Foreclosing Possibilities of Queer Love,
Relations of Care, and Solidarity:
Deconstructing Hopkins v Sodexo and
the Protection of the Heteronormative

Flick Adams, Keele University and OU and

Institutional Order

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"Denial of sexual intimacy and agency is a quinntisential queer experience"

(Spade 2012: 119)

Writing a queer judgment or a queer dis-ruptment

# Hopkins v Sodexo [2016]

Just Two Girls Dirupting the Institutional Order

## What's in a Queer Judgment?

Ingredients

"Asking the Other question"

Matsuda 1991

Including expansive expressions of identity and centring the most "marginal"

Kimberlé Crenshaw

Challenging intersectional and institutional bias, harms and violence in judicial reasoning and the craft of judgment making

Embracing and recognising the complexity of queer people's lived experiences, leaning into the "chaos of our strongest feelings" and breaking free of carceral punitive logic

Lorde 1978

## Ingredients

Utilising the "Law as a Tactic" and rejecting conventional legal traditions that foster and uphold systemic inequalities

Spade 2011

Challenging
"imperialist, whitesupremacist,
capitalist ableist,
cisnormative,
hetereopatriarchy"

hooks

Drawing upon queer-abolitionism, which encompasses intersectional feminist and decolonial scholarship, to challenge, disrupt and subvert judicial decisions and judgment writing.

"The primary motor of queer incursions into conceptual jurisprudential ground...must be political in nature—in the sense of its connection with a concern for justice for sex and gender outsiders."

(Zanghellini, 2009)

## Our Queer Dis-rupture



### Queer Abolition



"Marsha, Sylvia, and thousands of others formed a politics of solidarity that were coterminous with the struggle against the prison industrial complex (PIC)."

Eric A. Stanley, Dean Spade and Queer (In)Justice (2012) dPolice is the Floor onculture

d a million experiments will fail. That's good becave learned a lot that we to the next ones.

'2020 · Twitter Web

"We need a million experiments"

Mariame Kaba



The Master's Tools
Will Never
Dismantle the
Master's House

Audre Lorde

# Sex, Sexuality and Gender

#### Conflation of sex and intimacy

Lack of consistency towards sex in prison. Hidden sex is tolerated but prisoners showing signs of affection and tenderness often separated

#### Lack of consitency

Howard League found that there seemed to be a lack of consistency of approach towards sex in prison

#### Infantilization

judges question prisoners' capacity to enter into consensual sexual relationships (Bright v Keeley 2014)

## Queer Relationships, Kinship and the Prison

"Maintaining Good Order and Discipline in Prisons"

Queer relationships in prison challenge the fabric of the prison

#### Formal equality used as an antiqueer device

Supposedly more favourable treatment of queer couples would lead to "the likely unfavourable reaction of other prisoners who are not able to maintain their sexual relations." (Sodexo, 2016)

## Seizing the Rupture

# "Building an Abolitionist Trans and Queer Movement with Everything We've Got"

(Bassichis, Lee and Spade, 2011)

## Resource Page



#### **QUEER JUDGMENTS PROJECT - Call for Expressions of Interest**

The Queer Judgments Project: legal judgments related to sexual orientation, gender identity and expression and sex characteristics (SOGIESC).

us The University of Sussex / Eve Wilcox / Sep 29, 2021

https://www.sussex.ac.uk/broadcast/read/56313

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## Thank you for listening!