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Abstract:

Drawing on the concept of utopia to reflect upon the emerging field of queer criminology and José Esteban Muñoz's account of queer theory as essentially utopian we draw two conclusions. First, we suggest that queer criminology is currently limited by tinkering at the edges with piecemeal reforms instead of focussing on radical, wholesale changes, and second, that queer theory contains within it the potential for a more holistic reimagining of the social world. In doing so, we question rigid cis/trans binaries and reject accounts of trans/gender that ignore the role of structural harm. We draw on Ernst Bloch's concepts of 'abstract' and 'concrete' utopia to suggest that while queer criminology has succeeded in producing largely 'abstract' utopias, it struggles in translating these into 'concrete' ones. By introducing examples of trans literary utopias as potential transformative cultural forms, however, we consider the potential of queer theory for realising 'concrete' utopia through a more radical rethinking of the social world.

Keywords: utopia, queer criminology, queer theory, gender deception, literary dystopias.

Introduction

This article explores the contribution of utopianism for challenging binary understandings of sex and gender that are reflected in contemporary criminal justice and legal frameworks, and for reimagining the potential contribution of queer theory more generally. In everyday language utopia commonly refers to something desirable, yet unrealistic. There is an intrinsic difficulty with defining utopia that emerges from the context in which the term first emerged. Introduced by Sir Thomas More in 1516, 'utopia' is an intentional pun, positing an ambiguity between the Greek terms *outopia* ('no place') and *eutopia* ('good place') and begging the question of whether these are necessarily the same (Levitas, 1990a: 2). In this article we draw particularly on an account of utopia taken from the work of Ernst Bloch, which has also informed explorations of utopia within queer theory, specifically in the work of José Esteban Muñoz (2009).

Our aims are twofold: (i) to demonstrate the current limitations of queer criminology as an application of queer theory to questions of crime and justice, and (ii) to consider the potential contribution of utopianism as it brings queer theory to bear on criminal justice. The key question this article seeks to answer is how explorations of utopianism can contribute to understanding and addressing problems with criminal justice processes. Ultimately drawing on trans literary utopias as examples of queer cultural forms, we argue

3

that queer theory contains within it the potential for a more holistic reimagining of society beyond queer criminology's abstract utopia.

From 'abstract' to 'concrete' utopias

Recently, there has been a burgeoning interest in criminology and utopias (see Malloch and Munro, 2013; Bell and Scott, 2016). From the outset, it is important to note the term 'utopia' has been defined in a variety of ways, for various different purposes. For example, *descriptive* definitions see utopia as a blueprint for realising a proposed good society (see Davis, 1981: 13-14; Levitas, 1990a: 1; Kumar, 1991: 19), or a particular literary form (see Davis, 1981; Sargent, 1982a, 1994; Kumar, 1991). Common to both these definitions is a view of utopia as a means of critically engaging with the established social world and a form of praxis – a means of doing something practical and material to both challenge the status quo and create alternative ways of being.

This understanding is also reflected in the *analytical* concept of utopia found in the work of the Marxist theorist Ernst Bloch ([1959] 1986). Rather than seeing utopia as a complete outline of an ideal society, Bloch identified 'the utopian moment in a variety of cultural forms' and aspects (Geoghegan, 1996: 5). These included works of art, music and literature as well as medical, social, technological, architectural and geographical utopias

(Bloch, [1959] 1986). Connecting such diverse aspects of culture, Ruth Levitas (2003: 4) argues, is their expression of 'something's missing', from which 'a much wider view of utopia emerges, in which it becomes not a blueprint or prescription, but the expression of desire for a better way of living'.

