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Elizabeth Chloe Romanis
BIOTECHNOLOGY,
GESTATION,
AND THE LAW

Routledge, 2024.

Elizabeth Chloe Romanis's insightful monograph, *Biotechnology, Gestation, and the Law* (Routledge, 2024), offers an extensive and nuanced re-orientation of reproductive law, primarily within England and Wales' legislative framework.² Romanis's central contribution is a methodological model that demands a conceptual shift—viewing gestation as distinct from both pregnancy and conception. By making this separation, she uses speculative analysis of technologies enabling gestation (TEG) not only to consider their impacts but also to expose the biological essentialism and gendered norms embedded in current legal systems. While the early chapters establish this context effectively, much of the material feels like an overview of existing literature. For readers familiar with philosophical and bioethical discussions of pregnancy, Assisted Reproductive Technologies (ARTs), and family-formation

¹ Reut Odinak is a feminist media studies scholar who explores the intersection of media and reproductive politics, particularly focusing on how media depicts ARTs like surrogacy, motherhood, and the family in the US culture.

² The book's focus on England and Wales allows for a precise analysis of specific legislative acts, such as the Human Fertilisation and Embryology Acts (1990, 2008), providing a clear illustration of how existing legal frameworks embed biological essentialism.

policy, these opening chapters may not offer significant novelty. Later chapters provide particularly insightful arguments about how future TEGs can reorient conversations around pregnancy, gender inequality, parenthood, and bodily autonomy.

Its jurisdictional focus on England and Wales may leave readers in other contexts wanting more comparative insight—particularly given the global politicization of abortion and reproductive technologies. Yet this narrow focus is also a strength, as it allows Romanis to show how deeply social and cultural assumptions are embedded in legal frameworks.

After the Introduction, Chapter Two defines gestation as a “generative process between conception and birth.”³ Romanis distinguishes gestation as the process of forming a human entity, while pregnancy is the state in which a body facilitates that process. This distinction becomes crucial as new technologies demonstrate that gestation can occur without a pregnant person. This premise underlies Romanis’s critique of the law’s inconsistent ontological treatment of the fetus, which often limits pregnant people’s agency. Chapter Three builds on this by classifying technologies, distinguishing those that enable gestation, such as Uterus Transplantation (UTx, the surgical transfer of a uterus), and ectogestation (the use of an artificial womb outside the body), from those that assist conception.⁴ This clarity is essential for assessing the social and political ramifications of procreative choices.

Subsequent chapters apply this framework to questions of access and gender equality. Chapter Four addresses access to gestational technologies, showing how narrow notions of “biological need” in the Human Fertilisation and Embryology Acts (1990, 2008) reinforce biosexed essentialism and limit access for marginalized groups. Romanis effectively argues that the law tends to treat the gestating recipient in UTx cases as the “mother,” reducing gestation to a purely physical act.⁵ Instead of framing procreation in terms of rights or needs, she advocates for an equality-of-opportunity approach.⁶

In Chapter Five, Romanis critiques the claims that these technologies inherently advance gender equality. Social norms such as “intensive mothering”⁷ and entrenched legal frameworks would persist, she argues, making technological innovation alone insufficient for emancipation.⁸ While Romanis is right to caution against overly optimistic expectations, her argument that ectogestation is unnecessary for gender equality is less persuasive, as some harms are intrinsic to pregnancy and would be mitigated by externalizing gestational labor.

Chapter Six argues that new developments require rethinking the legal foundations of parenthood. One of the book’s strongest contributions is its analysis of

³ Elizabeth Chloe Romanis, *Biotechnology, Gestation, and the Law* (New York: Routledge, 2024), 29.

⁴ Romanis, 61.

⁵ Romanis, 101.

⁶ Romanis, 87.

⁷ Romanis, 127.

⁸ Romanis, 130.

how these technologies destabilize traditional legal concepts of motherhood. The rule of *mater semper certa est* (“the mother is always certain”) assumes a single body sustains pregnancy and birth, making motherhood straightforward to identify.⁹ Technologies like UTx and ectogestation break this assumption. According to Romanis, the rigid application of this rule has and will continue to have risks of excluding trans and non-binary individuals who could gestate but identify as fathers or parents.

Romanis’s analytical depth is impressive when diagnosing oppressive legal logics; however, the book’s prescriptive proposals lack the same level of detail. A more developed account of how equality of opportunity might be implemented, or of the legislative mechanisms needed to redefine the legal foundations of parenthood, would strengthen her reformist aims. Her discussion of abortion is similarly incisive. In Chapter Seven, Romanis argues that novel procreative technology “have no bearing on the morality of abortion whatsoever.”¹⁰ At the same time, she identifies concerning rationales that technologies like Artificial Amnion and Placenta Technology (AAPT) could, in theory, substitute for abortion. This reasoning, she argues, overlooks that abortion decisions involve not only ending pregnancy but also questions of parenthood, care work, and broader life trajectories. Her analysis could be pushed further by acknowledging how abortion discourse is also entangled with bodily autonomy and embodied risk.

The tension between the book’s strong critique and its less developed potential solutions is also evident in the treatment of full ectogestation. Romanis’s choice to discuss highly speculative and currently available technologies together can occasionally blur distinctions between the two and distort the urgency of regulating emerging technologies.

Overall, Romanis not only advances debates in reproductive law but also provides an essential methodological model for thinking about law and technology more broadly. The book’s synthesis of legal, philosophical, and ethical questions, and its dissection of gestational essentialism and the crisis of legal parenthood, make it highly valuable for scholars, policymakers, and legal practitioners interested in the rapidly evolving future of human reproduction. □

⁹ Romanis, 133.

¹⁰ Romanis, 196.