UNIVERSITÉ DE MONTRÉAL

A THEORY OF META-NARRATIVE-ETHICS:
MICHEL FOUCAULT AND THE CANADIAN DEBATE ON
REPRODUCTIVE AND GENETIC TECHNOLOGIES

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Cette thèse intitulée:

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SUMMARY

This thesis develops a theory of meta-narrative-ethics. Building on an elaboration in the domain of literature-and-medicine, my theory explores the relationship between narrative and subjectivity in the Canadian debate on reproductive technologies during the 1990s. The purpose is to illuminate ontological narrativity, a concept I develop referring to that aspect of a narrative that suggests a relationship that the subject ought to have with itself. Ethics is reinterpreted with a lens fashioned from the philosophy of Michel Foucault and I present an ethical analysis of the debate on reproductive technologies in terms of how the contemporary subject is led to rethink itself as a reproducing being.

My project begins with a comparison of two literary narratives, each of which stake out different positions in the debate on reproductive technologies. A feminist-poet and a surgeon-writer show that there is a wide gulf between participates in the debate, but the reason that I begin here is not to decide who is right or wrong but to suggest that different points of view show different *rapport à soi*.

The first part of this dissertation sets the context. It addresses first the domain of modern ethical thinking and presents a sketch of the essentials of modern ethics as well as two important critiques. I then move to narrative to show how widely it has come to be used, and I present the concept in terms of ethics, epistemology, and ontology. It is here that I set the groundwork for ontological narrativity.

Chapters 4, 5 and 6 form the next part of my thesis, which focuses on methodological development. A presentation of Foucault's thought takes place, which helps develop a theoretical basis for my theory of meta-narrative-ethics. I begin with a

foucauldian interpretation of bioethics to show how foucauldian concepts give a different perspective, and then turn, in chapter 5, to a detailed presentation of foucauldian theorizing. In chapter 6, I present my theory of meta-narrative-ethics. This theory is based on a combination of Foucault's first period, called archaeology, and his third period, which was concerned with subjectivity. This method establishes an important connection between *l'énoncé* and *rapport à soi*, the statement and the relationship that the self has with itself. Both are essential to idea of ontological narrativity.

The third and forth parts present the meta-narrative-ethical analysis of the debate on reproductive technologies. It extracts statements from the participants in the debate and it discerns the relationships that are suggested by the ontological narrativity of each voice. Chapters 7, 8 and 9 present the political voice, the professional voice, and the voice of the media respectively. Chapter 10 concerns *rapport à soi* and the specific conception of the Canadian self found in the debate. I conclude that while there was potential in the debate for an understanding of ethics to go beyond what is found in typically modern analyses, what the debate does present in terms of subjectivity is ultimately rooted in the modern tradition.

The purpose of this thesis is twofold. First I want to affirm a foucauldian understanding of ethics that goes beyond conflict resolution and locates ethics squarely in the subject's relationships. Second, I want to develop a 'meta' understanding of narrative that gives a positive meaning to what Foucault calls 'monuments'. Here cultural meta-narratives are shown to affect the subject as a novel affects a reader. Understanding this 'affectation' of narrative leads to more responsible story-telling. This is a theory of meta-narrative-ethics.

RÉSUMÉ

Cette thèse propose une théorie de meta-narrative-éthique et l'applique au débat des technologies de reproduction au Canada, au cours des années 1990. La théorie s'appuie d'abord sur la discussion en cours dans le domaine *literature-and-medicine* aux États-Unis. Selon Anne Hudson Jones, ce domaine comporte cinq aspects et cette thèse vise à développer un autre volet de ce domaine.

Je développe ce volet en s'appuyant sur la philosophie de Michel Foucault, le penseur français qui a écrit sa fameuse histoire de la sexualité avant son mort en 1984. La thèse ne pose pas des questions traditionnelles autour de l'éthique et les technologies de la reproduction. Les questions du statut de l'embryon ou du consentement au traitement médical, par exemple, ne sont pas abordées.

En analysant le débat des technologies de reproduction au Canada au cours des années 1990, ce projet montre et approfondit l'idée selon laquelle la manière dont nous discutons des questions éthiques n'est pas neutre. Les voix impliquées dans le débat promeuvent une idée de subjectivité. Une idée de soi s'attache aux narrations qui circulent dans la culture. J'ai choisi les années 1990 parce que c'est pendant cette décennie que les technologies de reproduction sont devenues « normales ». Le débat a porté alors sur la gestion des technologies. La décennie des années 1970 fut celle de l'expérimentation, les années 1980, celles de la réalisation, et les années 1990, celles de la normalisation. La normalisation est un concept clef de l'œuvre de Michel Foucault.

J'ai choisi d'analyser trois voix qui participent au débat canadien: la voix politique, la voix de la profession médicale et la voix des médias. Ce sont les voix les

plus puissantes au Canada. Les voix féministes et religieuses ont eu leur importance, mais leur impact, dans les années 1990, pour les débats publics, fut négligeable. Dans le débat, les trois voix choisies présentent leur argumentation éthique. Elle prennent position et, ce faisant, crée ce que j'appelle une « narrativité ontologique ». Cette narrativité est un produit de discours. Elle est ontologique car elle suggère une idée du sujet contemporain. La tâche de ce projet est de cerner la manière selon laquelle chaque voix construit une subjectivité.

Ce projet commence par une présentation de deux narrations littéraires qui traitent de la fécondation in-vitro. D'un côté, une poétesse féministe décrit l'appropriation des pouvoirs féminins. De l'autre côté, un chirurgien-écrivain présente les bénéfices de cette nouvelle technologie. Je présente les deux narrations, non pour trouver la réponse la plus vraie, mais pour montrer que, dans chaque histoire, une idée de subjectivité est créée. Acceptée dans le domaine médical et dans la société comme une méthode valable de procréation assistée, la fécondation in vitro n'est plus une nouvelle technologie. La question de cette thèse est de savoir qui devenons nous avec l'acceptation de ces technologies.

La première partie de la thèse présente un état de la question, tant de l'éthique moderne que de la question philosophique de la narrativité. Il faut noter que le développement historique de l'éthique moderne a déterminé la bioéthique contemporaine et ce, de manière structurelle. Les racines de la modernité sont présentées ainsi que les critiques de l'éthique moderne. Plus tard, je présente une lecture de la bioéthique qui la situe dans le cadre théorique de Foucault. Pour ce qui est de la narrativité, il importait, dans cette thèse, de montrer quelques diverses façons dont le concept « narrative » est

utilisé en éthique, épistémologie et ontologie, afin de situer ma propre perspective. Je comprends « narrative » au sens large où toutes nos conversations comportent une « narrativité ». Le fait que les argumentations éthiques impliquent une narrativité est un élément majeur à partir duquel je développe ce que j'appelle ici une éthique-méta-narrative.

Dans la deuxième partie, je construis la méthode. La philosophie de Michel Foucault est à la base de ma théorie et je présente les trois moments de Foucault chronologiquement: le savoir, le pouvoir et le soi. La théorie de l'éthique-méta-narrative utilise explicitement le premier et troisième moments, alors que le deuxième demeure présent implicitement. Je développe ainsi ma propre théorie par la combinaison de l'archéologie (le savoir) et de l'éthique (le soi). Je note l'importance de l'énoncé chez Foucault, qui est ni une phrase ni une proposition, mais qui crée une espace vide. Un sujet le comblera. Quand le sujet prend sa place dans l'espace ouvert par l'énoncé, un monde est crée. Le rapport à soi est le second concept foucauldien qui structure la théorie élaborée dans cette thèse. Suivant la définition des Grecs, Foucault comprend l'éthique comme un rapport à soi. L'éthique moderne est basée sur la connaissance de soi que nous trouvons au fond de notre être. Cette thèse utilise un autre point de départ, celui de Foucault, où le soi est créé comme une œuvre d'art.

La troisième partie présente l'analyse narrative des trois voix, politique, professionelle et médiatique, sur les technologies de reproduction. J'identifie les énoncés et je cerne les modalités afin de faire ressortir le soi mis en jeu dans ces discours, La quatrième partie, le second élément de l'analyse, montre le rapport à soi créé à partir de ces énoncés.

Selon la voix politique, le gouvernement doit s'occuper des nouvelles technologies afin de protéger les citoyens, et l'application des principes éthiques prend une place de primauté. La voix professionnelle articule une narration dans laquelle l'autonomie est souveraine: l'autonomie des patients de choisir leur traitement et l'autonomie de la profession de faire la recherche et d'aider les patients. La voix de médias présente les deux côtés du débat mais favorise l'idée que le progrès de la technologie est inévitable.

En conclusion, je fais ressortir la construction du soi canadien à la fin du vingtième siècle à partir du débat éthique autour des technologies de reproduction. Chaque voix suggère un aspect de la subjectivité et la présentation de cette subjectivité ouvre à une manière de faire de l'éthique contemporaine et montre que notre subjectivité est impliquée dans la façon dont nous discutons de l'éthique.

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INTRODUCTION

0.1 THE BEGINNING

On June 26, 2000 *The New York Times* reported that the first working draft of the map of the entire human genome had been completed.[1] The author writes: "In an achievement that represents a pinnacle of human self-knowledge, two rival groups of scientists said today that they had deciphered the hereditary script, the set of instructions that defines the human organism."

Both the President of the United States and the Prime Minister of Great Britain took part in a ceremonial announcement at the White House where President Clinton proclaimed that "Today we are learning the language in which God created life."

The Human Genome Project (HGP) is the plan to map and sequence the entire genetic make-up of humans. In terms of hype, it has been called the biological equivalent to the American Space program of the 1960s and the race to land a man on the moon. The HGP was approved by the US senate in 1990 for federal funding and has received over 3 billion dollars in international support. In Canada, the federal budget for the year 2000 allocated 250 million dollars for a non-profit agency called Genome Canada, which was created in 1998.[2] Initiated in 1985, the HGP was to take

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[1] Nicholas Wade, "Genetic Code of Human Life Is Cracked by Scientists," *The New York Times*, June 26, 2000. A working draft, according to this article, is when 85% of the gene-containing part of the genome is sequenced.

[2] Mathieu Perreault writes in *La Press* that Canada is well situated for the next step of the HGP, which involves discerning the functions of the thousands of genes, even though, Perreault adds, Canada missed the boat on the mapping part of the project. "Génétique: le Canada se rattrape en se concentrant sur la génomique," *La Press*, samedi, 27 novembre, 1999, p.A24.

20 years to get the entire genome sequenced in 2005. The human genome contains over 3 billion pairs of nucleotide bases that make up the 23 pairs of chromosomes of the human animal. Genes are located on sections of these chromosomes, which are sometimes thousands and thousands of base-pairs long. A gene is a segment of DNA that contains the instructions for the creation of proteins; all the different proteins that make up every cell in the body are made from different segments of DNA. Genes provide the information that will tell cells what they will become, from fingernail cells to the enzymes and hormones that regulate the body's metabolisms. Mutations sometimes occur – anything from a harmless substitution of a single nucleotide base to the gain or loss of an entire chromosome.[3] According to Suzuki and Knudtsen, the cell has an assortment of schemes to deal with genetic errors as they arise, but some mutations go undetected. Although there is a chance that this mutation may improve the gene, it is, most likely to be injurious. In terms of a single-gene or monogenetic disease, the gene would create a protein with an incorrect sequence of amino acids and the resultant metabolic actor will malfunction. There are over 3,000 monogenetic diseases. The project to map the human genome promises to provide insight into these diseases. Gene sequencing, it is said, is likely to lead to many new diagnostic tests to find these disorders at earlier and earlier ages.[4] Sequencing is the second part of the HGP. The third is the application of this knowledge. One application is in the field of genetics itself. This knowledge promises a refinement of the understanding of the genetic make up of human beings. There is also the hope of curing genetic disorders.

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[3] David Suzuki and Peter Knudtson, *Genethics: the clash between the new genetics and human values*, Cambridge, Harvard University Press, 1990 (1989), 372pp., p.223.

But beyond the pure science of genetic knowledge and the hopes of applying this new knowledge to eradicate genetic disease, the HGP has implications for us that affect our conceptions our selves.

One of the founders of the HGP, Walter Gilbert, proposed the idea that the complete sequenced human genome for individuals could be inscribed on their own compact disc. He is quoted as saying: "Three billion bases of sequence can be put on a single compact disk, and one will be able to pull a CD out of one's pocket and say 'Here is a human being, it's me'."[5]

This conception is unique. The idea that a reply to the Delphic maxim, *gnothi seauton,* know thyself, could be a string of the letters A, G, C, and T in different combinations seems to be a riddle worthy of the sphinx, and yet self-knowledge today i9s quickly becoming the knowledge of the sequence of the human genome. This has enormous implications for how the subject thinks about itself and how it constitutes a self.

This thesis is not about the human genome project. It is about the way the modern subject construes itself through the ethical questions of reproductive technologies (RT). It is about the repercussions that this construction has for the self-understanding of the subject. The object of this analysis is the Canadian debate on reproductive technologies during the 1990s. This debate can be broken down into three distinct phases: the 1970s, which was the decade of experimentation, the 1980s, which was the decade of implementation, and the 1990s which was the decade of normalization. This project confines itself to this decade of normalization.

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[4] Suzuki and Knudtson, *Genethics*, p.319.

There have been many different varieties of discourses on reproductive technologies, as help for infertile couples, as the result and precursor to Frankensteinian experiments, as an attestation to the progress of medial science, or the blasé acceptance of yet another 'wonder' in our already over-technologized world. Whoever articulates these, or any other of a number of varying narratives that circulate, depends on the larger story in which these debatable narratives come to be. From the many discourses that circulate, as many different visions of the subject come to be. How we understand ourselves as subjects of these discourses transforms us.

The task at hand is to present narratives of the contemporary Canadian debate on reproductive technologies and to decipher the transformations that these stories bring about. This task requires that we undertake the questions of the narrative visions that are promoted in our day. It requires that we understand the discourses that circulate as the stories of our lives. It requires that we come to understand these stories in terms of how they affect our self-understandings.

Discursive questions of technologies of procreation are at issue. This project is presented as a *mise en discours* of technology, the modest beginnings of comprehensive theory of meta-narrative-ethics. This theory is both meta-narrative and meta-ethics, as it concerns the large cultural conversations that engage the public and the significance of ethical claims. This type of analysis reveals a process of becoming a self. It is an unceasing process and involves the questioning how we know who we are. A narrative analysis exposes how the subject (and our conception

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[5] José Van Dijck, *Imangenation: Popular images of genetics*, New York, New York University Press, 1998, 235pp., p.123.

of it) is affected by narrative.[6] This narrative affectation is called *ontological narrativity*, which is the term I will use to signify that aspect of the narrative that encourages the subject to constitute its self in one way rather than another. It is based on some important features of the theorizing of French philosopher Michel Foucault.

Before beginning this analysis I would like to present, by way of introduction, an example of the range of stories that exists in the debate on reproductive technologies. Two literary narratives that are concerned with reproductive technologies present an example of this range, and will set the stage for the analysis that follows. This analysis will set the stage to clarify the process by which narratives suggest ways of understanding the self. This is meta-narrative-ethics.

0.2   STORIES OF PROCREATION

The works to be considered in this introduction are first, the short-story entitled "The Virgin and the Petri Dish"[7] by Richard Selzer, and second, the poem "Crib Colours Fade"[8] by Cait Featherstone.

Richard Selzer's "The Virgin and the Petri Dish" is a poetic account of the miraculousness of creation. This narrative recounting of procreation and technology is a beautiful rendition of the holiness of the subject. It portrays interventions into

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[6] The self and the subject are almost synonymous terms. In this project the self will be used when referring to the identity created from the result of the many interpenetrating factors that constitute identity. The subject is that which is acted upon to create the self and I wish to maintain this distinction without conferring on the subject any substantial unity. The subject, as we shall see, is a fiction, but a necessary fiction for the coming into being of meaning.

[7] Richard Selzer, "The Virgin and the Petri Dish," in *Letters to a Young Doctor*, New York, Simon & Schuster, 1982, 205pp.

[8] Cait Featherstone, "Crib Colors Fade," In: *Angels of Power and other reproductive creations*, ed. Susan Hawthorne and Renate Klein, West Melbourne, Australia, Spinifex Press, 1991, pp.84-86.

human reproduction as valuable medical therapies. Although some ethical

misgivings are acknowledged, *in vitro* fertilization is depicted as an acceptable

method of circumventing infertility.

Selzer presents a religious horizon with which to understand and appreciate

human reproduction. His poetic portrayal of conception and birth shows a spiritual

event, a miracle that emulates the Creation itself. If we are concerned that intrusions

into reproduction encroach upon the holiness of the event, we are assured that "rather

queer conceptions" have taken place long before clomiphene citrate and laparoscopy

made it possible to retrieve oocytes. Selzer is referring here to the births and

conceptions of the children of Zeus. By depicting the conception of gods, our

apprehensions about the bizarre beginnings of others, through seemingly 'unnatural'

events should be alleviated.

> Zeus descended upon Danaë in the form a shower of
> golden rain, during which drizzle, Danaë conceived.
> The son she bore was named Perseus, who, as everyone
> knows, went on to slay monsters and rescue beautiful
> maidens. Not only Perseus, but Venus, of the sea foam
> born, and Athena, sprung full-grown from the brow of
> Zeus, were the products of rather queer conceptions.[9]

Selzer continues with a description of the Annunciation of Mary and consequent

virgin birth of Jesus. He depicts the archangel Gabriel whispering into Mary's ear:

"For lo, thou shalt conceive and bear a son." He stirs our imaginations by referring to

the many artistic renditions of this event captured by pen and by paint throughout the

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[9] Selzer, "The Virgin and the Petri Dish," p. 158.

millennia; the golden rays of light, the vase of lilies, the "ecstasy upon the face of the girl (...)." The status of interventions into human reproduction is raised by the focus on the extraordinary conceptions leading to the birth of gods.

The marvel of creation retains its divinity in the IVF clinic and the miracle of reproduction does not lose any of its miraculousness when moved from the heavens to the earth:

> What a far cry from the Annunciation is conception
> maneuvered in a dish. In the one, there is pure spirit, in
> the other, pure technique. In test-tube fertilization, no
> archangel, but a gynecologist in sterile regalia attends
> the woman; there is no scroll of words aloft at her ear,
> but a laparoscope to be thrust through the wall of her
> abdomen. Still, prayers accompany both occasions. In
> each, the hand of God is manifest.[10]

The tradition of Aesculapian authority[11] is invoked by the appeal to divine imaging and this invocation leads us to understand the human agent in very specific ways. First, the gynaecologist is portrayed as doing God's work and the religious horizon that informs this portrayal serves to affirm the importance of the techniques of assisted procreation. Selzer's narrative shows the constitution of the practitioner in terms of this tradition, who then are led to consider themselves in the role of beneficent technician. Second, the focus on techniques serves to efface the experience of the women who undergo such intervention. Except for a quick allusion

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[10] Selzer, "The Virgin and the Petri Dish," p. 159.
[11] Asclepius (Aesculapius for the Romans) was the Greek god of healing and the son of Apollo. He is considered as the 'first physician' and was believed to have the ability to restore the dead to life. Aesculapian authority then is the power invested in a physician simply by virtue of him or her being a physician.

to "thrusting laparoscopes" and silent knowing smiles, the subject of reproductive

technologies is all but absent. The way we are led to understand the human subject

through the character of the woman is different. She is shown as understanding

herself as an object of medical technologies and as making sacrifices for what the

narrative suggests is her proper role as gestator.

The questioning of medical authority is an important issue in other works by

Dr. Selzer but here, the questions that are presented are cursory and fail to elicit any

substantial challenge to the Aesculapian tradition. The epistemological prejudices of

uncertainty and vulnerability that makes Selzer's other works so powerful is

undermined in this narrative by his conclusion: In the end, asks Selzer,

> What does it matter, if at the last, a huddled child
> awakens, stirs and moves from his world-within-a-
> world outward, towards companioned love and the sun?

Cait Featherstone, seemingly in response to Selzer's rhetorical question,

suggests that it does matter. The price to be paid for this "huddled child" is

expensive. Featherstone is concerned with "man-made women" being constructed by

"man-made forces" in a world without love and refers to the women who have bought

into the IVF solution as "mother's day madonnas," as:

> (...) unexpected widows,
> mourning mothers who seek
> not the loss of children,
> paying a price to own
> a virgin child
> of captivity(...).

The medicalization of reproduction, an uncaring medical profession and the concomitant promise of hope (often unsatisfied) that comes with these technologies all contribute to the horizon in which Featherstone operates. This horizon depicts these elements as compounding the alienation of women and she suggests that there are important alternatives that are glossed over when a technological fix is presented.

> I beseech you to beg not
> for the lives of the unconceived.
> I implore you
> to claim
> your own life.

In Featherstone's view, the rationale that allows interventions into human reproduction promotes an instrumental view of children and she suggests that intrusions into human reproduction with the new technologies encourage a perspective that loses sight of the event of childbearing and childrearing in favor of successful IVF technique. It becomes more important to have children than to cherish them, and as Featherstone alludes, this attitude may result in questionable lives for children:

> No thrones await these
> virgin children --
> only the naked ground
> and a pillow of dust.

Another element of these narratives that is revelatory of different horizons are their respective uses of the garden metaphor. This metaphor has been common in discussions of reproduction and reproductive technologies and it is a poignant example of the process by which self-understanding unfolds. Selzer refers to *The Song of Songs* and Solomon's foretelling "of a closed and secret garden in which something special would grow" referring to Mary's pure womb in which the fetus Jesus would develop. He eloquently depicts women's cycles:

> Like an enclosed garden in which the rarest of plants is
> to be grown, the womb has been raked clean of all
> weeds and debris, and made ready to receive the egg.

In Selzer's use of the garden metaphor, the subject of reproductive technologies is reduced to her womb and transformed into a garden, either awaiting the sowing of seeds or its tending by the medical profession.

Featherstone has a different approach to the garden metaphor and attempts to re-personalize the womb. Her vision is less sympathetic to the profession in control of reproductive technologies and provides a less flattering view of Selzer's "gynecologist in sterile regalia" :

> The men without skin want our skin:
> they pierce, excavate,
> turn us inside out
> plough and till,
> harvest and reap.
> But we are not their gardens,
> these are not their crops--
> we will not feed their hunger

One of the themes that arises in Featherstone's poem is the idea that women are devalued by men and the medical patriarchy and that reproductive technologies serve only to compound this devaluation. The second stanza of the poem reflects a leveling of men and medical profession into one misogynist specter. The husband, in the process of procuring ejaculate for IVF is transformed into a hateful 'technodoc' thrusting technology "into the entrance of life's emergence."

The tradition of feminism allows the poem to be concerned with the unique experiences of the subject as an example of political struggle. The characterization of a patriarchal medical profession also has its roots in this tradition. The horizon in which Featherstone operates extends patriarchy into a menacing, corrupt and injurious social force bent on controlling the process of reproduction.

Selzer's account is pro-techno, provided there is a family in which the "dishborn human" can grow and be loved. He does hint at some disquieting features of reproductive technologies, namely, the slippery slope into ectogenesis, the unknown future self-understanding of the "dishborn" and certain insensitivities of the profession. The gynaecologist in Selzer's narrative is caricaturized proclaiming "there is no ethical problem here [...] it's all a matter of plumbing." The miracle of a "huddled child," a "furled fetus," or "a mother's child unlike any other," is presented as being worth any potential ethical risk.

These two narratives give us two distinct views of the place of interventions into human reproduction. Selzer's narrative inspires us to appreciate the complexities of human reproduction and the miraculousness of gaining control of this process.

Featherstone's narrative serves as a warning about misogyny and the appropriation of reproductive powers.

Two distinct conceptions by which human agency is understood can be revealed in this comparision. The subjects that are promoted in each of these accounts are diametrically opposed. First, the ethical subjectivity of the physician is created differently in each of the narratives. The use of reproductive technologies likens the medical profession to gods in the eyes of Richard Selzer and to demons in those of Cait Featherstone. Second, the subjectivity of the patient is also presented differently. For Dr. Selzer, the subject of these technologies, in the minimal appearance that she makes, is smiling quietly to herself, agreeing with the wise proclamations of the narrator and acquiescing to traditional medical authority in spite of passing ethical concerns. Ms. Featherstone, on the other hand shows this subject at the mercy of oppressors and furnishes a veritable call to arms, depicting the dangers of submitting to an uncaring scientism.

Each discourse represents a voice narrating a relationship with technology. In one, a voice in control of the technology paints a divine picture of helping anguished infertile couples with medical miracles. In the other, a voice of fear and mistrust is sounded. The question concerning which of these views is the correct one is not relevant here. The important feature of this comparison is to see that the different narratives promote different understandings of the human subject. The kind of subjects we may become is a result of the different understandings that circulate as discourses.

0.3 THE SELF OF NARRATIVE AND ETHICS

In fiction, characters are created to represent divinely inspired healers or misogynist mad scientists, either to further a plot or to present a moral story to express a specific point of view. Regardless of the content, the stories change us. Fictions, as Wayne Booth writes, "are the most powerful of all the architects of our souls and societies."[12] When we read stories we enter into different value systems and we relate or not, to the characters and story lines. By placing ourselves into the narratives, we contribute to the construction of who we are and who we think we would like to be. This construction is an implicit acceptance of the moral relationship that one has with one's self; it is a *rapport à soi* that is learned by engaging the narrative. The narrative invites a moral subject to act upon its self. This invitation is what I am calling *ontological narrativity*.

In non-fiction narratives, the same constitution of subjectivity occurs, though not necessarily through the action of characters. Subtler processes occur with the discursive practices that circulate.[13] These require our careful attention. Meta-narrative-ethics is a method of analysis that allows us to pay attention to the

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[12] Wayne C. Booth, *The Company We Keep: An ethics of fiction*, Berkeley, University of California Press, 1988, 557pp., p.39.

[13] Foucault defines discursive practice as "a body of anonymous, historical rules, always determined in the time and space that have defined a given period, and for a given social, economic, geographical, or linguistic area, the conditions of operation of the enunciative function." Michel Foucault, *The Archaeology of Knowledge*, trans. A.M. Sheridan Smith, London, Routledge, 1995 [1972], (*L'Archéologie de savoir*, Éd. Gallimard, 1969), 218pp., p.117. William Arney in his Foucauldian analysis of obstetrics, writes that discursive practices "are the manifestations of the social choices made by actors and groups in the production of knowledge. They designate certain parts of the world as objects of knowledge and inquiry and exclude others from view." William R. Arney, *Power and the Profession of Obstetrics,* Chicago, University of Chicago Press, 1982, 290pp., p. 15.

discourses of our world and to discern their ontological narrativity: how they suggest ways of *rapport à soi.*

What is at issue is how discourse leads us to think about the human subject, either our own subjectivity or that of others around us. By being attuned to how language constructs our selves, we may be more attuned to those times when it constructs it in injurious and non-inclusive ways.

With respect to the two narratives presented above, the ethical conclusions that can be drawn are not immediately evident. On the surface, these narratives present a polarized view of certain technologies of reproduction. On the one hand, we have a narrative informed by a medical model of assisted reproduction and on the other a misogynist model. A deeper look is necessary to see how the language in these narratives influences thinking about moral subjectivity. I am not looking at these narratives for behaviors to emulate. I am looking to see how power produces knowledge through discourse. I am looking to see how the self is created in narratives of the reproductive technology debate.

The moral subject envisioned here is not a discovered subject. It is not a static element found in the depths of our being. It is a process, a continual re-creation of who we are, of which only part is our doing. We are storytellers and story-listeners and we sustain our ideas of the self by accepting or rejecting certain narratives presented to us during the course of our lives.[14]

Meta-narrative-ethics is less a method that is applied to an ethical issue for specific answers than a way of probing the language that is used in ethical discourse.

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[14] See Jerome Bruner, "The Narrative Construction of Reality," *Critical Inquiry*, 18(Autumn 1991):1-21.

It allows us to look at contemporary discursive practices in a way that we may understand better the role of the subject in ethical discourse. Ethical analysis is understood here as the way of discerning how the human subject is constituted in ethical debate. While my theory may be an ethical theory, it is not about finding the right answers to particularly difficult dilemmas. It is about subjectivity, as it is constituted in the debate on reproductive technology. My theory shows us that in the process of presenting ethical issues, we reform both our selves and the traditions from which we come. Every act of understanding and every encounter with a meaningful event informs our ethical investigations and meta-narrative-ethics serves to bring to light the connection between meaningful ethical events and human subjectivity.

Meta-narrative-ethics works to decipher the sources of those elements that direct our self-explorations and self-understandings. This allows us to posit various sources that may develop the subject in new and untried directions. Its goal is to affect our ethical lives by deciphering those elements involved in the creation of ourselves. It will allow us to see that the work of art that is us, is not a purely haphazard creation.

This thesis is divided into four main parts: the context, the method, the debate and the relationship that the self has with itself as a result of the debate. The context describes the question at issue and situates this project in the domain of literature-and-medicine. While it may seem that this project has little to do with literature and touches on medicine only incidentally, this domain has been fertile ground for many different understandings of narrative and ethics.[15] My theory of meta-narrative-ethics

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[15] Anne Hudson Jones, "Narrative Based Medicine: narrative in medical ethics," *BMJ*, 318,7178(Jan. 23, 1999):253-256.

provides a novel way of combining ethics with a concept of narrative at a time when there is said to be a crisis of meaning in modern ethics.[16] My particular concept of narrative is introduced as a way of living with this crisis, to provide meaningful commentary on the subject of ethics without getting bogged down in the problems that plague modern ethical thinking.

Part 2, the method section, develops a theory of meta-narrative-ethics based on the works of Michel Foucault. It begins by presenting a summary of this complex thinker's *œuvre* and ends with my theoretical approach based on the foucauldian concepts of the statement and *rapport à soi*. With these two ideas, an essential relationship between narrative and the subject is developed. From this relationship, I then look to narratives that constitute the ethical debate on reproductive technologies.

The third section provides a narrative analysis of three of the voices engaged in the contemporary Canadian debate on reproductive technologies: the political voice, the professional voice and the voice of the media. By this type of analysis I discern the statements uttered in the narratives of each of the voices and show how these statements create a certain space for the subject who engages the narrative. It is in this space that the subject develops a relationship with its self.

The final section before the conclusion develops the foucauldian concept of *rapport à soi*, the relationship that the self has with itself. It applies this foucauldian concept to the narratives in the debate to show how the statements gathered from the voices work towards a specific conception of the Canadian self. It unfolds the space

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[16] Alasdair MacIntyre, *After Virtue*, Notre Dame, 2nd edition, Indiana, University of Notre Dame Press, 1984 (1981), 286pp., Bernard Williams, *Ethics and the Limits of Philosophy*, Cambridge, Harvard University Press, 1985, 230 pp.

where the subject develops, and provides a means for discovering a way of assessing the narratives that engage us.

My thesis ends with some conclusions about the contemporary Canadian self and raises some questions about the evolution of the debate from reproductive to genetic technologies as a guide for future investigations.

Three caveats before I begin, to forestall premature objections to my thesis. They come in the form of three simple questions: why narrative? what's the self? and where's feminism?

The concept of narrative is employed for one important reason. The debate is understood as a narrative because I want to emphasize how engaging an ethical debate is as transformative an event as is reading a novel. Readers who engage novels and other pieces of literature enter into the narrative realm and are changed by it and by employing the term narrative I want to show similar changes occur with ethical debate.

I will be speaking about the contemporary Canadian self and how it is constituted by the ethical debate on reproductive technology. I do not wish to give the impression that the narrative of the debate is the only means by which the self comes to be. The notion of the self is an extremely complex concept and public debates are only one out of countless stories that circulate in Canadian society, each of which contribute to how the subject thinks itself. I am using a simplified concept of selfhood to express my main point that ethics can no longer be thought of as prohibitions and permissions, but rather as the way that subjects create themselves.

Some will wonder why the feminist voice is not included in a discussion of the ethics of reproductive technology. My reasons for leaving out this voice is that I felt that in terms of influence, this voice had less of an impact than the three that will be discussed. My project concerns the debate in the 1990s and the feminist voice, while being instrumental in bringing the debate into public view, had little impact as a unified voice, although individual feminist thinkers have made important contributions.

These preliminary comments will be fleshed out as this project proceeds and with these remarks in mind, I begin with the context of this dissertation, the science of modern ethics and the concept of narrative.

PART ONE – THE CONTEXT

THEORETICAL OBSERVATIONS OF THE CURRENT SCIENCE OF MODERN ETHICS AND THE CONCEPT OF NARRATIVE

1.0   INTRODUCTION

The science of ethics or moral philosophy, is a complex phenomenon. From the innumerable volumes introducing this subject, it is clear that there is no consensus as to how this field should be demarcated.[17] For the purposes of this project however, the contemporary study of ethics is understood as being divided into three separate domains, each with its own particular mode of questioning. These are descriptive ethics, normative ethics and meta-ethics.[18]

Descriptive ethics has the goal of attaining empirical knowledge about morality. It is properly the domain of sociology, anthropology, history and other human sciences. The questions here revolve around what occurs in various ethical situations in diverse contexts and cultures. The description of actual moral views and the attempt to explain them is the goal of this element of the science of ethics.

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[17] For a small sampling see for example: Michael Boylan, *Basic Ethics*, Upper Saddle River, New Jersey, Prentice Hall, 2000, 210 pp., William K. Frankena, *Ethics*, 2nd edition, Englewood Cliffs, New Jersey, Prentice-Hall, [1963] 1973, 125pp., Robert L. Holmes, *Basic Moral Philosophy*, 2nd edition, Boston, Wadsworth Publishing Company, 1998, 233pp., James Rachels, *The Elements of Moral Philosophy*, New York, McGraw-Hill Publishing Company, 1986, 168 pp.

[18] This characterization is adopted from Frankena's *Ethics*. It must be noted that although this structure of the science of ethics is evident in contemporary ethical theorizing, there are dissenting voices that question this representation. Bernard Williams, for example, states that the distinction between the normative and the meta-ethical is no longer convincing or important: "[I]t is now obvious (once again obvious)[*sic*] that what one thinks about the subject matter of ethical thought, what one supposes it to be about, must itself affect what tests for acceptability or coherence are appropriate to it; and the use of those tests must affect any substantive ethical result. Conversely, the use of certain tests and patterns of argument can imply one rather than another view of what ethical thought is." Bernard Williams, *Ethics and the Limits of Philosophy*, Cambridge, Harvard University Press, 1985, 230 pp., p. 73.

Normative ethics is concerned with understanding right and wrong actions and with providing standards. It attempts to establish which moral views are justifiable and consequently which views ought to be accepted. Normative ethics is divided into *general* normative ethics and *applied* normative ethics. The former advances a justification of an ethical theory in order to answer general questions concerning right and wrong (or good and evil). The latter, applied normative ethics, attempts to establish guidelines in specific areas of human activity. Business ethics, environmental ethics, and bioethics are all considered applied normative ethics when the attempt is made to establish ethical norms in each of these areas.

Meta-ethics concerns itself with the significance or meaning of moral claims, and with the analysis of moral language, moral concepts and moral reasoning. It belongs primarily to the discipline of philosophy although literary theory and linguistics have also come to play important roles after the "linguistic turn" in ethics took place early in the twentieth century.[19] Meta-ethical questions ask about the meaning of ethical terms, such as good and evil, right and wrong, ought and is. It may address the significance of a duty or the concept of a right. Different schools of meta-ethical thought have developed in the twentieth century, primarily under the influence of the logical positivists. Logical positivism was a philosophical movement of the early 20th century, which held as central the principle of verifiability. Because ethical statements could not be said to be either true or false, a requirement of the principle of verifiability, they ran the risk of being classified as meaningless. But because ethical claims are (at least intuitively) meaningful, meta-ethical theorists

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[19] See Williams, chapter 7, pp.120-131.

worked to produce a variety of new ways for understanding ethical claims. These included prescriptivism, intuitionism, emotivism, and naturalism.[20]

With the emphasis placed on the meaning of ethical terms, moral philosophy had come to ignore practical ethical problems. Questions about what should be done in any particular situation were not helped with the kinds of ethical theorizing present in moral philosophy during this time. Prior to the 1960s, professional philosophy had seemingly lost touch with practical questions. Medicine, however, as Stephen Toulmin writes, gave philosophical ethics a renewed *raison d'être*.[21] As ethical questions began to surface in the practice of medicine, philosophy rose to the challenge. It expanded and rethought its approaches to questions of ethics. The discipline of bioethics was born.[22] But even as ethics gained in popularity, the theoretical approaches of modern philosophical ethics continued to suffer from a lack of applicability.[23]

Resolving ethical questions at the bedside of patients could not happen meta-ethically. Weighing the relative merits of prescriptivism with emotivism, for example, could say very little about the conflict of values in a specific doctor-patient relationship. The main preoccupations of meta-ethics, questions of what constitutes

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[20] Geoffrey J. Warnock, *Contemporary Moral Philosophy*, London, MacMillan and Co., 1967, 81pp.
[21] Stephen Toulmin, "How medicine saved the life of ethics," *Perspectives in Biology and Medicine*, 25,4(1982): 736-750.
[22] See Hubert Doucet, *Au pays de la bioéthique: L'éthique biomédicale aux États-Unis*, Genève, Labor et Fides, 1996, 217pp., Albert R. Jonsen, *The Birth of Bioethics*, New York, Oxford University Press, 1998, 431pp., and David J. Rothman, *Strangers at the Bedside: A history of how law and bioethics transforned medical decision making*, BasicBooks, 1991, 303pp.
[23] The first part of this dissertation is about the problems inherent in modern moral philosophy. It will refer often to *modern* ethics and *modern* bioethics, and by *modern* I will be designating both a specific era in human history, called *modernity*, and an approach to ethics that has certain fundamental meta-ethical assumptions. Modernity is said to begin with the intellectual adventures of René Descartes and Francis Bacon and comes to an unremarkable end in the middle of the 20th century with a perceived lack of legitimization for moral claims. More will be said of this below.

an ethical claim, could not consider the substantive questions concerning what ought to be done in a given situation. Specific answers could not be found through general normative ethics either. In debating the relative merits of deontological and teleological ethical theories for example, it was discovered that there could be more than one right approach; normative frameworks could not be agreed upon. The development of bioethics as an applied normative ethics in medicine, could articulate the values which were in conflict, but beyond this restatement of the problem, practical answers were not readily available. The third approach to the study of ethics, descriptive ethics, while enjoying the camaraderie of other social sciences, could not immediately help the problem at hand with descriptions of the rights and the wrongs of other cultures. Anthropological revelations that a certain civilization equates their understanding of the good with a full stomach could not immediately help the practitioner struggling with an ethical dilemma. If philosophy was going to help, then practitioners wanted answers.[24]

This ineffectuality led to the backlash experienced in the early days of bioethics. Richard Zaner discusses this in his *Ethics and the Clinical Encounter*[25] and offers two reasons. The first reason for this backlash was that the medical professionals were resentful at having other professionals looking over their shoulder, and they were doubly upset when instant answers were not readily available. The second reason, which is closely related to the first was that the language and practice

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[24] For an enlightening perspective on the relationship between medicine and its ethicists, see Carl Elliott, "Notes of a Philosophical Scut Monkey: The bureaucracy of medical ethics," *A Philosophical Disease: bioethics, culture and identity,* New York, Routledge, 1999, 188pp., pp.1-23.
[25] Richard M. Zaner, *Ethics and the Clinical Encounter*, Englewood Cliff, NJ, Prentice Hall, 1988, 336pp.

of modern ethics was, and continues to be in a state of disarray.[26] It is this second

reason that is the point of departure for this first part of the project.

The purpose of this first part is contextual. It begins with the following

question: How appropriate are the tools that are used in understanding both ethics and

ethical issues in the twenty-first century? It will answer by showing that the

intellectual tools proposed by modern ethics are supported by a meta-ethical theory

that grounds ethical judgments into a conception of moral language that affirms the

necessity of truth-values. In other words, modern ethics is supported by an objectivist

meta-ethics where truth-values are preserved for ethical statements. The result of

adhering to this modern approach is that many different traditions are placed in

competition with each other. Leon Kass puts it succinctly when he states that it is not

clear which is the best way to think about the ethical questions that surround

reproductive technologies. Says Kass,

> For some people, ethical issues are immediately matters
> of right and wrong, of purity and sin, of good and evil.
> For others, the critical terms are benefits and harms,
> risks and promises, gains and costs. Some will focus on
> so-called rights of individuals or groups (e.g., a right to
> life or childbirth); still others will emphasize so-called
> goods for society and its members, such as the
> advancement of knowledge and the prevention and cure
> of disease.[27]

All of these different foci exist both in contemporary ethical theorizing as well as in

the attempt to understand the ethical debate provoked by reproductive and genetic

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[26] The idea that modern ethics is in this state is Alasdair MacIntyre's, which will be discussed below.
[27] Leon Kass, "The Meaning of LIfe -- In the Laboratory," in *The Ethics of Reproductive Technology*, K.D. Alpern (ed.), New York, Oxford University Press, 1992, 354pp.; p 98-99.

technologies. Each of these are starting points that determine how to think about ethical questions in general, and in particular, how to think about these new technologies. Consensus is however, a long way off. An ethical discussion that begins with an appeal to individual rights, for example, will be less convincing to an interlocutor than one which begins by emphasizing costs and gains, if that interlocutor begins from that quantifiable point of view. While it is important to keep these foci separate, a mixture of them characterizes modern moral debate and, as a result, participants in moral debate often end up speaking past each other. These different focal points invoke different starting premises, and as such, agreement is difficult to secure in modern moral debate.

Alasdair MacIntyre's *After Virtue* (1981) is a study of modern moral theorizing that provides an explanation of the interminability that is characteristic of modern moral debate. As MacIntyre states,

> each premise employs some quite different normative claim or evaluative concept from the others, so that the claims made upon us are of quite different kinds. (...) It is precisely because there is in our society no established way of deciding between these claims that moral argument appears to be necessarily interminable. From our rival conclusions we can argue back to our rival premises; but when we do arrive at our premises argument ceases and the invocation of one premise against another becomes a matter of pure assertion and counter-assertion. Hence perhaps the slightly shrill tone of so much moral debate.[28]

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[28] Alasdair MacIntyre, *After Virtue*, Notre Dame, 2nd edition, Indiana, University of Notre Dame Press, 1984 (1981), 286pp., p.8.

The public debate on reproductive technologies has become less and less shrill with the turn of the century, as these new technologies have become more accepted and their application more and more routine. It appears that any ethical problems that may exist here are now problems of application. How do we assure equal access to these technologies? How do we maintain confidentiality? How do we keep genetic information from getting into the wrong hands? There is no more public ethical debate on the big questions like should infertility be considered a medical problem with a medical solution. This question seems to have been solved, and the debate on accepting reproductive technologies is now over, just as the debates on nuclear energy, over-population and maybe even the introduction of the automobile have all been solved.

This project would like to keep the questioning open with respect to reproductive technologies. My purpose is to expand the notion of ethics beyond the confines of modern ethical thinking to show that even if the debate over RT is less shrill and less controversial than in the past, it nevertheless has important repercussions. To see these repercussions however, understanding ethics must move beyond the search for the right answer and towards understanding the self's relationship with itself. This idea for ethics is Michel Foucault's and I will adopt and adapt this expanded notion of ethics to make sure that the ethical questions of our reproductive natures remain open and viable.

CHAPTER 1: MODERN ETHICS

1.1.0 INTRODUCTION

Modern ethics is a very specific approach to human morality. John Rawls describes it as philosophers questioning "authoritative prescriptions of right reason, and the rights, duties and obligations to which these prescriptions of reason gave rise."[29] Zygumunt Bauman, states that this approach is guided "by the belief in the possibility of a *non-ambivalent, non-aporetic ethical code*."[30] Modern ethics arose from certain Enlightenment and Cartesian ideas that ultimately structured the methods that were thought to be desirable in the search for ethical knowledge. The Enlightenment sought a rational ordering of the natural world to better control it in realizing the ends of emancipation through progress.[31] Enlightenment thought embraced the idea of progress and actively sought to break with tradition that hindered the attainment of freedom. In ethics, breaking with tradition meant the grounding of morality in a secular foundation. This secular rational justification for moral allegiances was based on the powers of reason, firmly planted in Man and recognized as the substitute for the laws decreed authoritatively by God. The Enlightenment thinkers rejected the teleological view of human nature that was first developed by Aristotle and later incorporated into the Christian framework.

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[29] John Rawls, *Lectures on the History of Moral Philosophy*, B. Herman (ed.), Cambridge, Harvard University Press, 2000, 384pp., p.2.

[30] Zygumunt Bauman, *Postmodern Ethics,* Cambridge, Blackwell Publishers, 1993, 255pp., p.9. Emphasis in original.

[31] For more on the Enlightenment see Jacques Domenech, *L'Éthique des Lumières*, Paris, J. Vrin, 1989, 269pp., Sabine Roehr, *A Primer on German Enlightenment*, Columbia, Missouri, University of Missouri Press, 1995, 282pp.,

Teleology provided a reason for understanding and accepting moral rules and by rejecting this view, Enlightenment thinkers freed human nature from the constraints imposed by such a teleology. A new status for moral rules had to be found however, once the old justificatory scheme, based on religiously oriented factors, was no longer acceptable. Ethical claims that were previously accepted were now made incomprehensible because with the rejection of teleology, the purpose of humankind or the proper function of human nature, (which determined how ethical behavior was to be understood) was also rejected. Teleology answered the question "Why be ethical?" But rather than working from the purpose of humanity to the ethical rules which would allow the fulfillment of that purpose, Enlightenment thinkers began with the rules.

An important prejudice of the Enlightenment was that the methods developed in the natural scientific inquiry were thought to be applicable to *all* the human sciences. John Stuart Mill showed the essence of this modern prejudice in his *A System of Logic* (1843) where he wrote that "the backward state of the moral sciences can only be remedied by applying to them the methods of the physical science, duly extended and generalized."[32] Mill's hope of a precise calculable method for ethics, one that could emulate the physical sciences, would prove to be unrealizable. As

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[32] John Stuart Mill, *A System of Logic*, 1843, cited in Donald Polkinghorne, *Methodology for the Human Sciences*, Albany, State University of New York Press, 1983, 349pp., p.18. Polkinghorne goes on to tell that when this work was translated into German, 'moral sciences' becomes *Geisteswissenshaften*, a term adopted by Wilhelm Dilthey in 1883 in his *Einleitung in die Geisteswissenshaften*, which in turn was translated as *Introduction to the Human Sciences*.

Aristotle had suggested long before the Enlightenment,[33] the differences between the physical sciences and the human sciences were simply too striking to reconcile.

The positivists went further and essentially claimed that if a certain degree of certitude could not be found in these sciences, then they ought not be considered valuable objects of knowledge. Only certain types of knowledge were acceptable to the positivists and this elicited a response. One came from Wittgenstein who wrote:

> Philosophers constantly see the method of science
> before their eyes, and are irresistibly tempted to ask and
> answer questions in the way science does. This
> tendency is the real source of metaphysics, and leads
> the philosopher into complete darkness.[34]

Other responses came from the German Romantics and neo-Kantians of the late nineteenth-century. Wilhelm Dilthey has been considered the "principal architect" of the anti-positivist movement with other figures such as Wilhem Wundt (considered the father of psychology), Franz Brentano, Edmund Husserl, Max Weber, and William James playing important roles. It was agreed that what was wrong about positivism was its neglect of the unique sphere of meaningful existence that was the defining characteristic of human phenomena. There was however, no unified response against the positivist agenda.[35]

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[33] The differences Aristotle had suggested were with respect to his understanding of *phronesis* and *episteme* rather than the methodologies of the human sciences and the physical sciences as we know them today. Historian Johann Gustav Droysen is credited with introducing a dichotomy of methods between the physical sciences and the human sciences in 1858 when he used the term *erklären* (explanation) to describe the former method and *verstehen* (understanding) to describe the latter. See Polkinghorne, *Methodology for the Human Sciences*, p.22.

[34] Ludwig Wittgenstein, *The Brown and Blue Books*, Oxford, Basil Blackwell, 1958, p.18, cited in Elliott, *A Philosophical Disease*, p.xix.

[35] Polkinghorne, *Methodology for the Human Sciences*, p.21.

In this chapter, I present a synopsis of modern ethics and the periodizing concept of *modernity* in an effort to situate my own theory of meta-narrative-ethics. My project asserts that a specific conception of the subject develops along with ethical theory. Ethical discourse contributes to the self's understanding of itself, and this project seeks to open the questioning with respect to the kinds of people we become as a result of the ethical theory that rings true for us. This project is meta-ethics because I am concerned with the language of moral discourse. This project seeks to illuminate the connection between how we, as a culture, debate ethical issues and the kind of subjectivity that is implicitly promoted in the language of the debate.

Before I address the question of subjectivity, I will present an understanding of modern ethics. As a point of departure, I hope to illuminate the power of modern ethics, and by looking at two major critiques of modern ethics, I hope to point towards others ways of thinking in ethics. I begin with the concept of modernity.

1.1.1. MODERNITY

Modernity is said to have begun with the Renaissance and one of its fundamental achievements: the rules of perspective in art and architecture. These rules, writes David Harvey, "broke radically with the practices of mediaeval art and architecture, and [...] were to dominate until the beginning of the twentieth century."[36] Dubbed the "rationalization of sight," this perspective orients the eye in relation to space and produced a new way of looking at the world. The world became

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[36] David Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change*, Cambridge, Basil Blackwell Inc., 1989, 378pp., p.244.

"spatialized." Time itself was seen in spatialized terms, as an infinitely linear succession of events, and as linear, the connection between past and future contributed to the modern idea of prediction. This rethinking of space and time initiated the separation of the observer from what is observed and emphasized the ability of the individual to represent what is seen as in some sense "truthful" without having to rely on external authority as in the case of myth or of dogma. With the Renaissance, space and time became "facts" of nature to be manipulated rather than reflections of the glory of God.

