

EMERALD STUDIES IN SPORT AND GENDER



JUSTICE FOR TRANS ATHLETES

Challenges and Struggles

EDITED BY ALI DURHAM GREY
AND HELEN JEFFERSON LENSKEYJ

Justice for Trans Athletes

Emerald Studies in Sport and Gender

Series Editor: Helen Jefferson Lenskyj, University of Toronto, Canada

Editorial Board: Doug Booth, University of Otago, New Zealand; Jayne Caudwell, Bournemouth University, UK; Delia Douglas, University of Manitoba, Canada; Janice Forsyth, University of Western Ontario, Canada; Tara Magdalinski, Swinburne University of Technology, Australia; Jaime Schultz, Pennsylvania State University, USA; Heather Sykes, University of Toronto, Canada; Beccy Watson, Leeds Beckett University, UK.

Emerald Studies in Sport and Gender promotes research on two important and related areas within sport studies: women and gender. The concept of gender is included in the series title in order to problematize traditional binary thinking that classifies individuals as male or female, rather than looking at the full gender spectrum. In sport contexts, this is a particularly relevant and controversial issue, for example, in the case of transgendered athletes and female athletes with hyperandrogenism. The concept of sport is interpreted broadly to include activities ranging from physical recreation to high-performance sport.

The interdisciplinary nature of the series will encompass social and cultural history and philosophy as well as sociological analyses of contemporary issues. Since any analysis of sport and gender has political implications and advocacy applications, learning from history is essential.

Contributors to the series are encouraged to develop an intersectional analysis where appropriate, by examining how multiple identities, including gender, sexuality, ethnicity, social class and ability, intersect to shape the sport experiences of women and men who are Indigenous, racialized, members of ethnic minorities, LGBTQ2S+, working class, or disabled.

We welcome submissions from both early career and more established researchers.

Previous Volumes

Gender, Athletes' Rights, and the Court of Arbitration for Sport – Helen Lenskyj

Running, Identity and Meaning: The Pursuit of Distinction Through Sport – Neil Baxter

Sports Charity and Gendered Labour – Catherine Palmer

The Professionalisation of Women's Sport: Issues and Debates – Edited by Ali Bowes and Alex Culvin

Sport, Gender and Mega-Events – Edited by Katherine Dashper

Sport, Gender and Development: Intersections, Innovations and Future Trajectories – Lyndsay M.C. Hayhurst

Gender Equity in UK Sport Leadership and Governance – Edited by Philippa Velija and Lucy Piggott

Forthcoming Volumes

Women's Football in a Global, Professional Era – Edited by Alex Culvin and Ali Bowes

Trans Athletes' Resistance: The Struggle for Justice in Sport – Edited by Ali Greey and Helen Jefferson Lenskyj

'The sudden controversies over trans women's place in elite sports call for investigation. This book traces how moral panics have been fabricated to justify prejudice and exclusion. It carefully unpacks the policies of different sports bodies and shows how a spurious rhetoric of "science" is invoked to maintain social barriers. Equally important, the authors offer a positive approach based on principles of justice. In brief: an important resource'.

—Raewyn Connell, author of *Gender: In World Perspective*

Justice for Trans Athletes: Challenges and Struggles

EDITED BY

ALI DURHAM GREEY

University of Toronto, Canada

And

HELEN JEFFERSON LENSKEYJ

University of Toronto, Canada



United Kingdom – North America – Japan – India – Malaysia – China

Emerald Publishing Limited
Howard House, Wagon Lane, Bingley BD16 1WA, UK

First edition 2023

Editorial matter and selection © 2023 Ali Durham Greey and Helen Jefferson Lenskyj.
Individual chapters © 2023 The authors.
Published under exclusive licence by Emerald Publishing Limited.

Reprints and permissions service

Contact: permissions@emeraldinsight.com

No part of this book may be reproduced, stored in a retrieval system, transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise without either the prior written permission of the publisher or a licence permitting restricted copying issued in the UK by The Copyright Licensing Agency and in the USA by The Copyright Clearance Center. Any opinions expressed in the chapters are those of the authors. Whilst Emerald makes every effort to ensure the quality and accuracy of its content, Emerald makes no representation implied or otherwise, as to the chapters' suitability and application and disclaims any warranties, express or implied, to their use.

