

ARTICLE

Protest Policing Through the Lens of Intersectionality: Zooming in on Roadblock Protests by Extinction Rebellion in the Netherlands

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Abstract

Over the past 15 years, the number of demonstrations worldwide has more than tripled. Policing tactics have undergone equal transformation, with a growing reliance on technology in protest policing which has now entered the latest stage with the introduction of artificial intelligence (AI). An expanding body of research has begun to shed light on the “chilling” effects of such surveillance technologies, which may deter activists from exercising their fundamental rights to protest due to fears of potential repercussions that may follow. Intersectional analyses have however remained limited. This article seeks to fill this gap by examining the 2023 Extinction Rebellion protests in The Hague, Netherlands, using an intersectional methodology that considers interplay of social categories and power systems, to provide a deeper insight into how these dynamics may shape individuals’ vulnerabilities (or resilience) to technologies at protests. The findings reveal that the chilling effect of surveillance is not a uniform phenomenon; rather, it is a consequence of pre-existing social inequalities and power dynamics that shape individuals’ experiences – long before the question of a “chilling effect” even arises. This perspective challenges a purely legalistic understanding of surveillance-related chilling effects, which oversimplifies and homogenizes AI experiences. This calls for greater attention to identity factors, the (lack of) capital tied to these identities and the power systems at play in protest policing, and recommends practice to further the conversation on ethical implications of technology and AI at protests in a holistic manner, emphasizing both social and epistemic inclusion.

Keywords: Protest Policing, Artificial Intelligence, Chilling Effects, Extinction Rebellion, Intersectionality, Digital Technologies.

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1 Introduction

Are we in a historic age of protest? Over the last 15 years, the number of demonstrations around the world has more than tripled (Ortiz et al., 2022). According to the Carnegie's *Global Protest Tracker*, citizens' protests have erupted in 2023 in 83 countries, from China and the Democratic Republic of the Congo to Iraq and North Macedonia (Carothers & Hartnett, 2023). Protests, by their very existence, are non-conventional forms of political engagement with a high degree of rights protection under national constitutions and international documents like the European Convention of Human Rights (ECHR). Some, like non-violent civil disobedience, may or may not be authorized depending on specific laws and circumstances, while others may turn violent, raising the complex distinction between protests and riots. But even more conventional protests can disrupt daily routines: marches, if nothing more, are disruptive of daily traffic routines. Protests, then, inherently challenge state authority to maintain public order, provoking direct responses from the state on the street. This specific aspect of state response to social movements is called *protest policing*, that is, the ways in which the police handles protest events – a more neutral term compared to “repression” used by protesters and “law and order” by the state (Della Porta & Diani, 2020).

Scholars of protest policing have documented changes in policing tactics in the West over recent decades – for instance, the “escalated force” model of the 1960s evolving into “negotiated management” in the 1990s (Gillham & Noakes, 2007) which some argue has transitioned to “strategic incapacitation” post-9/11 (Gillham, 2011; Gillham et al., 2013). This contemporary approach combines “soft tactics” of liaison policing (Stott et al., 2013) with “hard tactics” of extensive surveillance (Gillham, 2011; Whelan & Molnar, 2019) through the increased use of technology and the informatization of protest policing (Douglas, 2023; Gillham & Noakes, 2007; Ullrich & Knopp, 2018; Wood, 2015). This started with CCTV, drones and helicopter surveillance (Ataman & Çoban, 2018; Eggert et al., 2018) but has now progressed to the latest stage with the introduction of artificial intelligence (AI)-assisted surveillance, such as AI technology used to automatically review bodycam footage (Adams, 2024) and Retrospective Facial Recognition (RFR), serving as digital “eyes” to identify individuals at protests and track their movements when there is a reasonable suspicion of criminal behaviour (Murray, 2024b; Zalnieriute, 2024).

Against this backdrop, an increasing body of literature is forming that is beginning to link the increasing reliance to technology to “chilling” effects (Dauvergne, 2022; Fussey & Murray, 2019; Murphy, 2018, 2024a, 2024b; Storbeck et al., 2025; Zalnieriute, 2024) – that is, when individuals refrain from attending protests due to fear of the consequences that may follow (Di Ronco, 2025; Murray et al., 2023; Stevens et al., 2023). While noting digital technologies can assist law enforcement in supporting the right to peaceful assembly (for instance by assisting preparedness or analysing anonymized logistical data like estimated attendance, crowd density or protest routes), their use (and especially privacy-invasive ones like facial recognition and digital image recording) can also discourage assembly participation if people believe they are being used to identify them, as stipulated in

international hard and soft law guidance (FRA, 2019; *Glukhin v. Russia*, 2023; UNHRC, 2016; Venice Commission, 2019; Voule, 2022, 2024).

The current focus on how technology threatens an inference with democratic rights (freedom of expression, assembly, association¹) and privacy² however leaves questions unexplored, as it may overshadow (and homogenize) other aspects of vulnerability under protest policing. When it comes to understanding vulnerability in the context of protest policing experiences, many scholars have noted that it is shaped by multiple factors, including race/ethnicity (Davenport et al., 2011), class (Della Porta, 2017), gender (Monk & Jackson, 2020) and sexuality (Zawillski, 2023). A more comprehensive understanding is thus necessary; a focus solely on legal rights can neglect the lived experiences of protesters, which are often shaped by a combination of factors beyond just legal infringements.

It is furthermore important that this comprehensive understanding is developed through an intersectional lens; that is, how specific combinations of social factors create unique social positions, human experiences and vulnerability. Understanding how race, class, gender and other factors intersect is especially crucial to address the evolving landscape of protest policing, particularly the rise of AI tools and potential biases embedded in AI systems (Jacobs et al., 2024). Quinn (2002) contends that to understand public places and people, we must improve our conceptualization of the power dynamics and structures influencing our spaces, which are both “masked and made manifest along the multiple lines of race, gender, class and sexuality” (Quinn, 2002, p. 242). This is covered by intersectionality, a concept that emerged from critical race theory (Crenshaw, 1989, 1991) and has been further developed by feminist and anti-racist scholars.

By adopting an intersectional lens, this article fills a critical gap in protest policing literature by examining how intersecting identities shape protesters’ lived experiences within technologized policing – a dimension often overlooked in traditional analyses focused solely on legal or privacy concerns. The article will begin by outlining the concept of intersectionality. Subsequently, it will explore how protest policing can be comprehensively understood through this framework, addressing issues of difference, justice and power. It will thereby add to the growing body of “elite research” (see, e.g., Lillie & Ayling, 2021; Maxwell, 2015; Mikecz, 2012; Rahman Khan, 2012), by taking the specific 2023 protests of Extinction Rebellion in the Netherlands (XRNL) for illustration. The article will conclude with suggestions for future research, outlining pathways for a more equitable understanding and implementation of AI experiences, as we navigate an increasingly digital and AI-driven public space, both within and beyond the realm of protests.

