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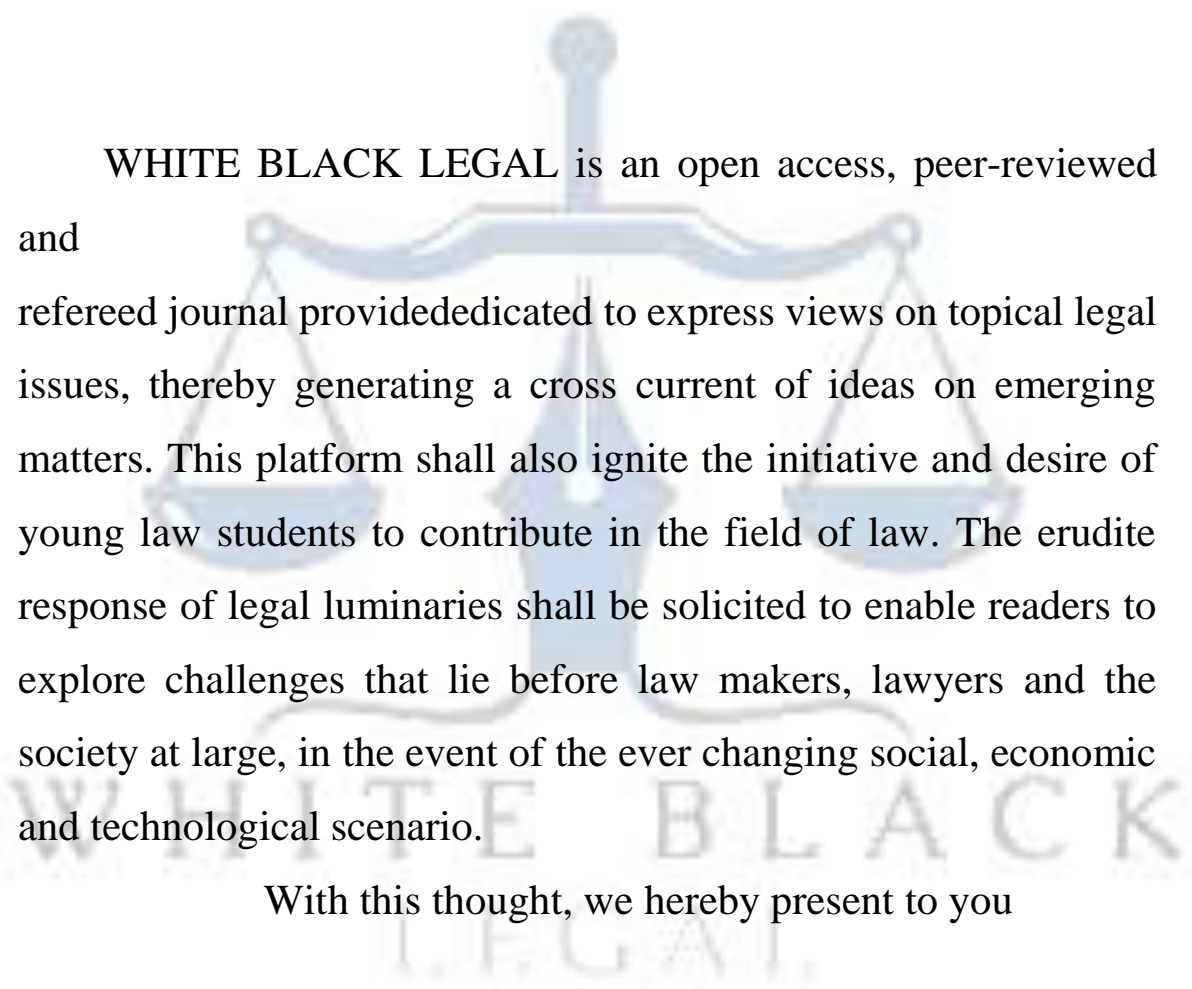


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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

A STUDY ON GENDER DISCRIMINATION IN SPORTS COMPARED WITH INTERNATIONAL SPORTS

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ABSTRACT

Sports are area where gender discriminating is highly evident. Even today, women as treated differently especially in sports. Women make 50% of the world populations. But, they are not getting equal opportunities like men. The limited opportunities and perpetuating inequality for women athletes is still women continue to face the significant barriers in their pursuit of athletic excellence.

