

What Advantage Does Difference Make? Leveling the Imperial Playing Field

By Daniel Heinz

ABSTRACT. In this article, I revisit the last ten years of international sport policies on gender testing in order to revise normative constructions of the athletes' bodies. Specifically, I focus on the International Association of Athletics Federation's (IAAF) new regulation from 2018 governing the eligibility of certain female athletes with differences of sexual development accompanied by elevated levels of natural testosterone. I argue that the IAAF testosterone regulation is based on a colonial continuity of upholding gender norms and racial hierarchies.

Introduction

Even though feminist and queer scholars are concerned with the processes by which culture and power shape and recreate bodies, some scholars appropriate bodies within the critical gender discourse. This especially happens in the discourse surrounding the South African sprinter, Caster Semenya. Since 2008, the International Association of Athletics Federation (IAAF) has aimed to exclude her from future events. Over the last 10 years, this has happened with various gender-based excuses; however, Caster managed to preserve her position on the playing field. Nevertheless, the last 10 years reflect the interests of feminist and queer scholars. Various papers were written about Caster's presumed gender identity and performance. One could argue that a subfield of 'Caster-Studies' emerged in the academic community (Cooky, Dycus, & Dworkin, n.d.; Günter, 2017; Issanchou, Ferez, & de Léséleuc, 2018; Magubane, 2014; Nyong'o, 2010; Orgeret, 2016; Pielke,

Tucker, & Boye, 2019; Schultz, 2011; Sloop, 2012; Swarr, Gross, & Theron, 2009; Young, 2015). Criticizing the stabilization of gendered binaries in all fields of society is an important task of our community; however, forming and reforming Caster's body for the sake of academic critique is not. Even though Caster never claimed any position other than the one of a woman (Brady, 2011), scholars proclaimed her with either an intersex or trans subjectivity.

This paper offers an approach that does not participate in the othering of Caster but, rather, focuses on a critique of the IAAF. Let me emphasize from the outset, I am not arguing against previous research on this case; instead, I am insisting that we must interrogate the policy makers. This critique, then, is not focusing on how Caster is constituted but, rather, on how IAAF governs through biopolitics and medicine. My analysis begins by presenting my theoretical framework. I think radical feminist critiques of power as a body-shaping practice often fail at analyzing particular events, as power does not operate timelessly and universally; moreover, according to Ann Laura Stoler (1995), we have to reformulate the discourse of gendered and sexed bodies also as discourse of "the privileges of white body politics" (Stoler, 1995). Thus, my queer critique of the body challenges race as a constitutive formation of social relations and social reproduction (Gutiérrez Rodríguez, 2010). This theoretical framework of both queer feminist theories and post-decolonial theories allows me to deconstruct the new IAAF policies of creating a "level playing field" for female runners. In this attempt, I reconstruct previous IAAF policies of the last ten years, first in order to challenge the contemporary discourse on why certain bodies seem to have an advantage in sports. As a result, I present a queer feminist and decolonial analysis on how global sporting institutions implement regulations to stabilize heteronormativity and racialized hierarchies of power.

Theoretical Framework

As a fundamental assumption, postcolonial studies pointed out that modern and contemporary power relations and social inequalities—even modernity itself as an idea—can only be explained by recognizing colonial history and, therefore, the impact of coloniality itself (Bhabha & EBSCO Publishing, 2004; Fanon, 2008; Hall & Open University, 1997; Said, 2003; Spivak, 1988). Thus, mapping the body in the field of sports can only succeed with the knowledge of colonial pasts and presents. This knowledge about bodies is directly connected with power; moreover, “[power and knowledge are] directly implied by one another... there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations” (Foucault, 1995). More specifically, Foucault (1995) would argue the impact of these power-knowledge relations towards bodies “invest human bodies and subjugate them by turning them into objects of knowledge” (Foucault, 1995). This can be seen, for example, in the global sports discourse. Soccer served in the British Empire as a unifying practice across economic and social classes within colonizers (Bale & Cronin, 2003). Thus, British colonizers promoted normative values like dominant manhood, discipline, and self-control through British soccer (Bale & Cronin, 2003).

