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Rethinking the testosterone conundrum facing African female athletics through the intersectionality of disability and critical race theory:

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#### Abstract

In a word, the aim of this research project is to redress the problem of alterity. The term, whatever the register used, has come to be apprehended generally as: the quality or state of being radically alien to the conscious self or a particular cultural orientation (Merriam-Webster 2021). Viscerally, its graphic manifestation may be made to coincide with Maximilia Imali's evocation: "*Even me wanted to know myself, who am I. If I know myself, what else can I do to make me to be the Max they want me to be?*" This when herself and other Differently Sexually Developed (DSD) African women fell under the panoptical gaze of International Athletics and the European Court of Justice (IAF/ECJ) after the failed Caste Semenya appeal. This intersection of the veridical and the visceral to apprehend alterity should be further apprehended as a synecdoche of intersectionality itself and its emphasis on a radical empiricism cum activism – as critical weaponry - in the ethno-class man versus human struggle. Here the critical research question "*is the intersectionality of race and disability, an effective redress to the stand-off between Africa's elite intersex athletes and World Athletics through its potential surrogacy/agency for the distillation of a new humanism?*" will set the tone for our investigation into the struggle of these women athletes from the global south against empire. Finally black feminism and its rather tenuous relationship between the cultural subject and the self will hopefully through the instrumentality of polymath Sylvia Wynter provide some salient answers for us as subalterns in our quest for new humanities beyond this struggle

Keywords: Differently Sexually Developed, visceral, veridical, ethno-class man versus human struggle, Sylvia Wynter, Horace Williams.

#### Introduction

A conundrum that my sixty odd years has bequeathed me with a ring side seat to observe, is the transmogrification of the blind in their relation to socio-cultural spaces. Etched in very early memory are the still vivid pictures of this cohort struggling with pavement apertures and other such major aberrational reminders of our two-thirds world status, as they sought to feebly make their way around the world of the

physically abled, as if that world was one of walking on eggs. I fail to remember chronologically when the mutation took place, but what I do recall is the kairotic experience at about the turn of this century, of standing at a bus stop and the mutual sense of awaiting passengers diving for cover, as two members of this cohort pummeled their way through us on foot. The veridical (bourgeois) sense of unwanted disturbance in/of my personal space very quickly gave way to a visceral sense that some kind of revolution had been far advanced in the disabled (read here as blind) community. As subalterns we have been conditioned by the Judeo-Christian matrix to accept the impairments (disabilities) derived from in excess of four hundred years of colonial oppression, in order that we might be enabled by the coming resurrected body. The blind reminds us that there is an alterity that of necessity, must be released in the present, with disabling (running for cover) effects, in order for the reparation of justice to begin for those who currently live in misery outside of the gates of empire.

### Disability as a social construct

A standard definition of disability is likely to follow the regiment of: a physical, mental, cognitive, or developmental condition that impairs, interferes with, or limits a person's ability to engage in certain tasks or actions or participate in typical daily activities and interactions. (WHO 2002, 2017). The author's attempt to apprehend an induced or naturally occurring biological phenomenon (testosterone levels in the human body) through the intersection of disability – an Everest in its own right in terms of determining root cause/s- into/with race as a social phenomenon; is very much the proverbial search for a needle in a haystack. However, we contend that what makes this rhizomorphic relationship – testosterone levels, disability and race and intersectionality – a potentially promising partnership, is: i) the radical repositioning of disability studies from being a signifier of impairment to being one indicative of society's abdication of its responsibility to the disabled ii) the role of cultural philosopher Sylvia Wynter – and indeed others of this transdisciplinary ilk – in reclaiming hybridities of this nature (disability/race) from the detritus of the non/sub human classification iii) redeploing the disability/racial hybrid as a trope of the global south and its synergy with interpretative/transcendental phenomenology from the North to forge what is generally apprehended as new humanities. Our attempt to contextualize this tripartite project from the point of view of disenfranchised persons, is epically captured in the Sartre's aphorism (existence precedes essence) and Fanon's quintessential prototype from his Algerian revolutionary case study:

It is in this moment when the native has his back to the wall, a knife at his throat, electrodes at his testacies that – in psychoanalytical jargon – his/her black inferior alter is liberated from the incarceration of its creole superior ego in his decision to take his destiny into his own hands or die trying (Fanon 1961).

This signature of black revolutionary identity emergence, as a synecdoche of the global south from the long shadow of ethno-class man, has been at the cutting edge of disability/race studies in excess of forty years, through the instrumentality of Sylvia Wynter. Black feminists like Bell Hooks and Audre Lorde have taken their psychoanalytical cues from Fanon about reclaiming the black inferior alter as a trope of resistance to white supremacy; this is while circumventing his misogynistic demurrals. In the following poetic insight, we apprehend Hook's reclamation:

Beloved community is formed not by the eradication of difference but by its affirmation, by each of us claiming the identities and cultural legacies that shape who we are and how we live in the world (Hooks).

In regard to Lorde, her own musings tropically capture the concept of intrinsic violence surrounding the experience of slavery and colonialism that, in Fanon's assessment, can be expunged only through the purgative of revolutionary violence:

You cannot use someone else's fire. You can only use your own. And in order to do that, you must first be willing to believe that you have it (Lorde).

The emergent narrative from the global south<sup>1</sup> in regard to the native (male or female withstanding), is that self-discovery (being-ness) emerges out of the crucible of unprecedented: crisis, struggle and survival. This is not a being-ness that allows immediate access to *being in general* (as Heidegger's *da-sein* does, that is, in facilitating entry to the universal as a metonymy of modernity, and reason, its enlightenment focal point). In contrast, this kind of being-ness is a recognition of a revolt against modernity and reason. We will argue that the hijacking of this heuristic of African athletic women, a form of autopoiesis, is being evidenced in International Athletics' sanctioning of the female athletes concerned from 2012 Olympics to date, who have been deemed to be characterized by differences in sexual development (DSD), that this action taken may be apprehended as an act of epistemicidic proportions, where international athletics has used the veil of meritocracy-in-athletics, and its concomitant -colour-blindness - as a means of furthering the agenda of whiteness (Gillborn 2015). However paradoxically, we assert that this existential crisis – as an obstacle/inhibitor to African female athletic progress; is concomitantly, the elixir to the continued journey to the unshackling of western societies from their enlightenment/modernist binary predilections. This insight has been effectively drawn from one of the feminist harbingers to post-humanism, Simone de Beauvoir:

Feminist philosopher Simone de Beauvoir's pronouncement "One is not born, but rather becomes, woman" could rightfully mark the birth of an existential feminism. Indeed, de Beauvoir's *Second Sex*, originally published in 1949 in French and first translated into English in 1953 and again in 2009, remains the founding work for an existential philosophical approach to examining the condition of women. Existential feminism takes as its point of departure the notions that (1) woman is the product of social and cultural construction (of the seventeenth century enlightenment and the concomitant Manichean-atheistic humanism that attended it (my interpretation)) and [therefore] (2) woman is Other, but this approach also explores how freedom can only be achieved through the freedom of all human beings (Quinan 2016, abstract).

CRT and Intersectionality (Gillborn 2015, par.1-13):  
<https://journals.sagepub.com/doi/full/10.1177/1077800414557827>

There is no single unchanging statement of the core tenets and perspectives that make up CRT but most authoritative commentaries identify a similar set of characteristic assumptions and approaches (cf. Crenshaw, Gotanda, Peller, & Thomas, 1995; Delgado & Stefancic, 2001; Gillborn & Ladson-Billings, 2010; Tate, 1997; Taylor, 2009); key among these perspectives is an understanding that "race" is socially constructed and that "racial difference" is invented, perpetuated, and reinforced by society. In this approach, racism is understood to be complex, subtle, and flexible; it manifests differently in different contexts, and minoritized groups are subject to a range of different (and changing) stereotypes. Critical race theorists argue that the majority of racism remains hidden beneath a veneer of normality and it is only the more crude and obvious forms of racism that are seen as problematic by most people:

Because racism is an ingrained feature of our landscape, it looks ordinary and natural to persons in the culture. Formal equal opportunity—rules and laws that insist on treating blacks and Whites (for example) alike—can thus remedy only the more extreme and

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<sup>1</sup> The phrase "Global South" refers **broadly to the regions of Latin America, Asia, Africa, and Oceania**. It is one of a family of terms, including "Third World" and "Periphery," that denote regions outside Europe and North America, mostly (though not all) low-income and often politically or culturally marginalized (Sage Journal 2012, 12-13).

shocking forms of injustice, the ones that do stand out. It can do little about the business-as-usual forms of racism that people of color confront every day. (Delgado & Stefancic, 2000, p. xvi)

CRT challenges ahistoricism by stressing the need to understand racism within its social, economic, and historical context (Matsuda, Lawrence, Delgado, & Crenshaw, 1993). Scholars working within CRT place particular emphasis on the experiential knowledge of people of color and challenge common assumptions about “meritocracy” and “neutrality” as camouflage for the interests of dominant groups (Tate, 1997, p. 235). Similarly, CRT adopts a view of “Whiteness” as a socially constructed and malleable identity:

“Whiteness” is a racial discourse, whereas the category “white people” represents a socially constructed identity, usually based on skin color. (Leonardo, 2009, p. 169). White-ness, in this sense, refers to a set of assumptions, beliefs, and practices that place the interests and perspectives of White people at the center of what is considered normal and everyday. Critical scholarship on Whiteness is not an assault on White people themselves; it is an assault on the socially constructed and constantly reinforced power of White identifications, norms, and interests (Ladson-Billings & Tate, 1995). It is possible for White people to take a genuine, active role in deconstructing Whiteness but such “race traitors” (Ignatiev, 1997) are relatively uncommon. A particularly striking element of CRT (and one seized upon by conservative critics during the Breitbart attacks in 2012) is its understanding of *White supremacy*. In contrast to commonsense understandings of the term (which denote the most extreme and obvious kinds of fascistic race hatred) in CRT White supremacy refers to the operation of much more subtle and extensive forces that saturate the everyday mundane actions and policies that shape the world in the interests of White people (see Ansley, 1997).

