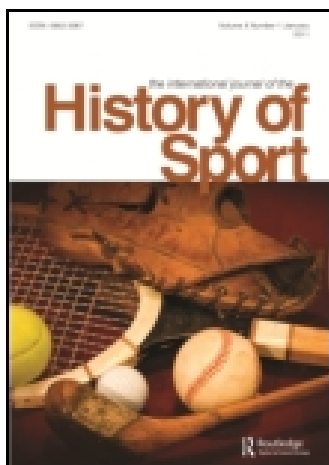




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### From Women's Exclusion to Gender Institution: A Brief History of the Sexual Categorisation Process within Sport

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## From Women's Exclusion to Gender Institution: A Brief History of the Sexual Categorisation Process within Sport

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It was not until the 1920s that the slow and long process of women's accession to the Olympics began: a progressive yet still uncompleted conquest. But the integration of women was not taken for granted. It was initially just a concession in reaction to the strategy of a separate female games. Besides, the progressive integration of women took place together with the institutional necessity of segregation between male and female events. Thus sport remains a place where gender division is institutionalised from a legal and an organisational point of view. The aim of the paper is to investigate the means employed by the sporting establishment to preserve this gender division in spite of the contradictions it has to face. This means covering the whole spectrum of the practice to control the body, symbolic as well as legal.

**Keywords:** gender; sports institutions; (hetero)sexism; homophobia

The process of the acceptance of women in the Olympics has been long and slow. It began only in the 1920s, and is by no means over. The integration of women has never been taken for granted. It was initially conceded in reaction to a threat of a separate female games being staged. Moreover, the progressive integration of women has taken place alongside the institutional necessity of segregating male and female events. Thus sport remains an area where gender bi-categorisation (the logical basis of rules defining the official status of citizens) is institutionalised from both a legal and organisational point of view.

Such an investigation is a matter of analysing not only the way in which this institution manages the numerous challenges in respect of its bi-category organisation but also to identify the strategies that underpin it. From a cultural point of view, the paper will examine various strategies of masculinisation or feminisation (including the emphasising of gender features) to create gender bi-categorisation; in particular homophobic abuse among sportsmen and suspicions of lesbianism among sportswomen. However, from a legal and statutory point of view, the analysis will focus on the debates involved by the introduction of 'femininity testing' for sportswomen since the late 1960s. It will show how these debates testify to a determination to establish gender bi-categorisation biologically, despite the difficulties and dead-ends in the way.

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### The Institution of Good Looks: An Aesthetic Exclusion ...

There is a historical basis in the difficulty, largely but not wholly experienced by men, of accepting the female body participating in sporting activities. When Baron Pierre de Coubertin modernised the ancient Olympic Games, the possibility of women's participation was initially excluded. In 1912 during the Stockholm Olympics he declared:

A Female Olympics would be inconvenient, uninteresting, un-aesthetic and not correct. The true Olympic hero is, in my opinion, the individual male adult. The Olympic Games have to be restricted to men, the role of women should first be to crown the winners.

*[Une olympiade femelle serait impraticque, inintéressante, inesthétique et incorrecte. Le véritable héros olympique est à mes yeux, l'adulte mâle individuel. Les Jeux Olympiques doivent être réservés aux hommes, le rôle des femmes devrait être avant tout de couronner les vainqueurs.]*<sup>1</sup>

Despite a context characterised by women's claims for equal rights, modern sports were based on a reference to an ideal of masculinity.<sup>2</sup> It was not until the 1920s that we began to observe the beginning of a long and slow process of women's integration into the Olympic movement: a process that is still not complete. While there was an increase in the number of women gaining access to sport during the second part of the twentieth century, it remained one of those specific areas where manliness and virility were expressed exclusively.

In spite of the emergence of a new ideal of feminine beauty linked to 'sportswomen' in the work of writers such as Paul Morand or Henry de Montherland in the 1930s, the old norms of setting women's beauty in the context of modesty and fragility tended to keep them away from sports grounds through much of the twentieth century.<sup>3</sup> Nevertheless, these norms go back a long way, perhaps to the 16th Century, confining beauty to femininity and with man being destined to be fearsome rather than handsome:

A 'finite' being, motionless and closed, woman is perfection of the scene; 'self-sufficient', she is also totally 'given'. While 'man is what he becomes', he is challenge, enterprise, even insult. So many differences underlie the vision of gender in modern times.

