

## **NASSS Statement on Anti-Trans Laws and Bills in Sport**

The recent attacks on and denial of rights for LGBTQI individuals and communities is deeply troubling. In the USA and beyond, there have been spikes in attacks legally, physically, culturally, and politically against gender and sexual minorities, both in and out of sporting institutions. As scholars of sport and leisure, the members of the North American Society for the Sociology of Sport (NASSS) are very aware of the ways forms of oppression and resistance based on gender and sexuality—and resistance to them—take shape in sport and other realms of physical culture. Mississippi governor Tate Reeves signing a law preventing transgender girls and women from participating in girls' and women's sports is a significant and damaging example of attacks on gender and sexual minorities. There are also twelve to thirteen other states in the United States looking to pass similar bills.<sup>i</sup> These are attacks on the freedoms and rights of members of our communities. NASSS condemns these heterosexist and trans-negative attacks and recognizes that they deepen the oppression of queer and trans people who experience direct harm from racism, colonialism, poverty, and disability.

Mississippi's anti-Trans law is premised on anti-scientific, grossly reductive binary ways of organizing social worlds and institutions, including the realm of sport. Science, Humanities, and Social Sciences scholarship have provided evidence about the falseness of the taken for granted belief that there are only two biological sexes, and that gender identities are accordingly limited to two categories that correspond to sex.<sup>ii</sup> This anti-Trans law, like current and previous iterations of trans-exclusive and hateful bathroom policies, fail to account for gender self-determination, trans world-making, gender and sexual diversity as normal and healthy human variation, and the social justice movements in support of civil and human rights for transgender persons and communities. Modern sport has a long history of reinforcing racism, sexism, homophobia, and transphobia, a tradition that scholars of sport and leisure document through our combined scholarship and activism. This recent anti-trans incarnation of social anxiety and social power thus has a much larger shared history with other systems of oppression. Women's sport should be a space for the inclusion of all women and girls. The Mississippi law to restrict transgender participation closes sporting participation, sporting achievement, and sporting pleasures to an entire group of women and girls. We condemn such laws, policies, and practices in the United States and across the globe.

Tate Reeves invokes the language of "fair play" and meritocracy as a way to center cis-gender girls and women as the only representatives of womanhood. The law reflects a false belief that transgender athletes are a threat to women's sports, that having been assigned male at birth (without their consent), they are now cheating the system of sporting meritocracy as trans girls and women. This is based on the widespread assumption that male athletes always have an advantage over women athletes but it ignores the gendered overlap between men's and women's performances and the consistent improvement of women's performances over time as more resources for athletic training and competition become available. 'Female eligibility policies' at the highest level of sport that seek to determine a clear line between male and female bodies have consistently been shown to be unscientific and unstable and yet they are used to determine the circumstances under which trans women are able to compete in women's categories.

It has been established that deciding who is eligible to compete in girls and women's competition is a social rather than a scientific decision. Much like the foundationally flawed but damaging so-called science of 'race' that justified White supremacy and exclusion in sporting and other institutions, trans exclusion is a social decision based on equally flawed science. Such flawed aspects of science also uphold invasive sex-testing, invasive medicalized examinations, and have opened up athletes to sexual abuse in some cases through these testing regimes. These false beliefs form a framework and legal policy that does not account for the diversity of both the practices of gender (gender identities) and the diverse chromosomal, genetic, biochemical, and morphologic orders of the human body beyond reductive chromosomal determinism. These are attacks on the access to sports, on the access to resources for sport, and access to desires and pleasures of sport.

These anti-trans laws and bills are not based on any rigorous scientific understanding of sex or the practices of gender. Neither chromosomal makeup nor bodily comportment can predict athletic ability. Athletic excellence comes in a variety of body shapes, bodily constitutions, (dis)abilities, and training modalities. We realize how this cis-gender fear has taken place at the minute realm of high school sport as well as in the larger realm of the World Rugby's ban on trans-athletes. This fear is part of a larger trend of policing athletes of color and those from the global south. These attacks operate through binary systems and Western epistemologies that refuse how participants identity, even if they are or are not transgender persons. In particular, targeted attacks on Black and Brown female athletes, including Caster Semenya, a Black South African woman and Olympic gold-medalist, reveal that these cis-gender anxieties are co-constituted by anti-Blackness and racism. Much like how white women's sexualities were policed for the sake of white supremacy by attacking Black men, the exclusion of trans girls and women from sport constitutes the terrain through which to police boundaries of gender and practice transphobia. We, as the North American Society for the Sociology of Sport, condemn such transphobic laws, policies, and practices and request that all sporting organizations, in the name of fair play and gender equity, open access in women's sports to all who self-identify as women. An equitable playing field is one won through participation not one of exclusion.

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<sup>i</sup> <https://www.glamour.com/story/attacks-on-transgender-athletes-are-threatening-womens-sports>

<sup>ii</sup> David Rubin. 2017. *Intersex Matters*. Albany: SUNY Press; Georgiann Davis. 2016. *Contesting Sex*. New York: NYU Press; Ann Travers. 2018. *The Trans Generation*. New York: NYU Press; C. Riley Snorton. 2017. *Black on Both Sides: A Radical History of Trans Identity*. Minneapolis: University of Minnesota Press.