JSP

Queering *Gestell*
Thinking Outside Butler's Frames and Inside Belu's Reproductive Enframing

Jill Drouillard
MISSISSIPPI UNIVERSITY FOR WOMEN

ABSTRACT: This article takes Judith Butler's epistemological problem of "framing" alongside Dana S. Belu's notion of "reproductive enframing" to analyze whose bodies lie outside the borders of who is considered the appropriate reproductive citizen. Are all bodies subject to reproductive enframing under a totalizing technological ideology that Martin Heidegger refers to as *Gestell?* Or, does Belu's notion of "partial enframing" allow a space to queer, or upset, our current understanding of such ideology? By queering the way that we currently view assisted reproductive technology (ART), can we widen the frame or cross its borders? In this article, I am primarily concerned with the necessity to queer French reproductive policy, though the questions I raise can be extended to any critiques of ART.
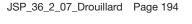
KEYWORDS: assisted reproductive technology, queer studies, Martin Heidegger, Dana S. Belu, French bioethics

Judith Butler is concerned with the epistemological problem of framing, the process by which we come to apprehend knowledge and to discern the types of lives we consider worth living. Butler is primarily interested in the frames of war, including the nationalist discourse that delineates

boundaries between "us" and "them." However, in the introduction to *Frames of War*, she notes that the knowledge-practice of framing may extend to issues regarding reproductive freedom as well. In this article, I first apply her notion of framing to an analysis of France's bioethics legislation that regulates access to assisted reproductive technology in order to demonstrate how such legislation frames who is considered the productive reproductive citizen. Then, I draw from Dana S. Belu's work on reproductive "enframing," a term that describes how bodies are controlled and optimized as laboring subjects under a technological era that Martin Heidegger refers to as *Gestell*. While Belu's analysis of reproductive enframing deals primarily with heteronormative birthing ideologies, her notion of "partial enframing" allows for a window of opportunity to queer normative frames of reproduction, permitting a reorientation of the way that we perceive reproductive technology.

1. Framing[1]

In 2021, France revised its bioethics legislation to include a measure touted as "ART for all women" [*PMA pour toutes*] that extends access to assisted reproductive technology to single women and lesbian couples, technologies heretofore reserved for heterosexual couples. Though progressive to an extent, the "ART for all women" legislation explicitly excludes trans persons from seeking access to such technology, thus regulating who is understood as *all* reproductive women. In the discussion that follows, I analyze how such regulation is framed, including the different ideologies that motivate how we understand who is considered the worthy reproductive subject.

Manon Beury wrote a personal tribune to *Libération* recounting how the "*PMA pour toutes*" bill fails to take into consideration the existence of trans women.[2] Beury explains that she is in a relationship with a trans woman who had previously frozen her sperm; however, the bill forbids her from using her partner's gametes for IVF. Despite the fact that her partner's sperm is readily available, the law requires her to use an anonymous donor. Beury could search for a country willing to use her partner's genetic material for IVF, but even then, her partner would not be legally recognized as a biological parent in France, since a birth certificate requires one mother and one father.

Beury's case undergirds the rigidity of a system that must maintain a sharp association between sexual difference and filiation. Beury's partner is allowed to be a woman, but only if she is willing to accept that women do not have sperm. The inability of the revised bioethics legislation to neatly uphold a distinction of the sexes based on generation is further evidenced by the fact that trans men are also excluded from the bill. One could easily say, "Well, the bill is called 'ART for all women,' and trans men have fought hard to be recognized as men," but this misses the point that lines of sex, gender, and generation are not necessarily congruent. In asking to legally be recognized as a man, a trans man must dissociate himself from his uterus, because "man" and "uterus" are already regulated in such a way as to be a contradiction in terms.

