Trans women participation in sport: a feminist alternative to Pike's position

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Abstract

Both the approach taken by World Rugby to address the question of transwomen participation in women's rugby and the paper by Jon Pike that explains the ethical justification for the exclusion of transwomen players from world rugby are compelling when understood within the dominant rugby/sport narrative. However, in this article, I suggest that what is absent is a radical feminist understanding that engages with the political purposes of separate sport spaces for women in producing feminist counternarratives that challenge men's power in/over sport. Decisions about the inclusion of transwomen in women's sporting competitions should be made on a sport context-by-sport context basis oriented by broader feminist political goals.

Key Words: Feminism, Rugby, Gender, Trans, Inclusion

Introduction

> To hear with a feminist ear is to hear who is not heard, how we are not heard. If we are taught to tune out some people, then a feminist ear is an achievement (Ahmed 2021, 4).[1]

There is a lot that is persuasive about both World Rugby's [WR] approach to discussing the issue of trans* participation in their game, and of Jon Pike's (2021a) considered and thoughtful presentation of the ethical justifications for excluding trans women from continuing to participate in elite level women's rugby. WR received presentations from

specialists across a variety of disciplines, as well as trans* advocates, sport policy organizations and rugby federations, providing both inclusion and exclusion based arguments. Then a *Transgender Participation Working Group,* made up mostly of current and former women players, was required to 'stress test' these presentations, with an aim of producing a position of broad consensus, which was then unanimously endorsed by the Executive Committee of WR (Tucker 2021b). This process is a working example of Robert Simon's idea of the utility of using a broad and unrestricted discursive community in producing ethical sports policy (2004) and notable for its difference to normal top-down policy production by sporting organizations. Since the endorsement of the working group's regulation by the Executive Committee, there has been a suggestion to expand the scope of the WR position to other levels of rugby and to all levels of most other sports (Pike 2021b; Tucker 2021a).

The presentation by Pike (2021a) of the ethical justification for exclusion of trans women from women's rugby, whilst allowing and promoting inclusion of trans women into an open category, is considered, careful and caring. Pike's argument can be split into four parts. The first section of his argument justifies a Rawlsian lexical priority of safety, then fairness, then inclusion, as a more useful framework for WR to make policy than trying to balance these values, given both the specific focus of the International Federation [IF] on needing to produce supportable policy in this area for the most elite-levels of international rugby and because of the danger associated with the 'combative' practice of the sport of rugby (Pike 2020, 2021a). The adoption of this lexical approach for international sports federations is then further justified more generally in the second part of Pike's argument by an understanding of the concentric circles of concern that such federations have special obligations or duties towards. The innermost circles of concern of any international federation are to the sport itself and to its players and clubs. The essential nature of rugby as a

tackling-permitting institution means that the international federation has a responsibility to both preserve this essential ingredient of the game but also to make conditions as safe as it possibly can for its players given this ingredient. As Pike explains, 'because there is some risk, it is *particularly* incumbent on World Rugby to be alert to increased risk' (2021a, 161). In the third part of Pike's paper, he explains two conditionals, the safety conditional and the fairness conditional, which are then subject to the weight of both recent empirical evidence from sport science, and to logical argument. The result of addressing both of these conditionals is that the inclusion of trans women rugby players into women's rugby would result in intolerable effects on player safety and competition fairness. The final section of Pike's account is to suggest that maximal fairness and inclusion can be achieved for all by making the women's competitions protected or closed, and then opening the men's competition to include trans women, and any other women, who choose to participate in this open competition.

My limited critique of Pike's (2021a) initial paper will suggest a revision of the boundary lines for the 'concentric concerns' (Pike 2021a) of WR, informed by the recent history of the orientation of women's rugby towards trans women players. Given this history, I will suggest that WR would be well served with a small modification of Pike's lexical framework. My alternative lexical framework will be to suggest that all efforts at improving player safety and supporting competition fairness should be explored prior to producing a regulation that would exclude currently permitted trans women players from women's rugby. Further, such exploration should not be limited by the assertion that some aspect of rugby is essential to its performance/nature. [2]