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

ISBN: 978-1-80262-986-6 (Print)

ISBN: 978-1-80262-985-9 (Online)

ISBN: 978-1-80262-987-3 (Epub)



ISOQAR

REGISTERED

Certificate Number 1985
ISO 14001

ISOQAR certified
Management System,
awarded to Emerald
for adherence to
Environmental
standard
ISO 14001:2004.



INVESTOR IN PEOPLE

Ali and Helen would like to dedicate this book to trans athletes of all ages and levels.

This page intentionally left blank

Table of Contents

About the Contributors	<i>xi</i>
List of Contributors	<i>xvii</i>
Acknowledgements	<i>xix</i>

Part 1 Trans Inclusion: Contested Terrain

Chapter 1 Introduction: The Binary World of Sport	3
<i>Helen Jefferson Lenskyj and Ali Durham Greey</i>	
Chapter 2 The Future of Women’s Sport Includes Transgender Women and Girls	17
<i>Jaime Schultz, Anna Baeth, Anne Lieberman, Lindsay Parks Pieper and Elizabeth A. Sharrow</i>	
Chapter 3 Making Sense of Debate Over Transgender Athletes in Olympic Sport	31
<i>Roger Pielke Jr.</i>	
Chapter 4 ‘Female’ Sport and Testosterone Panic	45
<i>Travers</i>	

Part 2 Trans Rights: Global, National, Local

Chapter 5 Competitive Fairness or Inclusion: Balancing Governance and Human Rights Law	63
<i>Lauren McCoy Coffey</i>	

Chapter 6 Examining World Rugby’s Transgender Ban and the Perspectives of Cisgender Women Who Play Rugby in England, Canada and Australia 75
Richard Pringle and Erik Denison

Chapter 7 Something Old, Something New: Biofeminist Resistance to Trans Inclusion in Sport 95
Madeleine Pape

Chapter 8 ‘This Bill Is About Fairness’: An Argument Against the Prioritization of Competitive Fairness at the Expense of Justice in US School Sport 109
Colleen English and Lindsay Parks Pieper

Part 3 Media Complicity in Trans Exclusion

Chapter 9 Mediated Moral Panics: Trans Athlete Spectres, the Haunting of Cisgender Girls and Politicians as Moral Entrepreneurs in 2021 137
Anna Baeth and Anna Goorevich

Chapter 10 ‘We’re Missing That Humanity’: A Feminist Media Analysis of Laurel Hubbard and the Tokyo Olympic Games 151
Monica Nelson, Shannon Scovel and Holly Thorpe

Chapter 11 Conclusion: Challenges, Struggles and the Way Forward 165
Ali Durham Greey and Helen Jefferson Lenskyj

Index 175

About the Contributors

Dr Anna Baeth (she/her) is the Director of Research for Athlete Ally. She is a critical feminist scholar and a cultural studies practitioner of sport. Baeth holds a doctorate in Kinesiology from the University of Minnesota, with a concentration in Sport Sociology.

While there, Baeth was a research assistant in the Tucker Center for Research on Girls & Women in Sport. In 2018, Baeth received a research grant through the NCAA for her work on gender performances amongst women with career longevity in Division-I coaching.

Beyond her scholarly pursuits, Baeth is a perennial coach and advocate for cultural awareness in sport spaces. Prior to her doctorate, Baeth earned a Master's in Exercise and Sport Studies from Smith College and was the Head Field Hockey Coach at Oberlin College and Conservatory. She founded the not-for-profit organization, Chester Neighborhood Bike Works, while at Swarthmore College where she played field hockey and lacrosse and majored in Sociology/Anthropology, Educational Studies and Peace Studies.

Dr Erik Denison (he/him) is a research fellow with the Faculty of Education and BehaviourWorks Australia at Monash University. He is a social psychologist with a research focus on identifying effective ways to change exclusionary behaviours and practices in sport and other traditionally male settings.

Dr Colleen English (she/her) is an Associate Professor of Kinesiology at Penn State Berks. Her research is focused on philosophical issues in sport, analyzed through a feminist lens. This work is centred on issues around values, competition, masculinity and femininity, and narrative in sport. In addition to her philosophic work, Colleen also engages in research in the history of sport, with an emphasis on how ideas about femininity and women's physiology limited women's participation in track and field and about the origins of roller derby as sport for women. Colleen's recent work can be found in *Sport, Ethics and Philosophy*, the *Journal of the Philosophy of Sport* and *Sport History Review*.

