

Mexico Against Abortion

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The Latin American reality regarding abortion is also reflected in Mexico. The debate rotates around the decision for the life or death of a third party. This article aims to clearly convey the current situation in Mexico in relation to the phenomenon of abortion. We will start from the legal field to face, later, the social dimension that it has taken in the recent history of the country. Finally, in honor of Women's Day, as women we will conclude with a personal call for each reader to become an agent of the change they want to see in their family, in their country and in the world.

Recent legislative struggles

Life has been the first and most fundamental good that man has always recognized, as expressed in Roman law since the 3rd century, where the baby is recognized in the womb with the term "nasciturus"³ as the one who is going to be born. Currently, various laws and treaties, both national and international, refer to it when speaking of human and universal rights.

Below are some foundations where the defense of life is stipulated, at the international and national levels.

It is important to identify international treaties, in matters of Human Rights, to occupy the first place in the hierarchy of laws in Mexico, at the same level as the Federal Constitution, which is why they apply throughout the country conditioning the validity of the various local (state) or lower hierarchy laws.

At the international level, the third article of the Declaration of Human Rights stipulates that "Every individual has the right to life, liberty and the security of his person⁴." On the other hand, the fourth principle of the Declaration of the Rights of Children mentions that: "The child must enjoy the benefits of social security. The child will have the right to grow and develop in good health; To this end, special care, including prenatal and postnatal care, should be provided to both him and his mother. [...]"⁵

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³ Mejjide, A. C. (2004). The nasciturus as a subject of law. Constitutional concept of person versus the pandectista-civilista concept. *Cuad. Bioét*, 2^a.

⁴"Universal Declaration of Human Rights", website reference: https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/spn.pdf

⁵ "Declaration of the Rights of the Child", website reference: <https://www.oas.org/dil/esp/Declaraci%C3%B3n%20de%20los%20Derechos%20del%20Ni%C3%B1o%20Republica%20Dominicana.pdf>

In Mexican legislation, the protection of the unborn is stipulated, indirectly, in the first article of the constitution, stating that "all persons may enjoy the human rights recognized in the Constitution and in International Treaties⁶." In a direct and more forceful way, the Federal Civil Code does so in its article 22, stating that "from the moment an individual is conceived, he comes under the protection of the law and is considered born for the effects declared in this Code⁷".

Even though in the Federal Penal Code, in chapter VI⁸, abortion is criminalized, like homicides, and even twenty-one States protect, by means of their local Constitutions, life from the moment of conception, the new government of Andrés Manuel López Obrador, has as one of his objectives to achieve the unbanning of abortion. This has been such a priority issue for the National Regeneration Movement party, MORENA⁹, that even before the president took office, the legalization of this issue¹⁰ was already on the agenda. It is important to mention that, in both Federal Chambers, Senators and Deputies, MORENA has a devastating majority in terms of benches and the result of votes, which represents a real challenge for the pro-life position in the country.

In Mexico, a series of law initiatives have been presented, both at the federal and local levels, that directly attack the first fundamental and inherent human right, life¹¹. After a long time of observation, we have been able to appreciate the strategy that the progressive left uses to promote abortion. First there is "noise" in social networks about abortion surveys, then they make the well-known "forums", which do not seek dialogue at all, but indoctrination; subsequently, a greater presence is made on social networks by creating "green tide¹²" pages in their respective State, and demonstrations are held by those same pro-abortion groups until the initiative is presented. This has happened with the states of Hidalgo (Pilot State), Oaxaca, Michoacán, Jalisco, Sonora, Baja California and others.