The final section of this paper will then position regulations regarding participation of trans women in women's sport within a larger feminist history of the political purpose of separate spaces for women. Ann Hall (1996), the feminist sport sociologist, describes three

eras of research about gender/sex[3] in sport. Categoric research investigates the differences in athletic participation and performance between the two sexes/genders. Distributive research looks at the distribution of resources between the sex/genders in sport. Both these categories of research treat the two sex/genders as distinct and unrelated entities. In contrast, relational research investigates the historical and social narratives of sport that reproduce the idea that men are powerful and women are powerless. Feminist relational research tries to create counternarratives that challenge the hegemonic sporting discourses to break down the unequal relationships of power. Given the history of women's inclusion in/exclusion from, and trivialization within, certain sports, other things are also important for consideration when looking at the exclusion of trans women from sports. When a justification for the exclusion of a group of players is buttressed by assertions of the essential features of a sport that has a long history of the exclusion of all women, often on grounds that their bodies were incapable of withstanding some or all of these essential features, then it is politically useful for women to ask: *who determines the essence of rugby [or sport X] and does this essence enhance our [women's] playing competitions and our political power within the practice community?* I will contend that different sports, and different levels of each sport should consider the feminist politics associated with the inclusion or exclusion of trans women from the women's categories of their competitions.

Concentric circles and the history of women's rugby

Nicola Williams of the *Fair Play for Women* group states that 'when it comes to inclusion of women and girls in Rugby, the job's not done' (Fair Play for Women 2020). The most pressing problem for women rugby players and competitions is growing participation rates in the rugby-playing countries of the world. Women and girls are underrepresented in

all rugby playing nations (Fair Play for Women 2020). Only 16% of amateur club players from the UK are women. Less than 5% of registered players in New Zealand, Wales and South Africa are women. The proportion of women players in rugby-mad Fiji is even lower at less than 1% (Kanemasu and Molnar 2017). Even in probably the most supportive country, the United States, the proportion of women players is still just 32% (Adjepong 2017). Moreover, in addition to low playing numbers, in certain rugby playing nations, women players remain stigmatized (Kanemasu and Molnar, 2017).

The early history of women's rugby is one of exclusion and trivialization. Women rarely played rugby in the first century of its existence, and those 'fleeting' occasions (Curtin 2017) were mostly tied to charitable fundraising (Furze 2021).[4] Curtin (2017) identifies some evidence of women rugby teams in New Zealand as early as the 1890s, whilst Collins (2015) reports on rugby union games in Wales and New Zealand in the 1920s, but such games were rare. Some sustainable growth in women's rugby occurred during the 1960s and 1970s, but oddly, it was in the university-sport systems of the United States and Canada, very small men's rugby playing nations, that the women's version of the game began to take off as a significant sport (Collins 2015). Larger rugby playing nations, like England, Wales, Japan, France, Australia and New Zealand also witnessed a slow but steady increase in women's participation during the late 1970s and 1980s, such that the respective national rugby union federations began to support the growing women's competitions (Furze 2021). In 1991, the first Women's Rugby Union World Cup was run in Wales, but this was an unsanctioned tournament. It was not until the 1998 World Cup that the tournament received sanctioning by the International Federation for rugby (Palmer 2017). From this difficult start, participation by women in rugby accelerated across many more nations.

Historically, men's rugby communities have not been supporters of women. The ethnography of rugby culture by Schacht (1996, 1997) describes a world where rituals of

hegemonic masculinity, sexism and misogyny are played out both on the field and in the clubrooms after the game. The most overt manifestations of this behavior, such as the sexual degradation and verbal harassment of women and the singing of misogynistic songs,[5] may be now memories of a distant past in some countries where hegemonic hypermasculinity is diluting (Anderson and Maguire 2010; White and Anderson 2017), but other sexist and misogynistic behavior still remain as part of the 'laddish' culture of rugby (Dempster 2009; Giazitzoglu 2020). As an example, recent research suggests that women rugby union referees must still deal with sexist commentary from players and spectators about their performances (Baldwin and Vallance 2016).

Trans women in rugby have an even shorter playing history than women. But their respective histories, at least in recent times, are intertwined. WR invited trans women into the women's game only five years ago with its Rugby for All policy (https://www.world.rugby/rugbyforall) and its memorandum of understanding with the International Gay Rugby organization (https://www.world.rugby/news/59705), both reflecting a policy orientation towards trans women players which was welcoming and inclusive. Less than two years ago, a memorandum of understanding was signed between the Japan Rugby Football Union and International Gay Rugby to promote the inclusion of all LGBT players (https://www.world.rugby/news/496577). The experiential history of trans women in women's rugby can mostly be drawn from the personal testimonies of current trans women players (Cole 2020; Brassil and Longman 2020), although some recent academic work has appeared (Riseman 2021; Storr *et al.* 2022). Trans women players like Grace McKenzie talk about the 'hugely positive impact' that the women's rugby community has had on her life, stating: 'It's [Women's Rugby] been one of the most inclusive environments I've found since my transition a few years ago. For someone going through transition- which can be isolating at times- that sort of supportive community is so important' (Cole 2020).

