

LEX READ

NOVEMBER 2023

Transgender
Women
In Sports

PM DR.
NIK SALIDA

MENULIS



Equal Treatment or
Equal Outcomes?



JUU LEX READ

e-ISSN: 2811-3462

TRANSGENDER WOMEN IN SPORTS

By: Azlina Mohd Hussain (azlin072@uitm.edu.my)
& Nor Syamaliah Ngah (syamaliah@uitm.edu.my)



Lia Thomas and transgender swimmer Iszac Henig (L) won the first and second medals in the 100-yard freestyle swimming race at the 2022 Ivy League Women's Swimming & Diving Championships. Source: Joseph Prezioso/AFP via Getty Images

INTRODUCTION

On 17 March 2022, Lia Thomas, 22, became the first openly transgender athlete to win first place in the National Collegiate Athletic Association's (NCAA) first division swimming championship, her final competition as a college athlete. It was one of America's top trophies in university sports when she swam to victory in the women's 500 yard (457 meter) freestyle race.

This win created much furore and debate in the United States about the participation of transgender women in sports competing in the women's category. Ms Lia's participation was seen as an unfair advantage over biological sportswomen competing in the same race.

To date there are no definitive guidelines and unanimous agreement among the top sports associations regarding the participation of transgender women in the women's category in sports. There have been sporadic participations in some competitions and some competitions have enforced a total ban on the participation of transgender women competing in the women's category.

Be that as it may, the number of transgender women athletes have been steadily rising as they gradually gain acceptance by society and recognition by the sports associations. The acceptance and recognition would be due to the aggressive lobbying on their behalf by transgender and pressure groups on the government and sports associations, commonly citing constitutional rights as their mainstay and argument over their rights to participate in the women's category.

Among popular transgender women athletes, who have managed to compete despite prejudice, discrimination and restrictions, include Laurel Hubbard, Juniper Simonis, Wren Pyle, Jamie Hunter, Victoria Monaghan, Tiffany Abreu, JayCee Cooper, Michelle Dumaresq, Veronica Ivy and Lana Lawless.

DEFINITION

The adjective definition of “transgender” is denoting or relating to a person whose gender identity does not correspond with the sex registered for them at birth. According to Williams and First (2013), transgenderism refers to the broad spectrum of people who transiently or persistently identify with a gender different from their natal sex.

INCLUSION VS EXCLUSION

The fundamental issues surrounding the debate about transgender women in sports include; inter alia, whether transgender sportswomen who transitioned after male puberty have an unfair advantage over their biological women counterparts and if so, should they be allowed to compete in the women’s category and if not, would the best solution be a third category in sports created just to enable them to compete in sporting activities?



Laurel Hubbard - the first openly transgender woman to compete in the Olympic Games

The third category was proposed since transgender women themselves go beyond our conventional way of thinking about how individuals fit in either female or male biological categories. The fact that transgender girls and women were born with biologically male bodies means that even after taking hormones or undergoing surgery or both, they do not fit neatly into female or male categories, biologically speaking.

In sports, those categories matter (Lopiano & Nelson, 2022). However, transgender sportswomen and their supporters balk at the idea of a third category being created just for them. They view this proposed solution as being discriminatory against them since they have transitioned and identify themselves as women, so there is no need for the creation of a third category just for the participation transgender women athletes in competitive sports.

Nevertheless, there is the issue of fair competition in competitive sports. It is the reason why separate women’s sports were created. Competitive sport is ultimately a physical test in which post-puberty males possess significant advantages.

During puberty, boys generally develop longer and denser bones, more muscle tissue, more strength, more speed, greater height, and greater lung capacity than girls. These differences provide men with a performance advantage that ranges from 8 to 50 percent. This is why men and women have different tee boxes in golf; different three-point arcs in basketball; different net heights in volleyball; and different hurdle heights in track (Lopiano et al, 2022).

DISCUSSION

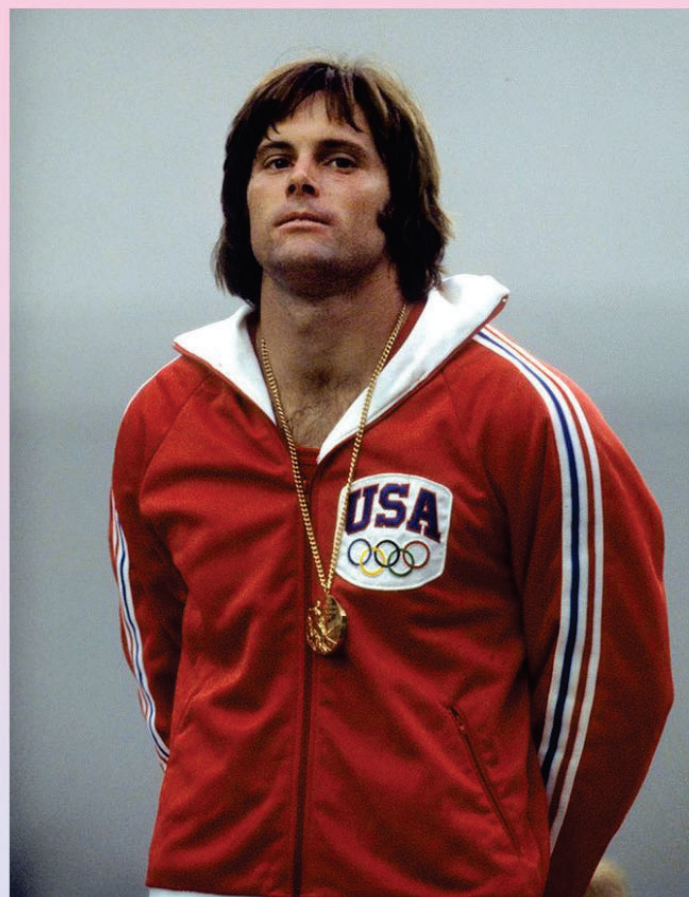
Broadly, males are bigger and stronger than females. It follows that, within competitive sport, males enjoy significant performance advantages over females, predicated on the superior physical capacity developed during puberty in response to testosterone (Handelsman et al, 2018). Thus, the biological effects of elevated pubertal testosterone are primarily responsible for driving the divergence of athletic performances between males and females.