The framing of French reproductive policy can, in part, be attributed to its Catholic heritage and privileging of carnal procreation. Yet, France's secular politics (*laïcité*) uphold a separation of church and state and are founded on principles of universalism. *Laïcité* insists that French citizens are united based on the universal idea of "Frenchness." According to such universalism, particular individuals may not receive "special" treatment. For example, no students are allowed to wear ostentatious religious symbols in public school. Though this all-inclusive ban may seem "just" on the face of it, it explicitly targets certain religions (i.e., Muslims who veil) viewed as incompatible with a particular understanding of French culture (one informed by its Catholic heritage). A similar train of reasoning was previously used to bar nonheterosexual couples from gaining access to ART, as prior to the extension, unless there was a concern of genetic inheritance, infertility was the only grounds on which ART could be accessed. Single women or lesbians do not typically request ART on the grounds of infertility and thus were demanding to be treated as "special cases," and such cases are in conflict with universalism.

Universalism gives the illusion of a uniform body, when it really reinforces the type of "us" against "them" rhetoric that Butler explores in her notion of framing. This "us v. them" opposition is most stringently upheld in anthropological claims of sexual difference. Such difference has been highlighted by philosopher and public intellectual Sylviane Agacinski who asserts that the parenting model (mother/father) mirrors our biological foundation (female/male), while also noting that such a model is not quantitative (1 + 1), but qualitative (male + female).[3] Thus, nonheterosexual couples do not possess the right *qualia* to reproduce. While Agacinski supports

same-sex marriage, she rejects the claim that marriage opens access to filiation, clarifying that to accept this claim would be to confuse "sexual difference" with the "difference of sexualities" where the former has always been defined in relation to procreation.[4] For Agacinski, sex is a question of biological generation and sexuality is a matter of desire. Agacinski, like others who opposed the ART extension, feared it would upset normative claims of sexual difference and lead to a fatherless society.

Butler adds insight to this fear as she asserts, "In France, the notion of a 'framework of orientation'—called 'le repère'—is understood to be uniquely transmitted by the father. . . . To the extent that heterosexual marriage maintains its monopoly on reproduction, it does so precisely through privileging the biological father as the representative of national culture."[5] "Le repère" is the "knowing orientation" by which someone may find their way home, like a landmark that directs you to the right location. In the word "repère" is the French word for father, "père." Despite claims of *laïcité,* the "law of the father" and France's Catholic heritage still remain influential to a bioethics legislation that can most justly be categorized as paternal. This play on words of "père" and "repère" can be seen in French protest signs against the "*PMA pour toutes*" extension that declare, "un enfant a besoin d'amour, mais aussi de rePÈRES" [a child needs love, but also knowing orientations/fathers]. The wordplay of "repère" that denotes the father as the "framework of orientation" is illustrative of how we find ourselves in the world, according to the direction in which we turn.

In Sara Ahmed's *Queer Phenomenology,* she discusses how objects appear to us according to the manner in which we orientate ourselves, acknowledging that our bodies take shape and tend toward objects that are reachable and attainable. She asserts, "Phenomenology can offer a resource for queer studies insofar as it emphasizes the importance of lived experience, the intentionality of consciousness, the significance of nearness or what is ready-to-hand, and the role of repeated and habitual actions in shaping bodies and worlds."[6] Phenomenology aims at describing different possibilities of experiencing our existence, highlighting that our orientation toward objects, our intentionality, greatly informs such experience. An important question is, what makes the objects that appear to us "reachable" and "attainable?" According to Heidegger, things appear to us because of our care or concern for them, because they matter.[7] Yet, how things come to matter is not apolitical. For as Ahmed states, the role of repeated and habitual actions shapes our bodies and how they are able

to navigate space. The continuous regulation of one's reproductive free-
dom and the explicit exclusion from such a procreative possibility greatly
contributes to how one experiences their being in the world; such actions
thwart possibilities by making certain modes of orientation unattainable
and out of reach.

Until recently, only heterosexual couples were permitted access to
ART, because the ideology behind such technology was to aid the hetero-
sexual couple in their project to form a family. The basis of this ideology
rests on the biological fact that a meeting of egg and sperm is necessary for
procreation, yet such a meeting is not without its own historical construc-
tion.[8] Likewise, ART has its own historical baggage that informs the way we
orient ourselves toward it. While a meeting of egg and sperm is necessary
for procreation, we cannot claim, from this fact, that all families must be
headed by equal parts egg and sperm-making individuals. This would be to
deny the reality of familial construction. ART bypasses the need for carnal
procreation, yet by only allowing heterosexual couples access to it, France
was able to preserve the illusion that ART was somehow an extension of the
heteronormative family, merely aiding its formation.