The connection between perspectivism and individualism is thought to have provided a basis for Cartesian principles of rationality, which in turn led to the development of modern scientific thinking.[37]

Galileo's famous maxim: "To measure everything measurable and to make measurable what is not yet measurable!" can be considered the slogan of the modern age.[38] It sums up the idea of understanding the world in a way that can be calculated and controlled so that the ambiguity and chaos inherent in human experience is neutralized in favor of ideas that bring certainty and predictability. Calculative or instrumental reason developed a strong foothold as both objective science and the ideal of a universal morality were exalted.[39]

René Descartes (1596-1650) is said to be the first modern philosopher. His dream of achieving a single body of verified knowledge in every human endeavor was to govern the shape of intellectual investigation for the next four hundred years.

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[37] Harvey goes on to suggest that there is evidence to show a connection between these rules of perspective and the rationalizing practices emerging in commerce, banking, book-keeping, trade and agricultural production. Harvey, *The Condition of Postmodernity*, p.245.
[38] Richard E. Palmer, "Postmodernity and Hermeneutics," *Boundary 2*, 5(1977):363-93, p.365.

Descartes situates the moral source in us.[40] This is a departure from earlier ideas

when the sources of our morality were thought to lie outside the self. To be attuned

to these exterior sources was to be attuned with the cosmic order, shaped by God, but

by changing the direction of the self's vision, from the external/sensory realm to the

internal/rational realm, Descartes contributes to a new understanding of reason.

Charles Taylor writes:

> The new definition of the mastery of reason brings
> about an internalization of moral sources. When the
> hegemony of reason comes to be understood as rational
> control, the power to objectify body, world, and
> passions, that is, to assume a thoroughly instrumental
> stance towards them, then the sources of moral strength
> can no longer be seen as outside us in the traditional
> mode.[41]

This internalization helped to encourage the specific idea of rationality that developed

during the course of modernity with clarity and distinctness, the two hallmarks of

Cartesian rationality, leading the way. More will be said of modern reason below.

Modernity for some thinkers, like Karl Marx and Max Weber, is a historical

periodizing concept that refers to the epoch following the Middle Ages characterized

by commodification and rationalization of all aspects of life; for others, modernity is

distinguished by innovation, novelty and dynamism. Irrespective of these differing

views, modernity supports reason as the source of progress and knowledge. It is the

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[39] Harvey, *The Condition of Postmodernity*, p.12.
[40] Charles Taylor, *Sources of the Self*, Cambridge, Harvard University Press, 1989, 601pp., p.143.
[41] Taylor, *Sources of the Self*, p.151.

privileged locus of truth and the foundation of systematic knowledge.[42] Other

German sociological theorists, Toïnnes and Simmel, joined Weber in seeing

modernity as the progressive economic and administrative rationalization and

differentiation of the social world, employing the dichotomies of fact/value and

science/ethics.

1.1.2 ETHICS

MacIntyre has shown his aversion to modern moral theorizing, as has Bernard

Williams, another ethical theorist who similarly criticized the state of ethics when he

concludes that "many philosophical mistakes are woven into morality."[43] This is not

a new critique. G.E.M. Anscombe, in her 1958 article, concurs with both Williams

and MacIntyre, stating that: "it is not profitable for us at present to do moral

philosophy."[44] Charles Taylor offers his opinion in stating that, modern moral

philosophy has made us "inarticulate on some of the most important issues of

morality."[45] G.J. Warnock adds his voice remarking that "the successive orthodoxies

of moral philosophy in English in the present century have been [...] remarkably

barren."[46] It is to these orthodoxies that I now turn.

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[42] Steven Best and Douglas Keller, *Postmodern Theory: Critical Investigations*, New York, The Gilford Press, 1991, 324pp, p.2.
[43] Williams, *Ethics and the Limits of Philosophy*, p.196.
[44] G.E.M. Anscombe, "Modern Moral Philosophy," *Philosophy,* 33,124 (January 1958):1-19.
[45] Taylor, *Sources of the Self,* p.89
[46] Warnock, *Contemporary Moral Philosophy*, p.10.

Conflict resolution is an important element of modern ethics,[47] which focuses on making the right choice in the midst of competing interests. It is precisely the correctness of the ends or rules that is in question.[48] Modern morality is primarily act-centred,[49] and in performing this task of resolving the competing interests, a trademark of modern ethics became to deny what has been called the *"aporetic situation"* of humankind.[50] The two concepts of universality and foundation were employed to resolve the contradictoriness found in ethical experience. With these concepts, modern ethics assures us that we may once and for all know the right answer through applying our rational abilities.

The concept of universality is that feature of an ethical prescription which is thought to compel every human being, by virtue of being human, to recognize it as right and thus to accept it as obligatory.[51] The idea of a foundation provides an answer to the question "Why should one be moral?" Rules are well founded when the person expected to follow them could be convinced that that was the right thing to do. Throughout the ages there have been different answers to the authoritative question of "why be moral?" and the modern answer, which attempts to provide a secular rational answer is one that has structured the field of modern ethical theorizing.

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[47] "Modernity is about conflict-*resolution,* and about admitting of no contradictions except conflicts amenable to, and awaiting resolution." Bauman, *Postmodern Ethics*, p.8.

[48] Alan Gewirth, *Reason and Morality*, Chicago, University of Chicago Press, 1978, 393pp., p.2.

[49] Julie Annas, "Ancient Ethics and Modern Morality," *Philosophical Perspectives*, 6(1992):119-136, p.128.

[50] Bauman describes this feature of the human condition as a contradiction that cannot be overcome, and states that it is a defining feature of modernity that the *aporia* was played down as a conflict not-yet-resolved-but-in-principle-resolvable; a temporary nuisance, a residual imperfection on the road to perfection (...). *Postmodern Ethics*, p.8.

[51] Bauman, *Postmodern Ethics*, p.8.

I turn now to three elements of this structure, which includes a specific conception of reason, the necessity of a foundation and a conception of the right and the good.

1.1.2.1 REASON

The attempt to rationally justify moral choices with either utilitarianism or some form of deontologism, the two dominant normative theories of our day, is called by MacIntyre a "moral fiction." Each theory purports to provide us with objective and impersonal criteria,[52] yet there is no rational way of deciding between rival claims. We possess no way of giving priority to one set of claims over another as both seem to be equally rational. Hence the interminability of much of contemporary moral debate.

The appeal to both utility and to rights are attempts at providing a legitimating scheme for moral allegiances; attempts at filling the void left by the Enlightenment's desire to get beyond oppressive traditions and prejudices and authority that ostensibly clouded the bright light of reason. With a rejection of a justificatory scheme based on revealed authority and with hopes pinned on a secular one, humankind takes over from God as the source of morality. Rather than understanding the moral laws of human life as authoritatively revealed by and as the will of God, moral laws are now to be grasped on their own merits by an intuitive act of human reason, either as

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[52] MacIntyre, *After Virtue*, p.70.

categorical imperatives directly apprehended, or as appeals to human sentiment, pleasure or pain.

What was started with the Renaissance questioning of external authority culminated in the neo-Kantian appeal to theoretical reason and the idea of developing our own moral laws based on this faculty. This kind of reason became the foundation upon which modern ethics was to be built and as it developed into a very specific type of reason, alternatives became more and more readily dismissed once this criteria became more and more established. As Bauman points out,

> The most immediate effect and achievement of the foundation-building was the proclamation of the non-existence or insufficiency of any other grounds on which moral choices and moral acts may be based.[53]

This idea is explicit in Alan Gewirth's ethical theorizing where a quest for moral certainty is evident and where a bias towards a very particular understanding of reason is reflected.

> I use 'reason' in a strict sense as comprising only the canons of deductive and inductive logic, including among the latter its bases in particular sense perceptions. I also construe conceptual analysis on the model of deductive logic, in that when a complex concept A is analyzed as containing concepts B, C, and D, these concepts belong to A with logical necessity so that it is contradictory to hold that A applies while denying that B, C, or D, applies. The concept of action, while representing actual phenomena of human conduct will be obtained and used by such conceptual analysis. (...) [D]eduction and induction are the only sure ways of

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[53] Bauman, *Postmodern Ethics*, p. 67.

> avoiding arbitrariness and attaining objectivity and
> hence a correctness or truth that reflects not personal
> whims or prejudices but the requirements of the subject
> matter.[54]

Appeals to both utility and rights incorporate this specific conception of reason.

What then is this conception? John Stuart Mill gives us a hint when he

proclaims his allegiance to a specific conception of reason based on the methods

found in the natural sciences. Mill bemoans the state of affairs in modern ethics and

refers to the moral sciences as in a "the backward state."[55] The state of these sciences

however, is only backward with respect to the story told, a narrative that evaluates

one science in terms of the other. Instead of finding a method to suit ethics, Mill and

other modern ethical theorists try to find an ethics to suit their chosen method.

A very specific conception of reason produces very specific ethical theories,

as the examples of Gewirth and Mill show. This modern conception of reason

precludes other kinds of cognition. However, psychologist Jerome Bruner gives us a

way to begin thinking differently about reason when he discusses two different modes

of thought, two modes of cognitive functioning. From these it becomes possible to

distinguish different methods for ethics. Bruner calls one mode of thought the logico-

scientific, or paradigmatic mode. This, he says, leads to "good theory, tight analysis,

logical proof, sound argument, and empirical discovery guided by reasoned

hypothesis."[56] He contrasts this with another mode of cognitive functioning he calls

the narrative mode, which "deals in human or human-like intention and the action and

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[54] Gewirth, *Reason and Morality*, p.22 – cf. Hillary Putman, *Reason, Truth and History*, New York, Cambridge University Press, 1981, 222pp., p.x, for a different view of reason.
[55] See above, note 32.

vicissitudes and consequences that mark their course."[57] Bruner, as a psychologist of literature, presents these two modes of cognition as ways of exploring texts and suggests that both modes of cognition are important for his investigations.

What Bruner calls the paradigmatic mode of reasoning is familiar, as it has been the dominant mode of reasoning since 1620 when Francis Bacon's *Novum Organum* championed the inductive-experimental method as a replacement for Aristotelian science based on empirical observation. What is less familiar is a narrative mode of cognition, especially in terms of ethical theorizing.

Bruner's modes of cognition are paralleled in Aristotle's division of the rational part of the soul where he distinguishes between two intellectual virtues: *theoria* and *phronesis*, theoretical and practical wisdom. These are two of the five ways in which the soul expresses truth.[58] Where *phronesis* is the capacity of deliberating well about what is good and advantageous for oneself (1140a26), *theoria* is the most precise and perfect form of knowledge, the science of the things that are valued most highly (1141a20).

It would seem that this best element of reason, that aspect of the rational part of the soul, which is the best part of the soul, ought to be the guiding feature for directing our actions. But even though we aspire to the best things in the universe, to be part of the unchanging eternal realm, as human beings we remain part of the less than best things in

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[56] Jerome Bruner, "Two Modes of Thought," *Actual Minds, Possible Worlds*, Cambridge, Harvard University Press, 1986, 201pp., pp.11-43, p.18.
[57] Bruner, "Two Modes of Thought," p.13.
[58] Aristotle, *Nicomachean Ethics*, 1139b15ff.

the universe, as we remain part of the realm in which things are subject to change.

Therefore, in the Aristotelian scheme, even though we aspire to be part of the

unchanging, eternal realm, we must, especially in terms of understanding human

action, confine ourselves to another rational part of the soul. Although this second

rational element is not part of the best things in the universe, it is the more

appropriate for dealing with questions of human action.

Aristotle believed that all the excellences of character had to fit together into a

harmonious self.[59] As Bernard Williams states, "Aristotle saw a certain kind of

ethical, cultural, and indeed political life as a harmonious culmination of human

potentialities, recoverable from an absolute understanding of nature."[60] Aristotelian

ethics attempts to ground ethical life in well-being, for which we need an account of a

fully developed life as well as substantive beliefs about human nature. The best way

to articulate both a fully developed life and substantive beliefs is through narrative.

In terms of ethics, these two aspects will permeate this project. In the next

section I will show that the structure of modern ethical theorizing privileges this now

"traditional" conception of reason and, in the section following, how the problems in

contemporary moral discourse come from this assignment of primacy.

1.1.2.2 FOUNDATIONS

The question of a foundation for ethics was one that was taken very seriously

by Enlightenment thinkers and continues to have substantial force in contemporary

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[59]Williams, *Ethics and the Limits of Philosophy*, p.43.
[60]Williams, *Ethics and the Limits of Philosophy*, p.52.

ethical theorizing. Writers and philosophers of the Enlightenment were engaged in proving that it was both possible and necessary to ground a morality independent from religious dogma and having no recourse to any religious revelation.[61]

The reliance on a secular foundation for ethics continues to reverberate in contemporary theorizing. The Enlightenment project of justifying morality denied the traditional religious foundations that upheld inherited moral rules, and the attempt to ground these rules in humanity itself became the basis of modernity's research program for ethics. Freedom was a central idea for Enlightenment thinkers and, combined with a specific conception of reason, the modern autonomous individual and its choices became an essential part of ethical theorizing.

Philosopher Richard J. Bernstein puts forward the suggestion that modern moral philosophy suffers from Cartesian anxiety. Hundreds of years after René Descartes postulated his desire for one fixed point upon which he could construct a permanent structure for knowledge,[62] the need for an absolute point of reference continues to influence thinkers in contemporary ethics. This influence however limits ethical choices. The Cartesian anxiety, writes Bernstein, expresses a grand and ineluctable either/or. Either there is a ground for knowledge, some Archimedian point from which to move the world, or chaos ensues. The choice is either objectivism or relativism; there are no other options are available.

The Cartesian anxiety arises from the fear that without a solid foundation for knowledge, chaos will ensue. This fear was present in the works of Plato as well.

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[61] Domenech, *L'Éthique des Lumières*, p.11.

[62] René Descartes, *Meditations*, vol. 1 of *Philosophical Works of Descartes*, trans. E.S. Haldane and G.R.T. Ross, Cambridge, Cambridge University Press, 1969, p.144; cited in Richard J. Bernstein,

Martha Nussbaum discusses Plato's flight from the world of appearances into the realm of the ideas. Unlike Descartes, Plato was not searching for a foundation, but rather a way to control "ungoverned luck in human life."[63] Descartes needed something to insure he was not being fooled in his search for knowledge that could not be doubted.[64] Both seemed to exhibit a fear of the world as it is experienced. This concern has led to the modern preoccupation that there is or must be some permanent, ahistorical matrix or framework to which we can ultimately appeal in determining the nature of rationality, truth, knowledge, reality, goodness or rightness.[65] This is what is meant by objectivism or synonymously, foundationalism.

The need to establish foundations in modern ethical theorizing has had enormous consequences for contemporary ethics. Moral foundations, however, are elusive; every attempt to establish a foundation for ethics has resulted in disappointment.

The desire for a foundation in ethics ignores Aristotle's distinction between *theoria* and *phronesis*. A foundation for ethics would, once and for all, determine our ethical predilections and would remove us from the world in which things can be other than they are. A foundation for ethics reflects Plato's flight from the world of human experience as well as the modern need for certainty that developed from Enlightenment thinkers. These ignore Aristotle's important claim that we are not the best things in the universe. Aristotle's division of the soul and its virtues depicts a

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Beyond Objectivism and Relativism: Science, Hermeneutics, and Praxis, Philadelphia, University of Pennsylvania Press, 1983, 284 pp., p.16.
[63] Nussbaum suggests that Platonic philosophy is rooted in the elimination of ungoverned contingency from social life. Martha C. Nussbaum, *The Fragility of Goodness: Luck and ethics in Greek tragedy and philosophy*, New York, Cambridge University Press, 1986, 544pp., p.87ff.

realm in which the best things in the universe reside. This is not, however, the realm of human action, which, because of its changing nature cannot be considered (by Aristotle) to be part of the best things which by definition (for Aristotle) must endure and remain unchanged. In order to understand ourselves and our actions, it is necessary to develop an approach which allows us to remain human and recognize the essential elements of human morality.

The search for a foundation for ethics relegates morality to a secondary status after ontology. First we are, then we are ethical. Bauman's postmodern ethics reverses this order in presenting the idea that morality has no foundation. As Bauman states, foundation or ground are both uncompromisingly ontological notions but it is difficult for us to think of an ethical being before being. He helps us think of this 'before' of morality with Emmanuel Lévinas' idea of "face to face." Lévinas writes:

> the irreducible and ultimate experience of relationship
> appears to me in fact to be elsewhere; not in synthesis,
> but in the face to face of humans, in sociality, in its
> moral signification. But it must be understood that
> morality comes not as a second layer, above an abstract
> reflection on the totality and its dangers; morality has
> an independent and preliminary range. First philosophy
> is an ethics (...).[66]

Modern ethics does not consider ethics as first philosophy, as is evidenced by the relentless search to ground ethics in a solid foundation. The refusal to give up the search for this foundation is what marks modern ethics.

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[64] In Descartes' writings, as Bernstein points out, we are never sure whether the foundation resides in God or the *cogito*.

[65] Bernstein, *Beyond Objectivism and Relativism*, p.8.

1.1.2.3 THE RIGHT AND THE GOOD

Normative ethics is a response to two important moral questions: what are my obligations? and how can I be happy? These are questions of the right and the good respectively. In answering these questions modern moral philosophy has been engaged with the development and justification of ethical theories.[67] There are questions about right and wrong, about duty or obligation, about moral laws or imperatives. There are also questions about goods or ends to be achieved, about happiness, about pleasure and pain. These two groups of questions have given rise to two main types of ethical theory, and these are distinguishable from each other by the emphasis they place on either the right or the good.

Deontological ethical theories are those which attempt to answer questions of the right, of obligation and duty. This is a "law-conception" of ethics. Words like 'should' and 'ought' acquire a special sense in terms of being bound or required to perform (or refrain from) certain actions. Originally, at least in the West, these human laws were authoritatively received as the will of God on Mount Sinai, but as ethics came to disassociate itself from religion, knowledge of these laws was gained

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[66] Emmanuel Lévinas, *Le temps et l'autre*, cited in Bauman, p.71.

[67] An ethical theory, says Bernard Williams, "is a theoretical account of what ethical thought and practice are, which account either implies a general test for the correctness of basic ethical beliefs and principles or else implies that there cannot be such a test." Williams, *Ethics and the Limits of Philosophy,* p.72; Williams seemingly opts for the first implication where a general test for the correctness of our moral intuitions is an important part of ethical theory. "[T]he aim of theory is not simply, or even primarily, to understand conflict. We have other ways, historical and sociological, of understanding it. The aim of theory is rather to resolve it, in the more radical sense that it should give some compelling reason to accept one intuition rather than another. The question we have to consider is: How can any ethical theory have the authority to do that." Williams, *Ethics and the Limits of Philosophy,* p.99.

through an intuitive act of reason, as categorical imperatives directly apprehended.[68]

Sir David Ross considered this option for ethics "the Hebrew ideal" based on the

reception of the law at Sinai.

Consequentialist ethical theories attempt to answer questions concerning the

ends and the consequences of human action. Consequentialism starts with thoughts

of certain things as good, and the good life is understood as the attempt to bring these

things into existence. Ross considered this "the Greek ideal" for ethics.

John Stuart Mill's *Utilitarianism* (1863) presents one kind of consequentialist

theory, whereas Immanuel Kant's *Groundwork* is the best-known example of a

deontological theory. From these theories, our contemporary preoccupations with

rights and with cost/benefit analyses have arisen.

Rights-based ethics are a version of Kantian deontology which begins from a

very abstract conception of rational agency. Instead of giving an account of a fully

developed life, this conception of ethics offers certain structural or formal features of

human relations that do not necessarily capture some of the finer nuances of human

life that may be important for ethical understanding.[69] Kant describes morality in

terms of laws laid down by practical reason where there are certain basic conditions

and presuppositions of rational action. Contemporary versions of Kantianism are

found in the writings of John Rawls,[70] Ronald Dworkin[71] and Alan Gewirth,[72] all of

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[68] William .D. Ross, *The Foundations of Ethics*, New York, Oxford University Press, 1949 (1939), p.3, 329pp.
[69] Williams, *Ethics and the Limits of Philosophy*, p.54.
[70] John Rawls, *A Theory of Justice*, Cambridge, Belknap Press of Harvard University Press, 1971, 607pp.
[71] Ronald M. Dworkin, *Taking Rights Seriously*, Cambridge, Harvard University Press, 1978 (1977), 371pp.
[72] Gewirth, *Reason and Morality*, 393pp.

whom are convinced of a supreme moral principle that human beings, by virtue of

their being rational agents, must accept.

After Kant, each of us is our own moral authority.[73] Recognizing the

autonomy of the moral agent makes evident that no external authority can provide

criteria for morality. This is heteronomy, where the agent is subject to an external

law alien to his or her rational natures. The rational being utters commands of

morality to him or herself. The moral law must be entirely unvarying; it is an

imperative which is categorical. From the specific ideas that make up Kantian ethics,

an understanding of the human subject is constructed.

Alan Gewirth's presentation of a moral theory in his *Reason and Morality*

provides a contemporary example of modern ethical theorizing.[74] His main thesis is

that

> every agent, by the fact of engaging in action, is
> logically committed to the acceptance of certain
> evaluative and deontic judgments and ultimately of a
> supreme moral principle, the Principle of Generic
> Consistency, which requires that he respect his
> recipients' necessary conditions of action.[75]

Gewirth's "Principle of Generic Consistency," his supreme moral principle, allows us

to distinguish between right and wrong, and provides a solid foundation from which

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[73] Alasdair MacIntyre, *A Short History of Ethics*, New York, The MacMillan Company, 1966, 280pp., p.195.
[74] Both MacIntyre and Williams believe that Gewirth's arguments fail. MacIntyre because Gewirth "has illicitly smuggled" a conception of rights into his argument (p.67); and Williams, because of the same general reasons that he feels that Kant's project failed. (see below, note 112)
[75] Gewirth, *Reason and Morality*, p. x.

to build our ethical edifice; without it we are doomed to a radical relativism where

chaos reigns. The justification of his argument is summed up as follows:

> Every agent must claim, at least implicitly, that he has
> rights to freedom and well-being for the sufficient
> reason that he is a prospective purposive agent. From
> the content of this claim it follows, by the principle of
> universalizability, that all prospective purposive agents
> have rights to freedom and well-being. If the agent
> denies this generalization, he contradicts himself. For
> he would be in the position of both affirming and
> denying that being a prospective purposive agent is a
> sufficient condition of having rights to freedom and
> well-being.[76]

This argument presents a rational justification for a nonrelativist foundation for

ethics, where a substantial normative principle is logically derived from the nature of

human action. Gewirth is on a "normative quest to ascertain the criterion for

distinguishing the morally right form the morally wrong."[77] This quest is for an

independent variable, a supreme moral principle which is more rational to accept than

any competing principle. According to Gewirth, without the justification of this

principle we cannot move beyond the arbitrariness and skepticism of a radical

relativism.

The rights to freedom and well-being are essential to Gewirth's argument. He

attempts to establish a categorical quality for his supreme moral rule based on the

universailizability of these rights. These rights allegedly belong to human beings as

such and as Dworkin points out, these rights cannot be demonstrated.[78] But

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[76] Gewirth, *Reason and Morality*, p.133.
[77] Gewirth, *Reason and Morality*, p.7.
[78] Dworkin, *Taking Rights Seriously*, p.81, cited in MacIntyre, *After Virtue*, p.70.

MacIntyre suggests that the claim of rights for humans qua human is fictitious and that the possession of rights presupposes the existence of a socially established set of rules. Rights are not therefore, universal features of the human condition and Gewirth's argument fails, according to MacIntyre, because he has smuggled in a concept which does not belong to the idea of a rational agent.[79]

Not only are human rights fictions, according to MacIntyre, but so is the competing ethical ideal of utility. The concept of utility was first devised by Jeremy Bentham in an effort to be able to calculate pleasure and pain. But after various expansions of this notion by John Stuart Mill and others, the calculation of utility became hopelessly complex. To thus appeal to utility to provide rational criteria for one choice over another is, like an appeal to certain rights, to resort to a fiction.[80]

Meta-ethics, although not wholly unconnected to normative ethics, is a different approach to understanding ethics, which poses different questions and expects different answers. I begin with emotivism.

Emotivism is the meta-ethical theory born in the early 20th century which suggests that ethical statements are nothing more than statements of preference, so that the statement "This is wrong" means "I disapprove of this, and so should you!" Emotivism is a theory about the meaning of ethical claims, which holds that there is no rational grounding of moral discourse possible and consequently, there is no agreement possible between holders of opposing ethical positions. As MacIntyre

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[79] MacIntyre. *After Virtue*, p.67.

[80] MacIntyre's criticism of modern ethics as relying on fictions seems to suggest that modern arguments are wrong and there is no basis in fact for constructing a rational ethical argument on either rights or utility. As we shall see below, these theories may be fictitious, but they are not necessarily false. These will be shown to be necessary fictions in that when theories are constructed stories are

states, "Emotivism asserts that there are and can be no valid rational justification for any claims that objective and impersonal moral standards exist and hence that there are no such standards."[81] In moral argument, he continues, the apparent assertion of an ethical principle functions as a mask for expressions of personal preferences.

The Enlightenment project of attempting to justify an objective criterion for morality failed, and its failure, MacIntyre writes, was recognized in the moral philosophy of Henry Sidgwick (1838-1900) who developed the most sensitive, sophisticated, and complicated account of utilitarianism in the 19th century.[82] After that, there remained no choice but to follow Sidgwick and G. E. Moore in denying a teleological framework for ethics.[83]

George Edward Moore (1873-1958) was a utilitarian, claiming that "right" meant productive of the greatest good, but what he is best known for is his "naturalistic fallacy." In his *Principia Ethica* (1903), Moore borrowed from Sidgwick the idea that our basic moral beliefs must be unargued, and by using the term "intuitions" referred to self-evident judgments concerning morality. Whereas Sidgwick portrayed this as a failure, Moore and his readers considered it a liberating discovery.[84] What they did not notice, says MacIntyre, was that by portraying moral

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told. One theory then tells the story of human having inalienable rights. Another theory tells a different story where maximizing utility takes centre stage.

[81] MacIntyre, *After Virtue*, p.19.

[82] Ross Harrison, "Sidgwick, Henry," *The Oxford Companion to Philosophy*, T. Honderich (ed.), 1995, 1009pp., p.826.

[83] MacIntyre, *After Virtue*, p.64. It is important to keep in mind the two understandings of teleology; one referring to the ends of human action, the goals and purposes of our choices; and the other referring to the ends, purpose or function of human qua human. It is this second, Aristotelian teleology that is denied.

[84] See Williams, *Ethics and the Limits of Philosophy*, p.128, for a proposal that the loss of a teleologically oriented world can be seen as a radical form of freedom.

beliefs as unarguable, they had been deprived of any ground for claims to objectivity.[85]

According to Moore, goodness is a nonnatural, simple quality that cannot be defined, and anyone who attempted a definition committed the naturalistic fallacy.[86] The doctrine of the naturalistic fallacy was understood as setting up two classes of expression, one evaluative in which nonnatural entities such as goodness were intuited, and nonevaluative expressions, such as mathematical truths and statements of fact. The naturalistic fallacy is committed with the attempt to define any term that belongs to one category in terms of the other. This separation assured that no reasons could be given for the truth of moral expressions. Moral predicates cannot be reduced to descriptive predicates. With the arrival of the logical positivists, only two species of significant propositions became accepted: empirically verifiable assertions of fact and tautologies. Ethical propositions were not of the former group but neither were they tautologies.

Charles L. Stevenson (1908-1979), a student of Moore, followed in the lines of the logical positivists but, wanting to maintain that ethical propositions were significant, put forward the most comprehensive exposition of the ethical theory called emotivism. He is the single most important exponent of this ethical theory, according to which the most distinctive feature of moral judgment is not to convey a

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[85] MacIntyre, *After Virtue*, p.65.
[86] Williams, *Ethics and the Limits of Philosophy*, p.121, comments on the 'naturalistic fallacy' : "It is hard to think of any other widely used phrase in the history of philosophy that is such a spectacular misnomer. In the first place, it is not clear why those criticized were committing a fallacy (which is a mistake in inference) as opposed to what in Moore's view was an error, or else simply redefining a word. More important, the phrase appropriated to a misconceived purpose the useful word "naturalism." A naturalistic view of ethics was previously contrasted with a supernaturalistic view, and it meant a view according to which ethics was understood in wordly terms, without reference to God or any transcendental authority."

belief but rather to indicate an attitude. Moral discourse then, does not convey information, but rather attempts to influence attitudes.[87] What makes a judgment moral, according to the emotivist, is that the terms both express and induce a favorable attitude. Ethical judgments do not indicate facts but rather create an influence. The characteristic feature of emotivist doctrine was to turn away from informative content of moral discourse and to locate the essence of moral discourse in its effects.

Different conclusions have been drawn about emotivism. "Disastrously wrong," writes one commentator. "Patently false," says another. The usefulness of Stevenson's moral theory is found, however, not in an understanding of the science of ethics, but rather, as a glimpse into mid-century moral sociology. Emotivism is false as a theory of the meaning of moral discourse, yet it is true as a theory about the way moral discourse is used. This comes clear when with the interminable moral debates. According to MacIntyre, modern moral discourse proceeds as if emotivism is true because moral statements have lost any reference to the traditions that had heretofore provided them with sense. It presupposes a foundation yet remains inarticulable on this foundation.

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[87] Warnock, *Contemporary Moral Problems*, p.23.

1.1.3 CRITICS

The necessity of a foundation for ethics developed from the triumph of the

Enlightenment, which itself grew from seeds sown with Cartesian doubt. But from

where does this necessity arise?

Reading Descartes' *Meditations* as a journey of the soul, says Bernstein,

shows us a "reflection on human finitude through which we gradually deepen our

understanding of what it really means to be limited, finite creatures who are

completely dependent on an all powerful, beneficent, perfect and infinite God." The

terrifying quality of this journey, continues Bernstein,

> is reflected in the allusions to madness, darkness, the
> dread of waking from a self-deceptive dream world, the
> fear of having "all of a sudden fallen into very deep
> water" where "I can neither make sure of setting my
> feet on the bottom, nor can I swim and so support
> myself on the surface," and the anxiety of imagining
> that I may be nothing more than a plaything of an all
> powerful evil demon.[88]

The idea of developing a foundation, based not on the external or supernatural but on

natural, human centered elements is an Enlightenment ideal that arose from

Descartes' desire to find a solid foundation for knowledge that could be safe from

doubt. The search for a foundation (both ethically and epistemologically) was not

simply based on the idea that there was a better, more rigorous way to pursue

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[88] Bernstein, *Beyond Objectivism and Relativism*, p.17.

philosophical questioning. Without these foundations, it was thought that life itself was at stake.

The modern ethics that grew out of this fear is not without its critics. This next section looks to certain criticisms of modern ethics.

1.1.3.1 MACINTYRE'S VIRTUE

MacIntyre's critique of modern moral theorizing begins with a science-fiction scenerio where, after a catastrophic disaster, the natural sciences no longer form a coherent body of knowledge. All that remains after this event are fragments:

> a knowledge of experiments detached from any
> knowledge of the theoretical context which gave them
> significance; parts of theories unrelated either to the
> other bits and pieces of theory which they possess or to
> experiment; instruments whose use has been forgotten;
> half chapters from books, single pages from articles, not
> always fully legible because torn and charred.
> Nonetheless all these fragments are reembodied in a set
> of practices which go under the revised names of
> physics, chemistry and biology.[89]

MacIntyre's thesis in *After Virtue* is that the disarray and confusion depicted in his scenario is actually the state of the language and practice of modern ethics. The problem is not only that modern moral debates are interminable, that they go on and on without end, nor is it only that there is a misunderstanding or confusion regarding our notions of reason. The problem is that the language of morality is no longer

intelligible, coherent, or rational – even though everybody thinks it is. Emotivism has become embodied in our culture, says MacIntyre; saying that something is good or right has come to mean little more than an expression of approval or disapproval. The truth claims of ethical statements have become questionable. This disarray in modern moral theorizing remains unacknowledged, as ethical theorists continue to shore up support for their positions as either consequentialists or deontologists.

MacIntyre points to three characteristics of contemporary moral debate which he takes as clues to the existence of a problem in modern ethical discourse.

First, there is no way of securing moral agreement. Modern moral debates have an interminable character and when rival conclusions are traced back to rival premises "we possess no rational way of weighing the claims of one as against another. For each premise employs some quite different normative or evaluative concept from the others, so that the claims made upon us are of quite different kinds."[90] There is no rational way of deciding between these different evaluative concepts. Consequently, there must be some non-rational decision that comes into play in adopting certain ethical positions. In itself, this characteristic of contemporary ethics would not be very significant, but combined with a second feature it suggests, at least for MacIntyre, that something is very wrong with contemporary moral discourse.

The second feature in this argument is the use of evaluative expressions. Modern moral discussion uses argumentation that purports to be impersonal and rational but, says MacIntyre, this is really a masquerade. The distinctive function of

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[89] MacIntyre, *After Virtue*, p.1.
[90] MacIntyre, *After Virtue*, p.8.

the use of evaluative expressions is to embody what purports to be an appeal to objective standards.[91] The masquerade of objective standards is wide-spread and this meta-ethical stance is assumed by those engaged in moral conflict. The assertion and counter-assertion of ethical principles that is typical of modern moral debate masquerades for expressions of personal preferences of ethical principles defended by the participants in the debate. This is the claim of emotivism.

A third feature is the wide and heterogeneous variety of moral sources that we have inherited. Reference to Aristotle, Locke, Kant, Pascal and others may reflect a moral pluralism about which we proudly speak. However, for MacIntyre, this cacophony raises his suspicion that "all those concepts which inform our moral discourse were originally at home in larger totalities of theory and practice in which they enjoyed a role and function supplied by the contexts of which they have now been deprived."[92] This last feature points to the importance of traditions in informing the contexts of the moral theories. These traditions were deemed unimportant and even considered a hindrance by Enlightenment thinkers who attempted to ground morality in an objective foundation available to any rational mind. In releasing himself "from his self-incurred tutelage," Man would ultimately make sure that moral utterances lose their imperativity.[93]

MacIntyre points to Nietzsche as the first moral philosopher of the modern era to see the confusion in modern moral discourse; that morality could be based on

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[91] MacIntyre, *After Virtue*, p.9.

[92] MacIntyre, *After Virtue*, p.10.

[93] Kant begins his essay "What is Enlightenment" as follows: "Enlightenment is man's release from his self-incurred tutelage. Tutelage is man's inability to make use of his understanding without direction from another. Self-incurred is this tutelage when its cause lies not in lack of reason but in lack of resolution and courage to use it without direction from another. *Sapere aude!* (Dare to know) "Have

neither inner moral sentiments, suggested by the Utilitarians, nor on an objective

universality such as Kant's categorical imperative.[94] Nietzsche portrayed moral

discourse as expressions of a subjective will to power. MacIntyre sums up

Nietzsche's argument stating that

> if there is nothing to morality but expressions of will,
> my morality can only be what my will creates. There
> can be no place for such fictions as natural rights,
> utility, the greatest happiness of the greatest number. I
> myself must now bring into existence 'new tables of
> what is good'. 'We, however, want to become those we
> are -- human beings who are new, unique,
> incomparable, who give themselves laws, who create
> themselves' (The Gay Science p.266).[*sic*] The rational
> and rationally justified autonomous moral subject of the
> eighteenth century is a fiction, an illusion (...).[95]

By making Nietzsche the hero of modern morality, MacIntyre leads us to

believe that we must accept Nietzsche's "frivolous solutions" if the only alternative

turns out to be moral philosophy of the Enlightenment and their contemporary

successors. Happily, MacIntyre saves us by suggesting a third alternative; a revival

of Aristotelian virtue ethics. Nietzsche saw the failure of the Enlightenment project

and if we accept MacIntyre's reasoning, our choice for morality is not one system

rather than another, but the choice between morality versus no morality.[96] By framing

the question for morality as a choice between Nietzsche and the Enlightenment

thinkers, as a choice between nihilism and rationalism, MacIntyre expresses a form

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courage to use your own reason!" -- that is the motto of enlightenment." Immanuel Kant, *Foundations of the Metaphysics of Morals*, trans. L.W. Beck, Indianapolis, Bobbs-Merrill Co., 1959, 92pp., p.85.
[94] MacIntyre, *After Virtue*, p.113.
[95] MacIntyre, *After Virtue*, p.114.
[96] Bernstein, *Beyond Objectivism and Relativism*, p.118.

of the Cartesian Anxiety. By reviving Aristotelian ethics, MacIntyre attempts to salvage what he sees as the disaster that is modern ethics.

According to MacIntyre, the Enlightenment project of objectively grounding moral discourse failed, and as such, all the moral traditions that have been presented as contenders for this ground, exist for us as ideas without context. The moral traditions we have inherited have been reduced to mere simulacra and come to us in a tattered state. The attempt to ground moral discourse objectively continues to fail as the search for a rational foundation still preoccupies thinkers to our day. Morality has been deprived both of its teleological character and of its categorical character as a result of the attempt by Enlightenment thinkers to free the moral agent from hierarchy and teleology so that individuals may be seen as sovereign in their moral authority.[97] If a rational basis for this sovereignty cannot be found, then moral choices will seem to be mere subjective will and individual desire, an option many modern theorists find unacceptable.

This second alternative, that moral choices are merely subjective will and desire, is also unacceptable to MacIntyre. This leads him to form a response to the question of modern morality in terms of a choice between Aristotle and Nietzsche. Given MacIntyre's disdain for the Nietzschean will to power as a response to the question of ethics, a revival of Aristotelien virtue ethics guides MacIntyre's response to the problems found in modern ethical theorizing. MacIntyre finds the roots of this choice in the failure of the Enlightenment's attempt at grounding morality in an objective, rational framework.

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[97] MacIntyre, *After Virtue*, p.62.

In his attempt to revive an Aristotelian virtue ethics, MacIntyre locates the goods for human life, not in the idea of what it is to be human, but rather in the practices in which humans are actively engaged. The conception of "goods internal to practices" is an essential part of Macintyre's theory, and he suggests it functions in a similar way as did teleology in the Aristotelian scheme. His primary intention is to provide a rational vindication of the moral tradition in which the teachings of Aristotle's conception of the virtues is central. By practice, MacIntyre means

> any coherent and complex form of socially established cooperative human activity through which the goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, as systematically extended.[98]

Social context holds an important role in MacIntyre's thesis. Every moral philosophy presupposes a sociology, he says, and it is this element of ethics that is an important, if neglected aspect of moral theorizing. Every social context presents examples of the characters that are deemed important to fulfill specific functions or roles in day to day living. MacIntyre presents the bureaucratic manager and the therapist as two examples of his characters as these exemplify the virtues that are inherent in specific practices. The virtues function only in social relationships[99] and MacIntyre defines virtue as

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[98] MacIntyre, *After Virtue*, p.187.
[99] MacIntyre, *After Virtue*, p.205.

an acquired human quality the possession of which
tends to enable us to achieve those goods which are
internal to practices and the lack of which effectively
prevents us from achieving any such goods.[100]

By locating virtues in human practices, embodied in characters and social

institutions we find teleology without having to resort to Aristotle's metaphysical

biology.[101] We do not have to rely on the idea of an essential function for humankind

and in fact we cannot because Aristotelian teleology has been purged by hundreds of

years of rationalism. Our practices end up providing us with an on-going, ever fluid

functional aspect. The goods internal to these practices, and the virtues required for

the attainment of them, become a function of our lives and the meanings we supply to

give our lives a unity. According to MacIntyre, it is the concept of narrative that

allows us to speak of the unity of a life and to return to the idea of virtue for ethics

after modernity.[102]

1.1.3.2 WILLIAMS' LIMITS

Bernard Williams' *Ethics and the Limits of Philosophy* (1985) concerns the

current state of moral philosophy. Modern ethical thought is damaged, says

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[100] MacIntyre, *After Virtue*, p.191.
[101] Richard Bernstein criticizes MacIntyre for not sufficiently making the connection between virtue
and truth. And for not coming up with a sufficient understanding of the notion of *telos* for modernity.
Any conception of the virtues, writes Bernstein (underscoring MacIntyre's fundamental point),
"*necessarily* makes a claim to truth -- to truth about what we really are, what are our ends, and what is
the essential moral character of the universe in which we live." But I think that Bernstein's criticism
distracts us from the importance of MacIntyre's theory. Bernstein, p.120.

Williams, and conceptions of it are distorted. The fundamental aim of moral

philosophy is to arrive at answers to ethical questions, but the answers that he is after

have less to do with maximizing pleasures or with dutiful acts than with the Socratic

question concerning how one should live. In attempting to answer this question,

western philosophy has come up with a variety of responses, none of which,

according to Williams, can adequately confront the Socratic query.

He begins with a discussion of foundations and concludes that the two most

important attempts in the history of moral philosophy at grounding ethics, the theories

of both Aristotle and Immanuel Kant, cannot today be accepted.

For Aristotle, pursuing a certain kind of life or becoming of a certain kind of

person is the reason for ethics. This is the goal that Aristotle called *eudaimonia*,

which Williams translates as well-being. The ethical is concerned with the desire to

do various virtuous things that constitute living a life of well-being.[103] The concept of

eudaimonia plays an important role in Aristotle's theory, and along with well-being,

it means also happiness, and to flourish, to make a success of life. *Eudaimonia* in

Aristotle's work is the *telos* of humans. It is an activity of the soul which is in

conformity with virtue because virtues are the excellences of human character and the

proper function is aligned with the best of what human being is.

There is, however, confusion regarding Aristotle's concept of *eudaimonia*.

And there seems to be a certain amount of indecision between two accounts of

eudaimonia in the *Nicomachean Ethics*. The first is called the intellectualist account

where *eudaimonia* is an activity concerned with theoretical knowledge or

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[102]MacIntyre is using the idea of narrative with an ontological slant. It is the narrative unity in our lives
that allows the virtues to speak to us.

contemplation.[104] The second, called the comprehensive account involves the full

range of human life in action. This view, writes Thomas Nagel, connects *eudaimonia*

with the conception of human nature as composite, that is, as involving the interaction

of reason, emotion, perception, and action as an ensouled body.[105]

The first account is presented in Book 10 of the *Nicomachean Ethics*, chapters

6-8, where Aristotle defends the view that *eudaimonia* is identical with the activity of

the best part of human being, the theoretical intellect.[106] These passages, which have

a great affinity with some Platonic dialogues, are, as Martha Nussbaum suggests,

oddly out of place with respect to the rest of the *Nicomachean Ethics* as it is the

comprehensive account of *eudaimonia* is that Aristotle presents in great lengths.

In the comprehensive account, contemplation is at odds with *eudaimonia* in

the practical world. It is not the theoretical intellect that is important, but rather the

practical intellect which will help us attain the good life that is attainable.

Irrespective of this scholarly debate, Williams has his own perspective and

understands Aristotle's teleology as being concerned with the well-being of

individuals, and that it is essential to his ethics that "all the excellences of character

had to fit together in a harmonious self."[107] Williams suggests that Aristotle wasn't

very successful in showing that these highest developments of human nature helped

to answer the Socratic question. Even though Aristotle states in the *Ethics* that the

purpose is not theoretical knowledge but practical advice about becoming good,

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[103] Williams, *Ethics and the Limits of Philosophy*, p.49.
[104] Aristotle, *Nicomachean Ethics*, 1177a17.
[105] Thomas Nagel, "Aristotle on Eudaimonia," in *Essays on Aristotle's Ethics*, A.O. Rorty, (ed.), Berekely, University of California Press, 1980, 438pp., pp.7-14.
[106] Nussbaum, *The Fragility of Goodness*, p.375.
[107] Williams, *Ethics and the Limits of Philosophy*, p.43.

Aristotelian ethical theory cannot answer the modern question of moral philosophy as Williams frames it: The fundamental aim must be to arrive at the answers to ethical questions in terms of how to live and what to do.[108] Williams gives various reasons for this, not the least of which is Aristotle's understanding of the universe, which is very different from our own. The closest we have to Aristotle's metaphysical teleology is evolutionary biology and this theory is not at all concerned with the well-being of individuals. As Williams states,

> Aristotle saw a certain kind of ethical, cultural, and indeed political life as a harmonious culmination of human potentialities, recoverable from an absolute understanding of nature. We have no reason to believe in that.[109]

Even though Aristotelian ethics is not concerned specifically with foundations as we understand them in post-Enlightenment times, Williams uses this sense of foundations in discussing Aristotle's ethics. He shows that although Aristotle's ethics may appear to provide us with a foundation based on well-being, our distance from the Aristotelian universe and its concomitant meanings makes it impossible.

Kant developed a different foundation for ethics. As Williams states,

> Instead of giving an account of a fully developed life, [Kant's project] offers certain structural or formal features of ethical relations. Instead of relying on a specific teleology of human nature, it starts from an abstract conception of rational agency.[110]

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[108] Williams, *Ethics and the Limits of Philosophy*, p.171.
[109] Williams, *Ethics and the Limits of Philosophy*, p.52.
[110] Williams, *Ethics and the Limits of Philosophy*, p.54.

This conception of morality provides an idea of the self as one that is outside of time and causality. The 'noumenal' self is Kant's particular metaphysical conception of the moral agent and is essential to his ethical theory. Ethical requirements arise from the idea of rational freedom that is understood in the Kantian scheme as the rational agent's detached conception of himself as being able to impartially make rules that will harmonize the interests of all rational agents.

The problem that Williams finds in the foundation provided by Kantian ethics is that the rational freedom necessary to Kant's argument seemingly applies to both theoretical or factual deliberation and practical deliberation.[111] This is unacceptable to Williams as practical deliberation necessarily involves a very specific subject, namely, the subject who is deliberating. Deliberating for action cannot involve a subject that can be replaced by anyone. Factual deliberation is not essentially first-personal and the subject can be replaced as it is detached from any particular instantiation, where practical deliberation is not. This Kantian foundation rests on a mistake, according to Williams, in that it equates reflection and detachment.[112]

Williams then goes on to discuss certain other modern ethical theories such as utilitarianism and contractualism and prescriptivism. An ethical theory is defined as a theoretical account of what ethical thought and practice are,[113] whose aim is to resolve conflict[114] and to help us construct a world that will be our world, one in which we

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[111] Williams, *Ethics and the Limits of Philosophy*, p.66.
[112] Williams, *Ethics and the Limits of Philosophy*, p.69.
[113] Williams, *Ethics and the Limits of Philosophy*, p.72.
[114] Williams, *Ethics and the Limits of Philosophy*, p.99.

have a social, cultural, and personal life.[115] All of these theories tend to start from one aspect of ethical experience, says Williams, and this aspect is belief or what was once called moral intuitions.[116] Part of the aim of ethical theory is to give compelling reasons to accept one intuition rather than another and objectivism would give us reasons for this choice. However, Williams rejects the objectivist view of ethical life[117] which might provide the basis for choosing one set of intuitions over another.

Modern ethical theorizing is a reductive enterprise, says Williams, which has no justification.[118] Reducing all of morality to either *the right* or *the good*, as the two main modern ethical theories would have it, rests on an assumption about rationality that is utterly baseless. This assumption is that two considerations cannot be rationally weighed against each other unless they share some common element. Williams suggests that perhaps we need as many concepts to describe the subject matter of ethics as we find we need and that moral philosophy engages in this kind of unblinking reductive activity for no other reason than it always has.

1.1.4 CONCLUDING REMARKS

How can we understand ethical theorizing? Bernard Williams and Alasdair MacIntyre show us what is wrong with modern moral philosophy and yet their positive projects remain incomplete. They both show us that there was a time when a common solid foundation based on specific elements of human nature was the hope

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[115] Williams, *Ethics and the Limits of Philosophy*, p.111.
[116] Williams, *Ethics and the Limits of Philosophy*, p.93.
[117] Williams, *Ethics and the Limits of Philosophy*, p.152.
[118] Williams, *Ethics and the Limits of Philosophy*, p.17.

for the science of ethics. Discovering one all-encompassing theory to explain our moral judgments and to be sure that those judgments were correct, both express an idea of ethics that can no longer be supported. The Enlightenment ideal of ethical theory champions the idea of individuals coming to ethical conclusions through the bright light of reason. A specific conception of reason has contributed to the denial of the importance of traditions in adopting ethical theories, but ethical theory cannot exist without reference to a tradition. The ideals of progress and certainty, suggested by the application of this understanding of reason, have come to be integral to the natural sciences, but have been found to be less and less applicable to the human sciences, and especially wrong in the human science of ethics. As Hilary Putnam states, "[a]lthough the encyclopedists and others were quick to generalize the notion of progress from science to political institutions and morality, that generalization has appeared as dubious to the twentieth century as it appeared evident to the nineteenth."[119]

But rather than adopting the strategy of the theorists who claim that modern moral philosophy is wrong or misguided or "patently false," I wish to take a more accepting approach. Ethical theories provide us with answers for that which we seek. By adopting certain premises, certain conclusions are bound to follow.

Modern ethics engages the search for that one ethical theory that will allow us to predict the morality of actions. No modern theory has been successful, but rather than belabor this problem, my purpose is to move to the meta-ethical claim that specific understandings of the subject are presented with moral theorizing, and in fact

[119] Hilary Putman, "The Impact of Science," in *Reason, Truth and History*, New York, Cambridge University Press, 1981, 222pp., p.176.

with any theorizing at all. With its search for foundations and universalizable principles for ethics, modern moral philosophy constitutes a certain subjectivity that brings into being an ethical self.

Ethical judgments were once understood as arising from a religious tradition that supplied the reason for a particular judgment. Then ethical judgments were thought to be the result of following an imperative that decreed categorically, and later ethical judgments became the result of a complex calculation of our happiness. Ethical theories evolve with the human subjects that hold to them, and human subjects evolve with their ethical theories.

