

QUEER KINSHIP: AN INTERDISCIPLINARY SYMPOSIUM
7 JUNE 2018, 1.00pm-5.30pm
READING LAW SCHOOL, Foxhill House, Whitegknights Campus

PROGRAMME

1.00pm-1.10pm – Introduction (Aleardo Zanghellini) -- Foxhill House, Room G.04

1.10pm-3.10pm -- SESSION 1 -- Foxhill House, Room G.04 – Chair: Annika Newnham

QUEER GENEALOGIES: RACE, BLOODLINES, AND BEYOND

Jaya Keaney **Family likeness? Theorising race in queer families made through donor conception**

Thérèse Callus

‘Atoms floating in a void of social space’? Rethinking agreed parenthood under the HFE Act 2008

Alberto Fernandez-Carbajal

Queer families against bloodlines, families living with AIDS and diasporic sperm-brothers

3.10pm-3.30pm -- COFFEE & TEA -- Foxhill House, Room G.02

3.30pm-5.30pm – SESSION 2 -- Foxhill House, Room G.04 – Chair: Aleardo Zanghellini

HETERONORMATIVE REGIMES: REGULATION AND REPRESENTATION

Kathryn Warner

Kingship, kinship, and same-sex desire: the politics of historiography on Edward II

Sourav Mandal

Mapping the Vulnerabilities within Queer Kinship practices: a qualitative evaluation of lived socio-legal realities experienced by twenty-one participants from urban/semi-urban India

Alina Tryfonidou

Children of same-sex parents and EU mobility rights

ABSTRACTS

SESSION 1 – QUEER GENEALOGIES

Jaya Keaney

Family likeness? Theorising race in queer families made through donor conception

Dominant ideas of racial transmission centre the heterosexual reproductive family: race as a biogenetic substance that flows from parents to child through sexual reproduction. In this paper, I seek to probe this logic from its margins by turning to families with a very different structure: queer families who have used sperm or egg donors to conceive. Drawing on interviews with Australian parents, I argue that these families encounter race more consciously through selecting a donor, and in this process, race itself is rearticulated and remade. The infrastructure of donor conception industries presents race as an essentialist, category-bound and heritable quality that can be ‘matched’ to the intending parents in order for the family to pass. However, queer families navigate these infrastructures in diverse ways, through their own complex ‘ontological choreographies’ (Thompson 2005). Here I elaborate a concept of ‘likeness’ as a way to make sense of the queer ways families encounter race as a kinship substance in donor-conception.

Thérèse Callus

‘Atoms floating in a void of social space’? Rethinking agreed parenthood under the HFE Act 2008

Consenting to become a parent essentially includes agreeing for another individual’s identity to be inextricably bound to your own. In the context of assisted conception and agreed parenthood for same-sex couples, consent is the cornerstone of legal parental status under the Human Fertilisation & Embryology Act 2008. Yet where consent is flawed, or vitiated, the child’s familial identity (and, at times that of the would-be parent) is left floating. In this paper, I argue that long term intergenerational considerations are central to a normative construction of parenthood. Without these, the current law is inadequate as it ignores what Honohan has described as the ‘human predicament of interdependence’. Given that an audit carried out by the HFEA in 2014 revealed that there were ‘numerous cases’ where the legal status of parenthood, predominantly in same-sex couples was in doubt across many IVF clinics, this paper provides an important contribution to rethinking ideas of ‘genealogical justice’. I advocate that a more communitarian rather than a ‘rootless’ individual approach to regulating legal parenthood is required.

Alberto Fernandez-Carbajal

Queer families against bloodlines, families living with AIDS and diasporic sperm-brothers

This paper will explore the themes of non-biological family-making, kinship, and fraternity in novels by diasporic writers of Muslim heritage, chiefly Hanif Kureishi’s *The Buddha of Suburbia*, Rabih Alameddine’s *KOOLAIDS*, and Abdellah Taïa’s *Salvation Army*. In dialogue with the work of John McLeod, Gayatri Gopinath, and Judith/Jack Halberstam, the presentation will investigate how familial bonds are constructed by these texts at an angle from heteronormative family making, offering, in its place, queer forms of family which are not based on the idea of the nuclear family and which exceed the collective obsession with bloodlines.