Anna Goorevich (she/her) is the 2021–2022 US-UK Fulbright Postgraduate Scholar at the University of Stirling in Scotland, UK. A recent graduate of Franklin & Marshall College in Lancaster, Pennsylvania, USA, with a BA in American Studies, she is currently pursuing a Master's Degree in Sport Management at the University of Stirling. Goorevich's research interests revolve

around the intersections of sport, equity, youth development and gender identity. Her previous research background has involved studies of athletic leadership, gender essentialism and heteronormativity as well as gender inequity in youth soccer programmes in the UK. Currently, Goorevich's Master's thesis focuses on coach-athlete relationships and communication regarding the menstrual cycle. Outside of academic pursuits, Goorevich is a coach in girls' soccer/football programmes in both the United States and the United Kingdom. Beginning in Autumn 2022, Goorevich will attend the University of Minnesota as a PhD in Kinesiology, with a concentration in Sport Sociology where she will also serve as a research assistant in the Tucker Center for Research on Girls & Women in Sport.

Ali Durham Greey (they/them) is a PhD candidate in the Department of Sociology at the University of Toronto. Their work examines the experiences of trans and non-binary people in sport and in education. Ali is a SSHRC-Joseph-Armand Bombardier Scholar and a retired member of the Canadian Olympic boxing team. Ali's work has been featured in *The Journal of Homosexuality*, *The Routledge Handbook of Athlete Welfare*, *Athlete Learning in Elite Sport*, and *Leisure Studies*. www.aligreey.com

Dr Helen Jefferson Lenskyj (she/her) is Professor Emerita, University of Toronto. Her work as a researcher and activist on gender and sport issues began in the 1980s, and her critiques of the Olympic industry include seven books, most recently *The Olympic Games: A Critical Approach* (Emerald, 2020). helenlenskyj.ca

Anne Lieberman (they/them) is the Director of Policy & Programs for Athlete Ally, a 3x national Muay Thai Champion and Coach, and Chair of USA Muaythai's Gender Equality Commission. Anne has an MA in Human Rights from Columbia University and a BA in African and African American Studies and Women's Studies from Fordham University. Anne is a former Fulbright Fellow and Schomburg Center for Research in Black Culture Research Fellow.

Dr Lauren McCoy Coffey, JD (she/her) is an Assistant Professor of sport management and the programme director for the Sport and Fitness Administration graduate programme at Winthrop University where she teaches sport law. Prior to joining the faculty at Winthrop, Dr Coffey was an Assistant Professor at Western Kentucky University and the University of Wisconsin-Parkside. She earned her JD from Marquette University Law School, received a sport law certificate from the National Sports Law Institute based at Marquette and has a BA in American Studies from Stanford University with a concentration in race and the law in America. Her research interests include gender equity through Title IX and other legislation, addressing governance/institutional liability for discrimination in sport, and athletes' rights. In her spare time, Dr Coffey enjoys cooking and travelling with her husband and their dog.

Monica Nelson (she/her) (MA Kinesiology, University of Maryland) is an incoming doctoral student to the University of Waikato Te Huataki Waiora

School of Health (New Zealand). Reflecting her long-term and multifaceted involvement in Olympic Weightlifting – as an athlete, coach and a member of international media – her research interests are centred around critical cultural examination of strength sports, with a special emphasis on gender and the body. Her Master's thesis explored the sociocultural construction of athletic bodies in American Olympic Weightlifting, focusing on the negative impact of dominant gendered and obesity discourses on athlete health and performance. To date, her writing based on this project has been published in *Qualitative Research on Sport, Exercise and Health* and has been awarded the Barbara Brown Outstanding Student Paper Award by the North American Society for the Sociology of Sport. Monica's forthcoming doctoral research will build upon her interest in the cultural shaping of strength-training bodies by analyzing how normative conceptions of sex, gender and athleticism impact female Olympic Weightlifters' bodily practices and capacity for maximal strength.

Dr Madeleine Pape (she/her) is a sociologist and Postdoctoral Researcher at the University of Lausanne, Switzerland, where she is affiliated with the Institute of Sports Sciences, Centre for Gender Studies, and STS-Lab. She obtained her PhD in the Department of Sociology at the University of Wisconsin-Madison in 2019. Her research examines feminist and scientific debates over biological sex and how contested claims about sex difference shape the pursuit of gender equity in sport and biomedical research. Previously, Dr Pape competed internationally for Australia in the sport of track-and-field, including in the 800 m at the 2008 Olympic Games and 2009 World Championships.