- 1 The “right to peaceful protest” is an amalgamation of the protections offered by Art. 10 (freedom of expression) and Art. 11 (freedom of assembly and association) under ECHR.
- 2 Right to private life (Art. 8 ECHR).

2 Intersectionality

Intersectionality, as introduced by Crenshaw (1989, 1991), is an analytical framework to analyse intragroup differences and the multiple identity axes influencing an individual's power position. Using a visual image of a road junction, Crenshaw's work highlighted the unique experiences of Black women in the United States (US), who were situated at the intersection of sexism and racism, a position often overlooked by both feminist and anti-racist movements. However, while Crenshaw formally coined the term "intersectionality", it is important to recognize that its core ideas predate her work. Feminist studies and activism have long considered gender in relation to other forms of oppression, with the best example being the feminists during the 19th-century anti-slavery movement. Crenshaw, however, was able to sharpen this critique by positioning it against what she perceived as a white, middle-class woman's perspective dominating the mainstream feminist discourse (Kaijser & Kronsell, 2014). It critiqued the universalization in identity politics, activism and feminism, as Crenshaw (1991, p. 1242) contends:

The problem with identity politics is not that it fails to transcend difference, as some critics charge, but rather the opposite – that it frequently conflates or ignores intra group differences.

Feminist scholars of colour have more frequently critiqued mainstream or "Whitestream" feminism, which has often, through a patriarchal lens, positioned men as the universal oppressors and conflated the experiences of "all women" as universally oppressed (Hooks, 2014b). Many voices felt unrepresented by Western, white, heterosexual, middle-class feminism, yet mainstream feminist studies had been reluctant to engage with race and other forms of oppression, resulting in the exclusion and erasure of many women, particularly those of colour (Bruns, 2010; Hooks, 2014b; Osborne, 2015). The mainstream feminist narrative failed to acknowledge at the time that, albeit women in all parts of the world are subjected to sexism, this does not mean that women's experience of sexism identical across race: women experience patriarchal oppression differently according to their social status, sexual orientation and ethnicity. It is worth reciting here that many women of colour have experienced oppression and exploitation *at the hands of White women* (Hooks, 2014a, 2014b). Historically, this includes white slave owners, and more recently, domestic work in the homes of Western white women, often characterized by poor working conditions, low pay and minimal labour rights. This critique of universalizing tendencies of white, middle-class Western feminism has extended into feminist fields of imperialism, colonialism, disability, gender identity, queerness and class (Osborne, 2015).

Intersectionality responded to these criticisms by challenging the binary perspective that often arises when drawing exclusively from feminist theory, critical race theory, Marxist theory or queer theory (Osborne, 2015). Davis (2008, p. 68) defines intersectionality as:

the interaction between gender, race and other categories of difference in individual lives, social practices, institutional arrangements, and cultural ideologies and the outcomes of these interactions in terms of power.

Intersectionality recognizes the fact that inequality is hardly result of single, distinct factors and rejects the notions of race, gender, ethnicity and class as separate and essentialist categories. Instead, an intersectionality perspective accounts for the simultaneous experience of multiple axes of oppression. An individual can be part of multiple marginalized statutes, which amplifies and complicates their experiences of oppression across different settings (Matsuda, 1991). Simultaneously, this recognizes that unique identities can clash with each other across different contexts (Maddison & Scalmer, 2006) like protests. In other words, one can be *both* privileged *and* disadvantaged, at the same time or one-after-the-other, and intersectionality allows for the examination of both, together (Cole, 2009).

Situated systems of politics and power complicate this further (laws, policies, state governments and other political and economic unions, religious institutions, media and so on, Hankivsky, 2014). Power dynamics intersect at all levels, from institutional practices to individual behaviours in public space, with society-created social categorizations (e.g. working-class man, Indigenous woman) often representing power structures yet misleadingly presented as “natural differences”, serving as grounds “for inclusion and exclusion, and for defining what is considered normal or deviant, and what is attractive to aspire for” (Kaijser & Kronsell, 2014, p. 419). Precisely for that reason, none can be fully understood in isolation from the entire power system: otherwise, there is a risk of unintentionally perpetuating these structures (Osborne, 2015). Therefore, intersectionalists ask: how do these systems construct one another, or better, how they “articulate” with each other (Collins, 1998)? Such questions can be extended to technology (Monahan, 2006).

The theory of capitals, then, can help us explain why certain intersections of identities lead to specific forms of oppression (Tatli & Özbilgin, 2012). Core to this theory are Bourdieu’s (1986) four forms of capital – economic (financial resources), social (networks or connections), cultural (valued education, skills or knowledge) and symbolic (prestige or recognition). These four forms of capital do not operate in silos but interact together to shape an individual’s position in a society, with power systems determining their distribution and value. The access to one or more forms of capital provides deeper insight into how intersectional differences shape individuals’ experiences with policing and surveillance, as well as how they navigate and respond to these experiences. While acknowledging “power” is intrinsically linked to individuals, hence “not suggesting traditional diversity strands such as race and ethnicity, or gender, are endlessly fluid and performative, or free from historical and structural baggage” (Tatli & Özbilgin, 2012, p. 196), key here is that inequality itself is not *predetermined* but *emerges* from the dynamic struggle for and accumulation of different forms of capital. Contributing to ongoing debates in intersectionality studies, this camp of argument challenges the notion of a fixed social order, proposing instead that social structures are continuously shaped and reshaped through dynamic processes (Marfelt, 2016).

Thus, intersectionality refers to the ways in which forms of social difference (race, class, gender, disability, among other identities) “add up” to circumscribe how people see themselves and how they are seen in the social milieu, leading to various forms of discrimination or privilege. It does not mean that intersectionality is purely additive by nature, however: that is, examining the impact of gender, race, sexuality, age and class as the *sum* of their independent effects. An individual’s identity is far more complex than the “sum” of their marginalizations; for instance, Black women experience Blackness differently from Black men, and womanhood varies significantly across races, classes, ages and disabilities (Barager, 2009). This reductive approach implies a “standard” human from which “others” deviate, attempting to quantify human rights violations as if “fixed” differences can be neatly separated or ranked – which is again essentialist (Valentine, 2007). This so-called “Oppression Olympics” (Martínez, 1998) furthermore misses the mark by viewing, e.g., the oppression of a Black woman in two separate categories – first as a Black person and second as a woman – “as if” these identities do not intersect. Instead, it is precisely the *intersection* of these identities that creates a unique and distinct site of oppression, i.e. where race and gender “interlock” to create *new* marginalizations. It is moreover too simplistic in that it is not the identities themselves that count, but rather precisely the *unequal* distribution of capital associated to these identities (Tatli & Özbilgin, 2012). In a recent interview, Crenshaw echoed this once more:

Intersectionality is a lens through which you can see where power comes and collides where it interlocks and intersects. It’s not simply that there’s a race problem here, a gender problem here, and a class or LBGQTQ problem there. (Crenshaw, 2017, p. 1)

Intersectionality originated thus from critical race theory in the United States in the 1990s but has since been applied across various regions and academic disciplines. Scholars and activists from diverse backgrounds, including Black, Latina, post-colonial, queer and Indigenous communities, have all contributed to the growing intersectional body of literature (see, e.g., Anne Van Herk et al., 2011; Collins, 1998; Hankivsky, 2014; Valdes, 1997). As intersectionality has gained popularity, it has been discussed and applied in various forms – as a normative theory, a methodology, a research paradigm, a lens, among others (Collins, 1998; Hanvinsky, 2014). Intersectional analyses now combine local, regional and global scales; think, for instance, of the vulnerability analysis of climate change impacts, which is increasingly shaped by roles, responsibilities and entitlements linked to social statuses including but not limited to gender, age, class and ethnicity (Kaijser & Kronsell, 2014; Osborne, 2015) intersecting with XRNL’s advocacy for climate justice. The following section delves into the methodology, followed by a discussion of the ethical considerations, and then presents the findings on the 2023 XRNL protests.

3 Methods and Ethics

This article will examine protest policing through the lens of intersectionality. A significant challenge, however, in utilizing an intersectional lens is the lack of a standardized methodological approach (Marfelt, 2016). Approaches range from “ask the other question” approach (Matsuda, 1991) – to Winker and Degele’s (2011) complex 8-step model. While the former is a promising starting point, the latter is often deemed excessive (Bastia, 2014; Kaijser & Kronsell, 2014). Seeking a balanced approach, Kaijser and Kronsell (2014) restructured Winker and Degele’s questions, later refined by Marfelt (2016) for application across disciplines (Table 1). This approach considers both social categories and systems of power – not only “negative” oppression systems but also bottom-up “positive” privilege systems (Marfelt, 2016).

This research applies this intersectional analysis to the case of protest policing, by using empirical data from a Mixed-method study by Storbeck, Jacobs, Schuilenburg and van den Akker (2025). This study spanned from March 2023 to January 2024 and explored the surveillance experiences of activists and police at Extinction Rebellion’s (XRNL) so-called A12 blockades. The A12 blockade consists of a series of (civil disobedience) protests by XRNL at the *Utrechtsebaan*, which is part of the A12 motorway in The Hague, the Netherlands. Data were gathered through a twofold methodology, consisting of (1) ethnographic observations and (2) semi-structured interviews.

Table 1 *Multilevel Dimensions of Intersectionality Analysis*

Level of analysis	Example of Sensitizing Questions
1. Social structures	<ul style="list-style-type: none"> – Which social categories, if any, are represented in the empirical material? – Which social categories are absent? Are any categories that seem important to the empirical material missing? If so, why? – Are there any observable explicit or implicit assumptions about social categories and about relations between social categories? – How do represented and/or absent categories support or oppose each other? – How does the representation of the categories and their intersections shift over time or in different contexts? – What identities are promoted and considered to serve as grounds for political actions? – Are any other aspect of identity neglected or deemed insignificant?
2. Symbolic	<ul style="list-style-type: none"> – How are relations between humans and the environment portrayed? – How is nature represented? – What type of environmental knowledge is recognized and privileged?
3. Identity construction	<ul style="list-style-type: none"> – What are the norms that set the standards for a “good life”? – How are these norms reproduced, reinforced or challenged? – How are they reflected in institutional practice?

Adapted from Kaijser and Kronsell (2014); Marfelt (2016).

First, observational data were collected through ethnographic methods, which included participating in a XRNL training session (spring 2023) and three roadblock protests (11 March 2023, 27 May 2023 and 10 October 2023). The observations followed a clear and detailed protocol, dividing note-taking into *descriptive* and *reflective* note-taking. The descriptive notes focused on observations about (a) the setting (*what is the location and atmosphere like?*), (b) the actors (*who is present and in what capacity?*) and (c) surveillance tools (*is being surveilled manually, i.e. riot police and horses or more digitally, i.e. drones/CCTV/bodycams?*). Additionally, 45 semi-structured interviews (30-90 minutes) were conducted with diverse stakeholders between June and December 2023 (Table 1), recruited using various methods (inter alia email, social media and snowball sampling) and taking place at participant-preferred locations (in-person/online). The semi-structured interview guide was informed by our own observations and the analytical framework of the digitalization of protest policing (Douglas, 2023; Gillham & Noakes, 2007; Ullrich & Knopp, 2018; Wood, 2015) and explored four key themes: (1) pre-protest surveillance, (2) at-protest surveillance, (3) post-protest surveillance impacts (encompassing personal perspectives on society and the movement culture) and (4) views on future surveillance/AI. All interviews were transcribed verbatim and anonymized before coding began which followed a two-step process (Charmaz, 2006) to identify both pre-existing and new themes.

To synthesize the findings from this earlier study subsequently in alignment with intersectionality, the researcher employed an “ethnographic revisit” method inspired by Roks, Leukfeldt and Densley (2021). This process involved two steps: first, revisiting previous codes that already hinted at intersectionality (which inspired further exploration in this second paper)³ and, second, returning to the raw data when necessary. This process was steered by these guiding questions adapted from Kaijser and Kronsell (2014) and Marfelt (2016), which provided critical reflections from an intersectional viewpoint, and the analysis at levels 1 and 3 proved particularly fruitful in the context of this article. Consequently, two main themes were formulated: (i) Social Categories and (ii) Systems of Power, meaning, participants’ multiple sociocultural identities and the complex ways such identities lead to experiences of oppression and/or privilege in compounding and conflicting manners were taken into consideration. After reflecting on and adjusting their interpretation and application of these codes, the researcher completed their analysis by discussing their findings with their supervisors. This helped in identifying “latent themes – the underlying ideas and assumptions that shape and inform the semantic content of the data – and exploring the relationship between them”, as suggested by Roks et al. (2021, p. 932).

3 Although intersectionality wasn’t a primary focus in the initial study, it emerged as a secondary theme across various sub-categories: however, due to the initial scope, it was not extensively addressed, prompting the deeper exploration in this one. These sub-themes within the “surveillance experiences” category included personal impacts vary per identity, institutional/white privilege, resistance, fear, enjoyment of surveillance and age privileges, among others.