KEY WORDS:

Gender Justice, women empowerment, gender equality and gender protection

INTRODUCTION:

Gender discrimination in sports is a pervasive issue that has long been embedded in the fabric of athletic competition, from grassroots levels to professional arenas. Despite significant progress in the fight for gender equality, women and girls continue to face numerous barriers in accessing and excelling in sports. These challenges manifest in various forms, including unequal pay, limited opportunities for participation, inadequate facilities, and underrepresentation in leadership positions.

Legal research on gender discrimination in sports is essential for understanding the complexities of these issues and for developing strategies to address them. The legal framework surrounding gender discrimination in sports encompasses a variety of laws and policies, such

as Title IX in the United States, which prohibits sex-based discrimination in any education program or activity receiving federal financial assistance. However, the effectiveness of such legislation is often called into question, as disparities persist in many aspects of sports.

Through legal research, scholars and practitioners can analyze how existing laws are applied, identify gaps in the legal protections available to athletes, and assess the role of litigation in advancing gender equality in sports. This research also explores the intersection of gender with other identities, such as race and sexual orientation, which can compound discrimination in the sports world.

Ultimately, legal research on gender discrimination in sports seeks to contribute to a more equitable and inclusive athletic environment, where individuals of all genders have equal opportunities to participate, compete, and succeed.

OBJECTIVES OF THE STUDY:

- Achieve equal opportunities and participation for women and girls in sports.
- Provide equal access to medical care, training, and technology.
- Prompt compensation and equal pay for the women athletes.
- To safe and inclusive environment, free from harassment and discrimination.
- Provide equal freedom, facilities, leadership opportunities, and support service.
- Develop and implement gender – sensitive policies and programs.

EVOLUTION

The evolution of gender discrimination in sports during the 19th & 20th centuries:

19th century:

- Women's participation in sports was hardly restricted due to society norms and beliefs about femininity and physicality.
- Women's will have a few exceptions like golf, tennis and archery. And they were excluded from the significant sports.
- The first women's sports organizations emerged, but they faced mostly the opposition and ridicule.
- Women's sports were often seen as a threat to traditional gender roles and were frequently associated with "unladylike" behavior.

Early 20th century (1900s-1940):

- Women's sports gain popularity, but gender barriers persist.
- Sexist attitudes persisted, with women's sports often being seen as inferior or less competitive than men's sports.
- Women athletes faced discrimination in terms of access to facilities, funding, and media coverage etc.,

Mid 20th century (1950s-1970)

- Women's sports were began to gain more recognition, with increased media coverage and sponsorship opportunities.
- Even, sexism and stereotyping continued, with women athletes. And being portrayed in a sexualized or stereotypical manner.

Late 20th century (1980s-1990s)

- In women's sports it was experienced the more growth, with increased participation, viewership, and funding.
- Women athletes like Martina Navratilova, Jackie Joyner-Kersey, and Florence Griffith-Joyner broke down barriers and also challenged stereotypes.
- In despite progress, gender discrimination persisted, with women athletes facing unequal pay, limited media coverage and ongoing sexism.

Landmark cases and legislation in India that address gender discrimination:

1. *Brenda Ficker v. United States Golf Association* (1978): It challenged separate tournaments for men and women.
2. *National Women's Soccer League Players Association v. United States Soccer Federation* (2020): Addressed unequal pay and treatment of women soccer players.
3. *Indian wrestler Vinesh Phogat* (2024): Vinesh Phogat was disqualified from Paris Olympics due to weight issue (100g over limit). She appealed the decision to the Court of Arbitration for Sports (CAS) for silver medal. The CAS verdict delayed, sparking debate and discussion in sports community, with many supporting Phogat and calling for a review of the weight management rules under scrutiny.

SEXUAL HARASSMENT AND ABUSE:

According to the data obtained in 2020 by the Indian Express, 45 complaints of sexual harassment have been registered in the past 10 years. In February 2019, a parliamentary

committee constituted for the empowerment of women indicated that the incidents of sexual harassment in sports can be higher as they often go unreported.

In January 2020, an FIR was registered against a coach for alleged harassing a women cricketer. In July 2021, seven sportspersons accused renowned coach P Nagarajan of sexual harassment. He already had a complaint against him and reportedly abusing athletes for years ; and also threatened the athletes to cease their training.

And the examples of abuse in sports are involve they are biting, burning, pushing, hitting, kicking, pushing, or any other method of causing non- accidental harm etc.,.