Pike (2021a) explains that the innermost concentric circles for the special duties that are performed by WR are to the game itself and to its players. However, in this case, we have a situation where a more [numerically] dominant group within the innermost circle of players, women, supports the exclusion of a less dominant group within that circle of players, trans women.[6] Speaking of concentric circles of concern, without a history and a sociology/anthropology to understand rugby practice, does not demonstrate the gendered/sexed politics of this situation. Given the very short time frame of trans women inclusion in rugby, does WR owe some stronger obligation to this category of their current playing population?

Additionally, the current treatment of women rugby players, coaches, supporters, bystanders and referees would suggest that calls for a compensatory open competition that includes trans women players are premature at best. The hardline exclusion of trans women players from women's rugby will likely result in their practical elimination from the sport, at least until the men's rugby community becomes more tolerant, and less misogynistic and sexist [and probably transphobic]. The problem for trans* athletes, even when in supportive teams and competitions, is that past negative experiences, especially of team sport environments at schools and in the community, produces trepidation when attempting to enter adult sport environments (Hargie, Mitchell and Somerville 2017; Torres, Lopez Frias and Martinez Patino 2020). As Bialystok and Kingwell argue, given 'the toxic climate women may find when they enter desegregated but male-dominated athletic spaces, they [trans women] may wish to play with other self-identified women for reasons that have nothing to do with athletic rivalry' (2019, 165, my insertion). Additionally, the immediate experience of exclusion from a sporting competition that the trans* individual had previously been participating in was both privately humiliating and embarrassing, and socially dislocating (Hargie, Mitchell and Somerville 2017; Tagg 2012). Tagg's (2012) research on men's netball

competitions in New Zealand, and the inclusion of trans men and fa'afafine players is highly indicative of the changes that WR are suggesting for trans women. The shift from a celebratory inclusion of these trans men netballers during the 1970s and 1980s, partly because of a lack of male netballers, to the 'vehement' transphobia, open hostility and virtual exclusion of such players in the contemporary game, has produced both personal distress in, and social dislocation from, a previously supportive community. For these reasons, the suggestion of an open competition being able to capture trans women players in rugby is unlikely to be successful (Jones *et al*. 2017).

How does this history and sociology then affect Pike's lexical argument

Given this historical and sociological analysis of the possible effects of this reversal of orientation in transgender regulations in WR, we should witness strong justifications for *the removal of an existing right* to participate for trans women players in women's rugby.[7] Pike (2021a) provides his justification through his lexical account of the ethical priority of safety and fairness concerns over inclusion concerns, utilizing both the scientific data that was presented to the WR panel and the strong logical arguments that he develops.

Given the preceding analysis, I am proposing a modification to the orientation of Pike's lexical priority. The question of safety should be reframed as: *Have we, as an IF, done everything that we can to minimize risk of harm, prior to the exclusion of an 'unsafe' category of membership from our inner circle of players?* This would mean that some of the essential features of rugby that Pike lays out as a 'special duty' that WR has to the game itself, may be questioned as either inappropriate or damaging to both trans women inclusion, and to a broader feminist cause of increasing women's authority and power in rugby. Women should consider whether these features of the rugby game are essential to the design of

women's rugby. The question of fairness is also reframed as: *Are there different perspectives on fairness that we, as an IF, can adopt that will be less likely to result in the exclusion of currently included trans women players from women's rugby?* Here, I will question both how consistently WR has practiced the understanding of fairness that Pike (2021a) uses to support his argument for the exclusion of trans women across the sport of rugby, and whether there are other fairness-based perspectives that might be more useful for consideration by women's sporting groups (Wells and Darnell 2014).

i) Safety arguments

WR is particularly good at tracking injury trends across all levels of elite and community rugby and publishing findings. The conference presentation by Keith Stokes on 'Injuries in Rugby' explained that, across all levels of rugby, the rugby tackle is associated with a high proportion of injuries ranging from 62% of all injuries in the BUCS Super League (and 79% of all concussions) down to 36% of all injuries in the TP15s Women's League. In addition to tackling, injury statistics show that the front row of the scrum is a particularly dangerous position for injury risk.

