

## **The pride of cheating in women's sports Legal analysis of the Petrillo case**

Sandra Moreno  
Jurist, PhD in Law  
@ConSandramoreno

The recent qualification of the trans-self-identified athlete known as Valentina Petrillo in the semifinals of the 200m T 12, at the Paris 2024 Paralympic Games, has reignited the debate on the dire effects that the "[inclusion](#)" of male births has on women's sport, because it is well known that it ends up [excluding women from](#) their own category. As science has [shown](#), [recently reiterated by Tucker, Hilton et al](#), those who have gone through male puberty are faster, taller and stronger than women.

And, although "*citius, altius, fortius*" is precisely the motto of Olympism, it was intended to be applied among equals, and not among those who, by pure biology, possess a physical superiority that makes them have unfair competitive advantages that [destroy women's sport](#). This issue has sparked great controversy, because the 'inclusion' in the female category of male-born athletes directly violates the [Olympic Charter, the fundamental principles of sport](#) and [women's human rights](#): non-discrimination, equity and fair play, are impossible to guarantee when the fundamental right of women to practice sports and compete on equal terms is violated. In this article we will see how the policy of the 'inclusion' of non-hegemonic men in the female category gives **legal legitimacy to cheating** in women's sport.

### **Who is Petrillo and why can this person participate in the women's category?**

The person known as Valentina Petrillo, 51, is a male born who until 2019 used his birth name Fabrizio and competed in the men's category as a visually impaired athlete. In 2021 Petrillo began to identify as a woman and became eligible to compete in the women's category, attempting to gain a place at the Tokyo Paralympics in 2021, which he was barred from. Since 2023, due to fraudulent laws that allow the registered sex to be changed, Petrillo became a 'legal woman', and by reducing his testosterone levels, he was allowed to meet the eligibility criteria, which have led him to [be the first trans-self-identified athlete in a Paralympics](#), with the endorsement of the Italian Paralympic Committee and the silence of the government of his country that this time did

not complain about male-born athletes competing against women, despite being requested by [various feminist organizations](#).

The [rules of World Para Athletics](#), i.e. the international Paralympic sport federation dedicated to athletics, under the governance of the International Paralympic Committee, allow that, in the name of 'inclusion', the entry of male births into the female category is forced, requiring only that they maintain their testosterone levels at 5 nanomoles, artificially reduced by medication. This maximum allowed for trans-self-identified athletes is double the usual testosterone standards in women, which range from 0.5 to 2.4 nanomoles per liter of blood.

The position of World Para Athletics contrasts with that of [World Athletics](#), which since 2023 has opted to guarantee the safety, equity and integrity of sport, adhering to scientific parameters, which led it to prohibit male births who have gone through male puberty from participating in the female category. Since then, the [International Athletics Federation](#) has banned the participation of trans-self-identified athletes.

It is unacceptable that what is no longer allowed in athletics for reasons of safety and equity, is allowed in Paralympic athletics, when the vulnerability of athletes and the difficulties they must overcome are even greater, due to their disability. The inclusion in women's sport of trans-self-identified athletes harms [women](#) and, in the case of Petrillo, his inclusion has led to the exclusion of [Melani Bergés, who was displaced from the](#) 200-meter qualifying event at the Paris 2024 Paralympic Games, and Nagore Folgado García, who has been left out of the semifinals of the same event. as well as all [the other women](#) Petrillo displaced.

### **The legitimization of cheating in women's sport**

The Olympic Games, as the highest expression of sport at a global level, enshrines **fair play** in its Olympic Charter and complementary regulations as the fundamental principle that should guide all participants and any violation thereof may result in severe sanctions, including disqualification, loss of awards, suspension and discredit.

Since the very beginning, cheating has been prohibited in Olympic sport for sporting and ethical reasons, which seek to preserve the integrity of the sport, so as not to fake the results and distort the competition; to recognize the effort, loyalty and honorability of those who play fair; to protect the physical and mental health of athletes; to serve as an example for future generations and, among others, to protect the reputation of sport and generate confidence between athletes and fans. Whoever breaks the rules of fair play and is prosecuted,

either at the Olympics or at specific competitions, is disqualified, stripped of awards and honors and demoted for cheating.

Ben Johnson, Marion Jones, Lance Armstrong, Justin Gatlin, Maria Sharapova are some of the most famous names of athletes who have tested positive for doping substances. Some have even been sanctioned for refusing to submit to doping controls, such as Chinese swimmer [Sun Yang](#). But the advantages of doping are not as significant as those given to trans-self-identified males having gone through male puberty. Even if testosterone levels are reduced with medication, musculoskeletal structure, bone density, larger heart, lungs, and limbs, as well as increased strength, speed, endurance, and aggressiveness remain, along with all the other advantages that their male biology gives them.

As athletes and feminist organizations point out, why is EPO doping punished and not gender doping? Well, because only women and girls are the ones who are harmed, and our rights are always sacrificed without any contemplation, both in Afghanistan and in the Olympics. The men who run politics and make the laws of self-determination, as well as those in the world of sport, often show contempt for women's rights, as have Thomas Bach and Andrew Parsons, the patrons of the IOC and ICC, who cynically sacrifice fairness and fair play and women's human rights. violating the Olympic Charter, as demonstrated by Bach's unusual argument that "[there is no scientific system to identify a woman](#)".

One of those who have best made explicit the sacrifice imposed on women, despising our rights, is the philosophy student who writes about "ethics" in the [Herald Tribune](#), although in his article he evidently does not know how to distinguish between 'desire' and 'right'. In his recent misogynistic column, he writes that the solution to *trans* inclusion in women's sport it to "*let trans women athletes compete in women's sports – and to just accept the "unfairness" of doing so. Life is not fair, as the old adage goes, and sports are no exception.*"

Hence, [J. K. Rowling is absolutely right](#) when, in response to such sleaze, she states that if "*the era of humiliation by cheaters is over*", then "*let's give the medals back to Lance Armstrong*".

And, furthermore, if in the name of the 'inclusion' of trans-self-identified men, we accept as reasonable to sacrifice the dignity and human rights of women and girls provided for in CEDAW and the Olympic Charter to equal opportunities, to privacy, to non-defenselessness, to freedom of expression, to freedom to live without fear of being injured or violated, to equity in the practice of sports and all the other rights that are undermined by the illegitimate rules that force them to compete with male births who have gone through male puberty, then let all

the rules that prohibit and punish cheating be repealed, and let us recognize that sport, like life, is a battlefield where the law of the fastest, the highest, the strongest and the biggest cheater is imposed. And let us recognize that Western women, like Afghan women, are at the mercy of the abuses of men who hold power in all relevant areas, who violate our rights, put us in a defenselessness situation and silence us under the threat of transphobia.

If women's rights are to be sacrificed, then let us change the motto of the Olympics to "*citius, altius, fortius, et falsus*", and admit that the real loser is not the weaker rival, but ethics and sporting fairness.

-----

Spain, September 7, 2024.

***AUTHOR: Sandra Moreno.***

***PUBLISHED BY: IUSPORT 1997-2024.***