We can see this strategy materialized in the case of the State of Oaxaca. On September 30, 2019, the local congress of Oaxaca¹³ voted to modify its penal code in articles that spoke about abortion; unfortunately, the majority voted in favor of the amendment¹⁴. However, it is an unconstitutional reform because in its local constitution life is defended from conception. Attempts were also made to modify the Constitution twice, and although it did not proceed, the media and pro-abortion groups publicized it as a victory to confuse people and make it appear

⁶ "Political Constitution of the United Mexican States", website reference: <http://www.ordenjuridico.gob.mx/Constitucion/cn16.pdf>

⁷ "Federal Civil Code", website reference: http://www.diputados.gob.mx/LeyesBiblio/pdf/2_030619.pdf

⁸ "Federal Penal Code", website reference: https://www.gob.mx/cms/uploads/attachment/file/235549/Co_digo_Penal_Federal_22_06_2017.pdf

⁹ Official site of the National Regeneration Movement party, MORENA: <https://morena.si/>

¹⁰ Process. "Morena, for legalizing abortion before the arrival of AMLO", website reference: <https://www.proceso.com.mx/556450/morena-por-legalizar-el-aborto-antes-de-la-llegada-de-amlo>

¹¹ Forbes. "20 initiatives to decriminalize abortion were rejected by Congress," website reference: <https://www.forbes.com.mx/20-iniciativas-para-despenalizar-el-aborto-fueron-desechadas-por-el-congreso/>

¹² The Herald. What is the green tide and why did they come to Mexico ?, website reference: <https://heraldodemexico.com.mx/pais/que-es-la-marea-verde-y-por-que-llegaron-a-mexico/>

¹³ To learn more about Mexico's legislative system, review the "United Mexican States" report available at www.aul.org

¹⁴ Aristegui News. They publish reforms to the Oaxaca Penal Code that endorse the decriminalization of abortion, website reference: <https://aristeguinioticias.com/2810/mexico/publican-reformas-al-codigo-penal-de-oaxaca-que-avala-despenalizacion-del-aborto/>

that abortion was becoming legal. The reality is that despite the modification of the penal code is an unconstitutional act and there are not enough resources, from the public sector, to provide abortions, private clinics did start to provide this "service".

Social dimension of abortion pressure

In the social sphere, "the green tide" in Mexico has become a strong movement and demonstrations have been carried out in which various important monuments of the country have been vandalized. The performance entitled "*El violador eres tu*" (The raper is you) in the historic center of Mexico City and in several prestigious universities¹⁵. This is a sign that this group of women is organizing to demonstrate in favor of ideas that are taking much momentum nationally and internationally, although there is much misinformation about the meaning of the green bandana and the ideology behind this movement.

On March 8th, Women's Day, parallel demonstrations were organized throughout the country for women to show themselves against violence, however, there were acts of vandalism to national monuments, attacks on Catholic churches and violence against men and women¹⁶. Although many women attended to demonstrate against violence, many others went to exert political pressure in favor of the decriminalization of abortion¹⁷. Similarly, on March 9th, a national strike was organized in which all women were invited to not have any type of activity, this in order to raise awareness of their role in society¹⁸. However, there were other interests behind this strike and the first was to demand safe and free abortion nationwide¹⁹.

It is a cultural struggle and there is much confusion as several people support this movement because it represents "weak women", those who have been abused, victims, etc. But, there are some issues that the "green tide" involves that many of its followers are not aware of, such as the gender agenda, legal abortion up to 9 months, contraceptives, inclusive language, deconstruction of the family, direct attacks on religion, eugenics and approval/promotion of violence (with the flag of freedom of expression).

We are women and we support women, but we believe that some points need to be clarified:

1. We do not support acts of vandalism that take place in public spaces for demonstrations. Violence will not be eradicated with violence; if we apply the eye for an eye rule then we will all be blind.
2. Freedom of expression does not justify any type of aggression; the demonstrations must be in order and in peace to be able to transmit a clear message to society.

