“Personhood” has been a foundational concept in anthropology. In British structural-function-alism, it was “persons,” as opposed to “people” or “individuals,” that were “the units of social structure,” and it was the fact that they occupied a “position in a social structure” that made them “persons” (Radcliffe-Brown 1952: 10). This notion addressed “one of the fundamental theoretical problems of sociology … the nature of social continuity” as it allowed for “continuity in the arrangements of persons in relation to one another,” even though “the personnel” occupying those positions changed. To be “a person,” according to structural-functionalists like Radcliffe-Brown, is to occupy a social role defined by its relationship to other social roles, e.g., “a child,” “a parent,” a “household servant,” where “inter-actions with each other is controlled by norms, rules or patterns” (1952: 11). Though structural-functionalism lost dominance following World War II, this notion of personhood has proven to be of critical importance in the late-twentieth and early twenty-first-century anthropological studies of reproduction.

Personhood was also important in pre-war French sociology and anthropology, but in a completely different way. Rather than consider it an analytic category, Durkheim and Mauss treated it as an intellectual category that could empirically be shown to have had different meanings “in different societies, and at different times” (Collins 1985: 47). Mauss provides a social history that, though apparently evolutionary, was not deterministic. Writing in the 1930s, during a historical moment not unlike the present when fascism and authoritarianism were on the rise and civil rights were under attack, Mauss expressed concern that the modern category of the person to which the “Rights of Man” pertained, with all “its moral strength”, was in peril ([1938]1985: 22).

According to Mauss, “person” became a legal category in ancient Rome. Disputes about who qualified as a person with its attendant legal rights ensued. Roman senators had had the right to kill their sons, who were not persons in their own right, but the senators’ sui. Once sons were granted personhood during their fathers’ lifetimes, other categories of people, e.g., the Plebs, demanded legal personhood, too (Mauss 1985: 16). This example illustrates several issues of relevance to the anthropology of reproduction: Not everyone is a person; the granting or withholding of this status is fundamentally about power and of such consequence that it is worth fighting over; the meaning of personhood changes over time as the result of such struggles.
It is precisely because of the high stakes of these legal and political struggles that anthropologists of reproduction find themselves called upon to engage in what is sometimes called public anthropology (CAR 2007), weighing in on issues like forced cesarean sections, occupational discrimination against women of childbearing age, the effects of systemic racism on reproduction, and the criminalization of pregnancy loss.

Durkheim and Mauss credited the Enlightenment and the Protestant Reformation with endowing personhood with sacredness, a characteristic that has loomed large in the anthropology of reproduction. It was in this historical context, too, that Mauss placed the emergence of the category of “the self … identified with self-knowledge and psychological consciousness” (Mauss 1985: 20). As we will see, the blurring of the categories of “personhood” and “selfhood” and the qualities associated with them has bedeviled thinking on several contemporary social issues, reproductive and otherwise.

Mauss also noted that beginning with Ancient Rome, legal personhood has been granted to “non-real” persons, e.g., “corporations and religious foundations” (1985: 19). This type of personhood has had a bearing on reproduction. In *Citizens United v. Federal Election Commission* (2010), the US Supreme Court extended the personal right to free speech to corporations, enabling them to spend as much as they wished to influence elections. Restrictions on access to abortion and loosening of environmental protections are widely understood to be outcomes of this decision. In the 2014 case of *Burwell v. Hobby Lobby Stores*, the US Supreme Court ruled that the Affordable Care Act (Obamacare) mandate for companies to provide their employees with health insurance and include coverage for contraception could be ignored because it contravened the religious beliefs of this corporation-cum-person. In his majority opinion, Justice Samuel Alito explained that “the purpose of this fiction [of corporate personhood] is to provide protection for human beings.” This argument illustrates that despite the Enlightenment rhetoric of humanity, some human beings (e.g., corporate owners) may still be entitled to more legal protection than others (e.g., female employees).