Dr Lindsay Parks Pieper (she/her) is an Associate Professor of Sport Management and the Director of the Gender Studies Program at the University of Lynchburg, USA. She is the author of *Sex Testing: Gender Policing in Women's Sports*.

Dr Roger Pielke Jr. (he/him) is a Professor at the University of Colorado Boulder, where he studies, writes and teaches on contested issues at the intersection of science, policy and politics.

Dr Richard Pringle (he/him) is Professor of Sport and Physical Education at Monash University, Australia. He is a critical qualitative researcher who examines diverse socio-cultural and pedagogical issues associated with sport, bodies, genders and sexualities.

Dr Jaime Schultz (she/her) is a Professor of Kinesiology at Pennsylvania State University with an affiliate faculty appointment in Women's, Gender and Sexuality Studies. An award-winning teacher and scholar, she has published 60 articles and chapters, as well as six books, including *Qualifying Times: Points of Change in US Women's Sport* (Illinois University Press, 2014), *Women's Sport: What Everyone Needs to Know* (Oxford University Press, 2018) and *Women and Sports in the United States: A Documentary Reader*, co-edited with Jean O'Reilly and Susan K. Cahn (Dartmouth College Press, 2018). She currently serves as co-editor for the University of Illinois Press's 'Sport and Society' Series.

Shannon Scovel (she/her) is a PhD candidate in the College of Journalism at the University of Maryland studying the representation of women in sports and digital media. A 2017–2018 Fulbright scholar, Shannon earned her Master's Degree in Gender Studies at the University of Stirling and her undergraduate degree in Journalism at American University. Her Master's dissertation focused on the coverage of women during the 2008, 2012 and 2016 Olympics in *The Times* (UK), and her research continues to explore the relationship between gender, sport and journalism. Shannon's interest in media studies stems from her experience as a student-athlete and college wrestling reporter for NCAA.com, and she has published a book chapter on women's wrestling apparel in *Sportswomen's Apparel Around the World: Uniformly Discussed* as well as metajournalistic discourse analysis research on the legacy of Kobe Bryant. Her doctoral dissertation builds on her previous sports media research and explores how women athletes promote themselves on social media in the era of Name, Image and Likeness.

Dr Elizabeth A. Sharrow (they/she) is Associate Professor in the School of Public Policy and the Department of History at the University of Massachusetts Amherst. She holds a PhD in Political Science and her work focuses on the politics of sex and gender in US politics and public policy. They are published in many peer-reviewed and public-facing outlets, and are funded by the National Science Foundation, the Social Science Research Council and the American Association of University Women, among others.

Dr Holly Thorpe (she/her) is a Professor in the Sociology of Sport and Physical Culture at the University of Waikato, Aotearoa, New Zealand. Her research focuses on sport, physical culture and gender, and she continues to seek new innovations in social theory, qualitative methods and representational styles to better understand the complexities of moving bodies and sporting cultures. She has published over 100 articles and chapters on these topics, and has authored five books and nine edited books. Her most recent books include *Action Sports and the Olympic Games: Past, Present, Future* (with Belinda Wheaton, Palgrave, 2022), *Sport, Gender and Development: Intersections, Innovations and Future Trajectories* (with Lyndsay Hayhurst and Megan Chawansky, Emerald, 2021), and *Feminist New Materialisms, Sport and Fitness: A Lively Entanglement* (with Julie Brice and Marianne Clark, Palgrave, 2020). She is co-editor of the Palgrave series *New Femininities in Digital, Physical and Sporting Cultures* (with Kim Toffoletti and Jessica Francombe-Webb). She is a recipient of Fulbright and Leverhulme Fellowships, and most recently was awarded a two-year James Cook Fellowship. Driven to do research that contributes towards social change, Professor Thorpe works closely with an array of international and national sports organizations to inform new practices, processes and policy development.

Dr Travers (they/them) is a Professor of Sociology at Simon Fraser University. Their recent book, *The Trans Generation: How Trans Kids (and Their Parents) Are Creating a Gender Revolution*, situates trans kids in Canada and the United States, white settler nations characterized by significant social inequality.

