

others and how can I inform them beforehand?

## Out of action

All actions should include post-action care. This is important for working through and processing the most likely very intense, and in some cases traumatic, experiences which occur during civil disobedience actions. It might sound simple, but talking about experiences is one of the best ways to process them! Even if you think you have been arrested many times before and it doesn't impact you, talking through the experience might bring up things you didn't even notice yourself, but which are nevertheless serious. For this, you can do things such as:

- \* Before the action takes place, set up a debriefing conversation with an understanding and supportive person, especially in regards to TINA issues.

- \* If you experience discrimination or mistreatment by police or authorities on the basis of your gender, consider getting in touch with an TINA-organisation for (legal) advice on publicising or reporting the discrimination.

- \* Consider an evaluation with your affinity group about gender dynamics.

- \* It can be very helpful to reach out to any general wellbeing or trauma support structures.

As Audre Lorde and many others put it: self-care is a revolutionary practice and the basis of all political work. Know your needs and limits; don't overwhelm yourself. But don't let repression scare you off either – being brave isn't about not being afraid, it's about overcoming fear.

Share this advisory with your TINA comrades, affinity group, or action organisers! If you want to get in touch, send us a mail at [trans.action@disroot.org](mailto:trans.action@disroot.org)

# Civil disobedience for trans\*, inter, non-binary, and agender (= TINA) people

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## Introduction

This guide by the trans-action collective seeks to give advice to TINA (meaning: trans\*, inter, non-binary, and agender) people taking part in civil disobedience actions. It was drafted by folks from northern, western, and southern Europe, drawing on their experience as genderqueer activists and trainers, mostly within the climate justice movement.

The advice is addressing TINA individuals directly. That's because we see a need to provide information enabling TINA people to reflect on the particular risks and possibilities they face when participating in civil disobedience actions.

However, we would like to emphasise the responsibility of the movement as a whole and its organisers in particular. Climate justice activism – and many other likeminded struggles – seem to assume normative kinds of activists and bodies participating in their actions: a white, cis, non-disabled, neurotypical (and sometimes even male) body. The cis-sexism that TINA individuals face is, like all other forms of discrimination against marginalised groups, not their responsibility. Rather, it's the responsibility of the people who benefit from oppressive systems of power and privilege. Therefore, the movement as a whole, but especially organisers and support structures, need to address the experiences of TINA folks as much as every other marginalised group. If you are trans\*, inter, non-binary, and/or agender, we invite you to consider this advice for yourself. If you are not, please reflect on your own privilege and dismantle the oppressive structures under which your TINA comrades and many other marginalised folks suffer every day.

Please consider that none of this advice can be guaranteed to apply, especially as police behaviour is highly circumstantial and unpredictable.

## About repression:

\* It is extremely important to be as prepared as possible to assure the most safety possible in case of arrest. The police will not keep you safe; you need to keep yourself and your action group safe

\* Do you want to take your ID with you? This is an important decision for everyone, (and depends on a number of context-specific factors, such as the legal framework governing the duty (or not) of carrying an ID) but it's especially important to think about when your ID is either incongruent with your gender/name OR is congruent with your gender and might help you get treated in line with your gender (though we cannot guarantee that). Check with the action organisers about the consequences of carrying or not carrying ID in your context!

\* Think about how to cope with facing transphobia from the police, being deadnamed (when taking an incongruent ID), or questioned in another discriminatory way (e.g. there is a risk of transphobic violence in case of detention).

\* Think about if and how you want to speak out about which gender you want to be searched by / treated as / put in detention with.

\* If there are more than two legally recognised gender options where the action takes place, there is an increased chance of police being aware of non-binary gender as well. But it is still unlikely that they will accommodate gender non-conforming people in a satisfying way: One realistic possibility is that police will allow those possessing non-binary ID or claiming non-binary gender a choice of which binary gender they would prefer to be treated as. Another realistic possibility is police treating everyone according to their own perception of binary gender.

\* Inform yourself about your rights in regards to being searched by police! In some countries there might be guidelines for police practice in regard to TINA people, either nationally, regionally, or locally. The police might very well ignore these guidelines in practice, but showing you know your rights and being vocal about them may help in some situations. Practice common sense though: sometimes insisting on your rights can backfire and put you at risk of transphobic violence. Be especially careful about outing yourself.

\* Ask yourself: how can I care for myself if I am facing transphobic treatment, discrimination, or violence? What care do I need from

probably doesn't make sense to argue and try to convince them to respect you and your needs.