Thus, until the recent bioethics extension, France explicitly defined
the heterosexual couple as paradigmatic of productive reproduction. And,
while the new legislation extends ART to single women and lesbian cou-
ples, it continues to define such citizens based on certain qualifying criteria
of sexual difference. While lesbians may be regulated in such a way as to
promote traditional family values, through a process that Lisa Duggan has
called "homonormativity,"[9] the trans body escapes intelligibility, represent-
ing a crisis of meaning that T. Benjamin Singer refers to as the "transgen-
der sublime."[10] According to French legislation, lesbians and single women
are women with uteruses who seek access to sperm banks (with the under-
standing that sperm is created by men), thus preserving the integrity of
heterosexual reproduction. That is, a biological sex/gender congruency is
upheld. A trans woman, however, may represent a "crisis of meaning" by
being a woman who produces sperm. According to the frames of repro-
duction, woman and sperm are on opposite sides of the binary system and
must be excluded from the legislation.

In this section, I've applied Butler's notion of "framing" to analyze how
French society understands and defines the productive reproductive citizen.
I've specifically shown how trans persons lie outside the frames of who is
considered the worthy reproductive subject. I now turn to a discussion of

how the ideology behind assisted reproductive technology can be queered to orientate us toward new modes of reproductive enframing.

2. Reproductive Enframing

In *Heidegger, Reproductive Technology, and the Motherless Age,* Dana S. Belu is critical of assisted reproductive technology for revealing a particular form of technological domination that she refers to as reproductive enframing. Through a phenomenological analysis of different ways that women become pregnant (i.e., IVF, surrogacy) and labor (i.e., scheduled c-section, induction), Belu demonstrates how women's bodies are viewed as resources prone to medical optimization under the ideology of a technological era that Heidegger refers to as *Gestell* (enframing). Belu concludes her work by trying to find a way outside of reproductive enframing, a way to birth that evades laboring techniques of domination and control. Here, I am not interested in assessing Belu's way outside of *Gestell*, something I do not view as possible, rather I find her notion of "partial enframing" helpful for queering the ideology of technological domination from the inside.

According to Heidegger, each era is defined by a certain historical structure of truth as a revealing/concealing, and the essence of our modern technological age is enframing.[11] Heidegger is not interested in technological instruments as such, but rather the technological mode of thought that informs the way we navigate the world as an amalgam of resources, ready to be exploited and stockpiled for their ultimate utility (i.e., standing reserve [*Bestand*]). Belu is concerned with what she deems "reproductive enframing," how women's bodies and reproductive parts are viewed as efficient resources to maximize laboring results.[12] Belu's critique of ART is in part motivated by radical feminist arguments against liberal feminism, as she questions whether women can truly choose such technology within a patriarchal framework of domination. While it is true that we should question the choices we are able to make, given that the objects we tend toward, that matter to us, appear after repeated and habitual practices of framing, new modes of orientation do remain possible.

Belu's work is successful for providing a detailed account of the way ART may potentially abuse women's bodies. On the one hand, she is right to critique a technological ideology that from its inception categorized the father as the knowing orientation. For example, while surrogacy is illegal in

France, its legality in the United States was initially solidified by the signature of the father; that is, despite the use of women's bodies, the husband's signature validated the contract. However, many of the abuses that Belu puts forth occur within a heteronormative framework, and so rather than focusing on how ART may be better wielded to open possibilities, she only centers on its capacity to reify existing gender norms.

