

These days, we can mix things up a little bit with the reproductive industry and do what's called "collaborative reproduction." So let's say, I can say, I'm going to pay you \$15,000 for one of your eggs, please. And I'd like to borrow some of your sperm, and I'm going to ask-- oh, I'll rent your womb from you, please. Actually, there are going to be two other people who are going to take the baby home. We'll call those the social parents. And let's have it be you two lovely people there, OK?

Five different folks with some claim, some connection, that we would have called "parenthood" not too long ago. We have profoundly disaggregated the threads of parenthood, right? What used to come all together in two people-- male, female-- not anymore. And what should we think of this?

Actually, there are a lot of reasons to think this is a really good, progressive development. It gives people, who used to not have the ability to have a child biologically-related to them, now that chance-- people who are single and committedly so, same sex couples, couples who struggled with infertility. Expands the ability to form families with at least some biological connection to one or the other.

Well, there are also some reasons to have some concerns. Now, some very enterprising folks have started to make embryos on spec-- that is, take your egg, your sperm because I think it'll really sell well, and create an embryo and freeze it. And then put that on the marketplace.

So this-- I want you to follow me here-- is an embryo that was created outside of any context of kinship or family-- not even with an IVF, where, in those places, they don't agree to form an embryo unless there is somebody who's saying I'm intending to try to use this and to grow a baby and take responsibility for that baby when it comes out. Now, it's just off the shelf embryo.

Here's another example-- the globalization of collaborative reproduction. There's a fabulous documentary I highly recommend called *Google Baby*. And it follows the story of a gentleman, really lovely man, who, with his partner, had a child through surrogacy, were so moved by the experience, and it was such a good one that he decided to become a broker of it, living in Israel, and realized the best way to do it was to get eggs from the United States-- because there are a lot of egg retrieval centers in the United States-- sperm from wherever the couple might be. And he services people all over the world, and in India for the gestating.

So there are now clinics in India where young women-- usually very poor women-- interested in the amount of money involved, which, in many cases, can be several years worth of what their usual yearly income would be, become pregnant and live in the clinic in residence, so that they get good nutrition and good medical care.

Google Baby, they follow the story of one such clinic that's run by a female doctor. Fascinating how she regards her surrogates. And in some ways, we might worry about how she's treating them. In other ways, there are scenes where she's defending the right of the woman to get the money, and not her husband-- very interesting.

But to me, one of the most interesting scenes in the movie was after one of the surrogates gives birth-- and you see many of them-- the head of the clinic getting a phone call, and she's answering it on her cell as she's cleaning up the woman who just gave birth. And it's the contracting couple, who are from another country, saying that their plans have gotten complicated. It's going to be hard for them to get there for two weeks and could they just take care of the baby for a while. It's just, sure. It'll cost you a little extra, but happy to do it.

Here's a final thing we might wonder about with these sorts of arrangements with surrogacy. And that really is the move from thinking of family law, when it comes to dealing with children and parents, to contract law. We do contracts because sometimes things can go wrong. But when things go wrong in this context, do contracts really work? So here's an example-- famous case in California. A couple asks a surrogate to carry an embryo that I think had the father's sperm but a donor egg.

They agreed, with the lawyers writing it all up, that if she happened to get pregnant with twins, if two embryos took, that what she would do what's called "selective reduction"-- that is, abort one of the embryos, because the contracting couple didn't want twins. She totally agreed, got the test results. It's twins.

It took the contracting couple a little while to decide and they got back a little later than the agreement specified, and they said, you have abort. It's right there in clause 32. And she said, this is a week later than we had agreed. I don't want to do this now. It increases the risk of miscarriage for the other fetus, no.

And the contracting couple pulled out. We're not going to take those babies home. We had a contract,

to which she then said, wait a second. I agreed to that contract, to help make these babies, on the assumption that you would take them home and care for them. I wanted the babies to have-- what's going on now?

OK, California-- the law states that the intentional parents, even if they've got no genetic relationship to the baby at all-- the contacting couple, they are legally the parents. And the gestating woman has no claim to being a mother at all. OK?

