to those things that are manufactured or 'made'. According to Habermas, the problem is that the intuitive distinction between the given and the made is 'constitutive of our self-understanding as species members' and hence, the dedifferentiation of these categories threatens that self-understanding.

We can see at this point that much of the weight of his argument rests on the distinction between the given and the made. Biological life, he suggests, is given in the sense that it is not subject to the determination and control of other humans. Interventions into life at the level of the genotype threatens this status, such that biological life is increasingly open to choice rather than necessity, or 'chance' as other prominent figures in the liberal eugenics debate have put it.[12] It is tempting at this point to criticise Habermas' characterisation of the effect of biotechnological intervention on the basis that it is simply not the case that such interventions entail an unprecedented dedifferentiation of the given and the made. Rather, in accordance with Bruno Latour for instance, one might suggest that these categories have never been pure, that the modernist project of categorical purification has never been much of a success. Thus we have always been confronted with the 'quasi-objects' that emerge from the indistinction and intermixing of the given and the made, of the free subject and the reified object.[13]

Some care is required, however, since Habermas' use of these categories simply identifies the distinction as part of our 'lifeworld' and does not require that they have any ontological status. That is, it is not a matter of whether biological life is actually given rather than made; what is important is how we typically think of the status of the natural or biological and the way in which this provides foundation for our ethical self-understanding. It is at this level of the lifeworld that, he argues, our self-understanding is being transformed. Hence, his claim is not about the actual state of 'the given' and 'the made' – as if these were, in fact, once distinct but are now increasingly less so – but is rather directed toward the operation of this distinction in establishing the epistemic or discursive statuses of objectivity and subjectivity and the ethical consequences of this.[14] A related caveat to note here is that his normative opposition to genetic interventions proposed by liberal eugenics does not follow directly from perceived transformations in ethical self-understanding. This opposition is only justified on the basis of an already established commitment to the principles of liberalism and egalitarianism. Thus, genetic intervention is not a problem per se; it only becomes a problem to the extent that it collides with the principles of political liberalism, and especially the values of individual autonomy

[12]Buchanan, Allen et al. 2000. *From chance to choice: Genetics and justice*. Cambridge: Cambridge University Press.

[13]Latour, Bruno. 1993. *We have never been modern.* Cambridge, MA: Harvard University Press, 60.

[14]There is, however, a considerable amount of slippage throughout Habermas' essay and he does not always remain within the limits of this epistemic approach.

and universal egalitarianism. That is to say, genetic intervention is problematic to the extent that it conflicts with the central principles of political liberalism, which it does by virtue of the transformation it brings about in the epistemic regime of ethical subjectivity that supports these principles.[15]

Despite the central role that the distinction between 'the given' and 'the made' takes for Habermas, the way it operates within his argument is decidedly ambiguous: the givenness of biological life all too quickly blends into the notion that *persons* are born not made, and further, that it is only now that 'made' persons participate in social relations. Thus, he writes that, 'up to now, only persons born, not persons made, have participated in social interactions'.[16] The notion that *persons* are simply born not made is one that feminists have long contested; it is also one which a number of other moral philosophers would reject on the basis that the status of personhood does not necessarily equate to biologically belonging to the species homo sapiens, or indeed any naturally given biological status. In fact, for some, it is entirely plausible that an intelligent machine has the moral status of personhood if it fulfils criteria such as rationality and self-consciousness for instance. The relation between biological 'givenness' – in the sense of not being determined or under the control of an intentional agent – and personhood is thus not straightforward. Yet it is precisely this relation that is at stake in Habermas' argument. Even so, Habermas does little to explicate the relation that he sees between biological givenness and moral status, and especially the status of being an ethically free agent. In fact, in the postscript to the main essay in *The Future of Human Nature*, Habermas admits that the philosophical depths of the debate on the 'natural foundations for the self-understanding of responsibly acting persons' remain unplumbed. He concludes that further analysis of 'the connection between the contingency of a life's beginning that is not at our disposal and the freedom to give one's life an ethical shape',[17] is required. In the spirit of this insight, in the following discussion, I sketch an outline of an alternative way of articulating the effects of genetic interventions on that connection, one that avoids the problematic distinction between the given and made that Habermas relies upon. In particular, I want to illustrate the potential importance of the concept of singularity for comprehending the effects of genetic intervention on embodiment and ethical self-understanding.