On the other side, soccer became for enslaved people an opportunity for resistance. As Laura Fair (1997) highlights, the British Colonizers struggled in maintaining control over the hegemonic value of soccer in Zanzibar: “although the British wrote and administered the rules of play, they exercised very little influence over how teams were organized in the neighborhoods or the meanings which men attributed to the game within their own lives” (Fair, 1997). As a result, I want to emphasize that sports can be a tool of oppression. For example, Karin Tschirren (2013) highlighted in a case study that the initiators of

swimming classes for female Muslim migrants in Germany aimed to reproduce German imaginations on bodies, such as the value of fitness, hygiene, health, and especially the emancipation from male Muslim oppression. This is important, as one might argue that sports have lost their power to oppress; however, it is not the physical activity itself, but, rather, the social entanglement, that sports operate and execute power by. Sports as a cultural practice can therefore not be innocent.

This historical contextualization needs to be connected with feminist sport scholars as they also highlight processes of exclusion and hierarchization in which sports reaffirm gendered binaries as natural and fair play (Cole, 1993). Moreover, queer-feminist sport scholars reject the traditional assumption of biological sex distinctions and offer a reconceptualization of how biological differences can be understood (Hovden & Pfister, 2006). In particular, the idea of a universal distinction between cis-men and cis-women, on which social gender categories elaborate, has been increasingly criticized as being too rigid and failing to account for the constructive character of so-called biological advantages. In addition, hegemonic sports culture is constituted by “hierarchical gender structures as well as gendered ideologies surrounding male superiority and heteronormativity” (Hovden & Pfister, 2006, p. 6).

A Century of Suppression: Female Testing in Global Sport Institutions

In the beginning, only white men were allowed to participate in sports (Hargreaves, 2002). In 1900, women were allowed to participate in lawn tennis and golf at the Olympics (Hargreaves, 2002, p. 209). During the early years, female athletes were subjected to genital examinations by men and were required to provide “femininity certificates” (Segrave, 2018, p. 127).

The first degrading IAAF gender test was performed at the European Championships in 1966; it required all female competitors to undergo a physical inspection by a panel of doctors (Hay, 1972). The IAAF initiated the sex testing “because there had been persistent speculation through the years about women who turn in manly performances” (Schultz, 2011). Although all 243 athletes who submitted to this private humiliation passed, six athletes withdrew from the competition (Simpson et al. 1993).

In 1968, the International Olympic Committee (IOC) decided against physical examinations; instead, they implemented a chromosomes approach for a “simpler, objective, and more dignified” method (Hay, 1972, p. 998). Some athletes preferred either to feign injury or to retire rather than to subject themselves to the inevitable publicity (Genel & Ljungqvist, 2005). The International Olympic Committee’s Athletes Commission hence called for the examinations’ discontinuation in June 1999 (Genel & Ljungqvist, 2005). Nevertheless, the medically responsible body of international federations at a competition maintains the right to arrange for verification of an athlete’s sex if it is called into question (Reeser, 2005).

Before Caster’s first competition in Berlin, she was made to undergo tests without being fully aware of their nature (Samuel, 2009). Later, the IAAF reported that the incredible improvement in Caster’s performance triggered the investigation. In addition, her non-normative appearance raised questions about her eligibility to compete as a female athlete. IAAF spokesman Nick Davies publicly emphasized that the testing is extensive, beginning with a visual evaluation by a physician: “there is chromosome testing, gynecological investigation, all manner of things, organs, X-rays, scans” (Wilson, 2009). None of the routinely accepted testing principles were respected from the beginning. The IAAF used methods that abounded years ago. Ethically, these examinations were

highly questionable, as no prior genetic counseling was held; but, more gravely, these examinations were problematic because they failed to inform Caster of the nature of the tests. The results of the gender-verification tests on Caster were awaited by the end of November 2009, but IAAF decided not to disclose those results (Longman, 2009).

