

The School of Law Research Seminar Series Presents:

Day: Wednesday, 1 April 2015

Time: 11:30am – 12:30pm

Venue: Moot Court, Building EO, Parramatta South Campus

Co-ordinator: Dr Masudul Haque – a.haque@uws.edu.au

‘Was maternity ever certain? Freud’s ‘Family Romance’ and the laws of parentage in surrogacy arrangements’

Dr Cressida Limon, School of Law , UWS



Bio: Dr Cressida Limon is a Lecturer in the School of Law at the University of Western Sydney. Cressida’s research expertise and interests include the fields of Feminist and Critical Legal Theory, Feminist Science and Technology Studies, Assisted Reproductive Technologies, Invention and Property. Cressida has a particular interest in how the concepts of the natural and the technical are constructed in western law and legal theory and the ongoing impact of colonialism and imperialism in the relationship between social justice and techno-science. Cressida has held previous positions at the University of Melbourne and Victoria University. In 2012/2013 she was the Research Fellow for the Family Law Council’s inquiry into parentage and the *Family Law Act*.

Abstract:

Freud’s last work *Moses and Monotheism* (1939) (in)famously linked the origins of monotheism with his earlier work on the origins of society and the ‘family romance’. The family romance repeats the story of the son’s desire to replace the all-powerful father. In both works, Freud referred to the old Roman law maxim that maternity is certain whereas paternity is always uncertain. One consequence of this was Freud’s argument that paternity is more important than maternity, as it ‘signifies above all a victory of spirituality over the senses’ (Freud, 1939: 180). Contemporary scholarship on parentage and reproductive technologies has suggested something of a reversal. It is maternity that is now uncertain or at least divided between genetic, gestational and social aspects. At the same time paternity has supposedly become more certain (if you accept DNA testing that is). This reversal, I argue, is only apparent. My argument considers the contemporary relevance of Freud’s analysis to the anxieties around parentage laws and commercial surrogacy arrangements.

Lunch will be provided