


Towards Pipol 10 – Desire for a child? Wanting a family and clinic of filiations : Virtual conference – 2<sup>nd</sup> & 3<sup>rd</sup> July 2021

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# TECHNO-MATERNITIES – Dominique Laurent

by [PIPOL TEAM](#)

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in [Science](#)

## *The unlimitedness of the desire for a child* [1]

*Reproduction is nowadays manipulated by science, which has itself become the instrument of the desire for children. When the empire of the father and of the Law decline, how can we regulate caprices, fantasies and extravagances?*

Medically assisted procreation (MAP) consists of a set of biological and medical techniques that make it possible to overcome the multiple causes of sterility. They open up a field of interventions that seem to give the desire for a child almost unlimited possibilities. They promise to defeat the impossible contingency that has up until now acted as a limit to the will to procreate. Nature was capable of obstructing it in unpredictable ways. If there is no longer any natural impossibility, then the desire for a child becomes a right for all, and therefore for each and everyone, regardless of its articulation with other ends, such as those of the family. We will examine here the aftermath of this chain of consequences on the new position of the desire for a child as the foundation of a subject.

## The call for science

As early as 1938, at the end of his writing “Les complexes familiaux...”, Jacques Lacan acknowledged that the adventure of the family that he called paternalistic was coming to an end. This conception of the family ensured a “prevalence of the male principle” and an “occultation of the feminine principle [2]”. We could say that Lacan’s work is an ever more precise exploration of the consequences of the de-occultation [*désoccultation*] of the feminine principle, in other words, of women speaking out on the structuring of desire.

This movement, accelerated by the mastering of fertility and procreation, has disrupted and re-articulated the relationships between the sexes in our civilisation.

After the disjunction of sexuality and procreation, the child projected by MAP techniques has become not only an object of desire, but also that of a legally admissible request to medical instances, should the desire be impeded by nature. This new configuration lifts the veil on what is called the desire for a child and how this is affected by these technical advances, but also by the societal advances in the status of women and homosexuals, be they gay or lesbian.

Psychoanalysis contributes to the exploration of desire when it is no longer structured by the paternalist principle, that of the Oedipal family. This exploration is not restricted to psychoanalysis – sociologists also explore it. However, it is up to psychoanalysis to highlight how the desire for a child, transformed by the law, emancipates itself as such and becomes the object of a feminine demand and a desire for motherhood that can now free itself from a relationship with the other sex.

There is no need for a heterosexual family, as assumed in the Civil Code model, to authorize engendering. Science can provide not only what allows to overcome the sterility of heterosexual couples, but also makes possible the fertilization of a lesbian woman and the joining of a homosexual couple through procreation in forms that vary greatly, from the child carried by a friend to the market of gestational surrogacy (GS).

*Marriage for all* (“*Mariage pour tous*”) has given rise to much debate, an essential aspect of which has been the question of the child in homosexual couples. If the figure of the virgin has fascinated the old paternalistic order, the figure of the lesbian, as mother of a family, fascinates as well, never ceasing to question and scandalize the supporters of this perspective.

Going beyond this fascination, a report directed by the sociologist Irène Théry, praised by the press for its high intellectual standing, was submitted in February 2014 to the Minister of Family Affairs. The latter preferred not to divulge it at the time when the “marriage for all” protests were raging [3]. This report “links legal issues to a major question: that of the emergence of new family values accompanying the contemporary metamorphosis of filiation and, more broadly, of the relations to children. The references are no longer the same as those of the time of traditional marriage, of the hierarchy of the sexes, of the stigmatization of natural children, of the prohibition of divorce and of the pathologisation of homosexuality. The values of transmission, dedication, attention, care and education have not disappeared with the advent of *demarriage* [*démariage*] [4]”.

*Demarriage* is indeed the word by which I. Théry describes the pluralisation of marriage. In this perspective, the report advocates in particular MAP for lesbian couples, the recognition of children born by GS abroad and the end of anonymity for donors in MAP.

What will be the effective legal reforms to come? We do not yet know, as the debate is so heated and involves legal, ethical and religious arguments. To understand the extent of this, we need only to look at the fate of the Taubira circular sent in 2013 to the chief clerks of the courts, to encourage them to issue a certificate of French nationality to the “ghosts of the Republic”, those children born through GS, even though this is prohibited in France. On 19 March 2014, the Court of Cassation invalidated for the third time the delivery of French nationality to a child born abroad

to a surrogate mother – let us recall however that on 26 June 2014, the European Court of Human Rights condemned France for these decisions.