The purpose of my project is to become aware of this evolution and it is through the concept of narrative that the awareness of fluidity of ethical subjectivity will be made manifest. It is to this concept that I now turn.

CHAPTER 2: NARRATIVE

1.2.0 INTRODUCTION

Narrative is an expansive term. It is one that conjures up associations of fiction and the telling of tales. Narrative is linked with discourse, with recounting events often beginning with "Once upon a time" and "There was this one guy." Sometimes they end with "and they lived happily ever-after." Other times they end with a blinded king and a hanged Queen, like the story of Oedipus and Jocasta. But regardless of their beginnings and their endings, stories are an essential part of human experience and the source of much of our knowledge. Stories always have been and always will be an important part of our lives and the role that they play in the pursuit of human understanding is just beginning to be recognized.

"There are countless forms of narrative in the world," writes Roland Barthes in his important article on the subject of narrative, and then poses the question: "Are we to infer from such universality that narrative is insignificant?"[120] The fact that this concept is being used with more and more frequency in many different domains of theorizing suggests that the answer is no.

Narrative is used in such diverse fields as literature, psychotherapy, medicine, theology, history and anthropology, and in each domain there is the belief that stories, in one form or another, hold an important place in certain kinds of theorizing. This is central to the concept of narrative and each domain brings its own complement of implications and prejudgments that shapes the various disciplines to produce meaning

in a different way. The concept of narrative then undergoes further re-interpretation.

Narrative is associated with many different kinds of meaning from many different

perspectives on the human experience. The previous chapter had alluded to two uses

of the concept of narrative. The first was Bruner's narrative mode of thought and the

second was MacIntyre's narrative unity of a human life. This chapter is an attempt to

present the concept of narrative in more detail, to clarify it for the purposes of this

project, and to situate my use of the concept of narrative among the myriad uses.

The many different discussions of the concept of narrative prohibit the

development of an exhaustive narrative theory. There is no one narrative theory,

although some have suggested that narrative be considered as a candidate for *the*

method for the human sciences.[121] The many theorists who use the concept of

narrative do not always agree on how it ought to be understood. Because of the

varied projects that exist, not all theorists describe this concept in the same manner.[122]

However, those that use this concept do agree on its importance. As one author

states, we are essentially story-telling and story-listening animals, *homo narrans*.[123]

"Narrativity is a constitutive feature of human existence," says another, "We narrate,

therefore we are (*narrare ergo sum*). And as narrating beings we make our way

about the world by speaking and listening, reading and writing."[124] And, in one of the

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[120] Roland Barthes, "An Introduction to the Structural Analysis of Narrative," *New Literary History*, 6,2(Winter 1975):237-272, p.237.

[121] See for example Donald E. Polkinghorne, *Narrative Knowing and the Human Sciences*, Albany, State University of New York Press, 1988, 232pp., and Walter R. Fisher, *Human Communication as Narration: Toward a Philosophy of Reason, Value and Action,* Columbia, South Carolina, University of South Carolina Press, 1987, 201pp.

[122] See Martin Kreiswirth, "Trusting the Tale: The Narrativist Turn in the Human Sciences," *New Literary History*, 23(1992):629-657, p. 629.

[123] Walter R. Fisher, *Human Communication as Narration*, p xi.

[124] Calvin O. Schrag, "Interpretation, Narrative, and Rationality," *Phenomenological Research*, 21(1991):104.

most often cited quotation by supporters of narrative: "We dream in narrative, day-dream in narrative, remember, anticipate, hope, despair, believe, doubt, plan, revise, criticize, construct, gossip, learn, hate and love by narrative."[125] One exhaustive theory of narrative is neither possible or desirable. The range of narrative's usefulness is wide; some authors claim that their use of the concept of narrative constitutes a new paradigm for theorizing while others are content to import narrative concepts into their writings as useful heuristic devices.

Stanley Hauerwas and L. Gregory Jones present an example of this range in the collection of articles in *Why Narrative?* They explain their "why?" as having a double meaning. First, their selection of articles answers this question because they were chosen to illuminate the significance of the concept of narrative. Hauerwas and Jones write in their introduction that the category of narrative has been used in many different ways: to explain human action, to articulate the structures of human consciousness, the depict the identity of agents, to explain strategies of reading, to justify a view of the importance of "story-telling," to account for the historical development of traditions, to provide an alternative to foundationalist and/or other scientific epistemologies, and to develop a means for imposing order on what is otherwise chaos.[126] The second meaning is the skeptical "why?" they explain, depicting the tensions and divergences among the selections in their collection. Narrative is many things to many different theorists.

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[125] Barbara Hardy, "Towards a Poetics of Fiction: An Approach Through Narrative," *Novel*, 2(1968):5-14, cited in MacIntyre, p.211.
[126] Stanley Hauerwas and L. Gregory Jones, "Introduction: Why Narrative?" *Why Narrative?* Hauerwas, S. and Jones, L.G., (eds.), Grand Rapids, Eerdmans, 1989, p.2.

My dissertation does not explore in depth the entire range of the concept of narrative. Rather I structure my presentation in terms of ethics, epistemology and ontology to show how and why the concept of narrative is important to this project.

I first look to a survey of how the concept of narrative has entered the theorizing of ethics and medicine. Second, I show how the concept of narrative has been applied to understanding human reason and third, I discuss how narrative has been used to understand the self. This present chapter shows how ethics, epistemology, and ontology are all connected through narrative, and the consequences this connection has for ethical theorizing guides this dissertation.

1.2.1 NARRATIVE ETHICS

Literary studies is the first discipline which has developed various intersections where ethics and literary narratives have come together. Important works in this genre are Wayne Booth's *The Company We Keep: An Ethics of Fiction*,[127] J. Hillis Miller's *The Ethics of Reading*,[128] Northrop Frye's *Anatomy of Criticism*,[129] and Adam Z. Newton's *Narrative Ethics*.[130] In most of these investigations a "conjunctive dynamic" between narrative *and* ethics is what obtains, and the narrative form functions as a vehicle for substantive ethical content.[131]

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[127] Wayne C. Booth, *The Company We Keep: an ethics of fiction*, Berkeley, University of California Press, 1988, 557 pp.
[128] Joseph Hillis Miller, *The Ethics of Reading: Kant, de Man, Eliot, Trollope, James, and Benjamin*, New York, Columbia University Press, 1987, 138 pp.
[129] Northrop Frye, *Anatomy of Criticism: four essays*, Princeton, Princeton University Press, 1957, 383pp.
[130] Adam Z. Newton, *Narrative Ethics*, Cambridge, Harvard University Press, 1995, 335pp.
[131] Newton, *Narrative Ethics*, p. 9.

This is only one way of understanding narrative ethics. As Newton writes, "[n]arrative ethics can [also] be construed in two directions at once—as attributing to narrative discourse some kind of ethical status and as referring to the way ethical discourse often depends on narrative structures."[132] Newton differs from the other authors mentioned above in that rather than understanding narrative ethics as an ethics of narrative (in terms of reading, fiction or criticism) he proposes narrative *as* ethics. This implies that there are ethical consequences of narrating a story and of fictionalizing persons. There are, Newton continues, reciprocal claims that bind the teller, listener, witness, and reader in a process that can only be defined as ethical.[133] Newton argues that the relationship between narrative and ethics is a defining property of prose fiction.

Wayne Booth describes his understanding of ethical criticism. "Who we are, who we will be tomorrow depends on some act of criticism, whether by ourselves or by those who determine what stories will come our way – criticisms wise or foolish, deliberate or spontaneous, conscious or unconscious (…)."[134]

A literary narrative is ethical because the act of reading brings about three events within the reader that have been described by a "phenomenology of reading."[135] These are, as Martha Montello presents them, departure, performance and change. First, a story will draw its readers into a narrative world. The reader departs from the empirical world and is immersed in the world of the story. Second, the reader must adapt to the conditions of the narrative world and adopt a role

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[132] Newton, *Narrative Ethics*, p. 8.
[133] Newton, *Narrative Ethics*, p.11.
[134] Booth, *The Company We Keep*, p. 484.

suggested by the tale. Finally, the reader is changed as a result of that role. Montello

cites recent research in "object-relations theory" where it is suggested that "the act of

reading offers the opportunity to re-form the self."[136]   Literature, writes Montello,

> extends the reader's psychic map of the external world
> to take in unfamiliar territory, to include new
> environments, cultures, values, and behaviors. In
> addition, it reveals hidden primary values that have
> been repressed or ignored and brings them to the
> surface for conscious reflection.[137]

Martha Nussbaum, in her 1990 collection of essays *Love's Knowledge*,

explores this connection between literature and ethics. Nussbaum states that she

wants to study an analogy put forward by Henry James, that the work of the moral

imagination is similar to the work of the creative imagination. Nussbaum clarifies

this analogy between ethics and art by proposing to study "why this conception of

moral attention and moral vision finds in novels its most appropriate articulation.

More: why, according to this conception, the novel is itself a moral achievement, and

the well-lived life is a work of literary art."[138] I will return to the idea of the ethical

self as a work of art below, but for now I want only to emphasize the importance of

narrative for ethics. Because the narrative form can capture the important particular

details better than conventional philosophical exposition, it is better suited, indeed

[135] Martha Montello, "Medical Stories: Narrative and phenomenological approaches," *Meta Medical Ethics*, M.A. Grodin (ed.), The Netherlands, Kluwer Academic Publishers, 1995, pp.109-123.
[136] Montello, "Medical Stories: Narrative and phenomenological approaches," p.118.
[137] Montello, "Medical Stories: Narrative and phenomenological approaches," p.118.
[138] Martha Nussbaum, "'Finely Aware and Richly Responsible': Literature and the Moral Imagination," in *Love's Knowledge*, New York, Oxford University Press, 1990, p.148.

"superior in rationality and in the relevant sort of precision"[139] for moral philosophy. What Nussbaum has in mind is how best to articulate an Aristotelian conception of ethics, which is the basis of this claim of superiority.

Aristotle's *Ethics* serves as a paradigm of an approach that tries to base ethics on considerations of well-being and a life worth living. With his distinction between two halves of the rational part of the soul, Aristotle warns about the inappropriateness of expecting too much from each of these intellectual virtues when they are applied to a domain of questioning out of its jurisdiction.

It is worthy to note that Aristotle uses the example of the practice of medicine in his *Ethics* to help explain his notion of the importance of particulars for ethical deliberation. For example, when Aristotle tells us that we can only demand of a discussion what the subject matter permits, that we cannot get the kind of precision in ethics that theoretical sciences can achieve, he refers to medicine as one of the practical sciences where "the agent must consider on each different occasion what the situation demands."[140] Aristotle was one of the first philosophers to recognize this "unscientific" character of medical practice and he frequently used medicine in support of his argument that ethics involves a specific kind of rationality.[141] When discussing deliberation, Aristotle again uses medicine as an example. A physician will *deliberate* on the means of treating a patient,[142] but there will be no deliberation

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[139] Nussbaum, "Preface," *Love's Knowledge*, p. ix.
[140] Aristotle. *Nicomachean Ethics*, 1104a1-a10.
[141] Aristotle talks about how we can only speak in outlines about health and not exactly because each person that is healthy or ill, is with respect to that particular situation. There is no fixed data in manners concerning action and questions of what is beneficial, any more than there are in matters of health. 1104a4
[142] Aristotle, *Nicomachean Ethics*, 1112b4.

on the ends of medicine, which is to care for the patient.[143] We deliberate only on

things that are in our power or done through our own agency. Deliberation is the

domain of *phronesis*, an it is the narrative form that best articulates this domain.

It is perhaps on the basis of the superiority of the narrative form that the

connection between narrative and ethics has found its way into the medical school

curriculum, under the auspices of literature-and-medicine.

1.2.1.1 LITERATURE-AND-MEDICINE

The practice of medicine has shown a growing interest in the conjunction of

these two seemingly disparate disciplines. The beginning of this conjunction, in

terms of a unique discipline, has been dated at 1972 with the first full-time

appointment of a teacher of literature-and-medicine, Joanne Trautmann at the

Hershey Medical Center at Pennsylvania State University.[144] By 1998, 74% of

medical schools in the United States taught literature and medicine.[145] As Rita

Charon suggests, the relationship between these two fields predates Trautmann's

presence as there has been an enduring connection between them. This connection,

however, has been masked by technological interventions that moved medical

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[143] I recognize that the goals of medicine are occasionally the source of ethical problems when, for example, the goal of curing needs to change to the goal of caring for a terminal patient. Aristotle's point however is still valid in that this deliberation about the goal of medicine is deliberation only when applied to a particular patient.

[144] Anne Hudson Jones, "Reflections, Projections, and the Future of Literature-and-Medicine," in *Literature and Medicine: A Claim for a Discipline*, D. Wear, M. Kohn, S. Stocker [eds.], McLean, Virginia, Society for Health and Human Values, 1987, 147pp., pp.29-40. The hyphenated literature-and-medicine, according to Jones, represents the disciplinary field rather than a simple conjunction.

[145] *Association of American Medical Colleges, Curriculum Directory*, 1998-1999, Washington, D.C., AAMC, 1998, cited in Rita Charon, "Literature and Medicine: origins and destinies," *Academic Medicine*, 75,1(2000):24.

practice from a narrative and personal activity to a technical and impersonal one.[146]

That the end of the twentieth century has shown a growing acceptance of narrative in

the practice of medicine attests to the importance of this concept, and those engaged

in developing the discipline of literature-and-medicine want to return the concept of

narrative to its place of primacy.

In 1982 the first volume of *Literature and Medicine* was published, setting

forth the "professionalization of literature and medicine." The introductory volume

of this journal was subtitled "Toward a New Discipline," and the contributing authors

speculated on the directions that this emerging discipline might have taken.[147]

At it beginnings, the field of literature-and-medicine was for the most part

concerned with the uses of literature in medical education, seen as a way of

sensitizing medical students and enlarging their experiences.[148] Pedagogical concerns

directed many of the essays in the first volume of the journal, some authors writing

that literature may improve resilience of physicians (and medical students) and the

quality of attention given to patients. In medicine, the concern with narrative had

been primarily pedagogical, not only as a way of sensitizing medical students for their

future roles as care givers, but also as contributing to teaching a way that a practicing

physician may gain a better understanding of his or her patient.

The second aspect of the new discipline, as Kathryn Hunter writes in a tenth

anniversary retrospective, is not very much different from what might be found in

many literary publications. It is medicine's contribution to literature. The various

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[146] Charon, "Literature and Medicine: origins and destinies," p.24.
[147] Kathryn Montgomery Hunter, "Toward the Cultural Interpretation of Medicine." *Literature and Medicine,* 10(1991):1
[148] Hunter, "Toward the Cultural Interpretation of Medicine," p.2.

discussions on literature which is about medicine had become vast subsequent to this

initial presentation. The journal itself has contributed to the development of this

direction with pathographies, representations of healers, re-readings of disease and

illness, and other Doctor stories.

In her "The Professionalization of Literature and Medicine," Joanne

Trautmann (now Banks) lists four stages in the development of the new discipline:

identity, methods, standards, and progeny. In this 1984 article, Trautmann Banks

wrote that she need not concern herself with speculation on future off-spring. The

progeny will take care of themselves, she said and 15 years later, at least in terms of

the discipline, many important progeny of literature-and-medicine have developed, all

of which emphasize, at least implicitly, the concept of narrative. It is narrative, as

Suzanne Poirier writes, that is the glue that holds medicine and literature together.[149]

In a 1999 article, when Anne Hudson Jones delineates the contributions of

narrative to medical ethics, she shows five distinct progeny of literature-and-

medicine. These applications of narrative derive from two main categories: what

narratives say (the content) and how narratives are told (the form).[150] I will adopt this

delineation to structure the field of literature-and-medicine, and it is within this

structure that I place my own adventures with narrative.

The content of narratives is the first category that Jones presents, which

includes three separate developments. These are stories as cases, stories as moral

guides, and stories as witness. The second category concerns the form of narrative,

and Jones designates here, two developments: "narrative approaches to medical

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[149] Suzanne Poirier, "Toward a Reciprocity of Systems," *Literature and Medicine*, 10(1991):69.

ethics" and "narrative ethics" itself. Some of these developments have been collected under the banner of "the legacy of the handmaiden."[151] This is Tod Chambers' designation, and by it he means the way narrative has been adopted by the field of bioethics, not as something important in its own right, but as a mere aid to philosophical theory. Chambers wants to show, as do I, how some central features of ethics can be critiqued with narrative concepts.[152]

"Stories as cases" is perhaps the earliest development in the realm of narrative and ethics. Literary narratives are used to help put ethical principles in a context to show what a real conflict between say, the principle of beneficence and the principle of autonomy could look like. Using stories helps to punctuate ethical theory, which has led some to consider narrative in this sense as the appropriate form of moral discourse. Thomas H. Murray discusses how moral philosophers typically tell stories when writing about ethics. [153] They do not normally put forward axioms, definitions and theorems, says Murray, but rather they present the "philosopher's hypothetical" to help make a particular point. Judith Jarvis Thompson's violinist is an example of this genre of narrative as moral discourse. While the philosopher's cases may be considered "too thinly rendered," when compared to literary narratives, both forms serve theoretical philosophy.[154]

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[150] Anne Hudson Jones, "Narrative in Medical Ethics," *British Medical Journal*, 318(January 23, 1999):253-256.
[151] Tod Chambers, *The Fiction of Bioethics*, New York, Routledge, 1999, 207pp., p.1.
[152] Chambers, *The Fiction of Bioethics*, p.3. Chambers uses literary theory to perform this critique whereas I will deploy a method based on the theorizing of Michel Foucault, and presented in detail in Part 3 below.
[153] Thomas H. Murray, "What do we mean by 'Narrative Ethics'?" in *Stories and Their Limits: Narrative approaches to bioethics*, H. Lindemann Nelson (ed.), New York, Routledge, 1997, 284pp., pp.3-17, p.6.
[154] Chambers, *The Fiction of Bioethics*, p.1.

"Stories as moral guides" is the next development and here literature acts as teacher for a guide to living a good life. Robert Coles was one of the earliest practitioners to heed the "call of stories" and to discuss their importance in the moral development of medical students.[155] Rita Charon is another practitioner whose work in narrative, at least part of it, can belong to this category.[156] Charon coins the term "narrative medicine" to signify medicine that is "practiced with the narrative competence to recognize, interpret, and be moved to action by the predicaments of others." This confers a certain understanding of medical practice that is not otherwise available.[157] Charon lists five genres of narrative medicine to show how narrative competence may be obtained through narrative writing. These five are: Medical fiction, lay exposition, medical autobiography, stories from practice, and writing exercises from medical training. The flourishing of narrative medicine is a result, suggests Charon, of practitioners needing an outlet for reflection on commitments to patients, as medical practice has speeded up, becoming relentlessly specialized, over-technologized, and market-driven.[158]

"Stories as witness" is another way that narrative content is used. Jones refers to the way that certain narratives have a powerful effect on public discourse. She points out how autobiographical accounts from patients exert an influence on the behavior of physicians and institutions. She also remarks that narratives of witness, sometimes written by practitioners, have compelled a second and third look at

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[155] Robert Coles, "Medical Ethics and Living a Life," *The New England Journal of Medicine*, 301,8(August 23, 1979):444-446. Also R. Coles, *The Call of Stories: Teaching and the moral imagination*, Boston, Houghton Mifflin Company, 1989, 212pp.

[156] Jones places Rita Charon in a different category, but because Charon's interest in narrative is varied, more than one category may be necessary for theorists who resist simple categorization.

contentious public issues such as physician assisted suicide and euthanasia. The theme of "illness narratives" comes under this element, which is describing and writing about illness from the perspectives of the ill. Jones doesn't mention this theme as such, although she does include some of these authors under narrative ethics. Illness narratives are important witnesses to a mode of bring that would otherwise remain hidden. The psychiatrist Arthur Kleinman states that the interpretation of illness narratives is a core task of doctoring:

> Illness narratives edify us about how life problems are created, controlled, made meaningful. They also tell us about the way cultural values and social relations shape how we perceive and monitor, label and characterize bodily symptoms, interpret complaints in the particular context of our life situation; we express our distress through bodily idioms that are both peculiar to distinctive cultural worlds and constrained by our shared human condition.[159]

Kleinman's work addresses the psychological and social aspects of chronic illness, especially the experience of illness among patients in China and in North America. Kleinman states that the modern medical care system contributes to the alienation of the chronically ill from their practitioners, as this system does "just about everything" to drive the practitioner's attention away from the experience of illness. Attending to the narratives of this experience is one way to redirect attention.

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[157] Rita Charon, "Narrative Medicine: Form, Function, and Ethics," *Annals of Internal Medicine*, 134, 1(2001):83.
[158] Charon, "Narrative Medicine: Form, Function, and Ethics," p.86.
[159] Arthur Kleinman, *The Illness Narratives*, Basic Books, 1988, 284pp., p.xiii.

Arthur Frank is a medical sociologist who has written about his own illness

experiences and has provided an insight into the patient's story of their sickness. Ill

people are wounded storytellers, writes Frank, to help shift a dominant conception of

illness from passivity to activity.[160] Another example is neurologist Oliver Sacks who

presents his own experiences in *A Leg to Stand On.* Fictional accounts such as

Tolstoy's *The Death of Ivan Illych* and Kafka's *The Metamorphoses,* can function as

stories of witness as well.

Turning to the second category, how narratives are told, Jones delineates this

area into two: "narrative approaches to medical ethics" and "narrative ethics" itself.

Presenting the first element, Jones here refers to Charon who, in a 1994 article,

discusses specifically how methods of literary criticism and narrative methods are

used to help doctors and ethicists examine their ethical practices.[161] Charon discusses

four stages of ethical deliberation based on narrative elements that, if accomplished,

leads to narrative competence. The four stages are recognition, formulation,

interpretation, and validation.[162]

For this category Jones also recognizes the work of Chambers, mentioned

earlier, who examines "the inherent values biases in the ways that ethicists construct

their cases." Chambers' book was published later in the same year as Jones' article

and it develops in more detail the constructive idea that Jones points to. Chambers

concludes that "when ethicists write cases, they are rhetorically imposing a world

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[160] Arthur W. Frank, *The Wounded Storyteller: body, illness, and ethics,* Chicago, The University of Chicago Press, 1995, 213pp, p.xi.
[161] Anne Hudson Jones, "Narrative in Medical Ethics," p.255-256.
[162] Rita Charon, "Narrative Contributions to Medical Ethics: recognition, formulation, interpretation, and validation in the practice of the ethicist," *A Matter of Principles: Ferment in U.S. bioethics*, R.P. Hamel, E.R. Dubose and L.J. O'Connell, (eds.) Valley Forge, Trinity Press, 1994, 381pp., pp.260-238.

upon us, a world that excludes as well as includes those particularities that allow us to make the best possible moral decisions."[163] Chambers' monograph is a call to careful reading of the cases that are chosen by ethicists to illustrate a philosophical point. Cases are the data for bioethics, and while ethicists often emphasize that they are using "real" cases as opposed to the hypothetical examples that moral philosophers construct, Chambers shows that "real" cases are equally constructed. Chambers uses literary concepts such as context, plot and character, to show how "real" cases are narratively presented, usually with very specific reasons in mind. The false dichotomy of the moral philosopher's hypothetical and the ethicist's presentation of "real" cases is exposed as both construct a world for their readers.

Narrative ethics is the last offspring from literature-and-medicine that Jones refers to in her article. In its beginnings narrative ethics focused on the relationship between doctor and patient and with the stories exchanged between them. Howard Brody presents one of the earliest formulations of what may be called narrative ethics in his *Stories of Sickness.*[164] Clarifying the stories told between doctors and patients has been an important part of (clinical) bioethics and this focus allows the observation of the interpretive nature of clinical medicine. This fosters an understanding of the clinical encounter where physicians are open both to the stories of their patients, and to the stories they themselves create when they provide an explanation of their patient's illness.

Another example of narrative bioethics comes from Sally Gadow who develops the concept of a relational narrative as an ethical approach to nursing

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[163] Chambers, *The Fiction of Bioethics*, p.177-178.
[164] Howard Brody, *Stories of Sickness*, New Haven, Yale University Press, 1987.

practice.[165] Here the nurse and patient together construct a narrative account of the

goals to be sought. With respect to women's health care Gadow shows how certain

social, medical and ethical narratives, structure women's experiences by defining how

women ought to experience their body. Gadow writes:

> The parallel [of the medical narrative] with the social
> narrative of women's embodiment is obvious. In both
> stories embodiment is lived as a contingent relation to
> an object. The social narrative concludes at the point of
> complete objectification, either by the other or by the
> self. The science narrative begins at that point, with the
> elimination of subjectivity. Science consummates the
> social narrative.[166]

Gadow suggests an alternate "relational" narrative to replace the existing

narratives, told "in a general voice," which according to Gadow have negative

consequences. "Rape and anorexia are logical conclusions of a narrative in which

embodiment is socially defined and subjectively lived as vulnerability."[167]

Professor Jones' organization of the narrative field captures the variety and

diversity of the developments of the literature-and-medicine domain by many

different narrative scholars. My project fits into this organization with minimal

adjustments to Jones' characterization. Building on Chambers' idea that ethical

narratives "are rhetorically imposing a world," my project takes this idea one step

further and depicts what happens to the subject after that world is imposed. Both

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[165] Sally Gadow, "Whose Body? Whose Story? The Question about narrative in women's health care," Soundings, 77,3-4(1994): 295-307; Sally Gadow, "Narrative and exploration: toward a poetics of knowledge in nursing," *Nursing Inquiry*, 2(1995):211-214.
[166] Gadow, "Whose Body? Whose Story?" p.299.
[167] Gadow, "Whose Body? Whose Story?" p.298.

Chambers' work and my own deal with the significance and meaning of moral claims. Chambers' conclusion that worlds are imposed upon us with bioethics' "real" cases, as they are with the moral philosopher's hypothetical cases, and my claim that a subject reassesses its self as a result of an imposed narrative, are both concerned with meta-ethical questions and the significance of moral 'data'. As such, a new category of meta-narrative-ethics is proposed.

Confusions understanding the relationship between narrative and ethics arise when *phronesis* is forgotten. Ethics is narrative because the subjects of ethical discourse must attend to the particulars of the story with all its characters and plot twists and messiness that encompasses the interpretive world of human experience. There is a hermeneutical relationship between ethics and narrative, which revolves around the axis of the subject, who is never left unchanged. Different conceptions of the subject will arise with different kinds of theorizing, and by accepting this assumption, we acknowledge responsibility for adopting an ethical theory. Moral subjects become the authors of their ethical lives. By focusing attention on the subject's participation in the creation of meaning for ethical selves, the importance of narrative's place in this creative process is securely established.

I will be following the claim that narrative is ethics, and just as there are ethical consequences of narrating a story, as there are ethical consequences of presenting ethical cases, there are also ethical consequences of engaging an ethical debate. These consequences are not confined to the ethical positions being debated. These are of course the subject matter of ethics, but the ethical consequences of

ethical debate of interest here reside in how the debate on reproductive technology in Canada contributes to the constitution of the contemporary subject.

1.2.2. NARRATIVE AND EPISTEMOLOGY

Kathryn Montgomery Hunter is another important literature-and-medicine scholar who has observed and taught in medical schools since the 1970s. She presents the idea that medical epistemology is thoroughly narrative. The medical "case" is the basic unit of discourse for clinical knowledge, writes Hunter, and the "case" is organized narratively.[168] This is not widely acknowledged because science remains medicine's "gold standard."[169] Medicine's reluctance to identify with its humanistic side had led medical education to proceed as if it was only a science "and not a social enterprise subject to cultural and emotional variants."[170] Hunter comments that while medicine identifies itself as a science -- an identification driven by advances in medical technologies and the "knowledge explosion" in human biology -- medicine is not a science as science is commonly understood. It is not, she continues,

> an invariant and predictive account of the physical world. Medicine's goal is to alleviate present suffering. Although it draws on the principles of the biological sciences and owes much of its success to their application, medicine is (as it always has been) a

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[168] Kathryn M. Hunter, *Doctors' Stories: the narrative structure of medical knowledge*, Princeton, Princeton University Press, 1991, 197pp., p.51.
[169] Kathryn M. Hunter, "Narrative, Literature, and the Clinical Exercise of Practical Reason," *The Journal of Medicine and Philosophy*, 21(1996);303-320; p.303.
[170] Hunter, *Doctors' Stories*, p.151.

practical body of knowledge brought to bear on the understanding and treatment of particular cases. We seek more from a visit to our doctor than the classification of our malady. We want our condition to be understood and treated.[171]

From case histories to grand rounds, telling stories is the way that medical students learn their craft and the way that health care professionals continue to hone their skills. Medical knowledge is structured narratively. Physicians learn the problems of their patients by taking 'histories' that are re-interpreted in light of the knowledge they possess, to be then retold to the patient. Medicine has always been a profession that relies heavily on narrative and there is important scholarship that has helped to illuminate the growing interest in this approach to medical epistemology.[172]

The development of a narrative epistemology builds support for an alternative to the hegemonic methods of the natural sciences. The scientific method was first conceived and presented by Bacon and Newton and Gallileo. The method was considered to be attractive enough to be considered as applicable to all realms of human inquiry and was later propounded by supporters of positivism. Certain responses to this positivistic generalization in epistemology have made use of the concept of narrative.

The place of narrative in our theoretical lives is less formalized than the hegemonic methods of inquiry and in fact, formalism is one parameter that is

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[171] Hunter, *Doctors' Stories*, p.xviii.
[172] See for example, Suzanne Poirier and Daniel J. Brauner, "Ethics and the Daily Language of Medical Discourse," *Hastings Center Report*, 18,4(1988):5-9; Rita Charon, "To Render the Lives of Patients," *Literature and Medicine* 5(1986):58-74; S.L. Daniel, "The Patient as Text: A Model of Clinical Hermeneutics" *Theoretical Medicine*, 7(1986):195-210; L. Eisenberg, "The Physician as Interpreter: Ascribing Meaning to the Illness Experience," Comprehensive Psychiatry 22(1981):239-248.

inappropriate for the narrative mode of thought. As mentioned earlier, Jerome

Bruner has called these hegemonic methods the paradigmatic or logico-scientific

mode of cognitive functioning,[173] and is a mode of thinking that is well known in our

world. As Bruner writes,

> it deals in general causes, and in their establishment,
> and makes use of procedures to assure verifiable
> reference and to test for empirical truth. Its language is
> regulated by requirements of consistency and non-
> contradiction. Its domain is defined not only by
> observation to which basic statements relate, but also
> by the set of possible worlds that can be logically
> generated and tested against observables—that is, it is
> driven by principled hypotheses.[174]

The narrative mode of human cognition is less known, but is no less an important

mode of human understanding. It leads, says Bruner, to good stories,

> to gripping drama, believable (though not necessarily
> "true") historical accounts. It deals in human or
> human-like intention and action and the vicissitudes
> and consequences that mark their course. It strives to
> put its timeless miracles into the particulars of
> experience, and to locate the experience in time and
> place.[175]

Narrative, as a mode of human cognition, is guided by a different set of

criteria and it remains a mistake to deny the importance of either of these modes. It is

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[173] Jerome Bruner, "Two Modes of Thought," *Actual Minds, Possible Worlds*, Cambridge, Harvard University Press, 1986, 201pp., pp.11-43, p.12.
[174] Bruner, "Two Modes of Thought," p.13.
[175] Bruner, "Two Modes of Thought," p.13.

important however to distinguish which mode is more appropriate in which domain of inquiry. There is an ever-increasing number of disciplines that have championed narrative to show the importance of a mode of thinking that is different from what the paradigmatic mode of cognition suggests. As an alternative to this latter mode and to the scientism that it seemingly promotes, the use of narrative has been considered the mode of theorizing appropriate to the human sciences.

In distinguishing these two modes of thought, Bruner writes that the narrative mode is not interested in truth but rather with telling a story. In the process of telling a story, the reader is enlisted in what is called "the performance of meaning." Bruner uses the word "subjectification" to show the reader depicts reality "through the consciousness of the protagonist in the story."[176] For Bruner, subjectification is one element of discourse which, along with two others (multiple perspective and presupposition), "subjunctifies reality" which means to be put into a certain mood where we are said to be "trafficking in human possibilities rather than settled certainties."[177] Of the two modes of thought that Bruner presents, the narrative mode leaves the subject open to both error and possibility, and as such, is the most appropriate mode for thinking about human action.

Stanley Hauerwas and David Burell develop the idea of narrative rationality in their important article, "From System to Story: An Alternative Pattern for Rationality

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[176] The word will be used below as a translation for Michel Foucault's *assujettisement*, to focus, not on the idea that a reader depicts reality in a certain way, as with Bruner's meaning, but rather to show how the reader is changed by that depiction.

[177] Bruner, "Two Modes of Thought," p. 26.

in Ethics."[178] They present a narrative rationality by contrasting it with what they call the "standard account," which is a mode of thinking that holds to certain Enlightenment ideals like foundationalism and certainty. By presenting an alternative, these authors suggest that we get a clearer picture: the "standard account" of rationality distorts the nature of moral life, they say, in three ways. First, it conceives ethics as 'problems to be solved' and as it focuses on the hard decisions, it does not deal with the formation of the moral self. Second, the standard account conceives moral notions as describing our actions and does not take into consideration how language actually forms our moral ideas. Third, it makes alienation a central feature of morality. The modern distinction between reason and desire denies our interests and passions and requires us to view our lives from the outside, as disinterested parties. It also alienates us from our past with the attempt at an ahistorical truth for ethics.

There are three essential elements for a narrative rationality and these are: the formation of character, the importance of language and the need for authenticity rather than alienation. By emphasizing a narrative understanding of rationality Hauerwas and Burrell depict the role that human actors play in the creation of meaning for their lives and consequently, in the development of ethical character (and characters). A narrative rationality also acknowledges that the institutions in our society also function as creators of meaning, as meaning is not created *ex nihilo*. With this recognition, the focus is shifted from the *choices* wsithin ethical lives to the

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[178] Stanley Hauerwas and David Burrell, "From System to Story: An Alternative Pattern for Rationality in Ethics," in *Why Narrative?* S. Hauerwas and L.G. Jones, (eds.), Grand Rapids, Eerdmans, 1989, 365pp., pp.158-190.

contexts in which these choices are made. With the context exposed the directions of ethical positions is illuminated.

1.2.3 NARRATIVE AND ONTOLOGY

It is in this section that I will lay the groundwork for my particular conception of ontological narrativity. By this concept I mean to represent an aspect of any narrative that affects the subject in a way that requires it to reassess its self in the terms set forth by the narrative. Ontological narrativity calls attention to the active relationship between subjectivity and narrative.

There are many volumes on the connections between the self and its stories,[179] and narrative psychology is one discipline in particular that has developed with the understanding of the "storied nature of human conduct."[180] In the form of autobiographies, narratives have long been used as windows into the psychology of the human self and its surrounding social conditions. Telling one's story has always been important to the social sciences, but the emphasis has recently changed. Previously it was the event told rather than the telling itself that commanded the attention of the researcher, and the storied lives of people were used to punctuate the analyses of poverty or of oppression or any other social situation. Narratives were read as objective descriptions of the event being researched. Thus here, as in ethics, narrative assumed the role of handmaiden to psychological theory. This changed

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[179] See for example V.W. Hevern, *Narrative psychology: Internet and resource guide* [Online]. Syracuse, NY, Author. (1999, February), Available: <http://maple.lemoyne.edu/~hevern/narpsych.html>

with the renewed interest in narrative in the social sciences and, with the interpretive

turn in these sciences, understanding the connection between the self and its stories

had changed.[181]

In a volume called *Storied Lives*, editors Rosenwald and Ochberg enumerate

the developments that are considered sources of a renewed interest in narrative.

These range from the loss of faith in both the empiricist program of theory and the

hypothesis testing in these sciences to a new hermeneutic self-consciousness in the

humanities which ushered in post-objectivist epistemologies. These and other

developments made it impossible to theorize events without looking into background

assumptions, which led to investigating the human experience with novel approaches.

Psychoanalysis has been described as the art of eliciting autobiographies from

people and helping them to rewrite them, through recovery of omitted episodes and

clarifications of connections, so that the patient can accept and live comfortably with

the resultant story.[182] Psychological essentialism is a conception of the inner

workings of the human psyche that includes the idea of an essential self. that is. This

conception is beginning to be challenged, and is eroding according to Kenneth J.

Gergen. As such "we are witnessing a progressive emptying of the self—a loss in the

credibility of subjectivity, agency, the 'I' at the center of being."[183] Gergen blames

certain technologies that are designed to increase the presence of others. "Mediated

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[180] *Narrative Psychology: the storied nature of human conduct,* T.R. Sabin, (ed.), New York, Praeger Publishers, 1986, 303pp.

[181] Paul Rabinow, William Sullivan, *Interpretive Social Science*, Berkeley, University of California Press, 1979, cited in George C. Rosenwald, Richard L. Ochberg, "Introduction: Life stories, cultural politics, and self-understanding," *Storied Lives: The cultural politics of self-understanding*, George C. Rosenwald, Richard L. Ochberg (eds.), New Haven, Yale University Press, 1992, 301pp, pp.1-17, p.2.

[182] Wallace Martin, *Recent Theories in Narrative*, Ithaca, Cornell University Press, 1986, 242pp., p.77.

communication," according to Gergen, is expanding and consequently obliterating the conditions necessary for sustaining the belief in an interior self. But perhaps the idea of an enduring static self is an idea whose time has come and gone. Whatever the reason, psychological essentialism is becoming less and less tenable, and as the idea of an essential self fades, the idea of a constructed self steps in to fill the gaps.

Using the concept of narrative with its feature of ontological narrativity plays an important role in understanding that a self is constructed rather than discovered. A narrative understanding of the self allows an understanding of life stories as more than a recital of events. It shows the organization of experience.[184]

Ontological narrativity is an important concept for this project. Positing the connection between narrative and ontology is the attempt to illuminate how cultural stories – meta-narratives – influence the constitution of the subject. This understanding is different from the definition of "macronarrative" suggested by Kenneth and Mary Gergen in their article "Narrative and the Self as Relationship." Macronarratives refer "to those events spanning broad periods of time, while micronarratives relate events within a brief duration."[185] The meta-narratives that I have in mind are like Jean-François Lyotard's *grands recits*, as presented in his *The Postmodern Condition* (1979). While this project does not deny that certain meta-narratives have lost the ability to legitimate contemporary knowledge,[186] I believe

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[183] Kenneth J. Gergen, "Technology and the Self: From the essential to the sublime," in *Constructing the Self in a Mediated World*, D. Grodin and T.R. Lindlof (eds.), London, Sage Publications Ltd., 1996, 228pp., pp.127-140, p.128.
[184] Gergen, "Technology and the Self," p.8.
[185] Kenneth J. Gergen and Mary M. Gergen, "Narrative and the Self as Relationship," in *Refiguring Self and Psychology*, K. J. Gergen (ed.), Brookfield, Vermont, Dartmouth Publishing Company, 1993, 267pp., pp.201-240, p.218.
[186] Lyotard writes: "By metanarratives or grand narratives, I mean precisely narrations with a legitimating function." *The Postmodern Explained*, trans. M. Thomas, Minneapolis, University of

that meta-narratives are necessary for the creation of meaning and the concomitant constitution of the subject. This thesis concerns the narratives that are the voices of the debate and I will refrain from labeling them as specific Lyotardian meta-narratives as they do contribute a legitimating function which influences the subject. The foucauldian monument is the chosen designation for these cultural stories.

Narratives are an integral part of our lives and referring to ontological narrativity brings out the fundamental nature of this relationship. As Peter Brooks writes in *Reading for the Plot* (1984):

> Our lives are ceaselessly intertwined with narrative,
> with the stories that we tell and hear told, those we
> dream or imagine or would like to tell, all of which are
> reworked in that story of our own lives that we narrate
> to ourselves in an episodic, sometimes semiconscious,
> but virtually uninterrupted monologue. We live
> immersed in narrative, recounting and reassessing the
> meaning of our past actions, anticipating the outcome
> of our future projects, situating ourselves at the
> intersection of several stories not yet completed.[187]

In addressing the question of the self, the use of narrative has become more and more common in recent years. While the study of life stories has existed for many years in psychology, sociology and anthropology, the contemporary fascination with narrative has changed the landscape in which the subject is theorized.[188]

Minnesota Press, 1992, [*Le Postmoderne expliqué aux enfants*, 1986] 141pp., p.19. The postmodern condition is the loss of faith in any or all of the metanarratives, such as the Christian narrative, the Marxist narrative, the Enlightenment narrative, the Capitalist narrative, etc., and the altered state of knowledge that this loss of faith brings.

[187] Peter Brooks, *Reading for the Plot: Design and intention in narrative*, Cambridge, Harvard University Press, 1984, 363pp., p.3.

[188] Bill Buford, "The Seduction of Storytelling: Why is narrative suddenly so popular?" *The New Yorker*, (June 24 & July 1, 1996):11-13.

Paul Ricoeur is another theorist who uses narrative in exploring human experience. As he states,

> Our own existence cannot be separated from the
> account we can give of ourselves. It is in telling our
> own stories that we give ourselves an identity. We
> recognize ourselves in the stories that we tell about
> ourselves. It makes very little difference whether these
> stories are true or false, fiction as well as verifiable
> history provides us with an identity.[189]

Ricoeur's main concern with narrative resides in its connection with time. His basic hypothesis, as presented in *Time and Narrative* (1984), is that there is a necessary correlation between the activity of narrating a story and the temporal character of human experience.[190] Speculation on time remains inconclusive, says Ricoeur, as long as narrative is prevented from responding. His argument relies on the constructing of a mediation between time and narrative and he accomplishes this by "demonstrating emplotment's mediating role in the mimetic process."[191]

I will not be delving onto the details of Ricoeur's work as the breadth of this thinker's *œuvre* prohibits any simple encapsulation. Suffice it to say that his analysis of time using narrative has evolved from his use of descriptive phenomenology in discussing the essential structures underlying human freedom to an interpretation of

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[189] Paul Ricoeur, "History as Narrative and Practice," *Philosophy Today*, (Fall 1985), p.214, cited in Anthony Paul Kerby, *Narrative and the Self*, Bloomington, Indiana University Press, 1991, 141pp., pp.40-41.
[190] Paul Ricoeur, *Time and Narrative*, vol 1, trans., McLaughlin, K., Pellauer, D., Chicago, University of Chicago Press, 1984, 274pp., p.52.
[191] Ricoeur, *Time and Narrative*, vol 1, pp.53-54.

what people have said about their experiences to his never-completed project of a

philosophy of will.[192]

Charles Taylor builds on the contemporary interest in narrative in his *Sources*

of the Self. This work is about the richness and complexity of the modern identity.

His focus is on agency and identity and his book attempts to define this modern

identity. Taylor reveals these sources of the modern self by making explicit how self-

understanding developed out of earlier pictures of human identity. Identity is not

something given, he says, and shows two ways in which the self exists only in

relation to certain others:

> I am a self only in relation to certain interlocutors: in
> one way in relation to those conversation partners who
> were essential to my achieving self-definition; in
> another in relation to those who are now crucial to my
> continuous grasp of languages of self-
> understanding—and of course, these classes may
> overlap. A self exists only within what I call 'webs of
> interlocution'.[193]

Taylor does not develop the concept of narrative in his work but sees the narrative

constitution of the self as an "inescapable structural requirement of human agency."[194]

His underlying thesis is that because we cannot but orient ourselves to the good (and

thus determine our place relative to it and hence the direction of our lives), we must

inescapably understand our lives in narrative form.[195] Taylor's work is an apologia

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[192] David Pellauer, "Recounting Narrative," forward to *Paul Ricoeur and Narrative: Context and constestation*, Joy, M., (ed.), Calgary, University of Calgary Press, 1997, 232pp., pp. ix-xxiii.
[193] Taylor, *Sources of the Self*, p.37.
[194] Taylor, *Sources of the Self*, p.51.
[195] Taylor, *Sources of the Self*, p.51-52.

for modernity; it is an attempt to capture "the unique combination of greatness and danger, of *grandeur et misère,* which characterizes the modern age."[196]

Addressing narrative in understanding the human subject allows theorists to confront important features of the human experience. One of these features is the idea that self-understanding proceeds on a narrative basis. This is the conclusion of a study by Gergen and Gergen who state that narratives are socially derived, socially sustained and require interdependency, that is the support of others in the social sphere.[197] An interesting observation they make is that narratives of the self are not fundamentally possessions of the individual but rather products of social interchange.[198]

Anthony Kerby develops this idea of in his presentation *Narrative and the Self* (1991). Drawing on Emile Benveniste's *Problems in General Linguistics,* Kerby sketches a view of the self where language takes centre stage, especially in the form of narration.[199] He presents the idea of the "implied subject," a subject that is the result of discursive praxis rather than either a substantial entity having ontological priority over praxis or a self with epistemological priority, an originator of meaning.[200] Kerby offers a model of the human subject that takes acts of self-narration not only as descriptive of the self but as fundamental to the emergence and reality of that subject.[201] He admits that these positions cannot be refuted, due to their

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[196] Taylor, *Sources of the Self,* p.x.
[197] Gergen and Gergen, "Narrative and the Self as Relationship," p.224.
[198] Gergen and Gergen, "Narrative and the Self as Relationship," p.202.
[199] Kerby, *Narrative and the Self,* Bloomington, Indiana University Press, 1991, 141pp., p.67.
[200] Kerby, *Narrative and the Self,* p.4.
[201] Kerby, *Narrative and the Self,* p.4.

speculative nature, but suggests that more fruitful descriptions and explanations of the self are available with these assumptions.

Kerby discusses a form of narrating that is a sort of moral imperative. In the telling of a story, we are immediately involved in generating the value of a certain state of affairs and in judging its worth. Kerby calls upon George Santayana's important notion of the "moral imagination" to show that values are very much indigenous to a story and to the way that events are related to each other in that narrative.[202] Taylor also makes this connection in distinguishing traditional theories of the self (like the disembodied soul of Descartes and the pure rational being of Kant) from an understanding of the self where values are essential to self-identity. Valuing is not something that the subject does, it is something that the subject is.

Stanley Hauerwas has been considered one of the most provocative Christian narrative ethicists.[203] His work is well known in the realm of theological ethics and public policy debate in the United States. In his *A Community of Character* (1981), he states that the capacity to be virtuous depends on the existence of communities which have been formed by narratives faithful to the character of reality.[204] By this he means that we cannot be indifferent to social circumstance when discussing the concept of virtue. He suggests however that the plurality of communities with which we participate presents various accounts of what it is to be virtuous. This is the

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[202] Kerby, *Narrative and the Self*, p.55.
[203] Paul D. Simmons, "The Narrative Ethics of Stanley Hauerwas: A question of method," in *Secular Bioethics in Theological Perspective*, E.E. Shelp (ed.), Boston, Kluwer Academic Publishers, 1996, 224pp., pp.159-177, p.159.
[204] Stanley Hauerwas, *A Community of Character*, Notre Dame, University of Notre Dame Press, 1981, 298pp., p.116.

reason for the "moral power of traditional professions" like law and medicine, both of

which serve as modern analogs to the ancient schools of virtue.[205]

The narrative quality of virtue is essential to Hauerwas' theorizing. One of

the indispensable functions of narrative he says "is to express or address the belief

structure of an individual or a community's life."[206] Narrative allows us to address

character and permits the exploration into how certain stories shape specific

characters in certain ways. Hauerwas is specifically concerned with the Christian

story and how certain narrative examples provide direction for the moral development

of Christians. He does allow that that language of character might well be useful to

most accounts of moral development.[207]

1.2.4 CONCLUDING REMARKS

With Hauerwas' statement that the formation of character is an essential

element for a narrative rationality, I have come full circle. Ethics, epistemology and

ontology are brought together in the subject of a narrative. To keep this circle a

dynamic one, ontological narrativity was suggested as a way to recognize that

discourse contributes to the development of the self. Through the narratives that

surround the subject and make up its the context, meaning is presented for its self-

understandings. Ontological narrativity names the power of a narrative in terms of

the way a specific discourse presents a way of being, and I will speak of the

ontological narrativity of the voices in the Canadian debate on RT. The connection

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[205] Hauerwas, *A Community of Character*, p.126.
[206] Hauerwas, *A Community of Character*, p. 36

between the subject and narrative is essential to this project and ontological

narrativity makes this connection explicit.

Narrative, in the sense to be used through out this investigation, reflects more

than unimportant fictions. Narratives will be understood as social practices within

social contexts rather than just stories; indeed, narratives are to be understood as part

of the constitution of their own context.[208] Thus narratives are not simply reflections

of historical events. They are rather social acts performed within specific contexts,

and these acts organize their meanings and consequences.[209] This means that

different kinds of narratives will organize meaning in different kinds of ways and that

the consequences for both the context and meaning itself will vary with different

kinds of narratives.

The excursion through the concept of narrative by way of ethics, epistemology

and ontology, arrives at a crossroads where each of these combine and interpenetrate

the others. I have shown that this concept can be both varied and precise. It has an

important ethical significance as a tool for moral reflection. It has important

epistemological significance because it illuminates undervalued elements of human

cognition. It also has important ontological significance because in the transmission

of information and knowledge, stories influence conceptions of the subject. It also

has ethical significance at a more profound level. Specific ways of knowing come

with implicit assumptions about the subject and by giving voice to these largely

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[207] Hauerwas, *A Community of Character*, p.132

[208] Patrick Ewick and Susan S. Silbey, "Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative," *Law and Society Review*, 29;2(1995):197-226, p.211.

[209] Ewick and Silbey, "Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative," p. 205.

unarticulated assumptions, the self is required to consider and reconsider its self in light of these ideas. This is meta-narrative-ethics.

