

## (Trans)forming the face of female sports in South Africa

There is no doubt that transgender individuals endure a great deal of discrimination in all spheres of society. From childhood this marginalised group of individuals come up against many challenges. This is particularly true when it comes to sport. Given that Netball is a female sport code, many transgender women are not allowed to participate on the basis of medical arguments. As a transgender woman, I had to go undercover in order to determine the legislative framework allowing passage of transgender women in netball as a classically female sport code.

An investigative piece by Leigh Ann van der Merwe

Growing up living and feeling like a girl, the dream of being a super famous netball star and running onto that court every afternoon at five o'clock had my heart beating wild with excitement. Then came the Saturday afternoon matches against neighbouring towns and its associated depression. This is about the time when the rules are set for the match and conventions are at the order of the day. Of course these rules are set in terms of the average gender norm of netball being a female sport code.

Ridiculous statements are made like "men are not allowed to play in female sports". Funny thing is: I never felt like a man or lived like a man but in the honour of the game, I best stepped back and gave up my position to a woman who had not attended practice sessions once during that particular week – so much for egalitarianism in the world. This is clear discrimination in sport but it is nothing new for a transgender individual who experiences discrimination in most aspects of life.

Then, on one summer's day a bright idea hit me: "Why not ask the high school netball coach if I can practice with the girls at school"? Mrs Marais\* called me out of the English period to inform me, "I am afraid I cannot approve this request because even if you just practice with the team, it means you are taking some other girl's place and thus hinder her from a training opportunity". I could not believe what I was hearing. As a transgender person you become used to all the limitations but it takes a moment for each rejection to sink in. This transpires on another level of ignorance in our societies and peels away at the self-worth and confidence of those at the downbeat of this conduct of our "rainbow nation".

As with all good things in life, one must contemplate the implications of a battle. Netball has been more than a game, it has been a lifeline in a depressing time. This incited my search for answers into this trans phobic stance of sports authorities in South Africa. A gender ambivalent individual contended a media scrutiny in 2009 when Athletics South Africa came under focus for allowing a gender ambivalent individual to participate in mainstream women's sports. This woman faced great probing into her gender in the media. Two issues need to be flagged here: number one, gender and number two, media. Then there is the dilemma about how South African media portrays gender issues. I am touching on this issue because the media is both a vehicle to drive our agendas but one has to drive cautiously down this avenue (pun very intended).

On the issue of netball and transgender women: I went searching high and low about why transgender women are being discriminated against in classically gendered sports codes. My first stop was Netball South Africa who, at first could not give an opinion about its standing and official position on transgender women participating in mainstream female sport. After so many emails, I decided to look into the legislative framework of our country. I was rather apprehensive about travelling down LEGAL AVENUE because the most indignant phenomenon about our beautiful country is that we have these beautifully written laws and a wonderful constitution but the enforcement thereof leaves much to be desired.

I enthusiastically sent an email to a professor specialising in sports law at the University of Pretoria and phoned up the University of the Western Cape Law Clinic, Gender Project, only to be told the project is no longer in existence. The Sports Law Centre at the University of Pretoria responded saying there is no clear legislative guideline around this issue. One more email to Netball SA who responded saying they will get some guidance from SASCOC. In the meantime I had contacted the Ministry of Justice who said a request of this kind would be best dealt with by the Department of Sports and Recreation, who, true to form and in typical South African style, referred me back to the Department of Justice because this gap in our legislation has a "social justice" element to it.

After so many weeks passed, I got to work one morning and there it was - an email from Netball South Africa: a recommendation made to Netball SA by the International Federation of Netball Associations. This is called the Gender Recognition policy. It starts off by saying that IFNA will respect someone in possession of a Gender Recognition Certificate. Let me elaborate on this certificate. If there is the slightest suspicion around your gender, you will probably have to obtain such a certificate in order to verify/validate your existence. Doesn't this remind you of the time when coloured folk had to carry around a doompas\* in order to be allowed movement in society?

It goes on to say that “individuals who have undergone gender reassignment surgery before puberty shall be accepted to be female and individuals who have undergone gender reassignment after puberty shall be deemed to be male”. The only problem with that statement is that no transgender person will undergo surgery before puberty given age as a determining factor for intervention in transexuality as outlined by the Harry Benjamin Gender Dysphoria Standards of Care, applied by psychologists and psychiatrists in the assessment of transgender persons.

The conditions in this document further state that gender reassignment surgery should be completed, including external genitalia. I cannot imagine why IFNA would set this regulation but my theory is that it is based on the premise that testosterone is an aggressive hormone and can possibly create an unfair advantage to cisgendered women. I would have to provide a tentative argument in response to this. According to [www.thebody.com](http://www.thebody.com) , not only does hormone therapy increase feminisation of the face and body, it also decreases muscle mass