Other recent examples of the granting of legal personhood to non-human entities have worked in favor of reproductive justice. The Whanganui River in New Zealand was granted legal personhood in 2014, with the acknowledgment that for the Maori of that region, the Whanganui was not only a person, but an ancestor (Roy 2017; see also Glaskin 2012). Once legally recognized as a living entity, damaging the river would “be legally equivalent to harming a person” (Safi 2017).1

**Personhood in the anthropology of reproduction**

The anthropology of reproduction grew in concert with the women’s health movement and has sought to shape policies and practices that enhance reproductive rights, health, and justice. From the start, personhood was an important concept for this subfield; ongoing battles over the right to contraception and abortion, and the moral questions being raised by the new reproductive technologies, directed attention to the complex, contested, and changing status of the fetus. Is an embryo or fetus a person? What if it lacks a heart or a head (Blizzard 2007)? What about a molar pregnancy, blighted ovum, or chemical pregnancy (Layne 2003)? What of fetal remains in jars as part of educational displays (Morgan 2002), or embryonic stem cells in a research lab (Franklin 2005; Pfeffer 2009; Bharadwaj 2012)? Other questions included: Can a “work object” (Casper 1998) or “tool” be a person (Pfeffer 2009)? Does patienthood confer personhood (Casper 1998: 117)? Is personhood automatic, God-given, granted by the state? Is it an all-or-nothing status, a simple yes or no, or a status that is contingent and/or subject to gradations?
Anthropologists of reproduction provided politically and intellectually helpful perspectives on these questions. Responding to the exponential growth of the global reproductive industrial complex, and to the right-wing, Christian personhood movement’s many legal and public initiatives in the US (Cromer 2019b), anthropologists of reproduction collaborated with activist organizations; submitted op-eds in local and national newspapers; appeared on right-wing talk radio programs and on local TV news programs; were interviewed by popular health magazines; produced educational TV series; shared their own abortion stories; co-authored amicus briefs; and gave expert testimony to state judiciary committees.

Abortion, prenatal personhood, and prenatal diagnosis

Despite the 1973 US Supreme Court decision, Roe v Wade, which granted women the right to abortion, the fight over abortion has continued with vehemence, animated largely around the issue of personhood. As theological ethicist Lisa Cahill says, “so long as the fetus’s moral standing is believed to depend on fetal personhood … the question of personhood will not disappear from the abortion debate” (quoted in Morgan 2006a: 11). Starting within a week of the Roe v Wade decision, hundreds of personhood laws (330 by 2014) were introduced at state and federal levels championing the rights of the “unborn” (Cromer 2019a: 614), and similar efforts have been directed toward the status of over a million frozen embryos left over from in vitro fertilization in the US (Cromer 2019a: 606).

This ideological struggle was a cornerstone of the “culture wars” associated with the Reagan era (1981–1989). Fetuses became effectively weaponized, leading to the ban on fetal tissue research, the Global Gag Rule in 1984, the imposition of certain US-White-religious views of embryo personhood on people in the US (Cromer 2019b) and other parts of the world (Goldberg 2009). Another feature of the Reagan presidency was federal investment in the life sciences and biotechnology and a shift “away from public health and nonprofit medical services toward commercially oriented research, health services, and for-profit applications” (Cooper 2008: 27). New reproductive technologies such as prenatal diagnosis, fetal imaging, IVF, and home pregnancy tests increased the profits to be made from pregnancies and abortions and raised new questions about the existential and moral status of embryos and fetuses.

In 1983, when 37-year-old Rayna Rapp received amniocentesis results indicating Down syndrome, she and her husband made the “devastating” decision to abort (2000: 4). The next year she shared this experience in MS Magazine (1984), had a baby, and started a ground-breaking, multi-sited project that included a diverse sample of women who used or refused to use this new reproductive technology (Rapp 2000).

In 1986, another New York City–based feminist scholar, Barbara Katz Rothman, published The Tentative Pregnancy on amniocentesis, abortion politics, and personhood in which she explained how the meanings of pregnancy could vary from one pregnancy to another.

If a woman sees a pregnancy as an accident—if, for example, her pregnancy is a by-product of contraception that did not work—then in her definition the fetus is not a person … Abortion is the solution to the problem of failed contraception. But if the fetus is to be her child, if she has chosen to have this baby—chosen by … purposively becoming pregnant, or by willingly … accepting an unintended pregnancy—then she considers that fetus to be a person. It is her baby.

(1986: 5–6)

These differences, she emphasizes, are not contingent on size or “viability” of the fetus (1986: 6). In her next book, Rothman showed that the essentialist view of fetal personhood that
anti-abortion activists embraced was based on the patriarchal model of pregnancy—seed in, baby out—one which erased the process of gestation. In contrast, a woman-centered approach understands a wished-for pregnancy “as a developing ‘relationship’” (Rothman 1989: 106).

