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Political belonging and the governance of reproductive technologies

In recent years there has been a growing debate concerning children born from transnational surrogacy and how conflicting national legislations can lead to a legal limbo which leaves children in uncertainty with respect to guardianship and nationality. This paper focuses on transnational surrogacy with a particular interest in challenges posed to citizenship as technology of state-building in our globalized, technoscientific world. Anchored in a particular geographic and political community, citizenship encompasses individual rights and duties in relation to the state but also evokes notions of belonging, national identity, sovereignty, and control. It will reflect on how scientific insights and technological developments in the area of human reproduction, on the one hand, and citizenship in all its dimensions, on the other are co-produced. These reflections will be illustrated by turning towards France's legal struggle over the nationality of children who were denied French citizenship due to their birth by cross-border surrogacy. I will further compare this "French" approach with the approaches taken in other European States and elaborate on the attempt of harmonizing legislations within Europe on this matter. In its theoretical approach, my paper offers a co-productionist analysis of this case, drawing also on concepts such as "bioconstitutionalism" and "sociotechnical imaginaries" as introduced by Sheila Jasanoff and fellow writers. Aspiring toward a better understanding for the ways in which desires and visions of collective social order are bound up with attempts to govern citizens' engagement with technological practices in a globalized setting, I also draw attention to lawmaking and adjudication as powerful institutions that enact and reproduce elements of prevailing national imaginaries.

Keywords: transnational surrogacy, citizenship, coproduction, bioconstitutionalism