

# BIOPOWER, WOMEN'S SPORT, AND TRANS PANIC: WHAT DOES IT TAKE TO MAINTAIN GENDER?

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Sport has become the site of focus for attacks on trans rights, where people's support for trans rights weakens and where transphobic rhetoric comes out in full force because it is "unfair" for 'biological men' to compete in women's sports. Politicians are hyper-fixated on trans women athletes and their alleged threat to women's sports. Consequently, all women athletes are hyper-examined. Are they really women? Do they seem feminine enough? In the 2024 Paris Summer Olympics, several women athletes had their womanhood denied because they performed too well in their respective sports. Imane Khelif, an extraordinary boxer who identifies and has always identified as a woman, won a gold medal at the 2024 Olympics. Many vocal anti-trans propagandists, including JK Rowling and Elon Musk, challenged her sex and gender because her performance was perceived as too impressive to be a woman.<sup>67</sup> The underlying assumption behind the inquisition into Khelif's sex was that sex determines ability; men are assumed to be universally superior to women, making it an unquestionable fact that men are stronger than women and women will never be able to reach their level of expertise in sports. Thus, people question whether any high-performing woman might *actually* be a man in disguise. Khelif was unmade as a woman because she presented too masculinely and performed in ways people did not believe a women could. If these traits are as inherent and fixed as we are constantly reminded, they are, why do social groups and institutions put such force into maintaining them,

and how can they be unmade so easily? The very process of unmaking Khelif's gender emphasizes how gender is shaped by social and cultural beliefs, rather than existing as an inherent and fixed thing. Khelif's case and the increased politicization of sports calls into question the work that goes into creating sex and gender. This paper examines how sport has become the site where binary gender and sex are heavily produced, regulated, and maintained.

Michel Foucault's "*Society Must be Defended*" lectures offer a useful model to trace the power effects underlying the trans panic in sports and subsequent regulation in women's athletics.<sup>68</sup> Foucault describes biopower as a regulatory power which seeks to monitor, control, and regulate biological functions.<sup>69</sup> I argue that biopower is employed through discussions of fairness in sport to maintain heteropatriarchal social values and beliefs, specifically notions of biological essentialism, male superiority, and the gender binary. Through discussions of protecting women in sports, women become biopolitical and highly regulated subjects rather than high-performing athletes. Using biological sciences, Foucault asserts that the state seeks to regulate and stabilize things like reproduction rates, mortality, and longevity using the biological sciences.<sup>70</sup> From a biopolitical lens, sex and gender become important phenomena to strictly regulate in relation to reproduction, a function the state is deeply invested in. Heteronormativity becomes valuable to the state as a way of regulating human reproduction. While

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<sup>67</sup> Brock Wilson, "Misinformation persists online after super-brief Olympic boxing bout," *CBC News*, August 3, 2024, <https://www.cbc.ca/news/world/imane-khelif-algerian-boxer-gender-1.7283949>.

<sup>68</sup> Michel Foucault, "*Society Must Be Defended*," (Picador: 2003).

<sup>69</sup> Ibid.

<sup>70</sup> Ibid.

hormones like testosterone have become standardized for average men and women, human biology cannot be so neatly and meaningfully categorized into those who have a penis and those who have a vagina. Yet, biopolitical mechanisms ignore this reality to order people in ways that simply categorize individuals by their reproductive capabilities into distinct biological categories and capabilities.

Sport has become a site where biopower is exercised in full force to categorize sex and gender. Trans rights have become the hot topic of political debate, and sport is an area where people have the most difficulty accepting trans rights because questions of fairness come into play. How can a 'biological male' play in women's sports when men have so many biological advantages over women? The underlying assumption here is that men are fundamentally superior to women, and biopolitical mechanisms come out in full force, sorting individuals by biological generalizations to easily regulate populations on the basis that women are weaker than men. New policy proposals to inspect women before they are allowed to compete to ensure they are 'actually women' highlight the pervasiveness of biological surveillance and regulation of gender and sex in sports.<sup>71</sup> Invasive hyper-surveillance is repackaged as protecting women's opportunities in sport. Such biopolitical mechanisms are on full display in Donald Trump's America. On February 5, 2025, Trump passed an executive order to protect women's sports by keeping 'men' out.<sup>72</sup> He claimed that allowing trans women into sports ignores "fundamental biological truths between the two sexes" and "denies women and girls the equal opportunity to participate and

excel in competitive sports."<sup>73</sup> To his second point, it is worth noting that there are fewer than ten trans women athletes in America's National Collegiate Athletic Association (NCAA), out of 235,735 total women athletes.<sup>74</sup> Therefore, we must question whether the motive of these policies is actually to protect women's sports, or if it serves another agenda: reinforcing again and again that men and women are entirely separate and could not possibly compete together or be equal, as is highlighted in his first quote. Trump's political agenda does not aim to protect women's sports opportunities. Instead, it creates and reinforces binary gender and sex divisions. Trump's order creates a political panic which justifies the biological regulation of women and individuals deemed outside the gender binary.