Instead of viewing utopia as *necessarily* future-oriented and disruptive, Bloch recognised the potential for such 'expressions of desire' to function in escapist and compensatory rather than revolutionary ways, distinguishing 'concrete utopias', which contain transformative potential from 'abstract utopias', which failed to translate desire to a collective alternative way of living. For Bloch ([1959] 1986: 145), 'abstract utopias' referred to expressions of desire ungrounded in a meaningful practical relationship to what is really possible. By contrast, 'concrete utopias' referred to those expressions, which anticipate real futures – that present a 'reformulation and further development of Marx's concept of praxis, the unity of theory and practice … both goal and the actual creation of that goal' (Geoghegan, 1996: 38; see also Levitas, 1990b). This distinction between 'abstract' and 'concrete' utopias is useful in interrogating the contribution of queer criminology to a more radical reimagining of the social world.

The importance of 'concrete' utopias has been recognised by queer theory. For instance, José Esteban Muñoz (2009: 3) draws explicitly on this distinction describing abstract

utopias as 'akin to banal optimism', while seeing queerness as a concrete utopia, 'an insistence on potentiality or concrete possibility for another world' (p. 1). Offering a text that 'is meant to serve as something of a flight plan for a collective political becoming' (Muñoz, 2009: 189), Muñoz views queerness as inherently tied to concrete utopia, as he seeks to translate queer cultural forms and aspects to a practical collective 'crashing wave of potentiality that transcends the here and now'(p. 185).

Queer theory as concrete utopia

The idea of queer theory as concrete utopia is a crucial aspect for understanding its potential. This is because, following Eve Kosofsky Sedgwick, queer theory is arguably the first arena of humanistic inquiry to take seriously the public and political dimensions of how differences play out, blow up or are negotiated, negated and reconciled (Fawaz, 2019: 8). For Sedgwick (2013: 8) queerness is expansive and elastic, 'an open mesh of possibilities' that expands to articulate multiplicitous identities and desires that do not fit into the schema of heterosexual normativity. This open mesh attunes to the fact that 'people are different from each other', aiming to explore what people do with those differences (Fawaz, 2019: 7).

Queer theory's focus is to understand how our 'exceptionally diverse range of affective and material responses to one another's differences constantly run up against culture-wide ways of knowing (or wilfully *unknowing*) the self and others that, sometimes banally but oftentimes murderously, reduce the complexity of those differences and foreclose countless other ways to apprehend and negotiate them' (Fawaz, 2019: 6).

As concrete utopia, then, queer theory essentially concerns recognising and reflecting the necessity of engaging the affective consequences of cultural abjection, humiliation, illness and political hopelessness, while also totting up the numerous ways in which government action and inaction seem focused on the (self-)destruction of queer communities. This project is aligned with the opening of 'alternative, queer-empowering worlds through modes of thought intended not simply to encourage, but also to enact, political resistance' (Berlant, 2019: 3). Central to this account is a form of 'cross-identificatory recognition' (Muñoz, 2009: 93) that queer theorists have highlighted in the form of human multiplicity as that which binds us together while also distinguishing us and requiring affective openness to that fact with real-world transformative potential (see Sedgwick, 2008: 59-61; see also Muñoz, 2009: 93).

The centrality of queer experiences to queer theory is often contested to the extent that deployments of dispossession and (un)belonging become the very conditions for the

inclusion of queer lives in the first place (Lenon and Dryden, 2015). In particular, homonormativity is shown to sustain dominant heteronormative assumptions about social life while fostering a queer sexual politics solidly anchored in the 'good life' fantasy (Berlant, 2011), which includes kinship structures, property ownership, and domesticity (Duggan, 2002), and excludes 'Other' racialised queers. Extending this, Jasbir Puar (2007) uses the term 'homonationalism' to capture the combined ascendancy of whiteness, imperialism and secularism as these produce LGBTQI subjects as 'regulatory' over perversely 'queer populations rendered monstrous, feminized, and abnormal' (Lenon and Dryden, 2015: 6).