5.3 Natality, Corporeality, Singularity

It is interesting that Habermas himself notes an alternative way of articulating the implications of PGD, though it is not one he takes up in detail. In a brief discussion of Hannah Arendt's theorisation of natality and the link she makes between the surprise of the newborn and the capacity for free action, Habermas asks whether

[15] It should be noted that I use the term 'epistemic regimes' in reference to Michel Foucault's analysis of the modern 'episteme' in books such as *The Order of Things* (1970), though I am not suggesting that the details of his analysis need be adopted.

[16] Habermas. *The future of human nature*, 65.

[17] Ibid., 75.

'a discernable intrusion of the intentions of third persons upon a genetic program [means] that birth no longer constitutes a beginning that could give the acting subject an awareness of being able to make a new beginning, any time'.[18] Withdrawing from the strength of this supposition, he suggests that Arendt's account of natality does not provide any necessary reason as to why a body loses its worth as the basis upon which to be oneself in the strong ethical sense. In this construal of Arendt's account of natality, in which he sees birth as 'a divide between nature and culture', Habermas ties the question of natality to that of autonomy very quickly; consequently, he may well be right to eschew the conclusion her account of natality appears to produce. I want to suggest, however, that more can be gained from Arendt and recent reformulations of some of her ideas than this correlation between natality and autonomy allows. In *The Human Condition*, Arendt writes:

> [i]t is the nature of the beginning that something new is started which cannot be expected from whatever may have happened before. This character of startling unexpectedness is inherent in all beginnings and in all origins … The new always happens against the overwhelming odds of statistical laws and their probability, which for all practical, everyday purposes amounts to certainty; the new therefore always appears in the guise of a miracle. The fact that man is capable of action means that the unexpected can be expected from him, that he is able to perform what is infinitely improbable. And this again is possible only because each man is unique, so that with each birth something uniquely new comes into the world. With respect to this somebody who is unique it can truly be said that nobody was there before.[19]

This long quotation clearly evinces the ready connection that Arendt makes between the unexpected and action, and thus political appearance and freedom, for which Habermas discounts her characterisation of natality as a means of articulating the implications of genetic interventions. While this link is crucial for Arendt's formulation of the political, it need not be the central focus here. Instead, this paragraph also highlights the importance of the unexpected appearance of the existent in its unique identity, a uniqueness that is grasped at in the distinction between 'who' and 'what' someone is.

Arendt's formulation of a distinction between who and what someone is takes off from Heidegger's analysis of *Dasein* and is central to her conception of political action and the appearance of one among others in the public realm. She argues that the unique personal identity of who someone is, is actively revealed in all speech and action, and passively so in the idiosyncratic physical presentation of the body and sound of voice. Significantly, this personal identity may not be evident to the person herself, but is disclosed to others in the condition of human plurality. Indeed, the coherence of a unique personal identity may only be visible upon death. The life story of who someone is begins with birth and ends with death, but requires others for its manifestation at all, such that it is intrinsically tied to the public sphere. Interestingly, 'who' someone is cannot be elaborated easily within language; Arendt writes, 'though it is plainly visible, [it] retains a curious intangibility that confounds

[18] Ibid., 60.

[19] Arendt, Hannah. 1998. *The human condition*. 2nd edn. Chicago, IL: University of Chicago Press, 177–178.

all efforts toward unequivocal expression'.[20] This is because the attempt to render this unique personal identity in language necessarily falls into a delimitation of 'what' someone is, that is, into the identification of the determinate characteristics that they share with others.

