

TRANS CITIZENSHIP

Trans citizenship concerns the rights and responsibilities that trans people have across a range of different social spheres, including the law, politics, health care, cultural representation, and wider society. The concept of trans citizenship allows us to think about universal trans rights, such as the right for a trans person to determine their identity, to have choices about their body, and to live as an equal citizen to cisgender (cis) people. It also enables us to think about the issues facing specific groups of trans people, such as trans people of color, trans people who are nonbinary, and/or trans people living in a country where violence against trans people is particularly severe.

Ideas of trans citizenship were developed in the early 2000s in order to move away from approaches to trans that pathologized gender diversity, exoticized it, or framed it primarily in terms of activist struggles. That said, activist struggles and agendas were, and continue to be, central to trans citizenships. Activist interventions informing trans citizenship include everything from activist lobbying to gain or protect legal standards, through to media representation, and challenges to hegemonic social movements that are prejudiced against trans people (such as anti-trans cis women who frame themselves as feminists). Overall, the issues raised by activists can be examined and addressed via the framework of citizenship.

Citizenship can be defined as a set of rights and duties that determine whether, and how, we are members of a particular society, and what social benefits we can expect to have access to. It is a politically neutral term in the sense that it can be used to support trans rights agendas, moving debates away from problematic areas such as the pathologization of trans identities, and towards approaches that support trans people as members of society, and as having legal protection, access to welfare and healthcare, social visibility (if wished), and a variety of other privileges that many cis people take for granted. However, if someone is not a national of a particular society then they may be unable to access the most basic of citizenship rights, such as the right to life. From an intersectional perspective, trans citizenship is shaped by other social forces that affect individual trans people, such as immigration policies.

Key aspects of trans citizenship

The fundamentals of citizenship were developed in the 1950s and they consist of legal citizenship, political citizenship and social citizenship. Legal citizenship is crucial for trans people—and it is still missing in many countries, including legislation to support gender recognition and to punish hate crimes against trans people. Trans people have become much more visible politically over the last decades, but their small overall numbers make electoral democratic representation a challenge, and not all trans people are able to (or wish to be) be out as trans. Social citizenship levels vary widely across different countries, but persecution and bigotry are still common, hence there is a strong ongoing need for basic trans citizenship in general.

Feminist citizenship scholars provided an important challenge to mainstream citizenship (legal, political, and social), arguing that citizenship is not just about the public sphere (such as representation in electoral politics) but also about the private sphere, and women are often excluded from full citizenship. Trans people, including trans women, share this problem of exclusion from full citizenship, and private issues (such as access to gender reassignment surgery and to reproductive technologies) are of key importance to their citizenship claims. Feminist author Nancy Fraser provided the notions of recognition versus redistribution. Trans recognition concerns the acknowledgement and inclusion of trans people in, for example equality and diversity statements, rainbow flags, and news coverage. However it does not ‘get at’ the structural marginalizations that trans people can face – for example, employment discrimination, and a lack of resourcing for trans-specific health care. These can only be addressed by redistribution – changes to the economic underpinnings of the labor market, and the distribution of money within society (through, for example, welfare provision). Although the ideas developed by feminist citizenship scholars remain important, many cis feminists have to date been unable to move beyond gender binarism rooted in biological essentialism, making it especially important that trans citizenship is further developed. There is a need for cis feminists and others to apply basic tenets of feminism such as equality, bodily autonomy, self determination, and anti-oppressive reflexive practice to so-called ‘gender critical’ and anti-trans politics, as well as to the field of trans citizenship. Intersectionality theory amply demonstrates the many social forces that cross-cut cis and trans women’s lives, including sexism, racism, and socio-economic inequalities, meaning that sex/gender based biologically essentialist positions (such as ‘gender critical’ approaches) are ideologically and theoretically untenable. Right wing persecution of trans people is on the rise internationally, and there are indications that anti-trans and ‘gender critical’ feminisms are lending support to media scapegoating and violence towards trans women (for example in the UK).

There are other approaches to citizenship that can be used to support trans citizenship, including intimate

citizenship, which emphasizes the importance of bodily autonomy and the right to relationships and sexual expressions with chosen people. For trans people, the right to decide what to do with one's body (whether to have surgery or not, for example) is very important. For some trans people, including nonbinary people, relationship forms may be other than the heteronormative form of male-female, and intimate citizenship is flexible enough to support and accommodate this variation. Coming from a different angle, health citizenship can be important for trans people, many of whom have ongoing health care needs (for example, access to hormone treatment). Health citizenship includes not only the right to health care but also related mechanisms for involvement in determining the type of health care provided (such as inclusion in consultations about health care policy). A further approach is children's citizenship; indeed, the rights of non-normatively gendered children is a particularly challenging area. Children in general lack full citizenship rights, and trans children (and indeed any children who challenge norms about gender) face increased levels of bullying, mental health difficulties due to discrimination and abuse, and sometimes familial rejection. The issue of bodily autonomy is especially pertinent here, as a child or young person may be pushed to decide what (binary) gender they want to be, and undertake irreversible treatment before they are really ready to do so but conversely, may be blocked from access to treatment that they really need.

Concluding thoughts

Overall, citizenship provides a flexible way of thinking about trans people's rights and involvement in society. Importantly, it lets us think about the rights claims that trans people share, such as the right to personal safety and to recognition of the gender they identify as (universalist approaches). However, it also allows us to focus on specific issues that some trans people might face and others might not (particularist approaches). For example, nonbinary people might be more likely to hide their identities due to the lack of legal recognition for nonbinary identities. There is a need for particularist approaches to trans citizenship, focusing on specific marginalized and overlooked groups, are developed. These include in particular those groups of trans people who are socially marginalized for reasons other than/in addition to being trans, for example due to ethnicity, ability, soci-economic class, sexual identity, nationality, or location. Some work is available, example there is some work on trans sex workers in Brazil and citizenship issues. However, there is space for a lot more work to be done about intersectional, and international, trans citizenships.

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See also: activism; feminism; political economy/ies

FURTHER READINGS

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