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Analyzing the intricacies of transgender athletes' representation in competitive sports: A socio-legal review

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Abstract---This paper demonstrates an attempt at a conceptual examination of gender identity difficulties in professional sports, emphasizing the origins of policy issues concerning transgender athletes. The study investigates the theme of inter-relational dynamics between transgender athletes' involvement in sports and medico-legal information about transgender athletes, as transgender athletes' inclusion is one of the most recent and prominent equality challenges around the world. The International Olympic Committee (IOC) has taken up the subject of sex-reassigned transsexuals participating in sports, resulting in a heated controversy and a shifting understanding of gender verification. The topic at hand has many different interpretations, all of which revolve around a desire to 'deconstruct' the current structure of sex and gender language acceptance. As a result, a worldview of equality, respect for the "other," and competitive fairness is being developed. The paper's most recent endeavor is to deconstruct the dichotomy of inequality in sports in order to provide a vibrational push for achieving equality ideals in sports. The shift in views appears to be a common occurrence in the comprehension of the subject at hand, bringing the theme of unity between the two to life. Gender, transgender, sexuality, and other concepts are in flux, therefore interpreting and reinterpreting a state of understanding and re-understanding of the topic of sports participation has numerous meanings. For trans-athletes, sport in the twenty-first century creates unique problems. Under the umbrella of transgender identity, a wide range of identities are included. In sex-segregated sports competitions, transsexual or transitioned athletes may provide the greatest obstacle to equity. This paper represents an attempt at a conceptual examination of transgender athletes' participation in competitive sports, which is one of the most recent equity challenges for sports governing organizations around the world. The theme of connected dynamics between gender terminology and legal and medical

difficulties related to transgender athlete involvement in sports is investigated in this study.

Keywords---transgender athletes, representation, international olympic committee (IOC), competitive sports.

Introduction

It is the best time in history to be born female as we enter the twenty-first century. More progress has been accomplished in the lives of women in the last 100 years than in all the years preceding 1900. For generations, women have been denied political, social, educational, and economic opportunities. However, these rights are not enjoyed equitably around the world, but change for women is beginning to be seen — albeit much too slowly in certain countries. Women are seeing examples of strong women who have taken advantage of possibilities and acted as role models for their country, even in nations where freedom is restricted. We are only now beginning to realize what women are capable of in athletics. Women's bodies may be better suited than men's for several sporting disciplines that require flexibility and endurance, such as gymnastics and long-distance running, according to science. The best female athletes today can run, swim, and skate faster than the best male athletes of the past few decades. According to studies, women's marathon times have decreased by 32 percent since 1964, while men's have decreased by only 4.2 percent. If this trend continues, some experts believe that world-class female runners will eventually catch up to men runners in the twenty-first century (Ehrenreich 1999). To find out how far and how fast women can go, more time and research are required.

Sport is a social setting in which gender is expressed and sexuality is controlled. Patriarchal sport systemically excludes women and intentionally supports homophobia by fostering hegemonic masculinity. Despite the hostile sporting climate, many gay men, lesbians, and transgendered athletes and activists continue to play important roles as athletes and campaigners. There has been a movement in thinking about how we perceive our lives as we live in the 'postmodern state' in recent years. Many of the previously prominent sociological basic theories, or 'great narratives,' have been challenged on the grounds that they are overly rigid, restrictive, or simply irrelevant in a quickly changing and the complicated world (Lyotard 1989, pp. 425-429). Their validity has also been criticized for being too 'deconstructed,' as they benefit certain individuals to the detriment of others. Gender and sexuality are two social categories based on a tight binary relationship (*i.e.*, *masculine/feminine*, *heterosexual/homosexual*) in which one of the pair is privileged, legitimized, and valued over the other: masculinity over femininity and heterosexuality over homosexuality. Gender and sexuality, on the other hand, are far more complicated social constructs. Furthermore, and perhaps most importantly, they play a crucial role in social regulation and control processes (Foucault 1980). In the previous 20 years, sports performance has advanced dramatically. Through upgraded equipment and nutritional supplies, technology has dramatically boosted our level of performance. It was excellent enough to be fitter than your opponent in the 1980s to ensure a win; it was good enough to have higher technical skills in the 1980s