Abortion, fetal imaging, and feminism

During the last decades of the twentieth century, feminist scholars noted with concern the proliferation of fetal images, notably those taken by the Swedish photographer, Lennart Nilsson. Fetal images were appearing in anti-abortion literature, billboards, and films, and in mainstream popular pregnancy manuals, educational television programs, and advertisements (Petchesky 1987; Duden 1993; Hartouni 1993). Janelle Taylor was one of the first to identify “the public fetus” (1992) with her analysis of a 1991 magazine advertisement featuring a sonogram image of a fetus with the caption “Is something inside telling you to buy a Volvo?” Another “digitally produced, computer-generated fetal simulacra” was used in a 2007 television commercial for “a next generation” Ford vehicle. Morgan (2011: 326) addresses how such images, “produced within and at the service of a system of consumer capitalism increasingly dominate and determine contemporary understandings of fetal subjects.” She (2009, 2011) and Hopwood (2002, 2015, n.d., with Buklijas 2008–2010) have also shown how embryos and fetuses are literally constructed as educational, medical, and museum objects available for public scrutiny. (See Figure 19.1.)
Sonograms became integral to the construction of fetal personhood in North America (Taylor 1998, 2000, 2008a). Mitchell (2001: 175) focused on the new ritual of “showing the baby” during routine 18-week prenatal ultrasounds in Canada, something she evocatively dubs “public quickening.” Since the mid-1990s, 11 US states mandated pre-abortion sonograms, the most draconian of which requires that regardless of whether or not the woman wishes it, the live image must be placed in her line of sight while she is given “a verbal description … including identification of fetal parts, [and] the heartbeat” (Upadhyay et al. 2017).

In 1995, journalist Naomi Wolf argued that the pro-choice movement should abandon the “lexicon of dehumanization” and admit “that the death of a fetus is a real death” (1995: 26). To do this she suggested pro-choice advocates should re-appropriate the “paradigm of sin and redemption” (1995: 33). And so, the following year, convinced that feminists could no longer “deny the increasing and undeniable moral and social importance given to fetuses in European and North American society” (Morgan 1996: 2) and that there were better alternatives than what Wolf proposed, Lynn Morgan organized a workshop aimed at developing feminist perspectives on “the emerging fetal subject” (Morgan and Michaels 1999).

**Anthropologically informed models of personhood**

A major outcome of this collective endeavor was bringing anthropologically informed models of personhood into contemporary political debates about reproduction. The basic anthropological insight that there are many different ways of addressing fundamental human issues allowed for the introduction of ethnographic examples of radically different ways of constructing personhood.

Drawing on material from Melanesia and South America, Conklin and Morgan put forward a “processual-relational” model of personhood whereby “social relatedness and personhood develop incrementally … Rather than being bestowed automatically at a single point in time, personhood is acquired gradually during the life cycle; it can exist in variant degrees” (1996: 667). They use the example of the Wari of Amazonia among whom babies are made by the accumulation of maternal blood and paternal semen during a pregnancy. It takes multiple sexual encounters to make a baby, hence, a pregnancy “requires the ongoing participation” of at least two and possibly more people since any man who has intercourse with a woman during her pregnancy is thought to contribute to the creation of that child (1996: 671).

They also describe a “structural-relational personhood” common in Asia. In Japan, a person is “someone residing at the center of a network of obligations, so that personhood is constructed out-of-mind, beyond body, in the space of ongoing human relationships” (Margaret Lock quoted in Conklin and Morgan 1996: 666). In this model, personhood “is contingent upon creating and maintaining ties with others in a social field” (1996: 666).

Conklin and Morgan (1996: 665) contrast relational models with Western individualist ones, concurring with Sarah Franklin, that “in Western culture … persons ‘originate’ at conception; it is biological facts that cause them to be, to come into existence” (1991: 192). This biologically based ontology renders “fetal being … entirely asocial” (Franklin 1991: 196).

