In 2013 the passage of France’s “marriage for all” law broadened the institution of marriage and extended its political privileges, but a refusal by the French government to accept medically assisted procreation for nonheterosexual couples, collectives, and individuals upholds hegemonic methods of reproduction and confirms that France’s Socialist Party supports a policy of state heterosexualism: normative, obligatory heterosexuality would once again be legitimized as a national governmental technique.1

Limiting medically assisted procreation to heterosexual reproducers is the response of the feudal lords of techno-heterosexuality, the answer of the guarantors of the symbolic national masculinist order (who in this case have reached an agreement with the latest defenders of Judeo-Christian-Islamic values) to an unprecedented secular sociopolitical conflict that could threaten their power by giving the bodies of the multitude cooperative control over their own cells, fluids, and reproductive organs.

In biological terms, suggesting that you need a “man” and a “woman” to carry out sexual reproduction is as absurd as earlier notions that you could procreate only with a body that shared your religion, your “blood,” your skin color, or your social status. If we are now capable of identifying all of these as political prescriptions that relied on religious, racial, or class ideologies, we ought to also be able to discern the underlying heterosexist ideology and gender-normalization processes in arguments that make the sexual-political union of one man and one woman a condition for reproduction.
With a smugness that can be topped only by American creationists’ opposition to the theory of evolution, those on the stupefied French right have been defending “nature” by denying what they call “gender theory,” that semiotic fiction that they themselves invented. In the meantime, advances in evolutionary developmental biology, genetic engineering, and bioinformatics have radically changed what we had thought of until now as nature, sex, and the transmission of biological heritage.

The conservative claim of natural heterosexuality depends on the strategic conflation of sexual reproduction and sexual practice. In saying that heterosexual reproduction is more “natural” than homosexual reproduction, “sexual reproduction” is reduced to the sociosexual choreography of heterosexuality. As the biologist Lynn Margulis points out, all we can say about sexual reproduction in the human animal is that it is meiotic: most of the cells in our bodies are diploid, meaning that each has two series of twenty-three chromosomes. However, spermatozoa and ova are haploid, meaning that they have only one set of chromosomes. The fertilization process has nothing to do with the sex or gender of the bodies involved. It is the fusion of genetic material from two haploid cells. A heterosexual chromosome is not more suitable for reproduction than a homosexual chromosome: it makes no difference whether insemination is achieved with a penis or a syringe, in a vagina or in a petri dish. Sexual reproduction does not require the political or sexual union of a man and a woman; it is neither gay nor straight. Sexual reproduction is simply and delightfully chromosomal recombination.

All we can say from a biological perspective is that no “human” body can reproduce itself outside collective social and political assemblages. Reproduction is an act of somatic communism. All human procreation is politically assisted; it always requires a collectivization of a body’s genetic material through a more or less regulated social practice. A spermatozoon never “naturally” stumbles onto an ovum. Uteruses do not knock themselves up, nor do spermatozoa instinctively wander the streets in search of ova.

Historically, different political and social technologies have attempted to control the processes by which life reproduces itself. Until the twentieth century, before it was possible to intervene in molecular and chromosomal reproductive processes, this control was exercised over the female body (as a potentially impregnated uterus) and over seminal fluids, blood, and milk, which, it was believed, were involved in reproduction. Heterosexuality was imposed as a social technology of politically assisted reproduction. This technique is notable in that it has been naturalized throughout history by
political legitimization. Marriage was the patriarchal institution that developed in a world still waiting for the pill, genetic mapping, and paternity tests: any product of the uterus was immediately considered the property and charge of the paterfamilias. The subjugation system in colonial European modernity was based on the political distribution of bodies according to their reproductive functions. In a biopolitical project in which the population was the object of economic calculations, heterosexual assemblage became a mechanism of national reproduction. We could say, cross-reading Carol Pateman and Judith Butler, that all those bodies whose sexual assemblages could not give rise to reproductive processes were excluded from this “heterosexual contract.” This is what Monique Wittig and Guy Hocquenghem were getting at in the seventies when they wrote that heterosexuality was not just a sexual practice but also a political regime.

For homosexuals, some transsexuals (those in relationships in which both partners produce only spermatozoa or only ova), some heterosexuals (those whose reproductive cells cannot effect genetic recombination without assistance), asexuals, and some functionally diverse people, recombining genetic material is not possible through a genital assemblage. That is, it is not possible through biopenis-biovagina penetration with ejaculation. But that does not mean that we are not fertile or that we do not have the right to pass on genetic information. Homosexuals, transsexuals, asexuals, and functionally diverse bodies are not just sexual minorities (I use the term not in the statistical sense but as Gilles Deleuze used it, to refer to a socially and politically oppressed segment), we are also reproductive minorities. Our sexual and reproductive dissidence has been bought with genetic silence: we have been wiped from not only the social but also the genetic history. Along with all those bodies that the medicolegal discourse considers “disabled,” homosexuals and transsexuals have been “politically” sterilized: we have been forced to reproduce with heterosexual techniques that lie outside our own sexual assemblages. The current battle to extend medically assisted procreation to nonheterosexual bodies is a political and economic war for the depathologization of our bodies, for control over our own reproductive materials: our uteruses, our ova, our sperm, and, ultimately, our DNA strands.