*[Être 'fini', immobile et clos, la femme est perfection de décor: 'suffisante à elle-même', elle est aussi tout entière 'donnée'. Alors que 'l'homme est ce qu'il devient', dépassement, entreprise, voire affrontement. Autant de différences fondant la vision des genres dans la modernité.]*<sup>4</sup>

Vigarelo's cultural story of beauty points to an important shift in the 1930s, following the 'civilising process' studied by Norbert Elias. But how is this evolution to be understood? Is it sufficient to refer beauty and ugliness to the mere division of cultural norms? How can we understand the issues governing their transformation? If Norbert Elias and Eric Dunning have themselves studied the role played by the sports establishment in the 'civilisation trial', which leaves its mark on the long story of Western society, it is from the point of view of acceptance and management rules of roughness and brutality.<sup>5</sup> But what about control of the norms of beauty?

In the description of the various 'appalling cases' presented in the Leviticus bestiary, Mary Douglas points out how monstrosity relates to the impossibility for these things to be part of the orderly universe of a symbolic order. It is because monstrosity is a fundamental *disorder* that it eventually refers to impurity and

dirtiness (Douglas uses the words 'dirty', 'uncleanness' and 'pollution' indiscriminately). She goes further, however, and shows, beyond the question of symbolic disorder and monstrosity, how institutions think and make people think through nomenclatures and the classifications that they produce.<sup>6</sup>

Her thought can in a way be connected with the one initiated by some little time earlier by Foucault after he had read a text by the Argentine writer Jorge Luis Borgès in which he quoted from 'some Chinese encyclopaedia' a list of incongruous animals brought together. According to the philosopher, monstrosity associated with the reading of this passage would depend on the closeness of elements, the proximity of which is unthinkable, and on the anxiety generated by their 'heterotopy':

For a long time this text made me laugh, not without a certain uneasiness that was difficult to overcome. Maybe because in its wake the suspicion was born that there is no worse disorder than the incongruous and the bringing together of what is unacceptable; disorder would be what brings into light the fragments of a great number of possible orders in the lawless and unlimited dimension of the abnormal.

*[Ce texte m'a fait rire longtemps, non sans un malaise certain et difficile à vaincre. Peut-être parce que dans son sillage naissait le soupçon qu'il y a de pire désordre que celui de l'incongru et du rapprochement de ce qui ne convient pas; ce serait le désordre qui fait scintiller les fragments d'un grand nombre d'ordres possibles dans la dimension, sans loi ni géométrie, de l'hétéroclite.]*<sup>7</sup>

At the same period Georges Canguilhem was more particularly interested in the weight of the medical institution in defining not only what is normal and what is pathological, but also in defining monstrosity. That is how, in a chapter entitled 'Monstrosity and what is Monstrous', he analyses more specifically the notional and classificatory efforts made by teratologists since the Middle Ages.<sup>8</sup>

Following this reflection, a study of the way in which the sporting institution participates in the construction of the social norms of ugliness and beauty, together with other social institutions (such as the registry office and the medical profession), in aiming to preserve the symbolic gender order becomes important. Thus the main topic of this article is to analyse how sport, as an institution, agrees with the integration of women, provided that gender division is institutionalised and legitimised. In that context, as long as sportswomen's bodies appear as a threat or a challenge to this division (or as long as they disturb the gender norms) sporting institutions reject them as something associated with abnormality and monstrosity.

### The Feminine Conquest of Sports

In 1919, although the participation of women was explicitly forbidden by Olympic rules, Alice Milliat asked the International Olympic Committee to organise women's competitions for the Olympic Games in Antwerp (1920). Its refusal finally convinced her to create an independent and self-governing international movement.<sup>9</sup>

In France, she had already created the *Fédération des Sociétés Féminines Sportives de France* (FSFSF) together with Faivre du Bouvot in 1917. This took place in a context of growing women's participation in sporting activities and aimed to facilitate their involvement in athletics, pushball, hockey, basket-ball, swimming and rowing.<sup>10</sup> For Alice Milliat the sportswomen's situation was very clear:

As they are forbidden access to official sports federations, they will have no solution other than to create their own societies and own sports federations.

[L'accès des femmes aux fédérations sportives officielles étant interdit, elles n'auront d'autre solution que de créer leurs propres sociétés et leurs propres fédérations sportives.]<sup>11</sup>

This process continued despite considerable opposition from doctors to the opening of sporting competition to women. In France, many doctors declared their concern about the impact of this kind of activity on women's biological reproductive function. In fact, at that time, both proscription and prescription of physical activity for women were legitimised by a central preoccupation with the preservation and development of [female] reproductive organs.<sup>12</sup> After the First World War, the question of motherhood was a common concern, apart from a small number of feminist activists:

Even Alice Milliat defends the idea that to give France the physical supremacy necessary to its well-being and for posterity, and to raise it to the status the country already has in artistic and intellectual fields, we need strong women who can produce plenty of sound and vigorous children. It is a patriotic and practical duty. Special attention has to be given to health of the mother. Regenerating and perpetuating the race by the development of the woman's body involves taking care of the abilities of this sex. Physical appearance is also important in the question of health and reproduction because of the role appearance plays in relations between men and women.

