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1987

# A Cross-Cultural Analysis of Several Forms of Parenting: Mother, Genitrix, and Mater

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Hill, Michael R. 1987. "A Cross-Cultural Analysis of Several Forms of Parenting: Mother, Genitrix, and Mater." Pp. 69-90 in *On the Problem of Surrogate Parenthood: Analyzing the Baby M Case*, edited by Herbert Richardson. Lewiston, NY: Edwin Mellen Press.

# **A Cross Cultural Analysis of Several Forms of Parenting *Mother, Genitrix, and Mater***

MICHAEL R. HILL

-- *"The issue here is not so much technological as sociological."*

Herbert Brail, attorney

-- *"Even an infant needs her own space."*

Harvey Sorkow, judge

## **Introduction**

### **Private Troubles and Public Issues**

Melissa Stern was born March 27, 1986, in New Jersey. For one so young, she has experienced or been the subject of interstate flight and fugitive hegira, legal battles involving her own court-appointed attorney, social controversy, the voracious attention of an insensitive media industry, and a place in history as the famous Baby "M". Judge Sorkow (1987: 26-27), in his opinion awarding custody of Melissa to her genetic father and terminating all parental rights of her genetic mother, notes professional evaluations indicating Melissa to be a "a mellow, alert, easy-to-care-for child who is blessed with a 'sunniness of disposition that is a delight to see.'" She is also "a curious and social baby and adjusts to her strangers and social situations easily." One hopes these resilient character traits flower as Melissa matures and discovers the intricacies in which her personal biography has become inextricably enmeshed in the public issues of American social conflict. The following analysis is offered with a view to explicating the interconnected personal troubles and public issues now drifting toward yet another reconsideration of a primary American social institution: family. This blatantly sociological enterprise has its own

role to serve in the reflexive and hopefully emancipatory hermeneutic of social change (Giddens, 1987a, 1987b), but it is also hoped that this analysis will at some future time make at least some sense to Melissa herself.

Confronting distinctly personal troubles is by no means a unique experience in this society. Many of us, in the process of maturation, have acquired a substantial cache of guilty secrets, unresolved conflicts, desperate hopes, doubts, injustices, frustrations, betrayals, and stupidly bungled projects. We are often prime architects of our foibles, but at times we play the unwitting if not unwilling dupe to the deceptive fabrications, insanities, and insensitivities of friends and fellows who abuse our trust (Goffman, 1974/1986). These private troubles are the existential stuff of life in human society as it is now organized. Much that Melissa Stern has encountered and will continue to meet are personal troubles that only she can recognize, pick her way through, and presumably resolve with dignity and growth.

Melissa's life journey began in the private troubles of her father, William Stern, and his wife, Elizabeth Stern. The Sterns wanted to raise a family (hardly a nefarious project in this intensely familistic society), but discovered that Elizabeth Stern's incipient (and hopefully mild) multiple sclerosis made pregnancy an unacceptable risk. Discouraged by their exploratory inquiries concerning adoption, the Sterns eventually learned about and investigated the possibility of surrogate reproduction. The consummation of a surrogate reproduction contract between William Stern, Mary Beth Whitehead, and her husband, Richard Whitehead, led to Mary Beth's artificial insemination with William's sperm and the subsequent birth of a baby girl, now known as Melissa Stern. As part of this arrangement, William agreed to pay \$10,000 to Mary Beth who in turn agreed to sever her parental rights where the newborn baby was concerned.

Had this plan gone as proposed (as hundreds of similar arrangements in fact have), Melissa's troubles would have been much reduced. Instead, Melissa's mother, Mary Beth Whitehead, became enmeshed in unforeseen personal troubles of her own. Among others, she decided to retain her parental rights and to raise the baby girl within her own family. These events set the stage for a deeply emotional drama in which two sets of legally incompatible personal

troubles, those of William Stern and Mary Beth Whitehead, collided head on resulting in Melissa's well-chronicled odyssey. A vortex of personal troubles, claims and counterclaims ensued, entangling not only Melissa and her genetic parents, but also Elizabeth Stern, Richard Whitehead, the Whitehead's two children, Melissa's maternal grandparents, and friends of both families. Were this the full story, however, Harvey Sorkow's (1987) juridical resolution of these troubles would not have made front page headlines in national newspapers (see, for example, Hanley, 1987a, 1987b; *New York Times*, 1987; Shipp, 1987).