TRANSGENDER ATHLETES:

Generally, sports has been seen as a male domain. In 2003, a committee convened by the **International Olympic committee(IOC)** medical commission drew up new guidelines for participating in athletes that who had undergone gender reassignment. The report listed three conditions for participating they are:

- Athletes must have undergone sex reassignment surgery, including the external changes in genitalia & gonadectomy.
- Athletes must show legal recognition of their gender.
- Athletes must have undergone hormone therapy for an appropriate time before participation , with two years being the suggested time . On February 18,2022, **Timothy LeDuc** became the first openly non-binary athlete to compete in a winter olympics in Beijing. And in August 2022, USA Cycling , citing new regulations on trans athletes, retroactively stripped trans woman Lela Genis of her silver medal earned at the track National championships that had taken place in 2022.

IMPACT ON GENDER DISCRIMINATION IN ATHLETES:

1. Larry Nassar Case(USA Gymnastics and Michigan State University)

Case Overview: Larry Nassar, a former USA Gymnastics and Michigan State University doctor, was convicted of sexually abusing hundreds of female athletes, including several Olympic gymnasts, over decades under the guise of medical treatment.

Legal Outcome: Nassar was sentenced to 40 to 175 years in prison in January 2018 after pleading guilty to multiple counts of sexual assault of minors. Additionally, several civil lawsuits were filed against USA Gymnastics, Michigan State University, and other organizations, resulting in significant financial settlements.

Impact: This case led to widespread reform in USA Gymnastics and other sports organizations, including stricter safeguarding policies, increased accountability, and the introduction of the "SafeSport" initiative to prevent abuse in sports.

2. Jerry Sandusky Case (Penn State University)

Case Overview: Jerry Sandusky, a former Penn State University assistant football coach, was found guilty of sexually abusing multiple young boys over a period of 15 years. The abuse often took place on Penn State's campus and was part of a larger scandal involving university officials covering up his actions.

Legal Outcome: Sandusky was convicted in 2012 of 45 counts of sexual abuse and sentenced to 30 to 60 years in prison. Additionally, several Penn State officials were charged with perjury, obstruction of justice, and other offenses for failing to report Sandusky's abuse.

Impact: The scandal resulted in significant penalties for Penn State, including a \$60 million fine from the NCAA, a temporary ban on postseason play for the football team, and the vacating of several years of wins. It also prompted changes in policies regarding mandatory reporting and child protection at educational institutions.

3. USA Swimming Scandal

Case Overview: Over several years, numerous coaches associated with USA Swimming were accused of sexually abusing young athletes. Investigations revealed a pattern of abuse and cover-up, with many cases going unreported or being inadequately addressed by the governing body.

Legal Outcome: Several coaches were banned for life from the sport, and USA Swimming faced lawsuits and scrutiny for failing to protect athletes. The organization also underwent significant restructuring to improve its policies on abuse prevention.

Impact: This case led to increased awareness of sexual abuse in sports beyond gymnastics and football and contributed to a broader cultural shift toward zero tolerance for such behavior.

4. UK Football Abuse Scandal

Case Overview: In the UK, numerous former football coaches and scouts were accused of sexually abusing young players over several decades. The allegations came to light in 2016 when former professional footballer Andy Woodward spoke publicly about his abuse.

Legal Outcome: Several coaches were convicted and sentenced to prison for their crimes, including Barry Bennell, who was sentenced to 31 years for abusing 12 boys between 1979 and 1991. The Football Association (FA) also launched an independent review into how the sport handled abuse allegations.

Impact: This case highlighted the need for better safeguarding measures in youth sports and led to changes in how abuse cases are reported and investigated in the UK sports community.

5. The US Center for SafeSport Cases

Case Overview: The US Center for SafeSport, established in response to the Nassar scandal, has handled numerous cases involving allegations of sexual abuse and misconduct in various sports. These cases often involve coaches or other authority figures accused of exploiting their positions.

Legal Outcome: The Center has issued suspensions, bans, and other disciplinary actions against individuals found to have violated SafeSport policies. The Center's actions have sometimes been met with legal challenges from those accused, questioning the due process afforded in SafeSport's adjudication process.

Impact: The establishment and actions of SafeSport represent a significant effort to create a unified approach to addressing abuse in sports in the United States, though its effectiveness and fairness continue to be topics of debate.

CONCLUSION:

Gender discrimination in sports is a complex, pervasive longstanding issue that affects athletes, teams, requires a multifaceted approach to eradicate. In recent years, women and girls to engage in sports are still face significant barriers to participation unequal pay and biased media coverage. Let's work together to breakdown barriers and promote gender equality in sports.

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EXTERNAL LINKS:

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- [5] Vinesgphogat(<https://www.livemint.com/sports/>)



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