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Genderism in Sports under Attack Again

Away from the Courtroom, Organisations are Just Starting to Grapple with the Complicated Issue of Gender Identity

Based on an article by Douglas Robson in [U.S.A. Today](#) 

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Lana Lawless

Lana Lawless, a former police officer who had affirmation surgery in 2005, has successfully challenged the [U.S.] Ladies Professional Golf Association's ban on transgendered players.

L.P.G.A. had a policy that its players be 'female at birth', but legal challenges have led to a revised policy to allow transgender membership. This required a two-thirds majority vote.

Lawless became known when she won the women's world championship in long-drive golf in 2008. The event was not held in 2009 and in 2010 Lawless was deemed ineligible because of her transgender status.

Although there is no widespread consistency in the rules and policies of sporting bodies regarding transgender athletes, a number of notable advances have been made.

Transgendered tennis player, Renee Richards, who successfully sued in the 1970s for the right to compete in women's competition, feels that there are still a number of complex issues to be reconciled.

Sport is based on the principle that players should compete within groups of approximately equal skill and strength, so that competitions are divided into classes by age, weight, skill and gender. These boundaries are never totally inflexible. Boxers compete in classes above their weight division, track and field athletes compete outside their age groups. If this sort of flexibility is permissible, why should not the gender line be blurred and the reality of gender change be recognised?

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In 2004 the International Olympic Games Committee ruled that transgender athletes were acceptable if they had been through affirmation surgery and two years of post-operative hormone therapy. This policy has also been adopted by the United States Golf Association and the Women's Tennis Association. Caster Semenya's win after the International Association of Athletics Federations backed her right to compete, and the successes of Mianne Bagger in women's golf, Renee Richards in tennis and Kristen Worley in cycling demonstrate the slow turning of the tide. Although the Ladies Professional Golf Association established a policy of 'female at birth' neither the United States Golf Association, the Ladies European Tour nor the Ladies Golf Union in Britain have similar rules.

The lawsuit by Lawless, which also named the L.D.A. and two of its corporate sponsors, sought an injunction stopping the tour from holding events in California as well as an unspecified amount in damages.

California is one of thirteen states and the District of Columbia with laws barring discrimination on the basis of gender identity.

"It looks like the L.D.A. changed its rules to target and exclude her," said Waukeen McCoy, a civil rights attorney in San Francisco who has handled many types of discrimination cases.

Thomas Kemp, a lawyer representing the L.D.A., declined to comment. Ryan Rodenberg, an assistant professor of sports law at Florida State's Department of Sports Management, said Lawless' suit "could be a precedent-setting case" for athletes in the future.

Away from the courtroom, organisations are just starting to grapple with the complicated issue of gender identity.

Even before the lawsuit, the N.C.A.A. had planned to review its policies toward transgender athletes - policies that could affect everything from individual scholarships to a team's eligibility to compete in the men's or women's competitions. For now, the N.C.A.A. recommends that gender classifications adhere to documentation such as voter registration or driver's licence gender statement.

With greater awareness of gender identity issues and the increasing number of transgender people competing and coming-out at younger ages, more collegiate athletes will be likely to come forward, says Helen Carroll, co-author of a report released last month aimed at providing guidance to schools and universities for better practices toward transgender athletes.

When it comes to policy decisions, the debate almost always revolves around fairness. Men, it is believed, have a natural physical superiority.

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