**Contemporary North American criteria for personhood**

**Consumer goods**

While not denying the significance of biologically based understandings of personhood, my work with members of pregnancy-loss support organizations in the US during the last decades of the twentieth century revealed a “processual-relational” mode based on consumption. Rather
than assume one model/one culture, my case illustrated that multiple models of personhood can exist simultaneously (cf. Layne 2020).

In the US, the accumulation of consumer goods plays a similar role to the iterative, cumulative sharing of bodily substances (Carsten 1995, 2001) in baby making elsewhere. Pregnancy-loss support group members constructed the personhood of a wished-for child during a pregnancy and after its demise through the acquisition and distribution of goods to and on behalf of the child (Layne 2000, 2003, 2006). As Commoroff and Commoroff (2001: 4) posit, “the (post) modern person is a subject made with objects.” Like women’s work, the achievement of personhood is never done. A tension within “possessive individualism” is that “the individual is completed, or made whole, by property but … the accumulation of property is never completed” (Handler 1988: 192). This helps explain why many pregnancy-loss support group members continue to give gifts to and on behalf of their angel baby on gift-giving occasions (Layne 2000, 2003, 2006).

The purchase of baby things during a pregnancy are constitutive acts, not only of the fetus as a Radcliffe-Brownian “person” occupying the social role of “baby,” but also the child-to-be’s gift-giving network as “fathers,” “grandparents,” “siblings,” “aunts and uncles,” “friends of the family,” etc. (Han 2013: 168). First-time American middle-class parents’ preparation of a nursery also makes “babies and mothers and fathers” (Han 2013: 124; Tomori 2015). Nursery preparation is a way “of calling forth” a certain kind of person, “an enlightenment subject marked by autonomous action and independence (articulated in the specific capacity for independent sleep)” (Tomori and Boyer 2019: 1180).

Notably, many Jewish families abstain from purchasing goods, having a shower, or setting up a nursery during a pregnancy because personhood is not granted until eight days after birth (Greenberg 2017). This tradition presents obstacles for mourning pregnancy losses that Jewish pregnancy-loss support advocates have grappled with (Alexander 2003; Cardin 1999; Dubin 2003).

A sex and a name

In the US there are two additional, interrelated requisites for personhood: A sex and a name. The speech act, “It’s a boy!” or “It’s a girl!” performed by the delivering doctor, transforms an “it” into a “she” or “he.” As one anthropologist/mother discovered, “a person, from the very beginning, cannot be anything at all if it is not sexed” (Astuti 1998: 29). The advent of prenatal diagnosis and routine sonograms has meant that would-be parents can know a child’s sex before birth, and preimplantation genetic diagnosis allows future parents to choose the sex of their embryo/child (Layne 2019). While many in the LGBTQ+ community and their allies have challenged sexual binaries, others celebrate gendered differences during pregnancy with “gender-reveal” parties and stunts (MacAulay 2013).

In some societies, there are more than two sexes (Nanda 1990; Wikan 1977). In much of Melanesia, people are in some sense cross-sexed in that male and female contributions are thought to result in certain body parts, e.g., semen may be the source of “skin, eyes, teeth and hair … and maternal blood … the bones, viscera … and the circulatory system” (Wagner quoted in Busby 1997: 270). Among the Hagen, “persons are not axiomatically conceived of as single sex. A deliberate effort has to be made to present a person as gendered, as exclusively male or exclusively female for specific ritual effect” (Strathern quoted in Busby 1997: 122).

Most pregnancy losses occur before the sex can be known. Among Catholics of Siquijor Island in the Philippines, if a pregnancy loss takes place before the sex is known, fetuses are often given the dual-sexed name—“Joseph and Mary” (Bulloch 2016, 2011). In the US, if the sex is not known, parents may give their child a gender-neutral name or may intuit or pick the sex
“Personhood” in reproduction

and then pick a gender-specific name. Because most Euro-American given names are gendered, they were not given until after birth. Until then, nicknames are often given, and they tend to be gender-neutral and are often nonhuman or inanimate, e.g., “spawn” or “peanut” or Rapp’s (1984) “XYLO.” With prenatal sexual diagnosis, names are now given during the pregnancy.