[Même Alice Milliat défend cette idée que pour donner à notre France la suprématie physique nécessaire à sa tranquillité et à sa postérité, pour la hisser à ce point de vue au rang qu'elle occupe déjà dans l'ordre artistique et intellectuel, il nous faut des femmes robustes et capables de lui donner des enfants sains, vigoureux et nombreux. C'est un devoir patriotique et utilitaire. Une attention particulière à la santé de la mère doit être apportée. Régénérer et perpétuer la race par le devenir du corps féminin revient à s'attacher aux performances de ce sexe. L'apparence physique prend aussi toute son importance pour la santé et la reproduction en raison du rôle de l'apparence dans la relation entre homme et femme.]<sup>13</sup>

There was therefore the feeling that it was highly necessary to lessen the 'fragility' of women. In that context, from 1915 onwards, some French doctors gave their support to Alice Milliat's initiatives. For them, the main aim of activity remained eugenic, as it had been before the First World War, underlining the desire to reinforce the role of women as future mothers. Alice Milliat largely conformed to that perception, accepting the logic of medical advice that the rules of sport should be adapted for women. This logic was linked to the defence of a specifically defined graduate physical education programme for women that needed to be inferior to such programmes for men and adapted to the supposed fragility of women's bodies.<sup>14</sup>

On 31 October 1921, Alice Milliat created the *Fédération Sportive Féminine Internationale* (FSFI) in Paris.<sup>15</sup> The FSFI rapidly decided to limit women's cross-country to five kilometres and to abandon pole vault and triple jump competitions. The separatist strategy promoted by Alice Milliat led to specific events being held during the 1920s: the Women's Olympic Games taking place in Paris in 1922 and in Gothenburg in 1926. Consequently, women were allowed to compete in five athletics events in the Amsterdam Olympic Games (1928). Nevertheless, female-only Olympic festivals still took place: in Prague in 1930 and in London in 1934. It should of course be pointed that the 800 metres disappeared from the women's track programme following the Amsterdam Olympics after IOC members and team managers (as well as journalists) were shocked by women's participation, declaring they were 'not sweet', breathless and streaming with sweat. In addition to ongoing medical concerns about their reproductive faculties, their pained expressions and grimaces appeared to

be an offence to both feminine beauty and role. It was not until 1960, in Rome, that women would be seen running the 800 metres again in an Olympic Games.<sup>16</sup>

In 1984, more than half a century after Amsterdam, the same types of comments were made about the first female Olympic marathon: only the distance had changed. What had become acceptable for the 800 metres was not certain to be accepted for the marathon. Something inscribed within the 'nature of things' constituted a mental barrier to women's participation in such an event. Twenty years earlier, Kathy Switzer had used a subterfuge to participate in the Boston marathon in 1964 by hiding her sex and starting the race dressed as a man. Upon discovering the farce, the International Association of Athletics Federations (IAAF) punished her heavily. International athletic authorities nevertheless gradually accepted women, permitting longer and longer international races: 1,500 metres in 1967, 3,000 metres in 1974, 3,000 metres steeplechase in 1987 and 5,000 metres and 10,000 metres in 1981. The most recent competitions opened to women in the Olympics were the hammer throw and the pole vault in the 2000 games in Sydney.

However, the history of athletics, though it is particularly significant, is not the only example of women's difficult conquest of sports. Whereas fencing has been practised in the Olympic Games by both men and women since 1924, only the foil was open. Women had access to the épée in 1996 and to the sabre in 2004.<sup>17</sup> Louveau and Davis observe that the weight of the weapons was given as the main justification for this. In fact, the foil weighs 500 grams, the épée 750 grams and the sabre less than 500 grams. Pictures and representations thus seem to weigh heavier than realities.<sup>18</sup> Nowadays, women are still not authorised to compete in the decathlon, as it is considered the summit of the Olympic ideal. On the other hand, men were excluded from synchronised swimming for a long time, and are still not involved in rhythmic gymnastics competitions. More globally, gymnastic apparatus is clearly gendered.