Thus, while queer theory may take various formulations: from addressing 'antinormativity'; taking up the antisocial thesis; addressing intersectional theories of race and seeking to support multiply marginalised subjects; to turning to affect theory in order to explain the impact of literary texts, it also poses certain political commitments. Certain investments in queer sociality and in a potentiality of politically transformative and 'highly ethical affective orientation to others' (Fawaz, 2019: 19) are at the core, we argue, of queer theory as concrete utopia.

By contrast we claim that queer criminology, as it is currently framed, tends to offer a more abstract utopia through its focus on recognising and improving existing frameworks,

resulting from a tendency to adopt an approach which concentrates primarily on recognising and improving LGBTQI experiences in relation to criminal justice. This has the effect, we argue, of leaving the particularities of criminal justice untethered from a more radical, collective transformative politics. We turn to this in the following section.

Queer Criminology and the Problem with the Binary Legal Gender

Queer Criminology

In a set of studies, queer criminologists have attempted to examine the ontological anchorage of queer criminology (Ball, 2014; Dwyer et al., 2016; Panfil, 2018). For Matthew Ball (2016), the ontological crux of queer criminology brings insights from queer and LGBTQI studies to criminology in order to better recognise the limitations of established criminological thought. Primarily, queer criminology involves two interrelated aspects: (1) recognising LGBTQI people within criminology; and, thereby, (2) increasing awareness of the nature and effect the criminal justice system has upon LGBTQI people. Thus, a substantive section of queer criminology attempts to reposition LGBTQI experiences from the periphery to the core of criminological inquiry.

Carrie L. Buist and Emily Lenning (2016: 7) draw parallels between feminist criminology and queer criminology. They argue that the intersection of gender and crime is the proper scholarly object of feminist criminology, which manifests as either an insufficient 'add women and stir' (see Buist and Lenning, 2016: 7) approach or a standpoint epistemological approach that claims the experiences of women and girls offer unique insights into crime and the criminal justice system. This same approach also suggests the importance of the insight offered by the unique experiences of 'queer folks' and the 'unique pathways to offending that in many ways relate specifically to their sexual orientation and/or gender identity' (Buist and Lenning, 2016: 8; Ball, 2014). Consequently, an analogy can be drawn between feminist criminology and queer criminology. However, both typically appear as add-ons to enhance criminology, rather than a fundamental reimagining of criminology as an enterprise in itself. In this sense, we argue, while queer criminology has made important gains in terms of 'queering the pitch' *within* criminology, it nevertheless continues to take that pitch for granted.

Thus, while Vanessa Panfil (2018: 1-2) identifies queer criminology's 'unbounded potential' in its capacity to address pressing global social problems often ignored by criminology at large, essentially, 'crime' remains at the core of queer criminology. Queer criminology does not typically expand the remit of inquiry to include uncriminalised harms as well as the harms inflicted by criminalisation processes *per se*, but instead leaves

intact the key premises of criminology as a project that is predominantly western, liberal, white, patriarchal, and anchored in crime and criminal law. In doing so, this arguably overlooks a more radical potential that queer theory has to offer.

To some extent, this reflects the perennial problem facing criminology between idealism and realism. Being both 'identity driven' and 'deconstructionist' (Buist and Lenning, 2016: 13; Woods, 2014), in the context of criminology, 'queer' is emerging as either a *corrective tool*, to undermine assumptions about the constructed deviance of non-normative sexualities and genders offered by mainstream criminology (see e.g. Woods, 2014) or a *contradiction in terms*. As a corrective tool, queer criminology has arguably been 'added and stirred' to shed light on experiences of criminalisation and victimisation of those whose identities fall on the 'gay, lesbian, bisexual and transgender' spectrum and to apparently cover a gap created by the cis, white, heterosexist assumptions that have formed the basis upon which the criminological canon has been built (Woods, 2014; Buist and Lenning, 2016: 112), and which is now to be held accountable for its failures (Dwyer et al., 2016). As a contradiction in terms, it may be questioned whether 'queer criminology' can be compatible with the contradictory 'deconstructive and positivist approaches' (Dwyer et al., 2016: 3) that lie at the intersection of queer theory and criminology.