## The end of natural evidence

MAP has brought about a disjunction between sexuality and procreation, procreation and gestation, and will perhaps in the future bring about a disjunction between procreation and the human being, as suggested by the work on stem cells.

This work makes it possible to imagine the fabrication of ova and spermatozoa from adult cells taken from a man or a woman. Self-fertilization using a sperm and an egg from the same person would pose many problems, but fertilization of a woman's egg by a sperm created from her partner's cell would be more easily achieved. This would be the radical disjunction of man and woman in procreation [5].

MAPs thus reveal the gaps and voids between the legislative measures – the variations of which are specific to each state – that provide a framework for them. These developments make it possible to diffract the black hole which is the desire for a child. By disrupting the conditions of procreation, MAPs have helped to demonstrate the naturalistic illusion of the notion of family and the supposed universality of the desire for a child, rooted in the model shaped by the Enlightenment.

With civil marriage established in 1792, which is the only one valid under the law, the law becomes the guarantor of the immutable order of nature by assigning to men and women different and unequal roles by nature. The Civil Code, promulgated in 1804, instituted a family order with two major characteristics. It is a matrimonial and hierarchical order, based on the principle of hierarchical complementarity of the sexes [6]. It is this hierarchy that Lacan called the paternalistic model.

This family order has profoundly been reshaped since the 1970s onwards by a succession of reforms: reforms of matrimonial regimes, creation of full adoption, transition from paternal power to parental authority, equality of legitimate and natural filiation, legalization of abortion, divorce by mutual consent. But beyond that, marriage is no longer an imperative social obligation. It is “no longer [...] the marriage that makes the couple, it is the couple that makes the marriage [7]” whether or not it is homologated by the CSP (civil solidarity pact). “Married people, civil union partners and cohabitants, of different sexes and of the same sex, now cohabit within the civil law of the family. [8]” Marriage for all completes this transformation.

If the paternalistic family dreamt of a natural social bond – Darwinian ideology made filiation overlap with genetics – two centuries later, the law alone articulates the family. From now on, in France, regardless of the legal situation of the couple, it is the child who makes the family. The law engenders a family fiction, beyond the circumstances of birth. From the homoparental family to the developed heterosexual family fiction, the child compels its ascendants.

The report we are examining concludes that “the axis of common family law will no longer be marriage but filiation [9] “. This thesis means that, whatever the parents' mode of love, their conjugo, the status of parenthood is defined by birth. However,

MAP techniques make it possible to question filiation in an entirely novel way by way of gamete donation, surrogate mothers and supernumerary embryos. To verify this, we need only refer to the numerous trials underway in various Western societies. For us psychoanalysts, filiation is not limited to conception, birth or the family. Filiation is beyond that. We will come back to this.

The twentieth century was marked by the arrival of contraception and the legalization of abortion, legalization that is currently being fought against and very seriously threatened in some countries by those who dream of returning to the *status quo ante*. These advances have freed women from repeated or unwanted pregnancies. They have separated female sexuality from procreation. This has had the effect of crystallizing the hitherto unheard of statement of desire or non-desire for children. A recent survey shows that 5% of French people do not want to have a child [10]. The prevalence of contraception and the large number of abortions are other manifestations of this trend.

The arrival of MAP has opened up access to maternity and paternity, where the impossible was apparent before. And this is true whether this impossibility is linked to sterility, as the French legislative framework specifies, or whether it is linked to sexual choice. If on the one hand there is scientific progress, on the other hand there is a *depsychopathologisation* of sexual behaviour. The North American psychiatric classification excluded homosexuality from the framework of mental pathologies in the 1980s.

France was the first country in the world to remove – in 2010 and by decree – transsexualism from psychiatric pathology. And since 1999, operated transsexuals, duly recognized by the law, in a couple for at least two years, have been able to benefit from MAP with gamete donation, within the framework of a study protocol proposed by the CECOS [11] of the Cochin Hospital; 68 couples were included in this study between 1999 and 2010, and 42 children were born to 29 couples during this period.