To understand how the sporting establishment organises and constructs gender relations and interactions, it is necessary to go beyond the simple question of whether access is permitted to different activities. Even when both sexes participate in the same activity, they rarely compete together. Very few federations do not differentiate between the sex of adult competitors within their rules<sup>19</sup> and nearly all of them refuse to mix men and women. In a few cases co-presence is accepted with a strict arrangement of dissymmetric roles, as for example, in figure skating.<sup>20</sup>

The thought that obligatory sex segregation in sports (forced separation of girls and boys into separate teams) could be a disservice to female athletes is very recent.<sup>21</sup> At the same time, some studies reveal (paradoxically) that gender equity policy can be far from effective in producing equality. On the contrary, in Swedish sports, it seems to have become a new way of emphasising gender difference and to reinforcing constructions of 'manliness' and 'womanliness'.<sup>22</sup>

### **The Feminisation of Sportsmen and Lesbianism Suspicions of Sportswomen**

In fact, women's access to sporting competition (particularly since the 1960s) is significantly associated with masculinity. In that context, the feminisation of sportsmen only occurs either as irony or as an insult. Homosexuality is in the shadows, one of the most common depictions of the sportsman as anti-hero. For a long time, homosexuality in sport was almost totally unthinkable.<sup>23</sup>

On 18 April 1887, in a lecture about 'English education', Baron Pierre de Coubertin suggested the introduction of sport as an excellent means to solve the twin problems of 'overworking' and 'vice' in boarding schools. Strongly opposed to the educational trends of that period, including the promotion of sex education, he considered sport to be a way of diverting young people from sexual 'perversion' and 'pornography' (homosexuality and onanism being the most often described perversions at the end of the nineteenth century).<sup>24</sup>

In traditional sport, homosexuality will remain invisible for a long time. Due to the intensification of manliness, the world of sport will constantly manage to establish heterosexuality as the norm. It is a heterosexist universe in the sense that heterosexual norms are taken for granted. 'Compulsory heterosexuality' is evident everyday through social interactions and role identification. Sportsmen are sometimes portrayed in the reassuring role of head of the family or being associated with authority.<sup>25</sup>

In that context, when homosexuality does appear, it is always in the shade, portrayed negatively, as a counter-model. The 'queer', 'poof' or 'fag' are always the 'opponents', the 'enemies': those who are failing or who are not successful. The insult is diffuse and redundant, and is often uttered as an insignificant habit without any sexual ulterior motive. It often doesn't mean that people are actually homosexual, but *suggests* that they are cowardly and weak. No matter that the *actual* sexual identities and practices of those who are so depicted, or those around them: they are, in fact, presumably heterosexual.<sup>26</sup>

In such a hostile environment, it is very difficult to find sportsmen who are openly gay. The situation is different in women's sports, where the heterosexual norm is not taken for granted at all. Masculinisation strategies are sometimes used to run sportswomen down, with the suspicion or suggestion of lesbianism in the background. This lesbian 'label' corresponds to the 'falsely accused deviant' described by Becker, or, in Goffman's case to a 'stigma' that has to be copied,<sup>27</sup> as it is associated with their participation in sport.<sup>28</sup>

Such treatments of certain sportsmen and sportswomen are in fact inverted. On one side we have the feminisation of men who fail, and on the other, the masculinisation of women who succeed.<sup>29</sup> Femininity testing for sportswomen (while there are no masculinity tests for sportsmen) has to be understood from the perspective of women within sports institutions and the gender strategies that go with that. Whereas sporting activity sometimes generates doubts about femininity, the old imagery of hermaphroditism seems to guarantee masculinity. In other words, all by herself, the sportswoman seems to challenge perceived gender allocation.

### **Are Sportswomen 'Real' Women? The Exclusion of the Hermaphrodite**

In July 2009, the South African athlete Caster Semenya participated in the African Junior Athletics Championships in Mauritius. She won the 800 metres, beat the South African record of Zola Budd, and qualified for her first senior competition: the Berlin World Championships:

Since the day Semenya broke Zola Budd's record, people in South Africa had been talking about her. Semenya does not look like most female athletes. People questioned whether she was really a woman. Some even e-mailed the International Association of Athletics Federations, the worldwide governing body for track and field, with their doubts. Before *Semenya* was awarded her gold medal in Berlin, on August 20th, a

reporter asked about a story that had been circulating at the Championships, that Semenya's sex was unclear and that she had been required to undergo gender-verification testing before the race. The IAAF confirmed the rumor, arguably in violation of its confidentiality policies.<sup>30</sup>

The arguments supporting the questioning of the sex status of Semenya were simple: winning with a physical appearance resembling that of a male and having a 'surprising voice'. Ariel Levy mentions that a rumour relayed in Australia by the *Daily Telegraph* reported that she had neither ovaries nor a uterus, and triple the testosterone level of a typical female. Her victory in the 800 metres in the Berlin World Championship in August 2009 reinforced the suspicion of hermaphroditism. The Sports Confederation and the International Olympic Committee (IOC) then asked for the results of the 'gender verification test' that had been ordered before the competition.

This was by no means the first controversy about the sexual identity of a sportswoman, and was, as usual, followed by the broader question of 'What makes a woman a woman?'<sup>31</sup> In December 2006, the Indian athlete Santhi Soundarajan had to give back the silver medal she gained in the 800 metres at the Asian Games in Doha after the results of her(/his?) 'gender verification test' were made available to the authorities.