For all of its emphasis on the central role of racism in shaping contemporary society, many CRT scholars are keen to explore how raced inequities are shaped by processes that also reflect, and are influenced by, other dimensions of identity and social structure: This is where the notion of intersectionality is crucial.

“Intersectionality” is a widely used (and sometimes misused) concept in contemporary social science. The term addresses the question of how multiple forms of inequality and identity inter-relate in different contexts and over time, for example, the inter-connectedness of race, class, gender, disability, and so on. The term originated in the work of U.S. critical race theorist Kimberlé Crenshaw (1995) but has been deployed widely across the social sciences to the point where it is sometimes viewed as a “buzzword,” whose frequent iteration often belies an absence of clarity and specificity (Davis, 2008). In an attempt to bring some clarity back to the discussion of intersectionality, it is instructive to look at how Crenshaw has applied it to real-world problems. In addition to being a professor of law at University of California, Los Angeles (UCLA), Crenshaw is co-founder and executive director of the African American Policy Forum (AAPF; <http://aapf.org/>) and the AAPF’s (n.d.) approach to intersectionality is especially useful:

Intersectionality is a concept that enables us to recognize the fact that perceived group membership can make people vulnerable to various forms of bias, yet because we are simultaneously members of many groups, our complex identities can shape the specific way we each experience that bias.

For example, men and women can often experience racism differently, just as women of different races can experience sexism differently, and so on.

As a result, an intersectional approach goes beyond conventional analysis in order to focus our attention on injuries that we otherwise might not recognize . . . to 1) analyze social problems more fully; 2) shape more effective interventions; and 3) promote more inclusive coalitional advocacy. (p. 3)

So, intersectionality—as envisaged by Crenshaw and other critical race activists—has two key elements: first, an *empirical* basis; an intersectional approach is needed to better understand the nature of social inequities and the processes that create and sustain them (i.e., to “analyze social problems more fully”). Second, and this connects to CRT’s earliest roots as a movement of engaged legal scholars, intersectionality has a core *activist* component, in that an intersectional approach aims to generate coalitions between different groups with the aim of resisting and changing the status quo.

The AAPF’s concise and direct statement on intersectionality is valuable in cutting through the layers of debate and obfuscation that often surround the concept. In particular, the AAPF highlight the importance of intersectionality as a tool (of analysis and resistance) rather than as an academic tactic or fashion. Similarly, Richard Delgado (like Crenshaw, one of the founder’s of CRT) has highlighted the need to remain clear sighted about our goals rather than become engaged in never-ending academic games of claim and counter-claim. As Delgado (2011) notes, intersectionality can be taken to such extreme positions that the constant sub-division of experience (into more and more identity categories) can eventually shatter any sense of coherence:

. . . intersectionality can easily paralyze progressive work and thought because of the realization that whatever unit you choose to work with, someone may come along and point out that you forgot something. (p. 1264)

As Delgado points out, identity categories are infinitely divisible, and so the uncritical use of intersectionality could lead to the paralysis of critical work amid a mosaic of never-ending difference. In contrast, I want to return to a more critical understanding of intersectionality—as a tool of critical race analysis and intervention. To understand how racism works, we need to appreciate how race intersects with other axes of oppression at different times and in different contexts, but we must try to find a balance between remaining sensitive to intersectional issues without being overwhelmed by them. In an attempt to explore this further, in the following sections I draw upon empirical data gathered as part of a qualitative investigation into the experiences of elite Black African athletes who from 2012 until now have been disaffected by the sanctioning strategies of International Athletics. The analysis explores the day-to-day life of these Black athletes as they negotiate the social construction of dis/ability within international athletics and, in particular, the processes of labeling in relation to so-called “differences in sexual development (DSD) (Gillborn 2015, par:1-13): <https://journals.sagepub.com/doi/full/10.1177/1077800414557827>).

## Race and Humanisms

Modernity, and its notion of the freedom of the human being as natural and inalienable, through its conjunction with enlightenment philosophy, has sought to craft a humanism with cherished notions of autonomy, responsibility, self-determination, solidarity, community-bonding, social justice and principles of equality (Braidotti 2013, 29). However, because these philosophers built this model of humanism upon a putative racialized capitalist model, this unitary universal subject of freedom has emerged as the white man’s burden; with women being relegated to the pole of un-reason, passions and emotions, keeping them in the private sphere’ (Ibid: 34); men – specifically black men – irreducibly characterized by their irrational (subhuman) sexual proclivities (Fanon 1952; 1967; 1986), while being denuded of an executive function in regard to the capacity to reason. This problematic humanism that Sylvia Wynter has associated with the ethno-class - white,

Christian, heterosexual, able-bodied - male, versus the human struggle (the synecdoche of the latter being the black working-class unemployed/underemployed male), encapsulates liberal capitalism's game of winners and losers. It is within this apprehension of the ethno-class subject that a different -heteroglossic - humanism emerges to disturb/displace the unitary/uniform/monistic nature of the modernist (enlightenment) variant. Here using the work from disability/queer/lesbian/transgender/gay studies, Wynter and others have led the way out of the enlightenment/modernist wilderness through reveling in a poetics of difference (differance<sup>2</sup>). Palimpsestic to her theorizing on this poetics of difference, is her assertion that Frantz Fanon's aphorism in *black skin white masks*, beside ontogeny and phylogeny, there is sociogenic, was the harbinger to this poetics of difference; the Deus ex Machina to the march of Western Capitalist progress and its debilitating impact on the colonial outpost. However, subsequent attempts to build upon this platform has been derailed by man's arrogation of his role in history. This has resulted in the disintegration of such promising movements like the Black Power Movement of the 1960's, with its three arms of black arts, black aesthetics and black studies, as well as the anticolonial struggles in the Third World. (Joseph 2009, 1001 – 1016).

It is in pursuit of the exhumation of this black poetic tradition, – referring specifically to the verbal play on disability as: an 'unbearable wrongness of being', désêtre or dys-being (representative of ill/abnormal/bad), the direct opposite of contemporary interests of Western, White, Bourgeois Man. – that we locate our female athletes from the African continent (Wynter 2006, 114; Goodleigh, Lawthom, Lilliard, Runswick-Cole 2020, 125-144).

#### Racial Primacy

It was on Enlightenment grounds<sup>3</sup> and its putative relationship to anti-colonialism that Wynter apprehends the heteroglossic perturbations to the ethno-class (bio-economic/ unitary/uniform/monistic) versus human struggle.<sup>4</sup> In relation to the former she references the work of Renaissance thinkers going back to Greece and Rome to find an alternative secular model of being human that was beyond the theocentric one. Here we invoke the view of Stephanous Geroulanos that humanistic atheism has never really gotten over its theological tendencies; so, the result of the death of God was the divinization of Man; this is the platform from which Foucault begins his Greek/Roman Safari in search of an anti-humanist atheism (Geroulanos 2010). In relation to the latter – anticolonialism – Wynter references what became popularly known as the Negritude movement (the French Caribbean) as its global south flash point. She declares:

....so too (reference being made to the enlightenment as anti-colonialism's copartner in this safari), in order to find an alternative model to our present biocentric and ethno-class one, our intellectual revolution will begin by going back to the continent of Africa where the event of singularity to which I give the name the first emergence – that is, our emergence from subordination to the genetic programs which prescribe the behaviours of purely organic life, and our entrance instead into the behaviour programming mechanisms of the Word / of myth - first took place. Doing so to bring into existence what Aime Cesaire first proposed in 1946 as a science of the Word, in which the study of the Word, will condition the study of nature (Cagne 2007, 259).

This science of the word, and its emergence from subordination as a conditioning point to the study of nature, was dramatically evident, in the launch of the journal *L'Etudiant noir*, in 1934–1935 by the three conceptualizers-: Aime Cesaire, Leopold Sedar Senghor, and Leon Gontran Demas. Here, the coinage of the term, *L'Etudiant noir*, was intended to be a provocation. Negre from the Latin word “niger”, meaning black, is employed uniquely in French in relation to black people in an “art negre” (Diagne 2016). Applied to a black person, it has come to be charged with all the weight of racism to the point that the insult “*sale negre*” (dirty negre) would be almost redundant; sale being somehow usually understood in negre; what we apprehend here in its promulgation through the launch of *L'Etudiant noir* is the reclamation of negritude

<sup>2</sup> We refer here to the work of Jacques Derrida (1982, 3-27) and Mikhail Bakhtin

<sup>3</sup>

<sup>4</sup> These perturbations have been referred to by Sylvia Wynter as the unsettling of the coloniality of being/power/truth/freedom (Wynter 2003, 257-337)



from its detrital understanding, and its recasting as a different self-validating norm. In Senghor's attempt to position negritude as a cosmopolitan contribution; that is, as a style that is identified with a unique notion of rhythm, and – in the cosmos of styles - is strictly African. He attempted to crystalize these ideas in a published essay, “Ce que l'homme noir apporte”, translated “What the Black Man Contributes” (Senghor 1939). As part of his zeal to find the seal of approval to his work within Enlightenment architectonic; Senghor discovered a book by the Reverend Father Placid Temples proposing a clear Bantu philosophy, as resting upon this [same] notion of rhythm (Diagne 2016). Temples had the view that to more efficiently preach the gospel to Bantu people, he had first to understand the principles underlying their belief system, their customary laws, their cultural habits and so on (Diagne 2016). Temples further concluded, that one ought to go beyond mere ethnographical description of those characteristics of the people's lives and dig out a set of ontological principles on which they were founded (Diagne 2016).