Eleven months passed before IAAF officials permitted Caster to race again, due to the evaluation of the test results. The IAAF issued a press statement that “accept[ed] the conclusion of a panel of medical experts that she can compete with immediate effect” (IAAF, 2010). However, the IAAF was affected by the controversy and reacted with changes in the international sport-governing policies on gender-verification tests. In May 2011, the IAAF released the IAAF Regulations Governing Eligibility of Female Athletes with Hyperandrogenism to Compete in Women’s Competition policy. This policy outlined the eligibility of female athletes in 14 pages. As part of the new policy, interestingly, the IAAF changed their internal wording by no longer using the term gender testing. From this point on, women with hyperandrogenism were forced to agree to the policies and to submit to tests if they wished to compete. Women who refused the test or who were found with higher androgen levels than within the “normal male range” could be ineligible. The examinations “may include, when necessary, the expert medical panel referring an athlete with potential hyperandrogenism for full examination and diagnosis in accordance with the best medical experts at one of the 6 IAAD-approved specialist reference centers around the world” (IAAF, 2011). This was supposed to be “the result of an 18-month-long review by an IAAF expert working group” (IAAF, 2001).

A week before the 2012 Olympics, a group of medical experts gathered for the International Convention on Medicine in Sports in Glasgow. The Scholars at this conference discussed how much testosterone a female

athlete should be allowed to possess naturally in her body. Stephane Bermon, the head of the IAAF's medical commission, discussed the new testosterone policy. His presentation "Men and Women: Different Phenotypes" examined the ideal body. One picture showed a woman from Francisco Goya's late-18th-century painting, an idealized white woman as premature, curved, nude, and with no pubic hair" (Karkazis & Jordan-Young, 2018). In contrast to that, the male picture showed the photography of an oiled, black bodybuilder, a "comic book hero with approximately zero body fat" (Karkazis & Jordan-Young, 2018). With these pictures, Bermon intended to link high testosterone level with advantages in physical strength; however, as Karkazis and Jodrand Young highlighted, this presentation used racial imaginations of masculinity and femininity. Blackness is presented as hyper masculine and full of testosterone, while in contrast whiteness is a female attribute of purity (Karkazis & Jordan-Young, 2018). This sets race as a gendered and biological category. Most of the women that the IAAF has "discovered" in the past decade as possessing high testosterone come from the Global South. "As scholars argue, women from the Global North who would have had high testosterone levels have undergone routinized medical intervention early in life" (Karkazis & Jordan-Young, 2018).

Until 2015, the IAAF governed the sports-landscape with these new rules; however, the Court of Arbitration for Sport (CAS) suspended the rule as a result of a challenge brought by Indian athlete Dutee Chand, who has been suspended under the regulation. The CAS suspended the IAAF regulation based on missing scientific evidence. According to physiologist Jeffrey Segrave (2018), the "female fairness policy" is unfair, as "policing femininity [cannot work] as human bodies cannot be divided into two discrete categories" (p. 125). Moreover, "neither hyperandrogenism nor testosterone levels accurately predict success in sports; the policy ignores unfair

differences in access to resources such as training, coaching, technology, facilities, and nutrition, which influence performance more than testosterone” (Segrave, 2018). This regulation, however, was supported by the International Olympic Committee (IOC) in a meeting on sex reassignment and hyperandrogenism held in November 2015. The meeting’s outcome highlights that transmen are more than welcome to compete without regulations in the men’s category, but transwomen must declare their identity as woman for at least 4 years and must demonstrate a testosterone level below 10 nmol/L. The IOC spoke out to support the IAAF and stated that “rules should be in place for the protection of women in sport and the promotion of the principles of fair competition. To avoid discrimination, if not eligible for female competition, the athlete should be eligible to compete in male competition.” (IOC, 2015).

The IAAF and the Obsession with Testosterone

After losing their old regulation, the IAAF announced a new policy governing the eligibility of certain female athletes in April 2018 (IAAF, 2018a). Again, the IAAF changed their wording. Now the policy aims to level the playing field with a focus on females with differences of sexual development—however, this policy only targets females whose natural testosterone level is elevated. The testosterone limit is no longer 10 nmol/L but 5 nmol/L. In addition, the policy only applies to runs between 400m and 1 mile. As a result, the regulation only affects a certain group of runners, such as Caster. To legitimate this decision, the IAAF published an in-house study (Bermon & Garnier, 2017). Roger Pielke examined the study and proclaimed it as a study with “flawed data and unreliable results” (Bermon & Garnier, 2017, p. 3). Moreover, the IAAF states that this peer-reviewed study must be valid; however, Pielke corrected this claim, as IAAF refused to release the data associated with the study to other

researchers and even to the journal BG17 (Bermon & Garnier, 2017). The IAAF paper, in addition, states that more than just the 400m to 1-mile run would be affected, which qualifies the assumption that IAAF targeted Caster specifically. In the end, the IAAF study, according to Pielke, is not valid. Caster now holds a lawsuit at CAS against IAAF.