In addition to a central research focus on transgender children and youth, Dr Travers has published extensively on the relationship between sport and social justice, with particular emphasis on the inclusion and exclusion of women, queer and trans people of all ages. Such publications include ‘Women’s Ski Jumping, the 2010 Olympic Games and the Deafening Silences of Sex Segregation, Whiteness and Wealth’, in the *Journal of Sport and Social Issues*; ‘Queering Sport: Lesbian Softball Leagues and the Transgender Challenge’, in *International Review for the Sociology of Sport*, co-authored with Jillian Deri; and ‘The Sport Nexus and Gender Injustice’, in *Studies in Social Justice Journal*. Dr Travers is the leader of two research teams, one focusing on gender equity in youth baseball (‘Wrestling with Jello: Good Dad Masculinity in Children’s Baseball’, in the *Sociology of Sport Journal*) and the other on community formation and transportation policy and planning with regard to electric micromobilities (Travers rides an electric unicycle in place of automobility whenever possible).

This page intentionally left blank

List of Contributors

<i>Anna Baeth (shelher)</i>	Athlete Ally, USA
<i>Erik Denison (helhim)</i>	Monash University, Australia
<i>Colleen English (shelher)</i>	Penn State Berks, USA
<i>Anna Goorevich (shelher)</i>	University of Stirling, UK
<i>Ali Durham Greey (they/ them)</i>	University of Toronto, Canada
<i>Helen Jefferson Lenskyj (shelher)</i>	University of Toronto, Canada
<i>Anne Lieberman (they/them)</i>	Athlete Ally, USA
<i>Lauren McCoy Coffey (shelher)</i>	Winthrop University, USA
<i>Monica Nelson (shelher)</i>	University of Waikato Te Huataki Waiora School of Health, New Zealand
<i>Madeleine Pape (shelher)</i>	University of Lausanne, Switzerland
<i>Lindsay Parks Pieper (shelher)</i>	University of Lynchburg, USA
<i>Roger Pielke Jr. (helhim)</i>	University of Colorado Boulder, USA
<i>Richard Pringle (helhim)</i>	Monash University, Australia
<i>Jaime Schultz (shelher)</i>	Pennsylvania State University, USA
<i>Shannon Scovel (shelher)</i>	University of Maryland, USA
<i>Elizabeth A. Sharrow (they/ she)</i>	University of Massachusetts Amherst, USA
<i>Holly Thorpe (shelher)</i>	University of Waikato, New Zealand
<i>Travers (they/them)</i>	Simon Fraser University, Canada

This page intentionally left blank

Acknowledgements

First and foremost, we thank the authors who have contributed to *Justice for Trans Athletes: Challenges and Struggles*. We recognize the invaluable work done by these pioneering scholars, especially the trans athletes, activists and allies whose voices are heard in the following chapters.

We also thank Katy Mathers, Abinaya Chinasammy and the team at Emerald Publishing for their support and commitment to this project.

Helen would like to thank her children and her partner, Liz, for love and support, and Liz for her usual excellent proofreading. The impetus for the book comes from years of conversations with colleagues and friends, all of whom have influenced my thinking in unanticipated ways. Finally, it was a pleasure to collaborate with Ali on this project, and I look forward to co-editing the sequel, *Trans Resistance: Athletes' Struggle for Justice*.

Ali would like to thank Lorraine and Mer for their encouragement and support. Ali would like to extend their heartfelt thanks to the following for their mentorship and support: Jessica Fields, Jen Gilbert, David Pereira, Boba Samuels, Lee Airton and Caroline Fusco. Editing this volume with Helen has been a dream come true for a junior scholar like me. Thank you, Helen, for your mentorship and friendship.

Front cover photo credit: Meredith Gamble

This page intentionally left blank

Part 1

Trans Inclusion: Contested Terrain

This page intentionally left blank

Chapter 1

Introduction: The Binary World of Sport

Helen Jefferson Lenskyj and Ali Durham Greey

Abstract

The last decade has seen significant positive changes in global attitudes, policies and practices that impact the lives of trans people. Meanwhile, the world of sport has been notoriously slow to follow these social justice initiatives. In fact, sport has the dubious distinction of lagging behind almost every other western social organization on issues of discrimination, whether based on sex, gender, ‘race’, ethnicity, social class, religion or ability. Underlying these trends is the binary thinking that has formed the basis for gender categories of sport and physical activity for over a century.

The introduction begins as Helen Lenskyj extends the issue of justice for trans athletes beyond the scope of sport. Next, the contemporary socio-political contexts in the US, UK, and beyond are outlined. A brief description of the common ground between justice for trans and intersex athletes is provided, while noting that the focus of this book is on trans athletes. An overview of terminology is presented.