The children were followed by a psychological team throughout these years. The team did not find any developmental delays, worrying symptoms, sexual identification or body schema disorders, or generational differentiation disorders in these children. In short, they are “normal children [12]” for whom the team is nevertheless waiting for puberty to occur. This makes Colette Chiland [13] say that “the very good quality of these results challenges certain psychoanalytical and other conceptions and renews the understanding of the construction of sexual identity [14]”. In short, those who were excluded in the name of fluctuating norms and classifications are now asserting and claiming rights, including the right to desire a child. They are thus giving rise to a figure of “new fathers” whom the study shows to be “attentive and competent”, combining “a traditional and a modern conception of the father [15]”.

Others have instead invoked psychoanalysis to try to curb the manifestations of the desire to have children in lesbian or gay male couples. Psychoanalysts have reacted against this recruitment in the name of so-called anthropological invariants [16]. Psychoanalysis cannot be used to justify conservatism. This does not imply an overflowing enthusiasm for all the demands of childbearing that transgress all barriers. Psychoanalysis is neither the instrument of a social conservatism nor a procedure for subscribing to all the aberrant schemes that a misguided desire can promote – on this point, we must defer to the law.

## Which operator of an *inter-diction* [17] between mother and child?

Whatever the technique of procreation from which the child was born, the child will, like everyone else, come up against the enigma of its coming into the world and will be responsible for finding its own answers. In one of his lectures, Lacan said: “you are born of two germs that had no reason to conjugate, if not [by] this sort of zany thing we call *love* [18]”. Yet, he placed an essential emphasis on the way in which the father’s and mother’s desire presented themselves. In a first sense, this perspective aims at the conscious desire for a child for both of them, but in a second sense, it aims at the unconscious desire of the subject in its relationship to the object.

In his “Note on the Child [19]“, Lacan underlines the necessity of a desire that is not anonymous and the fact that the functions of the mother and the father are judged from this necessity. The mother’s care for the child must “bear the mark of a particularized interest” and the father must embody the point according to which all human formation passes through a brake on *jouissance* [20]. This father is not to be confused with the genitor.

The so-called “maternal instinct” is contaminated by an unlimitedness, that of love, whose other side is hate. The reverse side of unlimited maternal love is infanticide or the sacrifice of the child on the altar of infinite love or ambition. The figures of Medea, Athalie and Rodogune are to be found throughout literature, so that this can never be forgotten. These passionate oscillations can take on the color of perplexity or indifference in the face of pregnancy, which the “denial of pregnancy” names in its form of ignorance.

Infanticide is the most accomplished expression of the death drive towards one’s child, but abuse, abandonment or more simply impulse phobias testify to it in their own way. *Limitlessness* can also manifest itself in jealous, exclusive, anxious or smothering maternal care.

The whole issue is about how mothers are not left alone with their child as a product. Not being alone does not mean that a single woman will necessarily be limitless with her child.

It is also an illusion to think that the couple, in itself, would be the guarantor of a limit. Married women can commit infanticide or deny their pregnancy. Recent events have brought this to public attention. The solitude we are talking about is more complex. It is that of the fantasy that links the mother to the child, an object separated from her body, in a link that may not admit any mediation that would be external to her.

The father is only one of the names of these mediating fictions so as not to leave the mothers alone. In matrilineal societies, the function of the father is assigned to the uncle or to relatives from the previous generation, such as the grandfather. The biological father is not particularly important. He may leave or be his son’s playmate.

These operators, whether legal or customary, mobilize a symbolic instance, but are not necessarily sufficient to regulate the mother-child relationship. It is a question of putting a certain distance, an *inter-diction* between the child and the mother. This

operator can be situated beyond the sexual partner. It is a matter of language and allows the child to situate himself as alive and sexuated.

Today, kinship systems are entirely absorbed by the legal fictions that are the new frameworks of our reality. The interpretation of these fictions is the great issue of our modern tribes. This is evidenced by the heated debates on MAP, which reveals the pluralization of fathers.

The father of the gametes attributed by science, the father of the gametes constituted by accident, the educator father, the beloved father, the loving father participate in this pluralization of the operator. We could add the homosexual partner. Analytical cures reveal, for example, how a lesbian partner can take care of her partner's child, paternally protecting the child from the father's failings.