Not dissimilarly, the position of the body in this account of 'what' and 'who' is equivocal, since the shared materiality and needs of the body appear to relegate it to the privative realm of labour and the necessary reproduction of natural life processes, As Julia Kristeva writes:

> [e]nsuring the metabolism of nature, the body accomplishes both the reproduction of the species and the satisfaction of its needs. Women and slaves personify this body in labor, which is the zero degree of the human and is the primary expression of biological life or *zoe*.[21]

The body is both apolitical and 'generic' and is thus more closely associated with 'what' someone is. As such, it appears to work in opposition to the revelation of who someone is.[22] This would seem to make Arendt an unlikely figure to turn to for an account of the interrelation of embodiment and ethical freedom. However, recent formulations of the notion of 'who', and of the concept of singularity it references, that extend upon Arendt's analysis are of help here.

In her account of the narrativity of self-formation, Adriana Cavarero helps to illuminate the role of embodiment in the exposure of who someone is and the ethical importance of this. Beginning from the ostensibly innocent question of 'who are you?', Cavarero offers an account of self-formation in narrative founded on an embodied ethical altruism, which she develops from the distinction between the generality and singularity of an existent exposed in its relation to others.[23] Cavarero highlights the ethical importance of this distinction. She argues that focusing on the question of 'who' yields a 'relational ethics of contingency' that avoids the exclusions effected in the focus of philosophical discourse on 'what' one is.[24] She begins her analysis from the corporeal vulnerability and exposure of the one to another, and makes this exposure central to an ethics of relational contingency, such that what is at stake in ethics is the unique life that constitutes the self of the phenomenal individual. This understanding of selfhood works with a conception of the person as fundamentally intertwined with others in their constitutive co-appearance. One is never simply oneself, but always appears as oneself in relation with others, and part of that relation with others entails dependence and a necessary incompletion of the self. Hence, one might say that the self is never fully constituted in its

[20] Arendt, *The Human Condition*, 181.

[21] Kristeva, Julia. 2001. *Hannah Arendt* (trans: Guberman, Ross). New York, NY: Columbia University Press, 177.

[22] Ibid., 178.

[23] See Nancy, Jean-Luc. 1991. Introduction. In *Who comes after the subject*? eds. Eduardo Cadava, Peter Connor, and Jean-Luc Nancy. New York and London: Routledge.

[24] Cavarero, Adriana. 2000. *Relating narratives: Storytelling and selfhood* (trans: Kottman, Paul A.). London and New York: Random House, 87.

appearance, but is always in the process of constitution. The appearance of oneself is both founded and founders on a dependency on others, for this dependency generates a necessary failure or incompletion in the self's appearance at the same time as it makes that appearance and exposition possible.

In contrast to Arendt's focus on the heroic aspects of the revelatory character of speech and action, for Cavarero, the paradigmatic figure of mutual co-appearance is the vulnerability and exposure of the newborn, who, she argues, appears in the full unity of the self without qualities, such that he or she is simply a '*who*'. The newborn is characterised by both absolute exposure and a unity of the self that is not yet fractured by the passing of time. As she writes:

> the baby who is born is always unique and one. Within the scene of birth, the unity of the newborn is materially visible and incontrovertible through its glaring appearance. The newborn – unique and immediately expressive in the fragile totality of her exposure – has her unity precisely in this totally nude self-exposure. The unity is already a physical identity, visibly sexed, and even more perfect insofar as she is not yet qualifiable.[25]

Without taking up all the implications of this characterisation, for Cavarero this means that embodiment and self-appearance are intimately intertwined and, further, that our having been born establishes an ethical reciprocity between existents insofar as the exposure of ourselves is always dependent on others, not simply in action, but from the moment of having been born. In this conception of selfhood Cavarero provides a way of parsing an account of natality from Arendt's emphasis on action and tying the notion of 'who' one is more tightly to the constitutive condition of embodiment. That the uniqueness of a 'who' is manifest most clearly in the total exposure and 'unity' of the newborn requires that the existent is not only necessarily embodied, but that the condition of embodiment is expressive of a unique personal identity. This account of natality means that the newborn appears without qualities: while embodied and therefore sexed, for Cavarero, 'the one who is born does not yet have any qualities',[26] such that they are absolutely irreducible to the determinate characteristics of what they are or will become.