In his essay on “Person, Time, and Conduct in Bali,” Geertz (1973: 363) observed that “the everyday world in which the members of any community move … is populated not by anybodies … but by somebodies, concrete classes of determinate persons positively characterized and appropriately labeled.” Bodenhorn and vom Bruck (2006: 3) focus the crucial role of naming for creating “somebodies.” Conversely, stripping someone of their name is a way to divest them of their personhood, as for example, the replacement of each prisoner’s name with a number at Auschwitz. In his comparative history of slavery, Patterson found that “masters all over the world,” used this technique as a “ritual of enslavement” (1982: 8). Removing their names was part of the enactment of “social death” whereby a person “is alienated from all ‘rights’ or claims of birth,” and ceases to belong in her or his “own right to any legitimate social order” (Patterson 1982: 5). The new names they were assigned might be the same as those the owners gave to their animals, e.g., in the UK, those given to litters of foxhounds, in North America, those of the master’s beasts of burden (Benson 2006: 190). Emancipated slaves often used names to “re-person” themselves, as did many African Americans during the Civil Rights/Black Power Era a century later.

The power of names and sex are equally apparent in societies where they are avoided. In Mongolia, sexual differences are downplayed or hidden, with babies and toddlers sometimes dressed in the clothing of the opposite sex. A ritual gender-specific hair-cutting takes place sometime between the ages of three to five at which time an “ordinary name” is given but still rarely used (Humphrey 2006: 168). Up until that time, babies are either not given a name, or their name is not to be spoken. Instead “side names” such as “cat,” “no-name,” “whoever,” or “shitty” are used so as to deceive evil spirits. The powerful import of a sex and a name is also illustrated in the renaming practices of anti-sexist British men in the 1970s and 80s. In an effort to shed unearned male privilege, one chose the name “5”; another replaced his patriarchal last name with “Motherson” (Delap 2020).

Among the Inupiat of Alaska, “names play an important part in transforming a small, unaware human being … into a real person” (Bodenhorn 2006: 145). Here, personhood is expansive (Bodenhorn 2020), and this is reflected in the multitude of names people have: Legal given and family names required by the government at birth, many nicknames, and their Inupiaq names which are often those of a reincarnated deceased loved one. Inupiaq names are often common words, including those of body parts, that reveal “nothing about gender, kinship, birth order, religious affiliation or social status,” but do reveal something about relationality through the connections generated by sharing the personhood of names (Bodenhorn 2006: 147, 148).

A race

“Race,” like “sex,” is a “so-called ‘biological fact’” (Franklin 1991) on which personhood is based. Risa Cromer’s ethnographic study of embryo adoption in the US illustrates how “race” (even if it is “mixed”) is treated as a “unique essence that inhere in embryos,” a “unique plan” based on a “genetic code” that marks the child as a racially distinct person even “before it was implanted into the womb” (2019a: 615). Although these programs produce “race as a pure, durable substance that passes stably and in equal percentages from donors to embryos” (Cromer 2019a: 610), they do so through a constellation of race-making practices that are contingent, unstable, entangled in social practices (2019a: 608). Furthermore, to recruit others to their cause,
or at least try to weaken their objection to it, these groups co-opt the principles and slogans of abolitionists and civil rights activists, arguing that fetal “personhood is the new civil rights movement of the twenty-first century” (Cromer 2019b: 28). This analogy was made as early as 1984 when President Reagan “likened Abraham Lincoln’s emancipation of slaves following the Civil War to the twentieth-century antiabortion movement’s desire to protect the ‘sanctity of all human life’” (Cromer 2019b: 23).

Thanks to a variety of new reproductive technologies, embryonic race, like sex, has become a “selectable good” (Cromer 2019a: 10). “Although neither eggs nor sperm possess [sic] skin color” (Twine 2011: 33), commercial egg and sperm banks catalogue their wares by race, with lighter skin tones going for higher prices (Thompson 2009).

**Disqualifications for personhood**

Pregnancy does not automatically result in a new person. Records of an eighteenth-century German doctor show that failed pregnancies were not understood to be the loss of a child, “but other kinds of fruits … evil growths,” “untoward matter,” “burnt stuff” (Duden 1991: 64–65). Evans-Pritchard (1956) reported that Nuer babies born with birth defects were considered to be crocodiles. In Israeli hospitals during the 1980s and 90s, “the majority of parents,” regardless of background, were “apt to abandon their child as a result of a visible deformity,” no matter how “slight and curable,” and were more likely to keep babies with “more medically severe internal problems” (Weiss 1998). In some African societies, being a twin was anomalous enough to be excluded from the realm of personhood. The Yoruba understand twins to be interstitial beings, who, like witches, are “considered outside the bounds of ordinary society” (Renne and Bastian 2001: 3). Because of the danger they posed, twin infanticide was common among the Igbo of southern Nigeria. Among Muslim Hausa speakers of Niger, the first-born twin was killed, the second was not (Renne and Bastian 2001: 5, 6).