Ali Greey then describes their personal experience competing for Canada as a non-binary athlete. Engaging [Gleaves and Lehrbach’s \(2016\)](#) work, their argument challenges the viability of making trans-exclusive physiological equivalency synonymous with a rhetoric of fairness. Finally, the authors explain the volume’s analytic frameworks and present an overview of the contents, summarizing the key themes and findings.

Keywords: Binary thinking; intersectionality; justice; fairness; sex; gender

Part One – Helen Jefferson Lenskyj

In the 1980s and 1990s, my colleague and friend Brian Pronger and I gave a number of presentations on gays and lesbians in sport, ranging from the 1989 conference of the North American Society for Sport Sociology to local community groups ([Pronger, 1990](#)). Sadly, Brian isn’t here today to share what would

Justice for Trans Athletes, 3–15

Copyright © 2023 Helen Jefferson Lenskyj and Ali Durham Greey

Published under exclusive licence by Emerald Publishing Limited

doi:[10.1108/978-1-80262-985-920221001](https://doi.org/10.1108/978-1-80262-985-920221001)

undoubtedly be his unique perspective on issues relating to trans athletes. To illustrate the salience of gender, Brian would often begin his talk by pointing out that, long after you've forgotten other details about a person whom you met years ago, you'll remember if they were male or female. However, today, remembering someone from the past, I'm no longer as confident about their gender – and this may be a reflection of the diminishing significance of gender in an era where lines are increasingly blurred. Even five years ago, we would never have predicted that Zoom meetings would become an everyday event, that participants would identify the pronouns of their choice onscreen, and that *they/them* would no longer be seen as extraordinary.

More significantly, the impetus behind my involvement as co-editor with Ali Greey of this book, *Justice for Trans Athletes: Challenges and Struggles*, and the forthcoming sequel, *Trans Resistance: Athletes' Struggle for Justice*, was the ever-growing number of American states that were poised to enact legislation banning trans girls and women from competing in female sport, and the escalating level of online vitriol targeting trans athletes and their allies, including academic researchers. By early 2022, overt hostility had reached the point where one of our American contributors, Roger Pielke, received a warning from his university about a possible harassment campaign carried out by a group that routinely harassed professors – in this case, those who opposed his position on trans inclusion (Pielke, 2022, Personal communication).

How These Books Evolved

In 2019–2020, as editor of Emerald Publishing's new Sport and Gender book series, I had corresponded or met with a number of potential authors, including Ali Greey. In response to my follow-up email in March 2021, Ali suggested co-editing a collection on gender diversity in sport, but, at the time, I simply filed the idea away for future consideration. That moment came the next month with the escalation of hatred targeting trans girls and women, a level of outright cruelty that I continue to find shocking.

Those opponents of trans rights who identify as feminist and/or lesbian appear to take a 'zero-sum' approach to equity and social justice: that is, they falsely believe that rights for trans girls and women automatically results in diminished rights for cis girls and women. Even if opponents of trans rights find it impossible to empathize, having never 'walked in their shoes', it seems reasonable to expect them to have a degree of rational compassion for those who struggle with gender identities.

Clearly, trans rights pose a more fundamental threat to the existing social order than mere questions of pronouns or public washrooms, as opponents' responses amply demonstrate. As one trans rights advocate stated, 'It's not about bathrooms... as it was never about water fountains' – an allusion to racial segregation in the US prior to the 1960s civil rights movements (Grant, 2022). In western societies, this social order is captured by the term *white cisheteropatriarchy*.

In the current American context, it is not a coincidence that right-wing groups are opposing both ‘gender ideology’ and ‘critical race theory’, often in the same manifestos, as any online search for those terms will demonstrate. Four years of Trump’s political dominance inevitably rolled back progress on a range of social justice issues, and it was not surprising to see the rights of trans people in general, and trans girls and women in particular, impacted by these trends. Conservative voices in the so-called ‘washroom wars’ were less concerned with the alleged danger posed to cisgirls and ciswomen than with maintaining the rigid sex/gender boundaries that served to protect white heterosexual male power and privilege. More specifically, many of these purported protectors of ciswomen’s sport had failed to show any such interest in the past.