The private troubles of the assembled litigants and concerned parties became a catalyst wherein several public issues surfaced, became inflamed, and developed lives of their own which have nothing whatever to do with the happiness and well-being of Melissa, the little girl with the sunny disposition. Thus, we encounter here an unusually cataclysmic intersection of public issues and private troubles. Whereas Melissa must eventually come to grips with the notoriety of her own biography, she will do well to recognize that neither she nor her parents created the public issues that catapulted her into the history books. Her multiple parents only tried to resolve their own private troubles in their own ways. It was only later that they -- and the rest of us -- discovered that their private troubles were shared by many -- and could potentially be shared by a quite significant portion of our society. As Mills (1959) helps us understand, the personal troubles of the Sterns and the Whiteheads resonated in a loud, dissonant chorus echoing the public issues of a capitalist, patriarchal, and familistic society.

### Sociological Imagination and Family

The myriad public issues finding voice in Judge Sorkow's New Jersey courtroom are rooted in our most enduring social patterns, including: family, law, religion, politics, patriarchy, racism, capitalism, and class. In this chapter, I concentrate on issues related to family. There is a tendency when investigating or thinking about matters related to these patterns to reify them, to conceptualize them as essentially immutable, fundamental, intrinsic, unquestionable. Understanding the actual map of our social world in this taken-for-

granted, everyday sense is in itself a tall and difficult project requiring intellectual discipline and sensitivity (Giddens, 1987a; Goffman, 1974/1986; Deegan and Hill, 1987; Mead, 1934; Reinharz, 1979/1984; Rubin, 1976; Schutz, 1971; Taft, 1915/1987). Comprehending that our taken-for-granted institutions often assume radically different forms than possessed -- or recognized -- at present requires a degree of insight and reflexivity possessed by few people, including sociologists. With this in mind, Giddens (1978a, 1987b) argues for the practical necessity of adopting "the sociological imagination so eloquently outlined by the distinguished American sociologist, C. Wright Mills (1959). If we fail to critically examine history, anthropology, and alternative futures as Mills and Giddens advocate, we run the almost certain risk of entrapping ourselves in reifications, ethnocentrism, and political impotence.

Most commentators agree that surrogate reproduction is intimately linked to the institution of "family". Failure to adopt historical and anthropological sensitivities, however, leads to strange, ethnocentric pronouncements about presumed universal aspects of family and parenting. Sensitive social scientists help us avoid such mistakes. Julia Kristeva (1974/1986), for example, provides a deep, texturally complex analysis of the meanings of motherhood and family in Chinese and western societies. Even within the restricted orbit of the industrialized countries of the contemporary world, however, history reveals a range of family forms and child rearing practices (Poster, 1978) that would cause many narrow-minded, self-righteous defenders of mythically invariant family morality to retreat in embarrassment, hopefully with apologies for their insensitive bigotry. Jessie Bernard (1972/1982) demonstrated the surprisingly varied ways in which modern Americans arrange themselves in conjugal groupings of greater and lesser duration and commitment, including: traditional marriage, communes, cooperatives, one-night stands, swinging, intimate networks, households of unrelated individuals, serial polygamy, geriatric marriage, *menage à trois*, group marriage, companionate celibacy, and feminist households. Add to this list the variations devised by gays and lesbians and the permutations are formidable. Human beings invent, experiment, and adapt, often with vigor, grace, good humor and commitment. They also bungle, cheat,

and hurt each other, but this is not new. There are some who simply and unreflexively lump this diversity and playfulness under the rubric of "sin", but these are people who lack a sociological imagination -- to say the least. The best critical evidence leaves us with what is to some a startling conclusion: there is no such thing as *the* natural family form. We give life to many family forms, all as natural as the next, some enjoying greater or lesser popularity at different times and among various subgroups in western societies.

The image of the "ideal" independent conjugal nuclear family (husband, wife, and their jointly produced genetic children) has been powerfully projected as *the* family as though this form is more "natural" or legitimate than any other possible arrangement. The reasons why this particular familial pattern has received massive ideological approval in American society lie beyond the scope of this chapter, but interested readers will find a good introduction to several fundamental public issues in Barrett and McIntosh (1982). The point here is that discussions of surrogate reproduction get caught in needlessly convoluted distortions and serious conceptual mistakes if their authors assume from the outset that there is really only one kind of legitimate and natural family form.