Belu states, under the mode of *Gestell*, "techne (fabrication) no longer partly completes what nature cannot bring to a finish . . . rather, IVF produces what nature stubbornly refuses to conceive."[13] Whereas natural entities contain both matter and form, with a little added push from the artisan to bring its form to completion, in the case of IVF, the fertility doctor coerces nature to form an embryo. For Belu, babies born from IVF are not natural, yet she says we have to hide the aspect of their technological birth and trick ourselves into thinking they are so. Such an assertion reifies carnal procreation as the only "natural" alternative, but is it possible to reorientate ourselves and ask, "Could IVF be considered 'natural' insofar as there is something about our genetic material that allows it to be other than what it is?" The fertility doctor cannot turn just any old thing into an embryo, rather they work with genetic material that is "naturally" predisposed to other forms of becoming.[14]

Belu is also concerned that IVF technologies reinforce a patriarchal mentality that privileges genetically related offspring. Yet, here, she is already analyzing IVF within a very heteronormative framework. For example, for many queer persons the desire for genetically related children is not due to a biological imperative that demands a resemblance of offspring, but the fear that they may have less of a legal claim to nongenetically-related children. Belu says, "IVF technologies may produce a baby but they do not restore fertility."[15] Once again, the narrative is already being recounted in heteronormative terms, as access to IVF is not always motivated by infertility, as previously mentioned when discussing the faulty secular politics that forbade it to nonheterosexual couples and single women in France.

Viewing IVF, and other modes of reproductive technology, as motivated by a logic of domination that falls under the rubric of *Gestell*, Belu searches for a way outside of reproductive enframing, a *poiesis* of birth. The scope of this article is not to provide a critical analysis of her way outside of enframing but rather to highlight the fact that such a thinking is possible due to her notion of "partial enframing." I find this notion of "partial

enframing" helpful, not as a means to evade reproductive enframing, but to queer it from the inside. The term "queer" does not just refer to nonheteronormative forms of sexuality/identity but is used as an action to upset the usual frameworks of orientation. Belu is just in critiquing the ways that ART may be harmful to women who feel pressured to seek it within a heterosexual patriarchal society, but she neglects the way that ART may open up new possibilities of existence that critique this very society.

Belu coins the term "partial enframing" after confronting a paradox of *Gestell*, the problem being that if we are "totally enframed," we should not be able to think of a way outside our domination. As Belu notes, "our essence is compromised and no theory of enframing is conceivable."[16] However, if we are partially enframed, then the essence of technology is compromised. I agree with this assessment, yet I question whether the liberatory aspect of this paradox lies in our finding a way outside of enframing. We are partially enframed in that we are able to become conscious of our techne-centered way of thinking; however, consciousness of our enframed state does not mean we can escape such a logic of thought. Even feminism is a knowledge-practice claimed by technology.

In "The Question Concerning Technology," Heidegger makes clear that the danger of *Gestell* does not lie in technological instruments but rather the thought that gave birth to them. Thus, even if we forbid the use of IVF or other forms of ART, the ontological desire that bore its emergence would remain. Though Heidegger is critical of technology, he does mention the possibility of a "saving power" inherent in its essence, a power that can be harnessed if we view technology like art.[17] What this means is further explored in his "The Origin of the Work of Art," as he describes the truth of the artwork, clarifying that art preserves the truth of our historical situation.[18] I take this to mean that art reveals the ontological contingency of our historical situation, that what we accept as true ("what is") changes over time. In *Copula: Sexual Technologies, Reproductive Powers,* Robyn Ferrell briefly plays with the notion of whether ART can be viewed as art in its capacity to bring forth more possibilities of existence.[19] While it may have been true that ART was originally created to solidify a heterosexual familial bond, we are now able to think beyond these frames. We cannot escape our technological ideology; we cannot escape the calculating mode of our mentality, but we can use such calculations to different ends, to more possible ends. On the one hand, the option of ART may reinforce the message that heterosexual white women must breed at all costs, but on the other hand,

ART offers the possibility to upset traditional frameworks of orientation by offering queer bodies reproductive potential.