The use of femininity tests, discontinued by the IOC in 2000 because of juridical and ethical problems, was coming back. Despite intense efforts and reflections of the sporting institutions, the question of gender control seems to be back, because these institutions haven't managed to solve a problem that is probably bound to rise again. As early as the 1930s and 1940s, the domination of urchin profiles within the emerging women's competitions created some trouble and uneasiness:<sup>32</sup>

(1) In the 4th Women's World Championship in London (1934), Sdena Koubkova won the 800 metres but the truth burst into the media: 'she could be a man'. This was soon confirmed by so-called 'delicate surgery'.

(2) Two years later, in the Berlin Olympic Games (1936), the Polish delegation accused the American winner of the 100 metres, Helen Stephens, to be a 'dressed-up man'. In the 1980s, the autopsy following her/his murder would give rise to a rumour of hermaphroditism.

(3) One has to say that during the same 1936 Olympic Games, Dora Ratjen, 4th in the high jump, was in fact Herman Ratjen. The young man had been forced by the Nazi Party to compete with women, hiding his real sex, to increase the number of German medals. S/he would nevertheless carry on her/his feminine career, and even beat the world record during the European Championship in 1938 (jumping 1.67m).

(4) The last example is the one of the French runners Léa Cauria and Claire Bressolles, who ran the female 4 × 100 metres (relay) in the European Championship in 1946. Some years later, they had surgery and became Léo Cauria and Pierre Bressolles.

Most of the discussions about these athletes were based on rumours that were relayed by journalists. Doctors were very discreet.<sup>33</sup> During the whole period of the 1930s and 1940s, doctors just referred to 'doubtful cases' associated with uncertain and vague facts. In 1948, the British Women's Amateur Athletic Association was nevertheless led to ask for a medical certificate testifying that those who wanted to compete were authentic women.

Many new suspicious and 'doubtful cases' occurred during the 1950s. However, in 1964, it was finally the subterfuge employed by Kathy Switzer's to run in the men's marathon that caused both the IAAF and IOC to extend the principle of femininity

testing. The official issue is clear: be sure that athletes are 'real women' for a fair competition (with 'equal weapons'). When Semenya's case came on the agenda, in 2009, Alice Dreger thus declared in the *New York Times*:

'Let's start with the reasonable assumption that we want to maintain gender segregation in most sports. It provides girls and women – half the planet's population – a real hope of winning. Without that hope, many may not bother.'<sup>34</sup>

### **Bi-categorisation and Introduction of 'Femininity Testing' by the Sports Institutions**

The final decision concerning Caster Semenya was taken in July 2010 after approximately a year of procrastination and several 'false starts' by the IAAF, due to the fact that members of the federation had been unable to reach a decision.<sup>35</sup> On 14 July 2010, Jo Proctor, a board member of the activist intersex group, 'OII Australia', reacted vigorously to the decision of the IAAF, which had just indicated the complete acceptance of a report from its own medical experts and which finally authorised Caster Semenya to compete. The international federation concluded with the statement that any medical details were to 'remain confidential and the IAAF will make no further comment on the matter'. For Jo Proctor, it was both too little and too late: 'Looking back over the past 11 months, no institution and no organisation emerges with any honour.' Moreover, the activist group said they suspected that there may have been secret surgical or medical intervention on the South African athlete:

Caster Semenya, as a female, was accused of possessing biologically male attributes – a clear issue of intersex – which, according to her accusers, gave her an unfair advantage. Although she has been cleared fit to race 'as a female' it is still by no means clear what, if any, surgical or other medical intervention has taken place to remove those so-called 'advantages'. ... Most OII members have personal experience with the medical profession's erratic moral and ethical compass when it comes to intersex issues. It is quite common for dubious statistical 'evidence' to be used to pressure parents into allowing surgical intervention on their intersex babies. All too often that surgery either goes bad, or no real benefit can be attributed to it in later life.<sup>36</sup>

The bi-categorical institution of gender is first of all a state institution, and more exactly an institution of civil status as recorded by the registry office. Reproducing Herculine Barbin's autobiographical private diary, Foucault tried to analyse the effect of medical discourse on this state institution, and consequently its impact on the construction of sexual and gender identity.<sup>37</sup> Herculine was born in 1838. In 1860, after several medical visits because of health problems, the doctor asked her to change sex with regard to civil status. She became Abel Barbin on 21 June 1860 and from then on dressed as a man. S/he finally committed suicide in 1868 because of the disorientation, confusion and isolation generated by the change of gendered and sexual status.