Needless to state that Senghor embraced this – Templesian – *sine qua non* for African legitimacy within the pantheon of Enlightenment philosophers and thinkers; indeed giving – white (translated here veridical) – support to his “Ce que l'homme noir apporte” as the metonymy of blacks having full human status within a white universe, via Temples' philosophical blessing. On the other hand, Césaire rejected Temples' work because he recognized this maneuver as another instance of the Manichean allegory at work; that is while accepting his ontological assertions on Bantu, it should be seen also as his excuse to perpetuate the colonial order (Césaire 2000b, 58; Diagne 2016).

For both disability/dysability and negritude studies, it is this neurotic inhibitor/elixir, a Janus face: encapsulating the desire for acceptance within a white universe on one hand (circa disability), and a demand to put an end to this colonial legacy on the other (circa dysability), that have given it, disability/dysability, its potency as a liberating trope. Indeed, its motive force lies in its taxidermic quality, honed on lost pride through slavery and colonialism, and created from the ashes of these past experiences (Emenyonu 2006, 1). It therefore, represents the fountainhead of this new direction in post-colonial literature, while not solving our aesthetic problems – indeed some would argue, even worsening our identity instability by pointing at the most pertinent syndrome of our morbidities – providing a paroxysmal and paradoxical therapy (Bernabe, Chamoiseau, Confiant, Taleb Khayar 1990, 886 – 909).

The difference between an anticolonial tropic understanding and that of the postcolonial as apprehended in this work, is primarily encrypted in the claim of Kamau Brathwaite: “that in the place of the ‘failure to achieve consensus around the two primary cultures of Africa and Europe as contiguous-geo-linguistic reference points’, (in the aftermath of colonization and national independence in the English speaking outpost), there is a ‘watered-down’ Creolized resultant that is constitutively imitational, (acculturational), and native creational, (indigenizational)” (Brathwaite 1974,16). For Brathwaite this assimilationist cultural model of outpost development would constitute the creative imagination's attempt to leverage a moment of native resistance in the face of a ubiquitous colonial presence (Brathwaite 1974, 16). In regard to the postcolonial moment of intersectionality, we discard the assimilational/indigenizational oppositional vectors as representations of an antinomic space and replace it with Lacan's understanding of the unconscious being structured as a language. Here, the: inhibitor/elixir relationship drawn from existential phenomenology above, and its liberating power on woman-as-Other, Bios/Logos relationship of Césaire, assimilation/indigenization relation of Brathwaite, indeed Fanon's phylogenic/sociogenic relationship are all collapsed into Jacques Lacan's signifying chain and his construction of the Symbolic Register. Any contiguous relationship between signifier and signified (a de Saussurian enlightenment retention), is severed, in the face of the Lacanian/Derridean aphorism: there is no outside text – referring here to everything being a written text and there is nothing outside context <sup>5</sup>(Hendrix 2016). Further to Brathwaite's anticolonial encapsulation above, it is within the ambiance of this

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<sup>5</sup> According to Saussure's theory, the linguistic system in each individual's brain is constructed from experience. The process of construction depends on the associative principles of contrast, similarity, contiguity and frequency.

signifying chain that we apprehend the process of Sylvia Wynter's dis-abling/dys-abling/de-godding of Western Capitalist Society through a kind of narratology of poetics. The inner stories of Wynter's embedded narrative, are – in part - effected through Jacques Derrida's deconstruction of Logocentric Metaphysics (destroying the Western Societal Citadel from within) as well as (the re-presentation of polyvalent alternatives to the residual enlightenment/modernist monovalent approach to the Occident); coming via the work of Michel Foucault and his microphysics of power. Here, the latter's definition of power and its relationship to the art of government (governmentality) is deceptively simple: it is a strategy evident primarily in relations between people. Power relations, in this sense, operate and exist through people, going right down – in a capillary like manner of increasingly minute complexity – into society.

#### Wynter's engagement with Foucault

Thomas Lemke (2007) examines the relationship between government and the state from the perspective of the methodological and theoretical insights that Michel Foucault had developed in his lectures of 1978 and 1979 at the College de France on the history of governmentality. Here he, in presenting this relationship as a set of unsorted odds and ends (in contrast to the gourmandisable homogeneity asserted with the sovereign-state and its power), sought notwithstanding, to identify three theoretical dimensions associated: a) a nominalist account that stresses the central importance of knowledge and political discourses in the constitution of the state b) a broad concept of technology that encompasses not only material but also symbolic devices, including political technologies as well as technologies of the self c) a strategic account that conceives of the state as an instrument and effect of political strategies (Lemke 2007). These power plays/seizures on society – otherwise apprehended by Foucault as the normalizing of society carry with them significant adjustments to sovereign-judicial authority and to the sovereign's traditional right to kill (Coleman and Grove 2009, 489- 507). They are: i) the biopolitics of the individual - anatomo-politics of the human body, where individual bodies are kept under carceral observation, and if necessary, subject to punishment (Coleman and Grove 2009, 493) ii) the biopolitics of the social - "biopolitics of the human race" (Foucault 2006, 243). Foucault explains this as a remote and aggregate form of management which has as its goal making populations live in productive ways as well as insuring against the "random element inherent in a population of human beings" (Foucault 2006, 246; Coleman and Grove 2009, 493) iii) state racism- the return of a (decentered) sovereign right to kill at the heart of biopolitics, "unleashed throughout the entire social body" (Foucault 2006, 253; Coleman and Grove 2009, 493). These set of Foucauldian power relations cannot be possessed, acquired, seized or shared, but has purely structural origins. ... However, Foucault's point is that we must indeed presuppose the free act in the analysis of power relations. The resistance fly in the power ointment is the multiplicative factor, the heteroglossia in the social body arising from these three adjustments. Here this polyvalency associated with heteroglossia, we will argue is coterminous with a muted Foucauldian concept of agency. (Foucault 2006, 253; Coleman and Grove 2009, 493, Williams 2021, 30)

It is among the multivalent voices of this Foucauldian power-relational-paradox, apprehended as (*pouvoir/savoir*) or power/knowledge that race and disability enters the cultural/postcolonial stage in the person of Sylvia Wynter. In terms of a broader contextualizing of her entrance, Foucault argued, from the perspective of his epistemic construct, that in the Classic era (episteme), the concept of Man was not yet defined – though – spoken off. Man was not the subject of a distinct epistemological awareness<sup>6</sup>. So, his

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<sup>6</sup> In distilling this concept of epistemological awareness from the famous painting *Las Meninas*, we apprehend the painter, at the same time, being seen on the picture where he is represented, and also able to see that upon which he is representing something.”<sup>[7]</sup> This tension between the field of semiotic representation and one's positionality in the field may be more easily explained by the academic website to which you upload your academic work for public scrutiny and the platform's creators/sustainers validation of your uploads in terms of readership. If perchance you have a run-of-the mill name shared by multiple authors then the accounting of the publications (cognition) must coincide with your documentary acknowledgment of them (recognition). If there is no coincidence then, technically you do not exist, this is

presentation of himself as the apotheosis of the humanization process was apprehended to result from the harbinger to Judeo-Christian world view (Aristotelian Philosophy), its concept of the world as non-homogeneous, and its impact on the concomitant Roman Catholic cosmology of the day. Here the act of Pope Alexander VI issuing a papal bull or decree, "Inter Caetera," in which he authorizes Spain and Portugal to colonize the Americas and its Native peoples as subjects, provided the *Quad Est Demonstrandum* of this scandalous arrogation; an act tantamount to insanity and/or drunkenness (Wynter 1996, 17-41). It is therefore a project in pursuit of the destruction/disabling/degodding the Aristotelian/Judeo-Christian hegemony and its deleterious impact on those who live in the two-thirds world outside of the Euro-American metropolitan center; this has been the Wynter Project for over forty years. In regard to specifics, Wynter has identified two critical historical milestones in what, following Wynter, may be regarded as human arrogation manufacturing. The first was associated with the requisition statement of the pope mentioned above as a direct legitimization of racism by the church as an arm of the state, referring to the Western European enclave using the brand "enemies of Christ" to establish the precedent for native exploitation. This racist arsenal that Wynter has apprehended as Man1 emerged out of the Renaissance as *homo politicus* and – as intimated above - was reinvented in response to the European encounter with the inhabited geographies of the Americas. At this time the representation of human-as-religious was compelled along a secularizing route to Man1 as the rational political subject. The second, a revision of humanness later gave rise to the liberal man-as-economics, *homo oeconomicus*, or Wynter's 'Man2', formulated within the colonial episteme's Darwinian distortions as divided between the naturally enabled (Europeans) and the naturally "dysabled (those racialised as naturally inferior). (Wynter 1996, 17-41).