With respect to the debate on reproductive technologies, I will look at the voices as if they are telling stories and not merely recounting ethical positions. That is, I assume that the words presented by the participants in the debate are endowed with moral meaning in the sense that they suggest to us certain ways of being and hence of self constitution. I will investigate these meanings as the narrativity of each particular voice. I turn now to Part 2 of this thesis: the methodological development of this theory of meta-narrative-ethics.

PART TWO – THE METHOD

METHODOLOGICAL CONSIDERATIONS FOR THE DEVELOPMENT OF
A THEORY OF META-NARRATIVE-ETHICS
BASED ON THE THEORIZING OF MICHEL FOUCAULT

2.0   INTRODUCTION

In developing a theory of meta-narrative-ethics it must first be noted that what

is to be expected from traditional ethical theorizing undergoes an important revision.

Meta-ethics, traditionally understood, is concerned with the significance or meaning

of making an ethical claim, and not with normative questions of right and wrong. In

terms of the cognitivist/noncognitivist characterization of traditional meta-ethics, the

former would bestow upon a moral claim the classification of truth or falsity, or, for

the latter, the recognition that a moral claim is an expression of attitude or a

command. Meta-narrative-ethics relocates the significance of a moral claim from the

claim itself to the subject that engages the claim. The value of a moral claim lies not

in what it represents, but rather in what it does to the subject. A moral claim is

always part of a larger discourse called, in foucauldian terms, a monument.

Ethics itself is monumental. The systems and theories of ethics that have been

constructed are not just historical documents. They are monuments erected as

homage to human knowledge, and different epochs create different monuments. The

first specific monument of concern here is that of modern ethics. It is one that has

been created by centuries of thought and has been constructed by way of two key

ideas: univeralism and foundationalism. By calling modern ethics a monument, I am

following certain suggestions from the works of Michel Foucault. One of these

suggestions is the idea that when we enter into a realm of theorizing, the subject never leaves unaffected. This idea forms the point of departure for this project that ethical discourse has important repercussions for the subject, and these repercussions must be illuminated to understand ethics in the twenty-first century.

The previous chapter depicted a method of ethics in which a passive idea of the subject obtains. The monument that is modern ethics shows a subject who is ultimately at the mercy of either duties and obligations or utilitarian calculations. It suggests that subjectivity is to be discovered at the depths of our being, and regards a subject as untouched by its relationships in the world, called the "deep self" by Taylor.[210] My project constructs a different way of knowing the subject.

Foucault uses the term *monument* to focus attention on his unique way of doing history. As part of his archaeological method, the monument stands, not as silent inert traces of past civilizations but as a testament to four important consequences. The first is the proliferation of discontinuities, the second is the recognition of this discontinuity and its elevation in terms of importance, third, the idea of a total history disappears and fourth, the acknowledgment that there are methodological problems to doing traditional history.

Traditional history takes as its evidence documents and transforms them into monuments, whereas Foucauldian history or archaeology works in the opposite direction. It transforms monuments into discourse; that is, it takes those inert silent structures and presents them as living conversations. Archaeology does not work to

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[210] Charles Taylor, "Foucault on Freedom and Truth," in *Foucault: A Critical Reader*, D.C.Hoy (ed.), New York, Basil Blackwell, 1986, 246pp., pp.69-102, p.99.

solidify discourse into an historical monument the way traditional history does.

Rather, it works towards investigating how the monument came to be.

In the early modern period, what Foucault calls the classical age, 'Man' had

become a monument. In his archaeology of the human sciences, *The Order of*

Things, Foucault suggests that as an object of these sciences 'Man' had become open

for different possibilities. He enumerates two of them:

> Man's mode of being as constituted in modern thought
> enables him to play two roles: he is at the same time at
> the foundation of all positivities and present, in a way
> that cannot even be termed privileged, in the element of
> empirical things.[211]

The discussion of this double role, a role which incorporates both subject and object,

is the beginning of the foucauldian approach to ethics. As the subject of modern

thought, the human agent is the foundation of all positivities[212] and as the object, the

subject is present in and as the empirical evidence. In later works, this double role

becomes the basis of the way we constitute our subjectivity, what Foucault considers

his main ethical concern. But before he jumps to the ethical, Foucault discusses this

double role and comes to the conclusion that there is no genuine object for the human

[211] Michel Foucault, *The Order of Things: An archaeology of the human sciences*, New York, Vintage Books, 1994 [1970], (*Les mots et les choses*, Ed. Gallimard, 1966) 387 pp., p.344.
[212] Foucault calls "a domain of objects" positivities and the power to constitute domains of objects through discourse creates a genealogical mood called, playing on words, a happy positivism. Foucault, *The Order of Discourse*, p.133.

sciences. In its place, Foucault analyzes discourse, not in terms of who says what, but in terms of the conditions that make possible those utterances.[213]

This idea of a double role for 'Man' may be understood with the help of a term suggested by Gilles Deleuze who named this double role *le pli*. Translated as both pleat and fold, it is meant to represent, as one commentator suggests, the "doubled operations of Foucault's theory of the self: the inside and the outside; the ontological and the epistemological; the practice and the problematization."[214] There are other doubled operations found in the work of Foucault: 'words and things', 'the articulable and the visible', 'discursive and non-discursive practices'.

There is one doubled operation that is important for this project. It is one that Foucault himself did not develop, although it is implicit in his later works. This operation concerns the statement and the subject. More specifically, it is the operation of the statement upon the subject's relationship with its self. Throughout this project I will be referring to this relationship in two ways. First, the subject is in a relationship with its self, implying that the self belongs to the subject, that it is a creation. The second is the relationship between the self and itself, implying an already created self assessing itself. These are both what I understand as *rapport à soi* and these two ways of framing this relationship are synonymous. *Rapport à soi* is a technology of the self that is used in Foucault's later works in showing how the subject creates and sustains itself. Although he had abandoned reference to the statement by this time, resurrecting it and coupling it with *rapport à soi*, allows me to

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[213] Ian Hacking, "The Archaeology of Foucault," in *Foucault: A Critical Reader*, D.C.Hoy (ed.), New York, Basil Blackwell, 1986, 246pp., pp.27-40, p.32.
[214] Elspeth Probyn, "Technologizing the Self: a future anterior for cultural studies," in *Cultural Studies*, Grossberg, L., Nelson, C., Treichler, P., (eds.), New York, Routledge, 1992, 788pp, pp501-511, p.510.

show a connection that articulates the creative process that is the continual coming into being of the self.

This present project will construct a way of assessing the connection between the statement and the subject. This is meta-narrative-ethics, hyphenated to distinguish it from and connect it to both meta-narrative, in the sense of Jean-François Lyotard's *grand-récits* and meta-ethics, referring to the significance of moral data. It begins from the assumption that the subject has an intimate relationship with the discourses that surround it. The way I will show this is through a kind of narrative analysis where the Canadian debate on reproductive technologies is understood as a monument. This project will outline how the voices engaged in this ethical debate constitute the contemporary Canadian subject. In terms of foucauldian thought, the subject is constituted by discourses of ethical knowledge, and what Foucault calls monuments are made up from discursive practices and the statements that make up these practices.

The connection between subjectivity and the ethical debate on reproductive technologies is not suggested so pronouncements may be made regarding their ethical use. Neither is this project going to suggest ways of creating policy to regulate certain technologies. My purpose is to discern the ontological narrativity that arises from the participants in the debate to see how the contemporary Canadian subject may be led to constitute its self.[215] Ontological narrativity refers to a certain space

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[215] As the sociologist Margaret Somers puts it : "Narrative and Narrativity (are) concepts of social epistemology and ontology. These concepts posit that it is through narrativity that we come to know understand, and make sense of the social world, and it is through narratives and narrativity that we constitute our social identities. (...) we come to be who we are (however ephemeral, multiple, and changing) by our location (usually unconscious) in social narratives and networks of relations that are rarely of our own making." Somers, M.R., "Narrativity, Narrative Identity, and Social Action:

that is created by the ethical statements that are presented in the debate. The subject

takes its cues from this space to constitute its *rapport à soi*. The clarification of this

creative constitution is the concern of the rest of this section.

This methodological part of the dissertation is broken down into chapters 4, 5

and 6. Chapter 4 sets the stage by applying the foucauldian concepts of the

monument and of power to modern bioethics in an effort to situate these concepts into

a context of ethics. Chapter 5 offers a presentation of the theorizing of Michel

Foucault and his unfinished discussions of subjectivity and ethics. Chapter 6 presents

the concept of ontological narrativity, with a focus on the connection between

narrative and the subject. The development of the groundwork for comprehensive

theory of meta-narrative-ethics is the goal of this methodological part.

This section contains different aspects of the theorizing of Michel Foucault,

put together in such a way to better understand how ethical discourse constitutes

subjectivity. I begin with a short foucauldian analysis of bioethics.

CHAPTER 3: THE POWER OF MODERN BIOETHICS

2.1.0   INTRODUCTION

A certain understanding of power holds sway in contemporary bioethics. Power is exerted, for better or for worse, over others. Power out of control is abusive and we employ mechanisms to keep power in check so that we may act free from the control of others. Power must not be exerted excessively and the development of bioethics has been traced to excessive abuses of power; certain modern bioethical concepts are geared towards protecting patients from potential abusive situations.

The doctrine of informed consent, for example, implies that a patient is disadvantaged in relation to the powerful physician. It requires that medical decision-making occurs in a manner which is free and informed; both to assure that patients are aware of the medical steps to be taken and that they are in agreement with the events that will take place with respect to their bodies. Consent is a process of empowerment that addresses the dis-equilibrium of power between the physician and the patient. It gives patients power, and it provides some control over the frightening situation of illness. This doctrine assures that the power of physicians is controlled to protect patients from abuse.

The principles of bioethics have a similar function. As statements that reflect obligations in the practice of medicine and the concomitant rights of patients, appealing to principles in times of moral crisis empowers patients and allows decision-makers to justify their actions in terms of what is thought to be morally

required. The importance of bioethical principles is proportional to the acceptance of this repressive understanding of power. The "repressive hypothesis" of power is developed in Foucault's *History of Sexuality*, but applying it to bioethics allows us to think differently from the dominant mode of thinking in ethics.

But what would bioethics be with an alternate conception of power? What would it be if we thought of power as positive and not merely negative? A positive conception of power in ethics informs this present theory, and while my project of meta-narrative-ethics does not explicitly confront the concept of power, power remains ever present, as the connection between the subject and the narratives that engage it. This connection remains elusive, however, until we rethink the exercise of power. A positive conception directs us towards understanding bioethics as a discursive practice from which we may then illuminate the creative, aesthetic aspect of ethics, where the moral subject is created as a work of art.

The aesthetic creation of the self is, as will be shown, an important feature in the works of Foucault. This feature incorporates a positive conception of power and has played a central role in his theorizing the various histories of modernity, especially during what Foucault calls the classical age (when he is not speaking about the Greeks).[216] Foucault's histories are not concerned with what may or may not be true in the various "fields of learning."[217] Rather, his concern is with discourse and how the possibility of what is said arises. With discourse come suggestions about how we think of our selves as subjects of those discourses. These suggestions are

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[216] The classical age is Foucault's favorite time period, at least for most of his works. This is the time period beginning roughly in the middle of the seventeenth century and continues until the beginning of the nineteenth century. Foucault, *The Order of Things,* p.xxii.

implicit in the statements that are used. These statements create a space for the subject to walk into and the ability to engage in this creation is called ontological narrativity. Meta-narrative-ethics works to expose this creation and to show the relationship between the subject and its self.

In contemporary bioethics, with patient autonomy and informed consent as key concepts, a negative conception of power is manifest. This conception however, limits bioethical debate. Power as only negative constrains ethics to confronting its abuses, not an unimportant topic, but one that defines ethics narrowly. With a different understanding of power, bioethical debates are opened to analyzing the effects of power, an aspect hidden by a philosophy guided by the "deep self." The most important aspect of meta-narrative-ethics is the revealing of the way that the self is constituted as an ethical subject by statements. Patient autonomy and informed consent are statements that form part of (another) monument that is bioethics. These statements create a space that is to be filled by a subject. By seeing the kind of self that fills this function, discussions of the ontological narrativity of modern bioethics becomes possible.

Meta-narrative-ethics shows the building of a monument. Foucault uses the monument as a metaphor for the unities that are created and lived in and his archaeological method was used to describe the way the monument was put together. They are described by finding the statements that are created in the space allowed by the monument.

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[217] Michel Foucault, *The Use of Pleasure*, trans. R. Hurley, New York, Vintage Books, 1986 [1985], (*L'Usage des Plaisirs*, Éd. Gallimard, 1984), 293 pp., p.6.

What is at issue for this project is the monument that is the ethical debate on reproductive technology, created by the various voices engaged in that debate. Meta-narrative-ethics takes Foucault's idea of monument and shows how it acts as a positivity, how it gives positive knowledge of what it is to be an ethical subject. This positive knowledge of the subject is rare in ethical discourse. Usually it is implied, as with modern ethical theory, or it is decried as with many postmodern theories. What I will be doing is describing the creation of the self through ethical discourse, what I call ethical narratives.[218]

When Foucault speaks of knowledge, especially historical knowledge, he is not referring to any type of epistemological realism that focuses on correspondence or coherence with what actually happened. He is not searching for unities or uninterrupted continuities. "Continuous history," says Foucault, "is the indispensable correlative of the founding function of the subject."[219] This is the "deep self," the subject that wants guarantees, certainties, and promises, all in an effort to preserve its sovereignty. This is not the subject of foucauldian archaeology.

It is, however, the subject of modern ethics. Discerning how the narratives of the debate on reproductive technologies present a specific relationship that the self has with itself is what will be presented in the chapters that follow. This project does not attempt to replace contemporary ethical narratives, but rather works with them, as well as the existing social and medical and other narratives, to articulate the process by which the ethical self is created. Meta-narrative-ethics illuminates the way ethical

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[218] Foucault does not use the concept of narrative as I am using it in this thesis. I am casting the net wide when I speak of narrative, so as to capture everything that is communicated, and I am calling this narrative to draw attention to the constitutive features of language, to the way that our subjectivity is implicated in all conversation, academic and otherwise.

debate necessarily involves a process in which the subject has a defining relationship with its self and works to understand this process. This method will become clearer when I turn to the narratives themselves in Part 3, where the voices of the debate on reproductive technology will be probed for their ontological narrativity. But now I turn to the theoretical basis of meta-narrative-ethics: the theorizing of Michel Foucault.

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[219] Foucault, *The Archaeology of Knowledge*, p.12.

CHAPTER 4: FOUCAULDIAN TECHNOLOGIES

2.2.0 INTRODUCTION

From an interview conducted in 1984, Michel Foucault states that his

philosophical project had always been determined by the concepts of subjectivity and

truth. The problem of the relationship between these two is cast in terms of how the

subject enters (or is entered) into a certain game of truth. Foucault uses the mad

subject as an example. He asks: How does the subject fit into a game of truth? and

answers:

> The first problem I examined was why madness was
> problematized, starting at a certain time and following
> certain procedures, as an illness falling under a certain
> model of medicine. How was the mad subject placed in
> this game of truth defined by a medical model or a
> knowledge?[220]

Prior to the classical age, the mad subject was entered into a different game of truth.

At the beginning of the seventeenth century the practice of incarceration, as a method

for dealing with the insane, was not simply the primitive precursor to our modern

psychiatric practices. The mad subject was entered into a truth game that required

confinement, and this led Foucault, in his middle works, to the problem of the

institutions of power. Foucault then developed the problem of power as an

instrument to further the analysis of the relationship between the subject and truth.

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[220] Michel Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," interview
conducted by Raul Fornet-Betancourt, Helmut Becker, Alfredo Gomez- Müller, trans., P. Aranov and

To fully appreciate the theorizing of Michel Foucault, certain terms have to be questioned and certain horizons have to be enlarged. Truth, power and the subject all have traditional definitions that must be rethought in understanding the work of Foucault. These three terms reflect three different periods in the theorizing of Foucault. His concern with truth reflects his earlier works, power was the central element of his middle works and the subject was crucial in his final period. I will maintain that all of these elements are present at all stages of the foucauldian *œuvre*, and it is only a matter of emphasis that sets one stage of Foucault's thought from another.[221]

Truth is the first term that has particular meaning in the works of Foucault. By "truth games" he refers to a set of rules by which truth is produced. It is a set of procedures, says Foucault, "that lead to a certain result, which, on the basis of its principles and rules of procedure, may be considered valid or invalid, winning or losing."[222] This is much different from what we normally understand as truth, as something that corresponds or coheres with reality. A game of truth is different from the obligation of truth, the latter of which arises with a realist perspective where an

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D. McGrawth, in *The Essential Works of Michel Foucault*, vol. 1 Ethics, P. Rabinow, (ed.), New York, The New Press, 1997, pp.281-301, p.289.

[221] I will be referring to the foucauldian *œuvre* throughout this project, all the while recognizing that this may be an un-foucauldian way of proceeding. Foucault writes that the *œuvre* is one of the "unities," the belief in which must be suspended, and he goes on to discuss the difficulties raised by the *œuvre*. "The establishment of a complete *œuvre* presupposes a number of choices that are difficult to justify or even to formulate: is it enough to add to the texts published by the author that he intended for publication but which remain unfinished by the fact of his death? Should one include all his sketches and first drafts, with all their corrections and crossings out? Should one add the sketches that he himself abandoned. (...) But it is at once apparent that such a unity, far from being given immediately, is the result of an operation; that this operation is interpretive." Foucault, *The Archaeology of Knowledge*, p.23.

[222] Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," p.297.

objective proof for that truth is theoretically possible.[223] If this objective proof exists

then there is an obligation (at least for the realist) to that truth. This leads to what has

been called "a domination of truth" signifying an inflexible relationship to questions

of truth. This has become, Foucault suggests, *the* question around which western

culture has come to revolve. Truth for Foucault is more flexible than the realist

conception of truth intimates. It isn't, Foucault writes,

> the reward of free spirits, the child of protracted
> solitude, nor the privilege of those who have succeeded
> in liberating themselves. Truth is a thing of this world:
> it is produced only by virtue of multiple forms of
> constraint.[224]

He continues:

> Each society has its regime of truth, it "general politics"
> of truth: that is, the types of discourse which it accepts
> and makes function as true; the mechanisms and
> instances which enable one to distinguish false and true
> statements, the means by which each is sanctioned; the
> techniques and procedures accorded value in the
> acquisition of truth; the status of those who are charged
> with saying what counts as true.[225]

While I feel that Foucault's ideas are useful and important in constructing this thesis,

it is important to recognize that there are some equally important criticisms of

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[223] Foucault does not engage the language of the epistemological debate of the analytic tradition that champions either realism or anti-realism. It is included here to help the reader with the foucauldian conception of truth by providing a contrast, something that it is not.

[224] Michel Foucault, "Truth and Power," in *The Foucault Reader*, (ed) P. Rabinow, New York, Panthenon Books, 1984, 390pp., pp.51-75; p.72.

foucauldian thinking. One important critique comes from Charles Taylor who suggests that Foucault is engaged in a paradox that leads to an "ultimately incoherent" position.[226] This critique revolves around what Taylor calls Foucault's Neitzschean stance: his refusal of the notion of truth as having any meaning outside a given order of power.[227] Taylor explains that when Foucault refuses to discuss the changes in the philosophies of punishment in terms of a gain or loss, Foucault is presenting part of his repudiation of Freedom and Truth espoused against systems of power. But, Taylor continues, in the history of sexuality we see that when we throw off sexual prohibitions we are still dominated by a discourse that says what it is to be a healthy sexual human being. The evaluation that we are still dominated is neutralized and this is the paradox of Foucault: he wants to exclude evaluations of the systems of power that the subject finds itself and yet retain (what Taylor believes is) evaluative language. Taylor writes that power belongs in a semantic field from which truth and freedom cannot be excluded and that Foucault's power does not make sense without the idea of liberation.[228]

Truth for Foucault is intimately tied to power, the second term in his theorizing scheme. Truth is not outside power or lacking in power, an assumption that is made with how we usually understand the term. Foucault articulated rules for studying power in *The History of Sexuality*, but he does not present a new theory of

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[225] Foucault, "Truth and Power," p.73.
[226] Taylor, "Foucault on Freedom and Truth," p.83.
[227] Taylor, "Foucault on Freedom and Truth," p.77.
[228] Taylor, "Foucault on Freedom and Truth," p.91-92. For a rejoinder to Taylor's criticisms and to those that come from Literary Criticism, see Paul A. Bové "The Foucault Phenomenon: the problematics of style," Forward to Gilles Deleuze, *Foucault*, trans., Sean Hand, Minneapolis, University of Minnesota Press, 1986, 157 pp., p.vii-xl. Bové suggests that when Taylor "clarifies" the obscure style of Foucault and find contradictions and incoherencies, Taylor is following a path set by

power; rather he presents a new approach to the problems of power in modern

societies.[229] Power is not primarily a repressive force but has positive effects. It is

not simply the result of legislative force and social structures that have control over

others. It is not a homogenous domination of one group over another but is rather a

net-like organization that circulates. Power, says Foucault, "must be understood in

the first instance as a multiplicity of force relations immanent in the sphere in which

they operate and which constitute their own organization."[230] Rather than a repressive

negative force, power is redefined in Foucault as a positive network of relations.

Analyzing power then is to look at a strategically complex situation.[231]

The third idea, that of the self or subject, is understood as different from the

Cartesian *cogito*. It is not a substance in the foucauldian scheme of things. The

subject is not something given, but is rather constituted through discursive practices

found circulating through culture. An *a priori* theory of the subject is rejected. In the

same 1984 interview mentioned earlier Foucault discusses his understanding of the

subject when he describes his work as he saw it at what turned out to be its final

stage:

> (...) if I am now interested in how the subject
> constitutes itself in an active fashion through practices
> of the self, these practices are nevertheless not
> something invented by the individual himself. They are
> models that he finds in his culture and are proposed,

Jurgen Habermas and Nancy Fraser who criticize Foucault by obliging him to answer questions about issues raised within the very system of discourse Foucault is trying to critique. p.ix.

[229] Arnold I. Davidson, "Archeology, Genealogy, Ethics," *Foucault: A Critical Reader*, D.C.Hoy (ed.), New York, Basil Blackwell, 1986, 246pp., pp.221-233, p.225.

[230] Michel Foucault, *The History of Sexuality: volume 1, an introduction*, trans. R. Hurley, New York, Vintage Books, 1990 [1978], (*La Volonté de savoir*, Ed. Gallimard, 1976), 168 pp., p.92.

[231] Foucault, *The History of Sexuality*, p.93.

suggested, imposed upon him by his culture, his
society, and his social group.[232]

In a later interview, Foucault states the idea in stronger terms: "From the idea that the

self is not given to us, I think that there is only one practical consequence: we have to

create ourselves as a work of art."[233]

With these essential terms, Foucault presents a novel way of theorizing the

subject. His concern has been to understand how truth games are set up and how they

are connected with power relations. His objective has been "to sketch out a history of

the different ways in our culture that humans develop knowledge about

themselves,"[234] and how this knowledge leads human to constitute their subjectivity.

The connections between truth, power, and the subject run through the

foucauldian *œuvre* as its life blood, with each specific work emphasizing different

perspectives on these themes. They allow a view of the subject's inherent creative

element and the idea of the subject creating its self with the (truth) games that are

played. These ideas have important implications for ethics and this section is an

attempt at presenting the foucauldian perspective on the subject with a view towards

constructing a comprehensive theory that allows the incorporation of the creative,

subject-forming ideas that are constitutive of Foucault's thought. But before these

implications can be accommodated, a short presentation of the periodization of

Foucault in terms of the three developments in his thought: Archaeology - an analysis

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[232] Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," p.291.
[233] Michel Foucault, "On the Genealogy of Ethics," in *The Essential Works of Michel Foucault*, vol. 1
Ethics, P. Rabinow, (ed.), New York, The New Press, 1997, 253-280; p.262.
[234] Michel Foucault, "Technologies of the Self," in *The Essential Works of Michel Foucault*, vol. 1
Ethics, P Rabinow, (ed), New York, The New Press, 1997, 223- 251; p.224.

of systems of knowledge; Genealogy - an analysis of modalities of power; Ethics - an

analysis of the subject's relationship with its self. Each of these will be addressed in

turn.

2.2.1 ARCHAEOLOGY AND TRUTH

Michel Foucault was a self-proclaimed historian of the present. His domain

was nothing less than the "uncertain object" that is the history of ideas.[235] It was not

history that concerned Foucault, nor an historical analysis of the history of ideas. He

systematically rejects the postulates and procedures of this kind of analysis in favor of

what he comes to call 'archaeological description'. This kind of analysis confronts

the disciplines that have becomes monuments. When the history of ideas is

confronted as a monument, it assumes two roles: it recounts the by-ways and margins

of history; and it crosses boundaries of existing disciplines. Describing the first of the

two roles of the history of ideas, Foucault says that it concerns

> all that insidious thought, that whole interplay of
> representations that flow anonymously through men; in
> the interstices of the great discursive monuments, it
> reveals the crumbling soil on which they are based.[236]

Foucault refers to the "imperfect knowledge," the shady philosophies and age-old

themes that have never crystallized. These, Foucault goes on to say, are the

precursors to the great unified ideas we have, and they are recognized only to be

quickly dismissed as failed attempts at the truth. These precursors lead to the second role which concerns a "putting into perspective," a trans-disciplinary movement of reinterpretation.

These two roles of this domain are, as Foucault says, "articulated one upon the other"[237] to produce the great themes of the history of ideas: genesis, continuity, and totalization. These are the elements of the great unities of discourse; and Foucault makes use of these unities, not to study their internal configurations or how they form a unified system of knowledge, but rather to problematize them. Foucault does this by showing that unities "are not the tranquil locus on the basis of which other questions may be posed."[238] Rather than following the traditional themes of historical analysis as the discipline of beginnings and ends, as the description of obscure continuities and returns, or as the reconstitution of developments in the linear form of history, Foucault rejects the procedures of the history of ideas which lead to unified conclusions. He states that there is negative work to be carried out ("we must rid ourselves of a whole mass of notions") before any positive characterizations of positivities can occur. The method that Foucault develops is called archaeology and involves a description of the statements that create the monuments that have been erected in and as the human sciences.

The working hypothesis of the method which he called "archaeology" is that truth is to be understood as a system of ordered procedures for the production,

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[235] Foucault, *The Archaeology of Knowledge*, p.136.
[236] Foucault, *The Archaeology of Knowledge*, p.137.
[237] Foucault, *The Archaeology of Knowledge*, p.137.
[238] Foucault, *The Archaeology of Knowledge*, p.26.

regulation, distribution, circulation, and operation of statements.[239] By focusing on

explanations that are less plausible, our attention is drawn into the discontinuities and

ruptures, and this allows Foucault to consider his archaeological method, which is

understood as a theory of what makes it possible for certain sentences to be uttered.

One commentator suggests that Foucault "presents a reordering of events that we had

not perceived before. The effect is heightened by brilliant before-and-after snapshots

taken on either side of the great divide during which one tradition is transformed into

another."[240] This reordering shows discontinuity, a theme that plays an important role

in archaeological description, but not as an assumption of this method, rather as one

of its consequences.

The history of ideas does not like to speak of discontinuities, ruptures or gaps.

The appearance of these differences indicates an error for the historians who might

try to overcome this problem. Archaeological descriptions however, are purposefully

problematical and rather than ignoring this, archaeology takes difference and

discontinuity, which are presumable obstacles, as it object.[241] Examples of the

method that Foucault delineates in *The Archaeology of Knowledge* occur in three of

his works: *Madness and Civilization*, *The Birth of the Clinic*, and *The Order of*

Things. In fact, *The Archaeology of Knowledge* is a methodological return to these

previous analyses. With these works, three different discursive unities (madness,

clinical medicine and the human sciences respectively) are presented and are

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[239] Davidson, "Archaeology, Geneology, Ethics," p.221.
[240] Hacking, "The Archaeology of Foucault," p.29. Hacking goes on to say that the first and probably the last masterpiece of this genre is *The Order of Things*. p.31.
[241] Foucault, *The Archaeology of Knowledge*, p.171.

subjected to archaeological analysis, albeit imperfectly, as Foucault himself

suggests.[242]

The heart of Foucault's archaeological method revolves around the

description of statements and while he later moves beyond the analyses of discursive

structures, the techniques developed during this period continue to serve his purposes.

Statements make up discursive formations and are unique events in the foucauldian

scheme. Statements are not sentences – which are the objects of grammatical analysis

– neither are they propositions – which are the objects for logical analysis. A

statement is a group of sequences of signs that can be assigned particular modalities

of existence.[243] While Foucault does not develop his concept of statements in works

subsequent to *The Archaeology of Knowledge*, it is an avenue that will prove fruitful

for the present method of narrative analysis. This project looks to the set of

statements that circulate in and as the monument of the reproductive technology

debate. The purpose is not to write a history of ethics as Foucault wrote a history of

sexuality, a history of clinical medicine or a history of madness. The purpose is to

illuminate how this monument suggests a connection between ethical theorizing and

the constitution of the self.

Archaeology is less concerned with the documents that make up a monument

and emphasizes rather the monument that is made up from the documents. In other

words, by emphasizing monument over document we end up with discourse rather

than a unity neatly packaged. A document, Foucault suggests, is a sign of something

else, an element that ought to be transparent. The monument, on the other hand, is an

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[242] Foucault, *The Archaeology of Knowledge*, p.13.
[243] Foucault, *The Archaeology of Knowledge*, p.107.

object without context, a thing left by the past. There was a time, Foucault tells us, when the academic discipline of archaeology aspired to history by attaining meaning through the restitution of historical discourse. He inverts this equation and understands history as aspiring to archaeology and its intrinsic description of silent monuments.[244]

Deleuze calls Foucault "the new archivist."[245] The archive is the general system of the formation and transformation of statements[246] and not that which collects dust, or preserves and safeguards the statement for future memories.[247] Understanding the archive as a system, statements are then considered as events and as things. As events, the statement has its own conditions and its own domain of appearance; as a thing, the statement is said to have its own possibility and field of use.[248] A statement is one of the building blocks of monuments. By characterizing the statement as such, Foucault presents the history of ideas as a "complex volume" characterized by different types of positivity, and divided up by distinct discursive functions. Foucault is a new archivist because he is seen as one who is not concerned with what other archivists have discussed before him.

As stated above, a statement is a group of sequences of signs that can be assigned particular modalities of existence. The important feature of this definition is not that a statement is a group of signs, but rather that these signs have a particular modality. For Foucault, the statement is not a unit but is rather a function.[249] A

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[244] Foucault, *The Archaeology of Knowledge*, p.7.
[245] Deleuze, *Foucault*, p.1.
[246] Foucault, *The Archaeology of Knowledge*, p.130.
[247] Foucault, *The Archaeology of Knowledge*, p.129.
[248] Foucault, *The Archaeology of Knowledge*, p.128.
[249] Foucault, *The Archaeology of Knowledge*, p.87.

statement is that which enables a group of signs to exist. Foucault tells us there are four conditions that a series of linguistic elements or a group of signs must fulfill in order to be regarded as a statement. These are the modalities of the statement and the four of them are: the referential; the relation it has with the subject; the associated domain; and its material existence. I will return to these modalities below. For now it is important to remember that a sequence of linguistic elements must fulfill these four conditions for it to be considered a statement.[250] Understanding how statements are different from propositions and sentences allows us to begin to see Foucault's archaeology at work.

Archaeology attempts to isolate the level of discursive practices and formulates the rules of production and transformation for these practices. It restricts itself to the identification of self-contained discourses and is not concerned with causal explanations of social change.[251] It is an enterprise, writes Foucault, "by which one tries to throw off the last anthropological constraints; an enterprise that wishes in return, to reveal how these constraints could come about."[252] Foucault speaks of anthropological constraints in the sense of a fundamental arrangement that has controlled philosophical thought since Kant. This arrangement involves the concept of "man," his liberation, his essence, his truth. But just as Kant was once asleep until awoken from his "dogmatic slumber" after reading Hume, Foucault tells us that philosophy is once again falling asleep. This time it is the sleep of anthropology.[253]

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[250] Foucault, *The Archaeology of Knowledge*, p.98.
[251] David Couzens Hoy, "Introduction," *Foucault: A Critical Reader*, D. C. Hoy (ed.), New York, Basil Blackwell, 1986, 246pp., p.7.
[252] Foucault, *The Archaeology of Knowledge*, p.15.
[253] Foucault, *The Order of Things*, p.341.

The end of Man, writes Foucault, is the return of the beginning of philosophy. Archaeology is the beginning of this return.

Foucault ultimately abandoned the archaeological method. As a theory of discourse, as the attempt to discover the structural rules that govern what is said, archaeology becomes untenable,[254] but his key ideas are not completely rejected as the foucauldian *œuvre* evolves into its second movement, genealogy.

2.2.2 GENEALOGY AND POWER

Genealogy is the second phase in the evolution of the foucauldian *œuvre*. It is, as Foucault states in an interview,

> a form of history which can account for the constitution
> of knowledges, discourses, domains of objects, etc.,
> without having to make reference to a subject which is
> either transcendental in relation to the field of events or
> runs in its empty sameness throughout the course of
> history.[255]

Unlike archaeology, it makes reference to a subject in a positive manner, as one constituted by these discourses. The subject was not a central concern of Foucault's in his archaeological period. The focus was primarily on the statements that formed

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[254] Dreyfus and Rabinow argue at length that the project of *Archaeology* founders for two reasons. "First, the causal power attributed to the rules governing discursive systems is unintelligible and makes the kind of influence the social institutions have (...) incomprehensible. Second, insofar as Foucault takes his archaeology to be an end in itself he forecloses the possibility of bringing his critical analyses to bear on his social concerns." *Michel Foucault: Beyond Structuralism and Hermeneutics*, Chicago, The University of Chicago Press, 1983, 271pp., p.xxiv-xxv.

[255] Foucault, "Truth and Power," p.59.

the monuments of historical unities. That there was an empty space to be filled by a subject engaged in discourse is secondary to the discourse itself and the descriptions of its statements. In genealogy, the subject moves closer to the centre, although it does not reach it until Foucault's final period.

Genealogy concentrates on the forces and relations of power connected to discursive practices. Writing histories of the human sciences, what has been described as the 'immature sciences', Foucault hoped to show the working of this power by presenting how the subject constitutes itself through various "games of truth." *Discipline and Punish* (1977 eng., 1975 fr.) and the first volume of *The History of Sexuality* (1978 eng., 1976 fr.) represent the genealogical period of Foucault. The power relations that constitute both the subject and the discourse occurring through the discursive practices in penalty and in sexuality are the focus of these works. Depending on which human science was being investigated, Foucault puts forward different ways of understanding the present through the various processes of *assujettissement* and *subjectiviation.*

There are problems with translation of these words. With respect to *assujettissement*, Paul Rabinow, the editor of the English "essential works" of Foucault, renders it "subjectivation,"[256] where Robert Hurley, in his translation of *Volonté de savoir*, uses "subjection,"[257] as does Alan Sheridan's translation of *Surveiller et Punir ; Naissance de la prison.*[258] Rosi Braidotti, in *Patterns of*

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[256] Paul Rabinow, "Note on terms and translation," *The Essential Works of Michel Foucault*, vol. 1, Ethics, P. Rabinow, (ed.), New York, The New Press, 1997, p.XLIV.
[257] Foucault, *The History of Sexuality*, p.60 compared to *La Volonté de savoir*, p.81.
[258] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans., Alan Sheridan, New York, Vintage Books, 1979 [1977], (*Surveiller et Punir; Naissaince de la prison*, Éd. Gallimard, 1975), 333 pp., p.202.

Dissonance, uses "subjectification" to render the term *assujettissement.*[259] It will be

this last option that will be used here. The reason is that in the introduction to

L'Usage des plaisirs,[260] Foucault uses both *assujettissement* and *subjectivation* in the

original, which would seem to preclude Rabinow's choice. In *L'Usage des plaisirs,*

assujettissement has to do with "the way in which the individual establishes his

relation to the rule and recognizes himself as obliged to put it into practice."[261] On the

other hand, *subjectivation* concerns "the way in which individuals are urged to

constitute themselves as subjects of moral conduct."[262] These terms are not

synonymous.[263] The word "subjection," although widely used, retains too strong an

implication of subservience and submission that are imposed from the exterior, which

does not coincide with the foucauldian idea of *assujettissement,* in the sense of an

action of the subject. For these reasons, "subjectification" is the best choice for

assujettissement.

Genealogy is a form of history that attempts to account for the constitution of

knowledge in terms of a subject and has as its focus the mutual relations between

systems of truth and modalities of power. Foucault expands on his notion of power:

> In order to conduct a concrete analysis of power
> relations, one would have to abandon the juridical
> notion of sovereignty. That model presupposes the
> individual as a subject of natural rights or original
> powers; it aims to account for the ideal genesis of the

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[259] Rosi Braidotti, "Bodies, Texts and Powers," *Patterns of Dissonance,* trans. E. Guild, New York, Routledge, 1991, 316 pp., pp.76-97, p.76.
[260] Michel Foucault, "Usage des plaisirs et techniques de soi," *Dits et écrits,* vol. 4., D. Defert and F. Ewald (eds.), Éditions Gallimard, 1994, 896 pp., pp.539-561.
[261] Foucault, *The Use of Pleasure,* p.29.
[262] Foucault, *The Use of Pleasure,* p.29.
[263] Deleuze confirms this in his discussion of the "inside of thought" see his *Foucault,* p.103.

state; and it makes law the fundamental manifestation of power. One would have to study power not on the basis of the primitive terms of the relation but starting from the relation itself, inasmuch as the relation is what determines the elements of which it bears: instead of asking ideal subjects what part of themselves or what powers of theirs they have surrendered, allowing them to be subjectified [*se laisser assujettir*], one would need to inquire how relations of subjectivation [*d'assujettissement*] can manufacture subjects.[264]

Denying that law is the fundamental manifestation of power opens us for different conceptions of power, power which is positive and creative rather than prohibitive and repressive.

Relations of power have been a preoccupation of Foucault from his earliest works, although not explicitly. As he states in one of his later interviews, looking back at his life's work, it was clear to him that he was discussing power from the early days of *Folie et Déraison*.[265] This theme matures in his middle works, especially in *Discipline and Punish*, where he discusses the setting up of a "new economy of power" when punishment changed from the "spectacle of the scaffold" to the "gentle way in punishment." 'Atrocious' punishment was replaced with

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[264] Michel Foucault, "Society Must Be Defended," *The Essential Works of Michel Foucault*, vol. 1, Ethics, P. Rabinow, (ed.), New York, The New Press, 1997, p.59. A French version of this course description can be found in Michel Foucault, *Dits et écrits*, vol. 3., D. Defert and F. Ewald (eds.), Éditions Gallimard, 1994, 836 pp., p.124-130. The first parenthetical translation is in the text, the second is added for clarification.

[265] "When I think back now, I ask myself what else it was I was talking about, in, *Madness and Civilization* or *The Birth of the Clinic*, but power?" Michel Foucault, "Truth and Power," *Michel Foucault: Power/Knowledge*, C. Gordon (ed.) Brighton, Harvester, 1980, p.115. *Madness and Civilization: a history of madness in the age of reason*, trans. R. Howard, New York, Vintage Books, 1973 [1965], (*Folie et déraison; histoire de la folie*, Librairie Plon, 1961), 299 pp.

'humane' punishment, but what Foucault calls the truth-power relationship remains at the heart of the mechanism of punishment.[266]

When Foucault talks about how the body of the condemned man was the place where the vengeance of the sovereign was applied, he shows with graphic description how the body becomes the anchoring point for a manifestation of power. This anchoring point does not change when punishment becomes more humane.[267] And this is an essential point. The body remains the locus of relations of power regardless of the kind of power that exists. While the outward manifestation of power changes and punishment becomes more humane, the body remains the focal point of power. When the criminal is disciplined, the body is approached as an object to be made "docile." This disciplinary power changes in the manner that the subject conceives the body. *Discipline and Punish* marks the transition of one kind of power to another. From the public dismembering of pre-Revolutionary criminals to the attempts at reform to help create a responsible citizen, the body remains the place where the subject rethinks its self.

It is, however, in the first volume of *The History of Sexuality* that Foucault shows how deployments of power are directly connected to the body.[268] In this work, it becomes clear that his way of thinking about power is different from our more traditional conceptions. Foucault uses the term "repressive hypothesis" to characterize the history of sexuality seen through traditional conceptions of power. We all have an understanding of this history as an increasing repression of our sexual

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[266] Foucault, *Discipline and Punish,* p. 55.
[267] This is an example of how continuities are just as important as discontinuities in the foucauldian *œuvre*. English speaking commentators tend to focus only on the ruptures and discontinuities, rather than seeing both as important to Foucault.

activities. This history shows that since the 16th century when the Council of Trent

produced new rules of confessions and new prohibitions, sexual lives would never be

the same. This repression reached its zenith in the Victorian era, which for us is the

height of prudishness or sexual repression. It would not be until the middle of the 20th

century that we would experience a liberation from these repressive ideas.

But with this "repressive hypothesis" we would expect a silence around the

topic of sex, especially during the Victorian era. Foucault's investigation however,

leads to the contrary. Far from a reticence of speaking about sex—what we would

expect with a repressed sexuality—he observed a veritable discursive explosion.

Discourse on sex existed in the classical age as something between confessor and

priest. In the modern era, discourse on sexuality existed in abundance between

patient and practitioner, as well as in society at large, and yet the repressive

hypothesis is still believable. As Foucault asks: "why do we say, with so much

passion and so much resentment against our most recent past, against our present, and

against ourselves, that we are repressed?"[269] And he remarks on the curious fact that

we are so bent on ending the rule of silence regarding what was the noisiest of our

preoccupations.[270] Foucault opposes the repressive hypothesis, not for the purposes

of showing that is it wrong, but rather to situate it into a "general economy of

discourses on sex in modern societies."[271]

Discourses are events of power/knowledge. This dual operation shows that

power, for Foucault, is the producer of knowledge, but to see this, we must change

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[268] Foucault, *The History of Sexuality,* p.151.
[269] Foucault, *The History of Sexuality*, p.8.
[270] Foucault, *The History of Sexuality*, p.158.
[271] Foucault, *The History of Sexuality*, p.11.

our traditional conceptions of power. "We must cease once and for all," says

Foucault,

> to describe the effects of power in negative terms: it
> 'excludes', it 'represses', it 'censors', it 'abstracts', it
> 'masks', it 'conceals'. In fact, power produces; it
> produces reality; it produces domains of objects and
> rituals of truth. The individual and the knowledge that
> may be gained of him belong to this production.[272]

Foucault distinguishes two histories of sexuality. The first affirms that sexuality was

increasingly repressed until the late nineteenth and early twentieth centuries, when we

entered into a grand era of sexual liberation, beginning with Freud and continuing

through the 1920's until the 1960's. The second history affirms that, long from being

repressed, there was a discursive explosion leading to a proliferation of discourse on

sex.

The way in which we speak about sex is important. This discourse determines

who we have become, as it is the most powerful means to control and discipline the

embodied subject.[273] Engaging in a discourse of our sexuality is to speak the truth

about ourselves and the truth with respect to our relations with others. This is the

manner in which power circulates under the auspices of sexuality. The central issue

is, says Foucault,

> to account for the fact that it is spoken about, to
> discover who does the speaking, the positions and
> viewpoints from which they speak, the institutions

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[272] Foucault, *Discipline and Punish*, p.194.
[273] Rosi Braidotti, "Bodies, Texts and Powers," p.82.

> which prompt people to speak about it and which store
> and distribute the things that are said. What is at issue,
> briefly, is the over-all "discursive fact," the way in
> which sex is "put into discourse."[274]

This is genealogy. It is an analysis that attempts to illuminate the power relations of the subject to shed light on the process by which it rethinks its self.

Foucault's genealogical analyses describe a history of *technologies* of sex rather than a history of practices and sexual conduct. He calls them technologies, recalling the Greek *techné*, where something creative is produced. But rather than pottery or sculpture, these *technés* produce the subjects that we become.

These technologies underwent two important transformations or mutations. Foucault situates the first in the 16th century with the Reformation. The technique of confession no longer limits itself to the simple act of divulging faults or mistakes, but rather now requires a precision, detailing of everything that arises in the soul. Foucault cites a passage of Paolo Segneri's *L'Instruction de pénitent*, from 1695:

> Examine diligently, therefore, all the faculties of your
> soul: memory, understanding, and will. Examine with
> your precision all your senses as well. (...) Examine,
> more over, all your thoughts, every word you speak,
> and all your actions. Examine even unto your dreams,
> to know if, once awakened, you did not give them your
> consent. And finally, do not think that in so sensitive
> and perilous a matter as this, there is anything trivial or
> insignificant.[275]

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[274] Foucault, *The History of Sexuality,* p.11.
[275] Foucault, *The History of Sexuality,* p.20.

These self-examinations are some of the elements that contribute to the discourse on sex.

Foucault situates the second transformation in the middle of the 19th century and the birth of a medicine of sex, where confession has passed from the Church to a similar confessional process in front of the medical profession. This was to create a new archive. It would now be in the interest of health, rather than the interest of spiritual purity, that we were now required to search within for the truth about sex.

With this new technology of sex, the modern idea of normalization was invented. From now on, we would search for the truth about sex, our personal truth, with an idea of normal and pathological sex. With the professional definitions of the normal and of the pathologic, this discourse produced the effect of a conceptualization of the human subject based on these categories created by modern medicine. For Foucault, the fact of looking for truth of sex using the qualifications normal and pathological constitutes a technology.

One effect of the medicalization of sex is that sex became a "causal principle, an omnipresent meaning, a secret to be discovered everywhere."[276] It is through this discovery that each person ostensibly must pass to have access to one's self-knowledge, to the wholeness of one's body and to one's identity. According to Foucault, sexuality is a historical construct created in the beginning of the eighteenth century with four great strategic unities, exemplified by the emergence of four figures: the hysterical woman, the masturbating child, the Malthusian couple, and the perverse adult. These unities formed specific mechanisms of knowledge and power

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[276] Foucault, *The History of Sexuality,* p.154.

centering on sex, providing targets and anchoring points for ventures of knowledge.[277]

An important question for Foucault revolved around discovering whose interests were

at stake in these ventures of knowledge.

As an analysis of power, Foucault shows that it was through the bourgeois

families that that these strategic unities were first presented and it was these families

who first used the discourse of sexuality to ensure their lineage and to mark and

maintain the distinction in social class. The aristocracy of earlier ages had also

employed methods for distinguishing their caste from others, which occurred in the

form of blood in terms of the antiquity of its ancestry, and the value of its alliances

served this purpose. For the bourgeois of the nineteenth century, sex became its

'blood'.[278]

This middle period of Foucault's project shows how deployments of power

are directly connected to the body.[279] Sexuality is so intimately connected to our

bodies that to understand sexuality is to understand who we are. As such, sex

becomes a political issue.[280] The manner in which individuals are expected and

exhorted to constitute themselves as subjects is political, and the discourse that

circulates around and through sex contributes to this understanding. Foucault

explains the development of this kind of power:

> The old power of death that symbolized sovereign
> power was now carefully supplanted by the
> administration of bodies and the calculated

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[277] Foucault, *The History of Sexuality,* p.105.
[278] Foucault, *The History of Sexuality,* p.124.
[279] Foucault, *The History of Sexuality,* p.151. ("… le but de la présente recherche est bien de montrer comment les dispositifs de pouvoir s'articulent directement sur le corps" *Volonté de savoir,* p.200.)
[280] Foucault, *The History of Sexuality,* p.145.

> management of life. During the classical period, there
> was a rapid development of various disciplines [and] an
> explosion in the numerous and diverse techniques for
> achieving the subjugation of bodies and control of the
> populations, marking the beginning of an era of "bio-
> power."[281]

Bio-power works along these two important axes which were present but separate in the classical age, until the eighteenth century. The first, the administration of the body, is founded upon a mechanized conception of the body, (present at least since Descartes) while the second, the calculated management of life, is based on the idea of the regulation of populations. It is from these two axes that the modern subject constitutes itself.

> Sex was a means of access both to the life of the body
> and the life of the species. It was employed as a
> standard for regulations. This is why in the nineteenth
> century sexuality was sought out in the smallest details
> of individual existences (as well as) it becoming the
> theme of political operations, economic interventions,
> and ideological campaigns for raising standards of
> morality and responsibility.[282]

The understanding of bio-power allows an understanding of sex as political. Relations of power penetrate the body. The truths that we are told about sex constitute the people we become, but Foucault is not concerned with these truths of human sexual behavior. He is concerned with illuminating how the discourse of sexuality is a technology of power and through ideas of normality, modern discourses

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[281] Foucault, *The History of Sexuality,* p.139-40.
[282] Foucault, *The History of Sexuality,* p.146.

on sex become powerful means for controlling the corporal subject.[283] The body thus

defined is a political sphere.

In the middle of the 19th century, a new technology of sex emerged. The word

sexuality was invented. The discursive practice of psychoanalysis is born in the

second mutation of the technologies of sex. Here a medicine of sex detaches from a

general medicine of the body. Foucault uses the *Psychopathia sexualis* of Heinrich

Kaan, published in 1846 as an indicator of this new technology of sex founded on the

psycho-analytic sciences. From now on, the technology of sex is tied into the medical

institution. A science of sex develops that would permit psychoanalysis, psychiatry,

and a little later, psychology and sexology to form, and these sciences would search

for certain sexual truths thought to be inscribed on individuals evident through their

sexual behaviors. These sciences were to produce the idea of a sexual instinct

responsible for dysfunctions, anomalies, deviations and pathologies. The

medicalization of sex, complete with conceptions of the normal and the pathological,

has as a consequence the notion that sex is a speculative object where we search for

our personal truths.