In addition to the material from Barbin's private journal, Foucault presented the medical files and considerations on other cases that qualified as hermaphroditism and that had 'disturbed law and medicine' in their desire to distinguish between men and women since the sixteenth century. For a long time, the anatomic examination was the main means to check sex, with the invention of special technologies and instruments. For example, in the nineteenth century, Joseph Récamier invented the vaginal speculum in order to explore all the openings and examine their extension and direction, and identify any false congenital malformations that might be hiding

the real sex. Murielle Salle studied the evolution of medical technologies used to allocate an unequivocal sex (in order to conform to the bi-categorisation of the registry office).<sup>38</sup>

In sport, the many doubts concerning the requirement for a medical certificate, instituted in 1964, led the IAAF to organise a gynaecological examination in 1966. In 1967, the Federation finally decided to try out a chromosomal test, as athletes had unanimously condemned the gynaecological examination, considering it to be too invasive and violent.<sup>39</sup> The Barr corpuscle test (which looked for the presence of the second X chromosome within saliva) replaced the gynaecological examination in 1968, but genetic specialists considered it non-reliable and recommended that it be stopped.

However, the inability of the Barr corpuscle test to scientifically identify gender bi-categorisation produced progressively problematic cases.<sup>40</sup> It did not consider chromosomal abnormalities such as transsexualism and intersexuality, and in fact three kinds of participants in women's competitions challenge the will to identify two gender categories:

- (1) The first group represent the various types of intersexuality:
  - Genetic disorders without physical advantage (testicular feminisation syndrome, mosaic forms XXY type, gonadal dysgenesis etc.);
  - Genetic 'abnormalities' giving a physical advantage (as in congenital suprarenal hyperplasia which generates a muscular mass growth sometimes going with hirsutism);
  - Men with genetic troubles who have passed the Barr test (Klinefelter's syndrome);
  - Hermaphrodites (characterised by a co-presence of ovarian and testicular tissues);
  - Pseudo-hermaphrodites (characterised by the presence of genital organs of the other sex).

Muriel Salle speaks about 1% to 2% of children being born intersexed. Elizabeth Badinter reminds us that one woman in 2,700 lives with only one X chromosome (Turner's syndrome) and one out of 500 has three X chromosomes. The XYY case would apply to one man in 500, and the XXY case (Klinefelter's syndrome) to one in 700.<sup>41</sup>

- (2) The second group of participants are transsexuals.
- (3) The third group concerns men trying to compete as women.

### The Medical Legitimation of the Instituted Bi-categorisation

The category involving men attempting to compete as women is the only one explicitly targeted – to avoid cheating – but since the Kathy Switzer scandal (Boston marathon, 1964), no case of a 'dressed-up' man has ever been detected. In fact, the use of a test reinforces the bi-categorical principle. The impossibility of distinguishing the two groups of intersexed and transsexual people from tricksters or cheats functions as a symbolic exclusion. These two groups represent both unthought-of and unthinkable aspects of a binary gender system that tries to hide the social construction that it produces.

In France, at the beginning of the 1990s, the National Ethics Committee (*Comité National d'Ethique*) and the National Board of Doctors (*Conseil de l'Ordre des*

*Médecins*) recommended a cessation of the test in sport for two reasons. One was scientific (the test is not reliable from a scientific point of view) and the other ethical (the test being restricted to medical research and medical action). However, the French sports federations were reluctant to follow this recommendation, maintaining that sex division was part of the statutory requirements in the rules governing their competitions.

Finally in 1992, the federations reluctantly agreed to change the test and modified its name at the same time. 'Femininity testing' became 'gender verification test', even though it still only applied to women's competitions. Seventeen years later, when the IAAF revealed that Caster Semenya was tested as a hermaphrodite, some voices pointed out the problematical aspect of the gender designation of the test. The argument was that in this particular case 'sex testing' should be preferred to 'gender testing', with particular regard to the right of the athlete to define herself/himself and make it known to other people of her/his own volition.<sup>42</sup> Nevertheless, a similar sequence of events occurred at international level at the same period:

'Faced with the case of a competitor whose genes and genitals were clearly at odds, the IAAF in 1990 convened an international group of experts – geneticists, a psychologist, an endocrinologist – to answer the question of how to determine, once and for all, if a woman is a woman.'<sup>43</sup>

The IAAF finally heeded the group's recommendation and got out of the sex-verification-testing business. In 1991, it abandoned this method as unreliable and nine years later in 2000, so did the IOC. Between 1992 and 2000 other federations used the new PCR/SRY – as did the IOC – to check the presence or absence of the Y chromosome (and not the presence of the second X chromosome, as in the Barr test).<sup>44</sup>

More deeply, however, sports doctors were not at ease when faced with sex determination. The multi-dimensional nature of sex identity was accepted with some difficulty by the field of sports medicine.<sup>45</sup> The binary vision of the establishment persists, without giving a single thought to the recognition of a (biological) sex continuum with different levels, crossing an anatomic sex, a gonadic sex and a genetic sex: a continuum that is nowadays made more complex by new considerations of both the psychological and social aspects of sex.