The obvious WR response to this data would be to continue to investigate the rules that govern tackling (Stokes *et al.* 2019) and scrummaging in all categories of the game, and to consider, especially with regards to tackling and scrummaging, whether different rules should apply to women's rugby given the massive difference in neck strength (Hayden 2020).[8] This is, of course, fraught from a feminist perspective, as modifications to game rules have been one of the ways that men have retained authority in sport. Yet, Elcombe and Hardman (2020) have spoken about how existing practice norms in men's sport have now

been challenged by the emergence of new or alternative conventions that come from outside of these tackling-permitting sports institutions [TPIs]. They state:

> Following the highly public condemnation of collision sport practices, the National Football League (NFL), International Rugby Board (IRB), and NHL (eventually) changed several rules to reflect an alternative conventional norm *whereby athletes delivering the hit took on most of the responsibility* to ensure their opponent was not vulnerable (27, my emphasis)

This reorientation to tackling, and player collisions more generally, has not resulted in the elimination of tackling and other concussion-risking collisions in these sports. But it has resulted in a change in orientations held by officials, players, opponents, coaches and medical staff. Gridiron players are no longer allowed to lead with their helmets in tackling and Australian Rules Footballers and Rugby League and Union players can no longer spear tackle their opponents. If such safety-based examples of behavioral modification in other sports are possible, then they should also be investigated prior to eliminating one class of players, trans women, from a competition and possibly, a sport.

But would there be liability issues for the sport if rugby permitted the continuing inclusion of trans women players? According to Tim O'Connor, a barrister who presented on liability issues, the important legal principle in terms of liability for foreseeable injury is that WR can't make the sport of rugby more dangerous than it would be in 'the nature of rugby'. Legal Courts investigate the 'inherent risks of the game' when assessing the duties of the sport governing bodies. Almost all liability claims involved the assessment of the suitability of scrum laws in reducing risks associated with that part of the game. Again, if the scrum is considered to be essential to either the 'nature of rugby' or one of the 'inherent risks of the game' then it will remain as a dangerous, but allowable part of the women's game, whether trans women players are present or not.

Windholz (2020) has produced a legal counterargument that argues that Workplace Health and Safety Law [WHS] cannot be used to exclude a category of people on the basis of gender identity, rather than on the basis of individual physique and strength. In agreement with O'Connor, Windholz explains that WHS requires any sports organization to do a risk management analysis to eliminate risks where it is 'reasonably practicable' to do so (Windholz 2020, 615). But in contrast to the arguments suggested in the World Rugby process, disparities in size or physique between players that result in increased risk to workplace safety must be assessed at the individual athlete level, and risk management should include mitigation strategies that may change the way the sport is played to deal with these disparities. Exclusion of all trans women athletes would be a capricious overreach, that does not eliminate size mismatches.

However, much more simply, the suggested solution of placing all trans women into an open competition with men, demonstrates a lack of good faith in this argument. WR's own biomechanical research explained the increased forces associated when colliding with male bodies, its injury data showed that injuries were more frequent in the men's game, and its physiological data demonstrated that trans women athletes endured losses of strength, stamina and physique after hormonal treatment or surgery. So a policy of requiring all trans women to be placed into an open competition would also increase the posited liability risk for WR, especially given that no effort would be made to change the inherent nature of the game to make the open competition more safe for the inclusion of trans women.

We cannot separate ideas about the essence or nature of rugby from the historical exclusion of women from the game for its first hundred years- that is, some of these supposedly essential features were the reasons given in history for the exclusion of women participants. Nicole Williams made the obvious point in her presentation that 'sport is essentially designed for able-bodied, adult males.' But if that is the case, then surely the more

appropriate response for women would be to challenge any notion that there are essential features of rugby that need to be protected in the design of women's rugby.

ii) Fairness arguments

The second part of Pike's lexical justification is to suggest that, even if safety/risk issues were able to be adequately mitigated, there would still be intolerable issues of unfairness that should prevent the inclusion of trans women players in women's rugby. Pike (2021a) uses Pam Sailors explanation of the fundamental importance of fairness to sport to begin his defence of the lexical priority of fairness over inclusion. Sailors argues:

> I think there is a strong case to be made that *fairness in physical competition is the fundamental value in sport*, perhaps even a prerequisite for the existence of sport. If we think of sport as a mutual quest for excellence, then participants should have a reasonable chance of winning. (2021, 420)