This contemporary pluralisation should lead to support today for lifting the anonymity of biological paternity in the context of MAP with gamete donation. In the 21st century, biology can no longer be removed from the name. Anonymity, in my opinion, is no longer a sustainable legal figure at a time of genomic mapping and predictive medicine. The issue of secrecy in artificial insemination with donors is a problem for each couple to deal with, beyond the current provisions of the law. This is painfully evident in the treatment of subjects, one of whom is in favor of disclosure and the other hostile. It is illusory to think, beyond the surface agreement that may be reached within the couple on non-disclosure, that the truth of insemination will not emerge at some point.

The law is not content with pluralizing filiation; it tries to offer a fiction to deal with a casuistry that goes beyond the figures we have considered so far. In MAPs, the law is in the foreground, even if it always lags behind the progress of science and the uses that certain subjects make of it to name a desire for a child. We are thinking of the procedural disputes between biological mothers, surrogate mothers and adoptive mothers, but also of those concerning the recognition of the paternity of children born under X in France.

In 2013, a Berlin transsexual who had retained their female sex organs gave birth at home after artificial insemination. The birther demanded to be registered as a "father" in the civil registry and not as a mother, which he was granted. The child will one day discover that his father is in fact his mother. The child's "father" also asked that the baby's sex not be declared, which was denied. As the delivery took place at home, there is no source to confirm that the baby is male as ultimately declared by the father [21]. Similarly, in 2009, the Cologne Court of Appeal ruled that a transsexual woman could remain the "father" of the children she had before her new gender identity.

A young woman became a surrogate mother for a Belgian couple in exchange for 10,000 euros for her medical expenses [22]. She was artificially inseminated with the sperm of the donor, in this case the husband of the couple. Shortly before the birth, she told the couple that she had had a miscarriage and approached various clients on the Internet to auction off the baby. Dutch people obtained the baby for 15,000 euros and started the adoption procedure for the child, who was born in 2004. When the commissioning parents learn that the surrogate mother lied to them and that the

baby was born, they discover that they are faced with a complete legislative void. A Dutch court decided that the child would remain in the Netherlands, definitively granting the adopting couple the right to adopt.

How can we, in this case, preserve master signifiers by means of which desire and prohibition can be knotted together, in other words, a way of treating jouissance?

## Desire in question

Clinical work with women undergoing prolonged MAP protocols can reveal an exhaustion that is accompanied by a suspension of all desire. At the fourth or fifth attempt, full of hormones and fatigue, the patient loses herself in the machine that forces her in the name of her own will. She reaches the point where she no longer knows whether she wants to continue, but the medical protocol has its own timetable and demands – these patients then often passively abandon their bodies to the technique. Depression may follow.

Could we not think that there is a particular iatrogeny of these MAPs with regard to desire? In any case, there is an accentuation of the disjunction between the demand for a child and the desire for a child, and a sort of erasure of the desiring subject as such. Of course, the subject can always, in law, withdraw from the protocol, but at first he feels stunned, then exhausted, in a sort of burn-out of his desire.

This iatrogeny is not the only one. The disappearance of the couple's libido, well known to obstetrician gynecologists, is not without consequences for the life of the couple itself. Moreover, the repetition of unsuccessful pregnancies confronts these women with a deadly instance that is immediately tied up in each attempt at procreation. The death and life of the embryo are in the foreground from the outset. The child, if it comes, will be inscribed in a long succession of mourning or painfully lost hopes.

There are also women who attest to an unlimitedness in their attempts to procreate. An increasingly mortifying journey that occasionally puts their very lives at stake. There is always a team that can propose something else abroad when French protocols put a stop to it.

The desire for a child never ceases to refer to particularized phantasmatic horizons, like this heterosexual, married patient who devotes her life to organic agriculture. This woman will say that she was certain of carrying a tomato during her pregnancy (obtained without recourse to MAP). It is always possible to distinguish between a child as a project of a couple united by love and a child as a project of a single person, or one whose partner is not involved.

Indeed, beyond the law, the conversation between the parents or those who occupy this place with the child – whether one or two couples of the same sex or of different sexes, taken in a kinship of two or even three generations – contributes to putting a brake on the unlimitedness of the economy of jouissance.

## An economy of desire for children

Sigmund Freud always wanted to protect the child's relationship with the mother with a veil. He made the relationship of the mother to her son the model of a happy *jouissance* if there ever was one [23]. The Freudian desire for a child is entirely caught up in the phallic signification. The feminine form of the Oedipus complex is only established, in fact, when the desire for the penis is replaced by that of the child, when the little girl wishes for a child from the father whom she henceforth takes as her object of love. The father will never give her the child she desires, and she will have to turn to other men for this.