SESSION 2 – HETERONORMATIVE REGIMES

Kathryn Warner

Kingship, kinship, and same-sex desire: the politics of historiography on Edward II

Edward II (born 1284, reigned 1307 to 1327) was one of England's same-sex-attracted kings. Throughout his reign, the king demonstrated his infatuation with men, whom he showered with appointments, lands, income and excellent marriages to his own nieces. His devotion to his last and most powerful 'favourite' or lover Hugh Despenser the Younger, and his facilitation of and even participation in Despenser's extortion, piracy and other crimes, brought both men down in 1326/27, when Edward's alienated queen Isabella took her own male 'favourite' and raised an army against her husband's detested favourite. My talk will focus on the double standards, biases, prejudices and heteronormativity evident in much modern debate on Edward and Isabella.

Sourav Mandal

Mapping the Vulnerabilities within Queer Kinship practices: a qualitative evaluation of lived socio-legal realities experienced by twenty-one participants from urban/semi-urban India

India happens to be under the grip of a regressive colonial mindset as it continues to legally criminalise queer expressions in multiple ways and forms, some almost questioning their very existence. Given this, the queer citizen is always already located within a shared-assemblage of heteronormative (hostile) socio-legal realities; the power of these realities incessantly keeps the queer at positions of perpetual uncertainties and vulnerabilities. I deploy the shared-experiences of twenty-one distinctly situated Indian queer lives in this paper to ethnographically map the vulnerabilities (and the coping-mechanisms) experienced/developed by queers in creating, sustaining, and ending their polymorphous chosen kinships. Each of these narratives are shaped by their own set of distinct intersectional peculiarities, mainly based upon the participant's sex, gender identity, sexuality, class, age, educational backgrounds, and location. This paper mainly deploys queer methodology and methods to read these lived-experiences of queer kinship to problematize the role of 'the social', and that of 'the law', which operates through both its presence, and its absence. Although Section 377 of the Indian Penal Code, 1860 formally penalises all acts of non-penal-vaginal intercourse, this paper argues that this is just a single problem within a more broadly problematic juridical structure. Through a survey of Indian laws, I identify eighty-five different legal rights/exemptions/privileges that the Union (Federal) laws exclusively grant for the welfare of heteronormative family and kinship. In addition to the hostile impact of law's role, these lived experiences also narrate the multiple ways in which the dominant powers of 'the social' control queer people's lives and kinship choices, both in the domains of the public and the private.

Alina Tryfonidou

Children of same-sex parents and EU mobility rights

This paper will seek to examine the position of the children of rainbow families in situations where such families move between EU Member States. As is well-known, there is a (virtual) division in the EU between the (mostly) western Member States which provide legal recognition to same-sex couples and – in *some* instances – to the parental linkage between *both* members of such couples and their children, on the one hand, and the (mostly) eastern Member States which do not provide legal recognition to same-sex couples and do not recognise the parental linkage between the children of such couples and their non-biological parent. When same-sex couples move with their children from a Member State where they are fully recognised as a family, to a Member State where they are not, this is problematic from a number of different perspectives. The paper will argue that this amounts to a clear breach of a number of EU law provisions and principles, namely the EU free movement provisions and fundamental (human) rights.

BIOGRAPHIES

Thérèse Callus is Associate Professor of Law, University of Reading. She is interested in medical and family law issues and particularly specialises in questions concerning the regulation of assisted conception and its impact on familial structure. She has published in both English and French on the construction of parenthood following assisted conception, and in particular where donor gametes are involved. She is currently also working on medical decision-making and the role of others, particularly the family, in the decision-making process.

