



## the director's desk

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EXECUTIVE DIRECTOR

A recent *Wall Street Journal* headline announces that “Demand for U.S. Sperm Soars in Brazil.”<sup>1</sup> Brazil is a hot market for imported semen, driven by women who have postponed childbearing in favor of a career, who are unmarried, or are lesbian. The most popular U.S. sperm donor characteristics? By an overwhelming margin, Brazilian women choose donors who are *white* (95.4%), *blue-eyed* (51.8%), and have *brown hair* (63.5%).

This is not because Brazilian women are aiming for a “look-alike” child. Their preferences are at odds with the ethnic makeup of Brazil, where more than half are described as black or mixed-race, “a legacy of Brazil having imported more than 10 times as many African slaves as the U.S.,” not banning it until 1888.<sup>2</sup> Apparently, Brazilians are not driven by the desire to have a child that resembles them. Instead, many women want their child to be lighter skinned and blue-eyed. In Brazil, where 80% of the richest 1% are white, political power is held by those with lighter skin. Consequently, a light complexion is viewed as critical to getting ahead.

Nor is the practice limited to the Brazilian market. Dr. Daisy Deomampo, a medical anthropologist and also a Filipina American, recounts an experience in her research on the social and cultural factors that influence egg and sperm donation. One doctor she interviewed solicited her as an egg donor:

He then began to describe his system for classifying donors according to various characteristics; in this system, women with higher education, taller height, and fairer skin, were classified as “Diva donors” and received higher payments. “Regular donors” on the other hand, tended to have less education, darker skin, and received lower payments than Diva donors.<sup>3</sup>

The infertility industry is a willing handmaiden in accommodating these desires. In 2009, the sperm donor catalog for “America’s Largest Sperm Bank” listed traits such as ethnic origin, skin tone, and race among its donor descriptors.<sup>4</sup> Currently, Caucasian donors dominate (391), with only 16 African American donors.<sup>5</sup> The only groups with fewer donors were East Indian (15), Multi-ethnic (3), and Native Hawaiian/Pacific Islander (1). Given the higher infertility rates among black and Latino couples, the imbalance is ironic. Fairfax Cryobank, the “biggest exporter to Brazil,”<sup>6</sup> lists 23 black, 28 Latino, and 270 Caucasian donors.<sup>7</sup> Other sperm banks follow similar practices.

A connection between racial privilege and assisted reproduction is nothing new. In 1996, Dorothy Roberts wrote that the enormous resources devoted to assisted reproduction technologies (ART) “proclaims the unmistakable message that white children are precious enough to devote billions of dollars towards their creation. Black children, on the other hand, are the primary object of welfare reform measures designed to discourage poor women from procreating.”<sup>8</sup>

Contrary to the popular notion that black women are fecund, their infertility rate is nearly two times *more* than white women.<sup>9</sup> They are also vastly underrepresented in their access to IVF, and the gap is widening. Even as the infertility rate for white women is dropping, it is *increasing* for black and Latina women. There are ethnic disparities in fecundity and infertility, access to care, and ART outcomes.<sup>10</sup> In one study, women identified as Asian, black, or Hispanic experienced increasing infertility rates and lower birth weight, compared to the white population with decreasing infertility. And when black women do seek infertility treatment, they do not receive the same level of medical care.<sup>11</sup>

As awareness of fertility among minority women grows, sperm banks have responded by recruiting more diverse donors, to attract new customers. In expanding services to include international donors, cryobanks play upon the understandable preference for physical resemblance. One California sperm bank emphasizes the importance of ethnicity, and that from a child-based perspective, physical resemblance is important.<sup>12</sup> The desire to have a child—any child—to love and raise, can quietly evolve from one of open-hearted gratitude and welcome, to consumer-like selectivity.

Genetics has reintroduced the notion of biological “race,” as Dorothy Roberts points out in *Fatal Invention*.<sup>13</sup>

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When customers select for race, most likely they are expressing a preference for skin color, hair color and texture, and eye color. Yet, websites offering gametes for sale include “race” in addition to weight, height, hair color, hair texture, eye color, and ethnicity. California Cryobank classifies “ethnic origin” as American Indian, African American, Caucasian, etc.; the “ancestry” drop-down is basically a list of nationalities.