The mother-child relationship approached from this strict angle has encountered impasses, and these have determined subsequent advances in psychoanalysis. The critique of Freudian object choice had a touchstone: the child as object. It is not the child as having transitional objects in addition to the drive objects described by Freud, but the child as the mother's own object. There is a dimension of *jouissance* that is inscribed in the phallic function, but there is a beyond that Lacan was able to name *object a*. He introduces us to a veritable economy of the desire for a child. Debora Spar, dean of Barnard and former professor of economics at Harvard Business School, author of a now landmark book [24], having herself adopted after having children, described the fertility and adoption industry in the United States as a market with a heavy economic weight. This market operates without any controls or oversight. There is no real regulation of the gamete trade, some states allow surrogacy, others prohibit it, etc.

A child is a product that has a price and that has an inestimable surplus value for the parents. The market offer and pre-implantation diagnosis (PID) make it possible to select gametes not only on the basis of race and sex, but also on the basis of the intelligence, beauty, artistic and sporting gifts of the donors. The prices of surrogate mothers, gametes and treatments vary according to their supposed performance, reaching new heights.

In contrast, in 2006, a study by John Hopkins University showed that 3% of the 190 PID clinical cases included in the study admitted to having used the procedure to select an embryo with a disability. Parents have thus undertaken a costly and painful process with the deliberate wish to have children with a defective gene that produces a disability such as dwarfism or deafness.

But even before PGD was used, the *Washington Post* in 2002 [25] profiled Candace Mac Cullough and Sharon Duchesneau, a deaf lesbian couple, active in the gay and lesbian community, psychotherapists to the deaf in Maryland, who decided to have a deaf child by deliberately seeking a deaf sperm donor. The couple's son is virtually deaf and the parents chose not to have him wear a hearing aid.

PID is a technique that allows the detection of various pathologies and genetic abnormalities in embryos conceived in vitro before they are implanted in the womb. In France, the list of diseases concerned is strictly defined. Nevertheless, this test will raise the difficult question of the definition of the defective embryo, both for doctors and for users.

What will happen in the future if tests can detect genes characterizing late-onset syndromes or diseases such as Parkinson's or Alzheimer's? Beyond PID, a *start-up* called GenePeeks has just launched in the US a new system for screening genetic diseases on virtual embryos computer-generated from the DNA of a sperm donor and that of the future mother. Is there such a thing as the perfect gamete [26]? Already, with a simple ultrasound examination, impasses are appearing. In 2013, Crystal Kelly, an unemployed single mother of two young children, agreed for \$22,000 to carry a couple's baby. At 21 weeks of pregnancy, an ultrasound revealed multiple malformations. Although she had signed a contract stipulating abortion in the event of a serious anomaly, she refused to have an abortion despite being paid an additional \$10,000. Faced with the threat of a lawsuit, she left Connecticut for Michigan, which does not recognize GD and thus ensures that she is considered the child's mother. A month before the child was born, the intended parents went to court to have their rights to the child recognized. At birth, the newborn is even more disabled than expected. He had to undergo a series of complex and arduous surgical procedures. He has since found an adoptive family who specialize in adopting disabled children. The adoptive mother acknowledges that the child has many medical problems but also "a contagious smile". The biological father and his wife "gave up their legal rights in exchange for visitation rights [27]".

If in this case we do not know whether or not there are selection criteria for the oocyte, we can nonetheless see the astonishing change in the status of this child since its conception. From being an *agalma* for which the parents invested a great deal of money, the embryo became a *palea*, and then again agalmatic during the legal dispute.

In the real point that these impossibles designate, a question arises: is it the mother or the woman who proves irreducible to the order of the law and the contract? This is where the mother's desire and feminine desire are knotted around the object of jouissance to which each subject is attached in a particular way [28]. As soon as the child is produced, notes Lacan [29], there is a separation between the *object a* and what comes under castration, the brake on jouissance that is caught in the rails of phallic signification.

In the best of cases, the child is apprehended by the mother from these two perspectives. The phallus child designates a beyond of the maternal presence, a symptom child of any relation. On the other hand, when the child's body realises, embodies, the very object of maternal existence, because it is totally dependent on her, "[it] saturates [...] the mode of lack in which [the mother's] desire is specified [30]". And this is not without clinical consequences. In this case, he is strictly dependent on a demanding and solitary want.