Trump's idea of "fundamental biological truths" asserts a dangerous and violent generalization which subjugates diverse gender identities and sex variability. In Foucault's first lecture, he cautions that scientific knowledge production is used to obscure and subjugate knowledge that others would wish we ignore.<sup>75</sup> Science as a field seeks to generalize and universalize information through the "objective" scientific method. In reality, scientific inquiry can instead obscure certain types of knowledge. For example, the knowledge of binary sex, which many people accept as fact, is produced and maintained through the false application of scientific inquiry. Identities outside the binary become a subjugated knowledge. They were made unreal by "fundamental biological truths" and repackaged as a novel fade created by the woke left. *Men are men and women are women, and these are fundamental*

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<sup>71</sup> Eddie Pells, "Track's proposed eligibility, transgender rules would completely ban Semenya and others," *CBC News*, February 10, 2025, <https://www.cbc.ca/sports/olympics/summer/athletics/track/track-transgender-eligibility-rules-1.7455213>.

<sup>72</sup> Donald Trump, "Keeping Men Out of Women's Sports," *The White House*, February 5, 2025, <https://www.whitehouse.gov/presidential-actions/2025/02/keeping-men-out-of-womens-sports/>.

<sup>73</sup> Ibid.

<sup>74</sup> Brooke Migdon, "NCAA president says there are 'less than 10' transgender athletes in college sports," *KGET*, December 18, 2024, <https://www.kget.com/sports/ncaa-president-says-there-are-less-than-10-transgender-athletes-in-college-sports/>.

<sup>75</sup> Foucault, *Society*.

biological truths that have existed since the beginning of time. Anyone who says otherwise denies science, the absolute marker of true knowledge. These arguments ignore a true biological reality: human biology does not only recognize two binary sexes. Intersex individuals—meaning individuals with sex characteristics outside the traditional male/female binary—make up approximately 1.7% of the population.<sup>76</sup> Yet, politicians aren't interested in this biological reality. Instead, they mobilize the panic around fairness in sport to regulate men and women as distinct entities. Anti-trans, biological essentialist rhetoric obscures the reality of sex diversity. Sex is naturalized and essentialized to fit into the frame of reproduction. Through this rhetoric, sex determines one's ability in sport and performance is limited by one's female sex. High-performing women are unmade as women because they fail to behave in the ways the fundamental truth of the male/female binary demands.

I would like to briefly turn to Mary Wollstonecraft's *Vindication of the Rights of Women* to examine the parallels between her arguments and arguments against transphobic and gender-essentialist rhetoric—parallels which trace a history of feminist fights against knowledge subjugation and biopolitical power achieved through biological determinism. Wollstonecraft, a feminist thinker from the 1700s, wrote at a time when women were denied education because it was a biological fact that women were rationally inferior to men and that they could not possibly learn to the extent that men do. She argued that women are only rationally inferior because they have not been given the same opportunity to learn as men.<sup>77</sup> Her essay provides an argument against the biological

essentialism and determinism of sex and gender. Women's rational inferiority was a biological truth and common-sense social reality in the same way that women's physical inferiority is a biological truth and common-sense reality. Gender was and is essentialized as a biological phenomenon. Women were and are consequently oppressed based on their biological reality. While it is now a (hopefully) accepted fact that women are more than capable of learning to the same extent as men are, it remains, in the eyes of most, a delusional fantasy that women are capable of the same level of competition that men are.

What facts about sport are concealed by the base assumption that women are biologically inferior? How are the stereotypes about women's biology made real? The National Collegiate Athletic Association in the United States invests almost twice as much money in its male athletes than in its women athletes.<sup>78</sup> Would men and women perform equally if they received equal investments? Sport participation rates for boys and girls are also vastly different. One in three girls in late adolescent sport drop out, compared to one in ten boys.<sup>79</sup> Are we driving talented women athletes away while retaining and investing in the athletic abilities of men? Can we really say women are inferior if they aren't given the opportunity to be equal, as Wollstonecraft argued over 200 years ago? Biopolitical power exercised through sport reproduces ideas of common-sense sex divides. The attack on trans women in sports reinforces women's inferiority through the common-sense logic of fundamental biological truths due to the almost universally accepted fact that 'biological men' are stronger than 'biological women.' The political focus on whether trans women should compete in

<sup>76</sup> Office of the United Nations High Commissioner for Human Rights, "Intersex people," *United Nations*, n.d., <https://www.ohchr.org/en/sexual-orientation-and-gender-identity/intersex-people>

<sup>77</sup> Wollstonecraft, *Vindication*.