Table 2 Overview of Study Sample

Category	Subcategory	Count
Extinction Rebellion (XRNL)		28
	Activists*	27
	Lawyer	1
Government and Law Enforcement		16
	Police	12
	National Prosecutor	1
	National Ombudsman	1
NGOs and Media		4
Human Rights	Amnesty International	1
Environmental	Greenpeace	1
Capacity-building	Stroomversnellers	1
Journalism Platform	Investico	1
Total		49

* Each interviewee has taken part in at least one A12 blockade and shared their personal experiences as a climate activist, noting that XR operates as a grassroots movement with no formal representatives.

Ethical considerations were paramount cornerstones of this research. Mindful of critiques that – at least potentially – “social science is police science” (Hintz & Milan, 2010, p. 1), cognizant of the unpredictable nature of research data misuse and its potential to expose sensitive information, this study was guided by pre-existing ethical frameworks on the positionality of the researcher (Ali, 2016; Driessen, 2025; Stevens et al., 2023; Wade et al., 2021) on top of ethics board approval. Protecting activists and their security culture while giving them a platform to share their stories was a key consideration throughout. Readers should also be aware that accessing interview partners proved a difficult and delicate task, especially when it came to achieving a representative sample across various demographics (age, gender, ethnicity etc.). This challenge was expected ahead of time, as it echoes that “research into chilling effect, is to an extent, chilled” (Stevens et al., 2023, p. 5), arguably compounded by the “assumption – and often the experience – that [academics] take advantage of activists merely to further their careers, [while] activists do not benefit” (Hintz & Milan, 2010, p. 4). Under this pretext, vulnerability – and therefore hesitation – would be heightened for those with intersecting marginalizations. Consequently, white, older and more privileged activists dominate the current subset. This limitation should be considered when interpreting the findings (and underlines once more the need for further research on protest policing to take participant-centric ethics seriously). The results are presented in the next section, which focuses on these two select themes identified during the coding process.

4 Findings

The empirical study uncovers different surveillance experiences related to protest policing through an intersectional lens, finding two themes: (i) social categories and (ii) systems of power/privilege. The “social categories” theme looked at how visible or invisible social categories were in people’s responses and understandings, considering multiple categories and their intersections. The “power relations” theme examined how power is created, resisted and challenged, with a focus oppression and/or privilege in compounding and conflicting manners. Important is to note that two categories are intertwined: meaning that an experience classified within one category also embodies elements of the other and that they mutually enforce one another.

5 Social Categories

The first theme of *social categories* is defined as individuals’ differentiation from others, forming identities “through the relation to the Other, the relation to what it is not” (Kaijser & Kronsell, 2014; Marfelt, 2016; Winker & Degele, 2011, p. 58). In addressing the framework questions – “What identities are promoted and considered to serve as grounds for political actions?” (Kaijser & Kronsell, 2014; Marfelt, 2016), one of the first differentiations that emerges is the distinctive protest form employed by XRNL: civil disobedience. This type of political action is defined as “the willful violation of laws to protest against injustices inherent in these laws and the political system” (Weber, 2023, p. 72). Activist 26 explained civil disobedience entails “you simply accept the consequences” as part of being an accountable, civil disobedient citizen – no matter what they might be – reflecting the foundational pillars of civil disobedience (see Thoreau, 1849).⁴

Interestingly, the “nothing to hide” argument more frequently recurs in surveillance research (see, e.g., Ollier-Malaterre, 2024), despite being debunked for its fallacies in reasoning that only those engaging in unlawful activities should worry about privacy⁵ (Solove, 2007). Building on John Dewey’s work, Solove (2007) emphasizes that individuals are interconnected within society, and privacy is crucial not only for *protecting individuals from social control but also for maintaining social order*. Therefore, an interesting set of question arises in the context of protest policing: who exactly has “nothing to hide”, and why, and how? The following quotes illustrate that the answer may be very different for different people across protests, particularly when viewed through an intersectional lens, as the perception

4 This notion of accepting repercussions was particularly relevant in the context of discussions surrounding surveillance practices and related fears, which were prevalent in the media during the time of the interviews.

5 To illustrate his point, he poses provoking questions suggesting even the most open person would want to hide: “If you have nothing to hide, then that quite literally means you are willing to let me photograph you naked? And I get full rights to that photograph – so I can show it to your neighbors?” (Solove, 2007, p. 750).

of risk and its impact on participation can vary significantly based on individual experiences, identities and socio-political contexts:

[filming] is huge violation of privacy and a breach of the right to protest. It makes people scared to participate. Look, I'm not that afraid..., it doesn't bother me personally. But if you risk losing your job, especially often people of color, it's quite troubling for them. I see this, for example, at Pride demonstrations or trans care demonstrations. People who are transgender are naturally very afraid of being filmed. So there are many people who have all the reasons to be genuinely afraid. (Activist 22)

This directly connects to a separate key framework question – “are there any observable explicit or implicit assumptions about social categories and about relations between social categories? How do represented and/or absent categories support or oppose each other?” (Kaijser & Kronsell, 2014; Marfelt, 2016). As such, the above perspective highlights how possible biases based on sexual orientation, gender identity and expression, and sex characteristics (SOEGIESC) can overlap with other social identities and create compounding experiences of vulnerability and even concurrent forms of discrimination, when navigating the Dutch protest policing landscape. Indeed, as Activist 23 illustrated, due to their unique vulnerability, they find it challenging to perceive the police as a “friend” rather than a “foe”:

I indeed find it somewhat harder to trust the police. But that is also due to a combination of other factors. I am transgender, a marginalized group.

In this context, Interview Partner 12 expanded on the specific challenges faced by trans- and non-binary individuals within Dutch protest policing, as its paradigm is becoming increasingly technologized (Storbeck et al., 2025). Given that contemporary policing increasingly relies on digital ID checks and registration (also see Amnesty, 2023), outdated data systems increase the risk of misgendering activists during arrests. Misgendering, which refers broadly to referring to someone using the wrong gender pronouns or terms (e.g. transwomen, perceived by some around them as “born male”, often find themselves referred to as “he”, rather than “she” which they prefer and expect), is obviously unwelcomed and often experienced as a form of verbal aggression (Ansara & Hegarty, 2013),⁶ particularly in the current socio-political climate where transphobia and misinformation are rampant online, further constraining their social cultural and symbolic capital (including networks of support, recognition and societal legitimacy).