Genealogy is a process that attempts to elicit the workings of power in

discursive practices. The development of the relation between power and knowledge

is found in many of Foucault's histories, but is in his final works that the connection

is explicitly made with the subject, a connection Foucault calls ethics. It is to this

connection that I now turn.

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[283] Braidotti, *Patterns of Dissonance*, p.82. Braidotti develops the concept of biopower in the essay
"Organs Without Bodies," *Nomadic Subjects*, New York, Columbia University Press, 1994, 326pp.,

2.2.3 ETHICS AND SUBJECTIVITY

In *The Use of Pleasure*, the second volume of Foucault's proposed multi-volume history of sexuality, he discusses the genealogical process as it pertains to the desiring subject in classical Greek culture of the fourth century before our era. How the ancient Greeks recognized themselves as sexual subjects is important to Foucault because it would set the stage for understanding how the modern individual is both a subject and object of sexuality. The first step was to problematize certain sexual practices by questioning the Greek and later, in *The Care of the Self*, Greco-Roman cultures in terms of an "art of existence" or *techné tou biou*. The study of this problematization in antiquity is considered, by Foucault, as the first chapter of the general history of techniques of the self. Foucault had to leave the modern era to better understand it. All of Foucault's other works take place within very specific periods of time, roughly between the seventeenth and nineteenth centuries, whereas these final works return to ancient Greece.[284] For this return, Foucault describes his genealogical method as an analysis of

> the practices by which individuals were led to focus
> their attention on themselves, to decipher, recognize,
> and acknowledge themselves as subjects of desire,
> bringing into play between themselves and themselves
> a certain relationship that allows them to discover, in
> desire, the truth of their being, be it natural or fallen. In
> short, with this genealogy the idea was to investigate

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pp.41-56.
[284] This is only one element in the difference between these last two volumes of Foucault and the rest his works. Gilles Deleuze discusses other differences and explores this rupture in the foucauldian *œuvre* in a true archaeological fashion. See Deleuze, *Foucault*, pp.94-100ff.

> how individuals were led to practice, on themselves and
> on others, a hermeneutics of desire (...).[285]

The way we form ourselves as sexual subjects acting in reference to the prescriptive

elements of sexuality is of particular interest to Foucault. In discovering the truth of

their being within sexuality, the subjects form a certain relationship with themselves

and consequently construct specific ideas about how to care for oneself. All of these

elements are central to foucauldian ethics.

The word 'ethics' has a special meaning for Foucault. It is the conscious

practice of freedom, a freedom that he distinguishes from a process of liberation. It is

a term reserved for the choices we make in the constitutive aspects of caring for the

self. Foucault distinguishes two senses in describing the word 'morality', a word full

of ambiguity. The first sense refers to the values and moral rules that are part of our

lives. These are the moral codes of our societies, that arise from our parents'

teachings and other "prescriptive agencies." The second sense of morality refers to

the acts themselves, as determined by following the code or deviating from it.

Foucault's particular notion of ethics can be understood through both senses of

morality, where, as part of moral prescriptions, there exists a suggestion as the way

one ought to conduct oneself. This becomes not just an awareness of one's actions as

conforming or not to prescriptions, but is a way in which the subject understands

itself in terms of the kind of relationship one ought to have with oneself. He calls this

rapport à soi, a part of morality that is rarely discussed in modern ethics, but it is this

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[285] Foucault, *The Use of Pleasure*, p.5.

that Foucault properly calls ethics.[286] Ethics for Foucault is but one part of the study

of morality. It is the part that specifically relates to the subject's understanding of

itself.

It must be emphasized that ethics for Foucault is not about following moral

codes or debating the principles that make up the code. Ethics refers to an aesthetic

of existence, a technique of living, what the Greeks called a *techné tou biou*. This

reference is to the question of how we live, what *techné* do we use in order to live as

well as we ought, and how do we craft ourselves in order to accomplish this task of

living well. The second and third volumes of Foucault's history of sexuality show

this art of living, this *techné tou biou* as it existed for the Greeks of the fifth century

before our era.

Foucault uses "art or aesthetics of existence" and "techniques or technologies

of the self," interchangeably. And by these he means

> those intentional and voluntary actions by which men
> not only set themselves rules of conduct, but also seek
> to transform themselves, to change themselves in their
> singular being, and to make their life into an *œuvre* that
> carries certain aesthetic values and meets certain
> stylistic criteria.[287]

Foucault provides examples of technologies of the self as they relate to

sexuality, and these include the interpretation of (sexual) dreams, the medical

regimen, examination of self and consciousness, ideas of married life, letters to

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[286] Michel Foucault, *Dits et écrits*, vol. 4., D. Defert and F. Ewald (eds.), Éditions Gallimard, 1994, 896pp., p. 621.
[287] Foucault, *The Use of Pleasure*, pp.10-11.

friends, the choice of lovers, and the concept of *askesis* - which is the progressive

consideration of the self, or mastery over oneself, obtained not through the

renunciation of reality but through the acquisition and assimilation of truth.[288] It has

as its final aim not preparation for another reality, as it would with Christian

asceticism, but access to the reality of this world. As Rationalism took over from

Christianity, and as Aristotelian teleology was left behind, concern for the self, as

either a philosophical question or as an art of living, was ignored.

Technologies of the self are only one of the techniques that Foucault

enumerates in analyzing the different ways that humans develop knowledge of

themselves. The technologies of which Foucault speaks do not help us to discover

truth, because truth is not something to be discovered. Truth is not to be understood

as the ultimate answers but as "truth games" and technologies are tools to help with

their analysis. Foucault distinguishes four different technologies: 1) technologies of

production; 2) technologies of sign systems; 3) technologies of power; and 4)

technologies of the self.[289]

The first two technologies are employed in the study of the sciences and

linguistics, says Foucault, but it is the last two have had most of his attention,[290] and

of these two, Foucault states that he has insisted too much on the technologies of

power and domination. It is in his history of sexuality that he hopes to re-establish an

equilibrium between technologies of power and technologies of the self.

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[288] This list is derived from the course outline "Subjectivity and Truth," and the interview "Technologies of the Self," both found in *The Essential Works of Michel Foucault*, vol. 1 Ethics, P. Rabinow, (ed.), New York, The New Press, 1997, pp.87-92, pp.223-251.
[289] Foucault, "Technologies of the Self," p.225.
[290] Foucault, "Technologies of the Self," p.225. The contact between these two technologies is what is called "governmentality."

Technologies of power determine the conduct of individuals and submit them to certain ends or domination, an objectivizing of the subject.[291] In *Discipline and Punish*, Foucault tracks the changes in these techniques especially as they occurred in the eighteenth century and the systematic development of penalty. As he states, every society had a grip upon the body, imposing constraints, prohibitions or obligations, but what was new in the classical age was the scale of the control and the methods employed to work on the body as a subtle coercion rather than as a spectacle on the scaffold. The classical age discovered the body as object and the target of power[292] and although it is true that before this age, the body was the place where "the vengeance of the sovereign was applied, the anchoring point for the manifestation of power,"[293] the truth - power relation is found in quite a different form and with different effects in the modern era.

With respect to technologies of the self, we see here more specifically how the creation of the self comes to be. These techniques, says Foucault,

> permit individuals to effect by their own means or with
> the help of others a certain number of operations on
> their own bodies and souls, thoughts, conduct, and way
> of being, so as to transform themselves in order to
> attain a certain state of happiness, purity, wisdom,
> perfection or immortality.[294]

These procedures, says Foucault, have no doubt existed in every civilization, as that which suggests or prescribes to individuals a way of determining their identity, of

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[291] Foucault, "Technologies of the Self," p.225.
[292] Foucault, *Discipline and Punish*, p.136.
[293] Foucault, *Discipline and Punish*, p.55.

maintaining or transforming it through relations of self-mastery or self-knowledge.[294]

For Foucault, the importance lies in reaffirming the imperative to "know oneself" in a

very different and broader sense than that which appears characteristic of the modern

world.

Knowledge of the self appears to be a forgotten or displaced element in

modern moral philosophy. It is commonly understood as the most important moral

imperative of ancient Greece, an imperative that led Socrates to think that maybe he

was, after all, the wisest man in the land. Socrates observed that his countrymen

thought they knew things that they did not, whereas Socrates was the only one who

knew that he didn't know everything. In modern ethics self knowledge has been

minimized. The preoccupation has been largely with the meaning of ethical terms

and consequently the idea of self-knowledge, one of the imperatives of ancient

Greece, has come to mean little more than reflecting on our desires and being attuned

to opportunities that would contribute to our own personal fulfillment. More

generously, self-knowledge has become a process that encompasses the search for a

moral law thought to be inscribed upon our souls, as morality for moderns is located

in the subject.

Foucault suggests however, that it is anachronistic to accept that the most

important moral principle for the Greeks was the Delphic principle *gnothi sauton,*

"Know yourself." This principle was always associated with another moral principle,

that of having to take care of yourself. The Greek *epimelesthai sautou* is understood

as "to take care of yourself" or "to be concerned with the self," and is one principle

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[294] Foucault, "Technologies of the Self," p.225.
[295] Foucault, "Subjectivity and Truth," p.87.

which dominates the art of existence or *techné tou biou*. For Greek culture, this principle bespeaks a very ancient theme and appeared very early as a widespread imperative.[296] It was one of the main principles of the Greek city, and one of the main rules for social and personal conduct and for the art of life.[297] In ancient Greece the art of living included a concern with others and is understood in a much wider sense than what we would understand today as personal fulfillment. It encompasses what is considered good for the city and this understanding of caring for oneself, Foucault shows, comes clear in Plato's *Alcibiades*. Later on, with the Romans, the art of living evolved to become more focused on the self, and through the Christian centuries, this *techné* of the self was turned towards a denial of the self. With modernity, the self is back in the centre.

Foucault focuses on how we care for ourselves, and the theme of care of the self is a decisive category of foucauldian ethics.[298] For us moderns, ethics refers to the principles of moral action and the legitimating of moral claims. The art of living, the "how" of ethical concerns has become "rather obscure and faded." All moral action involves a relationship with the self. It is not, writes Foucault,

> simply "self-awareness" but self-formation as an
> "ethical subject," a process in which the individual
> delimits that part of himself that will form the object of
> his moral practice, defines his position relative to the
> precept he will follow, and decides on a certain mode of
> being that will serve as his moral goal. And this

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[296] Foucault, *Care of the Self*, volume 3 of The History of Sexuality, New York, Panthenon Books, 1986, (*Le Souci de soi*, Éd. Gallimard, 1984), pp.279, p. 43.
[297] Foucault, "Technologies of the self," p.226.
[298] François Ewald, "Foucault: éthique et souci de soi," *Magazine Littéraire*, 345(Juillet-Août, 1996):22-25, p.24.

requires him to act upon himself, to monitor, test, improve, and transform himself.[299]

Foucault's concern is with the way individuals fashion themselves into subjects of ethical conduct.[300]

Caring for ourselves brings forth different types of knowledge about who we are. Included in this list is ontological knowledge of ourselves, knowledge of what we can do, knowledge of what it is to be a citizen, what it is to run a household, and knowledge of what we ought to fear and what we can reasonably hope for.[301]

Foucauldian ethics is about caring for the self. It does not concern primarily the right and good action in themselves but only insofar as these have bearing on how the subject fashions its self. The self is constituted by how it expects it should act. These expectations arise from groups of statements, which are also known as discourse, all of which creates an ontological space for the subject.

The form of ethical analysis I wish to propose resides in the presentation of the subject's actions on itself and how certain contemporary discourses contributing to self-knowledge. This is how the meta-narrative-ethics of the discourse that is the debate on reproductive technologies will be understood.

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[299] Foucault, *The Use of Pleasure*, p.28.
[300] Foucault, *The Use of Pleasure*, p.251
[301] Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," p.288.

CHAPTER 5: META-NARRATIVE-ETHICS

2.3.0   INTRODUCTION

From the ideas expressed in the philosophy of Michel Foucault, the importance of discourse for ethical analysis becomes apparent. The way that the subject constitutes its self through the various practices that contribute to the contemporary human situation becomes the centre of attention. Foucault's concepts return the notion of caring for the self to a position of primacy as an integral ethical idea, and it forces an investigation of the way language is used. The way discourse is ordered has implications for the way that the human subject is constituted, and Foucault's theorizing facilitates attention to this process. This is an essential element for my theory of meta-narrative-ethics.

The self can be said to be structured by a certain ontology. Ontology (the *logos* of *ontos*) is translated as the word of being,[302] and this narrative of being is supported and perpetuated by the stories that circulate, which make up the monuments by which our culture is identified. Ontological narrativity refers to those aspects of the monument, in particular the monument that is the debate on RT that provide the *logos* of *ontos*, or the sense of being for the subject. This sense creates the subject's self.

The three dimensions of foucauldian thought: knowledge, power and the subject, together lead to understanding ethics as an essential part of human being. Each of these elements are involved in the *rapport à soi*, the self's relationship with

itself. These three, as Deleuze says, "are irreducible, yet constantly implying one another. They are three 'ontologies'."[303] These ontologies are intimately connected to one another and are formed narratively. Ontological narrativity signifies how statement helps the subject to constitute its self. A monument will be said to have a certain ontological narrativity when its statements affect the subject in a certain way. A narrative is ontological when the statements of that narrative create a space where the subject develops its special *rapport à soi*. *L'énoncé* meets *rapport à soi* in ontological narrativity.

2.3.1 L'ÉNONCÉ

Certain elements of narrative become statements under certain conditions. The statement is not a proposition or a sentence but is that which has meaning only in a discursive formation that specifies certain truth conditions. The unities in the history of thought (such as a book or a body of work, or even the discipline of ethics) are displaced in foucauldian archaeology by a field made up of statements. What turns an expression into a statement is its place in this field. It will exist only in a network with other statements. Within this formation, the statement creates a certain space that sets forth the specific relationships that the subject can have with its self. For example, the statements that are produced by the different voices during the ethical debate create a field, complete with a grid of power relations and it is this field that is responsible for setting up the self's relationships. Preparing the terrain for

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[302] These translations are derived from *The Perseus Project*, Gregory R. Crane, (ed.) Available <on-line> http://www.perseus.tufts.edu, August, 1999.

rapport à soi is one of the key functions of the statement. Determining which statements occur in a debate does not mean looking for proscriptions or obligations that may be discerned from the voices, although it does not preclude this search. The statements are chosen to capture essential traits of the voices that present them. They will show the point of view of the voice while presenting what the voice implicitly thinks how we should live. Each voice articulates statements that create an ontological space for the subject.

In this chapter I am looking at how statements create, for the subject, a relationship with itself. This kind of narrative analysis discerns what the implications a statement may have for what we understand as being human. There is a specific order of discourse that determines the space that the statements create. Statements have a narrativity which determine ontology.

The statements I am looking to are of a specific type. They are ethical statements. These are not simply ethical principles, nor simply ethical propositions. They may be these, but are more. Just as the letters on a keyboard form a statement when it is found in the context of a typing manual (this is Foucault's example) an ethical principle will be a statement when it is seen as part of a whole discursive process that may be seen as a field of statements. In other words, an ethical principle becomes a statement when we see how it is used in the space around it, or better, how it creates the space around it. Foucault has given us some clues concerning how to proceed. We must grasp the statement, writes Foucault,

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[303] Deleuze, *Foucault*, p.147.

> in the exact specificity of its occurrence; determine its
> conditions of existence, fits at least its limits, establish
> its correlations with the other statements that may be
> connected with it, and show what other forms of
> statement it excludes.[304]

In the context of an ethical debate, the contemporary ethical voices set the discursive stage and define the space in which ethical statements come to be. They also develop that space in new directions. The discipline that is contemporary ethical discourse allows certain propositions to be uttered while prohibiting certain others and, consequently, supports certain conditions that allow the subject to consider itself in one way rather than another.

The subject of a statement is a particular function, says Foucault. It is an empty function that can be filled by any individual. This is one of the four modalities of a statement, the most important one for this project. It refers to the idea that when a statement is presented, any individual can enter into the space that is created and be affected by it. Besides this function, which Foucault calls its subjective relation, there are three other modalities of the statement. Deleuze calls these three "different realms of space that encircle any statement."[305] As was shown earlier, a series of signs must fulfill these four conditions set forth by the modalities of a statement. These are its 'referentiality', its subjective relation, its 'associativity', and its 'materiality'. As a series of signs, a sentence or a proposition fills these conditions and becomes a statement. As a statement, a certain space is created that the subject can walk into, and as the subject takes its place in that space, a certain *rapport à soi* comes into

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[304] Foucault, *The Archaeology of Knowledge*, p.28.
[305] Deleuze, *Foucault*, p.4.

being. The combination of a statement creating a space for a subject and the subject developing a way of understanding its self, together make up ontological narrativity.

The subjective relation is understood as the 'master' modality, of which the other modalities are subordinate. Referentiality, associativity and materiality are all different perspectives on the subjective relation modality, and together they determine the way statements create a space for the subject to walk into.

I will look first, at the correlative space that creates 'referentiality'. I am concerned here with the statement's relationship to the objects, subjects and concepts to which it refers. This realm of the referential of the statement is described by Foucault as forming

> the place, the condition, the field of emergence, the
> authority to differentiate between individuals or objects,
> states of things and relations that are brought into play
> by the statement itself; it defines the possibilities of
> appearance and delimitation of that which gives
> meaning to the sentence, a value as truth to the
> proposition.[306]

Next is the collateral space, which creates the 'associativity' of a statement. Here the concern is with the family of statements, and this family or group constitutes the rules of formation for the statement. For a statement to exist, it must be related to a whole adjacent field; it cannot operate without it. Foucault tells us that there is no statement in general,

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[306] Foucault, *The Archaeology of Knowledge*, p.91.

> no free, neutral, independent statement; but a statement
> always belongs to a series or a whole, always plays a
> role among other statements, deriving support from
> them and distinguishing itself from them: it is always
> part of a network of statements, in which it has a role,
> however minimal it may be, to play.[307]

The third realm that encircles any statement is the complementary space or materiality. Statements refer back to an extrinsic realm, for example an institutional milieu or a political event. A statement must have a material existence, a substance, a support, a place and a date; a statement is always given through some material medium. This is the specific horizon associated with a non-discursive milieu, without which the objects of a statement could not be assigned a place.[308]

The conditions creating the spaces that encircle the statement are important for this project. Foucault states that a group of signs, what are called here 'narrative', becomes a statement when these conditions are fulfilled. The space that is the function of the subject, the empty space waiting to be occupied, is the starting point for this project. But rather than leaving this condition as a formal category of archaeological description, it becomes, for ontological narrativity, a content-full aspect of discursive practices. The debate provides a discursive, ethical space for a subject to walk into but it is a space defined associatively, referentially and materially, and once the subject occupies that space, it will reassess its self in terms set forth by these statements. This reassessment is *rapport à soi*. The narratives of our culture contribute to how the subject develops a specific relationship with its self,

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[307] Foucault, *The Archaeology of Knowledge*, p.99.
[308] Deleuze, *Foucault*, p.10.

first by occupying the narrative space set for it, and second, by assessing itself. It is

to this second element of ontological narrativity that I now turn.

2.3.2 *RAPPORT À SOI*

Foucault's subsequent work after *The Archaeology of Knowledge* does not

concern itself with the statement. Foucault abandons the archaeological method of

delineating the structure of monuments, and the foucauldian *œuvre* evolves into a

second and then a third phase. Foucault's interest in digging through monuments to

describe the statements that form the discursive practice of a chosen domain

(madness, the clinic, and the human sciences) gives way to a specific relationship that

the self has with its self.

In *Discipline and Punish,* as well as the first volume of *The History of*

Sexuality, subjects are encouraged to modify their behaviors and think about

themselves; first as a subject of the monument 'penalty' and second, as a subject of

the monument 'sexuality'. Foucault does not use the language of archaeology in his

second phase, nor does he confront the subject in any detail. There is here a

concentration on the development of the mechanisms of power. It is not until his

third phase that the human subject is explicitly addressed. This is when the concept

of *rapport a soi* is developed.

Rapport a soi is the second element of my meta-ethical theory of narrative

ethics. After the statements create a space for the subject to occupy, *rapport à soi*

develops in line with this occupation. By tracing this creation of the self back to the

collection of statements, or monument, the relationship the subject has with its self is seen to be directly connected to the narratives responsible for articulating the monument. Being in a relationship with the monument shows the subject subjected to mechanisms of power, which are directed in specific directions. Power will not be included in my discussions of ontological narrativity except implicitly, as an essential part of the process of having a relationship with oneself. The central concern is with the second element of narrative ethics, *rapport a soi.*

The subject's relationship to its self is a creative process of which the subject is not usually aware. Foucault's multi-volume history of sexuality aimed at bringing to awareness this process for sexual ethics. The first volume showed this process in the early modern age. The second volume showed how the Greeks of their classical age engaged in their own relationship with themselves. The third volume depicted this relationship in the Roman era, showing a transition between the sexuality of the ancient world and early Christianity. The fourth volume was to be about the *rapport à soi* of the early Christians, but Foucault died before completing it.[309]

Foucault's main last concern was with sex. As a particularly dense point of power relations sexuality showed the action of the workings of power more readily (at least for Foucault) than other human pursuits.

In his second volume of the history of sexuality, Foucault enumerates four aspects of *rapport à soi.* He calls them: *substance éthique, mode d'assujettissement, forme d'ascèse, and téléologie.* Moral action is a process of self-formation, writes

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[309] *Les aveaux de la chair, The Confessions of the Flesh,* was almost complete when Foucault died and a copy of this is held in the Foucault archive but cannot be published under restrictions that Foucault set forth before he died. Michel Foucault, *Religion and Culture,* J.R. Carrette (ed.), New York, Routledge, 1999, 217 pp., p.2, n6.

Foucault, and with the first aspect, the subject delimits that part of him or herself that will form the object of moral practice. This is called the ethical substance. This is that part of ourselves that we will act upon when we are concerned with moral conduct. For the Greeks, *aphrodisia* is the ethical substance to be worked on. These are the works, the acts of Aphrodite; the acts, gestures, and contacts that produce a certain form of pleasure.[310] In the Christian era, the substance of sexual ethics is transformed into desire.

The second aspect of the self's relationship with itself shows the subject defining his or her position relative to a precept to be followed. Foucault uses the word *chresis* for this aspect, from the Greek expression *chresis aphrodision*, the use of pleasure. Foucault tells us that this term referred to

> the manner in which an individual managed his sexual
> activity, his way of conducting himself in such matters,
> the regimen he allowed himself or imposed on himself,
> the condition in which he accomplished sexual acts, the
> share he allotted them in his life.[311]

Foucault calls this the *mode d'assujettissement* referring to the way people are invited or incited to recognize their moral obligations.[312] This aspect also evolves through the centuries and Foucault tells us that Christianity in the first centuries had two main forms of a practice of the self: *exomologesis* and *exagoreusis*. Foucault writes that in the early days of Christianity

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[310] Foucault, *The Use of Pleasure*, p.40.
[311] Foucault, *The Use of Pleasure*, p.53.
[312] Foucault, "On the Genealogy of Ethics," p.264.

there are two main forms of disclosing the self, of showing the truth about oneself. The first is *exomologesis*, or a dramatic expression of the situation of the penitent as sinner which makes manifest his status as sinner. The second is what was called in the spiritual literature *exagoreusis*. This is an analytical and continual verbalization of thoughts carried on in the relation of complete obedience to someone else; this relation is modeled on the renunciation of one's own will and of one's self."[313]

The third form of the relationship one has with oneself in terms of sexual ethics of the Greeks is called *enkrateia*. *Enkrateia* is characterized, writes Foucault, by an active form of self-mastery, which enables one to resist or struggle, and to achieve domination in the area of desires and pleasures.[314] This third aspect is also called *pratique de soi*, and refers to the ethical work that one performs on oneself. It is the non-deliberate, self-forming activity of *rapport à soi*. It refers to the dynamics of a domination of oneself by oneself, and to the efforts that this demands.[315]

The fourth form or aspect of the self's relationship with itself is when the subject will adopt that which is considered a moral good. Here the subject decides on a certain mode of being. In *The Use of Pleasure*, Foucault uses the Greek word *sophrosyne* to refer to "a state that could be approached through the exercise of self-mastery and through restraint in the practice of pleasures; it was characterized as freedom."[316] This freedom, Foucault goes on to tell us, is not to be understood as the independence of free will. To be free in relation to pleasure was to be free from the influence that pleasure may hold; its opposite was the enslavement of the self by

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[313] Foucault, "Technologies of the Self," p.249.
[314] Foucault, *The Use of Pleasure*, p.64.
[315] Foucault, *The Use of Pleasure*, p.65.

oneself. This *telos* of moral action refers to the kind of being that we aspire to be when we behave in a moral way.

In *The Use of Pleasure*, Foucault uses the four aspects of *rapport à soi* listed above to problematize three relationships that the self engages in to find out how the different aspects of *rapport à soi* are affected. These three are labeled dietetics, economics and erotics, signifying respectively the practice of the health regimen (the relation to one's body), the practice of household management (the relation to one's wife), and the practice of courtship (the relation to boys).[317] For the purposes here, the connection between sexuality and *rapport à soi* will be ignored, and in its place, the connection of the statements of ethical argument, from the debate on reproductive technologies, and *rapport à soi* will be offered. Instead of the use of pleasure, this project looks to the 'use of reproduction' to show how the relationship that the subject has with itself is affected by the monument that is the ethical debate on RT.

2.3.3 META-NARRATIVE-ETHICS

The meanings provided by the voices in the debate contribute to the shaping of the world. The words that delineate the ethical positions are here understood as narratives. They present a story with a moralizing intent. This is not to be understood in the traditional sense of a 'moral' of the story, but in the sense that there are repercussions for subjectivity; thus it is the moralizing intent of a voice that provides a narrative's narrativity. In other words, the narrativity of the political

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[316] Foucault, *The Use of Pleasure*, p.78.
[317] Foucault, *The Use of Pleasure*, p.32.

voice, the voice of the profession, and the voice of the media refers to an *ontological* narrativity that leads the subject to reconsider its self in light of what the narrative intends. This renewed self-perception is a result of the narrative's ontological narrativity. The challenge is to see the moralizing intent within the narratives and to establish how this intention is connected to our moral lives.

In the final section of this chapter, my theory of meta-narrative-ethics begins to take shape. This theory, based primarily on the statement and its relationship to *rapport à soi*, is less a method that is applied to an ethical issue for specific answers than a way of problematizing and probing the language that is used in ethical discourse. This theory allows a look at contemporary discursive practices in a way that clarifies the relationship between the subject and the narrative that is ethical discourse. Ethical analysis and narrative analysis are synonymous and are understood here as, first, revealing a discourse's statements and, second, discerning the *rapport à soi* that consequently arises. It is a way of revealing the way the subject constitutes its self in ethical debate. Meta-narrative-ethics is not primarily about finding the right answers to particularly difficult dilemmas. It is about the construction of subjectivity through ethical debate. This method shows how the subject reforms the self in the process of both presenting and understanding ethical arguments and issues.

The moral subject envisioned here is not a discovered subject. It is not a static element that is found in the depths of our being. It is a process, a continual re-creation of subjectivity, of which only part is our doing. We are storytellers and story-listeners and we sustain our ideas of the self by accepting or rejecting certain

narratives presented to us during the course of our lives. With this accepting and rejecting, we recast and reform our relationship with ourselves.

Meta-narrative-ethics works to decipher those elements that direct self-explorations and self-understandings and its goal is to affect ethical lives by deciphering those elements involved in the creation of the subject. It shows that the work of art that is us is not a purely haphazard creation. When we remain unaware of the power relations that run through us and when we remain unaware of the ethical traditions that inform these lines of force, we cannot but be at the mercy of creations that constitute us without our knowledge. Awareness of this event precedes the ability to direct it.

Ontological narrativity is the essential element of this theory. This concept is based primarily on the combination of, first, how a statement creates a space for the subject to occupy and then, second, how that subject then relates to its self as a result of that occupation. It presents a novel combination of different foucauldian ideas as a way of deciphering how certain discourses influence how the subject comes to know its self. Meta-narrative-ethics is the name given to this type of ethical analysis, which serves to expose how conceptions of self come into being and it seeks to illuminate the moment when a subject develops a relationship with its self as a result of filling the space created by the statement. In the next section I will show how Foucault's subjectified subject defines its relationships through the ethical debate on reproductive technology. This project is an exposé of how the subject is affected by this debate and how a certain self is created.

The next part of this thesis turns to the main voices that have been engaged in the debate on reproductive technologies. It will show both the position of the selected participants and the constitution of the self through the discernment of ontological narrativity. By subjecting these voices to a narrative analysis, I ultimately hope to be able to provide an understanding of how subjects may be prepared to accept or reject certain narratives based on how they constitute the self's relationships. Narrative bioethics works to illuminate the process by which the subject is created as a work of art.

PART 3 – THE DEBATE

AN ANALYSIS OF THE STATEMENTS FROM THREE VOICES ENGAGED IN
THE CANADIAN DEBATE ON REPRODUCTIVE TECHNOLOGIES

3.0 INTRODUCTION

The debate over reproductive technologies can be divided into three distinct

stages. These will conveniently, and somewhat arbitrarily, be said to correspond with

the three decades of the 1970s, the 1980s and the 1990s. The first stage of the debate

is the experimental phase, the second stage is the implementation phase and the third

is the naturalization phase. It is interesting to note that it is surrounded on both sides

by questions of genetics. In the early 1970s concerns about genetic manipulations

developed, but the focus turned to reproductive issues throughout the 1980s and

1990s and then returned to questions of genetics in the year 2000. The genetic

debate, it seems, had to be brought through the questions of reproduction before

continuing and transforming genetics into genomics.[318]

As early as 1971, Canadian questions were being raised about limiting

research into genetic engineering.[319] The appearance of scholarly articles by such

American philosophers and theologians as Leon Kass,[320] and Paul Ramsey[321] also

began during this initial phase of the debate. But even as these questions arose,

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[318] Genomics refers to the joint efforts of molecular biologists, engineers and computer scientists to map the human genome, that is, to discover the sequence of the 3.5 billion nucleotides in the entire complement of human DNA.

[319] Gerhard Herzberg, "Il faut poser des limits aux manipulations génétiques," *Le Devoir*, 10 nov. 1971, p.2.

[320] Leon Kass, "Babies by means of in vitro fertilization: unethical experiments on the unborn?" *New England Journal of Medicine*, 285,21(Nov 18, 1971):1174-9.

[321] Paul Ramsey, "Shall we "reproduce"? The medical ethics of in vitro fertilization," *Journal of the American Medical Association*, 220,10(Jun 5, 1972):1346-50.

Canadian research was forging along, setting the stage for the development and

consequent acceptance of reproductive and genetic technologies in Canadian life. In

1972, the Medical Research Council of Canada awarded a grant of over one million

dollars to the team of Dr. Clarke Fraser[322] for the development of, among other things,

three new programs of prenatal diagnosis.[323]

This first stage is the experimental stage of the debate, although the words

"reproductive technologies" do not appear in the Canadian discourse until 1984.

From the 8th to the 17th of April 1978, *The Calgary Herald* published a nine-part

series entitled "Who plays God?" and presented such issues as cloning, genetic

engineering, and a host of reproductive technologies collected under the banner of

"manufacturing life." The writing of this series of articles was probably inspired by

the release of David Rorvik's book *In His Image: The Cloning of a Man*, in March of

that year. This book claimed the creation of a child through methods of *in-vitro*

fertilization, a clone of an anonymous millionaire who wanted a genetic replica. The

Canadian press presented this story, although some of the media were more skeptical

than others.[324] Part 4 of the series in *The Calgary Herald* was prophetically titled

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[322] Dr. Clarke Fraser founded the first Canadian medical genetics clinic at the Montreal Children's
Hospital as well as its Department of Medical Genetics in the 1950s. In 1999, he received the Wilder-
Penfield Award, the highest distinction granted by the Québec government in the biomedical sciences.
Press Release, Québec, Ministère de la Recherche, de la Science et de la Technologie, available <on-
line> http://www.mrst.gouv.qc.ca/_an/communiques/fraserA-991123.html.
[323] *Le Devoir* proudly reports that Québec is the first province to develop a network for the treatment of
genetic disease. Announcing Dr. Fraser's grant from the Medical Research Council, this anonymous
article states that "Le Québec est présentement la seule province canadienne qui ait mis sur pied un
réseau bien organisé de dépistage de «counselling» et de traitement des maladies génétiques. L'équipe
de McGill joue déjà un rôle-clé au sein de ce reseau." *Le Devoir*, "Le CRM a accordé une subvention,"
6 déc, 1972, p.3
[324] *Le Devoir* reports "Un bébé éprovette de 14 mois vit aux USA," 4 mars 1978, p.12; whereas the
Globe and Mail states "Child was created in test-tube by cloning. Rorvik book claims: scientists
remain skeptical," March 4, p.2. José Van Dyck in *Manufacturing Babies and Public Consent:
Debating the New Reproductive technologies*, New York, New York University Press, 1995, 238pp.,

"Test-tube babies closer than we suspect" which ushered in the culmination of this first stage of the debate: the birth of Louise Brown in England in July of 1978.

If the 1970s was the experimental decade, the 1980s was the decade of implementation. In Canada, we see the wide spread application of reproductive technologies, especially *in-vitro* fertilization. It was this decade that experienced the height of the debate on reproductive technologies in Canada, and it was during this time that Canada witnessed the birth of its own "test-tube" babies. Twins born in Vancouver in 1983 were the first conceived in Canada, and in 1985 the *Centre hospitalier de l'Université Laval* provided Quebec with its first IVF baby. This was also the year that the Government of Ontario decided to add *in vitro* services to its fee schedules.

1987 was a key moment in the public debate on reproductive technologies.[325] In the United States, this was the year of the famous "Baby M" case in New Jersey concerning contractual surrogate arrangements. This has been considered an important moment in the debate, because it is this case that brought to public attention the social practices that came into being with reproductive technologies. It also exposed the questions of regulating these new kinds of reproductive relationships. This case involved Mary Beth Whitehead who had agreed, and signed a contract, to be inseminated with sperm from Bill Stern and to carry a child to term in order to provide the Sterns with a child. Ms. Whitehead changed her mind after the birth of her daughter. The disagreement was taken to court and while the initial ruling gave sole custody to Mr. Stern, upholding the surrogacy contract, the New Jersey Supreme

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presents the Rorvik phenomenon in greater detail in a chapter called "Reading Science, Journalism and Fiction as Culture," pp.35-60.

Court unanimously found the contract to be invalid and awarded both biological

parents custody.

In Canada, 1987 witnessed a large-scale mobilization of women's groups and

other concerned Canadians into a two-year lobby effort under the auspices of the

Canadian Coalition for a Royal Commission on New Reproductive Technologies.[326]

The result of this lobby was the creation of the Royal Commission in 1989 under the

government of the Progressive Conservative party, led by Prime Minister Brian

Mulroney. The last half of the 1980s also saw two provincial reports: the report of

the *Comité du travail sur les nouvelles technologies de reproduction*, written for the

Québec Ministry of Health and Social Services[327] and the Ontario Law Reform

Commission's report to the Attorney General.[328] The primary concern of the Québec

report was to describe the limits and conditions of accepting these "new realities" into

the Québec Healthcare system. The Ontario report provided answers to questions

submitted by that province's Attorney General, which concerned certain legalities

relating to the practice of artificial human conception.

If the 1970s was the decade of experimentation and the 1980s, the decade of

implementation, the 1990s was the decade of normalization of reproductive

technologies. The discussions turned from "are these technologies ethical?" to "How

do we regulate the use of these technologies?" This change happened at the end of

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[325] Van Dyck, *Manufacturing Babies and Public Consent*, p. 120.
[326] Margrit Eichler, "Frankenstein Meets Kafka: The Royal Commission on New Reproductive Technologies," in *Misconceptions*, vol. 1, Hull, Voyager Publishing, 1993, pp.196-222, p.196.
[327] Comité de travail sur les nouvelles technologies de reproduction humaine, *Rapport du Comité de travail sur les nouvelles technologies de reproduction humaine*, Québec, Ministère de la santé et des services sociaux, 1988, 246pp.
[328] Ontario Law Reform Commission, *Report on Human Artificial Reproduction and Related Matters*, Toronto, Ministry of the Attorney General, 2 vols, 1985, 390pp.

the 1980s.[329] During the 1990s, reproductive technologies like *in-vitro* fertilization and certain types of prenatal diagnoses became routine procedures. Genetic engineering was transformed into genetic therapy as the Human Genome Project provided a hope that genetic diseases will one day be eradicated. During this decade, the feminist point of view that was an important force in the earlier stages of the debate, became co-opted by the supporters of these technologies calling for regulation and government subsidy. Religious objections had similarly been erased from the debate.[330] The voices of feminism and religion, once powerful contributing voices in the debate, have been marginalized out of the public debate in the 1990s. While recognizing that these voices do have important contributions to the debate, their participation will not be included in this present project.

This project confines itself to this decade of normalization and the voices that will be subjected to a narrative analysis are the political voice, the professional voice and the voice of the media. It is these three voices that have held the most sway in public understandings of reproductive technologies in Canadian society.

The Canadian debate is understood here as a foucauldian monument. It is a monument made up from the discourses that contribute to and constitute this topic. Each voice in the debate is seen as one part of the monument, and will be subjected in turn to a narrative analysis. The goal is to determine how each voice engages the subject and contributes to the process of its creation. This project illuminates how the monument that is the debate as a whole suggests how the subject should relate to its self, and as such, how the self comes to be.

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[329] See for example Machelle M. Seibel, "A New Era in Reproductive Technology," *New England Journal of Medicine,* (March 31, 1988):828-834.

I begin with the political voice in the Canadian debate on reproductive technologies.

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330 Van Dyck, *Manufacturing Babies and Public Consent*, p.130ff.

CHAPTER 6: THE POLITICAL VOICE

3.1.0 INTRODUCTION

In Canada, political concern for reproductive technologies at the federal level

had been relatively absent until the end of the 1980s. In 1989, a Royal Commission

was created to look into the implications of these technologies for Canadian society.

Its inquiry lasted four years, involving over 40,000 people including more than 300

researchers. It was granted three extensions and spent over 28 million dollars and in

1993 the final report was published. *Proceed with Care* (*Un Virage à prendre en*

douceur) is a 1275 page, two volume commentary with fifteen volumes of research,

presenting a unique report on the state of this art in Canada, as well as the views of

Canadians and those of the Commissioners themselves.[331] The Commission

emphasizes the need of public debate around these technologies and the report itself

is an important step in coming to understand their place in Canadian society.

The report of the Royal Commission puts forth 293 recommendations, the first

of which is the creation of a National Reproductive Technologies Commission

(NRTC) to "ensure that new reproductive technologies are provided in a safe, ethical,

and accountable way."[332] The report also maintains that certain of these activities

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[331] The Commission suffered internal problems resulting in the dismissal of four of the original commissioners. The relationship between these four commissioners and the Chairperson is discussed in an article that highlights a questioning of the research process and the agenda of the Chairperson. Margrit Eichler, "Frankenstein Meets Kafka," p.198, writes: "The overall picture that emerges is one of a Commission tightly controlled by one individual -- the Chair -- who was determined, against all opposition, to carry through her personal game plan. This was made possible by a federal government which went to extreme lengths to back up the Chair and her autocratic decision-making at crucial times when serious challenges were posed."
[332] Government of Canada, *Proceed with Care: Final Report of the Royal Commission on New reproductive technologies*, Ottawa: Minister of Government Services Canada, 1993, vol 2, p. 1023.

conflict with Canadian values in such a way that the threat of criminal sanction ought to be imposed to prohibit them. They "are so potentially harmful to the interests of individuals and of society, that they must be prohibited by the federal government (...)."[333] With the launch of the Royal Commission, political interest begins and, with the publication of its report four years later, political action follows.

In July 1995, the then federal Health Minister Diane Marleau presented a response to the Royal Commission's report.[334] She declared that the government will not be imposing regulation at that time even though some of these technologies do not reflect Canadian values and others go so far as to threaten human dignity. In her comments, she suggested a voluntary moratorium on nine procedures that are considered unacceptable. These include: animal/human hybrids, cloning embyros, cadaver gametes, ectogenesis, non-medical sex-selection, buying or selling gametes and embryos, trading ova for in-vitro services, germ line alterations, and commercial surrogacy. By calling for the moratorium, the government was implicitly giving the medical profession an opportunity to act on the social, ethical, health, research, legal and economic implications of these new technologies, as presented in the report of the Royal Commission.[335] In June 1996, with no self-imposed regulations coming from the medical profession, the federal Ministry of Health, now with a new minister, David Dingwall, announced Bill C-47, The Human Reproductive and Genetic Technologies Act. C-47 would prohibit the above mentioned procedures, including

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[333] *Proceed with Care*, p.1022.
[334] Joan Bryden, "Back off on fertility: Marleau," *The Gazette* (Montreal), July 28, 1995, p.A1.
[335] This list of implications is from the original Order-in-Council, the mandate of the Royal Commission, dated October 25, 1989.

four additional technologies,[336] with sanctions of up to $500,000 and 10 years in prison.[337]

Bill C-47 was introduced in the House of Commons, June 14, 1996, one year after the Government of Canada implemented the voluntary interim moratorium. According to the document *New Reproductive and Genetic Technologies: Setting boundaries, enhancing health*, this moratorium was the first phase of their "comprehensive management regime."[338] This moratorium was suggested based on the Royal Commission's findings. But because of reports of non-compliance with the voluntary moratorium, the government responded with the second phase of its "comprehensive management regime": the introduction of prohibitions legislation. The third phase, which the Commission had considered the most complex, is the development of a regulatory component, perhaps a regulatory structure such as an agency, to ensure compliance with the prohibitions of certain technologies which "violate the principles of respect for human life and dignity."[339]

During March and April of 1997, the Sub-Committee of the Standing Committee on Health held five sessions to hear the views of professional and scientific associations and other interested individuals and groups. According to the

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[336] Actually five practices are added, the last one being a provision to criminalize the "offer to provide or offer to pay for prohibited services." The other four are: the transfer of embryos between human and other species; the use of sperm, egg or embryo without the informed consent of the donors; research on human embryos later than 14 days after conception; and the creation of embryos for research purposes only. Nine original practices plus five additional ones would give a total of fourteen, but only thirteen are mentioned in C-47. Upon closer look, one of the original nine banned practices is no longer banned. The practice of donating ova in exchange for reproductive services is no longer deemed unacceptable or a threat to human dignity.

[337] A. McIlroy, "Tough reproductive rules proposed," *The Globe and Mail*, June 15, 1996.

[338] This "regime" is spelled out a document published by authority of the Ministry of Health which states that its purpose is to put forward a description of its regulatory regime for public comment. Government of Canada, *New Reproductive and Genetic Technologies: Setting boundaries, enhancing health*, Ottawa, Minister of Supply and Services Canada, 1996, 48pp.

[339] Government of Canada, *New Reproductive and Genetic Technologies*, p.6.

Canadian Bioethics Report, an on-line publication of the Canadian Medical

Association, many, if not most of the presentations opposed the bill and

recommended instead jumping directly to the third phase of the government's

management regime: the development of a comprehensive regulatory framework for

reproductive technologies.[340]   Bill C-47 subsequently died on the order paper when

an election was called in April 1997 and Parliament was dissolved.

In October of 1997, member of parliament Pauline Picard (BQ,

Drummondville) introduced a private member's bill, C-247. This was a diluted re-

presentation of the original C-47 and centered around the criminalization of genetic

manipulation of cells, including zygotes and embryos. Essentially it was a bill to ban

human cloning and was presented after news of the first mammalian clone was

reported from Scotland. C-247 was first read on October 9, 1997. The bill was then

debated in the House of Commons for three sessions, on February 17, 1998; on April

1, 1998 and on May 14, 1998. A vote was taken on this last date as to whether or not

the House of Commons would adopt the motion that the bill be read a second time

and referred to committee. The motion was defeated.

This effectively ended discussion of criminalization and, for at least a year,

any political discussion with respect to reproductive and genetic technologies. In

May of 1999, Health Minister Allan Rock reported to *The Ottawa Citizen* that new

legislation would be introduced in the fall of that year. This legislation was to

establish a regulatory body to oversee reproductive technologies and genetic

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[340] Canadian Medical Association, *Canadian Bioethics Report*, Online. Available:
http://www.cma.ca/cbr/apr97/legact.htm

research.[341] This deadline came and went but in May 2001, Health Canada introduced

a new "Proposal for Legislation."

No legislation is enacted throughout the 1990's and the political contribution

to the debate on reproductive technologies has been limited to the first two phases of

its three-phase "comprehensive management regime," as outlined in the 1996 Health

Canada document.[342]

The first phase was the call for a voluntary interim moratorium that served as

an exploratory period where the reaction of the professional groups involved with

these technologies was gauged. With no reaction, the second phase was initiated: the

introduction of prohibitions legislation. With the failures of both C-47 and C-247, the

federal government is now poised, in the year 2001, to move into the third phase of its

regime to manage reproductive and genetic technologies.[343]

This management regime as well as other potential political actions are based

largely on the report of the Royal Commission on New Reproductive Technologies.

It is on this report that Health Canada grounds its selection of ethical principles,[344]

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[341] Mark Kennedy, "New agency to police baby-making business: Fall legislation will also regulate genetic research," *The Ottawa Citizen*, May 11, 1999, A1. A search of press releases of Health Canada for the second half of 1999 shows 3 newsworthy items: Health Canada recommends that semen banks recall donors and recipients for testing; an international genetics conference announcement; A$10 Million commitment to "genomics" health research.

[342] *New Reproductive and Genetic Technologies: Setting boundaries, enhancing health*, Ottawa, Ministry of Supply and Services Canada, 1996, 48pp.

[343] In January, 2000, Derek Kent, an assistant to Health Minister Allan Rock, was quoted as saying "We hope to introduce the legislation some time in the new year. We don't have a precise date yet." Paul McKeague wonders in this article from in the *Ottawa Citizen*, whether legislation on reproductive and genetic technologies will ever be passed. Paul McKeague, "Repro-tech law on the agenda, again," *Ottawa Citizen*, Jan. 3, 2000. Online. Available: http://www.ottawacitizen.com/national/000103/3380033.html. February 27, 2000. Over a year later in May 2001, a new proposal for legislation is presented by Health Canada.

[344] The "Setting Boundaries" document lists six ethical principles: Balancing individual and collective rights; Equality; Protecting the vulnerable; Appropriate use of medical treatment; Non-commercialization of reproduction and reproductive materials; Accountability. pp. 15-17.

and it is this report which serves as the ethical foundation of the political voice in the Canadian debate.

In this chapter, I begin a narrative analysis. The ethical arguments will be presented and then probed for ontological narrativity. I am looking for how certain sentences become statements, which in turn create a certain relationship that the subject has with itself. This analysis begins with the ethical structure presented by the report of the Royal Commission.

3.1.1 THE ETHICAL ARGUMENT

In Chapter 3 of the first volume of *Proceed with Care*, entitled "What Guided our Deliberations: Ethical Framework and Guiding Principles," the authors comment on what directed their reflections and recommendations. The commissioners considered using an 'over-arching' ethical theory to help them through their difficult reflections, but they dismiss this approach in favor of "a broader ethical orientation."

There were three factors that influenced this decision. The first involves the idea that if one theory is chosen, then other theories must then be rejected. The second is that there is problems applying general ethical theory to the complex area of reproductive and genetic technology. The third reason is that many contemporary ethical theories are premised on the individualistic understanding of human nature. For these reasons, the Commission does not adopt an over-arching theory but rather relies on an ethical orientation or perspective in the form of a two-tiered approach: *the ethic of care* and *the guiding principles approach.*

3.1.1.1 THE ETHIC OF CARE

Recognizing that the theoretical development of the ethic of care is taking

place in many diverse contexts, the report describes its particular use of this ethical

position, which includes a critique of modern ethics:

> [M]oral reasoning is not solely, or even primarily, a
> matter of finding rules to arbitrate between conflicting
> interests. Rather, moral wisdom and sensitivity consist,
> in the first instance, in focusing on how our interests are
> often interdependent. And moral reasoning involves
> trying to find creative solutions that can remove or
> reduce conflict rather than simply subordinating one
> person's interests to another. The priority, therefore is
> on helping human relationships to flourish by seeking
> to foster the dignity of the individual and the welfare of
> the community.
>   Where intervention is necessary, its aim should
> be creative empowerment so that, as far as possible,
> everyone is served and adversarial situations do not
> arise. At the very least, intervention must, in this view,
> avoid causing harm to human relationships.[345]

With this ethical orientation, the commission attempts to circumvent the

individualistic view of human nature prevalent in the traditional ethical theories.

Rather than protecting individual interests against the encroachment of others, the

connections between people expressed in families, communities and other social

bonds are promoted.[346] The ethic of care means that a large part of ethical

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[345] *Proceed with Care*, p. 52.
[346] *Proceed with Care*, p. 50.

deliberation is concerned with how to build relationships and prevent conflict, rather than being concerned with only resolving conflicts that have already occurred.[347]

After introducing their allegiance to this ethical orientation, further development of details is abandoned. The merits of this ethical theory as compared to various others is not addressed in the final report except for the comment that this orientation, in combination with certain guiding principles "gives the most insight into the particular issues" raised by NRT.[348] No further argument for this position is provided.