The official IAAF paper from the 26th of April states that this action was made in order to “inspire new generations to join the sport and aspire to the same excellence” (IAAF, 2018, p. 3). Otherwise, females without higher testosterone would feel disadvantaged, as testosterone would “provide significant performance advantages” (IAAF, 2018, p. 3); and, therefore, IAAF focuses on “talent, dedication and hard work rather than other contributing factors.” However, the promised gender-mainstreaming remains as what Sara Ahmed calls “non-performative” (Ahmed, 2006). These acts remain to be nothing more than vague speech acts, as they do not empower marginalized women at all.

In a statement on the 19th of June, the IAAF adds that “competitions between men and women are as meaningless and unfair as an adult competing against a child” (IAAF, 2018b); however, various examples prove that women can win against men (Schulz, 2012, 230). As a direct reaction to this attack, the Women’s Sport Foundation spoke out in favor of Caster and pointed out the not even subtle heterosexism from the IAAF in an open letter on the 10th of July in 2018 (WSF, 2018). This open letter states that “no woman should be required to change her body to compete in women’s sports” (WSF, 2018, p. 2), as hormone therapy to lower testosterone results is the only solution for these women. The WSF analyzed that “Women’s bodies... are at imminent risk” (WSF, 2018, p. 3) because of this act. The IAAF responded on the 17th of July; however, before that, they published a statement on the 16th of July on how they aim to support females in sports (IAAF, 2018c; IAAF, 2018d). In this response letter, the

IAAF states to “never try to prevent women from participating in athletics...; in fact, the IAAF has been one of the foremost advocates for women’s sports for almost a century” (IAAF, 2018d). However, the IAAF forgot the insulting and humiliating testing tradition of the last century.

Instead, women do not need to lower their testosterone level if they want to continue to compete, as “the choice is theirs” (IAAF, 2018d). Athletes like Caster could compete in intersex events; however, these competitions do not exist (WSF, 2018). Besides WSF, Human Rights Watch also published an open letter towards IAAF (HRW, 2018).

On the 16th of October 2018, the IAAF agreed to not implement the regulation in exchange for an expedited CAS hearing (IAAF, 2018e). By the end of May 2019, the CAS will decide whether the new regulation can be implemented. According to the IAAF, the world of sports might risk “losing the next generation of female athletes, since they will see no path to success in our sports” (IAAF, 2019) when certain females are allowed to compete.

Conclusion

On the 8th of March, International Women’s Day, a group of students from the North-West-University, Potchefstroom, traveled to Pretoria in order to demonstrate in front of the Swiss embassy in South Africa. Up until then, Caster had been fighting at the CAS in Switzerland. As fellow students at the North-West-University, we supported her on International Women’s Day in solidarity. The current competitive structure of global sporting events requires Caster to identify as either a man or a woman in order to compete—there is no alternative nor third category for athletes. The IAAF explains the modern negotiations of the global sporting institution as the vulnerable core of white supremacy and heteronormativity. In the case of the new regulation, Sylvia Wynter would argue that the “human

other” (Wynter, 2003) is not allowed on the playing field as a way to create “a wall that separates the pure from the impure” (Wynter, 2013, p. 259). As Dvora Meyers points out, “the obsession with Caster’s body was racist from the very beginning” (Meyers, 2019). The IAAF clearly proclaimed a witch hunt against certain females such as Caster. Why would the examination in 2009 allow her to run, but 10 years later the IAAF changed their mind? Why did the IAAF change the testosterone limit from 10 nmol/L to 5 nmol/L? No one has seen the data of their study. In 2018, Caster participated in 10 competitions of 800m and only won two. Where is the advantage? These and more questions remain unanswered. Nevertheless, a feminist front stays behind Caster. In South Africa, not only the ANC but more parties and civil actors such as the trade union federation COSATU show solidarity with Caster. On the 8th of April, a unified front of feminists demonstrated in favor of Caster. And we will continue to demonstrate until justice is won.

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