Developments in the UK followed a different but equally damaging trajectory. Since the early 2000s, under the general umbrella of ‘feminist’, subgroups self-identified as ‘radical feminists’ embarked on public campaigns to curtail trans people’s rights, with a particular focus on trans women’s eligibility to compete in the female sport category. Several prominent women, including former Olympic athletes, used their significant public and online platforms to amplify their transphobic views.

There is growing evidence that these are becoming global trends. In February 2022, an Australian politician attempted to ban trans girls and women from competing in women’s sport in the guise of a ‘Save Women’s Sport’ bill. At the same time, the country’s conservative government was proposing a ‘Religious Discrimination Bill’ that would remove anti-discrimination protections for lesbian, gay, bisexual and trans students in religious schools. Pointing to the fact that there was no evidence to support the proposed sport ban and no consultation with sports organizations, advocates of trans inclusion aptly described it as ‘a legislative solution to a non-existent problem’ (McLennan, 2022).

Intersectional Analysis

More than 20 years ago, Japanese-American activist Emi Koyama published an article titled ‘Whose feminism is it anyway? The unspoken racism of the trans inclusion debate’ (Koyama, 2012, reprinted, 2002, 2020). Her experiences of transphobic attitudes and practices within predominantly white middle-class feminist communities led her to conclude that many white lesbian-feminists had ‘not learned anything from the vast contributions of women of colour, working class women, women with disabilities, etc’. In the context of 1990s debates about trans women’s exclusion from the Michigan Womyn’s Music Festival, Koyama pointed out that using trans women’s former experiences of male privilege as grounds for their exclusion assumes that ‘all other [non-trans] women’s experiences are the same, and this is a racist assumption. . . . [since] not all women are equally privileged or oppressed’ (Koyama, 2012, p. 8). In conclusion, she identified the ‘lack of feminist compassion, conscience and principle’ that keeps oppression operating.

A similar campaign to ‘protect’ (cis)women-only space took place in Sydney, Australia in 2021, when the management committee of a women-only coastal pool introduced a policy banning trans women who had not had gender reassignment surgery. Community backlash soon forced the committee to retract the policy and to adhere to the New South Wales anti-discrimination board’s definition of trans women, which did not include surgery. Regardless, some ciswomen continued to question the trans-inclusion regulations, while apparently having no difficulty with a long-standing policy that allowed boys up to the age of 13 to enter a pool where bare-breasted women were the norm. From another perspective, the popularity of the pool among young Muslim women was often invoked as evidence of its inclusive atmosphere (Spender, 2021).

In 2011, American law professor and trans activist Dean Spade wrote a ground-breaking book titled *Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of the Law* (Spade, 2011; revised edition 2015). Basing his approach on critical race theory, including Kimberlé Crenshaw’s work on intersectionality, Spade extended those analyses to develop the concept of *critical trans politics*. In doing so, he identified the shortcomings of legal models such as anti-discrimination law and hate crime law. For example, by creating rules that govern gender classification, sex-segregation of institutions, and access to gender-confirming healthcare for trans people, legal equality goals ‘threaten to provide no more than the window dressing of neo-liberal violence’ that further marginalizes vulnerable trans people (Spade, 2011, p. 11). Spade went on to explain how neo-liberal approaches threatened the power of ‘cross-race, cross-class, and cross-ability alliances’ within trans politics, just as these approaches had created divisions within lesbian and gay politics. By 2021, these rifts and others were fully fledged and toxic, as the following discussion will demonstrate.

Although Spade did not include sport in the institutions that he examined, his critique of neo-liberalism can equally be applied. For example, in 2015 the International Olympic Committee (IOC) removed surgery from its requirements for trans athletes’ eligibility, citing the fact that the requirement was at odds with some jurisdictions’ human rights policy. This rare example of the IOC’s acknowledgement of human rights legislation did nothing to address the problem faced by trans athletes who had already had surgery and now relied on hormone therapy to maintain even basic health and functioning, for example, Canadian athlete Kristen Worley (see Lenskyj, 2018, pp. 133–136).

Markers of Sex – A Continuum, Not a Binary

For decades, scientists have demonstrated the fallacy of binary thinking on issues of sex and gender (Ainsworth, 2018; Brusman, 2019; Moore, 1968). Differences of sexual development, to use the terminology adopted by the IOC, World Athletics and their in-house medical researchers, occur in about one per cent of the population.