Now they said, oh, we'll find somebody to give the children to. We'll arrange for a good home for them. And she said, I don't trust you. I want to be the one to find a good home, because none of the people involved were now wanting to rear these twins. And so the court battle was just about who actually had standing to make the decision about the adoption.

And by the way, that whole idea of contracting that you will have an abortion, totally non-enforceable, right? You have a constitutional right to do it or not to do it. And even if you put it down in plain writing, there's nobody that's going to say, you now have to have an abortion, or that you may not.

Well, speaking of abortion, that's the other end of the ethics of creation-- not new ways of creating people, but the question of whether it's ever-- and if so, when-- morally permissible or morally decent to end a creation that is once started. What should we think about the morality of abortion? Now, I'm not sure there's any topic in bioethics that's as polarizing and hard for people to talk about as this one.

And some of that has to do, I think, with the fact that, at least in some countries-- and I would put the United States among that-- there's so little communication between people who have different views. I mean, you all know now that when you do a Google search, it's learned who you are. So it only gives you results that you're going to like.

And that's a metaphor for how we have conversations about abortion. We do selection bias. We keep talking to the people who already agree with us, and we start building up a view of the other side. And can't imagine why they have the view they have, and start to imagine, I don't know, if your pro-choice, that people who identify as pro-life can't possibly care about women and girls who are pregnant. And that if your pro-life, you think that people who identify as pro-choice can't possibly care about the value of early human life-- when what's much closer to truth is that people disagree about how to value early human life and how to deal with the fact that that early human life needs to live in and off of a woman or

a girl who might be in difficult circumstances.

What we want to do is sail into the really difficult issues with abortion, which tend to be issues that press both bookends-- the people who, again, self-identify as pro-life without any exceptions, and the people who self-identify as pro-choice without any exceptions. I dare say that for a great many of us, neither of those positions feels right, that there are examples that should keep anybody up at 3:00 in the morning.

So there was a case of an 11-year-old pregnant in Chile, which doesn't have any exceptions for abortion. I think that's a really hard thing for a pro-life position to swallow. Then there was a case on the other side, in England, of a woman having a legal third trimester abortion because the baby had cleft pallet. I think that's a really hard position for a pro-choice person to take.

A few years ago, I went to an amazing conference. I was invited to speak at it, called Open Hearts and Open Minds, that took up President Obama's challenge for the, again, self-identified left and right, or pro-life, pro-choice groups, to come together and actually have a conversation. Interestingly, we were told, don't applaud. Because in that context, that would be a political act of, yeah, we're right. It would turn into a debate, and it wasn't supposed to be a debate.

When I teach abortion, we never debate because that's going to make you dig your heels in further where I want you to start paying attention to what feels confusing in your position and others. At any rate, there were lots of talks, no applause. But the really cool part of the conference came after the first day, when the speakers were invited to a lovely dinner with a seating chart. And the organizers intentionally-- pro-choice, pro-life, pro-choice, pro-life, pro-choice, pro-life, and put a big bottle of wine in the middle. It was one of the coolest dinners I've ever had.

The most telling moment, for me, came after the bottles of wine were largely drunk, and one of the participants, as we started to have a group conversation, raised her hand. And she said, here's the question I want to ask each of us. What are we each most afraid of about the others?

And that's when the conference changed. Because instead of trying to defend our positions as best we can-- we're all really smart and we're scholars, and we could keep going forever. Instead of trying to look at, why are you pushing so hard against the others, as opposed to understanding that good and reasonable people really do disagree on this issue. And if good and reasonable people really disagree, maybe we would learn something if we compare where we're coming from, why do we come to that

position. If we had enough trust in one another that we could share our own biggest ambivalences in our position.

So to me, abortion is actually, if often the most polarizing conversation in bioethics, actually the richest conversation. Because if we can get past those sorts of barriers, to have a little more humility-- that this issue is really hard, and I want to understand you, and I want to understand my own position more deeply-- then, we can really start to have a conversation, and maybe get a little more wisdom. Thank you.