An illustrative example of this can be seen in relation to the limitations of *binary legal gender*. These limitations have been recognised by queer criminologists, but are often neglected in favour of more urgent piecemeal solutions to fix 'here and now' problems as part of the 'legal recognition of sexual minorities' (e.g. O'Brien, 2016: 121). This is evidenced, for example, by the neglect of 'gender deception' constructions.

'Gender deception': an illustrative example of the problem with the binary legal gender

Despite the contributions of queer criminology in drawing attention to the inadequacies of existing criminological and criminal justice paradigms for recognising the experiences of LGBTQI people (e.g. O'Brien, 2016; Asquith and Fox, 2016), they are ultimately limited in the extent to which they can both challenge dominant frameworks of knowledge and practice, and offer alternative ways of responding to the broader web of structural harm that largely remains unaddressed.

'Gender deception' has been a successful legal argument in sexual offence prosecutions brought against gender minority, trans, and gender non-conforming people accused of sexual offences in both England and Wales, and Scotland. Gender deception has been used in six successful prosecutions between 2012 and 2017 (and continues to be used) in

both jurisdictions, with four convicted defendants receiving prison sentences and all being placed on the sex offenders register during this period (Sharpe, 2017a). While the underlying sentiment of the convictions is ostensibly to protect (cis)women, we argue, the implication of these offences is inimical to justice more widely (see Boukli and Copson, Forthcoming).

Cases such as these, while largely overlooked within queer criminology to date, reveal crucial insights into how a perceived threat upon the gendered social order influences criminal convictions (Sharpe, 2017b; Moore, 2016). At the same time, judgements such as the one made by Lord Bannatyne in *HM Advocate v Wilson* [2013] highlight that sex, gender, and sexuality may resist both fixity and fluidity. Specifically, this judgement recognised the defendant's discomfort with their assigned gender but not to the extent to see it as fixed, thereby implicitly questioning the legitimacy of claiming to be trans as evidenced by the resulting conviction.

The dangers of enacting claims of 'gender deception' against LGBTQI people has been recognised by LGBT support organisations aiming to offer *realistic* solutions. For example, it has been suggested that prosecuting someone for gender deception threatens people's right to privacy (Article 8 ECHR) and sets a dangerous precedent (see Walding, 2015). These suggestions, in turn, reflect views of queer criminology as a corrective tool

committed to liberal legal recognition by arguing, effectively, for an expansion of existing law to include trans embodiment (see e.g. O'Brien 2016).

However, we argue, these solutions are also marked in binary terms. A more radical reimagining of justice processes inspired by queer theory would turn away from figuration or indexical or mimetic representation and argue for more abstract and radical reimaginings. This is because, following Halberstam (2018), trans embodiment is not simply a gender switching, 'a wrong body replaced by a right body, a shift in morphology … rather, [trans embodiment] is the visual confirmation that all bodies are uncomfortable and wrong-ish' situated within confining parameters of security and access to technologies and services. Further, instead of opening up ways to both accommodate gender fluidity and protect vulnerability, the judgements close down conversations about the very real unmaking of the normatively gendered body (see Halberstam, 2018).

These gender deception cases constitute an illustrative example, rather than exhaustive account, to help demonstrate that while queer criminology has played an important role in shifting the focus on LGBTQI people, its wider impact in questioning the embodiment of legitimate citizenship has been limited. Particularly, by seeking redress for 'legal exclusion … and increased attention to the rights associated with sexual and bodily diversity' (O'Brien, 2016: 121), queer criminology may appear as a project of

emancipation and inclusion. What becomes less apparent, however, is how claims to sexual citizenship and belonging are deeply embedded in interlocking racial-class-sexual histories and encounters that construct harmful bodily hierarchies in the first place.