Exclusion can also be based on developmental delays. In rural Mali, infants who “never reach out for things with their hands … never sit up or walk, never talk” may be abandoned in the bush where they “turn into snakes and slither away” (Dettwyler 1994: 85–86) and in Brazilian shanty towns babies who lack a “knack for living,” may be considered “little angels” allowed to slip away (Scheppe–Hughes 1993). Among the Vezo of Madagascar in the 1990s, babies who died during their first year were buried without a funeral in an unmarked grave in the forest because they were “not yet people/human beings, they are ‘animals’” (Astuti 1998: 36). In the 1980s, Catholic women in the Andean town of San Gabriel explained, “babies are not full persons until they are baptized” whereby the “amorphous little creatures” are transformed “into God’s children” (Morgan 2006: 11; cf. Bulloch 2016). They considered abortion wrong, not because fetuses were persons, but because abortion was self-mutilation (Morgan 1997: 339). Examples like these remind us that biological birth and social birth are not the same thing.

**Provisional personhood: Infants with disabilities, pets, and adults with dementia**

Landsman shows how consumer culture can undermine claims of personhood of babies who do not meet the expected standards. The defining characteristic of commodities is that they can be exchanged, whereas people are considered “unique and irreplaceable” (Landsman 2004: 104). In her essay, “Too bad you got a Lemon,” she challenges utilitarian philosopher Peter Singer’s argument that it would be better for parents to reject and replace a defective newborn. Like the mothers Landsman studied, who reject the suggestion that their child could/should be replaced with a better model, members of pregnancy-loss groups rail against the frequent suggestion from
people trying to offer comfort by assuring with the platitude, “You can always have another” (Layne 2003).

In early twenty-first-century Israel, we find examples of pets being treated as persons until they are not. Often assigned the role of “pre-child,” child substitute, or “my baby” (Shir-Vertesh 2012: 423, see also Strathern on English pets 1992: 12), pet owners use many of the same personhood-granting practices as they would with a human infant: Naming, toilet training, providing medical care, hiring babysitters, and including them in family portraits. But the personhood of these nonhuman animals can be contingent; “they are loved and incorporated into human lives but can at any moment be demoted and moved outside of the home and the family” (Shir-Vertesh 2012: 420). Reminiscent of the consumer logic of trade-ins, couples may get rid of their dog once they have a real baby. Pets’ ambiguous status is also apparent in custody battles, where they “are sometimes treated as property, and other times as rights-vested creatures or ‘persons’ whose best interests should be taken into consideration” (2012: 222).

American mothers of infants with a disability discovered that there were “gradations of personhood, with (dis)ability a criterion for determining a child’s level of personhood” and that the diminished personhood of their infant in turn diminished their status as mothers. As one mother explained: “It’s like you don’t have a baby” (Landsman 2009: 50). Personhood, Landsman found, was not just a cumulative, unidirectional social process but could go the other way too; people may suffer revocation or diminution of personhood.

This precarity is not confined to newborns, but something anthropologist Robert Murphy experienced when a spinal tumor relentlessly destroyed his capacities/personhood. In his chapter “The Damaged Self,” Murphy shows how selfhood and personhood are interdependent (1987: 93); following George Herbert Mead, he observed, “an individual’s concept of his or her self is a reflection, or, more accurately, a refraction … of the way he or she is treated by others” (1987: 92–93).