### Multiple Parenting

A cross-cultural perspective on the forms of parenthood lets Melissa Stern rationally locate herself in a matrix of multiple parents. On examination, we see that multiple parentage is quite common, even among families who believe themselves to be model examples of the independent conjugal nuclear type. The possibilities for multiple parenting are not new, but they have been augmented by recent developments in bio-techno-medical research (cryogenics, gene splitting, *in vitro* fertilization and embryo transfer, especially). One thing needs to be said, however: that the surrogate reproductive procedures (artificial insemination) resulting ultimately in Melissa's birth are exceptionally low-tech and do not depend intrinsically on medical intervention. Indeed, were it not for the cultural mores of the reproductive partners in surrogacy arrangements, impregnation could be readily achieved through normal coition. Whereas genuine and

serious concerns are raised by the high-tech reproductive technologies, these concerns, insofar as they are generated by technology *per se*, do not apply to surrogate reproduction of the type which brought Melissa into this world.

Given the disparate variations in marriage and parenting found trans-historically worldwide, it makes sense anthropologically to speak of *forms* of parenthood. These general patterns, three each for mothers and fathers, are outlined in Table 1. The forms of fatherhood, for example, can all be filled by one person. This result is assumed in the "ideal" independent conjugal nuclear family. The husband is the genetic father. As genitor, he nurtures and sustains his wife during her pregnancy. Finally, in the role of pater, he helps rear and socialize the young child. Thus, if we mistakenly assume that the independent conjugal nuclear family is the only natural family form, we are likely to erroneously conflate the various forms of fatherhood.

If we take a broad view, as the sociological imagination suggests we should, we find that fatherhood roles in some cultures are distributed over a large number of people. While only one male can technically be the genetic father, some biologically naive and promiscuous groups believe and act upon the idea that it is possible for a woman to be the genetic father. Sustenance during pregnancy can be accomplished by several males, and is sometimes required in a somewhat unusual -- to contemporary occidental ears -- variation in societies where it is believed that the fetus will grow only if the mother has coitus on a frequent basis with several males during pregnancy. The presumption is that the seminal fluid nourishes the fetus. It is this relatively rare belief and practice from which the term "genitor" derives, but support of the mother and her fetus certainly includes many possibilities other than coital service. Additional forms of nurture can be easily identified and provided by a wide range of persons. These include emotional resources, financial aid, medical assistance, and birthing preparation. Finally, following the child's nativity, the newborn may be raised by yet another father, or even by a group of men who share equally or hierarchically in the pater role.

TABLE 1: Forms of Parenthood

MALE	FEMALE
Genetic Father (contributes sperm)	Genetic Mother (contributes egg)
Genitor (provides supportive environment for pregnant genitrix)	Genitrix (provides gestation and/or supportive environment for pregnant genitrix)
Pater (provides care and socialization of child)	Mater (provides care and socialization of child)

\* \* \* \*

By analogy, a similar analysis is possible for motherhood. The roles of genetic mother, genitrix, and mater are all filled by the wife in the "ideal" conjugal nuclear family. *In vitro* fertilization, however, makes it possible to clearly separate these three roles. For example, an egg supplied by one woman (genetic mother) is fertilized and implanted in a second (genitrix), with the resulting child raised by a third (mater). These roles are also open to cooperative arrangements. For example, nurturing a pregnant woman can be shared, thus expanding the role of genitrix to non-pregnant but supportive women. Finally, any number of women can be designated or seek to be maters, taking responsibility for the care and socialization of the newborn.

Looking at parenthood in this way absolves Melissa from unnecessary confusion and fruitless questions such as "Who are my *real* parents?" In reality, she has multiple parents who have clearly identifiable roles, all essential to Melissa's conception, gestation, birth, and subsequent well being. All her parents have made *real* contributions. One the male side, her genetic father is William Stern, her genitors are William Stern (who paid the medical bills) and

Richard Whitehead (who saw his wife through her pregnancy), and her pater is now William Stern (assuming that Judge Sorkow's custody decision is not reversed or significantly modified). On the female side, her genetic mother and genitrix is Mary Beth Whitehead. The court record indicates that Elizabeth Stern, herself a physician, participated in an ancillary genitrix role by giving emotional reinforcement and medical advice. Her primary mater will be Elizabeth Stern (and may include Mary Beth Whitehead in a secondary mater role if subsequent courts allow visitation). This accounting of Melissa's various parents appears bizarre only if one applies the unique and anthropologically strange case of the "ideal" independent conjugal nuclear family as one's point of reference.