The motivations behind these private choices for particular physical features may be characterized as 1) seeking a child who physically resembles the intended parents; 2) preferring a child of one’s own race; 3) protecting the child from knowledge that they are gamete donor offspring; or 4) hoping to improve a child’s prospects (viz., Brazilian women). However, there are virtually no studies that examine racial or ethnic classification of gamete donors, and the underlying assumptions behind such classifications.

Is “race-conscious reproduction”<sup>14</sup> an example of legally protected decisional autonomy, or is it constitutionally suspect racial discrimination? It is curious, but not surprising, that ART raises morally and politically charged questions. Fox argues that while racial profiling on dating websites—along with screening for an array of physical and personality traits—is a socially acceptable instance of associational autonomy, the relationship between parent and child is quite different from that of potential lovers. He observes that “it seems unfitting for the affective ties parents have for their future child to be conditional on the child’s being born with whatever qualities—ingenuity, athleticism or their own racial features—parents happen to prefer.”<sup>15</sup>

Prospective parents who demand this kind of information might be equally adamant that they are not racist. But, would they pay for the services of a sperm bank that fails to identify the donor’s race or ethnicity? Perhaps “I’m not a racist” is a virtue that is not even skin deep. ●●

- 1 Samantha Pearson, “Demand for U.S. Sperm Soars in Brazil,” *Wall Street Journal*, March 23, 2018, A18.
- 2 Ibid.
- 3 “Q&A with Dr. Daisy Deomampo: She Is Interviewing Egg Donors,” *weareeggdonors.com*, <http://www.weareeggdonors.com/blog/daisy>.
- 4 Dov Fox, “Racial Classification in Assisted Reproduction,” *Yale Law Journal* 118 (2009): 1844-1898, 1853. California Cryobank.com has revised the website to eliminate “skin tone” and “race,” but includes ethnic origin (e.g., black, Caucasian, Hispanic), ancestry (nationality), and “look-alikes.” *Cryobank.com* (Accessed August 15, 2018).
- 5 Number was determined using website-provided dropdown options; search was conducted on August 15, 2018. *Cryobank.com*. [https://cryobank.com/search/?donor\\_sort=default\\_Sort&page=1&ethnicity-Caucasian=on](https://cryobank.com/search/?donor_sort=default_Sort&page=1&ethnicity-Caucasian=on) (391) and [https://cryobank.com/search/?donor\\_sort=default\\_Sort&page=1&ethnicity-Black+or+African+American=on](https://cryobank.com/search/?donor_sort=default_Sort&page=1&ethnicity-Black+or+African+American=on).
- 6 Pearson, “Demand for U.S. Sperm Soars in Brazil.”
- 7 “Find a Sperm Donor,” <https://fairfaxcryobank.com/> (Accessed August 15, 2018).
- 8 Dorothy Roberts, “Race and the New Reproduction,” *Hastings Law Journal* 47 (April 1996), 944.
- 9 Anjani Chandra, Casey Copen, and Elizabeth Harvey Stephen, “Infertility and Impaired Fecundity in the United States 1982-2010,” *National Health Statistics Reports* 67 (Aug. 14, 2013), <https://www.cdc.gov/nchs/data/nhsr/nhsr067.pdf>
- 10 Molly Quinn and Victor Fujimoto, “Racial and Ethnic Disparities in Assisted Reproductive Technology Access and Outcomes,” *Fertility and Sterility*, 105, no 5 (May 2016): 1119-1123.
- 11 Tanzina Vega, “Infertility, Endured through a Prism of Race,” *New York Times*, April 25, 2014.
- 12 Reproductive Technologies, Inc., “Donor Ethnicity, Your Family and Your Future Child,” <https://www.thespermbankofca.org/tsbcfile/choosing-ethnicity-my-donor>.
- 13 Dorothy Roberts, *Fatal Invention: How Science, Politics, and Big Business Re-Crete Race in the Twenty-First Century* (New York: New Press, 2011).
- 14 Fox, “Racial Classification,” 1878.
- 15 Ibid., 1884.

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