#### Wynter's destabilization of Foucault

*Foucault's "destabilization of the uni-vocal subject remains philosophical....black feminist and indeed Wynter however accords subjugated groups and individuals historical and political agency, although affiliations are always shifting and unstable."* (Radhakrishnan 1996, 27-61; Wynter 2003)

Sylvia Wynter's work destabilizes Foucault's critique of Man, in that she centers the Colombian encounter of 1492 as being vital to the formulation of European representations of the Human. This vitality would epistemologically foreclose ways of being Human otherwise (Tilley 2021). It is within the context of the release of the papal bull therefore, that we apprehend the Cenu Indians, in speaking from within the quite different categories of their still polytheistic and divinized/ natural/religious cultures, could only interpret the discourse of the Requisition, as pronounced by the subjects of the Spanish State, as non-sense, as the speech of "drunkards" or "madmen." Here we observe vernacularity as a critical tool of her counter poetic narratology, and therefore, employed as part of a disabling subversion to the veridical communication associated with *homo economicus*. Indeed, Wynter appears to carry this stigmata/stygmata of a sacrilegious vernacularity within her own taxidermy, that has been characteristic of her cultural-script-re-writing on the superaltern/subaltern imperialist North/Global South territorial clashes (Wynter 1995 17-41).

However, the Foucauldian cynic may argue that all of these Wynter perspectives of the reimagination of the human and the employment of a counter poetics, are just other modes of subjectification to power. In other words, for them, power is ubiquitous so a subject can come into being only as a construct of a regime of power/knowledge. No society, culture, or practice possibly could be free of power (Bevir 1999, 5). Further, he/she may argue that one's view of the subject as an autonomous agent derives from their having so internalized the technique of confession that they see it falsely as a way of unlocking their inner selves rather than rightly as a way of defining themselves in accord with a social formation. The Foucauldian may argue further: "the obligation to confess is now relayed through so many different points, is so deeply ingrained in us, that we no longer perceive it as the effect of a power that constrains us; on the contrary, it seems to us that truth, lodged in our most secret nature, demands only to surface." (Bevir 1999, 5).

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in relation to the platform designated. The Foucauldian problematic lay in Man's cognition, but no self-recognition (Foucault 1994).

Kalpana Wilson presents a potent rejoinder to the Foucauldian cynic and his/her attempt to disregard this vital staple of the cultural subject-as-agent in global south collective survivability:

She examines how concepts of women's 'agency' have been appropriated and transformed by neoliberal discourses. Within this framework, the exercise of agency is sought in women's strategies for survival rather than struggles for transformation, and at the level of the individual rather than the collective. Post-modern preoccupations with the subject and the recognition of 'difference' have been incorporated alongside liberal definitions of the 'rational individual exercising free will' to pursue and legitimize neoliberal economic policies involving intensified exploitation of poor women's labour in the name of 'women's empowerment' (Wilson 2011, 315-331).

Interpretative Phenomenological Analysis: DSD Athletes against International Athletics (Smith and Osborn 2015). (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4616994/>)

Interpretative phenomenological analysis (IPA) is a qualitative approach which aims to provide detailed examinations of personal lived experience (erlebnisse). It produces an account of lived experience in its own terms rather than one prescribed by pre-existing theoretical preconceptions and it recognizes that this is an interpretative endeavour as humans are sense-making organisms. It is explicitly idiographic in its commitment to examining the detailed experience of each case in turn, prior to the move to more general claims. IPA is a particularly useful methodology for examining topics which are complex, ambiguous, controversial, and emotionally laden. DSD is a prime exemplar of such a phenomenon: elusive, involving complex psycho-somatic and politically controversial interactions and difficult to articulate. (Smith and Osborn 2015, 41-42). In regard to this particular case under investigation no interview schedules are involved, rather the life worlds of the specific athletes under consideration are interpreted virtually, rather than in real time. The additional hermeneutical dimension, provided by Sylvia Wynter as supplanter to homo economicus, is significant fodder for our abduction of World Athletics and its attendant apparatuses (dispositifs) as the emergent site of the struggle between juridical-sovereign and bio power; this as warfare become part of the daily-life-experience of these athletes. Using the basic research question to which we have been alerted in the abstract: "*is the intersectionality of race and disability, an effective redress to the stand-off between Africa's elite intersex athletes and World Athletics through its potential surrogacy/agency for the distillation of a new humanism?*" we i) present the web pages constituting the issue that has resulted in the sanctioning of African Athletic Women from 2012 to today; their *Difference of Sex Development*. There is then ii) a roll out of the full narrative surrounding the event in the format of the CNN network interviewer's presentation of the issue and a segue to the reflective input of the women red-flagged<sup>7</sup> iii) the researcher will draw on the apparatuses of interpretation such as thematic analysis; here I wish to make a distinction between the regular themes arising

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<sup>7</sup>The sanctioned athletes, as categorized above, are: Caste Semenya (South Africa), Francine Nyonsaba (Burundi), Margaret Wambui (Kenya), Maximilia Imali (Kenya), Annet Negesa (Uganda), Christine Mboma (Namibia) and Beatrice Masilingi (Namibia). Of all of these athletes Annet Negesa (Uganda) provided the researcher the longest byte of reflective information for possible thematic analysis, with Miss Wambui providing a much shorter byte. However in deference to the process of bracketing as a critical Husserlian device to mitigate researcher bias we will resist any further attempt at disclosure.

from the personal reflection of the athlete (Smith and Osbourn 2007 53-80) versus juridical/biopolitical themes that relate to specific objects in a space representing modalities of governance of bodies; finally iv) the researcher will turn to Sylvia Wynter the counter cultural polymath who de/valorizes the triple adjustment theme guaranteeing subjectification due to the ubiquity of power , to rearticulate the respective theme in the context of a disabling/degodding global south cultural framework, we refer here to a kind of black metamorphosis as a exoticizing force upon ethno-class man (Smith and Osborn 2015): (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4616994/>) .

#### Text of the reports

Web 1: <https://www.11alive.com/article/sports/olympics/black-women-disqualified-olympic-races-high-testosterone-levels/85-af3447b3-493e-40c9-9f67-0fae0daa3bbf>

Web title: Black women primarily impacted by new testosterone rule for Olympics

News-analyst 1: The Rule in relation to athletes having a *Disorder of Sex Development* was put in place in 2019 by World Athletics which is the international governing body for world athletics. The rule states:” women competing in the 400m or longer distance races must have testosterone levels lower than 5 nanomoles per liter. While it is difficult to prove if there is a racial intent, sports commentator Idy Uyoe explains how the rule has impacted black female athletes in the Olympics 2016 800 meters.

Idy Uyoe Sport Commentator: The gold medal was won by Caste Semenya and the silver medalist was Francine Nyonsaba (Burundi), and the bronze by Margaret Wambui (Kenya), all three athletes tested for high levels of Testosterone and will be absent from Olympic games 2020. The rule indicates if these athletes should take medication to lower their testosterone levels, then they will be able to take place in the Olympics and other international events. This ruling is kind of ironic because world athletics is against doping, against all things of this nature (altering your natural state) so for an international organization that prides itself on drug testing to now ask athletes to take drugs is a little bit ironic.

Dr S Ready (eleven alive medical analyst): The five nanomoles per liter is a high reading for any woman. I can tell you that 99 percent of the women that I see are going to have a reading lower than five nanomoles per liter.

Dr. S Ready: We just don’t have enough information to say whether or not testosterone at that level whether or not there is an advantage.

Web2: <https://edition.cnn.com/interactive/2021/07/sport/athletics-testosterone-rules-negesa-imali-running-as-equals-dsd-spt-intl-cmd/>

#### Depth Interviews

Web Title: Running as equals-Elite athletes fighting for acceptance

Christiana McFarlane (CNN Sport): Five years ago three women topped the podium in the Rio Olympics. It was a silver medal for Margaret Wambui (Kenya), bronze for Francine Nyonsaba (Burundi) and a second gold for Caste Semenya. However, they will not be in Tokyo due to international athletics’ sanctioning them, sparking one of the biggest controversies in sport: *who can compete as a woman?*

Margaret Wambui (insert): We are just natural, just natural.

Semenya (insert): It is no longer about sports. It is about human dignity, human pride.

Christiana McFarlane (CNN Sport): All three have been impacted by rules for athletes for *Different sex Development (DSD)* which are ascribed to women who have higher than average levels of testosterone in their bodies. According to international athletics. This gives them an unfair performance advantage in certain events. In 2019 catastrophe struck for athletes with DSD when their most high-profile advocate Caste Semenya fought the governing body in court and lost.

Matthieu Reeb Court Secretary General (insert): Such discrimination is a reasonable, and proportionate means of preserving the integrity of female athletics.

Christiana McFarlane (CNN Sport): The damage to other athletes was immediate.

Maximilia Imali (Insert): When I heard that Caster lost her case, I knew that they were going to test me or I knew that they were going to remove me from the team, that's what I knew.

Christiana McFarlane (CNN Sport): Kenya's Maximilia Imali had been previously asked to undergo a physical exam and blood test by her federation.

Maximilia Imali (insert): They removed my clothes, they removed the blood, after that they told me you know Maxi you have high testosterone, we cannot accept you to run 800m.