In fact, such multiple parent situations are not at all unusual. They are commonly found in families involving death of a spouse and subsequent remarriage by the survivor; in families dissolved and reassembled through the increasingly common practice of serial polygamy; and in families formed by adoption and foster parenting. Surrogate reproduction adds no new twists to parenting roles already in place and socially accepted.

### **Parenting: Ideology and Praxis**

Our concepts of family and parenthood are changing, but sometimes we let obvious, easily assimilated changes slip away unnoticed when our rhetoric becomes intemperate and ethnocentric. We forget that the "ideal" independent conjugal nuclear family is, in fact, far from common in practice when we look closely at the parenting roles in American society. With high rates of teenage promiscuity and pregnancy, not to mention multiple-partner sexual liaisons among adults both married and single, it is reasonable to conclude that in significantly increasing number of pregnancies there is no congruence between the genetic father and the genitor/pater in many so-called "ideal" marriages. Without a court test and paternity evidence provided to the contrary, the vast majority in this society are quite happy to assume and act as though the husband in a conjugal nuclear family is necessarily the genetic father of his children, even

when a quick calculation of the odds could easily lead to alternate conclusions.

When we reflect comprehensively on the ways in which parenting roles are currently distributed in American society, the ideological hypocrisy that conflates parenting praxis with the "ideal" independent conjugal nuclear family quickly crumbles. For example, participants in popular prenatal birthing programs often utilize someone other than the genetic father to fill the genitor/genetrix role as "coach" for breathing exercises. Courts appoint guardians to represent the interests of unborn children, a legal institutionalization of the genitor/genetrix role. Many children find themselves paired to multiple maters and paters (and fictive kin) through the widespread practice of appointing godparents in religious rituals. I leave untouched the various roles adopted by grandparents, some having sued successfully in court to establish visitation with their grandchildren.

Bitterly contested custody suits attending divorce create unfortunate acrimony and sorrow, but reasonably amicable custody resolutions appear much more the norm. Our society is readily and easily legitimating remarriages wherein wives and husbands frequently become maters and paters to children where others (often faceless unknowns, sometimes not) fulfilled the role of genetic parent as well as genitor or genetrix. The growing number of single parent families (of several types) calls for a pragmatic redefinition of "family" and parenting roles. This call is increasingly hard to ignore. Expanding day care service widens opportunities for more men and women of the community to participate in the pater and mater role (in addition to traditional pater/mater niches such as school teaching, scout leadership, and Big Brother/Big Sister programs). We must account also for the *in loco parentis* responsibilities of boarding schools and colleges, the roles of nannies, wetnurses, baby sitters, and others who act as mater and pater on intermittant as well as regular bases. In short, although the concept of parenthood in this society is frequently conflated with the ideological ideal of the independent conjugal nuclear family, we generally act quite differently, routinely splitting parenthood roles and assigning their performance to a surprisingly wide variety of individuals. There is a conceptual gap between what we

say we believe parenthood to be and what we actually take-for-granted and act upon where parenting is concerned.