Of course the IOC decided to temporarily stop the use of the 'gender verification test' in 2000, but this was conditional upon finding some other means of testing/controlling gender. However, five international sports federations (basketball, volleyball, skiing, judo and weightlifting) decided to continue with the PCR/SRY test. After 2000, sports authorities and their medical experts remained much divided on the topic. While some federal doctors defended the test in the name of equity, justice and the fight against cheating, others criticised it as discriminatory. In that context, the IOC asked its Medical Commission to gather together some experts to establish rules on the participation of athletes who had had a sex change.

The recommendations suggested by the group in 2003 would be applied in 2004. They proposed regulations and procedures to guarantee that transsexual athletes did not benefit from physical advantages with respect to the other athletes. However, the various debates within sports institutions since the 1990s, and the institutional changes consequently adopted, did not solve the problems. Gender control came back onto the agenda in the 2006 Doha Asiatic Games (the Santhi

Soundarajan case) and in the 2009 Berlin Athletics World Championship (the Caster Semenya case).

After the Caster Semenya ‘affair’, some articles again insisted that ‘gender control’ is both not reliable and complicated because of the philosophical consequences and bio-ethical questions to which it is linked. In that context, the IAAF was strongly criticised for its handling of the Semenya case. But it also appears that the implications of this case for the ethics of sport could not be separated from the debates concerning gender and enhancement nor from the broader philosophical debate about the nature of categories and the classification of people. Three main questions then arise: What about the reality of intersexuality? Could a scientific or medical test offer uncontroversial answers regarding Caster’s gender? And ... isn’t the concept of gender a social construction?<sup>46</sup>

### Prescription and Proscription

Gender bi-categorisation as a state institution is constantly reasserted and this is never so clear as when problems occur. These problems throw up institutional analyses revealing the very basis of these organisations. A parallel can be drawn between hermaphroditism debates about sportswomen and the legal process leading to the annulment of the marriage of Camille and Monica in Ruel-Malmaison in 2005 mentioned by Eric Fassin.<sup>47</sup>

There was no problem as regards the registry office; the two contracting parties being officially a man (Monica) and a woman (Camille). However, the physical appearances and the declared identities were much more controversial. Camille being transsexual and Monica transgender, the civil ceremony apparently involved two ‘women’. The legal decision to dissolve the marriage was justified by the *trouble à l’ordre public* (disturbance or breach of the peace) it represented. One can here observe a state reaction to ‘trouble’ introduced within the norms of gender, of sexuality and of marriage.

This kind of appearance-prescription logic is well known in the sphere of sport. As soon as women had access to sport in any numbers, as early as the 1930s and the 1940s, they caused suspicion about their ‘real’ sex. Doctors immediately become ‘moral entrepreneurs’, speaking in the name of science to stipulate (otherwise prescribe) what ‘real’ women should be, and how they should behave.<sup>48</sup> They thus use medical legitimacy to set out the various kinds of sporting activities that are (or not) fully compatible with their own gender norms. This prescriptive action is quickly reinforced by proscriptive measures, on the basis of a bi-categorical approach that is blind to the scientific developments on which they nevertheless simultaneously base their own authority.

The virilism process (a slow biological convergence of women’s and men’s morphologies) that is generated by the access of women to the same sports competitions as men, also generates attempts to limit this proximity by using aesthetic judgements or legal proceedings against women’s virilism. Inherently biased towards gender bi-categorisation, the establishment does not easily accept this gradual convergence of male and female morphologies. On one hand, legal sport jurisdictions and courts officially exclude those who do not fall within a social norm that is presented as a biologically rooted rule. On the other hand, an everyday basic justice operates on the doubts and the suspicions of hermaphroditism and lesbianism.

This is the way in which the sports establishment, to a certain extent, is involved in socially defining beauty and ugliness. Though it does not have either monopoly or legitimacy in this matter, it can nevertheless be perceived as a normative authority which, in linking with the registry office and the medical establishment, produces aesthetic and legal judgements aimed at establishing the institution of gender as something 'natural' and as a universal category.