Queer bodies that enter fertility clinics are, according to Rachel Epstein, "space invaders," the term that Nirmal Purwal uses to describe gendered, racialized, and minority bodies who are out of place.[20] These bodies invade spaces that have hitherto been defined in terms of male power, a power that values white heterosexual affluent bodies, bodies that Shannon Winnubst would define as "phallicized whiteness."[21] A queering of such spaces, an upsetting of who they have been traditionally geared toward forces us to reorient ourselves. In the case of the fertility clinic, when such spaces are open to queer bodies, neatly congruent scripts of a sexed/gendered/fertile body no longer serve as the point of orientation. To use Heidegger's example, the hammer fails, the equipment breaks down and a problem becomes glaringly obvious. Yet, in this situation of crisis a new context of meaning arises, an occasion to interrogate the "how" of an equipment's working. Heidegger's ontological project was never interested in the "what" of something appearing but rather the "how" of its emergence. In queering, we ask anew, not "what is" reproductive technology, but "how" does reproductive technology as part of a technical ideology create "what is" during a certain historical time.

It seems to me that French bioethics legislation in foreclosing access to ART is more embedded in techniques of domination than IVF, a procedure that allows different possible means of existence. IVF may allow nontraditional models of parenting to presence, rather than concealing them by means of certain social and legal regulations. Rather than thinking outside of *Gestell*, I suggest queering *Gestell* and Belu's notion of "partial enframing." We cannot help but respond to the world via a calculating ideology, but we may be able to use such a logic of thought to calculate better modes of existing. Can we use ART to queer the frameworks of orientation on which our current parenting model rests? By analyzing the epistemological problem of reproductive "framing" in conjunction with the ontological issue of reproductive "enframing," I believe we can.

NOTES

1. For a fuller analysis regarding the framing of French reproductive policy, see Jill Drouillard, "The Rhetoric of Sexual Difference in French Reproductive Politics," *Culture & Dialogue* 2, no. 9 (2021): 225–42.
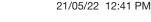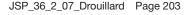
2. Manon Beury, "En couple aves une femme trans, je suis exclue de la 'PMA pour toutes,'" *Libération*, 4 août 2020.

3. Sylviane Agacinski, "Deux mères un père?" *Le Monde,* 3 février 2013.

4. Sylviane Agacinski, *Politique des sexes* (Paris: Éditions du Seuil, 2001), 13.

5. Judith Butler, *Frames of War: When Is Life Grievable?* (New York: Verso, 2009), 112.

6. Sara Ahmed, *Queer Phenomenology: Orientations, Objects, Others* (Durham: Duke University Press, 2006), 2.

7. Martin Heidegger, *Being and Time*, trans. John Macquarrie and Edward Robinson (Oxford: Blackwell, 1962).

8. See Emily Martin, "The Egg and the Sperm: How Science Has Constructed a Romance Based on Stereotypical Male-Female Roles," *Signs* 16, no. 3 (1991): 485–501, and Nancy Tuana, "The Weaker Seed: The Sexist Bias of Reproductive Theory," *Hypatia* 3, no. 1 (1988): 35–59.

9. Lisa Duggan, *The New Homonormativity: The Sexual Politics of Neoliberalism* (Durham: Duke University Press, 2002). Influenced by Duggan's notion of homonormativity, Jasbir Puar coins the term "homonationalism" to examine the ways in which LGBTQ+ liberal rights discourse creates an illusion of the progressive modern gay friendly nation-state in contrast to the premodern backward nation-state. Queer progress is used as an excuse to create racialized others. For example, the freedom of queer couples may mean the detention and deportation of others. Forthcoming work will explore this issue within a French context. See Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham: Duke University Press, 2007).

10. Benjamin T. Singer, "From the Medical Gaze to Sublime Mutations: The Ethics of (Re)Viewing Non-Normative Body Images," *The Transgender Studies Reader,* ed. Susan Stryker and Stephen Whittle, 601–20 (New York: Routledge, 2006).

11. Martin Heidegger, "The Question Concerning Technology," in *Basic Writings,* ed. David Farrell Krell, 307–41 (San Francisco: Harper Collins, 1993).

12. Dana S. Belu, *Heidegger, Reproductive Technology, & the Motherless Age* (Cham: Palgrave Macmillan, 2017).

13. Belu, *Heidegger*, 62.

14. *In vitro gametogenesis* is an example of how our genetic material can be other than what it is, as this process allows scientists to create egg and sperm cells from adult stem cells.