to ensure an edge, and it was even good enough to have tactical skills to ensure an advantage. Today, however, everyone is as physically fit, technically, and tactically as their opponent. Once again, the playing field has been leveled. What could possibly offer us the edge we sorely need to have the upper hand on our competitors? This has resulted in the evolution of shifting social views and legislation around sexuality, which may lead to a number of transgender athletes participating in sports. One of the most recent equity concerns for sports regulatory organizations around the world is the admission of transgender athletes. Prior to 2003, no sports organization had any rules governing the participation of transgender athletes. The postmodern concept of sport has been reimagined thanks to significant technological developments in the field of genetics.

The Inclusiveness of The Third Gender- An international View

As observed in Maccoby and Jacklin's review (Maccoby 1974), early work on sex difference assumed binary, biology-based, psychological differences — those males and females are diametrically opposed. In reality, dichotomous sex differences are commonly taken to suggest that males and females should be treated differently. Female and male psychological qualities are no longer considered binary or biology-based, according to the current agreement (Bem 1993, Deaux 1984, Eagley 1987, Gill 1992, 1995, Hyde 1986). Even most biological variables are not binary, but rather are evenly distributed between males and females. Most psychologists today realize the limitations of older sex differences and gender role approaches, and instead look for explanations in socialization and social cognitive models, rather than the male-female and masculine-feminine dichotomies.

Gender research in the 1980s shifted away from sex differences and personality to a more social approach that emphasized gender views and norms. It's more essential how people think guys and females vary than how they actually differ. We maintain preconceptions despite the fact that actual differences between males and girls in qualities such as independence and competitiveness are minor and inconsistent. Gender stereotypes are all around us. Through the social process, we magnify little differences into greater apparent differences. These beliefs have a big impact, which could lead to more gender inequalities. The feminist position that gender is socially created is reflected in this cycle (Bem 1985, Deaux 1987, Spence 1978).

The way gender is conceptualized and so regulated in sports policies has changed dramatically. The International Olympic Committee (IOC) utilized sex testing at the Olympic Games from 1968 to 2000 to ensure that competitors competing in women's activities were actually "*women*." The Gay Games created gender policies for "*men, women, transgender, and intersex*" athletes in the 1990s.

Analysis of the Social Context of the "Third Gender"

'Gender' has been recognized as distinct from sex in the previous 45 years, referring to a distinction between the body, biology, and being male or female ('sex'), as well as the social and cultural roles imprinted on bodies; masculinity

and femininity ('gender'). However, the terms "*male*" and "*female*" were once thought to refer to the same person, and sex was considered a societal rather than a biological distinction (Laquer 1990, pp. 178-179). The concept of two sexes based on bodily distinctions between the reproductive organs, which became the cornerstone of sex difference in the eighteenth century, supplanted the idea of a male and female sex in one body. In the 1950s, studies on intersex people led to the development of the sex/gender distinction, which eventually gave rise to transsexual identities in the 1960s. Later, psychotherapist Robert Stoller exploited the contrast between sex and gender to suggest that a person's biological sex does not always determine their 'fundamental gender identity,' or a sense of being male or female (Stoller 1968). 'The distinction between gender identification and sex serves as the rationale of transsexuality,' writes Jay Prosser (Prosser 1998).

As a result of the sex/gender divide, transgender and transsexual categories were created. Many feminist critics, like Toril Moi, Susan Gubar, and others, have emphasized the question of distinguishing female, feminine, and feminist. To add to that, postmodern critical techniques such as Deconstruction, Postmodernism, Poststructuralism, Queer Studies, and others have played a key part in effecting a perceptual revolution in the global order.

