

## The Family in the Reprogenetics Era – Some Legal and Cultural Thoughts

Dr. Ruth Zafran  
IDC Herzliya  
P.O 167, Herzliya, 46150, Israel  
[rzafran@idc.ac.il](mailto:rzafran@idc.ac.il)

Recent technological developments have enabled us to gather various sorts of genetic information and, on the basis of that information, to choose certain courses of action. The information gathered and the choices made may directly affect the family unit. For example, we may now conduct genetic paternity tests, or ascertain the genetic makeup of a fetus or an embryo. In the latter case, we are subsequently called upon to decide whether to intervene further by selecting the sex of the embryo; choosing, for other genetic reasons, which of several embryos to implant; or deciding whether to abort a pregnancy altogether.

Such access to genetic information and the choices it makes possible may change the way we define membership in the family: who is counted in and who is counted out; who is included and who is excluded. For example, what weight do we ascribe to genetics in defining parenthood? Is the genetic relation the main component of parental relation, or is it trumped by social or psychological relations? Should the scientific ability to ascertain a child's genetic father affect our approach to fatherhood? How, if at all, does the role of the genome in human development change the significance of a person's genealogy? Modern technologies and the information they generate may therefore play a role in redrawing the boundaries of the family unit.

The genetic information, and more importantly, the uses we make of such information, may also change the relations among family members and the duties owed by parents to children (or *vice versa*). Are parents under an obligation—or do they even have a right—to secure the “optimal” genetic makeup for their offspring? And if so, what might be the consequences for the parent-child relationship?

The law is thus faced with demarcating the boundaries of the family and regulating the relationships among its members. In so doing the law reflects existing beliefs regarding the role of genetics; at the same time it shapes social attitudes toward genetic information, genetic choices, and the responsibilities of those making the choices and those who form familial relations in the aftermath of such choices. In order to reveal and assess the role played by law in shaping these attitudes, this paper will deal briefly with four questions: the definition of fatherhood; access to genetic information in sperm donation cases; genetic selection prior to conception; and genetic selection during pregnancy.