

Mexican state rules prohibiting abortion will remain; challenge fails

MEXICO CITY - A legal challenge to a pair of constitutional amendments prohibiting abortion in two Mexican states has fallen short, meaning the measures will remain intact.

At least four of the 11 judges on the Supreme Court indicated during oral discussions that they would vote against a measure presented by a fellow justice advocating the amendments be declared invalid.

Eight judges are needed to overturn a state-level constitutional amendment.

"Our federal constitution recognizes as the holder of rights the product of conception, per se, with independence from the rights from the mother," Justice Jorge Pardo said during the discussions Sept. 28.

The court began discussions Sept. 26 on the legality of constitutional bans - approved in the states of Baja California and San Luis Potosi - that declare life begins at conception.

The court challenge sparked alarm for the Archdiocese of Mexico City, which questioned how the court could consider overturning the amendments, since it ruled in 2008 that any state government could set health policy as it sees fit.

"The issue is very simple: The states of the republic have the right to defend human life just as Mexico City expressed its right not to," the archdiocese said in a Sept. 25 editorial in its publication, *Desde la Fe*.

The editorial also took issue with the court for failing to decide the legality of abortion - and focusing on jurisdictional matters, instead.

In 2008, the court ruled, 8-3, to uphold a Mexico City law decriminalizing abortion during the first 12 weeks of pregnancy.

Eighteen states subsequently passed amendments to their state constitutions

placing restrictions on abortion.