15. Belu, *Heidegger,* 65.

16. Belu, *Heidegger,* 7.

17. Martin Heidegger, "The Origin of the Work of Art," in *Basic Writings,* ed. David Farrell Krell (San Francisco: Harper Collins, 1993), 333.

18. Heidegger, "The Origin of the Work of Art."

19. Robyn Ferrell, *Copula: Sexual Technologies, Reproductive Powers* (New York: SUNY Press, 2006).

 20. Rachel Epstein, "Space Invaders: Queer and Trans Bodies in Fertility Clinics," *Sexualities* 21, no. 7 (2018): 1039–58; Nirmal Puwar, *Space Invaders: Race, Gender, and Bodies Out of Place* (London: Bloomsbury, 2004).

 21. Shannon Winnubst, *Queering Freedom* (Bloomington: Indiana University Press, 2006). I include the term "phallicized whiteness" here, because while I do not have the space to explore it more fully, our reproductive potential is intricately tied to racial framing. The productive reproductive citizen is created not just in terms of sex/gender congruency but also in terms of race. See, for example, Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Vintage, 1999), and Camisha Russell, *The Assisted Reproduction of Race* (Bloomington: Indiana University Press, 2018). Russell explicitly draws from Heidegger to demonstrate how race operates as technology.

WORKS CITED

Agacinski, Sylviane. 2001. *Politique des sexes.* Paris: Éditions du Seuil.

———. 2013. "Deux mères un père?" *Le Monde,* 3 février.

Ahmed, Sara. 2006. *Queer Phenomenology: Orientations, Objects, Others.* Durham: Duke University Press.

Belu, Dana S. 2017. *Heidegger, Reproductive Technology, & the Motherless Age.* Cham: Palgrave Macmillan.

Beury, Manon. 2020. "En couple aves une femme trans, je suis exclue de la 'PMA pour toutes,'" *Libération*, 4 août 2020. Last accessed Apr. 19, 2021, h ttps://www.liberation.fr/debats/2020/08/04/en-couple-avec-une-femme-trans-je-suis-exclue-de-la-pma-pour-toutes_1795938/.

Butler, Judith. 2009. *Frames of War: When Is Life Grievable?* London: Verso.

Duggan, Lisa. 2002. *The New Homonormativity: The Sexual Politics of Neoliberalism.* Durham: Duke University Press.

Epstein, Rachel. 2018. "Space Invaders: Queer and Trans Bodies in Fertility Clinics." *Sexualities* 21, no. 7, 1039–58.

Ferrell, Robyn. 2006. *Copula: Sexual Technologies, Reproductive Powers.* New York: SUNY Press.

Heidegger, Martin. 1993. "The Origin of the Work of Art." in *Basic Writings,* edited by David Farrell Krell, 139–212. San Francisco: Harper Collins.

———. 1993. "The Question Concerning Technology." In *Basic Writings,* edited by David Farrell Krell, 307–41. San Francisco: Harper Collins.

Puar, Jasbir. 2007. *Terrorist Assemblages: Homonationalism in Queer Times.* Durham: Duke University Press.

Puwar, Nimal. 2004. *Space Invaders: Race, Gender, and Bodies Out of Place.* London: Bloomsbury.

Roberts, Dorothy. 1999. *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty.* New York: Vintage.

Russell, Camisha. 2018. *The Assisted Reproduction of Race*. Bloomington: Indiana
     University Press.
Singer, T. Benjamin. 2006. "From the Medical Gaze to Sublime Mutations:
     The Ethics of (Re)Viewing Non-Normative Body Images." In *The
     Transgender Studies Reader,* ed. Susan Stryker and Stephen Whittle,
     601–20. New York: Routledge.
Tuana, Nancy. 1988. "The Weaker Seed: The Sexist Bias of Reproductive Theory,"
     Hypatia 3, no. 1: 35–59.
Winnubst, Shannon. 2006. *Queering Freedom*. Bloomington: Indiana University
     Press.