There are some who would blindly ban the distribution of parenting roles that accompany surrogate reproduction. Such proposals are authored by unthinking critics who do not see that precisely the same distributions can be accomplished by misadventure using fully legitimated routes. Consider this hypothetical example: A man and woman marry, but subsequently discover that the woman cannot have children. Family, friends, and neighbors whisper in guarded tones, "My, my what a shame, he would make such a good father." The couple tries to redefine their childlessness as a positive opportunity for interpersonal growth, but they are told they are "selfish" to think that way. Family and friends, however, continually remind the couple of their "disappointment" and "tragedy". Succumbing to self-doubt and other pressures, the marriage ends as the couple is unable to conceptualize a meaningful future. The man quickly remarries, but not wisely. A child is born of this new union, a child who almost immediately becomes the subject of a bitter custody challenge and the center of rancorous divorce proceedings in which the man eventually agrees to pay \$10,000 in alimony as a move to "get his manipulative new wife off his back." In light of documented circumstances which throw reasonable doubt on the ability of the mother to provide a nurturant and stable home, the court awards custody of the child to the man, a not uncommon event in this day and age. Time passes. Eventually, the man and his first wife begin dating again and discover to their mutual delight that they hadn't really given marriage a chance. They remarry and the woman eventually adopts the child as her own. Were this a movie script, would we not feel pangs of sympathy, at least for the child who has found a happy home in the midst of an otherwise troubled and imperfect world? I think so. And if we can, then I think we can feel ever so much better about Melissa and her new life with the Sterns, a life that the Sterns wanted, planned, and presumably prayed for.

I do not assert that the above hypothetical case and the surrogate reproduction arrangement entered by William Stern and the Whiteheads are in any way similar in terms of *intent*. But, I do argue that the resulting parenthood roles and many of the structural

conditions are remarkably congruent. Society already provides a fully legitimated sequence of events that has much the same result as surrogate reproduction by simply resorting to a variation on serial polygamy. Indeed, were surrogate reproduction to be outlawed, as some propose, I suspect it would not be long before persons would collude to purposefully implement a moderately complicated three-stage scenario (marriage-divorce/second marriage-pregnancy-divorce-custody & alimony settlement/remarriage-adoption) in much the same way that many couples a few years ago routinely divorced and remarried annually in order to gain federal tax benefits based on marital status. Human beings are remarkably inventive and resourceful when push come to shove. It is mistaken to think that simply outlawing a practice means, in our insitutionally redundant bureaucratic society, that it cannot be accomplished legally by other fully legitimate, socially acceptable procedures.

### Legislation and Emancipatory Futures

It is wise to be wary when male-dominated legal, medical, and political professions dip their collective hands in any till where large sums of public and private funds are freely flowing and the interests of newborn babies are at stake. With regard to surrogacy, thoughtful people have raised several issues of concern (see, for example, Brail, 1987; *Harvard Law Review*, 1986; Hollinger, 1985; Katz, 1986; Mellown, 1985; Sorkow, 1987), but most nonetheless see a role for surrogacy in specifiable circumstances. Avi Katz (1986), for example, in a paper awarded the Columbia Law Women's Association Prize, meticulously puts to rest the false equation of surrogacy with baby selling and reviews the efficacy of various approaches to surrogacy legislation. These analysts are of one voice in calling for legislative guidance to institutionalize equity for all parties involved in surrogate reproduction.

Writing and enacting legislation is a social project, one which defines, enables, and limits human action. Present laws become frameworks within future humans (some like ourselves, and some no doubt quite different — at least in their values) will reproduce, raise families, and even marry. Thoughtful legislation in a democratic

society creates opportunities for emancipatory alternative futures which may be at present beyond our ken. Articulating such futures is one of the main tasks of sociology (Giddens, 1987a, 1987b; Hill, 1984; Mills, 1959). These futures are the critical and political produce of active sociological imagination.

Caution is advised such that we do not ethnocentrically, too quickly, or unnecessarily, bar socially and personally beneficial avenues to life, liberty, and happiness. Legislative action requires anthropological, historical, and critical sensibilities in order to strike an equitable and emancipatory balance between public policies and personal interests. Emancipatory social consciousness calls forth self-determination, mutual understanding and public cooperation (Mead, 1934; Taft, 1915/1987). I hope these goals will be uppermost in the minds of legislators who draft and vote on bills designed to regulate surrogacy. Legislation encouraging cooperative social consciousness and structurally supporting its realization can only be applauded. It is certain that surrogacy statutes will be enacted. I urge here that, whatever else is accomplished by codification, we not run roughshod over the emancipatory potentials called forth by hundreds of people who, in resolving their private troubles, have given life to surrogacy as a focus of public issues. At the least, these issues include the following: upward mobility, feminist sisterhood, inter-class solidarity, ethnic and communal legacies, and renewed sensitivity to the needs and status of orphans.