The discriminatory implications of misgendering in the context of protest policing are not insignificant and can have long-lasting effects on activists' identity and lives. Especially worrisome is that once misgendered at one protest, individuals are more likely to be misgendered again at future protests (and, in other settings involving police) – if, for instance, police officers address the incorrectly based

6 This obviously extends to non-binary/nonconforming/gender-questioning gender identities.

information they read off their phone from the digital database, creating a circle of harm:

For instance, we observed that trans or non-binary individuals face issues due to incorrect information being put in police databases during ID checks at protests – various groups can be targeted in different ways. (12)

This should not be seen in a vacuum. Interviews revealed that when activists attempt to rectify (wrongful) database registrations – regardless of the reason – those who face economic precarity (such as unemployment or underemployment) or are alleged to be engaged in criminalized activities face compounded challenges, *especially* due to the intersections of their circumstances and the disparities in acquired capital needed for such rectifications. As such, access to economic, social and cultural capital (inter alia financial resources, networks and institutional knowledge) seem to profoundly shape individuals' ability to engage with bureaucratic systems effectively. This becomes glaringly evident when comparing two statements by respondents (below); one (Activist 22) deemed the effort to correct such errors "futile" due to a lack of time, effort and financial resources, while another (Activist 20) successfully navigated the bureaucratic hurdles by leveraging their resources, including time, money, media outreach and legal support:

It demands an investment of time, effort, and financial resources that I simply lack. This may be different from [others], but [they] have more time on their hands than I do. I prefer to channel my free moments into the pursuit of activism itself ... it's simply a futile endeavor. (Activist 22)

If you have a regular job, like working in an office, teaching, or being a nurse, or whatever it may be, and you have children at home and a busy life, you simply don't have the time or resources to rectify these things. It's like fighting a bureaucratic monster that just wears you down. It drains your time, money, and patience, [but I did it regardless]. (Activist 20)

Poignantly, Activist 20 went on to critically question the implications of not actively addressing inaccuracies in databases, drawing parallels to the Dutch childcare benefits scandal.⁷ As she asserted, "What I particularly fear of being in a system, or on a list at all, is that you don't know what the consequences can be." The activist feared that the proposed solution would simply involve changing their database flag from "red flag" to "incorrect red flag" – instead of deleting them –, thus, remaining in the database. She argued that these persistent flags, even when marked as incorrect, could still have long-lasting and detrimental impacts. She

7 The Dutch childcare benefits scandal was a political crisis in the Netherlands where thousands of families were wrongly accused of fraud by the tax authorities, leading to severe financial hardship and systemic discrimination. No academic intersectional analyses exist yet, however, investigative journalism shows the algorithm disproportionately targeted those who were relatively young, *and* non-fluent in Dutch, *and* single mothers (Burgess et al., 2023).

pointed to the childcare benefits scandal as a stark example, where individuals continued to be unfairly targeted simply because their names remained in a database, highlighting the potential for ongoing human rights violations. This was then particularly harmful to marginalized individuals, such as those from specific racial, gender or socioeconomic backgrounds and distribution of capital associated with these identities, pointing to the intersectional nature of (data-led) Kafkaesque bureaucratic harm:

Interviewer: That incorrect registration in the justice systems, could you share a bit more about what frustrates you about that or what kind of emotion that brings up?

Interviewee: Emotion doesn't interest me. I'm mainly concerned with the actual consequences.... Even when it's all a mistake, you'll still remain in the process system, but then it's labeled ["false"...] But then I received the advice....: you shouldn't agree to that, because that's how the childcare benefits scandal unfolded. The Tax Authorities would inquire another agency, is person X in your system? Yes, okay: red flag – without looking at the specifics of what was written next [to that name...]. There is insufficient checking whether things are correct. And that's where it goes wrong.... And it doesn't just go wrong occasionally; it goes wrong very often. (Activist 20)

For these reasons, noteworthy critiques have been raised on the increasing reliance on technology. Amnesty International (2023) criticizes digital ID checks, arguing that activists should have the right to protest anonymously. Investigative journalists warn about potential misuse of data, including arrests being classified under terrorism codes (CTER) can be shared with EUROPOL (Davidson, 2023).⁸ The latter is being investigated by the National Ombudsman of the Netherlands (2024), specifically its lack of responsiveness to activist inquiries and thus lack of legal remedy. Feeding into these critiques, a novel theme that emerged from the interviews centred on the anxiety that the possible integration of AI in protest policing creates fertile ground for amplifying these issues – and introducing entirely new challenges. The following anecdotes demonstrate how the shift towards AI raises unique concerns for individuals of different ages and marginalized groups – highlighting not *only* their unique vulnerability to harmful effects but *also* their capital (money, networks, skills) to resist and fight against negative impacts – suggesting intersectionality at play:

[on age] “Well..., you know, the whole AI thing. I'm a member of the union; I still have some fighting spirit to take it on! ... But if you're young, I can imagine not knowing what the long-term consequences might be!” (Activist 31)

8 Protesters indeed harbour the most apprehension for the ominous “terrorism check mark” (Ingen-Housz, 2024).

Well, I am “respectfully cautious” [about AI used in protest policing] ... AI systems that recognize individuals but perform poorly with [activists] in wheelchairs or children can be dangerous. (Activist 19)

However, it is important to acknowledge that the digitalization of Dutch protest policing is *already* being experienced in varied ways by different ethnicities today, leading to nuanced interpretations and responses in which individuals ascribe different meanings to these experiences. While some may perceive these technological advancements with apprehension, the intersections of social locations, power dynamics and personal experiences can *also* (and *simultaneously*) lead to individual activists of colour to be more favourable towards camera oversight, and the use of bodycams, in certain contexts. This illustrates that two things can be true at the same time; while acknowledging the broader concerns of surveillance, some may also see the potential benefits of these technologies, demonstrating that the impact of technology on protest policing is not uniform and requires a nuanced understanding of the diverse perspectives involved.

Take for example *Kick Out Zwarte Piet* [KOZP...]⁹ XRNL often affords more leeway than [them]. For instance, with cameras: KOZP ... requested police camera surveillance themselves, because they expected a hostile crowd. In such cases, having surveillance cameras to monitor and identify hostile individuals afterwards makes sense. The key question, is, how you use the footage, and the types of cameras employed. (Interview Partner 12)

People of color often wear a GoPro on their body during [XRNL] protests, because we've [learnt] from experience. I think, especially for white, highly educated people with a lot of privilege, it's fantastic that you're joining in, but you also need to learn about this. And, I am definitely one of those who has learned a lot. (Fretz, 2023)

The foregoing indicates activists can face multiple and intersecting forms of vulnerability during Dutch protest policing and its technological dimensions. The next section will look into the power that interacts with social identities more thoroughly.