Christiana McFarlane (CNN Sport): The high stakes questioning of her identity profoundly affected her.

Maximilia Imali (insert): Even me wanted to know myself, who am I. If I know myself, what else can I do to make me to be the Max they want me to be?

Christiana McFarlane (CNN Sport): World Athletics effectively give women with DSD, three basic options to continue in international sport. They can take hormone suppressing medication, have surgery, or switch to an event they consider less affected by high testosterone. According to human rights watch, this is a violation of international human rights law, and one that disproportionately affects women from the global south.

Maximilia Imali (insert): I call my mom and tell my mom I need to do surgery. She tell me Max you will never do surgery. Be the way you are. At the time my mom was just hospitalized because of me, because of the pressure.

Christiana McFarlane (CNN Sport): In 2012 Annet Negesa was preparing to compete for Uganda at the London Olympics, when she was abruptly pulled from competition by World Athletics.

Annet Negesa (insert): I travelled a lot from Uganda, and when I went to Nice, my international manager had to go with me to the hospital. They first needed blood samples then they took me to MRI. Then they brought the measurement, like the shoulders, the chest.

Christiana McFarlane (CNN Sport): To run again, she was told she must reduce her testosterone levels.

Annet Negesa (insert): I did not understand anything. I was still a teenager. I had no choice and I had a love of the sport

Christiana McFarlane (CNN Sport): Desperate to compete again, Negesa chose to go to this hospital (Women's Hospital International Fertility Center) in her native Uganda, where she was told her excess testosterone would be drawn out with a needle. But that is not what happened?

Annet Negesa: The following day I wake up having cuts under my belly. I wake up asking myself what they had done to me. Because I was in shock. The doctors had removed the testes inside me. I had a terrible headache. I had a problem of depression.

Christiana McFarlane (CNN Sport): Negesa said she grew weak and never completed at a league level again

Negesa (Con't): Because when I was still doing competitions, I was able to support my family, myself, but after that I was unable to help my family. I felt my life is over and I reached a time whereby I wanted to commit suicide because I am tired of everything on earth,

Christiana McFarlane (CNN Sport): Yet she would loose even more. In 2019 she spoke for the first time about her plight to the media. But going public made it worse in Uganda, where having DSD or being LGBT can lead to persecution or death. Soon after she was forced to flee her homeland and seek asylum in Germany. She lives alone, trying to rebuild but still not regretting speaking out.

Negesa: The more I talk about it the more I become strong. Very many others are going through and some of them are losing their lives because they are lacking people to talk to.

Maximilia Imali (return): It totally affected everything.... everything.... everything. Because you know we come from a poor family. I don't know where this high testosterone assisting me. I don't run the time that I want, I have not broken any records.

#### Depth interview with Activists/World Athletics

Christiana McFarlane (CNN Sport): While the science behind these rules is still debated, activists say the damage to women with DSD remain hidden and awful.

Payoshni Mitra (activist): I have worked with athletes who became alcoholic, went into severe depression, families who have lost their daughters. No rule should lead to human rights violations, and these rules are leading to human rights violations of athletes

Christiana McFarlane (CNN Sport): Payoshni Mitra has been working with DSD women athletes for over a decade. She says World Athletics has designed these rules to eliminate women with these conditions women's sport.

Payoshni Mitra: It is what they want. They just want these people to go. It is just like ethnic-cleansing in sport. They just want a purified notion of women's category.

Christiana McFarlane (CNN Sport): World Athletics provided Jonathan Taylor their lawyer to answer our questions.

Jonathan Taylor: We are not trying to ethnically cleanse anything; it is just an offensive stupid remark. What we are trying to do is to allow a level playing field for all women from whatever color so that they can aim to excel.

Christiana McFarlane (CNN Sport): How much of a concern is it to World Athletics, that the repercussions of these regulations could be damaging to their personal lives.

Jonathan Taylor: There is deep concern. This is why the regulations make it very clear, that there is no challenge to gender, there is no challenge to an athlete's dignity. And everything has to be done with confidentiality and respectful of their dignity. You have to make a distinction between male and female competition. To draw the line, you have to classify people.

Christine McFarlane: Negesa blames World Athletics for what happened to her.

Annet Negesa: They violated my rights as a human being. They treated me as a guinea pig

Christine McFarlane: She also has questions about her aftercare based on this medical report from the hospital in Kampala. It states Negesa's doctor in Kampala was waiting further discussions with the doctors from World Athletics before starting her hormone therapy. The doctor would not verify the letter to CNN

citing patient confidentiality, Negesa said she never received the long-term hormone treatment she needed in Uganda. What would you wish to tell World Athletics?

Annet Negesa: They should stop tampering with our athletic bodies.

Christiana McFarlane: World Athletics deny any involvement in what happened to Negesa. Saying they did not recommend surgery. They told CNN that treatment must be prescribed by a physician who is independent from the World Athletics. And they are no way involved in the process. We repeatedly asked both hospitals for a response and Negesa's manager and the Ugandan Athletic Federation for a comment, but they gave us none. Today, alone but surviving, Negesa is trying to regain her health and the chance to do the only thing that she has ever wanted; to run.

Annet Negesa: I am very happy that I am back in the sport. I pray God that I will continue making the improvements, so that I will fulfill my dream...

Christine McFarlane: What is your dream now?

Annet Negesa: It is going to the Olympics. It was smashed from me in 2012. I don't want to miss it again.

Christiana McFarlane: Semenya, the most famous champion of women with DSD is trying again to have her case heard; this time at the European Court of Human Rights. There she will argue that women with DSD have the right to run free.

Maximilia Imali: Caster is not doing it for herself. She is doing it for the generations that are coming.

Christiana McFarlane: One last roll of the dice for those fighting to be accepted as women in sport

### **Thematic Analysis based on personal interviews and cable-network reports**

The theme of *Alterity-codependence* (referring to the inner self being licensed in the terms of the machinery of destructive/self-negating desire, is overridingly evidenced in this narrative. Here, in the contest of World Athletics (WA) sanctioning of DSD athletes and the concomitant impact-interviews and reports, we see evidence of a pathological desire for acceptance, resulting in a range of autopoietic capitulations on the part of African DSD women athletes. These range from apoplectic shock at the sanctions leveled against her (Margaret Wambui) to a chronic desire for self-erasure, evidenced in the Annet Negesa (self-admission of suicidal predilections) and Maximilia Imali (desiring to become whatever WA wanted her to become). This conscription to self-invalidation evidenced in the Imali/Negesa disclosure to CNN could imaginatively be applied to the Native American Indian Community under the duress of the Pope Alexander and King Ferdinand's Manichean ultimatum to accept Roman Catholicism or be conscripted for slave labor; this with the exception being that we do not have available any interview transcript of the latter's wholistic response to the ultimatum. In the face of this data deficit, we will momentarily attempt instead, to draw on the social ecology of the two groups – native Indians and Africans – along with the fragmented communication we have available to eke out probable analogical arguments that may be adaptable to such an (Indian/African) conjunctural relationship.

### **Foucauldian Apparatuses of interpretation**

The question must be asked as to why we have taken this trajectory of interpretation; that is our attempt to link the calamitous situation of athletes that have been disenfranchised by their sexual classification to the cultural polymath Sylvia Wynter, as the critical linchpin in this research exercise on women of different sexual development (DSD), with the concept of apparatuses. In response to this query, the term as captured by Michel Foucault and its meaning: the various institutional, physical and



administrative mechanisms and knowledge structures, which enhance and maintain the exercise of power within the social body (Lemke 2007: 43-64) is his attempt primarily to devalorise western man and his progress as an oracular point of archaeological interpretation. Further, this de-valorization opens the vista of understanding of relationships in the social body as a kind of warfare; that is one directly consequential to the de-valorization exercise. This human decentering allows us primarily, to highlight: i) the deconstruction of the state government as a necessarily unique type of governmentality; opening World Athletics to be recognized as just one of many such forms ii) the disaggregation of power as juridical state and bio formats in order to adopt this multiplicative frame as a point of departure to our data representation. Finally, our human decentering facilitates – as we shall see in our discussion of our research findings – more complex ways of being cultural subjects to subvert Foucauldian homo-economicus with the realities of global south poetics in the humanization safari. For the purpose of clarity we invoke three definitions to this ongoing research investigation exercise: a) power/knowledge as “how discourses organized and systematized by the task of stating the truth exist in relation to organized and systematized forms of practice” (Coleman and Grove 2009, 492) b) biopower: [A] power that exerts a positive influence on life, that endeavours to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations (Foucault 2008) c) juridical state power: simply defined as the right to kill in defense and protection of the social body <sup>8</sup> (Erlenbusch 2015).

Black women primarily impacted by new testosterone rule for Olympics

<p>Apparatuses of sovereign power: The right to a Manichean separation of the abled from the damaged or disabled</p>	<p>Apparatuses of Bio power The multiplication of the modes of power expressed in the social body as a positive approach to life</p>	<p>Comments in regard posing the 'domination ^ repression' couplet as a corrective to the 'contract ^ oppression' model of power</p>
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<sup>8</sup> The caveat here is that modern societies rely on practices of sovereignty, discipline, and biopolitics, which are made to work in concert. This means, however, that practices of power traditionally attributed to sovereignty are modified because they serve a new purpose: once a society operates in a bio-power mode, killing can no longer be exercised in defense of the sovereign, but can only be justified if it serves the protection, defense, and salvation of the social body.

