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Where Do Intersex Fit in Sports?

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ABSTRACT

This paper examines reasons why sex segregation exists in sports competition and tries to find a place for an intersex individual to compete within the current categories. An intersexual typically has reproductive organs and genes that combine both a male and female sex. Their sex is brought into question during sports competition and leads to unwelcome evaluations and examinations. An intersexual is born as an intersexual, yet society, sports included has not yet made a place for them.

KEYWORDS

Intersex, Sports, Sex Testing, Segregation, Athletics

INTRODUCTION

From the intersex perspective, a group of people look forward to the day when signs on front lawns say, "It's a Baby!" instead of, "It's a boy!" or "It's a girl!" This idea from the film *InterSexion* perfectly represents a shift in attitude among some toward a different and more expansive view of sex and gender. Such a shift also needs to extend to sports so that an intersex individual can look forward to the day when sport categories are labeled by skill or ability instead of by gender. Unfortunately, as sports currently are practiced, some are accused of hiding their sex to compete unfairly as women, while others are subjected to humiliating genital examinations and hormone testing that may or may not be the basis for their advanced athletic abilities. Since intersex people have bodies within natural variations, they deserve a place in competitive sports and to achieve this, sports divisions by sex must change.

SEX SEGREGATION IN SPORTS

First, we look at why this space does not exist and the reasons for sex segregation in sports. We see sports divided into sex, age and skill level categories. This occurs for many reasons including safety, fairness and enjoyability. Some of these reasons are valuable. For example, in bodybuilding, athletes are separated into categories based on age. This is due to the body's natural aging process and to promote fairness within the competition. Athletes may also find sport more enjoyable to compete with others of similar skill levels as opposed to competing against someone who is a beginner. This enjoyability is also felt by spectators when watching a healthy competition. These categories also improve safety, for example, trainers "would not pair a heavyweight Olympic boxer with a novice lightweight because the situation creates the potential of significant injury" (Women's Sports Foundation 2018). However, sex segregation, also promotes inequality. Women are not permitted to compete against men due to stereotypes such as men are naturally stronger and faster than women. But this is not always true. Some women can compete in some sports equally with some men, such as running, swimming and skiing. However, most men have higher levels of natural testosterone which creates bigger, stronger muscles, but does not elevate skill level. Moreover, we also need to be mindful of the ways in which the winners of each category are viewed. This often involves an attitude that the men's winner

is the true, overall winner while the women's competition winner is somehow secondary.

Sex segregation in sports does have some benefits such as it, "allows many girls and women a real shot at play in sports in which they otherwise could not compete" (Dreger 2010, 22), but regardless, right or wrong, sports competition has separate categories which allows more women to play sports, earn scholarships, enjoy sport for itself and be role models for younger girls. The intersex person, however, does not fit neatly into either one of these biological sex categories.

Intersex

The term intersex has replaced the unpopular terms, hermaphrodite and Disorder of Sexual Development, or DSD. Intersexuals are not hermaphrodites in that they do not have both sets of genitalia and also an intersexual does not have a disorder as their body functions properly; they just sometimes look different from what we typically see through our binary sex and gender goggles. Intersexuals are distinct from transsexuals in that the variants in genitalia and chromosomes are what make them distinct. While a transsexual may also be an intersexual, I will concentrate on the intersex athlete who may or may not know they are intersexual, not the transgender athlete who is in pursuit of transitioning from one sex to another.

Our discussion will also be limited to athletic competition after puberty, as this is typically when hormone surges cause a greater distinction between someone who looks more feminine or more masculine, but this also varies according to perception. Unfortunately, for athletes who use their bodies as the tool for competition, sex identity is found in the body. Therefore, if we continue to keep sex segregated sports, some type of sex inspection will be the determining factor of where to place individual athletes (Davis 2017, 113), but why should anyone be subject to sex testing?