5.1 Systems of Power

The second theme, (ii) systems of power, refers to interconnected structures that maintain and reproduce inequalities between different groups of people, based on both oppression/privilege (Marfelt, 2016). Typically, connected systems and structures of power are “laws, policies, state governments and other political and economic unions, religious institutions, media” that create “interdependent forms of privilege and oppression” (Hankivsky, 2014, p. 2). In this context, it is notable

9 KOZP is a Dutch activist group advocating for the elimination of the racist Black Pete tradition in the Netherlands. Based on a retrospective investigative report by the Ministry of Security and Justice (2023), the police inadequately protected KOZP demonstrators and Amnesty International observers during a protest in Staphorst on 19 November 2023, when they were attacked by rioters.

that the United Nations Special Rapporteur on Environmental Defenders raised serious alarm about the repression faced by environmental activists engaging in peaceful civil disobedience in Europe, labelling it a “significant threat to democracy and human rights” (Forst, 2024, p. 1). In this 2024 report, the Netherlands was singled out for criticism for its court ruling that convicted XRNL activists of sedition – a crime punishable by up to five years’ imprisonment – based on encouraging the public to join a roadblock demonstration and ordering the protesters to provide DNA samples to be stored for 20 years (Forst, 2024). This echoed earlier critiques by Dutch human rights organization, citing the chilling effect (Amnesty International, 2022; Netherlands Institute for Human Rights, 2023; also see National Ombudsman of the Netherlands, 2018).¹⁰

Dutch media reported on the sedition case widely. Journalists revealed inter alia, based on the police files, that some activists were identified via infiltration into private Signal groups (Keukenkamp et al., 2023; RTL Nieuws, 2023) conducted by the Team Public Order Intelligence (Dutch: TOOI), a police unit but operating under the mayor’s authority to gather information on potential public order disruptions (Court of The Hague, 2023; Dutch House of Representatives, 2023b). This increasing media coverage of state surveillance seems to have heightened awareness among activists, leading to the development of specific guidelines for navigating demonstrations and interacting with authorities. It may have laid the foundation for the now-pervasive belief among protesters that even peaceful ones are constantly monitored, with their details stored in a “face depository” (*smoelenboek*), that is, a compilation of individuals who the police consider likely to disturb public order during demonstrations (Ingen-Housz, 2024).¹¹ This has fed their sense of perceived stigmatization, which diminishes their cultural capital by causing their activism to feel delegitimize and perceived as threatening. Activists thereby referenced an *Investico* investigation which revealed that even protesters without arrest records are receiving notifications of their digital record (BRP) being accessed by authorities, precisely suggesting the existence of such a depository, later confirmed by the police to *Investico*, albeit with the assurance that such

10 The court ruling acknowledged potential chilling but held that “although an arrest is a drastic and far-reaching coercive measure, this does not lead to the conclusion that this alone can be considered an unacceptable chilling effect” (Court of The Hague, 2023, ECLI:NL:RBDHA:2023:11442, para. 6.3.3), citing *Kudrevičius v. Lithuania* (2015) before the ECtHR, which establishes disruption of public order as valid justification for the implementation of criminal liability. Some criticize this ruling for being too restrictive (Rutter & Rayée, 2015). Courts are now increasingly taking a position that is more understanding of civil disobedience (Chow, 2023).

11 Despite police refutations and/or expressions of disbelief regarding the feasibility of such extensive surveillance in interviews.

records are destroyed after each demonstration (Ingen-Housz, 2024; Investico, 2023).¹²

In this landscape, feelings of insecurity can precisely be the reason why protesters increasingly choose to remain anonymous (Ingen-Housz, 2024), or in practical terms, protest without identification and identifiable objects (phones, IDs etc.). What is key is that, as interviews revealed, activists' pursuit for anonymity sparks a strategic dance between activists and law enforcement – which, most crucially – does not per se distribute the risks associated with anonymity equally. This should be understood in the legal context: as the police have a legal duty to identify individuals suspected of a crime, activists who choose to withhold their identity upon arrest face not only a €90 fine but also the possibility of extended detention as the police has legal right to prolong custody for identification purposes (Ingen-Housz, 2024; XRNL, n.d.). On the other hand, once identified and arrested for civil disobedience-related activity (failing to listen to orders), or more serious offences (vandalism), activists face the potential consequences of a tarnished criminal record, potentially impacting their ability to secure a Certificate of Good Conduct (Dutch: VOG) required for certain jobs. Discussing this legal context with activists sometimes led to interesting insights, as some activists seemingly remained undeterred by the potential impact on their VOG. This may, of course, be due to their understanding of its nuanced application,¹³ or their full-time activism, but arguably also alludes to some individuals already being less vulnerable to arrest than others, thus reflecting varying degrees of symbolic capital:

I don't think I'd be really scared of that Certificate of Good Conduct and that photo and so on. In fact, maybe I'd even think it was cool. That it makes it actually tangible. Evidence for later. (Activist 16)

If you get arrested or something, you'll naturally start thinking about the consequences. I don't think they'll be very spectacular right away, just a Certificate of Good Conduct or things like that. That's all not too bad. (Activist 1)

- 12 The police responded in writing with “the face book focuses on known and notorious disruptors and can also focus on opponents of the demonstration, all to prevent serious disruption of public order. This guarantees everyone's right to demonstrate. Face books are destroyed after the demonstration” (Investico, 2023: footnote 68). International law stipulates that “the taking and retention of digital imagery for purposes of identifying persons engaged in lawful activities, or the retention of data extracted from such images (such as details of an individual's presence at an assembly) in a permanent or systematic record may give rise to violations of the right to privacy” (Venice Commission, 2019: para. 172).
- 13 The VOG policy is intended to protect society by restricting job opportunities for people with criminal records, partly a response to concerns about sex offenders in childcare and educational settings. While certain offences remain on record for varying durations (5 years for C-category, 20 years for B-category), the confidential nature of criminal records and the VOG authority's focus on offences relevant to the specific position sought mean a criminal record does not automatically disqualify one from obtaining a VOG.

Notably, the VOG policy, while intended to protect society by limiting job opportunities for individuals with criminal records, faces scholarly scrutiny due to a lack of empirical evidence supporting its effectiveness (see, e.g., Boone, 2011, 2012; Bruning, 2012; Ramakers, 2020; van't Zand-Kurtovic & Boone, 2023). Although VOG policy can be perceived as highly obstructive to the (formal) reintegration process (Doekhie et al., 2024), some research suggests it is not a major employment barrier, as individuals with criminal records are not per se interested in VOG-required jobs (Kruize & Gruter, 2016). Both sentiments were relayed:

[I worry] what consequences will this have [for my VOG]? And, to what extent will they really put pressure, on that? [...Politics] was always a latent option [for me ...] but it's been signaled that it's not feasible [anymore]. So, that threat, is working. (Activist 25)

It's not that I think, "*man I really want a criminal record.*" ... It's ... You know, I can't work for the police or the [intelligence services] anymore. [Laughter:] I find that very bad! I couldn't care less. I still want to end up in education. Yeah, that's the advantage of this kind of charges: you can still become a teacher.... I'm not going to let that not [VOG threat] stop me. (Activist 11)