To safeguard their politico-reproductive privileges, the heterosexocrats in France are taking to the streets in protest, insisting that theirs be the only method of assisted reproduction that the law and the government validate as natural. Can President François Hollande, seeking the support of conservative
forces, appoint himself the sovereign techno-father of the homeland, as the
gendarme of genetic recombination, seizing the right to sterilize us, to pre-
vent us from using our fluids and reproductive cells?

Economic theorists now seem to be aware that capitalism has entered
a period of change in the modes of production. Nevertheless, most of these
analyses, which distinguish between production and reproduction, overlook
one of the most important transformations in contemporary capitalism: that
changes are introduced not just by biological, computer, and pharmaceutical
technologies but also by governmental technologies, and not just in the pro-
duction process but in the sexual and social reproduction process. While
production is virtualized and the flow of financial capital becomes increas-
ingly mobile and abstract, the sphere of sexual and social production looks
like the place of a new process of primitive accumulation. It is in this context
of the reproduction economy’s metamorphosis that I want to situate the
question of medically assisted procreation and its conditions.

Masculinity, femininity, heterosexuality, and homosexuality are not
ontological entities. They do not exist in nature independent of social rela-
tionships and discursive networks. Therefore, they cannot be the objects of
empirical observation. They are the effect of power relationships, systems of
signs, cognitive maps, and political regimes that produce life and death.
Anatomy cannot be the foundation for political agendas and moral judg-
ments, given that anatomy (a historically fabricated system of representation)
is in and of itself the result of changing political and social conventions.

The seventeenth and eighteenth centuries were not just a period of
colonial expansion, transatlantic traffic, and industrial development. They
also saw a paradigm shift in biology and anatomical representations of the
body. A change as radical as Galileo’s revision of Ptolemy’s universe occurred
in representations of the body: we moved from an anatomy governed by a
logic of similarity, in which only the male sex organs fully existed (given that
the female sex organs were considered degenerated variations of the male
reproductive system), to an anatomy governed by a logic of difference, in
which for the first time the ovaries, the uterus, and the fallopian tubes were
represented as independent organs with specific functions. Sexual differ-
ence understood as anatomical truth has its roots in this modern system of
representation.

In the second half of the twentieth century, the discovery (or invention,
depending on the degree of biocultural constructivism we are comfortable
with) of hormones, genes, and cellular reproductive processes launched an
epistemic paradigm shift, and with it a new model for politico-sexual man-
agement that I have called pharmaco-pornographic, a change that was just as profound, and was the object of just as many social and political conflicts, as the shift that took place in the seventeenth and eighteenth centuries (Preciado 2014).

Bio-necro-power has changed its scale of action, and, thanks to new technologies, it has extended its regulation from the body to the organs and from the organs to micro-cellular levels. Whereas industrial capitalism, supported by an anatomy of organs and functions, turned the body and its organs into the material base of the workforce and the reproduction-force, cognitive capitalism functions as a new epistemology of the body in which fluids, cells, hormones, molecules, and genes are the object of a new process of extraction, traffic, and global exploitation.

Historically, penises and vaginas, testicles and uteruses, sperm and ova have been subjected to differential biopolitical management. While the ova and the uterus have been the object of social privatization and economic enclosure, sperm, understood as a sovereign discharge, has been a biofluid whose public circulation has been not just accepted but also politically promoted as an index of power, health, and affluence. In colonial capitalism, the uterus was constituted as an organ-labor whose production of biopolitical affluence was entirely expropriated and hidden under the cover of a purely biological function. As Silvia Federici (2003: 16) points out, if the uterus has a central function in the capitalist accumulation process, it is because it is the place “in which we produce and reproduce the most essential capitalist commodity: the workforce.” Considering Karl Marx’s analysis of primitive accumulation from a feminist perspective, Federici defines capitalism as the social production system that does not recognize reproduction of the workforce as a socioeconomic activity or a place of value production but “instead mystifies it as a natural resource or a personal service, while simultaneously capitalizing on the unpaid condition of the work it entails” (16). The economic value of the reproducing body is devalued and expropriated while its reproductive activity is invested with symbolic added value (the realization of the woman through maternity) that ensures and intensifies her capture.

The pharmaco-pornographic neopatriarchy, the hegemony of the able, white, heterosexual body and its historical onto-theological superiority, is rewarded with priority access to techno-scientific reproduction apparatuses. Thus, only the heterosexual body has legal access to the assisted reproductive technology market. An unexpected alliance brings together ancestral mytho-religious discourses, modern biopolitical colonial language, and the bioinformatics of reproduction. These restrictive state regulations leave reproductive
minorities outside the law, surrendering the management of their DNA strands—that is, of their bodily fluids and organs—to the market. It is worth asking if it is not necessary to invent techniques to manage our reproductive material that surpass the antagonism between the naturalist forms of reproduction legitimized by the nation-state and the privatization and capitalization techniques established by the reproduction market. Between the nation-state’s public reproductive body and neoliberal management’s private body, affirming new forms of common-body production has become an urgent matter. Between the sovereignty of heteropatriarchal penetration and the neoliberal regulation of the sperm bank, between the bed as a place for true production and the commodification of genetic materials, it seems to have become essential for us to come up with new reproductive practices that move past the techno-oedipal quadrilateral of mommy-daddy-clinic-child.

—Translated by K. G. Dunn

Note

1 Whereas in the United States nonheterosexual couples and individuals had the right to medically assisted procreation long before the right to marry, in France it has been the other way around.

References