*Upward Mobility:* Much has been made in sensational popular accounts concerning the relatively large, lump-sum fees paid to surrogate mothers. Before uncritically dismissing these payments to the genetic mother/genitrix as exploitive, there is another dimension to be explored, one in which these sums play an enabling, constructive, emancipatory role. Opportunities for working-class women to gather substantial sums of money at one place within a constrained time period in this society are virtually non-existent. Critics who would bar these women and their families from financial resources that could easily purchase a major life-dream (a habitable home, needed surgery, a child's college education, and so on), should more closely examine their own class biases. A careful reading of Rubin's (1976) brilliant exploration of life in working-class families will help sensitize even the

most complacent middle-class pundit. If we are serious about class leveling and upward mobility, then we should be cautious about shutting the door on equitably reimbursed surrogacy arrangements between freely consenting parties.

I do not know what the Whiteheads plan to do with the surrogacy fee paid by the Sterns, that is their own private trouble. Given the special origin of the money, attendant as it is on Melissa's birth, one hopes it might be dedicated to a constructive project found especially meaningful by the Whiteheads. Melissa Stern should be encouraged to feel joy insofar as the familial desire that brought her into this world not only gave delight to William and Elizabeth Stern but also resulted in a rare, beneficent material opportunity for the family of Mary Beth and Richard Whitehead.

Sad to say, a professor I know recently expounded venomously that, "Surrogate mothers only want to see their babies grow up in comfortable upper middle-class home!" Presumably, I and others in his audience were supposed to think this goal unconscionable. A black woman sitting nearby was heard to say in a loud stage whisper, "It sure beats living in the ghetto!" I concur. Families, with full social approval, have long used marriage as a mechanism for upward mobility. Impoverished mothers have routinely given up their genetic children to adopting maters and paters, "So the kids could have a better chance at life." To impugn identical motivations when they surface in the hearts of multiple parents freely engaged in surrogate reproduction is not equitable. That we have such gross material inequality, that is the unconscionable reality, one that *is* a genuine public issue (Scott, 1984). Given that barbarous inequality is the order of the day, can we blame people who want something better for their genetic offspring, if not for themselves? The prospects for Melissa's material future seem especially bright. Whatever her other personal troubles, financial want is not likely to be among them. I doubt she will begrudge this fact in the years to come.

*Feminist Sisterhood*: Volumes of journals, pamphlets, and responsible treatises call women worldwide to unite in sisterhood and mutual support. This call is a creative response to a public issue: the iron grip of patriarchy on our institutional structures. Many women who have served as surrogate mothers report their extraordinary

pleasure at being able to form a bond with a woman who desires but otherwise could not have children, giving her the inestimable gift of a young infant. The potential for building and repeating such bonds in a growing woman-to-woman network of love and affection between genetic mothers, genatrix, and maters, calls for our encouragement when amicable parties are willing and competent to join in this way. Surrogacy is by no means the only or even a central basis for feminist solidarity, but neither is it reprehensible nor deserving of degrading epithets (i.e., mother machines, cows, breeders, baby sellers, etc.).

It is unfortunate that society did not stand ready to help Mary Beth Whitehead and Elizabeth Stern preserve the bonds they began to establish but which shattered in the heat of personal troubles writ large in public courtroom litigation. Our patriarchal society is notoriously intolerant of feminism. The structure of law in this case exacerbates the personal troubles of Mary Beth and Elizabeth, artificially pitting them in adversarial opposition rather than calling forth their mutual interests as multiple parents.

Critics should note that most surrogate reproduction agreements between multiple parents do not land in court, *even in the absence of equity establishing legislation*. Indeed, it is the parties to traditional conjugal nuclear marriages who find themselves in court with considerably greater frequency arguing over the best interests of their children. I suspect that the astoundingly quiet consummation and fulfillment of nearly all other multiple parenting arrangements effected through surrogacy draws deeply on real bonds of sisterhood for success, strength, and meaning. We must be careful not to foil this potential for feminist bonding.

In the case at hand, Melissa will do well to understand that it was unusual for sisterhood to collapse, for her mater to be selected juridically (Judge Sorkow arranged for Elizabeth Stern to sign adoption papers immediately following the reading of his custody decision). Reading his opinion, hopefully Melissa will grant Judge Sorkow now only wisdom but also the latitude for fallibility we all need when making difficult decisions based on necessarily limited data. In the mature resolution of her own personal troubles, Melissa may find the strength, insight, and inclination to mend the broken bonds of sisterhood between her genetic mother/genatrix and her

mater. Melissa did not cause these bonds to break and it is not her responsibility to call forth conciliation, but we can give her every support if she should be so spunky as to try. If she does, she should realize, however, that a long history of patriarchal patterns is stacked against her.