If activists do opt for anonymity, however, a notable strategic contest of *anonymity* vs. *identification* unfolds. In response to activists' efforts to remain unidentified, the police employ AI-assisted fingerprinting and mugshots to identify them. Police, after all, hold systemic advantage over protesters rooted in multiple forms of capital: "better equipped, outfitted with public legitimacy, more trusted by courts, in possession of other preventive and repressive instruments" (Ullrich & Wollinger, 2011, p. 24). While one activist argued AI, specifically drones, to help self-protection and achieving campaign goals (Activist 3), such use is restricted by law in most protest areas of The Hague (Rijksoverheid, n.d.), and are easily intercepted (Activist 39). Yet this backdrop fosters an interesting dynamic, wherein XRNL deploys its counter-countermove: so-called mass anonymity. As XRNL declares:

This is a matter of principle: it is none of the government and police's business who demonstrates.... Think of people without (the "right") papers, people who cannot pay a fine, or who have to remain anonymous because of their profession. Others go anonymously out of solidarity with these rebels. (XRNL, 2022, paras. 5-7)

Anonymity thus serves a dual purpose: it firstly strategically hinders police operations by making policing more difficult and resource-intensive, thereby allowing the protests to continue with less interference, and secondly as an act of solidarity to protect those most at risk (Ingen-Housz, 2024).

However, some activists pondered over how the decision to go anonymous can be fraught with complexities, highlighting how intersecting identities can profoundly shape activists' positive or negative experiences in being anonymous

(as it implies breaking the law). For instance, one activist (Activist 19) explained their reluctance to risk anonymity, sharing the context of growing up in a country with limited protest rights and where even social media interactions can lead to arrests. Others meanwhile acknowledged the potential for anonymity to escalate tensions with law enforcement, potentially leading to heightened scrutiny and risks, as the following excerpt well illustrates:

Interviewer: And those methods you mention, like staying anonymous – do you see them as effective, or do they have limitations in any way?

Interviewee: I think it is actually an effective form of protection because there have definitely been moments when fingerprints would have been taken if it weren't for the preparations we made.... So, in that sense, it's definitely effective, but you do need a *critical* mass of people doing it to overwhelm [police] capacity. Otherwise, they'll try harder and may become frustrated, which can lead to [vulnerability]. (Activist 18)

For the foregoing reasons, XRNL has been put under scrutiny in the media for its perceived “privilege problem”, as it is seen to consist primarily of white, upper-middle-class and highly educated activists, which may homogenize policing experiences (Hassouni, 2023). This criticism arose in response to a white podcaster's reflection on her protest arrest, where she described feeling very safe and compared her arrest – being placed in a bus and then taken elsewhere – to a “school trip”. Journalist and activist Hassouni (2023, p. 1) termed this overarching zeitgeist on protest policing as “misplaced, naive foolishness”, criticizing the individual for failing to acknowledge the inherent privilege in their experience. To put simply, affluent white people can afford an arrest during a demonstration, while for people of colour it leads to problems with job applications and in their further lives. The ensuing public discourse and controversy prompted one activist to reflect on Houssini's assertions, agreeing that the racial dynamics within activism and policing can differ significantly, with accompanying deficiencies in forms of capital further amplifying systemic disadvantages:

An article last week pointed out how XR is overwhelmingly white. That's spot on. I have Black friends who bluntly say, “No way, I'm standing in front of the police.” [With XRNL], everyone ends up in a van, driven around – a bit intimidating but hardly extreme. Contrast that with my experiences at KOZP-demonstrations, where the atmosphere is palpably grimmer, both from bystanders and the police. There, the threat level is real. (Activist 25)

Interestingly, multiple interviewees addressed the concept of white privilege without prompting, suggesting a growing degree of self-awareness within the activist community regarding the power structures at play. Some acknowledged their own privileged positions, highlighting how their whiteness, age or education provided them with enhanced access to capital – resources that might afford them a degree of protection or leniency within the justice system. These were interesting

remarks as they pinpointed how XRNL, whether consciously or subconsciously, leveraged its elite group status – defined as those “occupying a position that provides them with access and control or possessing resources that advantage them” (Rahman Khan, 2012, p. 362), deeply tied to power systems (Lillie & Ayling, 2021; Maxwell, 2015). After World War II, the dismantling of overt white supremacist structures led to a focus on “white privilege”, the subtler, culturally embedded systems that persist (McIntosh, 1989; Pulido, 2015). While structural changes have indeed reduced racial barriers to opportunity and inclusion, socioeconomic disparities remain intertwined with ethnicity, highlighting the need for an intersectional approach to understanding social inequality (Pulido, 2000). In the activists’ words:

No, I don’t [view the authorities differently]. But that’s also due to my privileged position.... When I ask a police officer for help or directions, the response couldn’t be better – they basically escort me to my door. But many others are treated differently, and they react differently to that. When I see a police van, I have no worries, but I realize that’s because of my background. (Activist 5)

I also have enormous privilege because I am white, older, and well-educated. Generally, I am treated well, but I know others have very different experiences. (Activist 13)

Salient is that the recognition of white privilege has *also* become increasingly explicit. The issue not only arose during the protest policing training observation, it is also institutionalized in XRNL’s legal hand-out for protests, which writes:

Certain groups of people are more vulnerable when it comes to police violence: Take care of your fellow rebels, with a specific focus on POC, FLINTA, people with disabilities and people of young age (who look “leftist” or outside of the “norm”) ... Keep an eye on the police especially during their interactions with these groups. (XRNL, n.d., p. 3)

The debriefs appeared to play a key role in fostering awareness of privilege among activists, as exemplified by the following quote:

We always have good debriefs where people share their experiences, and I’ve learned a lot from them. I often thought the police were doing okay, but hearing others’ stories makes me realize, oh my god. We participated in the same action, but we had completely different experiences. (Activist 5)

A striking manifestation of this privilege, beyond a lack of fear towards the police, was activists’ boldness, trust and extensive legal knowledge regarding civil disobedience and European Court of Human Rights (ECtHR) and European Court of Justice (CJEU) procedures and/or jurisprudence – insights typically reserved for legal experts and indicative of their significant cultural capital. Whether this stemmed from necessity or other factors remains an open question, but the

manifestation of privilege was evident. Numerous activists seemingly operated with an implicit belief that the system would ultimately bend to their will, as they enjoyed the protections of a favourable legal framework. Comparisons to the UK, which falls outside the CJEU's jurisdiction,¹⁴ underscored this advantage:

I think it would be good if politicians in our country, as well as administrators and mayors, would better inform themselves about the whole concept of peaceful, civil disobedience ... Because I have the idea that a lot of people who sit in high chairs in the country really have absolutely no understanding of it.... We are also proven right every time, all the way up to the European Court. (Activist 5)