<sup>78</sup> Jaclyn Diaz, "The NCAA's focus on profits means far more gets spent on men's championships," *NPR*, October 27,

2021, <https://www.npr.org/2021/10/27/1049530975/ncaa-spends-more-on-mens-sports-report-reveals/>.

<sup>79</sup> Alex Grey, "Canadian Girls Are Dropping Out of Sport According to National Study," *Canadian Women & Sport*, n.d. <https://womenandsport.ca/canadian-girls-dropping-out-of-sport/#:~:text=Among%20girls%20who%20have%20participated,is%20only%201%20in%2010.>

women's sports obscures the real debate we should be having: how have we come to believe so definitively and without question that women are weaker than men? Ability in sports is determined exclusively by biology, so we ignore the other social factors that might limit a woman's ability to excel in sport. Biopolitical mechanisms in sport regulate women's bodies, reduce them to biological subjects, and unmake women as women when they defy gender norms under heteropatriarchal assumptions of gender and ability.

The story of Caster Semenya, an incredible South African runner and athlete, demonstrates how women can be unmade through biopolitical processes. Her story highlights the fragility of the sex binary and the social limitations imposed on women. In 2009, Semenya won an extraordinary race. Due to her incredible performance and masculine appearance, people began to question her womanhood.<sup>80</sup> She was forced to undergo "gender verification tests" to ensure she was a woman.<sup>81</sup> The very existence of these tests highlights how gender is so severely essentialized in the context of sports; however, these tests concluded that she had three times as much testosterone as the 'average' woman,<sup>82</sup> meaning she was not a real enough woman to continue competing. Semenya was forced to take a series of medications to reduce her testosterone to more acceptable levels for a woman to have to continue to be an athlete.<sup>83</sup> She was labelled intersex, and therefore unmade as a woman. Proposed track regulations would restrict Semenya, and other women deemed non-women, from competing because of their higher-than-average testosterone levels,<sup>84</sup> highlighting how women athletes are seen as biopolitical subjects who must fit within narrow biological definitions of

womanhood to compete. These narrow definitions of womanhood also strictly align with Western, white definitions of a woman and further marginalize racialized women, such as Caster Semenya. Women's biology is weaponized against them, all in the interest of protecting opportunities for women in sports. Importantly, strict regulation and monitoring exist only for women. Exceptional women are subjected to heightened regulation and surveillance because of their biological advantages, whereas men are celebrated for their exceptional athletic abilities, even with biological advantages. Michael Phelps, regarded as one of the best swimmers of all time, has numerous biological abnormalities, such as his webbed feet and ability to produce half the lactic acid of a "normal man," which do not disqualify him as a man.<sup>85</sup> No one would ever even consider unmaking him as a man, because within a heteropatriarchal framework, men can excel without limits; yet, Semenya's advantages disqualify her as a woman. The contrast in treatment between Semenya and Phelps demonstrates the way biopower is employed under heteropatriarchal assumptions of male superiority. Only women athletes are biologically monitored and regulated, justified by the panic that trans women might be stealing opportunities from women athletes. Men are not thought of as inferior and can therefore benefit from any number of biological advantages. Through biopolitical surveillance and regulation, women athletes are limited to social assumptions of their biology or else they are unmade as women. The heteropatriarchal belief is that a woman athlete must either be inferior to male athletes or must not be a real woman.

Semenya released a memoir titled "The Race to be Myself." In this book, she describes

<sup>80</sup> Tshepo Mokoena, "Caster Semenya: 'How would I label myself? I'm an African. I'm a woman. I'm a different woman,'" *The Guardian*, October 28, 2023, <https://www.theguardian.com/sport/2023/oct/28/athlete-caster-semenya-interview-im-a-woman-im-a-different-woman>.

<sup>81</sup> Ibid

<sup>82</sup> Ibid.

<sup>83</sup> Ibid.

<sup>84</sup> Ellis, "Track's Proposed Eligibility."