As Cavarero's emphasis on 'uniqueness' suggests, one of the ways that the distinction between 'who' and 'what' someone is can be further articulated is through the idea of singularity and its differentiation from generality, or general characteristics that find expression in particular beings. While the notion of singularity has been especially popular in contemporary French philosophy, perhaps no other theorist has gone as far to develop an ontology and ethics of singularity as Jean-Luc Nancy in his radical extension of Arendt's framework.[27] As he explains of the notion, singularity 'is that which occurs only once at a single point . . . Not a particular, which

[25] Ibid., 38.

[26] Ibid.

[27] Although Nancy references Arendt infrequently, he does acknowledge the significance of her reflections on 'human plurality', especially in relation to Heidegger. Related to this, his emphasis on the notion of 'who' and on birth draws on Arendt, as do his reflections on spacing in the book *The Experience of Freedom* (1995). It should be noted that Nancy's reflections on ontology and

comes to belong to a genre, but a unique property that escapes appropriation'.[28] For Nancy, singularity is distinct from particularity, in that the latter is equivalent to the manifestation of general characteristics in a thing. For instance, a red ball might be understood as a 'particular' manifestation of the general characteristic – or 'genre' in Nancy's formulation – of redness. Or, with regard to genetics, an individual body could be understood as particular insofar as it is seen as an individual manifestation of a more general genotypic (or phenotypic) trait, for example, of the existence of the defective gene called 'Huntingtin' involved in Huntington's disease.

Understood as a singularity, however, the individual body exceeds the correlations of generality and particularity: it is someone that occurs only once, here and now. In this way, Nancy suggests, singularity is not opposed to the general or the particular, but includes them within itself, since singularity is simply the 'distancing, spacing and division of presence' in coexistence.[29] Crucially, Nancy also argues that such an understanding of singularity is intimately tied to the question of birth, and as such, to the question of freedom, since, 'it is each time freedom that is singularly born. (And it is birth that frees)'.[30] Clearly, by the term 'freedom', Nancy does not mean the autonomy (self-rule) of the subject. Instead, his conception of freedom refers to the ontological spacing of being itself, a spacing that is necessary for singularities to co-appear at all (since otherwise there would only be the unity of being itself).

Much more could be said about Nancy's formulation of singularity and its importance for an understanding of ethical freedom, but I will only briefly make two specific points here. Firstly, as with Cavarero, Nancy posits a close relation between singularity and embodiment, writing that, '[a] singularity is always a body, and all bodies are singularities . . . the bodies, their states, their movements, their transformations'.[31] However, whereas Cavarero avoids questions of technology and tends toward a romanticisation of the natural in her account of the uniqueness of the newborn, Nancy resists making a clear distinction between nature and technology. He argues that 'nature' and 'technology' indicate different 'modes of accomplishment' or 'execution' that co-exist in a relation of mimicry (which is not simply a matter of copying).[32] Secondly, the notion of singularity allows a reformulation of

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ethics constitute an extremely complex and often allusive engagement with the Western philosophical tradition, and especially with Kant, Hegel and Heidegger. My comments on his work are brief and necessarily leave much to be explained further.

[28]Nancy, Jean-Luc. 2004. Banks, edges, limits (of singularity). (trans: Anidjar, Gil) *Angelaki: Journal of the Theoretical Humanities* 9:41.

[29]Nancy, Jean-Luc. 2000. *Being singular plural* (trans: Richardson, Robert D., and Anne E. O'Byrne). Stanford: Stanford University Press, 2; also see his further explication of the notion of singularity and its necessary relation to co-presence or 'being-with', itself a central idea in his extension of Arendt.

[30]Nancy, Jean-Luc. 1995. *The experience of freedom* (trans: Macdonald, Bridget). Stanford: Stanford University Press, 66.

[31]Nancy. *Being singular plural*, 18.

