

Supreme Court refuses to consider Mexico City abortion law

MEXICO CITY – The Mexican Supreme Court upheld a Mexico City abortion law when eight of the 11 justices refused to consider a constitutional challenge on the issue.

Catholic officials across Mexico expressed sadness at the Aug. 28 decision, but also promised to focus their attention on better serving pregnant women who might be considering abortion.

The Supreme Court “can make a crime legal, but it can never make moral ... the abominable murder of innocent children in the womb,” Cardinal Norberto Rivera Carrera of Mexico City said in a statement posted on the Archdiocese of Mexico City Web site.

He said the court was endorsing “an immoral law that not only decriminalizes abortion, but also hurts and infringes the fundamental rights of being human.”

Earlier the same week, the court ruled that the Mexico City Assembly had the authority to pass legislation legalizing abortion.

The Aug. 28 decision emboldened proponents of the law that allows abortion during the first 12 weeks of pregnancy. Some members of the Democratic Revolution Party, which governs Mexico City, promised to promote similar measures in the country’s 31 states. Already, the southern state of Guerrero has proposed legislation that would legalize abortion.

But analysts expressed doubts that many states – even the five states ruled by the Democratic Revolution Party – would rush to overturn laws that permit abortion only under limited circumstances and said campaigning on the decriminalization of the procedure would prove politically unprofitable in most places.

“It’s never been a campaign issue in Mexico,” said Jeffrey Weldon, director of the political science program at the National Autonomous University of Mexico, a

private university in Mexico City. “Now that it’s been made law, it could galvanize some (anti-abortion) groups.”

Weldon added that some factions of the Democratic Revolution Party are uncomfortable with issues like abortion. Former presidential candidate Andres Manuel Lopez Obrador, perhaps the party’s most prominent figure, failed to raise abortion as a topic during the last federal election or promote the issue during his term as Mexico City mayor earlier in this decade.

The upstart Social Democratic Party, also a proponent of the Mexico City law, championed the abortion issue during a 2006 election campaign that was based on highlighting contentious social issues like gay rights and drug legalization. The party barely captured 2 percent of the popular vote, but the maverick approach won it a constituency and the right to partake in the public subsidies available only to registered political parties.

The Supreme Court still must deliver its written ruling on the constitutional challenge, which was brought by the federal attorney general’s office and the National Human Rights Commission. Mr. Weldon said that parts of the abortion law still might be struck down, but that the main objectives of the law were now considered to be constitutional.

The Archdiocese of Mexico City said the bells of the Metropolitan Cathedral would be rung the moment the written decision was released in order to express “mourning” for the more than 12,000 abortions that have been performed legally since the law became effective in April 2007.