For many years, gender has been a topic of discussion in women's sporting events at athletic meets. Women's sports participation has a long history. It's a past rife with discord and prejudice. Gender-based discrimination in all domains and at all levels of sports and physical activity, fueled by ongoing assumptions of women's physical talents and social responsibilities, limits the beneficial effects of sport for gender equality and women's empowerment. Women are generally discouraged from participating in athletics since it is still considered antithetical to societal ideals of being feminine or womanly. Female athletes competing at the world level were forced to undergo gender verification tests beginning in the mid-1960s to ensure that they were not truly guys disguised as women. Since attempts were made to adopt rules aimed at ensuring fair competition among female athletes, gender verification for the purpose of competition has undergone substantial modification. The initial approach (*implemented in the mid-1960s for international competition*) involved relatively crude and possibly humiliating physical inspections. This was quickly superseded by the approach of determining sex chromatin by examining buccal smears. However, because there were too many unknowns with this system, many specialists in the area demanded that it be phased out, and it was, first by the IAAF in 1991, and then by the IOC in Sydney in 2000. Women's sports involvement has a long history, yet certain remnants of discrimination can also be seen in a logocentric worldview. A transparent testing process is part of the wave of fairness.

The Transgender Policy

The Stockholm Consensus was established in 2004 by the International Olympic Committee (IOC) to allow transsexual athletes to compete in the Olympics. The Stockholm Consensus allows athletes to compete in their transitioned sex if they meet a number of requirements, including having undergone anatomical surgery with external genitalia changes, being able to verify a course of hormonal

treatment of a prescribed length through medical records, and being legally recognized as their transitioned sex. In addition, all athletes must undergo a case-by-case medical examination. This has sparked a heated debate about whether a male who has undergone sex reassignment surgery has a competitive advantage due to his physical training and growth. The present transsexual policy of the IOC is inadequate. More precisely, the IOC has failed to demonstrate that transsexual athletes do not have a competitive edge over athletes of the same gender.

For many years, gender has been a topic of discussion in women's sporting events at athletic meets. Since attempts were made to adopt rules aimed at ensuring fair competition among female athletes, gender verification for the purpose of competition has undergone substantial modification. The initial approach (*implemented in the mid-1960s for international competition*) involved relatively crude and possibly humiliating physical inspections. This method was quickly superseded by the process of determining 'sex' chromatin by examining buccal smears. However, because there were too many unknowns with this system, many specialists in the area demanded that it be phased out, and it was, first by the IAAF in 1991, and then by the IOC in Sydney in 2000. In a nutshell, the subject of gender verification has always been surrounded by a unique type of controversy, involving the metaphysics of doubt in the core perception of the issue.

Sport is a social and cultural phenomenon in which social constructions of masculinity and femininity play a significant role. Sport, according to Jungian theory, can be regarded as an archetype that is always present in the conscious/unconscious mind of an individual at any one time. Maintaining the logocentric/ patriarchal global order, sport is usually connected with masculinity. In many cultures, women are not allowed to participate in sports, and those who do may be viewed as male. Women and men engage in different sorts of physical activity and have quite different views regarding the sport. Men-only events (*boxing, wrestling, and weightlifting*) and women-only events (*rhythmic gymnastics and synchronized swimming*) demonstrate ongoing biases. The causes for athleticism in either gender can be partly attributed to the social structures in a specific civilization.

In general, feminine sports compete for the beauty of motion, whereas masculine sports compete for power, speed, strength, and danger, to use metonymy and symbolically. The questioning of sexuality is a societal cost that often faces athletes attempting to compete in a sport that is non-traditional for their sex. In her novel, *Are We Winning Yet? : A Novel*, Mariah Burton Nelson depicts the issue. "*Homophobia in sports is used to subjugate both homosexual and heterosexual women.*" Whether a woman is lesbian or straight, homophobia in sports and society as a whole discourages girls and women from participating in traditionally "masculine" activities like contact sports and team sports for fear of being labeled homosexual. Female athletes competing in traditionally masculine sports defy social norms regarding correct female behavior, leading to the conclusion that something is wrong with them. Focusing on sexual orientation unfairly limits women's sports opportunities based on personal preferences that have nothing to do with athletic ability. The mirrored argument reveals the patriarchy's ambition to create a complicated web of power relations even in sports, as the criteria are