Dr Alberto Fernández Carbajal is Lecturer in English Literature at the University of Roehampton, London. He has held a Leverhulme Early Career Fellowship and he has taught at the Universities of Leeds, Edge Hill, York St John and Leicester. His first monograph, *Compromise and Resistance in Postcolonial Writing: E. M. Forster's Legacy* was published by Palgrave Macmillan in 2014, and his second book, *Queer Muslim Diasporas in Contemporary Literature and Film* will be published by Manchester University Press. He is the Vice-Chair of the Postcolonial Studies Association.

Jaya Keaney is a PhD candidate in the Department of Gender and Cultural Studies at the University of Sydney, Australia, under the supervision of Prof. Elspeth Probyn and Dr. Jane Park. Her PhD thesis draws together feminist science studies, queer studies and critical race theory to explore the ontologies of race in queer families created through surrogacy and/or donor-conception. Her broader research interests include kinship, feminist ethnography, postcolonial science studies, post-genomics, queer theory and reproductive justice. Her most recent publication is a chapter titled 'The Queer Multiracial Family: Figuring Race in Donor-Assisted Conception' in the forthcoming book *The Body and the Globe: from IVF to the Global Reproductive Industry* (eds. V Mackie, N Marks and S Ferber), published with Lexington Books. She is currently a visiting scholar at ReproSoc, University of Cambridge for the 2018 Easter term.

Sourav Mandal submitted his PhD thesis last year at the National Law School of India University, Bangalore. He is currently an MRes candidate at the School of Law, University of Reading, pursuing the discipline of law and society as a Felix Scholar. Previously, he was Assistant Professor at the Christ University, Bangalore, India where he offered courses on Constitutional Law, and Human Rights to undergraduate law students. For some years now, he has been engaged in critical and subversive methods of breaking into the discipline of law. His areas of interest include queer and feminist engagements in the study of law and society. His PhD research deploys Queer Methods and Methodologies to critically study the impact of Family Jurisprudence on queer lives by qualitatively evaluating their lived experiences in India. His research analyses these queer narratives by ethnographically re-reading the Constitution of India as a tool of transformative justice to prescribe a working legal model for doing queer-relationalities. So far, his works have appeared in Indian academic journals and newspapers.

Annika Newnham joined Reading School of Law in 2014. Her research has focused on the different conditions for post-separation parenting in the UK and Sweden. It employs both autopoietic theory and a feminist perspective to consider how concepts like family, equality and parenthood are understood in the two countries and examines law's over-reliance on rigid definitions and abstract presumptions as well as its inability to recognise the true value of care.

Alina Tryfonidou is an Associate Professor in EU Law at the University of Reading. Before joining Reading in 2011, she was a Lecturer in Law at the University of Leicester and a Visiting Lecturer and Tutor at King's College London. Alina obtained her LLB, LLM, and PhD from King's College London and is an Associate of King's College (AKC). She is a non-practising

member of the Cyprus Bar, a Fellow of the Centre of European Law at King's College London, and a Fellow of the Higher Education. Alina's main research interests focus on EU free movement law, Union citizenship, and the protection of LGBT rights. She is currently working on two small projects (one examining the rights of the children of rainbow families moving within the EU and one on investors' citizenship and residence schemes and their compatibility with EU law), and on a book which will analyse the law governing the free movement of persons within the EU, which will be published by Cambridge University Press in 2022.

Kathryn Warner is an independent scholar and historian of the fourteenth century specialising in the reign of Edward II. She has been published in the *English Historical Review*, *Fourteenth Century England* and *BBC History Magazine*, and has appeared in documentaries both nationally and internationally. Her fifth book – the first ever biography of Hugh Despenser the Younger – and her sixth – *Blood Roses: The Houses of Lancaster and York before the War of the Roses* – will both be published in October 2018. She has contracts for a further six.

Alcardo Zanghellini is Professor of Law & Social Theory at the University of Reading. He is the organiser of this symposium. His interests lie in the areas of law, gender, & sexuality; legal, political and moral philosophy; and law & literature. He has published extensively on queer parenting. He has a forthcoming article on trans parenting, due to be published with the *Child & Family Law Quarterly* this summer.