The difficulties in using the *fairness as reasonable chance of winning* defence to exclude trans women from women's rugby is the consistency of its application in the design of International Rugby when considering rules dealing with nationality. The current rules on player nationality are loose (Pielke Jr., 2021). They are necessarily and rightfully loose because elite rugby players from poorly resourced rugby playing countries may need to migrate to earn a sustainable living for themselves, and often their extended families (McDonald, Rodriguez and Rimumutu George, 2019; Dewey 2017). Economic and high performance support are both more readily accessed in the wealthier rugby-playing nations. The migration of Pasifika players results in a large representation of these players in the national teams for Australia and New Zealand, and a smaller representation in other national teams. The 2019 Australian Wallabies World Cup squad of 31 players had 12 born in another country and 2 who had represented junior national sides for their country of birth.

But does this acquiescence produce an example of Sailorsian competition unevenness at World Cups and other International tournaments, where smaller playing nations have no reasonable chance of winning against larger Northern and Southern hemisphere playing nations? The results of all World Cups in the 15s for men and women would suggest as much. At the 2019 Rugby World Cup, the Russian team lost four games with an average losing margin of 35, failing to score in its last two games against Ireland and Scotland. Both Namibia and Canada were smashed by the New Zealand and South African teams. The 2017 Women's Rugby World Cup had equally lopsided results. New Zealand's three pool games were won by an average of 65 points, defeating the Hong Kong team 121-0. Hong Kong also lost to Canada by a score of 98-0. The Spanish, Italian and Japanese teams were also all defeated by large margins in the pool stage of the women's competition. World Rugby tolerates a level of unfairness on Sailors' terms, in order to achieve growth in the number of countries in both World Cups, an important tactic in developing the global sport.

Francis provides a social constructivist account of fairness that suggests a different decision making process in debates about competition fairness. She states:

> I do not think we have an ideal of what fairness requires, overall or on particular dimensions such as natural talent. Rather, I think that we make judgements of unfairness in particular contexts and then work to see what improvements of fairness might look like (2019, 140).

WR decision to exclude trans women players was made *before* an uneven playing field was revealed in competitive play. Donnelly and Kidd (2020) refer to such preemptive strikes as 'the weaponization of fairness'. They explain that the WR regulation focuses on one marker for judgements of fairness [changes occurring throughout male puberty] and ignore several other significant factors such as economic wealth, ethnicity, and environmental conditions that may also contribute to competitive unevenness (also see Sailors 2020). Camporesi and McNamee refer to the notion of a level playing field as 'a piece of folk psychology. Everyone

knows that it is a metaphor and that metaphors ought not to be pressed into serious policy and practice' (2018, 137).

Even if fairness could justify the exclusion of trans women players from women's rugby, the maintenance of fair categories may be a secondary consideration to broader issues of subordination, sexualisation, and exploitation of women in rugby. Gleaves and Lehrbach explain the potential for trans women inclusion in the following way:

> We have argued that a better rationale [for the inclusion of transgender and intersex athletes in women's sport] emphasizes that *sport is about meaningful narratives* and that gendered narratives constitute at least one type, and perhaps the most significant type, of sport's meaningful narratives. (2016, 14)

In the next section of this paper, I will specifically utilize the meaningful narrative of radical feminism to produce a justification for inclusion of trans women players in many, although not all, sports contexts.

Facilitating a feminist consciousness in sports

My opposition to the expansion of the Pike/WR position to other sports and to sub-elite levels of rugby will focus on the lack of feminist evaluations of policy change in their argument. I acknowledge the coherence in Pike's argument with the gender-critical feminist position that women require separate spaces (Allen et al. 2021; Lawford-Smith 2021). This position has been a common platform of feminists throughout history, and certainly since the start of the second-wave. Separated spaces are politically important for groups that do not have the comfort of authority within normal discourse. This, of course, is not the only purpose for separate spaces (Lawford-Smith 2021). The distinction I am making [tenuously] is between spaces where counterdiscourses that reduce male power can be made stronger with the inclusion of trans women [i.e. the playing of certain sports at certain levels] and spaces where the inclusion of trans women might threaten or undermine the purpose of the

separate space without significant architectural redesign [i.e. women's shelters or refuges]. Or, put more simply, we should evaluate whether the exclusion of trans women from separate sporting spaces produces feminist outcomes.