The lack of discussion on this ethical approach has evoked strong criticism from University of Toronto lawyer Rachel Ariss who has written that this presentation of care has rendered it so broad as to be almost meaningless. Her critique shows how the report reduces the ethic of care to the principle of beneficence and how it shows a lack of depth in the appropriation of this ethical position. According to Ariss, not only does the Commission ignore "the extensive literature attempting to apply or critique the application of the ethic of care in North American legal systems," but it also reflects a superficial reading of the ethic of care most important proponent, Carol Gilligan, whose formulation is infinitely more complex than what is presented in the report. Ariss suggests that the political voice in the debate on RT is not really "a different voice," despite its adoption of the ethic of care and comments that it does not fulfill the feminist goals of listening to women's voices and of recognizing the real-life contexts of moral decision-making.[349]

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[347] *Proceed with Care*, p. 50.
[348] *Proceed with Care*, p. 51.
[349] Rachel Ariss, "The Ethic of Care in the Final Report of the Royal Commission on New Reproductive Technologies," *Queen's Law Review*, 22 (1995):1-50.

3.1.1.2 THE GUIDING PRINCIPLES

The ethic of care is an orientation that is concerned with building relationships and preventing conflicts, but along with the ideals of care and community, an ethical perspective, according to the report, must be able to cast light on issues when conflict does arise.[350] Thus along with their "orienting ideal" of the ethic of care, eight guiding principles are found to be of special relevance to the mandate of the Royal Commission. The eight values that form the guiding principles are: individual autonomy, appropriate use of resources, non-commercialization of reproduction, equality, respect for human life, protection of the vulnerable, accountability and the balancing of individual and collective interests.

The final report itself does not have much detailed reasoning in the 18 pages that is set aside for its ethical framework. We do find more detail in the first of the 15 volumes of research and it is here that we find a discussion of ethical theory and how it impacts on the Report of the Royal Commission.

The first chapter of *New Reproductive Technologies: Ethical Aspects*, volume 1 of the Research Studies of RCNRT outlines the ethical position and the foundational structure that was used to support the report and its recommendations. The author is Will Kymlicka, a political philosopher at Queen's University who was

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[350] *Proceed with Care*, p. 50.

the Senior Policy Analyst for Royal Commission during 1990-91.[351] It is this chapter

that forms the cornerstone of the Commission's ethical edifice.[352]

Kymlicka begins with a survey of the terrain of modern bioethics and

considers six of the most common ethical theories that could provide an over-arching

comprehensive framework for the Royal Commission. Any one of these theories

could become the ethical basis for public policy, but Kymlicka dismisses each of

them, as well as the approach that would see one ethical theory take precedence over

the others. These six foundational theories are utilitarianism, deontology, natural law,

contractarianism, the ethic of care and mutual advantage.[353]

There are two reasons why the attempt to develop one theory is thwarted even

before it gets off the ground. First, there are interminable differences between rival

ethical theories and these differences cannot be resolved. And second, even if a

theory is adopted, it may not itself yield useful answers to ethical questions. As

Kymlicka succinctly states:

> [T]here is every reason to believe that utilitarians will
> continue to disagree over what promotes utility;
> contractarians, over what is reasonable; natural law
> proponents, over what is natural; proponents of the
> ethic of care, over what is responsible; et cetera.[354]

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[351] Will Kymlicka, *Biography*, 1998, available Online: http://qsilver.queensu.ca/~philform/biog.html.
March 7, 2000.
[352] "Will Kymlicka's clear and salient arguments for the Commission's adoption of an ethical
framework with explicit guiding principles provide a cornerstone not only for this volume, but for all
the research volumes and for the Commission's Final Report as well." Introduction, *New Reproductive
Technologies: Ethical Aspects*, Vol. 1 of Research Studies of the RCNRT, Ottawa, Minister of Supply
And Services, 1993, p. xii.
[353] Will Kymlicka, "Approaches to the Ethical Issues Raised by the Royal Commission's Mandate,"
New Reproductive Technologies: Ethical Aspects, Vol. 1 of Research Studies of the RCNRT, Ottawa,
Minister of Supply And Services, 1993, 408pp., p.13.
[354] Kymlicka, "Approaches to the Ethical Issues," p. 14-15.

Suggesting one theory for the Commissioners to use through their deliberations is not

Kymlicka's goal and in fact, a choice of one theory is likely to be divisive and

controversial.[355] Ironically however, part of the ethical orientation adopted in the

final report, the ethic of care, is one of the ethical theories dismissed here because of

these weaknesses.

Focusing on the common elements between these theories is thought to be the

best approach to finding an ethical basis for public policy recommendations. As

Kymlicka writes, "it may be more profitable to build instead on their points of

agreement."[356] The points of agreement are found in what is called the "moral point

of view" and is expressed by the 'mid-level' principles that are shared by the major

moral theories.

Kymlicka surveys 35 national and international reports on reproductive

technologies and finds that none of these adopt a specific theory to guide deliberation.

He also finds that many do adopt principles to work from, even though no theory is

presented to ground those principles. This is Kymlicka's suggestion for the ethical

theorizing of the Royal Commission.

Kymlicka thus sets forth a kind of principlism.[357] This ethical orientation has

been widely criticized, with the major criticism pointing to the fact that there is no

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[355] Kymlicka, "Approaches to the Ethical Issues," p. 17.

[356] Kymlicka, "Approaches to the Ethical Issues," p. 15.

[357] Principlism is the name given to bioethical theories in which the principles of bioethics, as first put forward by Beauchamp and Childress in their classic work, are seen as essential to the task of bioethics. Principlism is less an ethical theory than an approach to considering bioethical issues. Tom L. Beauchamp, and James F Childress, *Principles of Biomedical Ethics*, 4th ed. New York, Oxford University Press, 1994, 546pp.

one theory inclusive enough to justify the use of all principles.[358]   Kymlicka

circumvents this critique by ostensibly eliminating the need for theory. The basis for

the elimination of ethical theory is that even though there is disagreement with

respect to an over-arching theory, all of them share a commitment to what is called

the "moral point of view."[359] While we cannot choose one theory to encompass all of

our ethical intuitions, the commitment to this "moral point of view" is expressed in

the general agreement we see on the principles. According to Kymlicka, we do not

need to subscribe to a particular ethical theory to have confidence in the principles.

Nor do we need to subscribe to a particular ethical theory to evaluate what counts as a

good reason to adopt certain policies.[360] This, according to Kymlicka, should be self-

evident:

> Anyone who doubts whether promoting the child's
> interest counts as a moral good lacks the most basic
> ethical sensibilities -- they have failed to understand
> what it means to look at things from a moral point of
> view. [361]

A false dichotomy appears to have been accepted by previous inquiries as well as

their critics, Kymlicka tells us.[362] This dichotomy infers that ethical theory is

essential for ethical reflection. Either there is ethical theory or we are at the mercy of

subjective whims or public opinion polls. Kymlicka does not accept this false

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[358] K.D. Clouser, and B. Gert, "A Critique of Principlism," *Journal of Medicine and Philosophy*, 15(1990):219-236, see also S. Toulmin, "The Tyranny of Principles," *Hastings Center Report*. 11,6(1981):31-9.
[359] Kymlicka, "Approaches to the Ethical Issues," p.15
[360] Kymlicka, "Approaches to the Ethical Issues," p.33.
[361] Kymlicka, "Approaches to the Ethical Issues," p.33.

dichotomy and criticizes Mary Warnock for seemingly accepting it in her report to

the British Parliament.[363] Rejecting this dichotomy does not prevent the adoption of

ethical principles.

The ethical principles chosen for the deliberations of the RCNRT come from

three sources: public consultations, international inquiries and the bioethics literature.

These principles have received "considerable support" from a broad range of

intervenors at the public hearings,[364] and also because of the "considerable

consistency" they show in international inquiries and in the bioethics literature.[365]

Kymlicka's sources of ethical principles come from a specialized opinion, one that he

polls from these segments of the public.

Thus consensus replaces ethical theory in the justificatory scheme suggested

by Kymlicka's ethical principlism, a scheme similar to the one Beauchamp and

Childress describe in their presentation of deductivism as a model of justifying certain

principles. Oversimplifying, Beauchamp and Childress show us a linear

conception.[366] Here particular judgments are justified by ethical rules, which in turn

are justified by ethical principles, which in turn are justified by ethical theory.

Kymlicka replaces ethical theory with the idea of consensus. While there is no

agreement with respect to ethical theory, there is agreement with respect to principles

and it is the principles themselves that Kymlicka suggests forms the basis for ethical

action.

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[362] Kymlicka, "Approaches to the Ethical Issues," p.32.
[363] Mary Warnock, *Report of the Committee of Inquiry into Human Fertilisation and Embryology*, London, H.M.Stationery Office, 1984, pp.103.
[364] Kymlicka, "Approaches to the Ethical Issues," p.18.
[365] Kymlicka, "Approaches to the Ethical Issues," p.25.
[366] Beauchamp and Childress, *The Principles of Biomedical Ethics*, 4th ed., p.16.

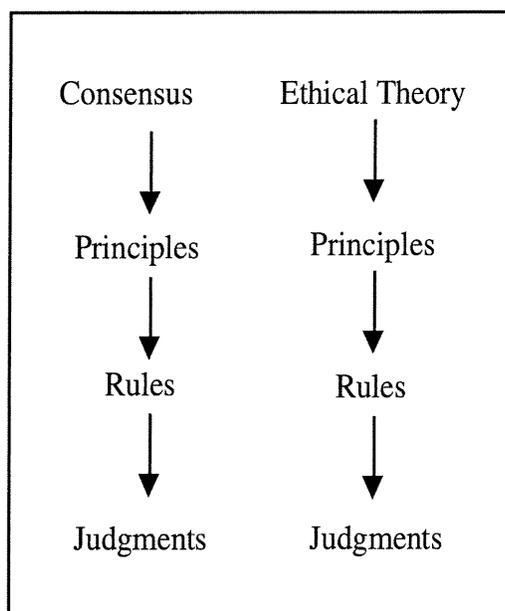| Consensus	Ethical Theory
↓	↓
Principles	Principles
↓	↓
Rules	Rules
↓	↓
Judgments	Judgments

Figure 1

After identifying these principles, Kymlicka turns to their application. A list

of "stakeholders" is presented reflecting the major groups that are affected by RTs.

These are women, children, embryos/fetuses, people with disabilities, racial and

ethnic minorities, gays and lesbians, health care providers, and patient and donors.

Kymlicka writes:

> Using these two lists [of stakeholders and principles],
> the Commission can consider how various policy
> options affect the legitimate interests of each of the
> affected parties, and thereby arrive at morally
> responsible recommendations.[367]

Kymlicka suggests that this is not a magic formula, but it does allow for those that are

engaged in debate to pinpoint where disagreement occurs. The interpretation of a

principle, for example, may be the source of disagreement, stemming from different assumptions about the impact of a technology, or the moral status of the embryo or fetus. This approach however, allows the disagreement to be accepted and contained so that public policy recommendations can still be made, whereas a single-theory approach could not accommodate disagreement. The guiding principles are said to provide a means of understanding the "moral point of view" more readily than adopting an ethical theory because they are more practical and less controversial.[368]

Returning now to the report of the RCNRT, it is evident that the ethical framework, grounded on the combination of eight guiding principles with the ethic of care, is suggested as a way of providing a balance between the emphasis on rights on the one hand (as embodied in principles), and the emphasis on relationships on the other (as found in the ethic of care). This "moral point of view," adopted by the Royal Commission's report, is the ethical foundation for the political voice in the debate on reproductive technologies. It is described as follows: "Adopting the moral point of view requires that we sympathetically attend to people's interests and circumstances, try to understand how things look from their point of view, and give due weight to their well being."[369] This ethical foundation is only one of the contributing elements to the political voice, but it is one that is explicit with respect to its ethical point of view.

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[367] Kymlicka, "Approaches to the Ethical Issues," p.28.
[368] Kymlicka, "Approaches to the Ethical Issues," p.34.

3.1.2 ONTOLOGICAL NARRATIVITY

The political voice articulates a narrative that provides an ontology. This voice is a source for how the subject thinks about itself, and how it organizes thoughts and how it acts upon its self. The aspect of those narratives that engage the subject in this way is considered its ontological narrativity.

Narratives concern our being objects of positive knowledge. Narratives also concern our being subjects incorporating this knowledge. The narrativity of the political voice provides this understanding and the present objective is to clarify this doubled operation.

The political voice is engaged in the production of discourse. This engagement is a form of controlling and organizing what is said, as well as selecting and redistributing the production. Discourse, as we have seen, produces knowledge, which in turn contributes to the process of the self's constitution and as such, understanding the subjects we are, is connected to the production of discourse.

The political voice invents a system of statements surrounding the ethics of reproductive technologies. It is a discursive system that presents ways of understanding ethics by suggesting policy for these technologies. In the process it presents ways of understanding human subjectivity. This presentation is not explicit however and exposing how this voice accomplishes the task of the self's reassessment will be presented in this section. Examining what this voice suggests as a process of

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369 Kymlicka, "Approaches to the Ethical Issues," p.16.

reassessment is what I have called narrative analysis, which more precisely reflects the voice's ontological narrativity.

I am concerned here with how Canadian politics has invented a discursive system concerning the ethics of reproductive technologies and how this discursive system is part of the monument that is the debate. The task at hand is to examine how this voice in the debate contributes to this monument. This examination begins with the acceptance of the monument as a system of statements. The political voice is engaged in this discursive event and, by illuminating its system of statements, the connection between this voice and subjectivity becomes apparent. The statements create a space in which subjects are led to consider themselves as subjects implicated in the ethical conclusions reached by political voice. These ethical statements are responsible for *rapport à soi*, but to bring this connection to light, certain ethical statements put forward by the political voice must be problematized.

The ethical foundation that informs the political voice is presented by the Royal Commission and relies heavily on an approach to ethics that gives primacy to principles, although not exclusively. The Commission balances its reliance on principles with a specific understanding of the ethic of care, providing an emphasis on building relationships, empowering choices and preventing conflict. These form the general perspective from which the Commission chooses to reflect on the issues.

The mandate of the Royal Commission required an examination of reproductive and genetic technologies from a moral point of view. This perspective is distinguished from a scientific, medical, economic or legal point of view. It is a perspective that is shared by all, although differences do surface with respect to how

the moral point of view is understood. In an effort to provide an ethical basis for public policy recommendations on reproductive and genetic technologies, the political voice adopts an understanding of the moral point of view as that which the guiding principles have in common.

The proposition that we must adopt the "moral point of view" is essential for the ethical foundation of the political voice. The six principles adopted by Health Canada to inform its policy framework are grounded in the commitment to a moral point of view. [370] Health Canada does not justify the choice of principles and this project has had to look to the Royal Commission' report and then to Kymlicka's submission for further clarification. But what does the moral point of view mean? How is this proposition to be broken open in searching for the statements that would allow us to see its discursive formation?

This proposition is not itself a statement but it does become one when it is seen as part of the greater whole that is the political voice. By investigating this statement, I show how the ethical discourse of this voice is ordered in a certain way, and how it is produced and regulated. Foucault suggested four modalities that a proposition must engage if it is to be a statement. These are referentiality, subjective relation, associativity, and materiality. In the search for ontological narrativity, one of the modalities, subjective relation, holds a place of primacy. This is the modality that is the empty function that is the subject. This is understood as the space that any

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[370] While Kymlicka enumerates seven guiding principles and the Royal Commission identifies eight guiding principles, Health Canada, in the document *New Reproductive and Genetic Technologies: Setting boundaries, enhancing health*, lists six. The principle of autonomy and the principle of respect for human life and dignity are included under the principle of balancing individual and collective interests. It is interesting to note that the principle of appropriate use of resources is changed to the principle of the appropriate use of medical treatment.

subject can occupy while engaged with this narrative and this space has primacy because it is created from the three other modalities of the statement. The subject can enter into any discourse, and can occupy the space provided for it by the other modalities. It is from within this space that the subject develops a certain relationship with its self. Occupying this space is the first step for the subject. As the subject turns its attention towards a specific discourse, or better, enters the narrative, the subject begins to alter its self, based on what it finds in the narrative. The challenge is to discern what relations are suggested by the narrative, what *rapport à soi* is encouraged. This process occurs as a result of the voice's ontological narrativity.

I suggest that the proposition "We must see things from a moral point of view" orders the discourse of the political voice in very interesting ways. Kymlicka suggests this perspective because it is what all ethical theories have in common.[371] Adopting the moral point of view, writes Kymlicka,

> requires that we sympathetically attend to people's interests and circumstances, try to understand how things look from their point of view, and give due weight to their well-being. Adopting the moral point of view requires that we "put ourselves in other people's shoes," and ensure that our actions are acceptable from their point of view as well as our own.[372]

The "moral point of view" replaces the over-arching ethical theory and because there is the shared commitment to this point of view, we see agreement on ethical

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[371] There is one exception, writes Kymlicka, which is the ethical theory of mutual advantage. This theory is based on protecting one's interests by not interfering in the interests of others. It is less an ethical theory than an agreement to leave each other alone. See p.15
[372] Kymlicka, "Approaches to the Ethical Issues," p.16.

principles such as autonomy and protecting children's interests. It circumvents the problems of accepting ethical principles without being committed to the theory that grounds them. The proposition "we must see things from a moral point of view" is a foucauldian statement when its modalities are unveiled. It is only after these modalities are brought to light that the space for an ethical subject may be discerned.

The first modality refers to the collateral space or "referential." This is made up of the laws of possibilities. The proposition in question, when considered as a statement, brings to the fore that which determines the possibilities for the ethical structure of the Royal Commission's report, and in turn, the political voice. The referential of the statement, explains Foucault, forms the place, the condition and the field of emergence.[373] Thus the referential of the statement "We must adopt the moral point of view" defines the possibilities of appearance and delimitation of that which gives meaning to the sentence. This modality includes all those elements that provide the rules for existence, where "the moral point of view" is a meaningful concept. This includes distinguishing this point of view from the scientific or legal or other point of view. The domain of objects that the political voice presents in its statement is one where it is not necessary to justify ethical principles by appealing to ethical theory. Thus the modern search for a justification of principles by theory is put aside in the discourse of the political voice, but the modern attraction to principles remains. The moral point of view requires that we attend to other people's interests, but the way in which we attend to these interests is dependant on the space that is created.

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[373] Foucault, *The Archaeology of Knowledge*, p.91.

The next modality that is necessary for a statement's existence is the presence of an associated domain or an adjacent field. Foucault sums up this associated domain:

> Generally speaking, one can say that a sequence of linguistic elements is a statement only if it is immersed in an enunciative field, in which it then appears as a unique element.[374]

The statement "We must adopt the moral point of view" could not be meaningful without a supportive adjacent field that makes it meaningful. That which supports this sentence implicates contemporary bioethics in Canada as the adjacent field. Although the sentence "We must adopt the moral point of view" is a valid and meaningful sentence, it is not, in and of itself, a foucauldian statement. A statement cannot stand alone. It requires a whole adjacent field that forms a complex web of discursive relations. While contemporary Canadian bioethics is an adjacent field that influences the enunciative function of this statement, there is another, more telling associated domain for this statement. An important part of the ethical basis of the political voice is the idea of bioethical principles accepted on their own merits without reference to any theory that may provide a foundation for them. By presenting ethical principles in this fashion a comparison may be made with rules that are followed without foundation. I do not wish to bring to mind the associative domain of following orders *à la* Nuremburg, but rather the domain of the bureaucratic manager who does not question the principles of that which s/he manages. This

domain creates a space in which a type of rationality concerned with principles is privileged.

The statement "we ought to adopt the moral point of view" appears as unique element of this associated domain which provides a context determined by a specific sort of rationalism. By accepting ethical principles without the ethical theory that gave rise to them is a way of eliminating the confusion that comes with various competing ethical theories. It is a way of thinking that attempts to emulate the natural sciences by reducing the ambiguity of competing ethical theories. The associative domain can be depicted as similar to the other human sciences who attempt to emulate the natural sciences in the pursuit of their respective truths. This specific space is formed because the ethical foundation of the political voice is a thinly disguised attempt at a Copernican revolution for ethics in the sense of providing for ethical certainty through principles. By giving primacy to the "moral point of view" rather than any ethical theory, it may seem that the associative space calls upon a subject to understand itself as confidently choosing an ethical principle to confront ethical problems, but Kymlicka's foundation for ethics remains a call for empathy and the application of the golden rule.

The third condition that a series of linguistic elements must fulfill in order for it to be a statement is that it must have material existence. This materiality is constitutive of the statement itself: it must have a substance, a support, a place and a date. The same series of linguistic signs expressed by different people at different times may be the same sentence but will be different statements. This is what gives

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[374] Foucault, *The Archaeology of Knowledge*, p.99.

the political voice its relevance. The statement "We must adopt the moral point of view" is contemporaneous with the Canadian debate on reproductive and genetic technologies. That this sentence is uttered during the time of the report of the Royal Commission makes it a statement different from other sentences uttered at different times. The many people who contributed to the many pages of the political discussion are reflected in the materiality of the statement. This points us to the specificity of what is recommended in the Royal Commission's report.

The last modality of the existence of statements is the one most important for this present project. This modality forms the link between Foucault's first period and his last. This modality concerns the particular relation between the subject and the statement. In his first period the subject was not the center of Foucault's attention. Foucault's concern was with the disciplines, specifically the disciplines of the human sciences. For example, after digging through the monument of the clinic in his archaeology of medical perception, Foucault tells us that it is understandable "that medicine should have such importance in the constitution of the sciences of man – an importance that is not only methodological, but ontological, in that it concerns man's being as object of positive knowledge."[375] Archaeology set up the space for man to understand itself as an object.[376] Man's subjectivity however, remains empty. It is not until Foucault's last period that this space gets filled, and it gets filled with what

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[375] Foucault, *The Birth of the Clinic,* p.197.

[376] Foucault did not mean *human being*, he meant man, and Braidotti writes: "It is significant that Foucault manages to confine his references to feminism to a bare minimum, although he focused his entire work on the analysis of power, the body and sexuality. Within these broad themes, in the actual choice of topics and subject areas, he also failed to raise the issues most closely linked to women and to female sexuality: pregnancy and birth control, but also to lesbianism and feminist critiques of the family. It is ironic to think that all such issues get far less attention in his work than the campaign against little boys' masturbation." "Bodies, Texts and Powers," p.86.

Foucault called ethics. This is the subject of positive knowledge. Here I am extending Foucault's archaeology from the subject to the self.[377]

The last modality is the function of the subject. Something is called a statement, not because someone uttered it, but because the position of the subject can be assigned. The subject of a statement is a particular function, but it is an empty function that can be filled by any individual when he or she formulates the statement.[378] It is an empty function that gives a position to a subject, which can determine the relationship that develops when any subject utters that statement.

With the statement "We must adopt the moral point of view" the subject's space is created by the associated domain, the referential and the materiality of the statement. All of these modalities of the statement work to create the space that the subject then occupies and consequently develops relationships with itself based on what these modalities suggest.

A statement must fulfill these four conditions.[379] It is important to emphasize that the truth of this statement in terms of epistemological realism is not relevant, nor is it relevant whether or not this statement is an acceptable ethical approach to the questions of reproductive technology. Rather we are looking to see how certain statements operate, how they are distributed and produced. And how they work upon the self. The statement creates a certain ontological space. Ontological narrativity suggests that the political voice's use of ethical principles, guided in their application by the ethic of care, creates a certain space for the subject to become a self.

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[377] It is here that I begin referring to a distinction between the subject and the self. The subject is an empty function, as Foucauldian archaeology tells us, whereas the self is that same function of the statement, yet it is now full.

[378] Foucault, *The Archaeology of Knowledge*, p.93.

The self is produced as an ethical being that uses principles in guiding the deliberative process. These principles are not justified by referring back to some higher order ethical theory, but are rather taken as existing by themselves. This statement showed that consensus was to take the place of moral theory and, with respect to the justification of the principles, it is left to us to decide what is most appropriate for a given situation. We need not look further than the specialized public opinion polls to ground the principles we use to justify reproductive and genetic action. The statement of the political voice diverges from modern ethics in that it does not ground itself in one or another of the available ethical theories, but it remains wedded to modernism.

But if consensus grounds our perspective, we may never get beyond that which is already accepted. Ethical reflection on this model is always following technological advancement and as such, we are involved in something like a bizarre form of one of Zeno's paradoxes where, no matter the extent of ethical prowess, we can never catch up to the progress of technological establishment that continues unceasingly. Focusing on each of the modalities has shown how the subject is prepared for the process of subjectivation. The moral point of view forms a statement which frees the self from ethical theory but binds it to the primacy of principles. This statement does not let the self get beyond the modern context where certainty takes precedence over the lived experience of ethics.

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[379] Foucault, *The Archaeology of Knowledge*, p.98.

3.1.3 CONCLUDING REMARKS

The political voice in the debate on technologies of reproduction depicts its

position as an important protector of human dignity against unfettered scientific

progress. The idea that government intervention can protect human dignity is an

element that exists throughout the report. The Royal Commission states that there is

chaos with respect to the regulation of these technologies and that society lacks

guidance on certain of these issues. This problem requires therefore, a national

response.[380] The report of the Royal Commission reached three major conclusions:

> First, there is an urgent need for boundaries around the
> entire field of new reproductive technologies and some
> technologies must remain outside the boundaries of the
> permissible. Second, within those boundaries,
> accountable regulation of permissible activities is
> needed to protect the interests of all involved. Third,
> we concluded that permanent mechanisms should be
> put in place to provide a flexible and continuing
> response to issues concerning new reproductive
> technologies as they evolve further.[381]

The government has taken these conclusions and has promised legislation and has

hinted at the creation of a mechanism to oversee the progress of reproductive and

genetic technologies.

In analyzing the political narrative in the debate of technologies of

reproduction, the political voice organizes its discourse in a specific way. When

subjected to a narrative analysis that illuminates the space created by this narrative,

certain conditions arise. I chose to focus on the condition where bioethical principles are accepted without being grounded in over-arching theory. This provides an opportunity for the contemporary subject to reassess itself. By eliminating the reliance on theory, the door is opened to get beyond traditional ethical thinking and there exists a potential for creating a self that is not limited by theoretical obligations. The ethical basis of the public narratives of the political voice presents ways in which individuals question their own conduct and presents new possibilities for subjects to shape themselves as ethical selves. The space that is created however shows the acceptance of ethical principles without any questioning, and if pressed, their justification would be found in the literature and other places where consensus holds sway. This is a space where a kind of bureaucratic application of principles takes place.

I will return to this statement below to show how it alters the relationship that the subject has with its self.

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[380] *Proceed with Care*, p.16-18.
[381] *Proceed with Care*, p.1049.

CHAPTER 7: THE PROFESSIONAL VOICE

3.2.0 INTRODUCTION

The concern of the medical profession for reproductive health and well-being predates any ethical debate on reproductive and genetic technologies. Concern, professional or otherwise, for reproduction is as old as humanity itself. Professional concern however is distinguishable in that it involves the creation of a disciplined discourse. This discourse is the concern at issue here. The establishment of the Society of Obstetricians and Gynaecologists of Canada in 1944, as well as the not so peaceful co-existence between mid-wives and medical professionals in Canada that continues to this day shows the long history of this concern.[382] Professional engagement with reproductive technologies takes hold in the 1980s as it was during this decade that Canada saw the successful experimentation and implementation of these technologies.

The voice of the medical profession that engages the debate on technologies of reproduction is chosen from the three professional societies that are charged with providing Canadians with this service. These are the Canadian Medical Association (CMA), the Canadian Fertility and Andrology Society (CFAS), and the Society of Obstetricians and Gynaecologists of Canada (SOGC). Their ethical concerns have been for the most part, reactive. These societies have presented reports to the RCNRT, have responded to its final report, and have commented on the proposed

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[382] C. Lesley Biggs, "The Case of the Missing Midwives: A History of Midwifery in Ontario from 1795-1900," *Ontario History*, pp.23-66. Jacques Bernier, *La Médecine au Québec: naissance et*

legislation. It is from these presentations that the professional voice in the Canadian debate on reproductive and genetic technologies takes shape and it is from this discourse that ontological narrativity will be discerned. In assessing the narrativity of the professional voice, the issue is how subject is invited to think about its self. This project holds that there are voices that make up the monument that is the Canadian debate on reproductive technologies. Each presents its point of view and implicitly presents an understanding of ethics. It is from this understanding that the subject begins to reform its self. The professional voice plays a formative role in contemporary culture and, through an analysis of ontological narrativity of its position in the RT debate, this project shows how the institution of medicine helps the human subject constitute itself through its ethical discourse. This chapter explores the ways that the medical profession exercises this creative expression.

How *are* we incited to think about the human subject through the ethical thinking presented by professional medicine in Canada? In particular, how do the narratives of the medical profession on the ethics of reproductive technology help to constitute subjectivity? How does the profession's ethical understandings of infertility and of the therapies developed to circumvent this problem influence the self-perception of the subject? These questions will be addressed in what follows.

This chapter is about how the medical voice directs our ethical thinking. To begin, the ethical considerations provided by the profession are presented. In deciphering narrativity, ethical arguments provide an important point of departure. Analyzing these arguments in detail reveals what counts as valuable ethical

évolution d'une profession, Québec, Les presses de l'Université Laval, 1989, 207pp. Especially pages 99, 122, 138 and 154.

knowledge insofar as the professional voice is concerned. I begin with the ethical

arguments of the Canadian Medical Association.

3.2.1 THE RESPONSE TO CRIMINALIZATION

In June 1996, the Government of Canada released the discussion document

"New Reproductive and Genetic Technologies: Setting Boundaries, Enhancing

Health."[383] The Canadian Medical Association has responded with some harsh words

directed at the government's first step at managing the technologies. These words

come in the form of a brief.[384] The focus of this brief is the government's

introduction of the prohibitions legislation, Bill C-47. As key stakeholders in the

issues surrounding these technologies, the CMA (and the members for whom it

speaks) consider it essential to comment on policy issues. It is, after all, the

profession who will play a vital role in the implementation of any policy issue in the

realm of health care.

The CMA uses a principled approach to evaluate health policy and the

proposed legislation.[385] The basic principles of bioethics are invoked (autonomy,

beneficence, non-maleficence and justice) and are all said to be grounded in the

patient-physician relationship. The principle of justice is said to encompass fairness,

equity, accountability, subsidiarity and proportionality. The principle of subsidiarity

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[383] Government of Canada, *New Reproductive and Genetic Technologies: Setting boundaries, enhancing health*, Ottawa, Minister of Supply and Services Canada, 1996, 48pp.
[384] Canadian Medical Association, *Brief Presented to Health Canada*, Ottawa, September 30, 1996, available on-line, http://www.cma.ca/e-pubs/nRT/
[385] CMA, *Brief Presented to Health Canada*, p.3.

is what the CMA focuses on in the brief. It is an aspect of justice but it is related to

the principle of autonomy. According to this principle, writes the CMA,

> the state or social institutions should only intervene
> when necessary. If a small community or body can
> accomplish a given objective, the responsibility should
> not be assumed by a larger body. The obligation of the
> larger unit should be to support and assist the smaller
> body in carrying out its tasks. With regard to the
> regulation of NRTs, therefore, the principle of
> subsidiarity mandates that, all other things being equal,
> self-regulation is preferable to government control,
> guidelines are better than legislation, and flexible
> legislation is preferable to inflexible legislation.[386]

This principle has been developed in The Treaty on European Union where

commentators have discussed this power-sharing aspect of smaller groups joining into

a larger union. This principle however, has been blamed for inaction on the part of

both the larger and the smaller body. As a 'turf war' develops, neither side takes

responsibility for contentious issues. According to Theodor Schilling, the subsidiarity

principle has been seen as a "double-edged sword." On the one hand, it founds

competence at the appropriate level, but on the other, it prevents both the higher and

the lower level from taking an action in areas properly falling within each other's

respective sphere of action.[387]

The CMA then goes on to suggest that the government proposal is an

unnecessary constraint on the patient-physician relationship. There is no further

ethical argument with respect to reproductive technologies themselves. The 18-page

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[386] CMA, *Brief Presented to Health Canada* , p.3.
[387] Theodor Schilling, "Subsidiarity as a Rule and a Principle, or: Taking Subsidiarity Seriously," 1995, available <on-line> http://www.law.harvard.edu/programs/JeanMonnet/papers/95/9510ind.html.

brief is about who controls these technologies and the professional voice is clear that it does not want its territory encroached upon. The appeal to the principle of subsidiarity is not, strictly speaking, an ethical principle. It sets up the position of the medical profession as claiming a specific jurisdiction around the control of reproductive and genetic technologies. For substantive ethical argumentation on the technologies themselves rather than the question of who controls them, the brief refers us to the detailed submission that the CMA presented to the Royal Commission in 1991. It is to this document that I now turn to find the ethical basis for the position of the professional voice.

3.2.2 THE ETHICAL ARGUMENTS

The CMA had sent its recommendations to the Royal Commission on New Reproductive Technologies in 1991. In these the Canadian Medical Association submits that "assisted reproductive services should be available to all members of society on an equitable basis."[388] It suggests that there exists a social obligation to provide reproductive technologies for Canadian citizens and recommends that the provinces should be required to recognize reproduction-associated medical services as fee items.[389] *New Human Reproductive Technologies: A Preliminary Perspective of the Canadian Medical Association* was written by two principal authors and approved by the Board of Directors of the CMA. These authors were Eike-Henner W. Kluge, the then director of the Department of Ethics and Legal Affairs, and Carole

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[388] Eike-Henner W Kluge and Carole Lucock *New Human Reproductive Technologies*. Ottawa, Canadian Medical Association, 1991, 298pp., p.143.

Lucock, a researcher at the same department. When I mention the Canadian Medical

Association, it is this volume I have in mind.

There are two distinct arguments upon which the Association relies in making

its recommendations concerning reproductive technologies: The argument from the

illness of infertility and the argument from the right to have children. These form the

foundation of the ethical considerations in the CMA's recommendations and I address

these in turn.

3.2.2.1 THE ILLNESS OF INFERTILITY

The ostensible right that Canadians have to reproductive technologies is

expressed by the CMA in a simple syllogism:[390]

Premise 1: Everyone has the right of equitable access to health care.

Premise 2: Reproductive services are a species of health care.

Conclusion: Therefore, everyone has the right of equitable access to

reproductive services.

The first premise recognizes the accepted state of affairs in Canadian society.

The Canada Health Act, the Lalonde Report and the Hall Report spell out the

obligations of society to provide a basic level of healthcare on an equitable basis.[391]

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[389] Kluge and Lucock, *New Human Reproductive Technologies*. p.37.
[390] Kluge and Lucock, *New Human Reproductive Technologies*. p.40.

The second premise seems equally obvious. Healthy, physiologically mature human beings should be capable of reproduction. If this capacity is missing then we cannot rightly call that person healthy -- or can we? The answer to this question is crucial because what follows from it may be a mandate for the provision of reproductive technologies as part of health services available to all Canadians.

In its discussion of health, the Canadian Medical Association is in good company with the many commentators in the philosophy of medicine who have struggled with a suitable definition. This debate is voluminous and the indeterminacy of health goes back at least as far as Aristotle, who, in lecturing his students about good action, pointed to health as yet another example of something about which we cannot have any fixed ideas.[392] Although Aristotle was not specifically concerned with a definition of health as such, his reference to its indeterminacy shows us the antiquity of this question.

The CMA recognizes this indeterminacy and submits that health cannot be defined in absolute terms. The World Health Organization's definition of health, as a "state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity"[393] is rejected. The WHO definition cannot avoid absolutistic connotations in its attempt at a global characterization of health, and hence loses its usefulness in any localized context. The Association bases its rejection of this definition on the idea that all biological organisms are embedded in an environment,

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[391] Canada Health Act, R.S., 1985, c. C-6; The Honorable Mr. M. Lalonde. *A New Perspective on the Health of Canadians.* Ottawa: Minister of Supply and Services, 1974; Mr. Justice Emmett Hall. *Report of the Royal Commission on Health Services.* Ottawa, Queen's Printer, 1964.
[392] Aristotle. *Nicomachean Ethics*, p.35. 1104a3.
[393] World Health Organization. *WHO: The first ten years of the world health organization.* Geneva, Switzerland, WHO, 1958.

and the relationship between an organism and its environment is essential in defining

conditions as health and disease.[394]

The CMA establishes the idea that infertility is a matter of ill-health by

adopting a functionalist perspective. The Association is quick to point out that

functionalism cannot be accepted as a *definition* of health, neither universally nor

"...within the rather limited context of the Canadian setting."[395] Nevertheless, it uses

this understanding of health, this perspective, to ground its recommendations.

Health, according to the CMA, "centres in the capacity of an organism to be in

a state of homeostatic balance with its environment."[396] It involves the ability to

function where "internal homeostasis as well as functional adjustment to the

environment" obtains.[397] The external and internal components of homeostasis allow

us to speak of the functioning of the organism as a whole, as well as the functioning

of its various subsystems based on the sciences of anatomy, physiology and

biochemistry. Thus the material and psycho-social aspects of health are interpreted

functionally where homeostatic balance obtains both internally, with the intricate

working of the human body, and externally, with the complex relationships a body

has with its socio-physical environment.[398]

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[394] Kluge and Lucock, *New Human Reproductive Technologies*. p.27.
[395] Kluge and Lucock, *New Human Reproductive Technologies*. p.28.
[396] Kluge and Lucock, *New Human Reproductive Technologies*. p.28.
[397] Kluge and Lucock, *New Human Reproductive Technologies*. p.28, note 68.
[398] It is ironic that one of the authors cited in the CMA's perspective on health is René Dubos who, in 1965 wrote about "the homeostatic regulation of animal populations." Citing studies of laboratory animals, as well as animals in the wild, Dubos postulates that there are physiological mechanisms as well as behavioral traits that limit the growth of animal populations. "The self-regulatory processes that control the size of each individual population operate through several different mechanisms affecting in particular, sexual activity, production of eggs and sperm, [and] implantation of fertilized eggs (...)." And further, in wilderness areas that suffer from an over-population of animals "the outcome is not so much an increase in the death rate as a decrease in the birth rate. Abortion and even failure of conception increase in frequency as food becomes more scare." It is ironic because Dubos' early functionalist approach to health, an approach adopted and adapted by the CMA, includes the idea

The CMA is of the opinion that infertility is ill health[399] and cites both internal and external homeostatic imbalances for this position. The former is evidenced by the Association's statement that "someone who is biologically mature but lacks [reproductive] capabilities is in a state of ill health."[400] The latter indication of ill health is shown by the declaration that "a healthy organism [...] is capable in principle of contributing to the survival of the species by reproducing itself."[401] Medicine's duty to care is extended to infertility. When infertility is present, the body is in a state of dysfunction, and the medical profession has an obligation to provide services.[402]

The Canadian Fertility and Andrology Society (CFAS) holds to a similar position with respect to infertility, which was published in their response to the report of the Royal Commission. Like the Canadian Medical Association, the CFAS states that:

> infertility is both a medical condition and a social
> problem. In situations where effective medical
> treatment exists, it should be made widely available and

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that infertility contributes to the homeostatic balance of certain animal species. René Dubos, *Man Adapting,* New Haven, Yale University press, 1965, pp296ff.

[399] The CMA's position "licenses the inference that infertility is a health problem"p.29, but it does not delve into the question of what type of health problem infertility may be. In discussing reproductive interventions, commentators have stressed the need to keep clear the careful distinctions between disease, illness, handicap and impairment. Each of these designations, when applied to infertility, amounts to very different responses from the medical community and from society at large. Before we accept these new technologies into our lives and fee schedules, it is important to understand what infertility means to us and what types of responses are most appropriate. The CMA's presentation of ethical considerations based on a functional perspective leaves many important questions unanswered.

[400] Kluge and Lucock, *New Human Reproductive Technologies.* p.28.

[401] Kluge and Lucock, *New Human Reproductive Technologies.* p.27. The second, external homeostatic imbalance--where functional integrity is compromised--would apparently also obtain with illnesses that fall under the rubric of mental health. Here the anguish suffered by those who are infertile compromises their relationship with the external environment which, following the CMA's perspective, is considered a homeostatic imbalance and hence, ill health. The CMA however, does not pursue this mental health/homeostatic imbalance option and is curiously silent on the important connection between mental health and infertility.

[402] The distinction between infertility as illness and infertility as a result of illness however, is glossed over.

accessible through public facilities. If public facilities
are inadequate, private clinics are a reasonable
alternative.[403]

The professional voice in Canada is of the opinion, following the Warnock

Commission of Great Britain, that medicine's domain is expanding. In concluding

that infertility is a condition meriting medical treatment, the Warnock Commission

had stated that:

> Medicine is no longer exclusively concerned with the
> preservation of life, but with remedying the
> malfunctions of the human body. On this analysis, the
> inability to have children is a malfunction and should
> be considered in exactly the same way as any other.[404]

Medicine can successfully intervene in cases of infertility and as such it is concluded

implicitly and explicitly by the various groups that make up the professional voice

that reproductive technologies belong in the arsenal of medical therapies.

3.2.2.2 THE RIGHT TO HAVE CHILDREN

The second argument that the CMA presents is based on the idea of the right

to have children. In the discussion of this right, the Canadian Medical Association

begins with the United Nations' Universal Declaration of Human Rights, Resolution

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[403] *Response to the Royal Commission Report on New Reproductive Technologies*, Roger Rittmaster,
(ed.) Montreal, Canadian Fertility and Andology Society, 16pp., p.2.
[404] Mary Warnock, *A Question of Life: The Warnock Report on Human Fertilisation and Embryology*,
New York, Basil Blackell, 1985, 110pp., p. 9-10.

217.A(iii): "Men and women of full age, without limitation to race, nationality, or religion, have the right to marry and found a family."[405] As a signatory to this declaration, Canadian society accepts this premise, although, as is suggested, this is a recent development.

In and of itself, this declaration does not establish the right to have children. However, as the Association points out, recent legal proceedings have implied this as a fundamental right. The judgment by Justice LaForest in the famous Canadian case *Re Eve* in 1986 is the most notable. In this case the sterilization of an incompetent woman was prohibited on the grounds that the court felt that it could not "deprive a woman of that privilege for purely social or other non-therapeutic reasons and without her consent."[406] The court used the word *privilege* and the Association points out that while LaForest does not explicitly establish the *right* to have children, he does quote with approval, the judgment in a similar British case [*Re D (a minor)*[407]] where the sterilization of a minor was seen to be a deprivation of a "basic human right, namely the right of a woman to reproduce."[408] The Association rejects what has come to be called "the uncompromising stance adopted in *Eve*,"[409] nevertheless, the Association believes that the law is headed in the direction of establishing a fundamental and firmly entrenched right to have children.[410]

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[405] United Nations General Assembly. Universal declaration of human rights [Resolution 217 A (iii).f], New York, United Nations, 1948.

[406] *Re Eve* [1986] 2 S.C.R. 388, cited in Eike-Henner W. Kluge., *Biomedical Ethics in a Canadian Context*. Scarborough, Prentice Hall, 1992, 432pp., p.304

[407] *Re D (a minor)* [1976] Fam. 185.

[408] Kluge and Lucock, *New Human Reproductive Technologies*. p.41, note92. The House of Lords later reversed this decision in *Re B (a minor)* [1987] All E R 206, 219.

[409] Kluge and Lucock, *New Human Reproductive Technologies*. p.41, note91, A case from British Columbia in 1985 held that non-consensual sterilization was allowable under certain circumstances. Re K and Public Trustee (1985), 19 DLR (4th), 255.

[410] Kluge and Lucock, *New Human Reproductive Technologies*. p.41.

Recognizing that the notion of the right to have children is by no means clear, the Association turns to a supplementary argument and suggests that we understand this notion based on the socially sanctioned expectation to parent and to have biological offspring. "The Association is of the opinion that the right to have children is indeed a socially guaranteed right that finds its basis in the fact of social membership itself."[411] This is understood as a *primae facie* right, one that must be considered in light of competing interests and certain preconditions.[412] The Association proposes that the right to have biological offspring is based on this social expectation and that this "expectation is so fundamental and so universal that it amounts to a right."[413]

Two arguments sustain the position of the professional voice in the debate on reproductive technologies.[414] The illness of infertility and the right to have children form the basis of this position. These are complex arguments and they will not be assessed here for their soundness or their validity. This project undertakes a narrative analysis to show that the monument these arguments contribute to is made from the discourses of many different groups.

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[411] Kluge and Lucock, *New Human Reproductive Technologies*. p.49.

[412] Some of these preconditions include being able to provide materially for the children, and that the children engendered are treated as persons, see p.52.

[413] Kluge and Lucock, *New Human Reproductive Technologies*. p.48. This conclusion is arrived at by accepting a "modified social notion" of the right to have children in the sense of "the right to take advantage of the opportunity to function in parental capacity." See p.44.

[414] These arguments do not encompass the genetic technologies but they are implicitly included in this part of the debate. In fact, because the Canadian debate took place primarily around reproductive

3.2.3 ONTOLOGICAL NARRATIVITY

Through its participation in the debate, the professional voice constructs a way of ethical knowing. With its presentation of ethical arguments, a process of subjectivation takes place. Certain elements are privileged and certain others dismissed, all the while constituting a discourse through which we come to understand both the ethics of human reproduction and what it is to be an ethical subject. These arguments provide the basis of the discursive practices that guide both the profession and members of the public whom they serve. The narrative of the medical profession sets forth a rationale for the discursive practices that encompass the ethics of reproductive technologies.

In analyzing the professional narrative of technologies of reproduction, I am looking for the ways in which these narratives serve to enable individuals to question their own conduct and to shape themselves as ethical subjects. I will be looking into medicine's ethical gaze. This is different from the gaze referred to in Foucault's archeology of medical perception. While the archeologist is one who studies the space in which thought unfolds,[415] this project studies the subject who occupies or walks into that space.

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technologies, which have since become normalized, genetic technologies are not rigorously questioned perhaps because of the impression that we have already been through the debate.
[415] Michel Foucault, "Philosophy and the Death of God," in *Michel Foucault, Religion and Culture*, J. R. Carrette (ed.) New York, Routeledge, 1999, 217pp., p.86.

In *The Birth of the Clinic*[416] Foucault addressed the development and methods

of medical observation at the end of the eighteenth century. It was here that the forms

of visibility in medical practice changed. This was the period, Foucault tells us,

> in which illness, counter-nature, death, in short, the
> whole dark underside of disease came to light, at the
> same time illuminating and eliminating itself like night
> in the deep, visible, solid, enclosed, but accessible
> space of the human body. What was fundamentally
> invisible is suddenly offered to the brightness of the
> gaze (…).[417]

In *The Birth of the Clinic*, medical seeing was at issue. Foucault shows that the

history of medicine was not a continuous progression from ignorance to knowledge,

but involved important discontinuities, one of which was the rupture in medical

knowing that had taken place during the classical age. This had led to a new way of

practicing medicine and a new way of understanding disease.

What is at issue here however, is not the gaze itself but rather the professional

narrative. It is not medical seeing but medical saying that is of concern. And while

these are intimately connected, my focus is on the way narratives are used. In

discussing the ethics of RT, the profession of medicine directs public debate towards

a specific end, and beyond the pronouncements on the ethics of the technologies

themselves, these narratives contribute to the shaping of our ethical perceptions of the

subject.

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[416] Michel Foucault, *The Birth of the Clinic*, trans. A.M. Sheridan Smith, New York, Vintage Books, 1975 [1973] 215pp. (*Naissance de la clinique*, Presses Universitaires de France, 1963)
[417] Foucault, *The Birth of the Clinic*, p.195.

The medical voice is engaged in the production of discourse. This engagement is a form of controlling and organizing what is said, as well as selecting and redistributing the production. Discourse, as we have seen, produces knowledge and as a consequence contributes to the process of subjectivation. As such, the process of understanding the subjects that we are is connected to the production of discourse. Certain elements of the ethical narratives presented by the medical profession are important for bringing to light the way certain self-understandings come to be. This section attempts to trace this connection.

3.2.3.1 THE STATEMENTS

The two arguments give rise to two important statements, which together form a formidable discourse supporting the development of reproductive technologies. These two are first, that infertility is an illness requiring a response from the medical profession and second, that there is a right to have children. This second statement is the first one I will address.

Whether through some modified notion or through its direct appeal, this second statement promotes a particular conception of subjectivity. The appeal to rights is popular in contemporary times and promotes a thoroughly modern conception of the subject. I begin with an important sentence which sets forth the position presented by the professional voice: "The Association is of the opinion that

the right to have children is indeed a socially guaranteed right that finds its basis in the fact of social membership itself."[418]

The first modality of the statement to be discussed is that of materiality. The material existence of the statement concerning the right to have a child is set forth by the medical profession in the debate on reproductive technologies. It is present in the preliminary perspective of the CMA, which was presented to the Royal Commission and is carried through to the Brief presented to Health Canada, although only implicitly.[419] The materiality of a statement is made up of important elements such as who uttered it, when was it uttered and where was it uttered and those aspects of its material existence give the statement its unique features. It situates the statement in time and space and makes it distinguishable from other propositions or sentences that may have the same words and may refer to the same concept but are in a different time and place. This materiality makes them different statements.[420] Deleuze calls the space created by this modality the complementary space and is considered as the extrinsic realm.[421] Recognizing that this statement is born of a specific time, a specific place and circumstance, uttering it at another moment makes it into a different statement.

The statement that suggests the right to have a child, in the terms made clear by the professional voice, reveals a modality of referentiality. Here the correlative space is created. This occurs when the object that is a biological act is differentiated

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[418] Kluge and Lucock, *New Human Reproductive Technologies,* p.49.
[419] In the Brief, it is stated that the work done in the Preliminary Perspective is "carried forward in this response." p.2. It is assumed that this "work" includes the ethical arguments that ground the Association's preliminary perspective.
[420] Foucault, *The Archaeology of Knowledge,* p.101.
[421] Deleuze, *Foucault,* p.9ff.

and transformed into a political one. As it involves the idea of rights it affirms certain

obligations on the part of some others. It is important to emphasize that this voice

does not claim that there exists this right in Canadian society. The position is geared

towards establishing this right and presenting opinion based on the idea that this right

ought indeed be established. But I am not concerned with meaning nor with the

veracity of this claim.[422] Rather it is the space that is created for the subject that is

important, and it is the 'referential' or the object to which the statement refers that

creates this space.