Returning to Bloch's distinction, the tendency for queer criminology to tinker at the edges rather than promote holistic social reform reflects the difficulty in 'recover[ing] the core of concrete utopia from the dross of the abstract elements in which it is embedded' (Levitas, 1990b: 19). This is exacerbated, we would argue, by the contemporary political context of knowledge production whereby researchers are constantly faced with a choice between retaining immediate, tangible, practical relevance and more abstract, normative theorising (see Copson, 2016). Nevertheless, it neglects the more radical potential of the connection between criminology and queer theory.

Through the very analyses it presents, queer theory is, at its core, fundamentally concerned with challenging hegemonic perspectives on the social world and in this respect, like all social theories, it is tied to a utopian impulse concerned with identifying and addressing social problems – albeit in ongoing and imperfect ways. This is certainly a premise reflected by Ball's statement that 'the development of queer criminology is primarily tied to the task of achieving greater criminal and social justice for LGBTQ people' (2016: 199). He suggests that utopias: 'provide a space in which queer

dissatisfaction with the current state of criminology and criminal justice can be aired, and they provide an avenue for queer communities to develop hope in the possibilities that these injuries might be reformed, and through them a number of alternatives to current practices are proposed' (Ball, 2016: 199).

However, as we have suggested above, not all expressions of a utopian impulse are necessarily effective in bringing about the changes they seek. Despite Ball's recognition of the importance of queer theory's utopian strands for challenging hegemonic discourses and their implications for LGBTQI lives, we argue that queer criminology, in its current formation, remains largely an abstract utopia by expressing the desire for the inclusion of LGBTQI lives within the remit of criminology but leaving criminology's underlying logic intact. As such, it overlooks the potential of queer theory to realise a concrete utopia, understood as a collective, radical restructuring of society.

In the following section, we suggest that looking at holistic reimaginings of society, via the study of trans literary utopias, can help to reveal further the more radical possibilities contained within queer theory. In doing so, they can help to realise Ball's desire for 'an avenue for queer communities to develop hope … and … alternatives to current practices' (Ball, 2016: 199) that take us beyond tinkering at the edges of criminal justice towards a genuinely 'transformational politics' (Cohen, 2013: 92).

Trans Literary Utopias

As noted earlier, for Bloch, utopias could be identified in a variety of cultural forms, and within queer theory, Muñoz (2009) has sought to identify the transformative potential within queer cultural forms and aspects, including plays and shows, dance, photography, clubs, paintings, and literature. In this section we follow both Bloch and Muñoz in exploring trans literary utopias as expressions of queerness. In doing so, we seek to demonstrate the more radical collective transformative potential queer theory has to offer. The literary utopia, as well as being one such cultural form, is also a widely accepted form of utopia. It is typically seen as a way of holding up a mirror and reflecting the desires – and hence felt absences – of a given society. Through their typical setting in spatial and/or temporal 'elsewheres', literary utopias create cognitive dissonance between the reader and their own society, enabling the adoption of a new and critical stance towards it (see Sargent, 1994: 9).

Frederic Jameson (1977: 6) has argued that 'the literary utopia is "a determinate type of praxis"', which 'opens the way to revolution, to radical social change, not by the narratives and images it generates but rather by the creative and critical praxis of

containing the unfreedom of the present in its imaginary machine' (Moylan, 2000: 142). In doing so, it has the *potential* to translate abstract longing into concrete action.

Understood in this way, we reject the conventional assumption of utopia as an outline of the ideal society, recognising that utopias may also be outlines of bad or undesirable societies. Moreover, we recognise that visions of the future are necessarily shaped by the context in which they are produced such that it is currently easier to imagine negative futures – or *dystopias*, than it is positive ones (Sargent, 1982b: 565).