mostly determined by "*culture construction*," to use Foucault's word. Sport has long been seen as a place where traditional gender roles are reinforced. 'Gender' has been recognized as distinct from sex in the previous 45 years, referring to a distinction between the body, biology, and being male or female ('sex'), as well as the social and cultural roles imprinted on bodies; masculinity and femininity ('gender'). However, the terms "*male*" and "*female*" were once thought to refer to the same person, and sex was considered a societal rather than a biological distinction (Laquer 1990). The concept of two sexes based on bodily distinctions between the reproductive organs, which became the cornerstone of sex difference in the eighteenth century, supplanted the idea of a male and female sex in one body (Stoller 1968). In the 1950s, studies on intersex people led to the development of the sex/gender distinction, which eventually gave rise to transsexual identities in the 1960s (Prosser 1998).

The Representation of the Third Gender

As a result of increased knowledge that athletes were taking performance-enhancing substances that gave them a "*male advantage*," gender-verification tests at international tournaments were implemented. The suspicion that a number of female athletes from the Soviet Union and East Germany were not truly female contributed to the skepticism. During the Cold War, when hostility between Western nations and those of the Soviet Union and the East Block dominated the international scene, these concerns took on added significance. The highly-publicized revelation that a German athlete who had set a world record in the women's high jump in 1938 was male heightened the debate, as did sex-reassignment surgery performed on certain former Olympic athletes. The International Olympic Committee (IOC) and the International Amateur Athletics Federation (IAAF) decided to test all female athletes for "femininity" and disqualify any who had an unfair "*male advantage*." The initial tests were "*naked parades*," in which women had to go naked in front of a panel of judges and endure gynecological exams. Sex chromatin testing, a short-lived test that searched for a Barr body, the inactivated second X chromosome seen in female cells, was shortly added to the physical exams. The Barr body test was phased out in favor of karyotyping, which was followed by SRY analysis, a direct test for the presence of the single most significant gene in male development. Unfortunately, IOC authorities were unaware of the complexities involved in determining human sex. The IOC eliminated systematic gender testing soon before the 2000 Olympics in Sydney, after three decades of fierce discussion between scientists and medics. However, it has opened up new debate horizons in order to achieve empirical and qualitative comprehension of the problem at hand. The frantic pursuit of success has altered the ethics of sports, and new variations/deviations have emerged in recent years. Under the umbrella of transgender identity, a wide range of identities are included.

In sex-segregated sports competitions, transsexual or transitioned athletes may provide the greatest obstacle to equity. In competitions against women who are female at birth, athletes who have completed the transition from male to female are most likely to be perceived as having an unfair competitive edge. Due to concerns regarding athletes' usage of performance-enhancing drugs, athletes who have made a transition from female to male face additional obstacles if they are

using testosterone as part of their hormone therapy. Other transgender athletes, who do not have surgery or use hormones but have a gender identity that differs from their natal sex, pose less of a competitive equity difficulty. Instead, they defy accepted gender roles, and they may face discrimination or harassment as a result of stereotypes or prejudice. Athletes with non-conforming gender presentation but matching birth sex and gender identity (*i.e.*, *masculine women or feminine men*) represent the smallest threat to competitive equity. However, because of their gender expression, these athletes may face prejudice or harassment. The social phenomenon has been consumed by the tides of change, with special connections to hermeneutics and genders.

A growing number of transgender/transsexual athletes have entered the sport as a result of changing social perceptions and regulations impacting sexuality. A transgender/transsexual is a person who was born in one sex but now identifies with and lives as another sex. This includes those who have had sex reassignment surgery. The phenomenon is new in the sporting world, but this type of new human consciousness is alive and well all over the world. Such situations are remarkable in that they contradict socio-cultural norms, resulting in a new chord in the symphony of constructions. Men have an intrinsic performance advantage over women because of their greater average height, muscle mass, and power, which are the result of proportionately different androgen exposures. As a result, it is thought to be fair that men and women compete in separate categories in sports.