This logic allows us to better understand why MAPs provide the opportunity for a more radical exposure of maternal fantasy, without the mediation of desire. They diffract the particularities of each person's jouissance in a very magnifying mirror and deposit them more clearly in the cradle of the newborn.

We can gauge this from a clinical vignette that one of my colleagues reported concerning a mother addressing her son obtained by cryo-freezing. "Come, my little Findus, it's time", she said to him to signify that the consultation was over. What time is it? We say that it is the hour of the maternal fantasy: the Findus baby, the frozen item waiting to be devoured dead or alive.

## Addressing unlimitedness on a case-by-case basis

The emergence of a new figure of the desire for a child as a product of the market paired with science raises the question of its 'regulation'. To counter this, there is legal discourse, there is religious discourse, and there is also economic discourse. On the legal side, legislation varies from one country to another or is absent, thus allowing all kinds of games with the law. On the religious side, there is a more or less pronounced prohibition on departing from "nature". On the economic side, these techniques have a very heavy price for states and subjects.

For D. Spar [31], there are four models for a government to achieve a satisfactory regulation of the field. The first would be to consider the child as a luxury product, implying no regulation. The second would be to treat children as drugs such as cocaine, which would then imply prohibition. The third would be to consider them as organ transplants, implying donation. Finally, the fourth would be to consider the child as equivalent to a prosthesis, in which case governments and medical insurance companies would be obliged to finance them. These four models propose to regulate a market that cannot be exhausted in any of these devices, because the real economy in question is that of *jouissance*, which will always overflow.

For psychoanalysis, the Freudian father has been reduced by Lacan to an operator, a symptom, a fact of language that introduces a prohibition, an *inter-diction* between the mother and the child. We have seen the fantastical or even extravagant character that the desire for a child can take on, a desire always linked to a singular fantasy of which the child constitutes a particular *surplus enjoyment* [*plus-de-jouir*]. The fantasy is elucidated in an unprecedented way with the MAPs, but is truly revealed for the subjects in the analytic cure. As J.-A. Miller notes, "the Oedipus is not the only solution to desire, it is only its normalized form; this is pathogenic; it does not exhaust the destiny of desire [32]". This is why, in Seminar VI, Lacan gives "praise to perversion [...] and gives it the value of a rebellion against the identifications that ensure the maintenance of the social routine". The rebellion, which finds expression in a desire for a child in new configurations that no longer belong to the traditional patriarchy, makes the status of the child as an object of *jouissance* – which it has always been, in a veiled way – resonate in a new way. Economists try to absorb the parallel circuits of private arrangements and contracts into the logic of the market. Sociologists try to determine the new norms of subject behaviour on the basis of social masses. This will not exhaust the singular consequences of the desire for a child that has become a legitimate demand any more than the renewal of legal fictions. This is why psychoanalysis will be increasingly called upon to deal with the discomfort of procreation on a case-by-case basis and to grasp what, in these multiple determinations, leaves open the forced choice of each person's "madness".