*Inter-Class Solidarity:* The potential for feminist bonding parallels a novel opening for solidarity between economist classes based on shared interests in children. Critics have correctly noted that present surrogacy arrangements are asymmetrical: the surrogate mother is almost invariably of lower class standing than the genetic father. None that I know of however, have argued for mechanisms that could restore the balance somewhat, such as charitable foundations who could fund surrogacy reproduction when the participants involved could not afford it. Indeed, a portion of the fees now going to attorneys could be legislatively diverted to capitalize this proposed foundation.

Short of such funding, however, other opportunities for improved inter-class relations based on surrogate reproduction and multiple parenting should not be ignored. For example, the Sterns agreed to provide Mary Beth Whitehead with "an annual picture and letter report of progress" detailing Melissa's development (Sorkow, 1987:31). This minimal communication is more significant and interpersonally meaningful than generally occurs between most upper middle-class and working-class families.

Giddens (1981) convincingly shows that class relations in industrialized societies are far more complexly textured than orthodox marxists (or most of the more conservative sociologists, for that matter) are willing to grant. Recognizing and acting on class complexity is a public issue which to date has received little if any legislative consideration. We now have an opportunity for action. The many-faceted matrix of class/parent relationships *theoretically possible* in multiple parenthood echoes Giddens's account of class as a variegated social phenomenon. Surrogate reproduction agreements, however, *move concretely*, enacting these possibilities in reality, giving birth to a new form of complex inter-class relation based in multiple parenthood roles. This new inter-class relation provides a structure — and well-being of multiple-parented children provides

motivation -- for calling forth deep mutual understanding across class lines. This opportunity, as a public issue, should not be lightly rejected.

*Ethnic Heritage and Communal Legacies:* Melissa also carries forward, through her genetic makeup and socialization by her pater, William Stern, a very special legacy that rises from the ashes of World War II. In examining the actual features of Melissa's biography, it is sobering to realize that shortly after Elizabeth Stern learned in late 1979 that she had multiple sclerosis and should avoid pregnancy, William Stern became the last surviving member of all branches of his family to escape the Nazi Holocaust when his mother died in 1983 (Brail, 1987; Sorkow, 1987). While some critics condemn the presumed egocentric biological snobbery of men who use extraordinary means to become genetic fathers, such condemnation is wholly unpardonable and insensitive in this case. It is hard to underestimate or feel unsympathetic to the significance William Stern was entitled to place on becoming a genetic father given the intersection of his personal biography with the public issue of genocide. Melissa's inheritance is not simply genetic, it is communal, religious, historic. She has received a special legacy to treasure. To infer otherwise, even remotely, commits a most reprehensible act of anti-semitism and is an immense disservice to William Stern. We should turn with welcome to the emancipatory possibilities created by surrogacy for preserving ethnic and communal identities threatened with extinction.

*Orphans Reconsidered:* Finally, critics have argued vehemently that surrogacy is a slap in the face to orphaned children who have not been, and may never be adopted. Mellown (1985) makes this case more cogently than most. The essence of the argument is that surrogacy should not be permitted unless adoptable children are first placed in loving and supportive homes. There are several problems with this reasoning, although Mellown's sympathies are clearly admirable. First, an assumption is made that life in orphanages or with foster parents is necessarily injurious and unsatisfactory. In fact, many such settings are far safer and more nurturant than many so-called "normal" homes which continue to spawn nightmarish public records of child neglect, abuse, and injury. Second, many institutionalized children have serious problems requiring the specialized attention of a

trained, resident staff. Third, while the adoption drought may not be quite so serious as Judge Sorkow (1987) painted it, it is still severe. Fourth, critics should note that adoption procedures are also class biased in invidious ways. Members of the middle class much more easily demonstrate the characteristics deemed appropriate during screening by adoption agency personnel. Finally, if there is a major group of competent, healthy children who really need homes (an unanalyzed and untested assumption at this point), this is a public issue *in its own right*. It is not solved by banning surrogacy. Childless couples should not be held anymore responsible than anyone else for providing homes for children who lack adequate maters and paters. Childless persons should be asked to do no more than to share equitably in a scheme that distributes adoptable children to maters and paters across the board.