Women are members of a sex/gender class who are, in many practices, silenced because of their sex/gender (Frye, 1983). Such silence is not normally considered unjust in patriarchal discourse; it is thought the result of the 'objective' criteria of expertise which exist in these practices. But decisions about the criteria of expertise in most practices in society are not impartially made. Many sporting practices normally have either a long history of male definition [e.g. rugby], or a recent history of male ownership [e.g. women's rugby]. Separate spaces are necessary to allow for the safe development and acceptance of counternarratives that tie to women's experiences and question the hegemonic discourses that maintain the dominance of men (Burke 2019). Feminist consciousness raising has historically been about using separate spaces to allow women to voice stories which reveal shared experiences; experiences that often weren't yet part of normal discourse. Separatism allowed women to collectively gain semantic authority (Frye 1983), and 'identify and include what is missing in existing theory' (Misra 2018, 117).

A politics, built around either a biological or an identity discourse of women as a sex/gender class, is one that admits women regardless of their political motivations, but excludes the building of alliances with others who share an overlapping consciousness and support the political outcomes of feminism. For Lucy Nicholas (2021), the use of de Beauvoir's ontological ethics of ambiguity allows for 'a lucid generosity… [that] should guide our actions' (2004, 124 cited in Nicholas, 2021, 230) in forming pragmatic alliances between women and trans women, in reorienting the focus of feminist action onto the structures and benefactors of patriarchal oppression, and in repairing the in-fighting in feminism. The crisscrossing of alliances permits a pragmatic coherence, without the

normalising and disciplinary effects of one discourse speaking for all people, or one identity unifying all resistance whilst excluding potential allies (Ahmed, 1996).

Feminist/transfeminist coalitions get formed around issues on the grounds of relational solidarity (Bettcher 2014). Both women and trans women share some of 'the social or material realities that are, in that context [of sport], characteristic of women as a class' (Jenkins 2016, 410, my insertion).

Building feminist coalitions in women's sports

Sport feminist philosophy has a long history of appreciating the importance of feminist consciousness raising in separate sporting spaces for women. Jane English (1978), the pioneering sport feminist philosopher explained two purposes of separate spaces for women in sport. The first was to present women champions in sport as equally worthy of respect and the various benefits, basic and scarce, which accrue to participants and to exemplars of performance. This remains an important goal in many sports, and especially in women's versions of sports that have traditionally had a long history of exclusively male participation, like rugby. Separate competitions for women in these sports remain under-resourced, and English would have certainly supported better facilities, prizemoney, media coverage and salaries for women athletes in these sports because of the importance of scarce benefits in producing greater respect for the sex/gender class of women players. But the second benefit of separate sport spaces for women was to develop new sports, new versions of old sports, and new perspectives on the purposes of existing sports for women, informed by women's experiences, that are more suited to the bodies, interests and goals of women athletes. This second idea is the one that taps into a collective radical feminist consciousness, a feminist politics and a feminist standpoint (Adjepong 2017). If separate sport spaces

reproduce the ‘essential features’ of the historically dominant men’s version of a sport, then women athletes remain second-class citizens in these sporting communities.

Counternarratives that challenge historical and contemporary injustices faced by women [including trans women] athletes and sports may be produced through both more exclusive and more inclusive trans women policies. At times, and especially in sports that have a long history of excluding women, providing opportunities for cis women to excel in activities is itself a powerful feminist sporting narrative. The implication of this historicized feminist political narrative leads to my counter-intuitive temporary conclusion supporting the current exclusion of trans women from the women’s competitions run by WR on feminist grounds. The important consideration in supporting this outcome is not fairness or safety, but a feminist narrative that, given the long history of absence of women from rugby, high level women’s rugby excellence is a meaningful narrative that undermines existing sexed/gendered narratives in rugby, in sport and in society, and may, paraphrasing English (1978), produce greater respect for all women. However, the temporary nature of my support is due to the unfortunate persistence of a dominant and misgendering narrative in sport/society that *trans women are not real women* (Cleland, Cashmore and Dixon 2021) and any success that any trans women in women’s rugby achieves will be read as another indication that *all men outperform all women in sport*. The real and unfortunate victims of this persisting narrative, is that existing trans women players will bear the brunt of this feminist politics, until the narrative changes. The only reconciling fact with regards to this consequence is that, in the immediate competitions run by World Rugby such as the 2021 Olympic Rugby Sevens and the 2021 Rugby World Cup, ‘no trans women would have been expected to compete’ (Brassil and Longman 2021).