<sup>85</sup> Colleen de Bellefonds, "Why Michael Phelps Has the Perfect Body for Swimming," *Biography*, May 14, 2020, <https://www.biography.com/athletes/michael-phelp-perfect-body-swimming>.

herself as a different woman, rejecting the intersex label imposed on her.<sup>86</sup> Semenya asserts that “I’m a different woman. That’s the only term I can use.”<sup>87</sup> This testimony demonstrates how categories of men, women, and other—where Semenya is placed in the ‘other’ category—are ignorant of the lived experiences of real people. Foucault challenges fields that attempt to universalize knowledge without regard for how it is individually applied.<sup>88</sup> Applications of biological sciences attempt to say there are only two sexes, or that we can assign people labels of male, female, and intersex based purely on sex characteristics. Semenya’s story demonstrates how the biopolitical athletic regulations, which make overarching generalizations about what a woman can and cannot be by essentializing gender to a biological phenomenon, fail to capture what a woman actually is. Biopolitical rhetoric declares that all women must behave in certain ways and cannot possibly excel in other ways. Semenya’s hormone levels are unnatural, and therefore, she is not a woman. Her personal experiences, however, reject this notion of strict womanhood. Biopolitical processes function on a macroscopic level, ignoring the experiences and reality of the individual. Semenya is a phenomenal athlete whose strength is seen as too good for her to be a woman, despite how she understands and has always understood herself. Semenya’s testimony uncovers the exceptions to biopolitical rigid regulations of sex and gender and emphasizes the need to abandon current categories and regulations of gender in sport.

Why have politicians invested so much time, money, and energy into attacking trans athletes and ‘protecting’ women’s sports? This political focus invokes Foucault’s idea of state racism.<sup>89</sup> The biopolitical state’s political structure and entire reason for being is now to make live.<sup>90</sup> That is to say, the role of the state is to prolong the

life of those it considers state members. The state incorporates state racism into its political toolbox to distinguish between members of the state and threats to the state to avoid its mandate of protecting life.<sup>91</sup> Transgender and gender non-conforming people threaten how the state has organized society and ordered people neatly into male and female categories; they challenge the heteropatriarchal mission of ordering people according to reproductive capabilities. Therefore, the state’s goals are at odds; it struggles to make members of the state live, while the very existence of certain members of the state threatens the social order. State racism directed toward trans and gender non-conforming individuals solves this contradiction by denying transgender and gender non-conforming people the right to live. Instead, the state attempts to erase them from existence. Sport provides the perfect venue for state racism to be hyper-focused. Sport is where people often draw the line for trans rights because “fundamental biological truths” are easily weaponized. Sport is one site where the gender and sex binary becomes most pronounced, because, of course, women are biologically inferior to men, and it is simply unfair for biological men to compete in women’s sport. This rhetoric is continually fed to us through debates about fairness in sport. Whereas social acceptance has increased for trans people in some areas of society, and it is a somewhat more widely accepted truth that gender is a social construct and not a biological reality, sports re-essentialize gender and sex as strictly biological facts that have no nuance or opportunity for debate. People who try to advocate for the inclusion of trans women in women’s sports deny “fundamental biological truths.” Through sport, state racism can be violently mobilized, “derealizing” people who do not fit within norms of gender and sex and excluding them from social rights and protections beyond sport.

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<sup>86</sup> Mokoena, “Caster Semenya.”

<sup>87</sup> Ibid.

<sup>88</sup> Foucault, *Society*.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> Ibid.

Trans-exclusionary political rhetoric drives biopolitical regulations in sport. It fuels the notion that men and women are distinct categories of being. Biopower is thoroughly exercised in sport to drive heteropatriarchal ideas of male superiority. Through heightened regulation and surveillance, the state dehumanizes people who do not fit the gender binary or challenge heteropatriarchal notions of gender and sex. Sport is a site where gender and sex are hyper-essentialized as strictly biological phenomena. Anyone who dares suggest women and men might not be as distinct as we make them out to be, or that a woman can excel in sport to the degree that men can, denies fundamental biological truths. The fear that trans women might be stealing opportunities from 'biological women'

has enabled widespread transphobia to be exercised in conversations of sport, mobilizing the state mandate of neatly ordering people into biopolitical subjects of male and female. As a result, people constantly buy into the idea that gender and sex determine ability is unquestionably a fact. These mechanisms naturalize and produce sex and gender as binary realities, subjugating the knowledge of any sex or gender diversity. This political rhetoric unmakes high-performing women as women and suggests they are something Other to maintain heteropatriarchal values across society. We must question the common-sense reality of sex in sport and de-essentialize gender and sex as a biological reality that determines what women can or cannot achieve.

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