By looking at trans literary utopias we can begin to uncover a more radical reimagining of the social world from a queer perspective that expands the existing vision of queer criminology. There is a history within literary utopias of exploring gender roles, particularly in the context of feminist utopias which have long sought to reimagine the position and experiences of women outside conventional gender norms (see Gilman, [1915] n.d.; Le Guin, [1974] 1999; Russ, [1975] 2010; Piercy, [1976] 2000). The relatively recent emergence of trans utopias, however, offers a view of living beyond current gender binaries, which transcends current understandings of embodiment and opens up new horizons for imagining the social world.

While there is no strict definition of a 'trans utopia', Sargent (2016) does categorise a number of literary utopias as creations of trans authors. According to Sargent's anthology of anglophone literary utopias, to date more trans utopias were produced in 2017 than any other year, partly as a result of the publication of the edited collection *Meanwhile, Elsewhere* (Fitzpatrick and Plett, 2017). In this edited collection, transgender writers explore ideas of justice, control and bodily limits, particularly reflecting the ways in which contemporary norms surrounding these are troubled by trans bodies and lives. It contains three literary trans utopias: Rachel Zall's *Control*, Paige Bryony's *Control Shift Down*, and Sybil Lamb's *Cybervania*. In each, justice is bound up with documenting body plasticity and a contested future. Their catalogues of injustices, associated with cross-identificatory recognition, body plurality and forms of control help us understand the expansive and elastic nature of queerness which contains within it kaleidoscopic bodies and 'an open mesh of possibilities' as to what kinds of futures we can imagine. In these texts, we find less the idea of accommodating trans bodies within existing frameworks, but instead find these bodies represented as loci for queering the social order.

For instance, all three texts present a future deeply divided on the basis of class and a universe dominated by oppressive technological control, where trans people (or at least those who do not conform to established gender binary norms in the case of *Control*) are outside the protection of the law and instead deemed 'threatening'. Further, an

ordinariness to the dehumanisation of trans people is imagined by all texts through the erection of all kinds of borders that must be enforced. At the same time, it is in the space beyond these borders that we find the capacity for re-creation, reinvention and the drive for alternative ways of being. This is typically juxtaposed with the danger inherent in challenging the dominant norms of society (see Plett quoted in Macaré 2017). In this sense, one problem that the texts pose for queer criminologists is the way in which social norms and (criminal justice) institutions can restrict possibilities for imagining alternatives – in the same way that tinkering with the edges of criminal justice fails to radically alter the materiality of LGBTQI lives.

This is perhaps most notable in Rachel Zall's *Control* which presents a deeply divided class-based utopia/dystopia. In one part of this divided world, the streets are affluent, clean and safe, heavily policed by cameras using facial recognition technology. The cameras identify everyone and evaluate them, giving them a score. The other part is poor, dilapidated and dangerous with no cameras, no infrastructure and no police. The sexual encounter between a trans man and a trans woman spans the notion of control. The protagonists engage in asphyxiation and gender role-crossing, turning sex and physical border-crossing into sites of resistance to the oppressive control of social prescription. In this text, the trans man is initially judged to be 'a good citizen who could be reassured that the cameras were only there to keep him safe' (Zall, 2017: 2). Overall, he is depicted

as someone conforming to societal norms and as such, protected by social institutions. He is contrasted with the trans woman who lives outside the confines of the city and its surveillance technologies: she has been arrested previously, has no proof of address and has not been 'certified' as female. By living outside the norms of society she immediately attracts suspicion as, then, does the trans man for associating with her. In this sense, *Control* seeks to disorder, unsettle and disturb banal binaries of the liberal 'good trans' and the radical 'bad trans/queer' by speaking to the complicated and often uneven relationships between exclusion and belonging, citizenship and community.

Paige Bryony's *Control Shift Down* similarly highlights issues of control and autonomy against a culture of hedonistic, violent, hyperreality. Set in a class-based, high-tech, authoritarian utopia/dystopia, it reminds us of what it means to be queer, usable, reusable and eventually disposable. Disposability, however, is not a given but a source of value. Against the backdrop of a digital economy where all transactions are tracked, and savings are regulated, sex work operates through an artificial intelligence network, turning starvation, homelessness and rape into regular instances of normalised racialised violence. Within such a context, control over one's death becomes a cherished necropolitical product – the only site of resistance to the dominant, oppressive culture that shapes the lives of all within it.