Those with mental impairments are even more vulnerable to having personhood withheld (McKearney and Zoanni 2018). “Ugandans with cognitive disabilities are often perceived as failed people (abalemua) insofar as they depart from dominant scripts for being human” (Zoanni 2018: 62). The modern emphasis on reason and self-expression also imperils personhood at the end of life. Alzheimer’s is sometimes referred to as “the death of the person” (Banner 2014: 116). Upon learning that her mother had dementia, Janelle Taylor was inevitably asked, “Does she still recognize you; does she still know your name?” Taylor shows the important role that naming plays in the contested personhood of people with dementia, but here, it is not being granted a name that makes one a person, but the ability to remember the names of others. Drawing on Ricoeur, Taylor notes different types of recognition: A “sovereign self’s active intellectual ‘recognition’ of external objects” and “the socially and politically embedded subject’s passive receipt of ‘recognition’ granted by others” (2008b: 314). Much as we saw Singer use the capacities of rationality, self-consciousness, communication to deny the personhood/moral standing of disabled infants, Taylor shows how the capacities for memory, language, and cognition are used to deny the personhood of adults with dementia (2008b). She likens medical institutionalization to social death, whereby people with dementia are socially abandoned with the rationalization that s/he is “Not who she once was. No longer herself. Not really there” (2011: 62).

Ghostly personhood: Organ and gamete donors and their “offspring”

“Beating-heart cadavers” are possible because of the “medicalized assumption that the self is lodged in the brain” (Sharp 2006: 17), but the different meanings attached to heart transplants versus other organs or tissue also point to the heart as a special seat of personhood. While
organ–transplant professionals embrace a “color blind” policy, some donors and recipients treat race as biologically transferable in this way (177). Brain-dead organ donors reveal ambiguities of personhood not unlike those for people suffering from dementia (75). While clinicians engage in “the process of depersonalization,” surviving kin continue to “refer to their loved ones by name” (75). Like sperm and egg donors and surrogate mothers, organ donors are recruited by the appeal of giving “the gift of life.” Donor kin often feel that their loved one lives on in the recipient, and because of the shared biology/substance, they may claim kinship with the recipient, and recipients sometimes celebrate their “rebirthdays” on the day that they received the life-saving donation (110).

Sperm and eggs have been personified, i.e., credited with the ability to act intentionally, in gender-stereotypical ways (Martin 1999: 500), with increasing frequency since Nilsson documented the heroic “journey to conception” by some two million sperm as they swam upstream to meet an egg which “is swept” or “drifts” down a woman’s fallopian tubes (Martin 1999; Moore 2007; Daniels 2006). Since the advent of commercial sperm banks, and their expansion to include lesbian women and heterosexual single mothers by choice (Almeling 2011), ontological questions have been raised: Is sperm a body part, a necessary ingredient, a man, a baby? Furthermore, by moving this aspect of reproduction into the market (Layne 2013), the cultural distinction between a person (i.e., unique and sacred) and a consumer product, which can be replaced and are in some sense interchangeable, is troubled. Women who “buy dad” often feel queasy about how much the process resembles picking out a pair of shoes or items from a Chinese menu (Layne 2013). Many of the same cultural practices used by members of pregnancy-loss support groups to deal with the uncertain status of their would-have-been/could-have-been child: Conversing with, taking photos of, dressing, sexing, and naming are deployed by women to deal with the anomalous status of the sperm they buy, and the man who produced it. First-person accounts reveal efforts to personify, masculinize or feminize, infantilize, and dehumanize the sperm; sometimes treated it as an “it,” sometimes as the wished-for “child,” sometimes as a “man,” and even, in one case, as a “woman” when the woman who planned to become pregnant dressed up the nitrogen tank to resemble/impersonate her lesbian partner (Layne 2013, n.d.).

Whereas lesbian mothers and heterosexual, single mothers by choice manage the quasi-personhood of the donor and his sperm, memoirs of gay dads do not convey parallel challenges with egg donors, surrogates, or birth mothers. Instead, we find the social construction of a wished-for baby well before a biological baby is underway. Gay dads use many of the same techniques as members of pregnancy-loss support groups use to establish and maintain the personhood of their wished-for but physically absent child—assigning a sex if not known, naming, conversing or corresponding with, and buying consumer goods for. In one gay dad memoir, the author explains that “intuitively, I felt that our first child would be boy.” He and his husband named this fantasy child-to-be Simon and wrote to him regularly during the long, tortuous path to fatherhood (Morgen 1995).