The right [to demonstrate] is sacred, but the question is how sacred. We are testing those boundaries.... We thereby also keep democracy vital: we actually revitalize democracy by testing that fundamental right ... And where that line lies, where that disruption is still allowed, that is ultimately up to the judge; we give them enough food for thought ... Yes, and we are very curious.... If necessary, we will go to Europe, to the Court of Human Rights, to see how far our [legal standing] is. (Activist 13)

6 Conclusion and Discussion

Despite the significant growth in academic literature on intersectionality since its definition by Kimberly Crenshaw (1989, 1991), intersectional analyses of protest policing (and its technological dimensions of surveillance) remain scarce. This article aimed to narrow this gap by examining the 2023 Extinction Rebellion protests in The Hague, Netherlands, using an intersectional methodology that considers interplay of social categories and power systems (Marfelt, 2016), to spotlight how surveillance's impact varies depending on individuals' intersecting identities, creating unique and often compounded vulnerabilities.

Based on the scant literature available, US scholars highlight the underrepresentation and neglect of Black women, especially those in the LBTQI+ community, in discussions around police brutality and BLM protests, often occurring against a backdrop of disproportionate poverty (Crenshaw, 2019; Destine, 2023; Sutherland, 2017). This study contributes to this debate, by revealing that in the Netherlands vulnerabilities within social categories are not homogenous; intersecting identities can create or worsen risks within existing power structures. This is especially true for technology's impact on protest policing experiences. While this remained an under-researched area, this study's findings limelight that technology's impact can be both harmful *or* empowering depending on the context (such as when facing hostile counter-protesters). This supports the conclusion that surveillance experiences, traditionally viewed through a spectrum of care and control (Ollier-Malaterre, 2024; Schuilenburg, 2024), need more

14 The UK has developed a reputation for its particularly harsh legal treatment of environmental protesters, including the use of imprisonment (Storbeck et al., 2025).

incorporation of intersectional privilege and forms of capital (Bourdieu, 1986). Surveillance experiences are never neutral; they are influenced by power dynamics and social hierarchies. Context is therefore essential and generalizations about group experiences in protest policing should be avoided. Embracing an intersectional perspective acknowledges that identities and experiences are dynamic, interconnected and sometimes contradicting (Cole, 2009; Matsuda, 1991; Valentine, 2007).

This study explored this against the backdrop of the “I have nothing to hide” – mentality (Solove, 2007) often seen as an inherent aspect of civil disobedience (see Thoreau, 1849). This protest approach, dubbed “hyper-transparency” elsewhere (Storbeck et al., 2025), is revealed in this study to be shaped – at least within the contemporary context of Extinction Rebellion – by the power dynamics of white privilege. Importantly, white privilege and its ripple effect on protest policing experiences extend beyond the Netherlands, mirroring a global trend of predominantly white environmental activism (Akec, 2019). Findings correlate with a UK study highlighting XR’s tactics as intimidating for people of colour, fearing arrest or harm due to potential risks (Bell & Bevan, 2021), prompting XRUK to acknowledge past actions contributing to “the system of white supremacy” (XRUK, 2020, p. 1). Notable is that the critique of white privilege was often met with lack of understanding in the Dutch public discourse, with some advocating for its strategic use to further environmental goals (“use it when you have it!” see Volkskrant, 2023). It is worth noting this very stance exposes the systemic nature of environmental racism: research demonstrates that marginalized communities are disproportionately affected by climate change, exacerbated by their exclusion from decision-making processes dominated by those with power (De Onis, 2012). This phenomenon, known as “environmental racism”, highlights the racial discrimination embedded in environmental policies and the historical marginalization of people of colour from environmental leadership (Holifield, 2001).

The findings challenge a purely legalistic understanding of the surveillance-related chilling effects of technology on protest rights (Murray et al., 2023; Stevens et al., 2023). The notion of a “chilling effect”, where surveillance technology deters people from exercising their protest rights (freedom of assembly and association, freedom of expression), posits that the capacity to be intimidated by technology is a universally felt experience. The intersectional lens applied here, however, reveals that the chilling effect of surveillance is *not* a uniform phenomenon but, rather, a consequence of pre-existing social inequalities and power dynamics that shape individuals’ experiences – long before the question of a “chilling effect” even arises. Put differently, the chilling effect operates in a complex web of identity factors, (the lack of) capital associated with these identities, and power systems; these shape individuals’ experiences of surveillance and their ability to exercise their right to protest lawfully. This also works the other way around: those with privilege and capital are better equipped to resist (*or be resilient to*, Stephens-Griffin, 2021) chilling. Existing work offers worthwhile reminders that vulnerable groups, such as Muslim communities, are *already* disproportionately subjected to surveillance-related chilling effects in certain socio-political climates (Ali, 2016;

Mythen et al., 2009). A reductionist framework, focused purely on the legal right to protest, fails to capture this nuanced reality.

This study therefore calls for a more intersectional understanding of surveillance's impact on protests, most importantly recognizing that under the "chilling effect" protest rights are deeply tied to other fundamental rights (privacy, non-discrimination and access to justice, to name a few), rights not to be considered in legal silos but instead holistically. This not only resonates with longer-standing intersectional critiques on international human rights law (IHRL) which neglects human rights' interconnectedness (Atrey & Dunne, 2021) and cultural relativist perspectives criticizing IHRL for ultimately being a Western (white) privilege instrument (Donnelly, 2007), it also echoes (and reinvigorates) the foundational questions that birthed policing studies. The origins of law enforcement as a field of academic inquiry tackled questions of class in the UK (see, e.g., Radzinowicz, 1948; Thompson & Kenny, 1963) and race in the US (see, e.g., Westley, 1972; Wilson & McLaren, 1977) to explain and dissect police thought and action – which sometimes "served as the trigger to substantive police reform[s]" (Rawlings, 1995, p. 144). This article is putting this understanding back on the agenda, albeit in a new modern-day lens of intersectionality in relation to the increased use of technology.

Regarding the use of technology, it is worth noting the initiative of the Dutch police to hold "ethics tables", where open discussions take place with different stakeholders about the ethical implications of technology and AI in policing, including its use during protests (Dutch House of Representatives, 2023a). To fully realize their potential, these tables must prioritize both "social and epistemic inclusion" (i.e. different layers of society and different forms of knowledge, Schuilenburg, 2024, p. 123) ensuring discussions are conducted in an accessible manner and granting equal voice to diverse perspectives in formulating intersectional recommendations on the use of surveillance technology at protest. By providing a platform for (and genuinely listening to) bottom-up perspectives, society would thereby accumulate a better intersectional understanding of technology – not only of the perils but potentially also of the promises.

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