<p>News Analyst (unknown): The Rule in relation to athletes having a <i>Disorder of Sex Development</i> was put in place in 2019 by World Athletics...The <i>Disorder</i> reference here fits into Sylvia Wynter's notion of selection/dis/selection in evolutionary terminology. This anti-black racial trope is apprehended as inherent to juridical-sovereign power.</p>	<p>CNN interviewer: All three have been impacted by rules for athletes for <i>Different sex Development (DSD)</i> Unlike the term used overleaf, the reference to difference/over disorder is intended to exert a positive influence on life of DSD athletes by marketing news differently from competitors.</p>	<p>As Foucault argues the distinctions (disorder/difference) are just a more effective way of administration of subjectification: a way of moving quotidian warfare from the centre to the periphery.</p>
<p>IAAF assertion is that as an organization, it is benignly invasive; using testing techniques to determine aberrations from the requirement such as the athlete's use of performance enhancing drugs or having higher than average testosterone.</p>	<p>Idy Uyoe Sports commentator points to the irony of the employment of drugs (the altering of the DSD athlete's natural state) to determine if they are aberrations of nature constitutes tautological reasoning and is therefore ironic.</p>	<p>Again, Foucault argues, as he does above that this is just another means of decentering the warfare, a more effective way of subjectification. The European Court where Caste Semenya is only a broadening of the administrative ways or stratagems of compliance and conformity.</p>
<p>Lord Sebastian Coe: rules that the bans on female athletes with high levels of testosterone from participating in events between 400m and a mile are "here to stay"(inferred rather than stated in the above translated text).</p>	<p>Dr. S Ready: We just don't have enough information to say whether or not testosterone at that level whether or not there is an advantage.</p>	<p>Stratagems for subjectification through broadening/increasing the sphere/scope of the administration of power</p>

In doing a thematic analysis of *Black women primarily impacted by new testosterone rule for Olympics*, the power/knowledge interactions would suggest that what biopower does is that :a) it may be apprehended as a muted form of resistance in the social body by virtue of what Bakhtin would describe as heteroglossia. We apprehend this (heteroglossia) through the war in the social body. In the case of the apparatuses of sovereign power, if we should apprehend the grid above as encapsulating a 3\*3 matrix (3rows by 3columns), row1/column1, points to the DSD condition as reported by the cable networks (unknown but more likely in Fox News Tradition) as Disorder in Sexual Development. This contrasts with CNN News that references DSD as Difference/s in Sexual Development. This (dis/order versus dif/fERENCE), in the latter case, a kind of deferring from judgment on the DSD classification in Derridean vernacular, is an example of what Foucault would describe as voyeuristic versus exhibitionistic resistance; where the former applies to sovereign power and the latter to biopower. Further, in comparing 2\*1 and 2\*2 (employing the matrix algorithm), international athletics is claiming that their integrity as an organization stands on the fact that their action into the athletes' bodies is for detection of violations. Idy Uyoe Sports commentator, apprehends the logic, and hence the morality of this invasion as indeed questionable; that is the altering of the natural state of DSD athletes through the mediation of drugs, on the presumption that

they are indeed aberrations of nature, constitutes tautological reasoning, and is therefore ironic. Finally, in regard to 3\*1 and 3\*2, though inferred rather than stated from the depth interview scripts, Sebastian Coe has unambiguously stated that the 2019 rules of international athletics are here to stay; we assume stay here to infer that these rules are without suspicion in regard to their credibility, in the judgment of IA. On the other hand, Dr S Ready (eleven alive medical analyst) poses stay/ing; as in staying away from making a definitive judgment/statement, such a disposition precipitated by doubt and suspicion, because science is yet (or unable) to speak to the specific impact of testosterone on DSD women athletes' performance particularly. One may, with caution therefore, make three probable inferences from this war in the social body; i) a deficiency in IA's judgment due to acting on insufficient evidence ii) a deficiency in science due to a largely binary epistemology of judgment (not able to assess the messy in-betweens) iii) a deficiency in interviewees as special resource persons, because of the political impact full authentic disclosure may have on their personal lives and careers or conversely, playing to the trendy biopolitical gallery/episteme to get some personal mileage. Beyond the pale of muted resistance however b) biopower, augments juridical power to increase *stratagems for subjectification through broadening/increasing the sphere/scope of the administration of power*, this broadening of strategies is evident in the resultant vector AA<sub>1</sub><sup>9</sup>. In other words, according to Foucault, western capitalist society employs ever more sophisticated neoliberal strategies to produce compliance and conformity, needless to state that this poses sinister implications for the disenfranchised. Roger Deacon sums it up very well: "we in the West, in our arduous and incessant search for truth, have also built into and around ourselves, intricate and powerful systems intended to manage all we know and do" (Deacon 1998, 113-148).

<p><b>A</b> Apparatuses of sovereign power: The right to a Manichean separation of the abled from the damaged or disabled</p>	<p>Apparatuses of Bio power The multiplication of the modes of power expressed in the social body as a positive approach to life</p>	<p>Comments in regard posing the 'domination ^ repression' couplet as a corrective to the 'contract ^ oppression' model of power</p>
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<sup>9</sup> The vector AA<sub>1</sub> may be apprehended in the mode of Foucault's dispositive. Though grossly over simplified in relation to his more overdetermined understanding of this concept.

<p>News Analyst (unknown): The Rule in relation to athletes having a <i>Disorder of Sex Development</i> was put in place in 2019 by World Athletics...The <i>Disorder</i> reference here fits into Sylvia Wynter's notion of selection/dis/selection in evolutionary terminology. This anti-black racial trope is apprehended as inherent to juridical-sovereign power.</p>	<p>CNN interviewer: All three have been impacted by rules for athletes for <i>Different sex Development (DSD)</i> Unlike the term used overleaf, the reference to difference/over disorder is intended to exert a positive influence on life of DSD athletes by marketing news differently from competitors.</p>	<p>As Foucault argues the distinctions (disorder/difference) are just a more effective way of administration of subjectification: a way of moving quotidian warfare from the centre to the periphery.</p>
<p>IAAF assertion is that as an organization, it is benignly invasive; using testing techniques to determine aberrations from the requirement such as the athlete's use of performance enhancing drugs or having higher than average testosterone.</p>	<p>Idy Uyoe Sports commentator pointing to the irony of the employment of drugs to reduce hormones, even while the scientific evidence surrounded alleged advantage of testosterone to the intersexed athlete is still a very open issue with no immediate evidence of a resolution</p>	<p>Again, Foucault argues, as he does above that this is just another means of decentering the warfare, a more effective way of subjectification. The European Court where Caste Semenya is only a broadening of the administrative ways or stratagems of compliance and conformity.</p>
<p>Lord Sebastian Coe: rules that bar female athletes with high levels of testosterone from participating in events between 400m and a mile are "here to stay"(inferred rather than stated in the above translated text).</p>	<p>Dr. S Ready: We just don't have enough information to say whether or not testosterone at that level whether or not there is an advantage.</p>	<p>Stratagems for subjectification through broadening/increasing the sphere/scope of the administration of power</p> <p style="text-align: center;"><b>A1</b></p>

Running as equals-Elite athletes fighting for acceptance

“Even me wanted to know myself, who am I. If I know myself, what else can I do to make me to be the Max they want me to be?” (Imali 2021)

The quotation drawn from Maximilia Imali's response to the panoptical experience of a) hearing the result of Caste Semenya's failed appeal to the European Court of justice b) recognizing the implications for her own fate as a DSD individual c) her ultimate elimination from 800m may be apprehended as part of the collateral effects related to the first of three adjustments of the normalizing society that is encapsulated in Foucault describes as "the anatomo-politics of the human body" (Coleman and Grove 2009, 494). The negative sanctioning, apprehended as part of correct training, is graphically evidenced in the panoptical experience of Annet Negesa also through the debauched treatment that she received at the Kampala hospital in her home country. Secondly, what Foucault apprehended as the second adjustment *biopolitics of the human race*, a remote and aggregate form of management which has as its goal to make populations live in productive ways as well as to ensuring against the "random element inherent in a population of human beings", is metaphorically apprehended in the interview between CNN's Christine McFarlane and World Athletics' lawyer, Jonathan Taylor. Here there is significant juridical/biopolitical dynamics<sup>10</sup> between his attempt to redress the collateral damage to the public relations image of the organization, in the wake of DSD activist Payoshni Mitra's employment of the term ethnic cleansing to graphically represent the human rights implications surrounding World Athletics' 2019 rule implementation against DSD's. Finally, the third adjustment as, described as the return of a (decentered) sovereign right to kill at the heart of biopolitics, "unleashed throughout the entire social body" in the form of neighbors "doing away with the people next door, or having them done away with" is graphically evident in Annet Negesa's flight for her life to Germany in the face of her going live on Uganda radio about her World Athletics debacle (Foucault 2006, 259; Coleman and Grove 2009, 494). Indeed, there is significant fodder here to wade through, in the attempt to comprehend how a body whose head office is in Monaco France, would be culpable for the attempt on an athlete's life in Uganda. However, my point of reference is Western Electronic Media repackaging and selling of information as it related to Miss Negesa's DSD status. While there is an automatic gay/queer/lesbian/intersex coupling in neo liberal discourse, this automation does not necessarily hold true for global south discourse where hybridity/hybridities is/are the negotiated currency. Gray Gundaker (Gundaker 2000), Sylvia Wynter (Wynter 2003), Bell Hooks (Hooks 1984), Stuart Hall (Hall 1984) and indeed other thinkers of/on the global south have been instrumental in articulating the non-guarantee of this coupling in its relation to DSD women in the region (Hall 1984, 38-42)<sup>11</sup>. Indeed the inductive logic that is being applied here to give the alleged Ugandan homophobia some perspective is that: i) there is overrepresentation in female athletes who have been sighted as having this uniquely distinguishing feature from the South ii) this has been a natural part of its demography iii) many of these athletes – male and female – work closely together in preparation for international competition without any kind of xenophobic repercussions...The fly in the ointment is therefore, not in the naturally manufactured hybridities of African/Asian/Latin American/Caribbean life; it is rather in the media repackaging by broadcasting networks in the metropole who may deliberately or carelessly have people done away with through a malignantly or, benignly but carelessly, packaged mode/order of information on DSD athletes.