The following provides some evidence of the natural variations that occur in humans:

- Sex chromosomes: XX, XY, XXY, XXX, XYY and X
- Hormones: estrogen, testosterone, androgens and estradiol
- Hormone receptors (some women with XY chromosomes have no androgen receptors, therefore no testosterone effects)
- Internal and external genitalia
- Secondary sex characteristics
- Social gender, psychological gender

On the issue of female athletes with hyperandrogenism, formerly referred to as ‘hermaphrodite’ or ‘intersex’, these women, for example, South African runner Caster Semenya, have naturally occurring levels of testosterone that are said to give them (unfair) advantages over other female athletes. There is some overlap between challenges faced by trans women and women with hyperandrogenism, namely, that arguments against their eligibility to compete in the female category are largely based on the so-called ‘testosterone advantage’, as reflected in regulations enforced by World Athletics and the IOC (Lenskyj, 2018, Ch. 4, 2020, Ch. 8). By 2021, IOC officials were admitting that the 2015 regulations, based on testosterone levels, were no longer backed by science, but by that time the harm had been done, as a number of young women from the Global South had been ruled ineligible to compete. Belatedly, in November 2021, it released *IOC Framework on Fairness, Inclusion and Non-Discrimination on the Basis of Gender Identity and Sex Variations* (IOC, 2021), a document that, on the face of it, appeared to prioritize inclusion and non-discrimination over fairness and ‘pre-sumption of advantage’. However, it handed over responsibility for establishing eligibility rules to international federations (IFs) and other high-level sports organizations, a loophole that World Athletics and other IFs may exploit in order to maintain existing policies. In fact, some have already done so (see Chapter 5).

Issues surrounding trans identities are both complex and simple, as these two explanations demonstrate. In 2006, legal scholar Simon Whittle described a range of trans experiences and expression, which have no doubt expanded since that time:

... discomfort with role expectations, being queer, occasional or more frequent cross-dressing, permanent cross-dressing and cross-gender living, through to accessing major health interventions such as hormonal therapy and surgical reassignment procedures. It can take up as little of your life as five minutes a week or as much as a life-long commitment to reconfiguring the body to match the inner self.

(Whittle, 2006, xi)

In societies with rigid gendered roles and expectations – that is, most western societies – trans children and youth are particularly vulnerable. As recently as 2016, an online medical advice source asked, ‘How do parents know if they should let their son carry a girls’ lunch box?’ A more enlightened question would be ‘How can parents challenge the thinking behind the concept of a girls’ lunch box?’ (Lenskyj, 2016). The same year, Jazz, a 10-year-old child who identifies as female, explained: ‘Sex is what is between your legs, and gender is what you think of yourself as a person’ (Ostroff, 2016).

Terminology

For the purpose of this book, the following terminology is used:

- *Trans* people are those whose gender is not consistent with their gender assignment at birth.
- *Non-binary* people’s gender identity and/or gender expression exists outside the categories of man and woman. They may define their gender as between, beyond, or entirely separate from binary understandings of gender.
- *Trans girls/women* are girls/women who were assigned male at birth, and *trans boys/men* are boys/men who were assigned female at birth.
- *LGBTQ2S+* stands for Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Two-Spirit. The term Two-Spirit is used in Indigenous cultures, and the + sign represents and acknowledges other identities not listed in the acronym. Since the 1960s ‘gay liberation’ movements in western countries, various acronyms have been adopted. At the time of writing (2022), LGBTQ2S+ is widely used.

Introduction, Part Two – Ali Durham Greey

I would also like to share with you what led me to propose this edited volume. The year I write this, 2021, has been a devastating year for the rights and well-being of trans people. Across the United States, legislation – disproportionately targeting trans youth – has attempted to prohibit trans people from accessing restrooms and locker rooms, withhold life-saving healthcare, ban teaching LGBTQ2S+ topics in classrooms, and prohibit trans girls from participating in sport (Krishnakumar, 2021). Of all these assaults on trans people’s rights and dignity, the last one inspires for me, as a non-binary athlete and scholar, the most anger.

When I was about four years old, I told my aunt that I would never become a woman. Since I was assigned female at birth, she was somewhat astonished, and proceeded to ask me if I would rather become a man. With reported conviction, I shook my head, responding ‘I’ll be an athlete instead’. Sport functioned for me, from a young age, as an escape from the gender binary. Sport offered me – it seemed – a reprieve from expectations to conform to a gender that was not my own. Sport was my sanctuary and my home. In sport, I was afforded a wider set