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- [1] Texte publié dans *Être mère. Des femmes psychanalystes parlent de la maternité*, sous la direction de Christiane Alberti, Navarin/Le Champ freudien. Avec les contributions d'Agnès Aflalo, Francesca Biagi-Chai, Marie-Hélène Brousse, Carole Dewambrechies-La Sagna, Dominique Laurent, Anaëlle Lebovits-Quenehen, Esthela Solano-Suárez et Rose-Paule Vinciguerra. Disponible sur [ecf-echoppe.com](http://ecf-echoppe.com) : [ici](#).
- [2] Lacan J., « Les complexes familiaux dans la formation de l'individu » (1938), *Autres écrits*, Paris, Seuil, coll. Champ Freudien, 2001, p. 84.
- [3] Ce rapport du groupe de travail Filiation, origines, parentalité a finalement été publié en ligne : Théry I. (s/dir.), *Filiation, origines, parentalité. Le droit face aux nouvelles valeurs de responsabilité générationnelle*, Paris, La Documentation française, avril 2014, [disponible sur internet](#).
- [4] *Ibid.*, p. 21
- [5] Cf. Jouannet P., « Quelle procréation pour demain ? », *Pour la science*, n° 422, décembre 2012.
- [6] Cf. Théry I. (s/dir.), *op. cit.*, p. 17.
- [7] Hervieu-Léger D., « Mariage pour tous : le combat perdu de l'Église », *Le Monde*, 12 janvier 2013, [disponible sur internet](#).
- [8] Théry I. (s/dir.), *op. cit.*, p. 17.
- [9] *Ibid.*, p. 16.
- [10] Cf. Gros M.-J., « Les "non parents", une minorité qui résiste », *Libération*, 12 février 2014, disponible sur internet. Cet article commente l'enquête « Fécond » de l'Institut national d'études démographiques.
- [11] Les Centres d'étude et de conservation des œufs et du sperme humains régissent la gestion des dons de gamètes (don d'ovocytes et don de sperme).
- [12] Chiland C. & al., « Pères d'un nouveau genre et leurs enfants », *La Psychiatrie de l'enfant*, vol. 56, 2013/1, p. 97-125.
- [13] Membre du CECOS de l'Hôpital Cochin et professeur honoraire à l'université Paris V, C. Chiland dirigeait une équipe de secteur en psychiatrie de l'enfant et de l'adolescent au sein de l'Association de santé mentale du 13<sup>e</sup> arrondissement de Paris.
- [14] Chiland C. & al., « Pères d'un nouveau genre et leurs enfants », *op. cit.*, p. 103.
- [15] *Ibid.*, p. 103 & 109.
- [16] Cf. Lévy B.-H. & Miller J.-A., « Préface », *Du mariage et des psychanalystes*, Paris, La Règle du jeu / Navarin / Le Champ Freudien éd., 2013, p. 5-6. Cette publication présente un ensemble de contributions sur cette question.
- [17] "Inter-diction", as presented in this paper, is a phonetic resonance for the word "interdiction" in French, meaning "prohibition". The wording is maintained in order to convey the use of this specific resonance.
- [18] Lacan J., « Le phénomène lacanien » (1974), texte établi par J.-A. Miller, *Les Cahiers cliniques de Nice*, n° 1, 1998, p. 18.
- [19] Cf. Lacan J., « Note sur l'enfant » (1969), *Autres écrits*, *op. cit.*, p. 373-374.
- [20] Cf. Lacan J., « Allocution sur les psychoses de l'enfant » (1967), *Autres écrits*, *op. cit.*, p. 364.
- [21] Cf. Versieux N., « Le père accouche d'un enfant sans sexe », *Libération*, 15 septembre 2013, [disponible sur internet](#).
- [22] Cf. entre autres Kovacs S., « Bébé vendu aux Pays-Bas : le père biologique débouté », *Le Figaro*, 8 mai 2008, [disponible sur internet](#) ; cf. aussi Leherte O., «

Vente d'un bébé au plus offrant : les six inculpés jugés coupables », posté sur le [site RTBF.be](http://RTBF.be) le 12 octobre 2012.

[23] Cf. Freud S., « La féminité », *Nouvelles conférences d'introduction à la psychanalyse* (1932), Paris, Gallimard, coll. Folio / Essais, 1984, p. 179.

[24] Cf. Spar D., *The baby business. How money, science, and politics drive the commerce of conception*, Boston, Harvard Business School Press, 2006.

[25] Mundy L., « Deaf like me », *Washington Post Magazine*, 1er avril 2002.

[26] Cf. Rambaud A., « Vers le donneur de sperme parfait ? », *Le Figaro*, 21 avril 2014, [disponible sur internet](#).

[27] Kovacs S., « Aux États-Unis, une mère porteuse a refusé d'avorter », *Le Figaro*, 18 mars 2013, [disponible sur internet](#).

[28] Cf. Lacan J., *Le Séminaire*, livre XVI, *D'un Autre à l'autre*, texte établi par J.-A. Miller, Paris, Seuil, coll. Champ Freudien, 2006, p. 19.

[29] Cf. Lacan J., « Note sur l'enfant », *op. cit.*, p. 373-374.

[30] *Ibid.*, p. 374.

[31] Cf. Spar D., *The baby business...*, *op. cit.*

[32] Miller J.-A., quatrième de couverture, in Lacan J., *Le Séminaire*, livre VI, *Le Désir et son interprétation*, texte établi par J.-A. Miller, Paris, La Martinière / Le Champ Freudien éd., coll. Champ Freudien, 2013.