### Notes on Contributor

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### Notes

1. Coubertin, 'Discours des quarante années d'Olympisme', 69.
2. Cf. 'urchin' fashion in France, where Victor Margueritte, in his novel *La Garçonne* (1922), invented and made the word *garçonne* popular. A million copies were sold between 1922 and 1929. It was essentially related to a physical choice, in which the haircut was the main characteristic. Moreover, this new female haircut spread widely all through the 1920s.
3. Gaucher, *L'Écriture de la sportive*.
4. Vigarello, *Histoire de la beauté*, 36.
5. Elias and Dunning, *Sport et civilisation*.
6. Douglas, *Danger and Purity*; Douglas, *How Institutions Think*.
7. Foucault, *Les Mots et les choses*, 9.
8. Canguilhem, 'La monstruosité et le monstrueux'; Canguilhem, *Le Normal et le pathologique*.
9. Devron, *Alice Milliat*.
10. Bohuon, 'Entre santé et pathologie', 262–3.
11. Arnaud, 'Le genre ou le sexe?', 163.
12. Bohuon, 'Entre santé et pathologie', 273.
13. Prudhomme-Poncet, *Histoire du football féminin au XXe siècle*, 111–12.
14. Bohuon, 'Entre santé et pathologie', 278, 287.
15. Laget et al., *Le Grand livre du sport féminin*, 28.
16. Arnaud and Terret, *Histoire du sport féminin*; Louveau and DAVISSE, *Sports, école, société*.
17. Ottogalli-Mazzacavallo et al., *Pour une histoire des championnats du monde d'escrime*.
18. Louveau and DAVISSE, *Sports, école, société*.
19. Only the three federations of shooting, horse-riding and sailing.
20. Cf. Goffman, *L'Arrangement des sexes*.
21. McDonagh and Pappano, *Playing with the Boys*; Kaufman, 'Playing with the Boys'.
22. Larsson, 'A History on the "Sportsman" and the "Sportswoman"'.
23. Pronger, *The Arena of Masculinity*.
24. Boulongne, *La Vie et l'œuvre pédagogique de Pierre de Coubertin*.
25. Baillette and Liotard, *Sport et virilisme*.
26. Ferez, *Le Corps homosexuel en-jeu*.
27. Goffman, *Stigma*.
28. Blinde and Taub, 'Women Athletes as Falsely Accused Deviants'.
29. Griffin, *Strong Women, Deep Closets*.
30. Ariel Levy, 'Either/Or', *New Yorker* 85, no. 39 (30 November 2009), 48–9.
31. Black, 'The Not So Curious Case of Caster Semenya', 41; Orenstein, 'What Makes a Woman a Woman?', *New York Times Magazine*, 13 Sept. 2009, 11.
32. Ritchie et al., 'Intersex and Olympic Games'.
33. Parienté, *La fabuleuse histoire de l'athlétisme*, 731.
34. 'Seeking Simple Rules In Complex Gender Realities', *New York Times*, 25 Oct. 2009, 8.
35. 'Verification Results on South African Runner Awaited', *New York Times*, 19 Nov. 2009, 16; 'South African Runner's Sex-Verification Result Won't Be Public', *New York Times*,

- 20 Nov. 2009, 10; 'Semenya Won't Receive Results of Sex Verification Tests Until June', *New York Times*, 1 April 2010, 14; 'South African Is Cleared to Compete as a Woman', *New York Times*, 7 July 2010, 13.
36. OII Australia, 'Caster Semenya: Post-mortem of a debacle', 19 July 2010, available at <http://oiaustralia.com/oped-caster-semenya-postmortem-debacle>.
37. Foucault, *Herculine Barbin dite Alexina B.*
38. Murielle Salle worked on 19 books of the Dr Lacassagne collection and nine articles published in *Annales d'hygiène publique et de médecine légale* between 1866 and 1906. Cf. Salle, 'Assigner un sexe sans équivoque'.
39. Louveau and Bohuon, 'Le test de féminité', 88–89.
40. Bohuon, 'Les enjeux d'une "bicatégorisation" par sexe dans le champ sportif'.
41. Salle, 'Assigner un sexe sans équivoque'; Badinter, *XY*, 61–2.
42. Black, 'The Not So Curious Case of Caster Semenya', 41.
43. D. Epstein, 'Well, Is She Or Isn't She?', *Sports Illustrated* 111, no. 9 (2009), 25.
44. Ljungquist and Simpson, 'Medical Examination for Health of All Athletes'; Vignetti et al., "'Sex Passport" Obligation for Female Athletes'.
45. Bohuon, 'Le test de féminité ou la définition médicalement légitime des corps féminins sportifs'; Bohuon, 'Le "test de féminité" dans le monde du sport'; Fox, 'Gender Verification'.
46. John Lanchester, 'Short Cuts', *London Review of Books* 31, no. 19 (2009), 28; Camporesi and Maugeri, 'Caster Semenya'; Anon, 'Is She or Isn't She?', available at: <http://www.highbeam.com/doc/1P3-1887473641.html>, 8.
47. Fassin, *L'Inversion de la question homosexuelle*, 12.
48. Becker, *Outsiders*.

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