### **About support structures:**

\* Is there a legal team for this action? To what extent does this legal support take into account your needs as a TINA person? Can you contact them beforehand to find out? If they are not informed yet, inform them about the possible risks and special vulnerabilities TINA people face in the hands of the police. Ask that they prepare to respond to these situations so they can best assure your safety and support.

\* Can you get in touch with the organisers and the legal team for this action? To what extent are they aware of your needs as a TINA person? Can you ask them to respect your needs?

\* Are there any anti-discriminatory support structures? Even if they do not explicitly address TINA-discrimination, it is probably a good sign that the organisers have an awareness of discriminatory power structures. Especially if there is an anti-oppression working group (sometimes called an 'awareness group'), you should be able to find support there.

### **Lower-risk tasks and roles:**

\* If you approach the organisers in enough time prior to action, maybe you can get involved in action preparation and support, which could have a lower risk. Support roles are crucial in any successful action – you don't need to risk confrontation or arrest to be an important part of the action!

\* Pre action roles: scouting, material construction, buying food/materials, flyer/poster distribution, transporting stuff and people, mural painting, etc

\* During action: cooking, action logistics, legal observing, legal support

\* Post action roles: supporting arrested folks, camp takedown.

\* You can also check if there are any parallel low(er) risk actions going on! If there are none, there is still time, and you feel safer that way, ask the organisers if you can help put together a creative or parallel action!

## **What to think about before the action**

As TINA people, we face specific risks when participating in civil disobedience actions. Violence and discrimination against genderqueer folks is scandalously commonplace, especially by police:

“Numerous are the reported instances in which verbal abuse has escalated into physical violence, with police officers inappropriately touching, beating, and using coercive restraining measures on LGBTQ+ people (...). Excessive use of verbal and physical violence usually occurs when queer individuals are criminalized, and while some practices are enacted with the intention of humiliating and hurting, others coincide with sexual harassment.”

(R. Girardi (2021) 'It's easy to mistrust police when they keep on killing us': A queer exploration of police violence and LGBTQ+ Victimization, *Journal of Gender Studies*, DOI: 10.1080/09589236.2021.1979481)

While of course, racist, sexist, ableist, classist, and other forms of oppression exist as well – and intersect with being cis or TINA. However, we as TINA people have specific needs, concerns, and vulnerabilities which call for specific consideration. Therefore, there are several important aspects to consider before an action. We recommend asking ourselves (and others) some reflection questions before participating in civil disobedience actions or other protests. Please keep in mind that every individual will have specific needs and concerns in relation to their intersectional lived experiences of race, class, gender, (dis-)ability, and many more.

## Some basic questions before going into actions of civil disobedience

- \* What risks am I willing to expose myself to during the action? If you are not sure what risks you might face, talk to the organisers of the action or others with experience in civil disobedience actions. The organisers might have prepared a legal briefing which gives information on the risks of detention and potential charges, but there might be other risks, beyond legal consequences.
- \* Am I willing to have my identity recorded by the police, to be arrested, detained or jailed?
- \* Who do I feel safe going into the action with? Do we have the same idea of what risks we are willing to take or be exposed to?
- \* Is there someone (not joining the action) who can support me/us before, during, and after the action? Will I tell them about the action and my participation in advance? If so, what do they need to know in order to help me? If needed, when should they be contacted?

## Some TINA specific reflection points for actions of civil disobedience

### About action buddies:

- \* We strongly recommend being out as TINA to your buddy. If you do not feel safe enough with your action buddy to share this information, you will not be safe on an action with them!
- \* Have a conversation with your buddy about the specific needs/fears/limits you might have as a TINA person on the action.
- \* Consider buddying up with someone of the same assumed binary gender as you. We wish we didn't have to give this advice and we are aware that this might not even be possible for people whose gender expression does not fit into any binary category. However, if you and your buddy are of the same assumed gender, there is a higher chance you will be taken into custody together and stay together for longer (although there is no guarantee you'll be taken into custody together, even if the police treat you as the same gender).
  - => Keep in mind that this can be useful if you have a binary ID you're comfortable with and/or if you're 'cis-passing'.
  - => A possible alternative is to check with other folks from your affinity group whether they could look out for you in case of detention. If you are part of an affinity group where everyone except you has the same assumed gender, consider asking other friends or acquaintances in the action.

### About affinity/action groups:

- \* Do you want to out yourself as TINA? To whom exactly?
  - => This should be a decision based on your own comfort, but it is an important decision to make.
  - => Any TINA-specific need can be voiced without outing ourselves! Needs do not need to be explained or justified.
- \* If the group reacts badly to you being TINA:
  - => Ideally, try to form an affinity group with folks you trust beforehand.
  - => Leave the affinity group, and the action, if you feel unsafe! It