Sex Testing

Sex testing by the 1991 International Olympic Committee, IOC, "was only to ensure that men did not masquerade as women" (Gandert, et al. 2013, III D). In 1999, this compulsory testing ended and was only conducted if an athlete's sex was suspicious. This sex testing was recommended on looks alone, which feeds into gender stereotypes, but even the National Collegiate Athletic Association,

NCAA says, "there is a great deal of natural variation in physical size and ability among non-transgender women and men" (NCAA 2011, 7). Plus, this sex testing was only performed on females, not males, and the NCAA adds, "sex verification tests have been misused to humiliate and unfairly exclude women with intersex conditions" (NCAA 2011, 8). Some of these sex tests included nude parades, genitalia scrutiny, genetic testing from scraping cells off the inner cheek and the SRY blood test which was to detect testicles, (Gandert, et al. 2013, IV A-C) but, again this does not help an intersex athlete who is a woman with testicles. It would only prevent her from competition. In 2011, testosterone levels were verified to determine if a woman was really a woman, but we understand how this does not work for an intersex individual who is naturally producing high or low levels of testosterone and we still have not found a place for an intersex to compete.

Some sports organizations such as the International Association of Athletics Federation, IAAF, which governs the entire sport of track and field including the World University Games and the Olympics, said that once an intersex athlete has been identified, they should be disqualified completely from sports competition until their hormone levels have been regulated. One reason for this is doubt surrounding one's intentions for knowingly competing in sports with a hormonal advantage. In contrast, once a woman was verified to be a woman, she was given a certificate that stated her femininity which she was to bring to every sports competition to avoid gender questioning. This happened to Maria Martinez-Patino, a Spanish hurdler. Raised as a girl, complete with a vagina and stereotypically female breasts, Maria, her family and her community believed she was a girl. In 1985, at the World University Games, her gender was scrutinized, she failed to bring her certificate, and she was banned from competing. Later, Maria discovered she has an XY chromosome, which genetically makes her male (Gandert, et al. 2013, III, B, 1, c), and since it was determined she was not being fraudulent, she was reinstated to compete in the Olympics in 1988. Another woman, Caster Semenya, was banned by the IAAF in 2009 because her sex was also questioned (Mitra 2014, 387). Many women ask whether every female athlete's gender will be questioned if she does well in athletics, as if a woman could not possibly be born with a body that is strong, powerful, fast and flexible and is trying to get away with something. Payoshni Mitra, in the Routledge Handbook of Sport, Gender and Sexuality, points out this controversy when she says that most athletic organizations do not look at "the possible competitive advantage gained due to

height or longer upper body or limbs” (Mitra 2014, 385), or exclude women with height advantages from playing basketball, for example, but for some reason, the natural production of higher than average testosterone in someone considered by most to be a woman threatens overall athletic competition, and needs to be regulated.

Intersexual females have not asked for excess testosterone or hidden testicles, the same way in which men have not asked for their natural testosterone level to be what it is. However, when men try to inject additional testosterone, they are disqualified from competition too, like the cyclist Lance Armstrong. In addition, the IAAF and the IOC will allow women with high testosterone levels to compete as women once they have lowered their levels using medications (Mitra 2014, 390). The IAAF in April 2018 declared this to be below 5 nanomoles per liter for a minimum of six months (IAAF 2018). This policy seems to discriminate against women who are born with conditions such as congenital adrenal hyperplasia (CAH) and androgen insensitivity syndrome (AIS) which causes them to look like women but produce hormones like men. Plus, when one changes their hormone levels, whether increasing or decreasing testosterone, this change in levels also changes the way the athlete participates in sport and may either enhance or remove a competitive edge.

Self-Identify

If we do not disqualify female athletes who have a testosterone advantage, we may still be creating an uneven playing field. Other female athletes who have trained equally long and hard may feel unable to compete with these stronger women, but that is part of the nature of sport. Some athletes will naturally be stronger and faster than others and hormone levels do not determine the outcome. Many athletes accept natural advantages and disadvantages in the true spirit of competition. For instance, according to middle-distance runner and three-time Australian Olympian Sarah Jamieson, “if you’re born with more testosterone than the person next to you in the female category, in a way it’s good luck to you” (Dawson 2018). So, maybe this is where an intersexual fits: If she is born labeled female, raised female, and competes as a female, she should be allowed to stay in her sex-regulated category.