The right to have a child opens up its own possibility, and in terms of a

foucauldian statement, it presents its own laws of existence through the modality of

referentiality.

It is the object or concept of a 'right' that is important for this modality. "We

must know to what the statement refers, what is its space of correlations if we are to

know whether a proposition has or has not a referent."[423] A statement will always

have a correlate even if it does not have a referent. The right to have a child may or

may not refer to an actual state of affairs in contemporary Canadian society, but as a

foucauldian statement, a correlative space is created where rights and having children

are meaningfully connected. The same occurs with the illness of infertility. Once it

becomes a statement, truth claims become irrelevant – verifiability is not the issue.

What matters is the space that it creates. The referential of this second statement, the

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[422] Christine Overall is concerned with the meaning of this right and as she states, this right has the
unfortunate repercussion of promoting the idea that a biological child is somehow owed to us. Once we
accept the idea that a right does exist and that the appropriate response to reproductive problems is
medical intervention, it becomes, as she points out, "indefensible for society to fail to provide all
possible means for obtaining one." *Ethics and Human Reproduction: A feminist analysis*. Boston,
Allen and Unwin, 1987, p. 170.

object to which it refers is infertility. It is referred to in such a way that a space is created in which infertility belongs in the domain of medicine.

The next modality is that of the associated domain. This modality of the statement refers to a space that must be brought into play for a sentence (or proposition) to be transformed into a statement. For a statement to exist, it must be related to a whole adjacent field.[424] It becomes a member of a family of statements and a space is created for the subject to walk into. The statement concerning the right to have children belongs to a network or web or family of statements that provides the particular context. The associated domain refers to the expanse that the statement in question can encompass. This expanse is not the meaning of the statement, which was seen as an important part of the referential, but rather refers to the comprehensiveness of the concept. So when we are talking about the right to have a child, the associated domain includes not only everything that could be touched by the acceptance of this right, but also the very meaning of what "rights" are all about. Rights-based thinking forms a concept from which a self develops a special relationship with its self. The legal discourses that surround the debate are part of this domain and heavily influence the shape of the statement.

The illness of infertility becomes a statement in a similar way and creates a similar space. The associated domain of this claim is the family of statements that are concerned with the medicalization of many different aspects of the human experience. Infertility is problematized and is shown to require a medical response. And once the subject walks into the space created by this modality, the naturalness of the claim is

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[423] Foucault, *The Archaeology of Knowledge*, p. 90.
[424] Foucault, *The Archaeology of Knowledge*, p. 97.

accepted. It becomes unthinkable to not understand infertility as a medical problem. Another important point is that the statements "the right to bear children" and "the illness of infertility" help to form each other's adjacent space and each provides reference to a system which validates this particular take on the ethics of reproductive technologies.

The last modality of the statement is that of the position of the subject. As each of the other modalities create specific spaces, the position of the subject becomes more and more defined, and once this definition comes into focus, we can see how the subject inhabits the space created by the statement in its various forms.

These statements require a reconsideration of the role of reproducing beings. As subjects enter the spaces created by the profession's statements, a thorough reexamination of the self begins. Questions of the self begin: What if I am infertile? What can expect from professional medicine? What rights do I have? What is owed me? With each of these questions a new relationship with the self develops. And as questions are answered, the new self is solidified.

3.2.4 CONCLUDING REMARKS

The "Ethical Considerations of the New Reproductive Technologies," is a joint presentation of the SOGC and the CFAS to the RCNRT. In this document, these societies present their views on the ethics of the new technologies of reproduction. Ethics, says the document,

> is a process of intelligent inquiry, the quest of human
> intelligence to avoid diverging systematically from
> what is right. Prohibitions and commands are not the
> only outcome of ethical inquiry. It is just as significant
> that we learn what ethics a pluralistic society tolerates.
> This process is an integral part of professional
> responsibility to contribute to the maturation of our
> public discourse on matters that touch individuals and
> society as profoundly as do the new reproductive
> technologies.[425]

The chosen route to "the maturation of our public discourse" is then presented with

their recommendations. The report goes on to discuss twenty-eight ethical issues and

furnishes the RCNRT with twenty-eight recommendations with which they "strive to

construct a value system"[426] that can provide guidance in clinical situations. The first

ethical issue presented is that of informed choice:

> First and foremost, physicians must accept the
> responsibility when offering services to infertile
> couples to ensure that patients have been fully informed
> about the potential risks and benefits of any proposed
> and alternative intervention(s).[427]

Likewise, the first conclusion of the Canadian Medical Association's submission to

the RCNRT is that:

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[425] "Ethical Considerations of the New Reproductive Technologies: a report of the combined ethics committee of the Canadian Fertility and Andrology Society and the Society of Obstetricians and Gynaecologists of Canada" *Journal SOGC* (May 1992):125. The Journal of the Society of Obstetricians and Gynaecologists of Canada has published this document as a series of eleven articles, beginning in May 1992 and ending in July/August 1993.
[426] "Ethical Considerations of the New Reproductive Technologies," *Journal SOGC* (May 1992):125.
[427] "Ethical Considerations of the New Reproductive Technologies," *Journal SOGC* (May 1992):126.

> new reproductive technologies should be developed and
> made available only on the condition that the principle
> of autonomy and respect for persons is fully respected
> at all times, and that the values of respect for human life
> is always retained as a guiding theme.[428]

And again, in response to the government's attempt at introducing prohibitions

legislation, the CMA, in a *Brief Presented to Health Canada,* expresses a concern:

> One of the greatest concerns that the CMA has about
> the government's proposed regulatory structure relates
> to its potential for encroaching on the autonomy of
> patients and physicians and on the patient-physician
> relationship. We are concerned that the proposed
> regulatory structure may affect the freedom of patients
> to make decisions about their health care and health
> planning. We are also concerned that the freedom of
> physicians, scientists and other practitioners to practise
> their profession with judgement and integrity will be
> unduly impaired.[429]

The autonomy of patients and physicians, as well as the profession as a whole, is

what is highlighted by this narrative. Because of this emphasis, combined with the

statements on infertility and the right to have children, the type of relationship that the

subject has with itself is one which technological progress in the area of reproductive

assistance is taken for granted. Questioning the appropriateness of this technology

become unthinkable when subjects are subjectified in this manner. Contemporary

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[428] Kluge and Lucock, *New Human Reproductive Technologies,* p.137.
[429] CMA, *Brief Presented to Health Canada*, Ottawa, 1996, 18pp. Available <on-line> http://www.cma.ca/e-pubs/nRT. According to the brief, the principle of autonomy thought to be minimized by the government's position with respect to the legislation. The intervention of the state in these matters is not justified, they say, because constraints on the physician-patient relationship are not proportionate to the harm to be prevented or avoided, or at least have not been shown to be.

selves are guided towards accepting a certain "normalcy" in their roles as reproducers and any deviation from that role becomes unacceptable. That infertility is a medical problem requiring a medical solution is normalizing and reproducing subjects are the norm.

CHAPTER 8: THE VOICE OF THE MEDIA

3.3.0 INTRODUCTION

With this chapter, attention is focused on the way that the news media has engaged the debate on reproductive technologies. Called 'science journalism', the reporting of technological advancements in the popular press assumes an essential role in a society which has become dependent on technology.[430] This project looks beyond the simple reporting of stories that engage the debate; it looks to the way that this discourse suggests ideas of the self. It looks to ontological narrativity.

The media holds an important place in modern societies. Not only is it a source of information and entertainment but also, and more importantly, the media exists as a source of how we understand ourselves and the groups in which we participate. The media is pervasive, both a product and a source of our culture and attending to their narratives reveals information about ourselves and provides insights to subjectivity. The task of analyzing the media and media texts is formidable. The many different kinds of media and the many more different angles from which to perform such an analysis attest to how prolific these analyses are. They are presented from the perspective of many different academic disciplines such as linguistics, semiotics, phenomenology, sociology, communication theory, and others. This project adds another mode of analysis.

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[430] Dorothy Nelkin, *Selling Science: how the press covers science and technology*, New York, W.H. Freeman and Co., 1987, 224pp.

My analysis will consider the debate that occurs in the media as one voice among others (two of which we have seen above) in the debate on reproductive technologies. It is often thought that the media only reports the debate as it happens in society and thus cannot be said to have an actual voice of its own. According to this view, the news media provides information to the public via impartial news gathering and objective news reporting.[431] This is to assume however a perspective on the media that is different from the assumptions made in this project. This project questions that the media simply reflects an objective reality.[432]

The media voice is of a different kind from the previous two. While the political voice and the professional voice each took a position in the debate, the voice of the Media presents the debate itself articulating both positions in its attempt at fair and balanced reporting. Although the content of this voice is varied, it will still be considered one voice, one that encompasses different points of view. Because the perspectives presented by this voice may include a wide range of positions, it may be tempting to say that there can be no narrativity to this voice, but this is to misunderstand the concept of narrativity presented here. Narrativity refers to the way that discourse, when understood via the foucauldian statement, allows the subject to become a self by creating a certain space for the subject to occupy. In the search

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[431] This is one of the three ways that the media have traditionally been analyzed according to Gerhard Leitner. The second way holds to the idea that the media creates reality, by manipulating public opinion in certain specific directions designed by the powers that be. The third believes that the media co-orchestrates certain dominant beliefs. It is into this last category that this present analysis falls. "The Sociolinguistics of Communication Media," in *The Handbook of Sociolinguistics*, Coulmas, F., (ed), Cambridge, Blackwell Publishers Ltd., 1997, (532pp), 187-204, p.187.

[432] While the meaning of objectivity as a guide to journalism has been in doubt since the 1960s, the view that scientific objectivity can be met by fair and balanced presentation of different points of view still persists. Nelkin, *Selling Science*, p. 96. For a history of the ideal of objectivity in American journalism see Michael Schudson, *Discovering the News: a social history of American newspapers*,

through the various narratives put forward by the voice that is the news media, certain

statements appear and from these statements, *rapport à soi* develops. This chapter

deals with the appearance of statements and the space they create.

The relationship between journalists and scientists is an interesting starting

point for this discussion. This relationship underwent important changes during the

1970s and the 1980s in terms of the new reproductive and genetic technologies. José

Van Dyck tracks these changes and found that prior to the 1970s, "science remained

relatively untouched by news media, and scientists were rarely bothered by journalists

demanding access to scientific processes or openly criticizing scientific projects."[433]

However, in the 1970s the public perception of scientific endeavors began to change.

An "awe and suspicion" approach to science began to be used by journalists. As the

public demand for science and technology stories grew, scientists became more

vulnerable to external pressure, which influenced fund-raising efforts. This initiated a

process of 'information control' by the scientific community in the 1980s. Van Dyck

writes,

> Information has become a valuable commodity to
> scientists, or more precisely, to investors in scientific
> knowledge. As a result, scientists have increasingly
> come to seek control over science discourse as it
> dissipates into the news media. Most laboratories,
> universities and research centres hired public relations
> officers to handle information to the press, and to
> promote the public image of their institutions. Editorial
> policies of science journals were adjusted to provide
> journalists with advance copies of important articles,
> thereby allowing them to publish their newspaper

New York, Basic Books, 1978, 228pp. Also Dan Schiller, *Objectivity and the News: the public and the rise of commercial journalism*, Philadelphia, University of Pennsylvania Press, 1981, 222pp.
[433] Van Dyck, *Manufacturing Babies and Public Consent*, p.46.

> reports the same day as the journal article appeared.
> Scientists were trained to talk to the press and to give
> interviews, as well as to anticipate press coverage while
> writing their publications. [434]

This decade has been described as the one in which the scientific and technological

enthusiasm of the 1960s was born again, where innovation took the place of progress

and where the old clichés of breakthroughs have reappeared.[435]

    A 1990 study comparing news media reports from 1970 to 1990 shows that

journalism has increasingly adopted the discourse of science as its model of

reporting.[436] The blending of these two discourses, with journalists turning to

scientists as sources of information, has not precluded the journalistic convention of

presenting two perspectives to show 'balanced' reporting. This convention retains the

ideology of objectivity in news reporting which effectively erased any trace of

construction.[437] The beginnings of this ambiguous relationship can be seen in 1978

with the first "test-tube" baby. The official announcement of the birth of Louise

Brown appeared in the prestigious British medical journal *The Lancet* eighteen days

after the actual birth.[213] Patrick Steptoe and Robert Edwards had initially attempted to

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[434] Van Dyck, *Manufacturing Babies and Public Consent,* p.46.

[435] Nelkin, *Selling Science*, p.10.

[436] Christopher Dornan's 1990 study suggests that the discourses of the two institutions share a mutually beneficial interest in upholding each other's authority. "Some Problems in Conceptualizing the Issue of 'Science and the Media'," *Critical Studies in Mass Communication*, 7(1990):48-71, cited in Van Dyck, p.210.

[437] Van Dyck, *Manufacturing Babies and Public Consent*, p.45.

[438] Patrick C. Steptoe, and Robert G. Edwards, "Birth After Reimplantation of a Human Embryo," *The Lancet*, 12(August 1978):366. What was peculiar about the announcement in *The Lancet*, writes Van Dyck, was the fact that it appeared in the 'Letter to the Editor' section and not as a peer reviewed scientific article. The procedures and techniques were reported the next year in 1979 at a meeting of The Royal College of Obstetricians and Gynaecologists in London and published the following year in the *British Journal for Obstetrics and Gynaecology*. See Steptoe, P.C., Edwards, R.G., and Purdy J.M., "Clinical Aspects of Pregnancies Established with Cleaving Embryoes Grown In Vitro," *British Journal for Obstetrics and Gynaecology*, 87(1980):737-56. Van Dyck speculates on the reasons such a

keep their research secret, but the public had already found out about the "Miracle

Baby." A hospital staff member had leaked the story of Mrs. Brown's unusual

pregnancy, and the news media had taken up the story.

According to Van Dyck, Steptoe and Edwards had refused to speak to the

media and had ordered the hospital staff not to provide any information to the press.

This infuriated the media with complaints that the scientists were hampering the

journalists' professional duty to inform the public. This fostered the "awe and

suspicion" relationship that developed between journalists and scientists during the

1970s. This ambiguous relationship continues today and underlines the two

important frames for the voice of the media.

Time magazine's report on this scientific miracle resents another example of

this ambiguous relationship. A cover story on July 30, 1978 about the extraordinary

event was presented under the rubric of "medicine," but there was very little medical

information in the story. Neither was there commentary of the doctors or parents, nor

were there pictures of "The First Test-Tube Baby."[439] The focus of the story,

according to Van Dyck was the process of getting the story. Since information was

scare and technical details virtually absent, the *Time* story focused on the common

goals of journalism and science.[440] Says Van Dyck,

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momentous scientific breakthrough appears first as a letter to the editor, and why the publishing of the scientific details were postponed for over a year. Either they did not know any scientific details at the time (implying that Louise Brown was the result of an experimental coincidence) or they were reluctant to publicly announce the details fearing moral or legal repercussions. See pp.62-64.

[439] Van Dyck tells us that the Browns sold the exclusive rights for photographing the baby and interviewing them for an estimated $580,000.00. p.64. Also compare a *Time* 1991 cover story by Philip Elmer-Dewitt called "Making Babies" September 30, 1991, pp.56-63 (see Van Dyck, p.134.) and a story by Claudia Wallis "Making babies: the new science of conception," *Time* September 10, 1984, pp.46-56 (see Van Dyck, p. 77.)

> To enforce his claim, [the *Time* reporter] articulates his power to popularize or pulverize the image of science. Despite the lack of medical details, he labels IVF a 'scientific breakthrough' and a 'miracle.' Even though the miracle of wonder cannot be adequately explained by the reporter, he calls the procedure a 'scientific blessing.' Steptoe and Edwards are represented as the unconditional, divine heroes of medical science. (...) But journalists can also use this narrative power to the disadvantage of scientists, as this *Time* article clearly shows. The unconditional heralding of Steptoe is alternated with stories of monsters and devils. (...) By varying the images of scientists as heroes and as possible Frankensteins, the *Time* journalist demonstrates his power to transform the meaning of new reproductive technologies by manipulating the image of scientists.[441]

Both 'awe' and 'suspicion' are presented in this story about getting a story. It shows that the framing of a story is crucial for presenting an idea to the public.

The 'marvel of science' frame dominated the relationship between science and journalism in the 1980s. In the 1990s, the 'awe' and 'suspicion' frames have come to exist together with the 'marvel of science' frame and together they constitute what has been called the blended discourse that is the contemporary reporting of science.

'Frame' is an important concept in media studies. It is a concept used to bring meaning to the events portrayed in the press and it is used frequently by media sociologists. Its intended use is the study of the process of constructing meaning. In an article "The Social Production of the News," the authors discuss the making of a meaning that must be familiar to the audience.

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[440] The reporter suggests collaboration between these two important institutions. See note 4.
[441] Van Dyck, *Manufacturing Babies and Public Consent*, p. 65-66.

> Things are newsworthy because they represent the
> changefulness, the unpredictability and conflictual
> nature of the world. But such events cannot be allowed
> to remain in the limbo of the 'random' -- they must be
> brought within the horizon of the 'meaningful'.[442]

And it is here that the concept of 'frame' gains currency in media analysis. It is with the concept of frame that news narratives anchor their meaning. A frame is a common concept for media scholars who use it in determining how newspapers will make reference to an idea that situates the story in a larger context. A media frame is "a persistent pattern of cognition, interpretation, and presentation, of selection, emphasis and exclusion."[443] It has also been described as "a central organizing principle that holds together and gives coherence and meaning to a diverse array of symbols."[444]

In the study "Media Discourse and Public Opinion on Nuclear Power: A constructionist approach," authors Gamson and Modigliani develop the concept of frames in terms of media *packages*. Media discourse, they say, "can be conceived of as a set of interpretive packages that give meaning to an issue. A package has as internal structure. At its core is a central organizing idea, or frame, for making sense relevant events, suggesting what is at issue."[445]

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[442] Stuart Hall, C. Chritcher, T. Jefferson, J. Clarke, and B. Roberts, "The Social Production of the News," in *Media Studies: a reader*, Morris and Thornham (eds.), Edinburgh, Edinburgh University Press, 1996, 527pp., pp.424-429, p.425.
[443] Todd Gitlan, *The Whole World is Watching: mass media and the making and unmaking of the New Left*, Berkeley, University of California Press, 1980, 327pp, p.7.
[444] W.A. Gamson, D. Croteau, W. Hoynes, T. Sasson, "Media Images and the Social Construction of Realty," *Annual Review of Sociology*, 18(1992):373-393; p.384.
[445] W.A. Gamson. and A. Modigliani, "Media Discourse and Public Opinion on Nuclear Power: A constructionist approach," *American Journal of Sociology*, 95,1(July 1989):1-37, p.3.

Any news story will be framed in a specific way and it is from these frames and the way they are packaged that I will gather statements. The media narratives on reproductive technologies are written to fill the public with awe or to create deep suspicions but in both frames, the inevitability of scientific and technological progress is assumed. The statements that arise from these frames constitute the subject in specific ways. Both the 'awe' frame and the 'suspicion' frame are part of the same package of scientific and technological 'innovation'.

3.3.1 THE MEDIA DEBATE

The Canadian debate on technologies of reproduction as portrayed in the media follows these two frames and the debate is often presented as two conflicting points of view. With the publication of the report of the Royal Commission in 1993, the media has portrayed the debate as one which is polarized into these two sides. Now, even as the debate has shifted from reproductive to genetic technologies, these two frames provide the voice of the media with its statement. These two frames have been presented to the public in terms of a choice between regulating these technologies on the one hand, or letting them develop on their own, guided predominately by market and other forces in society. Anti-interventionist discourse, that is, discourse that suggests alternatives to technological intervention, has been limited to the margins and is rarely, if ever heard in the mainstream media.

It is largely accepted that reproductive technologies are now part of the medical arsenal with which problems of fertility are circumvented. The media debate

does not question the development of these technologies, but places the emphasis on how they should be developed, with whose input and under whose control. The debate has become, for the most part, a debate over control. This is the media package that contains the frames of 'awe' and 'suspicion'. It raises the question of legislation that is found in most of the presentations of technological progress in the media. While there may be an occasional "extreme" position that falls outside of the package, media presentations are, on the whole, seen in terms of technological progress raising questions of control. Technologies of reproduction are thus understood in terms of a societal commitment to technological development.

Articles from *The Gazette* (Montreal) provide an example of this package, complete with the 'awe' and 'suspicion' frames. Published within weeks of each other, two articles present each side of the debate. Both of these appear in the 'Commentary' section presenting important, newsworthy points of view. These are however, presented as "points of view," as perspectives of individuals or special interest groups with the concomitant implication that they are less "factual" than other elements of journalistic expression.[446] One is entitled "Wombs for rent: If reproductive technology were left unregulated by government, it will become commercialized." The second supports the headline: "Bureaucrats should butt out: Reproduction is our most personal area of freedom." These two articles show the two sides of the media debate. *Wombs* presents the "suspicious," science-of-out-control frame. Patricia Baird, author of this article and Chairperson of the Royal Commission, writes: "Reproductive medicine is a field where unethical and

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[446] Van Dyck, *Manufacturing Babies and Public Consent*, p.48.

exploitative uses of technology can be carried out in order to benefit some individuals."[447] The suspicion is clear. The second article, written by Barbara Amiel, a newspaper editor, paints a portrait of autonomous decision-makers being thwarted by regulation. "The best chance for the ethical development of the new science of genetics is to get governments and administrative boards out of the act."[448] This reflects the 'awe' frame, and advocates letting science develop on its own.

These articles discuss the question of reproductive technologies in terms of legislation. And it is within this context or package that the debate is currently found. In all "balanced" articles, we see the two frames of 'awe' and 'suspicion' narrated through the context of legislation and the implicit agreement about the value of scientific and technological innovation.

3.3.1.1 THE 'SUSPICION' FRAME

The news narratives that come under the 'suspicion' frame are usually obvious. Some examples include: "Brave New Womb"[449] as one magazine article proclaims; "Gender prevention"[450] is seen heading a newspaper article. "How to get a man pregnant"[451] is accompanied by a drawing of a male torso, cross-sectioned to see a baby nestled in front of vital organs in the abdominal cavity. "Texas woman offers

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[447] Patricia Baird, "Wombs for rent: If reproductive technology were left unregulated by government, it will become commercialized," *The Gazette* (Montreal), Wednesday, November 27, 1996, p.B3.
[448] Barbara Amiel, "Bureaucrates should butt out: Reproduction is our most personal area of freedom." *The Gazette* (Montreal), Saturday, December 14, 1996, B3
[449] S. Ubelacker, "Brave new womb," *Chatelaine*, August 1993, pp30-36.
[450] P.J. Cataldo, "Gender prevention: Human costs of sex selection are too high," *The Gazette* (Montreal), Saturday, June 22, 1996, p. B6.
[451] D. Teresi, "Mr. Mom: How to get a man pregnant," *The Globe and Mail*, Saturday, December 24, 1994, p.D8.

her womb for rent in billboard ad"[452] and "Women barter eggs for chance at in-vitro

fertilization,"[453] are others still, as is: "Rising rate of multiple births creates burden for

taxpayers."

Two newspaper articles can serve as examples for the 'suspicion' frame. The

first is an article published in *The Gazette* (Montreal) entitled "The Price we Pay for

Fertility."[454] It begins with the story of Harriet Simard, the co-founder of DES

Action Canada, an advocacy group representing the sons and daughters of women

who were prescribed the synthetic hormone Diethylstilbestrol during a thirty-year

period from 1941 to 1971. This drug was prescribed to healthy women with the

mistaken impression that this medication would prevent miscarriages. Among the

consequences of exposure to this hormone was a host of reproductive problems

including cancers, infertility and pregnancy problems in the children of the women

who were prescribed DES. The reporter comments ironically that these children of

mothers who were failed by medical science would have to rely on that same science

to fulfill their parental dreams and urges. The article focuses on the debate of the

failed bill C-47, which would have outlawed certain technologies, and presents the

points of view of the two main groups of the debate: the federal government and the

medical establishment. The importance of regulating science-out-of-control is

contrasted with preventing access to assistance for childless couples and casting a

chill across research communities. The article concludes with reference to the

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[452] AP., "Texas woman offers her womb for rent in billboard ad," *The Gazette* (Montreal), Saturday, November 15, 1993.
[453] M Moysa, "Women barter eggs for chance at in-vitro fertilization," *The Gazette* (Montreal), Sunday, October 30, 1994, p.A1
[454] C. Fidelman, "The Price we Pay for Fertility," *The Gazette* (Montreal), Monday, November 4, 1996, p.C1.

international community in which Canada lags behind in regulating the use of reproductive and genetic technologies. It is suggested that legislation can tame the chaotic hopes and fears that accompany these technologies.

A 1997 article in *The Globe and Mail*, "Making baby in a petri dish,"[455] also tells the story of the importance of legislation, but with more weight given to the science-out-of-control idea than the previous article. Both articles are within the 'suspicion' frame. The authors write "(...) Health Canada doesn't have a handle on everything that is happening in this rapidly expanding field. There are no reporting requirements for the repro-tech industry, no central registry." The article then emphasizes how little Health Canada actually knows about the use of these technologies in the 35 centres in Canada that offer assisted reproductive treatment for infertility. It comments on the groups who "have sprung up to serve as a conscience for the professionals who provide these services," implying a conscienceless role on the part of medical profession. Dr. Jeffery Nisker, chairman of the ethics committee of the Society of Obstetricians and Gynaecologists of Canada, is quoted as concurring with this presentation of the "repro-tech" community. "I do this for a living," states Dr. Nisker referring to technological interventions into human reproduction, "and I still worry." The scientific voices are presented as being primarily concerned about the next scientific break-through rather than any social implications of their work. The article ends with a quote from a Toronto bioethicist lamenting the fact that glamorous and expensive reproductive technologies capture more attention than the inexpensive and mundane preventative measures focusing on general reproductive

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[455] A. Mitchell, and J. Coutts, "Making baby in a petri dish," *The Globe and Mail*, Saturday, September 27, 1997, pp.A1, A6.

health. The full-page article has an inset, written by the same two journalists,

referring to the need for legislation.

3.3.1.2 THE 'AWE' FRAME

Some of the stories that offer a frame of 'awe' include "Screening of eggs will

prevent transit of disease to baby"[456] and "Embryo donation brings couple twin

happiness."[457] We see also "Cloned organs wave of future, scientists say: 'Magical

cells' can be grown to create any kind of tissue for transplant,"[458] "Selling human

eggs a matter of choice"[459] and "The dangers of saying no to biotechnology."[460]

Another example of the 'awe' frame comes from an editorial published in *The*

Gazette (Montreal) in 1995. William Johnson's comments came after Health

Minister Merleau announced the moratorium and impending regulatory efforts. As

Johnson concludes his editorial, the frame of 'awe' takes precedence and reproductive

and genetic technologies are understood as enhancing choice. Those writing from the

end of the spectrum in this frame often feel that any legislation is inappropriate.

Johnson concludes thusly:

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[456] Robert Walker, "Screening of eggs will prevent transit of disease to baby," *Edmonton Journal*, October 12, 1999, p.B8.
[457] Paul McKeague, "Embryo donation brings couple twin happiness," *Calgary Herald*, May 29, 1999,p.D2
[458] Sharon Kirkey, "Cloned organs wave of future, scientists say: 'Magical cells' can be grown to create any kind of tissue for transplant," *The Ottawa Citizen*, September 28, 1999, Final Edition, p.A1,
[459] Jon Ferry, "Selling human eggs a matter of choice," *The Province* (Vancouver), July 14, 1998, Final Edition, p.A20.
[460] Frank Ogden, "The dangers of saying no to biotechnology," *The Halifax Daily News*, October 11, 1998, Daily Edition, p.62

In a fluid moral area like reproductive technology, the
state should be slow to impose "values" unless clear
abuses can be demonstrated. In Canada, there are no
obvious abuses so far. Live and let live, even in vitro.[461]

3.3.1.3 THE PACKAGE OF STATEMENTS

In discussing these statements, these two frames can be seen in the transcript
of a news magazine show from January 20, 1998 on CBC-TV's *The National*. The
title of the show is "The New Facts of Life" and is hosted by Hana Gartner who
interviews a molecular biologist, a biogeneticist and a bioethicist. This show is
chosen because it clearly provides the two frames from which we may discern the
statements to understand the *rapport à soi* that is created. We begin with the 'awe'
frame.

Both the Princeton biologist Lee Silver and the Welsh biogeneticist Ian
Wilmut see the inevitability and the importance of genetic technologies. Silver's
academic interests are described as investigating the heredity role of behavior. His
work involves cloning mouse embryos and redesigning their genetic code. He is
convinced that the applications for humans will lead to preventing, not only genetic
disorders, but other maladies as well. Says Silver "we can imagine genetically
engineering an embryo so that a child will be born resistant to AIDS so the virus will
not be able to infect that child's cells. That would be a genetic enhancement." He is
presented as a cautiously optimistic scientist, aware of the discriminatory effects of
"genetic enhancement" but believing in its inevitability.

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[461] William Johnson, "Live and Let Live: Ottawa shouldn't regulate reproductive technologies," *The*

Ian Wilmut is the Welsh biogeneticist who is identified as the man who cloned the sheep "Dolly," the first successful mammalian clone. In this show, Professor Wilmut is presented as an involved scientist not overly concerned with wider repercussions. Here is an excerpt from the interview:

> GARTNER: (...) At the Rosalind Institute in Scotland, where Dolly was cloned, the aim is to breed bigger and better animals -- like Polly. That's Polly on the left. She's Dolly with a difference. Scientists have added a human gene, hoping to produce milk that could one day treat a number of diseases. Ian Wilmut can see the day when animals will become the drug factories for humans.
>
> WILMUT: What we've done in Polly, is add a gene. The next step in our research will be to change genes, to begin to be able to study particular genes. We were really excited to calculate that a flock of sheep will be capable of producing all of the clotting factor that was necessary for the whole world.
>
> GARTNER: Wilmut's employer, the Rosalind Institute, and a private pharmaceutical company, have applied for a patent on their process. It is worded to include human cloning, and some fear that one day, they just might give it a shot.
>
> WILMUT: We wouldn't do it. We made that abundantly clear, right from the very beginning. We promoted lots of discussions to try to see that our point of view was put over.

Both Silver and Wilmut are quoted as saying that it is not up to them but rather, society to determine the limits of scientific investigation. This has become an essential part of the 'awe' frame.

Gazette (Montreal), Wednesday, August 2, 1995, p.B3.

Turning now to the suspicion frame, Laura Shanner, a bioethicist who, in the news magazine referred to above, raises important questions about the rush to embrace genetic therapies. According to Shanner,

> as soon as early reports came out a couple of years ago
> that a possible site for homosexuality had been
> identified, people were calling genetic centres asking
> for tests. As soon as the obesity gene was announced
> several months ago, people started calling asking for
> tests. There is a very strong marketplace for several
> kinds of traits that may actually have nothing to do with
> human disease and the inherent well-being or disability
> caused by those genetic traits. Instead, what we might
> be doing is tinkering with genetics to address social
> prejudices, which is a different problem.

Shanner is suspicious of the head-long rush into genetic therapy and proposes a moratorium to give ourselves some "breathing space for five or ten years in which to begin to sort out what it is that will happen" if we pursue certain lines of research.

From this 'balanced' presentation of the debate, the inevitability of innovation is implicit. There is no halt to the technological progress in the field of genetics and the ethical questions begin to be a rehashing of the concerns voiced in the early 1970s when genetic therapies were understood in terms of genetic engineering and recombinant DNA.

3.3.2 ONTOLOGICAL NARRATIVITY

The news media is a public discourse whose import arises from its ability to reach millions of people with the same idea simultaneously. These ideas are presented under the guise of objectivity and balanced reporting. A newspaper publication however, is an industry and a business, and its objectivist intentions must necessarily be compromised. The newspaper's product, as Roger Fowler states, will be determined by

> the need to make a profit; by the economic organization
> of the industry; by its external relations with other
> industries, with financial institutions and official
> agencies; by conventional journalistic practices; by
> production schedules; by relations with labour (...).[462]

The product that Fowler talks about is not news or newspapers, but rather it is the readers themselves. Readers are produced with the construction of news. The rest of this chapter confronts how this production occurs.

News is the common meaning in social discourse; it is not lying in wait. It is neither found nor gathered, and as Jonathan Bignell continues in his introduction to media semiotics, "It is a product of professional ways of thinking, writing and composing which are all codes of behavior learned by news workers."[463]

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[462] Roger Fowler, *Language in the News: Discourse and ideology in the press*, p.20. Fowler adds that there is no successful socialist newspaper because that would be a contradiction in terms, as socialism is antagonistic to the business of making money.
[463] Jonathan Bignell, *Media Semiotics: an introduction*, New York, Manchester University Press, 1997, 223pp, pp.85-86.

News discourse is linguistically structured, says Bignell, to maintain the ideology of stability. But because news thrives on the presentation of events that threaten stability, there is a contradiction in news discourse, because there is also an inherent desire for the presentation of consensus and a coherent reality. This is alleviated by displacing the ideology of stability from reality to the news discourse itself. Even though the media will report on events that threaten stability, the ideology of stability is maintained in its very reporting. By being in the news, we are given the impression that the threat to stability is under control and that everything will be "just fine" because someone is taking care of it. In the articles referred to above, the stability ideology is present as the debate itself. As the media offers the debate in terms of the 'awe' and 'suspicion' frames, we can rest assured that others will sorts out the control issues and we can sleep well knowing that we are in good hands. But as this discourse of the debate is carried on in the media, a monument is being built.

Jenifer Stone's insightful article helps to situate the concept of ontological narrativity as it is presented by the media.[464] In "Contextualizing Biogenic and Reproductive Technologies," Stone remarks that the meaning of infertility, the *raison d'être* for the introduction of reproductive technologies, has changed significantly in the past 40 years. The present day media do not address the question of the meaning of infertility, but rather take it for granted that it is a problem that requires, if not actual assistance, then at least access to medical intervention.

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[464] Jenifer Stone, "Contextualizing Biogenic and Reproductive Technologies," *Critical Studies in Mass Communication*, 8(1991):309-332.

Infertility has been problematized in media presentations. Infertility has been presented as a situation that contributes to instability. We must do something about this, or at least not hinder those who wish to act to combat the instability that has come into their lives as a result of not being able to procreate. And as it is more and more problematized, requiring more and new solutions, assisted reproductive technologies come to be seen more and more as natural phenomena. Seeking medical attention for infertility is now the normal state of affairs that requires the self-identification as infertile or fertile. The dividing of people into these categories of fertile and infertile leads to people considering themselves as specific objects of reproductive behavior. Media reports in which the advances in reproductive science are proclaimed affects human agents in their thinking about themselves as reproducing beings. Even when stories are presented in the frame of "suspicion," the idea that there are technologies to be called upon in reproductive medicine requires a rethinking of our nature, our selves as reproducers.

Now that the debate has shifted to the genetic technologies, it once again requires a re-thinking of our reproductive selves. Both genetic disorders and genetic technologies are reported by the media as bringing instability to our lives. I turn now to the foucauldian statement to help decipher what this re-thinking may amount to.

3.3.2.1 STATEMENTS

A statement, Foucault tells us, is that which enables a group of signs to exist.[465] The two frames mentioned above, the 'awe' frame and the 'suspicion' frame each have the enunciative function of the foucauldian statement. This function acts to create a space that a subject will occupy, a space that helps to constitute a relationship that the subject will have with itself. The 'awe' and the 'suspicion' frame will each be treated as a statement to show how they each help to produce the space that is modality of subjective relations that creates the contemporary Canadian self.

Each statement creates a space for a subject to walk into. This is one of the four conditions or modalities that a statement must fulfill if it is to be called a statement in the foucauldian scheme and it is this modality that is created by the others. There are three spaces that encircle any statement[466] and these, the correlative, the collateral, and the complementary spaces, make up the subjective relation

The first modality is that of referentiality and it produces the correlative space of the statement. This shows the laws of possibilities that surround each frame and how they contribute to the space created for the subject. It is, as Deleuze writes, "the discursive order of places or positions occupied by subjects, objects, and concepts in a family of statements."[467] An important object that both frames refer to is science, and the order that it occupies in contemporary Canadian life. This first modality of the foucauldian statement shows (constitutes) a specific understanding of the relationship between scientist and society.

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[465] Foucault, *The Archaeology of Knowledge*, p. 88.
[466] Deleuze, *Foucault*, p.4.

In the both the 'awe' and 'suspicion' frame scientists are responsible only to their research (and perhaps to their sponsors) but not to society itself. That scientists are not responsible for the consequences of their research exists in both frames, although with different implications. In the 'awe' frame this neutrality is seen as a necessary part of science and scientific research, whereas in the 'suspicion' frame where neutrality is often decried, other mechanisms are called upon to deal with the effects of scientific progress. The object that this modality refers to is the neutrality of scientific research and technological innovation.

In an article called "The New Genetics: professional's discursive boundaries," the authors show this correlate of the statement, although without foucauldian language. In their study they find that certain interviewees argue

> that knowledge is separate and distinct from its application. 'Society' is therefore responsible for making sure that the knowledge is applied wisely. New genetics professionals thus deflect ultimate responsibility for their products onto society, whilst retaining a lesser responsibility for the education of society. Potentially, this allows immunity from blame for negative outcomes, yet praise for beneficial effects.[468]

In this media portrayal of professional discourse, these authors show that the professional's neutral provision of facts extends to a neutral vantage-point from which they think that they alone can assess the social impact of their knowledge. This, the authors conclude, puts them in a uniquely powerful position. A space is

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[467] Deleuze, *Foucault*, p.9.

created in which any subject who engages this discourse comes to see both science and the scientist as a neutral. Value considerations are a separate process and this modality encourages the fact/value split.

The second modality is that of materiality which is the space/time coordinates for this discourse. This modality concerns the contemporary narratives of the news media reporting as it does on the debate around reproductive technologies. This modality does not add new contextual information about the statements in question; it refers to that which distinguishes this particular discourse from a similar set of signs that might be uttered in the future or that which was uttered in the past. This modality identifies it as part of the media voice in the Canadian debate on reproductive technologies in the 1990s.

The next modality of the statement is the associative domain that creates the collateral space. This space is concerned with the link that is formed between the statement at issue with other statements that are part of the same discourse. Both the 'awe' frame and the 'suspicion' frame are transformed into statements when the collateral space is brought into operation. While the statements of the two media frames exists on the border of many other statements that make up the discourse, the one which is of concern here is the system of "blended" discourse of journalism and science and how it determines a specific space to be created. The "blended" narrative provided by the media creates a space in which subject has difficulty distinguishing between science that is presented journalistically and journalism that is presented scientifically. What this means is that the subject reassesses itself with what it thinks

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[468] Anne Kerr, Sarah Cunningham-Burley, Amanda Amos, "The New Genetics: professional's discursive boundaries," *The Sociological Review*, 45.2(1997):279-303, p.293.

is scientific information where it may be journalism created to sell media. The associative space of the media frames is created by surrounding statements that make up the journalism discourse and contribute to a space for the subject to understand itself in certain ways. The news media extends the subject into a realm of scientific realism and comes to understand its self in these terms.

The last modality is that of the relation to the subject. The space that is created by the three previous modalities of the statement (seen as the two media frames) permits a certain self to come to be. This self is one which believes in the inevitability of technological progress as the subject comes to see itself in terms created by the referentiality of neutrality, the associativity of inevitable technological progress, and the materiality of the 1990s media presentation of the debate on RT. The subject walks into the space created by these modalities and reassesses itself in these terms.

3.3.3 CONCLUDING REMARKS

In deciphering the ontological narrativity of the voice of the media in the Canadian reproductive technology debate the strategy adopted showed two different media frames, called 'awe' and 'suspicion'. This chapter developed the idea that these two frames belong to the same package, the package that adopts the inevitability of scientific and technological innovation and accepts its neutrality. My analysis explored this package to show that the self that is constituted by this voice is one that does not know alternatives to the progress of reproductive technologies. In terms of

the frames presented, the debate is an expression the intricate narratives both in awe and suspicious of technological advances in reproductive science.

The media suggests an idea of the ethical subject through the narratives that are presented in its products. The statements expressed in the media reinforce the idea of objective and impartial knowledge. By reporting on scientific endeavors, the support of this epistemology is implicit and remains unnoticed. By maintaining a stance of neutrality, the advances of science become difficult to be questioned. Even the 'suspicion' frame constitutes a subject into a self who must rely on the progress of scientific achievements or risk being considered outcast from the normal and normalizing view of science. The debate thus becomes a matter of how to accommodate scientific progress. Rather than being impartial, the media then helps to constitute subjectivity in terms of the scientific understanding of the individual, with the preconceptions that are implicit in a natural scientific epistemology.

Ontological narrativity of the media presents an idea of the subject caught in the midst of a battle between two important frames. These two frames, represented as the competing sides of the debate, are however, part of the same package. The inevitable progress of neutral technology package is valid for the media and criticism from alternative packages are presented as marginal, and hence less worthy of public attention. Within the one package of progress, the media supports the regulation of reproductive technologies and the questions revolve around what legislation would be appropriate and who ought to be involved in the regulatory process.

The kind of people we become as a result of the voice of media are people who accept the inevitability of technological progress in the reproductive and genetic

sciences. The public has become accepting about reproductive technologies, having been convinced that they are inevitable and unstoppable. Opposition to the technological fix is understood as opposition to infertile childless couples. A popular woman's magazine captures the essence of the subjectivation present in the media debate:

> For couples unable to have children - or have healthy
> children - new reproductive technologies are a godsend.
> Indeed, when it comes to individuals, most of whom
> simply want the best for themselves and their children,
> it's hard to find fault with how we use new science. If
> the technology is there to make a baby, or to make the
> baby healthier than nature would allow, then why not -
> specially if those who want the service are willing to
> pay for it? [469]

What the media does not portray is the way that it is involved in the development of the subject's relationship with itself. Acknowledging this role would have the news reporting differently.

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[469] Deborah Jones, "The perfect baby; genetic testing," *Chatelaine*, 71, 8(August, 1998): 34.

PART 4 – RAPPORT À SOI

AN ANALYSIS OF THE RELATIONSHIP THAT THE SELF HAS WITH ITSELF
AS A RESULT OF THE STATEMENTS FOUND IN THE VOICES

4.0   INTRODUCTION

From the statements discerned from the debate, the next step for my theory of

narrative ethics is to show how the self's relationship with itself changes as a result of

these statements. This relationship has been referred to variously throughout this

project as the subject and its self, the self and itself, the individual and its subjectivity

and the subject and its identity. I have maintained these various descriptions to force

a thinking of subjectivity as an ongoing process. The self is always in a process of

becoming and conceiving the subject as rethinking itself by way of narrative brings

this to light. By calling the debate on RT a narrative, I hoped to establish the point

that, just as reading a novel transforms the reading subject, engaging an ethical debate

transforms similarly. Using the foucauldian concept of *rapport à soi* presents a way

of understanding this transformative event.

Foucault developed this concept in his investigation of Greek sexual ethics in

the second volume of his history of sexuality project, *The Use of Pleasure*. *Rapport à*

soi is an important foucauldian concept that lies at the heart of his understanding of

ethics and in fact, it is that which he calls ethics.[470] Foucault's theorizing offers the

opportunity to understand ethical lives in terms of relationships, a sense that is missed

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[470] Foucault, "On the Genealogy of Ethics," p.263.

with traditional understandings of ethics that tend to focus more on problem-solving and identifying dilemmas.

In this section I will present a construction of the relationship that the Canadian reproductive self has with itself. I will build this relationship from the statements that I collected from the debate on reproductive technologies and presented in earlier chapters. These statements create a space for the subject to occupy and when that happens, the subject reassesses its self in terms of this space. The result is a self that is changed because of the statements, and the changed subject shows a distinct *rapport à soi*. This is by no means the definitive word on what kind of selves may be created from the narrative of the Canadian debate on RT. It is a proposal, a working out, an experiment with foucauldian concepts to show three important ideas. The first idea is that the Greek concept of *gnothi sauton*, of knowing ourselves, is still an important ethical ideal. The second idea is to emphasize that *epimeleia heautou*, or care of the self, is an equally important as knowledge of the self but has become a forgotten element of ethics.[471] The third idea is to affirm that public discourse has important implications for how we think of the self.

Knowledge of the self can only occur when its relationships are brought under scrutiny. This is contrary to the Enlightenment idea of self-knowledge, which is encumbered by relationships and must free itself from outside interference. Foucault reminds us that the two principles of antiquity are intimately connected. Caring for

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[471] Foucault writes "There has been an inversion between the hierarchy of the two principles of antiquity, 'Take care of yourself' and 'Know thyself'. In Greco-Roman culture knowledge of oneself appeared as the consequence of taking care of yourself. In the modern world, knowledge of oneself constitutes the fundamental principle." Michel Foucault, "Technologies of the Self," in *Technologies of the Self: A seminar with Michel Foucault*, L.H. Martin, H. Gutman, P.H. Hutton (eds.) University of Massachusetts Press, 1988, 166pp., p.22.

the self cannot happen prior to having knowledge and these two principles come together under the auspices of *rapport à soi*, the self's relationships with itself.

Foucault returned to the classical age of ancient Greece to better understand the present, in an effort to prepare his history of modern sexual ethics.[472] He never finished his whole project on modern sexuality, but what Foucault did complete provides the beginnings of an approach to ethics that allows a different kind of thinking about the stories and conversations that engage the contemporary subject. In *The Use of Pleasure*, Foucault presented what he called "some general traits that characterize the way in which sexual practice was conceptualized and made into an ethical domain."[473] It is through these traits that the subject constitutes its self.

This section is divided into two chapters. The first enumerates the four major aspects of Foucault's *rapport à soi*. The second chapter attempts to delimit the Canadian self that is suggested from the debate. I conclude this section with some general thoughts on the relationship between the self and its cultural narratives.

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[472] In a 1983 interview, Foucault states that he has "more than a draft of a book about sexual ethics in the sixteenth century, in which also the problem of the techniques of the self, self-examination, the cure of the souls is very important, both in the Protestant and Catholic churches." "On the Genealogy of Ethics," p.231. This volume remains unpublished as Foucault had asked that none of his works be published posthumously.

[473] Foucault, *The Use of Pleasure*, p.91.

CHAPTER 9: THE SELF'S RELATIONSHIPS

4.1.0 INTRODUCTION

Foucault's concern in *The Use of Pleasure* was with sexual ethics, the acts and the works of sex and the way these are managed and expressed in Greek philosophy and medicine.[474] My concern is with the ethics of assisted reproduction, not the acts and the works, but the narratives as presented in the Canadian debate. More specifically, my concern is with an understanding of the reproductive self that arises from the narratives of the debate. While sexual ethics are different from the ethics of reproductive technologies, they are not too far removed from each other. While sex and reproduction have been separated since contraception became widely accepted, this project brings these two elements closer together by showing that some of Foucault's insights from *The Use of Pleasure*, insights that understand the *rapport à soi* arising from sexual ethics, can similarly be used to illuminate the *rapport à soi* that arises from debating the use of reproductive technology.

The first part of Foucault's *The Use of Pleasure* is called the "Moral Problematization of Pleasures." It is divided into four sections from which the structure of moral experience of sexual pleasure is determined. These are, Foucault writes, "four notions that are often encountered in the reflection on sexual ethics."[475]

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[474] It is important to note that Martha Nussbaum presents a scathing review of this volume. Writing after Foucault's death, Nussbaum, somewhat apologetically, takes him to task for not using "exacting scholarship" when writing his history of ancient Greek sexuality. While Foucault may not be "enough of a classical scholar even to perceive the issues," it is the form of his analysis, rather than the content that is adopted here. Martha Nussbaum, "Affections of the Greeks," *New York Times Book Review*, November 10, 1985, p.13.
[475] Foucault, *The Use of Pleasure*, p.37.

He calls them *ontology*, *deontology*, *ascetics* and *teleology*, and shows each of these elements as a different aspect of the Greek *rapport à soi*. Foucault's task was to show how the relationship the self had with itself was different from that which was seen in the Christian centuries. Foucault also names these elements *Aphrodisia*, *Chresis*, *Enkrateia*, and *Sophrosyne*, reflecting the details of the way Greek sexual ethics was understood. He also calls them by the purpose they serve in the self's relationship: substance, use, self-mastery, and freedom.

Foucault problematizes pleasure in an attempt to show how the subject relates to its self in terms of the moral question of sexuality. The problematization of sexuality for the Greeks was different than that for the Christians. The Greeks were concerned with moderation in sexual activity and emphasized the importance of not being controlled by sexual pleasure. In the Christian centuries, the sexual self is understood differently, as a self to be renounced. Foucault notes that in the modern era, the sexual self is understood differently again, as a self to be liberated.

I will adopt a similar problematization structure to discern the contemporary Canadian *rapport à soi*, but I will not be problematizing reproduction as such. I will focus on infertility. Infertility has already been made into a problem and the debate contributes to the notion that it is a problem that needs to be solved. My point of departure is problematizing this problematization. By asking why infertility has become a problem to be solved, the stage is set for illuminating how the subject reassesses itself in light of the debate where the space is created for (the first) problematization. Before addressing the four aspects of the subject's relationship

with itself, the moral subject that was constructed from the statements of the debate will first be presented.