[32]Ibid., 101–114, 17–19; Nancy. Banks, edges, limits (of singularity), 42–43.

our understanding of subjectivity and, at least for Nancy, is posed as a 'critique or deconstruction' of the philosophical emphasis on the subject as a rationalistic, interiorised and monadic individual. Understood as a way of approaching the question of who someone is, Nancy's conception of singularity actively evades the attribution of properties to an interiorised self or subject, and insists on the necessity of 'being-with-others' in order to be at all. In short, being *is* 'being-with'. Importantly, to the extent that this approach gives rise to a 'critique or deconstruction' of the subject, it undoes the distinction between the subjective and objective that has such a profound hold on conceptions of ethical freedom.[33] One implication of this is that the distinction between 'the given' and 'the made', or the subjective and objective, that structures Habermas' understanding of the impact of PGD on ethical self-understanding need no longer govern the way in which we imagine or understand ethical subjectivity. Further, this means that the Kantian arguments against instrumentalisation or objectification no longer provide the ground for normative opposition to technologies such as PGD. Given this, the question that arises is how the concept of singularity might help understand the ethical transformations effected by such technologies.

5.4 Screening Singularity

The focus on singularity elaborated by Cavarero and Nancy suggests that the predetermination of the *qualities* of the newborn indicates a transformation in our mode of relating, which has the effect of forestalling or eroding the immediate recognition of who they are. That is to say, the transformation effected by genetic intervention and selection is that the newborn is born for *what* they are, that is, for their determinate qualities and characteristics, and not for the unexpected appearance of *who* they are. This amounts to the reduction of the singularity of the newborn to its particularity, that is, to the manifestation of certain desirable general characteristics that are determined in advance and are ineluctably manifest in the body of the newborn. To be clear, the reduction of the singular to the particular does not mean that the unique identity of who someone is is therefore eradicated or undermined per se. Rather, it is a matter of the failure of recognition of that singularity, such that while that unique identity may well come to incorporate its own beginning in the 'technical creation of the singular-plural',[34] its appearance as such goes unnoticed in its arrival.

Further, it is not individuality in the sense of the phenomenal appearance of the newborn that is under threat in genetic interventions made possible by PGD. Rather, what is potentially eroded is the unexpectedness that Arendt makes so central to

[33] On the issue of how the notion of singularity relates to conceptions of the subject, see especially Nancy. Introduction. In *Who comes after the subject?* And, in the same volume, see Jean-Luc Nancy's interview with Jacques Derrida. 'Eating well', or the calculation of the subject, 96–119. Also see Nancy. *The experience of freedom.*

[34] Nancy. Banks, edges, limits (of singularity), 43.

the appearance of a unique identity. Cavarero is not explicit about this, but, returning to Arendt, one might emphasise that what is fundamental to the uniqueness of the self is the fact that the qualities of who someone is are not determined before their arrival. Or, as Nancy puts it, 'some *one* comes ('one' because it 'comes' not because of its substantial unity: the she, he, or it that comes can be one and unique in its coming but multiple and repeated 'in itself')'.[35] As the arrivant, the newborn defies expectation and determination. With PGD, that unexpectedness is diminished by the choice already made in advance that the child be born with a particular characteristic. Of course, the technical limitations on genetic screening as well as genetic expression ensure that the child born of PGD will exceed the expectations of parents and others in various tangible and intangible ways; but the child is also born immediately and ineradicably fulfilling a parental desire for a particularity rather than a singularity.

In order to make my point clear, let me quickly distinguish this position from the more standard approaches to PGD that are currently in circulation. First, it is true that the notion of genetic technologies undermining singularity or unexpectedness have been expressed previously, often to bolster conservative critiques of new technologies. For example, in reference to reproductive cloning, Hilary Putnam has expressed the view that genetic technologies may undermine 'the "right" of all children to be a complete surprise to their parents'.[36] The position I have elaborated differs from this in significant ways. For one, it does not require recourse to the attribution of a suspect right to unexpectedness. More importantly, it generates a new description of ethical subjectivity that takes seriously the connection between embodiment, contingency and ethical freedom, without positing a problematic distinction between the 'given' and the 'made' and the 'moralisation of (human) nature' that has gone along with this. This also means that my point is not simply that the child that results from PGD is a 'composite' of the given and the made: that may well be true, but it is also true that one would be hard pressed to find a baby that was not such a composite.[37] As such, this view does not help clarify what is ethically distinctive about the selection of embryos for certain genetic traits.