Hormone Levels

However, for females, intersex or not, competing as females, if their sex is questioned, they are subject to hormonal testing, according to the IOC's documents from their 2015 transgender and intersex meeting (IOC 2015). Although the IOC has also included a provision stating that if a woman is found unable to compete as a woman, she can compete as a man, this can create a lot of unwanted stigma and judgement for an athlete who just wants to compete in her favorite sport. In addition, we still have not found a place for the intersexual who may not identify as male or female. While most of the articles and information focus on female athletes who have added testosterone genetics, we can also consider an intersex male athlete who wants to compete but may not be able to hold his own against men due to his reduction in testosterone production. According to a study of six hundred and fifty Olympians, "six percent of the men have testosterone in the female range" (Mitra 2014, 391). We also see five percent of women who have higher testosterone levels within the male normal range.

Another possible solution to our intersex question is to have multiple competition categories that we do not fix on gender, but solely use testosterone levels. Similar to the way boxers and wrestlers are entered into a category based on weight, we may have men and women with high levels in one category and men and women in middle or lower levels of competition. Therefore, if an intersex male wanted to compete but found it a struggle to compete against natural testosterone producing men, he would also find a category in which competition would be based on skill, training and other genetic factors, not simply testosterone production. Co-ed categories are not farfetched, and we already have them in two sports: sailing and equestrian events. We also see men and women training together for sports such as martial arts, snowboarding, skiing and track and field and competing together in sports such as figure skating and tennis. However, the NCAA also has something to say about this idea. If a male competes on a female team, the team is labeled a "mixed team" and is only eligible for men's NCAA championship. If a woman competes on a male team, the team is also eligible for men's NCAA championship (NCAA 2011, 12). In other words, if a single male is added to any team, the entire team is only worthy of competing against men. Where would the acknowledgement of an intersex athlete fit in? Probably the same- the team could only compete against male teams. Plus, while testosterone

can provide strength advantages, it also should not be the end-all, be-all of where an athlete fits into sports categories. Also, since the testing is based off a male hormone, we continue to add to sex-segregation and inequality. There has to be a better way than genitalia examinations and testosterone testing to determine where an intersex athlete fits into competitions.

Chromosomes

A third solution is to create a category solely for the intersexual who does not believe themselves to be female or male, but an intersexual. This requires moving from differences in appearances and hormonal blood testing to testing at the chromosomal level. A woman may find she has an XY chromosome or a man may find he has an XXY chromosome. This knowledge does more than change a sports category. It can change the possibility of someone having biological children and many athletes are unprepared for the emotional results of this testing. Once identified, however, many intersexuals do not want to be seen as "different", and in addition, they want to compete with everyone else not just a limited group. Since one in two thousand people are born intersexual, the competition might be very slim making an intersexual's accomplishments feel smaller than they deserve to feel. Moreover, when an athlete has been labeled "intersex", they are subject to belittling and bullying. In the case of Santhi Soundarajan, who did not pass her sex test in 2006 at the Asian Games, the media and her country turned against her (Mitra 2014, 385). If this type of response happens with athletes who are hailed as leaders in their country, a high school or college athlete will not want to admit that they are an intersexual for fear of being bullied on and off the field.

Functional Ability

A fourth solution looks to the Paralympics for an example and this is the one I am leaning toward as it does not use appearance, hormones or genetic testing. The Paralympics uses functional ability to classify its athletes since competitors have various strengths and limitations. The Paralympics has developed, "The Athletics Classification Project" which is, "a multi-year project that was undertaken to establish a new system of classification entirely based on the functional capabilities of athletes" (Gandert, et al. 2013, V B). What the Paralympics understands, then, is that each person's unique abilities and limitations contribute to their performance. If we could shift our viewpoint and use functional ability, which could include

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looking at variations in height, muscle fiber type and oxygen conversion, we may be able to allow for a more inclusive arena for the intersex athlete. Unfortunately, as open as the Paralympics is to variations, it still uses sex-segregation, so may not be an ideal solution, but could provide a model for how to eliminate sex testing.

CONCLUSION

One of the values of sport is that it is fair. We may not always like the outcomes, but the rules try to keep the play fair. An intersexual is not being treated fairly in this arena. They are subjected to genitalia scrutiny, invasive testing and often public ridicule for the way they were born. Unfortunately, finding a fair solution as to where an intersex fits in competition is not easy. Some suggest self-identifying and that athletes should be able to compete in either category they like, but this does not open our binary society's eyes to a more inclusive view of the intersexual. Instead, we are forcing them to choose how they want to fit into our world. Hopefully, the more we discuss the intersexual and their specific issues the more we will all have good sportsmanship and accept people for their strengths and limitations, not their genitalia.

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