Some of the features of the space in which a new moral self comes to be are as follows: The political voice tells a story of guiding principles that offer a promising avenue for spelling out the moral point of view from which to better understand the ethics of reproductive technologies. Addressing this moral point of view presents a statement that allows moral subjects an alternative to the hegemony of modern ethical theory. People (and legislators) are free to adopt ethical principles without having to justify those principles in terms of any larger tradition. What was presented as an *aporia* for modern ethics, a source of the interminable arguments that plagues moral debate, as MacIntyre suggested, is now celebrated by the political voice in its presentation of ethical foundations. This creates a space for a subject free from the bounds of ethical traditions, but tied to ethical principlism.

The professional voice tells a story of autonomous decision-makers not interfering with others. This will allow Canadians (and their professional organizations) the opportunity to make decisions free from the interference of others. While the professional voice reaffirms this modern ideal when it comes to who ought to make regulatory decisions, another change in the subjective space is evident from this voice. Infertility is thoroughly medicalized, and the subject understands its reproductive self in terms that belong to the domain of professional medicine.

The voice of the media tells a story of inevitable technological progress. With the statements of awe and suspicion the subject enters a space created by this voice and finds there is no option to the pursuit of technological fixes. The subject who

enters this space is placed squarely in the middle of a "regulate-do not regulate" conversation, being told alternately that we need to take heed of the plight of our infertile brothers and sisters and that there are evil geniuses waiting for the right moment to clone an army of evil geniuses.

What conception of the self arises from these statements? What relationships develop for the subject from these narratives? First and foremost, it is a subject that accepts the inevitability of technological progress. Second, it is a subject that takes for granted the problem of infertility, and third, it is a subject that accepts the primacy of ethical principles for moral reflection. I turn now to the four elements that Foucault used to structure the moral experience of sexual pleasure to see how the contemporary moral subject relates to itself. By looking at its ontology, deontology, ascetics and teleology, a distinct *rapport à soi* becomes evident.

4.1.1 ONTOLOGY/APHRODISIA/SUBSTANCE

One of Foucault's purposes in writing a history of sexuality was to compare the kinds of discussion that occurs regarding sex in the classical age of ancient Greece with certain conceptions of sex that arose during the Christian centuries and was to continue into the modern era of sexual liberation. While Christian sexual ethics sought a secret from sex, "the domain of desires that lie hidden among the mysteries of the heart,"[476] the Greeks did not venture into the same kind of detail. Greek sexual ethics was primarily concerned with *aphrodisia*, a Greek word that translates as the

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[476] Foucault, *The Use of Pleasure*, p.92.

works and acts of Aphrodite, the Greek goddess born of sea-foam whose domain includes sexual pleasure. The difference between the Greeks and the Christians (and the Moderns) was due, Foucault tells us, to their different conceptions of the ethical substance. These conceptions are related to different "textures" of ethical experience,[477] which contributed to the difference in the constitution of ethical subjects between these groups.

Both Christian and Greek sexual ethics taught moderation, but what was being moderated was not the same thing. Foucault suggests that Christian sexual ethics raised the questions "which acts?" "which desires?" "which pleasures?"[478] and sought to enumerate that which was permitted and forbidden. The Greeks on the other hand were concerned with the force by which one is transported by pleasures and desires. Each sexual ethics refers to an ontology says Foucault: an ontology of deficiency and desire for the Christians, compared to an ontology of force that linked acts, desire and pleasure for the Greeks.[479] Each of these ontologies form the first part of the creation of a specific *rapport à soi* and Foucault's investigation in *The Use of Pleasure* looks at the Greek *rapport à soi* in detail as it develops in three different areas of Greek daily life.

Foucault takes as his source material three practices "by which men sought to shape their conduct" and depicts how these were conceptualized in the philosophy and medicine of classical Greece. By looking at dietary practices, practices of domestic government and their courtship practices as expressed in amorous behavior,

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[477] Foucault, *The Use of Pleasure*, p.42.
[478] Foucault, *The Use of Pleasure*, p.43.
[479] Foucault, *The Use of Pleasure*, p.43.

Foucault shows how these conceptualizations result in "stylizing" sexual conduct for the Greeks rather than a result of codifying it, as Christian morality would later do.

My project does not follow Foucault all the way down this path. It takes Foucault's idea that different systems of (sexual) ethics constitute different aspects of the self's relationship to itself and applies it to ethical debate. In the terms used in this project, Foucault was concerned with the narrative of Greek sexual ethics, with the way that discourse is ordered, and the differences that obtain with Christian sexual ethics. This present project is concerned with the narrative of the contemporary debate on reproductive and genetic technologies in Canada. It looks to the order of this discourse via the voices engaged in the debate to discern the *rapport à soi* generated by the statements found in the narratives.

The first aspect of *rapport à soi* refers to the part of the self that is concerned with moral conduct. More specifically, the ethical substance is the aspect that we work upon in developing our ethical behavior and while this substance may change depending on the statement that asks the ethical question, when we raise questions of ethics, there is this something about the self that is being questioned.

The voices in the debate present an ontology, which first and foremost confronts our reproductive selves. The ethical substance that becomes an issue in the voices of the contemporary debate on reproductive technologies is our understanding of our selves as reproducers. The main questions are: How do we understand what it is to be a being that reproduces itself? and, What happens to this understanding when the capacity to reproduce is compromised? Both of these statements are selected for

this narrative analysis because they show an ethical substance that is an understanding of the role of reproducer.

The main substance for each of the voices in the debate is an understanding of our reproductive natures and all three voices work on this substance in similar ways. This first element of *rapport à soi* reflects an acceptance of infertility as a condition that requires attention. Just as sex was the substance for Foucault, the substance that is being worked upon when ethical questions are raised in the realm of reproductive technologies is our understanding of our reproductive selves.

4.1.2 DEONTOLOGY/CHRESIS/USE

When a subject enters into the space created by the statement it must also reassess itself in terms of the *use* of the ethical substance. The goal of moral reflection, writes Foucault, is to work out the conditions and modalities of a *use* and in his investigation into Greek sexual ethics, it is the use of *aphrodisia* that is at issue, the use of pleasure. The common Greek expression *chresis aphrodision* related to sexual activity but it also made reference to the way these activities were managed. Foucault asks what principles are to be referred to in order to appropriately use pleasure, to moderate or limit or regulate that activity, and calls this aspect of *rapport à soi*, deontology.

Foucault is not, however, searching for a systematic code that would determine the accepted forms of the use of pleasure. There were already codes of behavior, but for the Greeks sexual ethics was not a matter of what acts were

permitted and forbidden. It was rather, as Foucault writes, a matter "of prudence, reflection, and calculation in the way that one distributed and controlled his acts."[480]

Foucault calls this element of *rapport à soi*, the mode of subjectification, as it concerns itself explicitly with the ways that people are invited to recognize their moral obligations with reference to a moral law or code. But the form of morality that use of pleasure took in ancient Greece was not the form of a text having the force of law, as it would be in the later Christian centuries. As Foucault writes,

> the individual did not make himself into an ethical
> subject by universalizing principles that informed his
> action; on the contrary, he did so by means of an
> attitude and a quest that individualized his action,
> modulated it, and perhaps even gave him a special
> brilliance by virtue of the rational and deliberative
> structure his action manifested.[481]

The use of the ethical substance, in Foucault's examples, shows men using pleasure in a way that will permit them to understand that "moderation could not take the form of an obedience to a system of laws or a codification of behaviors...."[482] It could not take this form because the use of pleasure was an art.

In the debate on RT, however, individuals are invited to adopt certain universalizing principles to inform the use of their understanding of compromised reproductive abilities. Subjects manage their responses to the problematization of the reproductive process (via the technological progress of the reproductive and genetic

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[480] Foucault, *The Use of Pleasure*, p.54. He goes on to discuss a "threefold" strategy for reflecting on the use of pleasure in terms of need, timeliness and status.
[481] " (...) un éclat singulier par la structure rationnnelle et réfléchie qu'elle lui prête." Foucault, *The Use of Pleasure*, p.62; *L'usasge des plaisirs*, Éditions Gallimard, 1984, p.73.

sciences) through agreed upon universal principles. This makes the subject into an ethical self. It is an ethical self that is different from both the Christian sense and the Greek sense of self that Foucault referred to. It is a self that gives primacy to universal principles to help understand the problems that can arise in being a reproductive self. The mode of subjectification that comes from the space created by the voices, is one in which subjects use universal principles to support their responses to technology.

That ethical principles hold a place of primacy in both the political voice and the professional voice is revealing. While it is true that modern bioethics is constituted by principlism, the larger question of what makes this principlism possible goes unanswered. Why the appearance of such a primacy? What delimits the meaning that is given to the statement of these voices? In other words, what makes it possible that the primacy of ethical principles makes sense in suggesting a way to promote a way of discerning public policy for technologies of reproduction? Principlism makes sense in the Canadian debate because the space is created by the narratives for the modern self to walk into. Principlism, as was shown above, concerns itself primarily with the so-called mid-level principles and not the larger contexts that animate those principles.

Part of the political voice's ethical foundation, the part based on the ethics of care, had great potential for suggesting a specific *rapport à soi* in which a unique relationship with the substance could have developed. Instead it chose a path towards subjectification and had a subject looking to a code for its moral obligations.[483] It

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[482] Foucault, *The Use of Pleasure*, p.57.
[483] See p.123, notes 259-262 above.

might have looked to care, but in the Government's plans for action, the mode that is presented is based solely on the principled nature of ethical conflict, shown through a code or the principles that were chosen to guide reflection. Adopting an approach that privileges ethical principles without any other justification than consensus, creates a limited understanding of our ethical lives. But ethics is much more than adopting certain principles. Their acceptance based on consensus presents another potential moment for getting beyond the "grand narratives" of ethical traditions of modernism. Unfortunately, principlism becomes another "grand narrative." The political voice presents a way of using the substance, the use of an understanding of human reproduction, which cannot go beyond what is expressed as principles. The self that would create itself through this kind of *rapport à soi* would be ethically limited. Obligations are presented as one or more self-evident propositions and it becomes a matter of recognizing which principle articulates what obligation. That which cannot be expressed as an ethical principle is omitted.

By naturalizing the appeal to broad ethical principles, the professional voice, just like the political voice, suggests its mode of ethical theorizing as if there is no question as to the validity and importance of this very specific way of presenting an ethical point of view. They implicitly suggest that subjects recognize their obligations in the way that the professional voice says that obligations ought to be recognized. The use of the substance is negotiated deontologically and the professionals' obligations, with respect to reproductive and genetic technologies, come to be in their selection and interpretation of specific bioethical principles. Thus by giving primacy to the principle of autonomy as a way of finding a solution for the

ethical problem of infertility, for example, the professional voice suggests a way of

using the substance that becomes essential to contemporary ethics, and hence

essential to the subject thinking its self.

4.1.3 ASCETICS/ENKRATEIA/SELF-MASTERY

Foucault tells us that the space that is created for the subject is altered in a

third way. *Enkrateia* is the Greek word, the opposite of *akrasia*, or 'weakness of

will', which depicts an active form of self-mastery that enables one to resist or

struggle to achieve domination in the area of desires and pleasures.[484] This is not

quite the 'right mean' of the *phronominos* that Aristotle discussed in the

Nicomachean Ethics, but it is, according to Foucault, a prerequisite of it. It is

different from being the virtuous person in that the subject who engages this form of

self-mastery has to struggle. The subject who experiences pleasures in this fashion is

not in accord with reason. "It is located on the axis of struggle, resistance and

combat."[485] This third aspect of *rapport à soi* concerns the practices that the self

engages to become an ethical subject, and how these practices help to constitute the

self by itself. Foucault writes that the term *enkrateia* in the classical Greek

vocabulary seems to refer in general to the dynamic of the domination of the self by

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[484] Foucault, *The Use of Pleasure*, p.64.
[485] Foucault, *The Use of Pleasure*, p.65.

itself and the effort that this demands.[486] This aspect refers to a type of mastery involved for self to know itself.

In Foucault's history of sexuality, *enkrateia* is referred to as an ascetics, as a kind of practical training that does not eliminate sexual desires but rather governs them or rules over them in such a way that the individual becomes moderate. This practice constructs a relationship with the self as 'domination-submission' or 'command-obedience', as virtue was conceived by the Greeks.[487] With Christian spirituality this aspect of *rapport à soi* changes into a relationship characterized as 'elucidation-renunciation' or 'decipherment-purification'.

With respect to the voices in the debate, self-mastery is precluded by each of them. The media reports, the professional opinion and the political legislation all do not present anything that may be akin to virtuous conduct in terms of a mastery of the use of the substance. *Enkrateia* ought to be an essential part of every ethical question, but the questions about the best way to use an understanding of ourselves as reproducers (the moderation of the problematization of infertility), are never broached in the debate.

Foucault's concern was with sexuality and the mastery of the self that occurs here. The practice of the self shows the way that the self can change in becoming an ethical subject. In the debate on reproductive technologies, there does not seem to be

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[486] "En tout cas, les terme d'*enkrateia* dans le vocabuliare classique semble se référer en général à la dynamique d'une domination de soi par soi et à l'effort qu'elle demande." Foucault, *L'usage des plaisirs*, p.76.

[487] Foucault points to Plato's example of the charioteer taming his team of horses as a model of the virtuous soul and to Aristotle's example of the child guided by an adult referring to the rational part of the soul guiding the desirative part. *The Use of Pleasure*, p. 70.

anything to master. There is no "weakness of will' when it comes to reproduction, no immoderation as there can be with sexual activity.

To understand this aspect of *rapport à soi*, it may be helpful to step back and get a larger view. Foucault used self-mastery as a way that the subject takes control of "pleasures and appetites" so as not to be ruled by them in a way that the *akrates* is misled by pleasure. In the RT debate, we are not misled by pleasure, but perhaps by the promises of technology. When it comes to understanding ourselves as reproducing beings, the debate does not provide for the acceptance of infertility as part of a normal way of being in the world. The mastery of the self ought to include an acceptance of who we are, fertile or infertile, but the voices engaged in the debate do not allow this important part of mastering the self. In other words, there is no saying no to the technological fix to infertility. The debate, by virtue of the positions of its voices, does not seem to provide for accepting "non-breeding status." Self-mastery for Aristotle, existed as a precursor to a virtuous life, but because there is no opportunity for self-mastery in the debate, there is no moderate course to take. The ontological narrativity in the debate cannot depict the self's mastery, and thus, a mastery over technology is precluded also because there is no basis for struggle and resistance. There is only an acceptance of the technological fix that is said to follow from reasoned principles.

The self that is constituted by this element of *rapport à soi* is such that there is no option to technologically fixing the problem of infertility. Of course, people may choose to use the technology or not, but the moral self that comes to be as a result of the narrative that is the debate on RT is one with nothing to master and where

emphasis is placed on the problematization of infertility. Unless this problematization is problematized, there can be no practice that the self can engage to lead it to a moderate, virtuous state. Infertility is made into a problem and the means through which the problem is fixed becomes the focus. Much like the limits set by MacIntyre's bureaucratic manager, the self of the contemporary debate is then led to constitute itself in terms of means rather than ends.[488] In this sense, the self that is constituted in the debate is a modern self. As MacIntyre writes

> The specifically modern self, the self that I have called emotivist, finds no limits set to that on which it may pass judgment for such limits could only derive from rational criteria for evaluation and, as we have seen, the emotivist self lacks any such criteria.[489]

By insisting that infertility is a problem, and that the answer is simply to address the desires of infertile couples, an opportunity for self-mastery is lost. Ethical argumentation remains a matter of principled reflection but cannot incorporate questions of self-mastery. Both the political voice and the professional voice show that working on the substance cannot include the important questions of this third aspect of *rapport à soi* and as such, implicitly support further development of technology. The voice of the media also supports this kind of progress by limiting the reader's focus to two alternatives to the RT debate, both of which include accepting technology's inevitability.

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[488] The bureaucratic manager is one of the characters that MacIntyre refers to in showing how a certain mode of social existence is legitimated.

4.1.4 SOPHROSYNE/TELEOLOGY/FREEDOM

The forth and final aspect represents the direction of the *rapport à soi* and refers to the kind of being that subjects aspire to when they behave morally. In terms of sexual ethics for the Greeks, the subject becomes free when a certain mastery is gained over pleasure. Self-restraint leads to freedom from being enslaved by the passions and this was the goal of behaving ethically for the Greeks. Foucault uses the Greek word *sophrosyne* to depict the state that could be achieved through self-mastery. This is different from the *telos* that is gained through the practice of self-renunciation suggested in the Christian morality of sexual behavior; the *telos* here is purity and immortality. The *telos* for modern sexual ethics is the liberation of our desire, which comes from, more generally, the *telos* of modern ethics as a whole, where discovering our true selves through freedom is key.

The debate leads towards an understanding of the place of RT and the three voices in the debate, which have been subjected to a narrative analysis, have a common *telos*: freedom. While the promise of freedom is expressed in technological development, it is not the same freedom that Foucault suggested when he referred to *sophrosyne*. It is a freedom to pursue technological options and a freedom from the interference of others. This fourth aspect of *rapport à soi* is explicit in the professional voice, when the profession argues for independence. This *telos* is apparent, however, in all the voices selected, and is presented as the modern ideal of autonomy.

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[489] MacIntyre, *After Virtue*, p.31.

The statement from the political voice's ethical position creates this autonomous space by constituting an emotivist self. As guiding principles with a cursory nod to the ethic of care, the political voice does not base its selection of principles on any founding theory because there are no objective moral standards. Emotivism provides the theoretical grounding for these ethical statements from this point of view. As depicted earlier, emotivism is an ethical theory where there is and can be no rational justification for any claims to objective, impersonal moral standards.[490] Consensus is the remaining justification for the political voice, it is a justification however, with no justification.

The professional voice makes a similar identification. The ethical arguments that are presented to shore up the position of this voice, the right to have children and the illness of infertility, both reinforce the idea that the medical profession ought not be interfered with in its pursuit for what it deems the best interests of its clientele. The tone of the submissions and the reports shows a professional organization taking offence at the encroachment on its territory by referring to medical ethical principlism.[491] In this way, the professional voice supports the identification of the relationship that the self should have with itself as one of autonomous reciprocity.

The voice of the media also suggests a similar narrativity. Both the awe frame and the suspicion frame that made up the statements of this voice intimate that the

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[490] MacIntyre, *After Virtue*, p.19.
[491] I make a distinction between medical ethical principlism and bioethical principlism because the professional voice remains wedded to traditional medical ethics. It is interesting to note that the first international congress devoted to medical ethics, as George Weisz suggests, "was less an exercise in examining the new problems facing medicine than a reaffirmation of the validity of traditional sources." Traditional therapeutic power was the central concern of this international meeting and there appear to be some vestiges of it remaining in the contemporary professional voice. George Weisz, "The Origins of Medical Ethics in France: The International Congress of *Morale Médicale* of 1955," in

telos of *rapport à soi* is an unfettered freedom that is at the basis of the modern emotivist self. In the awe frame, people being helped through the use of reproductive technologies or the simple appreciation for science create important emotive responses with which we are supposed to gauge our moral intuitions to these questions. Our suspicions of these technologies are also supposed to guide our moral attitudes. We are as suspicious about the crazed geneticist working for the 'dark side' as we are hopeful that a baby girl will be able to eliminate her gene for breast cancer. Both of these frames evoke an emotional response to ethical questions and correspond with the emotivist's moral framework.

In terms of this framework, ethical statements cannot be considered anything more than emotive expressions. Thus when we work on the substance, when we are engaged in ethical reflection on our understanding of assisted reproduction, the answers can only give rise to emotive responses. Thus cloning humans repulses us, creating replacement organs makes us queasy, and making human insulin in the milk of goats bewilders us. We are endeared to the infertile couple who, after all the 'inconveniences', finally has a bouncing baby. We are frightened of genetic engineering, and we are hopeful of genetic therapy. Trading human eggs for assisted reproductive services horrifies us as it poses a threat to human dignity. At least it does at first until the narrative changes.[492]

Remembering that the relationship that the self has with itself "determines how the individual is supposed to constitute himself as a moral subject of his own

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actions,"[493] a subject will enter the space created by this debate. It will then reassess its self first, in terms of the substance of this space. Then the self will look at the ethical use of the substance. Thirdly, the issue is how the self gains a mastery of this use and finally, it identifies the end that the self is directed towards. The self then understands its obligations as a result of the space that has been created by the ontological narrativity arising from the discourses that make up the monument that is the debate on reproductive technologies. This is not a step by step process with one element of the self's relationships happening after another. This characterization is simply a way of seeing certain structures of the space created by *rapport à soi*. This space can be thought of as a grid of power relations, with each aspect of *rapport à soi* presenting a different relation of power: it is a genealogy of the reproductive self, with this power fueling the creation of this self.

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[492] This change of heart refers to the wording of Bill C-47 which would have outlawed 13 specific technological interventions. It did not include this practice as one of the banned practices, although an earlier statement from the Ministry of Health did. See note 336 above.

[493] Foucault, "On the Genealogy of Ethics," in Rabinow, p.263.

CHAPTER 10: THE CANADIAN SELF

4.2 THE CANADIAN SELF

An idea of the subject, of the Canadian self is promoted in the narratives of

the debate on reproductive technology. This self is made up narratively by the voices

that affect the subject. This happens through the creation of a subjective space by the

monument of the RT debate. By accessing the ontological narrativity, understood

through a foucauldian lens, the self that is suggested by the participants in the debate

is exposed.

What then is this self? From the voices, it was shown that there are three

elements of this modern self, one provided by each of the voices. These elements are

by no means exhaustive of that which constitutes the contemporary Canadian self.

They are chosen because they readily show the narrativity of the debate. Selfhood is

an immensely complicated concept and the idea is simplified here to show how public

debates can influence understanding of what it is to be a self.

The debate constitutes the Canadian self by emphasizing a consensual

principlism, the primacy of autonomy and the belief in the inevitability of scientific

progress. Each of these elements helps to perpetuate the tradition of modern

individualism and the emotivist self.

A 1985 study into American life called *Habits of the Heart* explored the idea

of modern individualism[494] and I refer to it here to help understand the Canadian

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[494] Robert N. Bellah, Richard Madsen, William M. Sullivan, Ann Swidler, and Steven M. Tipton, *Habits of the Heart: Individualism and commitment in American life*, New York, Harper & Row, 1985, 355pp.

subject. Although there are important differences between Canadian and American

subjects,[495] there are some important similarities, and one of these is the modern idea

of individualism.

The tradition of modern individualism emerged out of the Enlightenment

struggle against "monarchical and aristocratic authority that seemed arbitrary and

oppressive to citizens prepared to assert their right to govern themselves."[496] This

tradition presents an "ontological individualism," where the "individual is prior to

society, which comes into existence only through voluntary contract of individuals

trying to maximize their own self-interest."[497] Modern individualism is a combination

of what this study calls utilitarian individualism and expressive individualism.

Utilitarian individualism understands the good of society as arising out of each

individual pursuing his or her own good whereas expressive individualism arose from

a reaction to this utilitarian pursuit. The idea of a "life devoted to the calculating

pursuit of one's own material wealth" came to be associated with utilitarian

individualism. In opposition to this, expressive individualism holds that each person

has a unique core of feeling and intuition that should unfold or be expressed if

individuality is to be realized.[498] In post-war America, expressive individualism,

according to this study, became increasingly important,[499] although utilitarian

individualism still carries important weight, especially in contemporary Canadian

society.

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[495] Allan Smith, *Canada: an American nation?: essays on continentalism, identity and the Canadian frame of mind*, Montreal, McGill-Queen's University Press, 1994, 398pp.
[496] Bellah, et. al., *Habits of the Heart*, p.142.
[497] Bellah, et. al., *Habits of the Heart*, p.143.
[498] Bellah, et. al., *Habits of the Heart*, p.34.
[499] Bellah, et. al., *Habits of the Heart*, p.49.

The word individualism was coined by Alexis deToqueville, the French social

philosopher whose study, *Democracy in America,* offered the most comprehensive

study ever written of the relationship between character and society in the United

States.[500] DeToqueville wrote:

> Individualism is a calm and considered feeling which
> disposes each citizen to isolate himself from the mass
> of his fellows and withdraw into the circle of family
> and friends; with this little society formed to his taste,
> he gladly leaves the greater society to look after
> itself.[501]

This individual has very much in common with the emotivist self, an understanding

of the modern moral agent that MacIntyre characterizes in his study of contemporary

moral theory. Says MacIntyre:

> To be a moral agent is, on this view, precisely to be
> able to stand back from any and every situation in
> which one is involved, from any and every
> characteristic that one may possess, and to pass
> judgment on it from a purely universal and abstract
> point of view that is totally detached from all social
> particularity.[502]

and further:

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[500] Bellah, et. al., *Habits of the Heart*, p.vii.

[501] Alexis de Toqueville, *Democracy in America,* 1830, p.506 cited in Bellah, et. al.,, *Habits of the Heart*, p..37. It is remarked that de Toqueville observed mainly utilitarian individualism and was particularly interested in the countervailing trends that bring people back from their isolation into social communion.

> (...) whatever criteria or principles or evaluative
> allegiances the emotivist self may profess, they are to
> be construed as expressions of attitudes, preferences
> and choices which are themselves not governed by
> criterion, principle or value, since they underlie and are
> prior to all allegiance to criterion, principle or value.[503]

This self is one which is has an important place in the Canadian debate. This self is constituted by the narratives and the narratives are, in turn, constituted by this understanding of the self. This circularity is important. It represents a hermeneutical circle of meaningfulness where neither the narrative nor self comes first. What this means is that there is no starting point for understanding the self, which is prior to the stories in which the self finds itself. The paradox of the contemporary self is that it exists in a narrative that denies that there are prior evaluative allegiances that contribute a rationale for the actions of this kind of self. Perhaps the reason why the Canadian identity is difficult to articulate is that the modern emotivist self claims that it has no social identity.[504] As MacIntyre writes:

> The self is now thought of as lacking any necessary
> social identity, because the kind of social identity that it
> once enjoyed is no longer available: the self is now
> thought of as criterionless, because the kind of *telos* in
> terms of which it once judged and acted is no longer
> thought to be credible.[505]

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[502] MacIntyre, *After Virtue*, pp. 31-32.

[503] MacIntyre, *After Virtue*, p. 33.

[504] For ideas on the Canadian identity see William Lewis Morton, *The Canadian Identity*, 2nd ed. Toronto, University of Toronto Press, 1972, 162 pp; P.E Roy, "The 5th Force - Multiculturalism And The English Canadian Identity," *Annals of the American Academy of Political & Social Science*, 538(1995 Mar.):199-209; S.J. Jackson, "A Twist Of Race - Ben Johnson And The Canadian Crisis Of Racial And National Identity," *Sociology of Sport Journal*. 15,1(1998):21-4.

[505] MacIntyre, *After Virtue*, p.33. MacIntyre was not specifically concerned with the Canadian identity but his words are, it seems to me, applicable to the idea that Canadian identity is hard to discern.

MacIntyre was referring to the *telos* that was implicit in an Aristotelian perspective and which was left behind with the dawn of the modern age. The *telos* for the modern self is different. It is a liberation from all that would confine it. It is its autonomous self. The political voice however, does present some cautionary words for unfettered autonomy in the world of reproductive and genetic technologies. There is a fear that science unrestrained, may go beyond what is considered acceptable and that as a result, it needs careful watching. As the protector of its subjects, political forces must work against that which might be threatening and this protection comes in the form of balancing of individual and collective rights, which is one of the essential principles for the political voice.

This principle and the others that inform the ethical position of this voice are chosen based on consensus. The arguments of this voice do not attempt to go further than the mid-level principles that are agreed upon in the bioethics literature and other places. The political voice accepts the principles that are given just as a bureaucratic manager accepts unquestioningly the rules of the bureaucracy. There is no discussion as to why these principles are chosen. As was shown earlier, this is congruous with an emotivist meta-ethics where the emotivist self has no recourse to anything besides intuitions and feelings of ethical propriety. Once the principles are selected there is no other choice but to follow them just as a manager applies rules for the efficient running of the corporation. The character of the bureaucratic manager is an important symbol for the political voice as well as for the self that arises from its participation in the ethical debate.

Characters hold an important place in MacIntyre's analysis of modern ethics,

and this idea is also picked up in Bellah's contributions to understanding the modern

self. Characters are representative of a very special type of social role, says

MacIntyre, which places a certain kind of moral constraint on the personality of those

who inhabit them.[506] Characters are the embodiment of moral positioning in the

world. Bellah's study describes characters as follows:

> A representative character is a kind of symbol. It is a
> way by which we can bring together in one
> concentrated image the way people in a given social
> environment organize and give meaning and direction
> to their lives. (...) It is rather a public image that helps
> define, for a given group of people, just what kinds of
> personality traits it is good and legitimate to develop.[507]

The character of the bureaucratic manager is especially pertinent as it provides

us with a paradox of the modern moral self. Managers conceive of themselves as

morally neutral whose skill enables them to devise the most efficient means of

achieving whatever end is proposed.[508] This representative character is one of the

focal points, one of the main characters of our cultural narrative, which defines for us

appropriate modes of being in the world. Characters are, as MacIntyre puts it:

> the moral representatives of their culture and they are
> so because of the way in which moral and metaphysical
> ideas and theories assume through them an embodied

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[506] MacIntyre, *After Virtue*, p..27.
[507] Bellah, et al, *Habits of the Heart*, p. 39.
[508] MacIntyre, *After Virtue*, p.74.

existence in the social world. Characters are the masks
worn by moral philosophies.[509]

The professional voice wants the best for its clientele, the best possible health care and best possible research into reproductive and genetic technologies. Research and innovation is accomplished for the good of the Canadian citizenry. This voice is presented as one that can take care of its responsibilities itself without outside regulation and/or interference. The autonomy of the profession is at stake, as is the autonomy of the profession's patients. This autonomous subject finds itself represented in another character identified by MacIntyre, the character of the therapist. This character takes the social context for granted and it is this character that expresses the ideal of fulfillment of the individual. Normative commitments are treated as strategies of self-fulfillment, enhancements of the individual rather than moral imperatives.

The concept of autonomy plays an important role in the ethical narratives of the profession. This should be no surprise. Autonomy and the individualism that supports this concept are ingrained into the modern psyche. Bellah's study found that Americans

believe in the dignity, indeed, the sacredness of the
individual. Anything that would violate our rights to
think for ourselves, judge for ourselves, make our own
decisions, live our lives as we see fit, is not only
morally wrong, it is sacrilegious.[510]

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[509] MacIntyre, *After Virtue*, p.28.

This idea can be applied, with important adjustments, to Canadians. The voice of the profession suggests that the Canadian subject uses this modern ideal in becoming a self. Its narratives support the ideal of autonomy and the concomitant rights and obligations that arise with the importance of individuality.

The voice of the media depicts itself as presenting the debate to inform the public about what is happening in the worlds of science and politics. It presents itself as doing ethics by presenting the two sides of the debate. The debate is packaged however without a real option to proceeding with the given research program. The character here is the scientist who represents the quest for certainty in the world and the idea of progress in knowledge. The narrative analysis of this voice showed that the self that is constituted by the media must accept the inevitability of the pursuit of scientific knowledge and its technological applications.

The idea of bureaucratic individualism believing in the inevitability of scientific progress structures the social order in which the Canadian self feels at home.[511] This is the order of the discourses that make up the monument of the ethical debate. This order is both the result and the cause of the change in *telos* to one where autonomous individualism is pursued as an end of ethical action.

All three narratives support a conception of the self that is a modern self. We are a community of individuals, each supporting each other's self interest, as long as it does not interfere with our own self-interested pursuits. The modern self is

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[510] Bellah, et. al. *Habits of the Heart*, p. 142

[511] A social order is, according to MacIntyre, made up of two realms, the organizational and the personal. The personal realm is where our individualism is expressed, where we create the ends and goals out of personal preferences. The organizational realm is one in which ends are taken to be given and are not available for rational scrutiny, leaving only the means, the planning, regulation and organizing that are the essential traits of one of the characters of modernity, the manager.

unconcerned with ultimate ends, not as a result of any choice -- rational or otherwise -- but because the models or characters that exist in our world cannot accommodate this concept.

An interesting question revolves around how this particular emphasis directs our attention and constructs our ethical being towards the future. How can we be saved from a purely procedural understanding of ethics and the contractual nature of the profession/public relationship that arises with an emphasis on autonomy and bureaucratic rationalism. How are we to discover own goods or goals? How are we to give ourselves our own laws by which to live? How are we to be truly *auto nomos*?

The answer to these questions, it seems to me, is that we cannot be truly autonomous. We don't give ourselves the laws by which we live and we do not discover our goals or our selves. We create them and the way we create them is through the stories we tell.

4.3 CONCLUSION

The ethical statements that were found in the debate alter the subject's understandings of the self. Called *rapport à soi*, this self-understanding is not a detached kind of knowing but is in terms of its self understanding of the role it has as a reproducing being. While the ethical statements do not directly confront this role of the subject, it is implicitly important in this debate. What I showed in this chapter

was that the statements produce a relationship for the self where ideas present as suggestions on how the subject should be.

The debate shows first, an ethical substance as an understanding of ourselves as reproducing beings; second, it suggests that the way we come to know how to use this substance is through principled reflection; third, mastery over the self is precluded by the debate because of the inevitability of technological progress; and fourth, the end or *telos* creates an autonomous space. When the subject enters into this space it reassesses itself with all these elements and together, all these elements of *rapport à soi* gives an overall sense of the ontological narrativity of the Canadian debate on RT. Together the three voices constitute the self in a specific way because they share an important element of the debate that leads to a typically modern idea of freedom.

PART 5 – CONCLUSION

The subject is not a self once and for all. It is a mode of being that is always becoming. The subject is constantly reassessing its self in terms of the narratives it encounters. With the Canadian debate on RT, the subject is again encouraged to rethink its self. My project began with the concept of a foucauldian monument. Foucault used the term as a way of showing an alternate approach to history that takes as its starting point a fixed unified entity, what is assumed to be a complete, solid monument made up of all that preceded it. From this alternative starting point for foucauldian theorizing, my project continued through a problematizing of the discourses that make up the monument, and it ended at the subject with the foucauldian question "How can we think differently about the monuments of our culture?" The reverse order, which begins with a subject at the core of our being and works towards a coherent whole by making sense of the multifarious discourses, is traditional historical analysis where we end up with a static monument.

Foucault's concerns were with large monuments like sexuality, madness and the human sciences, and then with the discourses that belong to them and finally the subject that is constituted by the discourses. My goals have been more modest. I used foucauldian archaeology, but directed it towards the debate on RT in Canada. By making the debate a monument I am not trying to artificially raise its stature to be as important as the human sciences or human sexuality. The monumental status of the debate is given as a starting point from which ethical questions may then be asked of it.

I called the debate a monument for two reasons. First, because it is a unity made up of various discourses, and second, because I wanted to show that the cultural conversation that is the Canadian debate on RT ought not be understood simply as (a series of) documents that transmit information and that will eventually be consigned to a dust-gathering archive. By calling it a monument I am bringing attention to the idea that what is occurring in the discourses that make up the debate has repercussions for the human subject's understanding of itself. To spell out the repercussions, I turned to a different part of the foucauldian *œuvre*, in particular, to the concept of *rapport à soi*, Foucault's meaning for ethics.

In an earlier part of this project, I showed what ethics has come to mean in the modern era and how that particular conception cannot encompass the idea of caring for the self as an essential ethical ideal. In terms of the two ethical principles of antiquity, modern ethics could only address questions that revolved around knowledge of the self and understanding ethics came to mean finding an appropriate foundation upon which a non-aporietic code may be constructed. Foucault's approach to ethics reminded us of this second principle that was essential to Greek ethics. I am not however advocating a return to Greek ethics as MacIntyre does when he makes his choice in the penultimate chapter of his *After Virtue*: "Aristotle or Neitzsche?" I am suggesting, however, following Foucault, that reintroducing the concept of caring for the self will permit a better view of the subject in its relationships, some of which are hidden from view by a modern perspective. As such, *le souci de soi* is an important corrective to what has become an over-emphasis on the codifying understanding of ethics.

Caring for the self in foucauldian terms is not an individualistic proposition. The Greek *epimeleia heautou* does not mean simply being interested in oneself but rather encompasses a wider concern. For example, Foucault writes,

> Xenophon used the word *epimeleia heautou* to describe agricultural management. The responsibility of a monarch for his fellow citizens was also *epimeleia heautou*. That which a doctor does in the course of caring for a patient is *epimeleia heautou*. It is therefore, a very powerful word; it describes a sort of work, an activity; it implies attention, knowledge, technique.[512]

The relationship between *rapport à soi* and *souci de soi* is essential to a foucauldian approach to ethics. While modern ethics does not discuss caring for the self, that does not preclude the subject relating to its self. In fact, one of the ways the modern self does relate to itself is by ignoring that it is involved in these caring relationships. Modernity's *rapport à soi* emphasizes only knowledge of the self. By not recognizing that it is taking care, the modern subject cannot see that it is involved in a myriad of relationships, not the least of which is with its self. The paradox of the modern self is that its *rapport à soi* denies that its relationships are just as important as the foundations it seeks. Its ethical self denies that the self is created and looks for a ready-made self in the depths of its being.

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[512] Foucault, "On the Genealogy of Ethics," p.269.

5.1 ONTOLOGICAL NARRATIVITY

This project looked at three of the voices that have been participating in the contemporary Canadian debate on reproductive technologies. The political voice, the professional voice and the voice of the media all present positions on how Canadian society ought to deal with these technological advancements. The problematization of infertility is at the heart of debating reproductive technologies and it was this problem that that I sought to problematize. To this end, the voices were subjected to a narrative analysis, which I described as the deciphering of their ontological narrativity. Each narrative has an implicit agenda in terms of the subjectivation of subjects who engage that narrative. The power of the narrative to bring about a rethinking of the subject's self is called its ontological narrativity. The purpose was to show how each of the narratives in the debate contributes to the way that the subject constitutes a self.

The statements that were taken from the debate led to three important factors for understanding how the debate subjectifies the subject. Technological progress is inevitable and, for the most part, positive. Freedom from interference is a crucial ethical ideal, as is selecting universalizable principles and applying them to difficult and complex questions. These three factors contribute to the way that the contemporary Canadian subject cares for itself.

Each voice that was analyzed articulated an ethical position that is part of a larger discourse. Each narrative is implicated in the controlling of its particular discourse and as such, each voice is identified as representing a discipline.

Controlling a discourse means a certain way of telling the story, a way that has rules

and definitions of what is permitted and forbidden, a domain of objects, a set of

methods, and a corpus of propositions considered to be true.[513] A discipline requires

the possibility of forming new statements. Each of the voices in the debate exhibits

this control and, following Foucault this disciplinary action was understood as an

exercise of power. It is through power relations that *rapport à soi* is generated. The

way that the narratives were shown to constitute the self shows the workings of

foucauldian power through the public debate on reproductive technologies. The

relationship that the self has with itself is created through a space that is formed by

the statements that constitute the narratives of each voice.

Each of the participants in the contemporary Canadian debate delimits its

discourse. This action was considered an internal procedure of control by Foucault.

He refered to both internal and external procedures by which discourses exercise their

own control. In his inaugural lecture at the Collège de France in 1970, he offered the

supposition that

> there is scarcely a society without its major narratives,
> which are recounted, repeated, and varied; formulae,
> texts, and ritualized sets of discourses which are recited
> in well-defined circumstances; things said once and
> preserved because it is suspected that behind them there
> is a secret or a treasure.[514]

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[513] Michel Foucault, "The Order of Discourse," trans McLeod, I., in *Language and Politics*, Shapiro,
M.J., (ed.), New York, New York University Press, 1984, (261pp), 108-138, p.118
[514] Foucault, "The Order of Discourse," pp.114-115.

Contemporary Canadian society has its major narratives, with each forming a ritualized set of discourses with internal procedures of control. There are other procedures for controlling and confining discourses, some of which operate from the exterior that Foucault locates as systems of exclusion. But the purpose of this project was to expose how certain discourses exercise control over their own narratives while showing the constitution of the subject from those discourses.

This narrative constitution of the self is what I have been calling ethics and the illumination of this process is meta-narrative-ethics. Understanding ethics as simple questions of right and wrong or good versus evil had been abandoned during this project. In this understanding of ethics, I followed Foucault back to an earlier pre-modern meaning, a meaning found in ancient Greece. Ethics is about both knowing the self and caring for the self. The self is not seen as the Cartesian *cogito* but as a work of art, a *techné* that is created through narrative via the statements that make up the important discourses that circulate around and through and by the subject.

For this project, it was also necessary to abandon certain important ideas that have structured modern ethical thinking. The first, as mentioned is the idea of a static self found at the depths of our being. In a philosophy of the founding subject, writes Foucault,

> discourse is no more than a play, of writing in the first
> case, of reading in the second, and of exchange in the
> third, and this exchange, this reading, this writing never
> put anything at stake except signs. In this way,
> discourse is annulled in its reality and put at the
> disposal of the signifier.[515]

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[515] Foucault, "The Order of Discourse," p. 125.

Another idea that was abandoned was the quest for certainty that consumes much of modern ethics. The idea that ethics must be engaged in finding the right answers is one preconception that did not obtain in this project.

It was shown that ethical theorists like Alasdair MacIntyre and Bernard Williams both bemoan the stagnation found in modern ethical theorizing. This project agrees with these thinkers, and sought to find a more interesting notion for ethics, while providing some sense about the ethical lives of Canadians engaged in an important debate. By showing how the participants in the debate each in their own way constitute the contemporary Canadian subject, this project depicted ethics in the debate on reproductive technologies as a discernment of the self created from the narratives.

5.2 THE EVOLVING DEBATE

The reproductive technology debate has changed since its beginnings in the 1970s. This project has been concerned mostly with the debate during the 1990s, the decade that *in vitro* fertilization becomes 'naturalized'. The 1980s saw the IVF industry starting to grow. In her 1995 study *Manufacturing Babies and Public Consent*, José Van Dyck shows both the medical profession and the media were involved in promoting this growth. A 1981 article in the medical journal *Fertility and Sterility* expanded the list of medical indications for IVF beyond blocked fallopian tubes, the principal indication for this procedure. According to Van Dyck, this expansion of the reservoir of possible IVF clients "simultaneously proves and creates

the need for treatment."[516] With this growth in the number of clients, the idea of an

infertility 'epidemic' is presented as a 1984 *Time* magazine article shows. It

describes infertility as "a cruel and unyielding enemy," calling it "the saddest

epidemic" and citing numbers from a reproductive endocrinologist who states that

infertility has tripled since the 1960s and that one in six American couples are

infertile. Van Dyck states that it wasn't until 1987 that these statistics were officially

refuted in both the United States and Great Britain. The 'infertility myth' that had

characterized the arguments in defense of IVF became obsolete in the 1990s. In her

chapter "Constructing the Need for New Reproductive Technologies," Van Dyck

traces the evolution of infertility/IVF showing the stages from miracle, to cure, to

plague and finally to commodity.

Conception in a watch-glass[517] is now commonplace and has become routine

in the many fertility clinics across the country. The debate has shifted and the issues

that are now considered "ethical" have also shifted to those questions that relate

primarily to genetic technologies, especially human cloning. While genetic

technologies were a part of the earlier debates, as in prenatal diagnosis for example,

they formed a small piece of the whole that was grouped under the rubric of new

reproductive technologies. With the shift in ethical issues, new questions engage the

contemporary ethical subject.[518]

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[516] Van Dyck, *Manufacturing Babies and Public Consent*, p.73.

[517] This is the title of one of the first articles on the subject of *in-vitro* fertilization in humans appearing in 1937. Anonymous editorial, "Conception in a Watch Glass," *The New England Journal of Medicine*, 217 (Oct. 21, 1937):678.

[518] See for example, Allen Buchanan, Dan W. Brock, Norman Daniels, and Daniel Winkler, *From Chance to Choice: Genetics and justice*, New York, Cambridge University Press, 2000, 402pp.

Earlier questions with new and innovative reproductive technologies had

paved the way for these newer and scarier genetic technologies, which narrate more

powerful changes to the conception of subjectivity. The 'breakthroughs' reported by

the press almost always refer back to the 'what if' in human cloning, and speculate on

the most fantastic science fiction scenarios. From the political side, the 'should we'

or 'shouldn't we' questions have evolved into the 'how should we'. The politicians,

ever careful they might chase away potential investment opportunities, attempt to

walk a very thin line between the pursuit of knowledge and public safety concerns.

The medical professionals, as scientists, do not want to be hindered in their pursuit for

cures for their patients and the development of innovative therapies that have the

potential to eliminate inherited genetic anomalies. The media continue reporting both

in awe and with suspicion.

The public is left to make sense of often technologically abstruse leaps in

science. The debate is meant to involve the public, to get the public's point of view,

to express the will of the people. After all, it is in a democratic society that all should

be contributing to the discourse. Scientists often call upon "society" when pressed

about the implications of their work. The call for public response however, is a way

that the scientists proceed without taking responsibility. There is no public discourse

on how to apply technology, we do not know how to not use technology. The public

may have an opinion on cloning of Madonna or Michael Jordan[519] but understanding

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[519] In a science writers' newsletter, Robert Lee Hotz of the *Los Angeles Times* reported: "In the space of one year, more than 15,500 stories on cloning have been published..." including 80 stories on cloning Madonna and 252 on cloning Michael Jordan. Cited in Albert Rosenfeld, "The Journalist's Role in Bioethics," *Journal of Medicine and Philosophy*, 24,2(1999): 108–129.

the intricacies, applications, and repercussions of complex genetic technologies is a different story.

The debate on reproductive, and now genetic, technologies is an important societal conversation, but the public is not a participant, the public is the product. Reproductive and genetic issues make up some of the building blocks of how we think about humanity and as we think about humanity, we construct ideas about subjectivity. These ideas in turn become ideas of the self. This project has adapted certain ideas from the works of Michel Foucault to suggest how this process may occur and has made this process explicit through a narrative analysis. The narrative creation of the self has been the theme of this project.

Narrative has become an important mode of analysis in ethics. By seeing the debate narratively, we begin to understand ethical arguments in terms of the effects they have on the subject. Following a foucauldian approach to ethics, narratives are inextricably connected to the relationship that an ethical subject has with itself. Narrative analysis presented here does not solve ethical dilemmas. We can no longer view ethical arguments primarily in terms of right and wrong. Our postmodern condition prohibits this kind of certainty. Knowing and caring for the self becomes (again) the first concern of ethics. Before we can concern ourselves with that part of morality that confronts rights and wrongs, we must know the self, and before we can know the self, we must articulate the self's relationships. This articulation comes from a meta-narrative-ethics where the subject is shown to become a self through its relationships defined by the narratives that surround it. This project depicted how each voice of the debate creates a specific narrative, complete with different relations

of power. As the subject encounters these different grids of power, a distinct self comes into being. A narrative need not be a story beginning with "Once upon a time…" but it must be part of a larger discourse in which the particular voices find their meaning.

The debate continues into the twenty-first century but the language has changed. Test-tube babies are now embryo transfers, genetic engineering has become genetic therapy, and eugenics has become genetic enhancements. The narratives of these technologies continue to tell a story and the subject continues to refashion itself from them.

5.3 THE FUTURE OF THE SELF

I began this project with the Human Genome Project and one of its co-founders, Walter Gilbert. This Harvard molecular biologist and Nobel Laureate has said that all our genes could be inscribed on our own compact disc, with which we could proudly proclaim "Here is a human being, it's me."[520] He is also quoted as referring to the human genome as the "Holy Grail" of genetics.[521] Genomics is offering new metaphors for thinking about the human subject. "Genetics is the single best explanation, the most comprehensive theory since God. Whatever the question is, genetics is the answer," writes Barabara Katz Rothman.[522] Genetics has come to be

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[520] Van Dijck, *Imangenation,* p.123.
[521] Stephen S. Hall, "James Watson and the Search for Biology's 'Holy Grail'," *Smithsonian,* 20(February 1990):41-49, cited in Ruth Hubbard and Elijah Wald, *Exploding the Gene Myth,* Boston, Beacon Press, 1993, 205pp., p.3.
[522] Barbara Katz Rothman, *The Book of Life: A Personal and ethical guide to race, normality, and the implication of the human genome project,* Boston, Beacon Press, 2001 [1998], 272pp., p.13.

identified with who we are and the metaphors of programming, of blueprints, and of the "book of life" all reinforce an understanding of our selves as distinct individuals first and foremost. The information coded into our DNA is given the status of primacy, and this information is understood as a combination of the thousands and thousands of base pairs of four molecules: adenine, thymine, cytosine, and guanine. There is no conversation on this understanding of the human subject, as the public debates of the 1990s on reproductive technologies has seemingly paved the way for genomics in the new millennium.

Can we think differently about the genomic subject? Will the modern reproductive subject hold sway? This will be our challenge. From the debate on reproductive technologies, we seem to have agreed upon one (medicalized) way of understanding reproduction infertility, and implicity agreed upon the concomitant subject. But there are alternatives to this portrayal of the contemporary subject as there are many different stories. Remember the one about Rachel in the book of Genesis.[523] Rachel's relationship with her infertility is full of moral import. "Give me children or I shall die!" she cries to her husband. But later she accepts that God has judged her. We know she accepts this judgment by naming her son, born of a surrogate, Dan, meaning "judged by God." If Rachel had understood her problem as blocked fallopian tubes, which were easily circumvented with technology, her son, we might imagine, would have been named differently.

Medical science allows modern women and men to act on their problematic reproductive situations. The Political structure makes sure no one gets hurt neither

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[523] Genesis 30:1

citizens nor researchers. The Media stirs things up by presenting newsworthy debates. Each voice tells a good story but with their stories, each voice presents an ontological narrativity. Meta-narrative-ethics is a way to make evident the way a certain *rapport à soi* arises from these stories and how they present the subject with suggestions on how it ought to rethink itself. The ontological narrativity of the voices in the debate on reproductive technologies in Canada presents a story in which the main character, the Canadian subject, is re-created and sustained. In this process of rethinking our narratives, a renewed self comes to be.

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