

Caster Semenya: sport, categories and the creative role of ethics

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ABSTRACT

Caster Semenya, a South African 18-year-old, won the 800-metre track running title at the Berlin World Athletics Championships in 2009. Only 3 h later, her gender was being harshly contested. The investigation of the International Association of Athletics Federations (IAAF) was neither discreet nor respectful of her privacy. Caster's case has implications for the ethics of sports and debates about gender and enhancement, and for the philosophical debate about the nature of categories and the classification of people. The IAAF has not disclosed the results of their tests on Caster, and the South African Ministry of Sport has decreed that in any case she can continue running with women in her own country. But could a scientific or medical test offer uncontroversial answers regarding Caster's gender? The concept of 'gender' is partly a social construction. The authors argue that ethics may guide science and medicine at addressing such questions.

In 2008, the debate about Oscar Pistorius' prosthesis stirred the sports community with an ethics-flavoured quarrel.¹ After the Lausanne Supreme Court of Sport had ruled on its permissibility, and especially after Pistorius did not qualify for the Olympics in Beijing, the waters seemed to calm down. But in August 2009 the Berlin World Athletics Championships were shaken by another controversy. Caster Semenya, an 18-year-old from South Africa, won the 800-metre title by nearly two and a half seconds, finishing in 1:55.45. Only 3 h after winning the gold medal, Caster was at the centre of a harsh contestation concerning her gender. A bitterly disappointed Italian runner, Elisa Cusma, who finished sixth, was reported as saying, 'These kind of people should not run with us. For me, she is not a woman. She's a man.'²

The International Association of Athletics Federations (IAAF) reported that two things triggered the investigation: the 'incredible improvement in the athlete's performance and ... the fact that a South African blog was alleging that she was a hermaphrodite athlete'.³ The IAAF defined her improvement 'the sort of dramatic breakthroughs that usually arouse suspicion of drug abuse'.⁴ The parallel drawn by the IAAF with drug abuse hinted that Caster had won by 'cheating'. Other commentators pointed out that Caster went from training on the roads of Limpopo to a world-class facility in Pretoria, and that the improvement was actually not so incredible.⁵

The results of the gender verification tests on Caster, which were neither discreet nor respectful of her privacy, were expected by the end of

November 2009 but were never disclosed. In a statement released on 19 November 2009, South Africa's Ministry of Sport said that Caster had reached an agreement with the IAAF to keep the gold medal and prize money, but the IAAF refused to confirm this. Most notably, the Ministry of Sport has decreed that Caster can continue running with women in her own country, regardless of what the IAAF decides.⁵

The IAAF has changed its gender verification policies several times over the last few decades. From the humiliating methods adopted at the 1966 European Track and Field Championships and at the 1967 Pan American Games, where disrobed female athletes were asked to undergo physical examination before a panel of experts, to the screening of the Y-linked SRY gene in 1992, gender testing has always been controversial.⁶ The current policy, adopted in 1996 and not substantially changed at the International Olympic Committee meeting held in Miami in January 2010, has been defined as an 'I know it when I see it' policy,⁷ because it does not indicate who should be tested and on what grounds. An athlete will be examined if 'there is any 'suspicion' or if there is a 'challenge': evidently, a blog post qualifies as a challenge. Therefore, how should Caster's case be resolved? And on what basis should a decision be taken?

Not every culture divides the sexes absolutely: some North American tribal customs feature 'two-spirit' people, who combine male and female attributes, and in South Asia there is a word, *hijras*, for persons considered neither males nor females.⁸ 'Nature' is not moral, and it contains no moral messages framed in human terms.⁹ The way in which humans group things is not merely a reading of an alleged 'natural order', rather it is a more complex social activity requiring negotiation and reflection upon the consequences and the purposes of such an ordering.¹⁰ Therefore, deciding where to draw the line in the grey area of sexual conditions depends also on the way in which we want track and field sports to be organised.

In an attempt to assess in which category should Caster compete, we should first ask ourselves whether a scientific or medical test would offer uncontroversial answers for our purposes. What kind of answers could such a test provide? In our case of sex differentiation, a relatively broad spectrum of conditions lies between the two extremes 'male' and 'female'.

The number of disorders of sex differentiation can be counted in the order of tens, with variable degrees of severity, and can be classified as sex chromosome abnormalities, gonadal abnormalities and sex hormone abnormalities.^{11 12} About 1.7% of

people have these disorders.^{13 14} Only some of these conditions are apparent, and many people who have them do not discover they belong to this 1.7% until they decide to have children and find out that they are subfertile or sterile.

Can we claim that Caster could be allowed to compete with women only if diagnosed with one certain kind of disorder and not another? On the one hand, some may want to claim that, were Caster affected by androgen insensitivity syndrome—a condition that affects people who are genetically XY but unable to metabolise androgens and who therefore display external female appearance but have no uterus or ovaries—she should be allowed to compete with women, since such people have none of the physical advantages derived from an increased level of androgens and have a female gender identity. However, such people are genetically XY—males.

On the other hand, Caster might be diagnosed with congenital adrenal hyperplasia (CAH), an endocrine disorder in which the adrenal glands of a genetic female (XX) produce abnormally high levels of virilising hormones. In this case, the affected person has an increased muscle bulk that might provide an advantage over other females, and some people would want to claim that Caster should be banned from running with women if she has this condition. Others might claim that such a person would have to undergo treatment to lower the level of androgens in order to compete with females (the conclusions of the recent International Olympic Committee meeting seem to go this way⁷).

However, we do not find it self-evident that even an allegedly advantageous condition such as CAH can be a justification for altogether depriving affected individuals of their right to compete with others, nor that these people should be 'averaged' to allegedly normal values. In other words, we do not think that the advantage—if any—provided by CAH would be unfair.

