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## Introduction to the Symposium

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# Introduction

Lindsay King\*

Professor John A. Robertson's new book, *Children of Choice: Freedom and the New Reproductive Technologies*,<sup>1</sup> presents a framework for evaluating the controversies engendered by reproductive technologies and the reproductive revolution. This framework centers on procreative liberty as a value by which to judge reproductive techniques. According to Robertson, procreative liberty, defined as the freedom to control one's own reproductive capacity in deciding whether or not to procreate, is a basic right that should receive presumptive priority in all challenges against its exercise. Because reproductive experiences contribute substantially to a person's sense of individual dignity and identity, reproductive freedom should triumph in all instances in which opponents of reproductive freedom cannot establish that substantial harms to third parties would result from its exercise.

Professor Robertson provides a two-step approach by which to assess all reproductive technologies. First, the technique must promote a distinctively procreative interest worthy of protection. Second, the harm threatened to others from use of the technique must be substantial to justify overriding the identified procreative interest. The difficulty in evaluation stems from differences of opinion concerning what qualifies as a sufficiently substantial harm to defeat a reproductive liberty interest.

Professor Robertson evaluates four general categories of reproductive technology under this procreative liberty analysis. He explores technologies used to avoid reproduction, to assist reproduction, to control offspring characteristics and quality, and to make nonreproductive use of reproductive capacity. Robertson identifies the degree of procreative interest that attaches to each technique and the countervailing interests that opponents identify as sufficiently worthy of protection to infringe upon the procreative interest. Such countervailing interests include fears associated with interfering in natural processes, the potential of diminishing respect for human life generally, and possible adverse effects on the welfare of offspring resulting

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1. JOHN A. ROBERTSON, *CHILDREN OF CHOICE: FREEDOM AND THE NEW REPRODUCTIVE TECHNOLOGIES* (1994).

from unrealistic parental expectations and the undermining of traditional notions of the family unit. The objectification of women and issues of cost, access, and consumer protection as a result of these technologies also present issues of concern.

Taking all of these considerations into account, Professor Robertson concludes that in most cases in which procreative interests are present, the countervailing considerations do not constitute substantial interests of the kind necessary to override the procreative interests involved. Rather, he says that the reservations voiced represent merely speculative and symbolic concerns that offend personal notions of morality. Robertson believes that a majority of, although not all, reproductive technologies invoke core procreative interests that competing concerns cannot defeat.

Professor Robertson suggests that his model is only one of many useful perspectives from which to evaluate reproductive technologies, and he invites evaluation by other perspectives in order to gain a fuller understanding of the issues and controversies surrounding the new reproductive techniques that characterize the reproductive revolution. In the Symposium section of this issue, Professor Ann MacLean Massie, Professor Gilbert Meilaender, Professor Laura M. Purdy, and Howard W. Jones, M.D., discuss Robertson's model from the perspectives of law, religion, philosophy, and medicine, respectively. Professor Robertson then responds to their critiques of his approach.