However, this same historicized feminist politics also does not commit me to supporting the expansion of the trans women-exclusive policies of WR into other sports with

a more inclusive history towards women, or especially into sub-elite levels of rugby, where the suggested open competition would likely result in the complete exclusion of trans women players. How can I support trans women participation in lower levels of women's rugby, but not in the most elite levels of women's rugby? A feminist orientation would suggest that decisions about such rules, and the boundaries around the separate spaces they support, are made on a case-by-case basis linked to increasing political power for women. Consciousness-raising in separate spaces is about producing new narratives that tie into the shared experiences of women. There are areas of experience that women and trans women share in many men's team sports like rugby. Both groups have experienced the controlling force of hegemonic masculinity throughout a history of non-participation, then trivialization. Both groups are symbolically dangerous to the dominant discourses of hegemonic masculinity that remain part of these sports. Women rugby players are the evocative image that demonstrates the injustice of past narratives. Trans women rugby players are the contemporary image of the overlap of designated-at-birth males and females in sporting performance, and sub-elite rugby competition allows for this counternarrative to be publicly demonstrated.

As an exemplification of the feminist power that can be drawn from inclusion of trans women, we can consider one moment from the current debate about the inclusion of trans women high school athletes into Track and Field competitions in the US system. Separately sexed competitions allow for the fiction of male [all-male] superiority over female [all-female] performance. Trans women inclusion can reveal the overlap in performance, as when Chelsea Mitchell, a cis gender woman beats Terry Miller, a trans woman, at the 2019 outdoor State Open High School championships (Barnes, 2020). Miller's exclusion from such an event may assist some individual athletes achieve results, and perhaps, scholarships, but leaves in place the infantilizing 'protected status' of women's sport. Miller's inclusion produces a much more powerful feminist counternarrative.

Conclusion

In asking for pragmatic feminist coalitions between women and trans women athletes to be formed, I cannot be completely clear on where any specific boundary should be drawn in each context. However, I am certain that a focus in policy on maintaining biological categories in sport, buttressed by assertions of the essential features of these sports, is unlikely to change the organizational dominance of men. Policy making should acknowledge contrasts between historically male-exclusive, sex/gender-appropriate and historically female-controlled sports and organizations, as this acknowledgement will impact on judgements of the utility of cis female success to the achievement of broader feminist goals of recognition and transformation. Separately sexed competitions allow for the fiction of male (all-male) superiority over female (all-female) performance. Transgender inclusion with a softening of the boundary maintenance in some women's sport contexts can reveal the overlap in performance, an important starting point in challenging male power in sport.

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[1] In the spirit of radical feminism that will inform this critique, it is important to present two caveats. First, I acknowledge that I am a cis-man who has never experienced a history of either exclusion from, or marginal inclusion in, a sporting activity. Second, I also acknowledge that any understanding of women's or trans women's experiences, that I have, is the result of reading the counternarratives produced by feminist authors which I am appropriating in this paper.

[2] To make this critique, I do not dispute the science that has been presented in articles by, for example, Hilton and Lundberg (2021) and Wiik *et al.* (2021), nor the independent biomechanical modelling work used by WR (Tucker 2021b). If I had space, I would use Wells and Darnell's (2014) suggestion that the tying of biological science to justifications for fairness and social justice often produces a loss of the 'critical and progressive intent' of the original policy. Separate women's competitions in historically male sports were radical, social justice innovations- often matched by their inclusive practices and policies towards trans women.

[3] I will continue to use the term sex/gender (or gender/sex) as meaning, 'the biosocial entwinement of sex and gender' (DuBois and Shattuck-Heidorn 2021, 3).

[4] I have not included the popularity of the French game of *barette* during the 1920s (Furze 2021)

[5] Both Adjepong (2017) and Ezzell (2009) note that women ruggers often identify with the normative gender order and practices of rugby, by engaging in similar practices of singing, drinking and partying to the men.

[6] To produce this argument, I am assuming that a group's beliefs are consistently held by all members of the group.

[7] This is not suggesting that such a right should have been given in the first place or that this right to participate in the women's category is a human right. It is only saying that an existing right to play has been withdrawn.

[8] Note that suggesting different rules for women's rugby is not without issue. Ezzell's research of women players in the US College system suggests that these players see the lack of rule-based distinctions between the men's and women's game as a 'source of pride' (2009, 117).