The question currently being asked is whether reassigned transsexuals will be able to compete fairly with individuals of their new sex (Gooren 2004). The pertinent question is whether the previous effects of testosterone in male-to-female transsexuals (M-F) are reversible upon androgen deprivation, such that M-F have no advantage over women, and, conversely, what the effects of androgen exposure in female-to-male transsexuals (F-M) on variables relevant to sports competition are. The concerns raised are related to the thesis in question. To attain better democracy, openness, and fairness, study and deliberation are required. On May 27, 2004, the IOC Executive Committee decided to allow transsexuals to compete in the Olympics, paving the door for transsexual athletes to compete in the 2008 Beijing Olympics. To compete, transsexuals must meet three criteria: "*Completion of surgical anatomical changes, including external genitalia changes and gonadectomy; legal recognition of assigned sex by appropriate official authorities; and sufficiently long and verifiable administration of hormonal therapy appropriate for the assigned sex to minimize gender-related advantages in sports competitions.*" "*At least two years following gonadectomy, eligibility should begin.*" The aforementioned criteria have ushered in a dramatic shift in how people perceive an issue that has almost diametrically opposed meanings in the '*way of the world.*' However, it has opened up new debate horizons in order to achieve empirical and qualitative comprehension of the problem at hand.

Conclusion and practical implications

For many years, gender has been a topic of discussion in women's sporting events at athletic meets. Gender is so deeply established in our sports organization and

practice that we must be aware of the many overt and subtle ways that gender influences everyone in the athletic arena in order to train properly. Transgender athletes are divisive because their presence challenges fundamental and binary assumptions about sex that are mirrored in the sport's history and current organization. Finally, the existing lack of IOC transgender/transsexual regulations governing transgender athletes' participation in elite sports necessitates and opens up opportunities for expertise to develop inclusive policies that balance educational values with medico-legal and scientific considerations. The International Olympic Committee (IOC) has made an inevitably arbitrary judgment regarding sex-reassigned transsexuals' participation in elite sports (Gooren 2008, pp. 427-432): the IOC's present transsexual policy is defective. More precisely, the IOC has failed to demonstrate that transsexual athletes do not have a competitive edge over athletes of the same gender. It is the IOC's job to dispel the different misconceptions surrounding transsexual athletics. Sex testing (gender verification) was/is clearly improper, as evidenced by the scientific, socio-cultural, and ethical criticisms presented in this work. When it came to gender testing, the IOC's policy had to be reconsidered and was criticized because it only tested women to determine their gender. An international debate of intellectuals from various knowledge areas should be begun in order to develop a holistic grasp of the topic in question. The purpose of this study is to decipher the theme of destroying the existing structure of belief systems related to the topic at hand. In this perspective, the inner constitution provides some innovative meta-structures for understanding reality. The International Olympic Committee (IOC) has reached an arbitrary decision on the participation of sex-reassigned transsexuals in competitive sports (Gooren, 2008). The present transsexual policy of the IOC is inadequate. More precisely, the IOC has failed to demonstrate that transsexual athletes do not have a competitive edge over athletes of the same gender. It is the IOC's job to dispel the different misconceptions surrounding transsexual athletics. Sex-testing (gender verification) was/is clearly improper, as evidenced by the scientific, socio-cultural, and ethical concerns presented in this work. When it came to gender testing, the IOC's policy had to be reconsidered: it had been criticized because it only tested women to determine their gender. An international discourse of intellectuals from various knowledge areas should be begun in order to build a holistic understanding of the topic in question. Trans-athletes appear to face the greatest challenge of all: a severe lack of understanding and compassion from teammates, coaches, and spectators. Unfortunately, many coaches, parents, sports psychologists, and administrators lack the necessary skills to establish a welcoming environment for trans-athletes, instead of reinforcing old preconceptions. The Stockholm consensus was developed using just medical and physiological data, resulting in a policy that does not fully evaluate the effects on all trans-athletes.

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