Nor is the point simply that PGD is a form of instrumentalisation in which a *child* comes to be treated as a (more or less fungible) object in the manner that Habermas and others claim.[38] As a number of commentators have pointed out, parents often have instrumental reasons for having a child, and PGD is not unique in that regard. That said, what I have suggested is specific to PGD and the genetic selection that it allows, is the immediate realisation of the choice for or against a particular characteristic in the body of the resultant child; that is, the desire for a

[35] Nancy. Introduction. In *Who comes after the subject?* 7.

[36] Putnam, Hilary. 1999. Cloning humans. In *The genetic revolution and human rights: The Oxford Amnesty Lectures 1998*, ed. Justine Burley, 13. Oxford: Oxford University Press.

[37] This depends in part on the breadth of one's definition of the 'technological'.

[38] I emphasise 'child' here because, on the face of it, PGD does allow that embryos – or rather, pre-embryos – be treated as fungible.

child with a particular genetic profile is realised in the choice itself of which embryo to implant, or of which gene to modify and how.[39] This sets PGD apart from other ways in which parents may desire a child for the fulfilment of a particular life plan, for example, to inherit the family business or carry on the family tradition of medical practice. In cases such as this, the child can – and often does – come to reject that life plan for him or herself. In fact, the key difference here is that one of these cases entails a desire for the fulfilment of a particular life plan, the other a desire for a particular genetic profile or characteristic. It is not at all clear that there is an empirical or ethical alignment between those desires and attempts at their realisation. Relatedly, I am not suggesting that PGD operates to determine the life plan of the resultant child; their chosen characteristic may impact upon their life plan in significant ways, but it does not determine it. Instead, the view that I am suggesting does not require speculation about life plans. It simply is the case that the particular child is born for its manifestation of a general genetic characteristic and we can, at least temporarily, set aside discussion of what may result from that.

5.5 Conclusion

The intuition I explore in this chapter is that PGD (and, by extension, other technologies of genetic selection and intervention) is contributing to a transformation in ethical self-understanding. This is because it allows a shift in focus from the unexpected singularity of the newborn to the determination in advance of a particular characteristic that is immediately embodied in their being born. That is, it is the capacity to choose a *particular* characteristic that is immediately embodied in the newborn's corporeality that is distinctive about PGD, and which indicates its capacity to impact upon our ways of seeing ourselves and others as ethical agents. More needs to be said of this than I have been able to here, especially in relation to the ethical or moral significance of the reduction of the singular to the particular and the normative implications to draw from this. Even so, it should be clear that neither celebration nor resistance to technological change on the basis of its capacity to transform our ethical self-understanding alone is sufficient.

It is surely truistic that new genetic and reproductive technologies present both dangers and promises. At the level of a theorisation of subjectivity and attendant conceptions of ethics, the promise is that new technologies can contribute to an 'epistemic shift' in understanding the human as ethical agent. That is, they may open opportunities for reconceiving ourselves and our relations with others in ways that do not presuppose a more or less atomistic, autonomous individual as the primary datum of ethics. The danger is that this epistemic shift generates a kind of melancholic hypostatisation of individualistic ethical self-understandings, such that

[39] I am presupposing the success of PGD and IVF processes to make my point here, which in practice is far from guaranteed. For an insightful empirical study of the use of PGD in the United Kingdom, see Franklin, Sarah, and Celia Roberts. 2006. *Born and made: An ethnology of preimplantation genetic diagnosis*. Princeton, NJ: Princeton University Press.

we not only miss the opportunity to re-imagine being ethical, but also misdiagnose the effects of such technologies. To make good on the promise of technological change requires that considerations of the implications of new genetic technologies extend beyond the current emphasis on autonomous individuality and reproductive freedom in terms of choice. For, ultimately, what is at stake in such technologies is a possible parsing of ethical freedom and the politics of choice. The conceptual break produced by this allows us to re-imagine ethical subjectivity and freedom in a way that emphasises contingency over choice, the unexpected over the autonomous and our shared or common coexistence over the determinations of individual will.