Since the 1990s, the difference in performance records between males and females has been relatively stable, suggesting that biological differences created by androgenization explain most of the male advantage, and are insurmountable (Millard-Stafford et al, 2018).

Segregating sports by biological sex does not account for transgender persons who experience incongruence between their biological sex and their experienced gender identity, and whose legal sex may be different to that recorded at birth. More specifically, transgender women (observed at birth as biologically male but identifying as female) may, before or after cross-hormone treatment, wish to compete in the female category. This has raised concerns about fairness and safety within female competition, and the issue of how to fairly and safely accommodate transgender persons in sport has been subject to much discussion (Genel, 2017).

World Athletics Council, the governing body for international track and field, will bar transgender women athletes from elite competitions for women. The council's policy, which took effect starting March 31, 2022 largely targets athletes who transitioned from male to female after going through puberty as a male. The council said they ultimately decided to prioritize "fairness and the integrity" of the female competition over inclusion. Though the council says there are no transgender athletes currently in international track and field competition, the ruling could hinder several people who've won Olympic medals in the past (Kim, 2023).

The current International Olympic Committee (IOC) policy on transgender athletes states that "it is necessary to ensure insofar as possible that transgender athletes are not excluded from the opportunity to participate in sporting competition". Yet the policy also states that "the overriding sporting objective is and remains the guarantee of fair competition". As these goals may be seen as conflicting if male performance advantages are carried through to competition in the female category, the IOC concludes that "restrictions on participation are appropriate to the extent that they



Caitlyn Jenner, formerly known as Bruce Jenner, won the gold medal and broke the world record in decathlon in the 1976 Montreal Olympic Games. Source: Reddit

are necessary and proportionate to the achievement of the objective of fair competition" (Harper et al, 2015).

Accordingly, the IOC determined criteria by which transgender women may be eligible to compete in the female category. These include a solemn declaration that her gender identity is female and the maintenance of total serum testosterone levels below 10 nmol/L for at least 12 months prior to competing and during competition (Harper et al, 2015).

Whilst the scientific basis for this testosterone threshold was not openly communicated by the IOC, it is surmised that the IOC believed this testosterone criterion sufficient to reduce the sporting advantages of biological males over females and deliver fair and safe competition within the female category (Hilton & Lundberg, 2021).



Caitlyn Jenner has come out in support of swimming's world governing body World Aquatics/ FINA after they voted to restrict the participation of transgender athletes in elite women's competitions, saying women's sport needs to be protected. Source: Just Jared

CONCLUSION

The inclusion or exclusion debate of transgender women athletes in competitive sports will be endless. This is due to the fact that the requirements for transgender women athletes to compete in the women's category will always be subject to new developments and definitions in science as to what constitutes male and female, which in turn, will be the basis of the regulations imposed by the relevant sports committees on transgender women athletes.

If the eligibility requirements keep changing according to science, it can become the basis for transgender athletes to demand for the establishment of a third category in competitive sports exclusively for transgender athletes.

REFERENCES

Genel, M. (2017). Transgender athletes: how can they be accommodated?. *Current sports medicine reports*, 16(1), 12-13

Handelsman, D. J., Hirschberg, A. L., & Bermon, S. (2018). Circulating testosterone as the hormonal basis of sex differences in athletic performance. *Endocrine reviews*, 39(5), 803-829

Harper, J., Hirschberg, A. L., Jose, M., Patino, M., Ritzén, M., Vilain, E., ... & Thill, C. (2020). IOC consensus meeting on sex reassignment and hyperandrogenism. 2015

Hilton, E. N., & Lundberg, T. R. (2021). Transgender women in the female category of sport: perspectives on testosterone suppression and performance advantage. *Sports Medicine*, 51, 199-214

Kim, J. (2023). Transgender track and field athletes can't compete in women's international events. <https://www.npr.org/2023/03/24/1165795462/transgender-track-and-field-athletes-cant-compete-in-womens-international-events>

Lopiano, D., Nelson, M. B. (2022). A Fair And Inclusive Solution For Transgender Women In Sports.

<https://www.forbes.com/sites/donnalopiano/2022/08/04/a-fair-and-inclusive-solution-for-transgender-women-in-sports/?sh=6d841abb12ef>

Millard-Stafford, M., Swanson, A. E., & Wittbrodt, M. T.

(2018). Nature versus nurture: have performance gaps between men and women reached an asymptote?. *International journal of sports physiology and performance*, 13(4), 530-535.

Williams, J. B., & First, M.

(2013). Diagnostic and statistical manual of mental disorders. In *Encyclopedia of social work*.