Humans display a great deal of biological variation. Sex is no exception. Thus, we should look at this biological diversity as an opportunity rather than a threat. After all, every athlete who performs outstandingly is 'exceptional', in one way or another. The National Basketball Association, for instance, has several players with acromegaly, a condition that causes the overproduction of growth hormone and that is usually classified as pathological, but which turns out to be a powerful advantage when playing basketball at professional levels.

The only thing we should really care about is not the 'nature' of that uniqueness, but that this has not been achieved by 'cheating'. And, by *cheating*, we mean breaking rules that have been reached through a consensus to provide a fair competition. This point has implications for the debate about enhancement in sports. Even if a clear-cut distinction between treatment and enhancement, normal and pathological, could be drawn—which is questionable in itself—the most important question that remains unanswered is the following: who makes these judgments and how?¹⁵ Our ever-increasing knowledge of genetics challenges our ordinary binary thinking about sexual boundaries. Therefore, decisions as to whether people who fall outside this dichotomy should be banned from sports competition, or as these should be reformed to take into account such diversity, are a matter of deliberation. Clearly, these decisions need to be informed by scientific evidence. But, alas, this is not enough. It is at this level of category-setting, we argue, that regulation should take into account ethical thinking too. This should aim to clarify standards of fairness of sports competition.

When taking a decision, the IAAF has also to keep in mind the implications of banning Caster from running with women. Indeed, what would happen if Caster were excluded from running in the female category? Could she then switch to the

male one? Of course not, as she could not be considered, by the very same criterion, a man either, and would not be competitive in the male category. Indeed, were she banned from running with women, the only option left to her would be not to compete at all, being excluded from both categories. Would that count as fair? The South African magazine *You* recently featured a photo spread showing Caster dressed in high heels and a short skirt, hair fluffed and heavy make up, looking unhappy. Is that the kind of fame, and future, she should try to run up for? We hope the answer to this question will be negative. However, this can only be so if the creative role of ethics in making categories is fully acknowledged by the IAAF and its regulations.

Indeed, are there any alternative ways of organising track and field, if not on the basis of gender? Would weight be a better criterion, as it seems to work for boxing competition? Or would biochemical differences, such as the levels of testosterone, do the trick? Another option might be devised by anyone wishing to preserve strict sexual boundaries—namely, to create a brand new category for any disorder or syndrome related to sex! We suspect this will not happen, because it would be both impractical and discriminatory. Reasons for preserving the myth of 'purity', in any context, have always proceeded hand in hand with making someone an outcast, as was also the case with Oscar Pistorius.

The debate spurred by Caster's ordeal leads us to discuss not only gender categories in sports. It rather demands reflection on the meaning and aims of sport—in other words, its ethics and philosophy. We cannot expect science to provide ready-made answers on our behalf: decisions have to be taken, not found.

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REFERENCES

1. **Camporesi S.** Oscar pistorius, enhancing and post-humans, *J Med Ethics* 2008;**34**:639.
2. **Kimmel M.** The bigotry of the binary: the case of Caster Semenya, 2009. http://www.huffingtonpost.com/michael-kimmel/the-bigotry-of-the-binary_b_267572.html (accessed 10 May 2010).
3. **Levy A.** EITHER/OR. Sports, sex, and the case of Caster Semenya. *New Yorker* 25 Jan 2009. http://www.newyorker.com/reporting/2009/11/30/091130fa_fact_levy?printable=true#ixzz0aA4fhZ4i (accessed May 2010).
4. **Smith D.** Caster Semenya row: 'Who are white people to question the makeup of an African girl? It is racism'. *Observer* 2009. <http://www.guardian.co.uk/sport/2009/aug/23/caster-semenya-athletics-gender> (accessed 10 May 2010).
5. **Longman J.** South African Runner's sex-verification result won't be public, *N Y Times* 19 Nov 2009. http://www.nytimes.com/2009/11/20/sports/20runner.html?_r=1&pagewanted=print (accessed May 2010).
6. **Simpson JL, Ljungqvist A, Ferguson-Smith Ma, et al.** Gender verification in the Olympics. *JAMA* 2000;**284**:1568–9.
7. **Dreger A.** Intersex and sports: back to the same old game. Hastings center bioethics forum, 2010. <http://www.thehastingscenter.org/Bioethicsforum/Post.aspx?id=4426> (accessed 10 May 2010).
8. A question of sex; Intersexuality. (Male, female or what?). *Economist* 17 Oct 2009. http://www.economist.com/world/international/displaystory.cfm?story_id=14646491 (accessed Mar 2010).
9. **Gould SJ.** Non moral nature. *Natural History* 1982;**91**:19–26.
10. **Dupré J.** *The disorder of things. Metaphysical foundations of the disunity of science.* Cambridge, MA, USA: Harvard University Press, 1993:252–61.
11. **Yang JH, Baskin LS, DiSandro M.** Gender identity in disorders of sex development: review article. *Urology* 2010;**75**:153–9.
12. **Migeon CJ, Wisniewski AB.** Human sex differentiation and its abnormalities. *Best Pract Res Clin Obstet Gynaecol* 2003;**17**:1–18.
13. **Blackless M, Charuvastra A, Derryc A, et al.** How sexually dimorphic are we? Review and synthesis. *Am J Hum Biol* 2000;**12**:151–66.
14. **Hull CL, Fausto-Sterling A.** How sexually dimorphic are we? Review and synthesis. *Am J Hum Biol* 2003;**15**:112–15.
15. **Harris J, Chan S.** Understanding the ethics of genetic enhancement, *Gene Ther* 2008;**15**:338–9.



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