Escape from the established normative frameworks of society is, perhaps the unifying theme of all the utopias/dystopias and as such reflects Muñoz's (2009: 189) account of queer cultural forms as 'an invitation to desire differently, to desire more, to desire better' in spite of 'the crashing force of the dynasty of the here and now'. For the protagonist in Zall's *Control* the hope for escaping the oppressive forces of the dominant culture is to be found in an undeveloped 'noplace' (Zall, 2017: 5) beyond the confines of the controlled state. For the sex workers in Bryony's *Control Shift Down*, escape can only be realised in death.

Cybil Lamb's *Cybervania* focuses on the bodily experience of people as opposed to indexical identity categories (see Deshane, 2019: 215). Reflecting the reconstruction of an amplified junk city-state made of plastic outside of western civilization as we know it, as a desolate cyber-utopia/dystopia *Cybervania* is host to a queer community. Here, natural bodies have been replaced by queer bodies that have been subject to endless remodification. While violence is still a prominent characteristic of this society, 'trans' is not constitutive of some identities as opposed to others: instead the focus is on bodily experiences. Gender plasticity itself, then, appears to be the norm detached from any labels and ascriptions. Whilst within such a world, the desirability of the technology involved in producing these bodies is called into question (Deshane, 2019: 216).

Across these texts, we find the tensions between the status quo and the possibility of a different society explored in various ways. Common to all is the potential inherent in trans utopias to reimagine life, bodies, and society in new and radical ways against the backdrop of domination and exploitation. At the same time, the risks of doing so and the challenges for escaping established, hegemonic social orders are rendered explicit. These are not idyllic depictions of future states, but are challenging, troublesome images which offer no guarantees of what an alternative world could look like, but seek to transform 'wishful thinking into will-full and effective action' (Levitas, 1990b: 20).

It is here that we see the potential concrete utopia within queer theory. These texts, like all literary utopias, are produced in a historically situated context. They do not simply offer hope of an improved criminal justice system as compensation for the historical injustices experienced by queer communities. Rather, by criticising digital capitalism, and disrupting established views of the world, they situate contemporary struggles as a site for imagining radical social change. In doing so, they open a 'mesh of possibilities' beyond the here and now to show how queer lives connect to a collective struggle that is the hallmark of concrete utopia.

Conclusion

In this article we have explored Bloch's distinction between abstract and concrete utopia for making sense of queer theory's transformative potential in relation to criminology. We have suggested that queer criminology presents an abstract utopia through its tendency to disconnect immediate, practical issues facing LGBTQI people within the criminal justice system, from a more revolutionary praxis aimed at the holistic reimagining of society. In this sense, as seen through the illustrative example of recent gender deception cases, while queer criminology has made important gains in terms of 'queering the pitch' *within* criminology, it necessarily takes that pitch for granted. In doing so, it overlooks the potential for a more radical reimagining and the drive towards transformative praxis which, we have argued, lie at the heart of queer theory.

However, as we have sought to demonstrate by introducing a summary of three recent trans literary utopias as examples of queer cultural forms, queer theory contains within it more holistic reimagings of society. These literary utopias centre on how the lives and experiences of trans people can reveal important insights into the ways in which questions of law, order and justice for LGBTQI people with which queer criminology has largely been concerned, cannot be separated from broader questions about identity, embodiment and the ways we organise the social world more generally. Thus, from a queer theoretical perspective, questions of crime and justice, cannot and should not be separated out from questions about how society as a whole *is*, or might be imagined. The real potential of

queer theory lies in its capacity to translate abstract wishful thinking into concrete transformative politics.

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