One implication of the argument that I have made in this chapter is that in opening up the question of who is born to fine-grained decisions, reproductive technologies such as PGD contribute in powerful ways to regulating the social appearance of bodies. If this is so, then two problems, which I have touched on without exploring in depth in this chapter, require further discussion. First, I mentioned in this chapter that Cavarero tends to romanticise the body, without acknowledging the fundamental role that technology plays in the constitution of corporeality. Technologies such as PGD make necessary a different approach that recognises the way that medical technologies are embedded in agential processes of the materialisation of bodies. In addition to this, and this is the second problem, practices of medicine and the processes of materialisation to which they contribute take place within complex contexts of social norms. Some of those norms will impact on what appears as a normal body, underpinning and shaping decisions on what counts as viable life. Nuancing the emphasis on singularity, the ineluctability of norms in social life means that the ethical force of the question, 'who are you?' will be circumscribed in various ways. In the following chapter, I trace one example of the interplay between reproductive technology, embodiment and social norms through a discussion of obstetric ultrasound.

Bibliography

Arendt, Hannah. 1998. *The human condition*. 2nd edn. Chicago, IL: University of Chicago Press.

Buchanan, Allen, Dan W. Brock, Norman Daniels, and Daniel Wikler. 2000. *From chance to choice: Genetics and justice*. Cambridge: Cambridge University Press.

Cavarero, Adriana. 2000. *Relating narratives: Storytelling and selfhood* (trans: Kottman, Paul A.). London and New York: Random House.

Franklin, Sarah, and Celia Roberts. 2006. *Born and made: An ethnology of preimplantation genetic diagnosis*. Princeton, NJ: Princeton University Press.

Fukuyama, Francis. 2003. *Our posthuman future: Consequences of the biotechnology revolution*. London: Profile Books.

Guenther, Lisa. 2006. *The gift of the other: Lévinas and the politics of reproduction*. Albany, NY: SUNY Press.

Habermas, Jürgen. 2003. *The future of human nature*. Cambridge and Malden, MA: Polity.

Kristeva, Julia. 2001. *Hannah Arendt* (trans: Guberman, Ross). New York, NY: Columbia University Press.

Latour, Bruno. 1993. *We have never been modern*. Cambridge, MA: Harvard University Press.

Nancy, Jean-Luc. 1991. Introduction. In *Who comes after the subject?* eds. Eduardo Cadava, Peter Connor, and Jean-Luc Nancy, 1–8. New York and London: Routledge.

Nancy, Jean-Luc. 1991. 'Eating well', or the calculation of subject: An interview with Jacques Derrida. In *Who comes after the subject?* eds. Eduardo Cadava, Peter Connor, and Jean-Luc Nancy, 96–119. New York and London: Routledge.

Nancy, Jean-Luc. 1995. *The experience of freedom* (trans: Macdonald, Bridget). Stanford, CA: Stanford University Press.

Nancy, Jean-Luc. 2000. *Being singular plural* (trans: Richardson, Robert D., and Anne E. O'Byrne). Stanford, CA: Stanford University Press.

Nancy, Jean-Luc. 2004. Banks, edges, limits (of singularity). *Angelaki: Journal of the Theoretical Humanities* 9:41–53.

Putnam, Hilary. 1999. Cloning humans. In *The genetic revolution and human rights: The Oxford Amnesty Lectures 1998*, ed. Justine Burley, 1–13. Oxford: Oxford University Press.

Sandel, Michael. 2007. *The case against perfection.* Cambridge, Mass and London: Belknap press of Harvard University Press.