Redressing the Foucauldian historical foreclosure, Wynter the polymath, disability/dysability

In our view it is society which disables physically impaired people. Disability is something imposed on top of our impairments by the way we are unnecessarily isolated and excluded from full participation in society (UPIAS 1976:14). This turned the

<sup>10</sup> We refer here to a kind of hidden Nietzschean hand in the process of an expanding administrative framework of apparatuses of power and the concomitant attempt to restore homeostasis to the system in the wake of the rule fallout, this restoration being a systemic self-serving exercise.

<sup>11</sup> This politics of articulation (hybridization) eschews all forms of fixity and essentialism; social, political and class formations do not exist *a priori*, they are a product of articulation. Stuart Hall has termed this the politics of 'no necessary or essential correspondence of anything with anything' and it marks a significant break with a Marxism that has assumed an underlying totality to social relations.

understanding of disability completely on its head by arguing that it was not impairment that was the main cause of the social exclusion of disabled people but the way society responded to people with impairments. (Oliver 2004, 18-31).

This evocation from Mike Oliver, and its main pulse, “it was not impairment that was the main cause of the social exclusion of disabled people but the way society responded to people with impairments” is indeed the raw nerve that brings into view the way in which – according to Wynter, - the normal becomes normal and the real becomes real. Here she is refencing the historically disabling/impairing way in which what she has euphemistically referred to as Man 1 and Man 2 has emerged on the scene of history with dire consequences for the remaining two thirds world. Wynter 2003 (257-337) attempts to put in more graphic terms the collateral effects of this emergence when she angles it from the perspectives of Anibal Quijano and Walter Mignolo as the *racism/ethnocentric complex* and the *colonial difference* respectively through which the world of modernity was to institute itself (Quijano 1999,2000; Mignolo 1999, 2000). The collateral effect of this institutionalization has been tragically etched in Walter Benjamin’s Angelus Novus’s (angel of history) debris piled up before him in the wake of his flight backwards into the future:

all our present struggles with respect to race, class, gender, sexual orientation, ethnicity, struggles over the environment, global warming, severe climate change, the sharply unequal distribution of the earth resources (20 percent of the world’s peoples own 80 percent of its resources, consume two-thirds of its food, and are responsible for 75 percent of its ongoing pollution, with this leading to two billion of earth’s peoples living relatively affluent lives while four billion still live on the edge of hunger and immiseration...(Wynter 2003, 260-261; Jeffries 2016)

It is from this point of view of a *not yet human history*, one defined by Darwinian deselection rather than selection, that Maximilia Imali poses the question “Even me wanted to know myself, who am I. If I know myself, what else can I do to make me to be the Max they want me to be?” (Imali 2021). In Fanonian terminology, this not yet human history, a deep declivity is correspondent to the zone of non-being or “the hell”, of blackness honestly confronted with its condition in an anti-Black world; this anti-Black world, the only world we know, hides this non-being to the extent that it ascribes a place and role to abject blackness” (Gordon 2006, 1-43). Jonathan Taylor’s ephemeral attempts to redress the ethnic cleansing ascription to World Athletics’ rule against DSD athletes by suggesting: “this is why the regulations make it very clear, that there is no challenge to gender, there is no challenge to an athlete’s dignity” (Taylor 2021) is at best platitudinal in the face of prior damage. Drawing from the vernacular of disability therefore, it is not regulations that are needed to redress the indignities that have been already tattooed on DSD women athletes – especially those of African hue already disenfranchised by virtue of physical geography – but reparation. This reparation encrypted as a social model of disability has to be envisaged and effected by all within World Athletics’ taxidermy (executive leadership, administrators, athletes, activists, development specialists within the global south and empire) as it is currently, in the disabled cosmos, if it is to reboot for the future and not become a fossil.

Wynter gave veridical understanding to this rebooting metaphor in the context of the ethnoclass versus human struggle:

Empire’s most powerful apparatus is the education system. It initiates us into a culture and knowledge system that instructs us to want to be of a specific ethnoclass of humanity. The tragedy of this is that whilst this particular idea of being optimally human holds us together, as givers/receivers of *colonial independence as gift*<sup>12</sup>, it can do so only in terms of the “us” and “the not us.” . . . it is a version of reality in which the Creole elite class<sup>13</sup>,

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<sup>12</sup> Emphasis mine

<sup>13</sup> Emphasis mine

or the “Coe-Sands<sup>14</sup>” variants of this, as I wrote in my open letter after the 1992 Los Angeles uprisings, is represented, or rather overrepresented, as the reference point for what a human is supposed to be. We cannot give up writing stories about what it means to be human that displace those that are at the foundation of Empire. There is no order in the world that can exist or hold together, including an empire, without a founding story. Now the question for academia in the twenty-first century is, will you make space within it to be able to write a new foundation? (Bayani Rodriguez 2018, 831-836)

In the context of African athletes of different sexual development, our foundation story begins with the act of Pope Alexander VI issuing a papal bull or decree, “Inter Caetera,” in which he authorizes Spain and Portugal to colonize the Americas and its Native peoples as subjects; the Cenu Indians, in speaking from within the quite different categories of their still polytheistic and divinized/ natural/religious cultures, could only interpret the discourse of the Requisition, as pronounced by the subjects of the Spanish State, as nonsense, as the speech of “drunkards” or “madmen.” If we apprehend the apoplectic shock of the Cenu Indians to be correspondent to that of Margaret Wambui, in her evocative expression: *we are just natural, just natural*; then we may apprehend World Athletics to be working within the same Judeo-Christian matrix as that of the 1492 Papal Bull decree “Inter Caetera,” This correspondence is based on the following inductive analogy: i) the lands of the New World are the result of nature geography ii) any gift of nature cannot be unilaterally taken except by the same motive force of its creation; nature iii) the pope and the king of Spain have both (unilaterally) decided to take the lands of the New World to be theirs iv) the Pope and King of Spain are operating on the basis of laws that defy those of nature geography, Main Conclusion (MC): the pope and king of Spain are speaking as drunk/mad men. In similar manner, i) the bodies of DSD women are the result of nature biology ii) any gift of nature cannot be declassified or discredited except by the motive force of its creation; nature iii) World Athletics/ECJ have both (unilaterally) decided to declassify DSD athletes (overly represented by the global south) from the category of eligibility for events => the 400 meters in international competition iv) MC: the World Athletics/ECJ are behaving as drunk/mad men. It should be made clear that this analogical reasoning has little or no relevance outside of the apparent conjunctural relationship between the Judeo-Christian/Native Peoples’ moment of 1492 and the World Athletics/African (DSD) Woman’s moment of the twenty first century. In search of further correspondence, World Athletics and the Judeo-Christian matrix, both share the antecedent of the Aristotelian view of the world through the harbinger to the current games which ran from 776 BC through 393 AD. Still further, it would appear that the *enemies of Christ* search and capture mission that was precipitated by the outcome of the Sepulveda/LasCasas debate correlates highly with the enemies of a *purified notion of women’s categories* search and destroy mission that has been precipitated by the outcome of Semenya’s 2019 ECJ appeal. Here in positing the Appeals: The Caste Semenya Appeal, is a synecdoche of DSD activists against World Athletics, just as the Subjugation of the Indians Appeal is a synecdoche for Las Casas against the Spanish Crown.

What we may apprehend from our new foundation story thus far, that our attempt to redress the Foucauldian critique of Man, is a legitimate conjuncture, articulated between 1492 and the twenty first century as moments that spawn a notion of the Cultural Subject<sup>15</sup>; one that consequently undermines the Foucauldian notion of the absolute and irrevocable death of the subject in the face of the alleged ubiquity of power. Stuart Hall in his interview with Lawrence Grossberg (Hall 1986) has suggested that the post structural notion of the death of the cultural subject is – in typical Hall euphemism – a hasty judgment. This

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<sup>14</sup> The Reference is being made here to Sebastian Coe who is head of World Athletics and Mike Sands who is head of North American, Central American and Caribbean Athletic Association (NACAC).