Another intended father started constructing the personhood of his intended child on the day he and his husband decided to pursue gestational surrogacy. Since they did not know if they would have a boy or a girl, he begins his letters to “Dear Child,” assuring him or her that “Alex and I are ready for you. We love you more already than you can imagine. Our house, your room, our cats, our friends and family, are all waiting to welcome you” (Hirschi 2015: loc. 98). Reminiscent of Helena Ragone’s phrase, “conception in the heart,” this intended father recalls “the first time I felt that yearning of wanting to have you” many years earlier as a young man (2015: loc. 90). It is not just the would-be parent who has person-making agency, but the would-be or always already future child. Since Hirschi is unsure how to pick an egg donor, he invites
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Personhood has been a key concept for anthropologists, including those interested in issues of reproduction. Personhood is fundamentally political, and it can be said that “All Politics are Reproductive Politics” (Briggs 2017; Franklin 2019). Anthropological approaches to personhood have changed over time, with “citizenship” (Das and Addlakha 2001; McKearney 2017) now doing some of this theoretical work.

In the US, there is frequent mention of the three-fifths clause in the Constitution as evidence that, from the start, African Americans have never been granted full personhood. But the three-fifths clause did not mean that Africans and their descendants counted “as three-fifths of a person,” entitled to “three-fifths of a vote … or three-fifths of a person’s rights before the law” (Waldstreicher 2009: 4). The clause had nothing to do with the personhood of the enslaved but worked as a multiplier of the power and wealth of their owners.

Nonetheless, in “the afterlife of reproductive slavery” (Weisbaum 2019), extensions of eighteenth-, nineteenth-, and twentieth-century racial thinking continue. We see it not just in shameful reproductive health disparities in access and outcomes, but also the way women of color are treated in medical environments (Davis 2019), amounting to a “reproductive caste system” (Roberts 1997).

One particularly illuminating example of this is found in the “one drop rule” in determining race. Despite the widely held belief that women and men contribute half of the genetic material that goes into making a new unique person, this presumption is discounted by the primacy of “race.” The celebration of confederate heroes that proliferated during the era of Jim Crow, was accompanied by the adoption in some southern states of the “one drop rule,” or “hypodescent,” “the social and legal practice of assigning a genetically mixed-race person to the race with less social power” (Williams 2020). Here the polluting effects of racism trumps the redemptive power of masculinity, the blood of White, male slave owners that continues to course through their descendants.

Mauss was concerned about the fragility of liberal, universal personhood and with good reason, as we witness peaceful protesters being violently attacked and nabbed off the streets by unidentified federal agents. Others point out that the “universalist and colorless language of personhood” (Mill 1998: 110 quoted in Cromer 2019b: 26), has served as a ruse to avoid the realities of ongoing white supremacy, and patriarchy. The cataclysmic events of 2020 which have set into relief the question of which lives matter (African Americans killed at the hands of the state; those dying of COVID-19 in old folks’ homes, in prisons, and in meat-packing plants and other minimally paid “essential work’?) highlight the ongoing relevance of the anthropological concept of personhood.

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Notes

1 Efforts to grant Sandra, an orangutan in the Buenos Aires zoo, legal personhood as a nonhuman entity failed because the Argentinian legal code had no such category (Wikipedia 2020). The civil code recognizes “personas de existencia visible” applied to corporeal entities such as minors and disabled persons, and “personas de existencia ideal” applied to legal incorporeal entities such as a corporation. Nonetheless, she was transferred to a primate rescue facility in Florida where she could engage in “enrichment activities” as documented on very cute YouTube videos.

2 The crucial and varied roles of men in reproduction have also, if somewhat belatedly, come to be recognized (Daniels 2006; Inhorn 2009; Kilshaw 2009; Layne 2010; Mohr 2018).

3 A “social object” is defined by “the meaning it has for the actors for whom it is an object.” In the context of fetal surgery, “the fetus” is a “work object,” the primary object around which the medical team organize their work practices and commitments (Casper 1998: 19, 27).

4 A similar stance is evident among members of US pregnancy-loss support groups who argue that regardless of the stage of development, the loss of their wished-for pregnancy meant that what they had lost was a “baby” and could be mourned as such (Layne 2003).

5 When Laci Peterson was murdered in California by her husband in 2002, she was eight months pregnant with a baby who had a sex (boy), a name (Connor), and consumer goods that had been selected from their gift registry at Babies R Us. These proofs of personhood were used as evidence in the trial which found her husband not only guilty of first-degree murder for his wife, but also second-degree murder for their prenatal son (Layne 2004).

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