An unnecessary private trouble is thrust on Melissa by writers who conflate the issues of surrogacy and adoption. Melissa must not be given any reason to think that she might be "taking someone else's place" anymore than is the proverbial kid next door. Nor should youngsters with institutionalized, non-familial maters and paters be encouraged to think their lives diminished or degraded by the fact of Melissa's or anyone else's existence. At the same time, if surrogacy serves as a catalyst for rethinking our adoption/orphanage situation and related public policies, so much the better. This, too, is a positive and potentially emancipatory outcome.

### **Conclusion: Space for Melissa Stern**

Scurrilous commentators wrongly impugn not only the motives of the Whiteheads and the Sterns, but also denigrate the morality, sanity, and civic responsibility of any person who dares enter a surrogate reproduction agreement (for especially vituperative examples, see Corea, 1985: 213-249; and Pollitt, 1987). I believe the language and derogatory labeling used in these pseudo-rational accounts is harmful, not only to multiple parents and children generally, but in this specific case to the Whiteheads, the Sterns, and especially to Melissa. Elsewhere, I call attacks of this type a form of "intellectual violence" which hurts rather than emancipates (Hill, 1985). We must be more careful to comment on public issues in ways that separate public concerns from private troubles. We do well to

keep in mind that real people will read privately what we write in public.

Charges of criminal baby selling, class exploitation, sexism, unconscionable selfishness, and biological bigotry have issued from journalists (some even claiming — falsely — to be feminist) who write about surrogate parenting. If such charges were true and tied intrinsically to surrogate reproduction *per se* in especially destructive ways, then it might be justified to heap injury, reproach, and opprobrium upon private people who want nothing more radical than to have babies and rear families. Considered reflection suggests, however, that these charges are not true, nor are they problems unique or intrinsic to surrogate reproduction. Persons interested seriously in Melissa Stern's legal and social history are well advised to read the full text of Judge Sorkow's (1987) decision. In it, one finds the surrogacy is not the focal point of the case. Rather, it is Melissa Stern, her needs, her dependencies, her future. Baby "M" is not a symbol for abstracted social causes, it is a pseudonym of an actual person who will laugh, play, cry, and grow to maturity in our communal midst. As fellow humans, it is our job to support her as we can. As a sociologist, I have tried to explain for her that she is not a freak and that her parents are not ogres, that neither she nor her parents are in any way responsible for the storm of controversy, charges and counter charges that greeted her birth. As with any life, Melissa's is worth celebrating and protecting. I am moved by Judge Sorkow's (1987: 121) closing comment:

*Melissa needs stability and peace, so that she can be nurtured in a loving environment free from chaos and sheltered from the public eye.*

I really do not know why persons want to become parents, it seems such a lot of work, worry, and — often as not — disappointment and heartache. On the other hand, neither do I know why some among us are so bent on viciously punishing those who would move mountains to become parents. I suspect a long, repressive, right-wing hidden agenda motivates these intolerant hacks, but an explication of my suspicions would take us well beyond the scope of this chapter. What I

do know is that we must all apparently remind ourselves that we are talking about real parents, real babies, and real futures. We could do much worse than heed Judge Sorkow's closing admonition.

The facts attending Melissa Stern's arrival in the human community instructively demonstrate the unfolding of personal biography in the context of social institutions, the weaving of distinctive tapestries with private woof and public warp. The sociological imagination expands our ability to understand and comprehend these interlacing patterns, to rescue family and parenthood from myopic, hypocritical conflation, to explore the vitality and variety of human invention. Human society is not fixed, but experimental, malleable by self-determined citizens working with mutual understanding to reach widespread social cooperation. Melissa Stern has already given us a great gift, an opportunity to celebrate her life by seeking emancipatory futures for us all. In return, we can give Melissa the gift of privacy, peace, and freedom — a space of her own.

### Acknowledgement

The insightful and helpful comments made by Professor Mary Jo Deegan on an earlier version of this chapter are gratefully acknowledged.

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