<sup>15</sup> Hall has been careful not to refer to the subject in reductionist (monolithic) terms hence his reference to positionalities instead of position and his apprehension of the cultural subject in quasi-dispositional terminology via Lawrence Grossberg’s attempt to find common ground between Foucault’s epistemes and Hall’s conjunctural analysis in his concept of radical contextualization (Davis 2018: 1-11).

is particularly significant since millions of people have not exited what Jacques Lacan and Roland Barthes has apprehended as the Real (as a metaphor of the relationship between the 17<sup>th</sup> century enlightenment and modernism). Indeed, the dystopian situation Wynter so clearly articulates in her 2003 work and rearticulated in part above: “20 percent of the world’s peoples own 80 percent of its resources, consume two-thirds of its food, and are responsible for 75 percent of its ongoing pollution, with this leading to two billion of earth’s peoples living relatively affluent lives while four billion still live on the edge of hunger and immiseration” is graphic testimony to hasty Foucauldian judgment (Wynter 2007, 257-337) Hall argues, in attempted corrective surgery to the post-structural assumption of the ubiquity of the text/nothing existing outside of the text, that the postmodern episteme will look very much like the modern episteme except for some very minor changes. Here his assertion is based on the perspective of his Marxism of no guarantees and the Lacanian signifier being accountable to history in as much as it is accountable to the text.

It should be said that Wynter’s open invitation of the global south intellectual to sacrilege or to revolt against Empire and its most potent weapon, its education system, does not end with Stuart Hall or any similar Indian/Negro conjunctural notion of the emergent cultural subject, as a redress to Foucauldian Man’s disappearance from the scene of history. This is due to the fact that her primary focus in this iconoclastic attack is the Judeo-Christian matrix which is perceived by her – in the contest of the 1492 moment – to be the most potent incentive to render impotent, the black metamorphosis; this metamorphosis being the only means to the liquidation to the current order of knowledge. It is in this vein that she as: writer, activist, theorist... houngan, invokes Vodoun and its cosmological system to transmogrify the African DSD female into the apotheosis of Payoshni Mitra’s impure form of women’s categories – the ultimate antipathy to the Petrarchan/Shakespearean form of beauty. It is in this Bondye (the supreme god in vodoun)<sup>16</sup>”christ” encounter that Aime Cesaire’s Word – the logos – will be ascendent/descendent in this its Janus-faced<sup>17</sup> struggle against bios (ethno-class man), and the ongoing search for new humanities. This (nigger/negre) variant – a further upgrade/further downgrade of the Indian/Negro format may be apprehended as part of the new demonic ground within black feminist reflection (McKittrick 2006: Wynter 2003, 227-253). We eagerly await the Parousia of Maximilia Imali; this time under the full transformative power of the black metamorphosis, as a synecdoche of the new humanism.

#### Limitations to the research (criticisms of Wynter)

As Delgado (2011) notes, intersectionality can be taken to such extreme positions that the constant sub-division of experience (into more and more identity categories) can eventually shatter any sense of coherence. While Delgado’s use of the phrase *taken to such extreme positions* would imply the exception rather than the rule, in regard to intersectionality, the impact of this sub-dividing of experience is noted to have collateral effects in one’s attempt to ask the question as to what hybridities such as the bios (ethno-class man)/logos relationship would look like beyond the firewall of linguistic tropes in Wynter’s work. In other words, are the necessary fault lines between the social model of disabilities and that of race, pragmatically conceivable to bring about the kind of radically decolonized Maximilian Imali alter that was evidenced in the pummeling blind mentioned at the beginning of this paper? Her critics argue that this

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<sup>16</sup> From the point of view of empirical science, Vodouisants would say that the entire cosmos, including all of the principles inherent in its mechanical, biological, and stellar functions, can be reduced to one higher principle, Bondye, who is the ensurer of universal order and the source of all human actions. The highest wisdom consists not only in recognizing the wholeness of the universal order as contained in Bondye, but also in affirming that same wholeness in the human community. (Desmangles, 1992, 96)

<sup>17</sup> We wish here to posit Homi Bhabha’s third space (space of ambivalence) as a way of apprehending Sylvia Wynter’s sacred versus sacrilegious Janus-sic (Janus-face) struggle in pursuit of what she has apprehended as the black metamorphosis – the full re-instillation of the black poetics project in the ethno-class versus human struggle. Here we fully acknowledge the caveats of Jan Mohammed (1985) and Gates (1991) that Bhabha has rendered ignoble the authenticity of the Fanonial revolutionary struggle for a new humanity.



prescription for a ubiquitously supplanting narrative has not been given -though recommended- by Wynter; nor by those who are in support of her forty-odd-year post-colonial project (Serynada 2015). Further, like her harbinger Frantz Fanon, it is said of Wynter that the mode in which she delivers her ideas often evokes the intellectual smugness she critiques in Western philosophers who have overrepresented their idea of the human (Serynada 2015). This criticism of Wynter's mode of delivery is based on the major premise/presumption that academic writing is meant to demystify the world around us and dispense the findings, but is often impenetrable. The value-added purpose of its transformation of those most detritized by the zero-sum game of neoliberalism becomes part of the collateral damage of an exegesis walled in by the occident as well as the academy (Serynada 2015). Finally, Serynada has posited that: a) crucial events prior to the hegemony of Europe are absent from her discussions, for example the trans-Saharan slave trade, which form the foundations of the structure of antiblackness in Asia/MENA even before 1492 b) her analysis is inadequate to the relations of Man's Others and the power dynamics among them. Questions of domination also play out within grassroots activism, in movements and communities (on or offline), in households, in classrooms, in ghettos and on reservations, on the fringes, the margins, and above all in blackness, the exterior of universality.

#### Redress to Wynter critics and conclusion

In attempting to redress the key concerns stated I would wish to suggest that Wynter's main intention in her forty odd years of work is to examine other ways of becoming human epistemologically, not methodologically. Rather, the latter as an erotic trope, discovers the former in the humanization process. Therefore, the plowing of her new demonic grounds is intended to conjure up the unnamed thing within the African Diaspora and to allow its method of exegesis to find it.<sup>18</sup> This logic of idiosyncratic method finding/co-defining *thing conjured from within Africana people* follows from Wynter's and Toni Morrison's assertion that: we are not resource-seeking animals who speak (a Marxist tropic retention), but speaking subjects who live in language (Kaiser and Thiele 2017; 403-415). In the case of this researcher, the thing found within has been apprehended in psycho-analytic terms of reference, rather than that of neuroscience – the latter being the preference of Wynter, Eudell and Mignolo (Serynada 2015). Here alterity<sup>19</sup> <sup>20</sup>as the collateral damage of the idiosyncratic subject-experiences of the global south – chattel slavery, colonialism, neocolonialism, re-inscription within Western Liberalism and its game of winners and losers; - has fostered the feeling of inferiority that lives “in me/us, not in any name” (Mignolo 2015). This researcher has codified in memory this account of the blind's transmogrification as a non-genetic “set of

<sup>18</sup> The dynamics here are deeply erotic as explained by William Michael Parris in his attempt to intersect the concept of invention in the work of Hortense Spillers, Frantz Fanon and Sylvia Wynter (Paris 2018, abstract). Not unlike the dog attracted by the scent of the bitch in heat (during its cycle), the method of exegesis/translation is attracted to the corresponding type of “Thing” (Alter in the context of this work) based on the mode of vulva-violence excreted. Here Paris argues that invention is not in the *fetus resulting from insemination* – historically characterized by theft and exploitation for the global south (the black diaspora as synecdoche) – but rather, by the violent wrenching away from the coital act. It is Janus-faced-like-action of violent penetrating/wrenching that constitutes a radical form of praxis

<sup>19</sup> Fanon addresses the issue of otherness by theorizing a New Humanity that, stemming from and following violent action, overcomes alterity by transcending the dichotomy between colonizer and colonized. ‘To shoot down a European is [...] to destroy an oppressor and the man he oppresses at the same time: there remain a dead man, and a free man’ (Sartre, 1961, p. 19).

<sup>20</sup> We invoke the neologism alterity (dependency and codependency interchangeably) in this presentation for two reasons. In the anti-colonial usage by Frantz Fanon, the cultural revolution would obliterate Otherness to set the conditions for the new society. However Stuart Hall has reminded us that this conflation between utopia and the subject is an oversimplification; that there is always some slippage, something left out in this overdetermined relationship (Hall 2004). In regard to codependency we speak to volatile and changing positionalities -Colonial ego/alter – in the context of their inter/intra personal struggles rather than any originary (reductionist) relationship. Here we acknowledge the Hall condition of no/necessarily no connection/s as part of his Marxism of no guarantees to upset the applecart of both traditional Marxism and post- Modernism, and the relation of both to the postcolonial

instructions,” as Wynter terms it, that work intimately with my physical drives: a human code that overrides, gives meaning to, and interpolates itself within my genetic one. The summative effect of this blind saga – from codependency to radical autonomy; (the Logos) and its interpolation with my Bios - is that it has been scripted in this research endeavor as a metaphorical suitcase for re-dressing the historical balance to the nature of the ethno-class (International Athletics) man versus human (African DSD Women) struggle. The mission therefore, is, to contribute to the removal of in-excess of five hundred years of debris at the feet of Walter Benjamin’s Angel of History due to the collateral damage of Global South peoples’ innovation being stolen and commodified by the North In effect therefore, Wynter’s mission is ultimately that of a heuristic enabler and redresser of collateral damage, whose cartographic mission field is the global south. More importantly, it is a heuristic that finds its *raison d’être* in vodoun not in Western Liberalism, and its 1492 Romish Legacy. It is only then – within this black metamorphosis - that the decolonized black alter may emerge like the Phoenix from the ashes.

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