¹⁵ Sinembargo.mx. Students from various universities join the performance "A rapist on your way", reference from the website: <https://www.sinembargo.mx/03-12-2019/3689130>

¹⁶ Political expansion. Thousands of women march on CDMX among slogans, pints and demands for justice, website reference: <https://politica.expansion.mx/mexico/2020/03/08/miles-mujeres-marchan-cdmx-consignas-pintas-reclamos-justicia>

¹⁷ Forbes. The 8M brought together all the demands and different types of feminism, website reference: <https://www.forbes.com.mx/cronica-el-8m-reunio-todas-las-demandas-y-a-distintos-tipos-de-feminismo/>

¹⁸ Sdpnoticias. "Less opportunism, more feminism": Politicians required to speak out in favor of legal abortion, website reference: <https://www.sdpnoticias.com/nacional/aborto-legal-en-mexico-movimiento-feminista-opportunismo-politicos.html>

¹⁹ Sdpnoticias. "Less opportunism, more feminism": Politicians required to speak out in favor of legal abortion, website reference: <https://www.sdpnoticias.com/nacional/aborto-legal-en-mexico-movimiento-feminista-opportunismo-politicos.html>

3. Abortion is not a solution under any circumstance because one person dies and the other is injured (physically and / or psychologically).
4. We believe that there are inconsistencies in the premise that defends abortion since it maintains a strong inequality. It does not seem to recognize that there are also women within the womb that the "green tide" is not fighting for. They are also victims because they cannot defend themselves and are in the most vulnerable state of life of any person, that is, in the early stages of human development.
5. The green tide claims to represent all women, but it does not. It seeks to satisfy the interests of a few that have nothing to do with the real needs of women, for example, those who need a good medical service (consultations, treatments, medicines, etc.) before an abortion.
6. Regarding rapes, abortion does not help to decrease but rather to increase the number of them because it is very common for the rapist to be someone close and/or family ²⁰. As the abuser is part of the victim's intimate environment, it can easily lead to an abortion, and then he can continue abusing her without any impediment or that someone can realize the crime committed.
7. Women and men are equal in dignity, in rights and obligations; but it is unattainable to seek an "equality" in which women are superior to men. Both sexes exist to complement, help and support each other. Fighting will only lead to the destruction of humanity.
8. This movement greatly weakens the family, since it is clear that the family is the cell of society. "Living in a family headed by biological fathers and mothers, multiplies the benefits received due to the solidarity of life of both parents, since it stabilizes the bonds and increases the resources available to better serve the daily needs of an emotional, educational nature, economic, physical and mental health²¹"

Final thoughts

Today we want to address those women who have felt alone, whom no one has accompanied in their pregnancy, whom their partners have abandoned... and we want to apologize on behalf of all of them. We are deeply sorry because as a society we have failed you; but you should know that you are not alone, that there are many institutions that seek to help them, such as JUVI, VIFAC, MATER FILIUS, YOLIGUANI, IRMA, Pasos x la Vida, etc.

There are many alternatives to an unplanned pregnancy in which both lives are saved!

As women, we raise our voices to convey that it is imminent to build a civilization where men and women work as a team and we are clear that the common good is built between all; It is not simply the government or the business, but it is essential that each person does his or her small contribution and offers those gifts that have been given to leave a better world for future generations.

²⁰ Oscar Castellero, "Psychological Profile of the Rapist: 12 Common Traits", website reference:<https://psicologiyamente.com/forense/perfil-psicologico-violador-rasgos>

²¹ Pliego, F. "Family structures and well-being of children and adults", website reference:http://biblioteca.diputados.gob.mx/janium/bv/lxiii/estrfam_bieninadu.pdf

The family urgently needs to be strengthened because it is because of its weakening that so many tragedies have occurred in this world. The affective deficiencies and the wounds that each one lives since he is small, constitute an important part of the personality of the individuals, for this reason we say again that it is necessary to heal our wounds in order to build together a society of peace and good.

To finish, we want to thank those who have invested their time in promoting life, family and the dignity of people. Thank you for not losing hope and being an example of courage and perseverance.

Today we want to appeal to those who are lukewarm regarding this debate. To the readers of this article, we invite you to choose for the greater good, and to fight for those transcendent things that are worthwhile in this life. This is necessary for you, for your family, for your country and for the world. We certainly live in a time of few heroes and we need brave people who are not afraid to fight against the current and who risk their lives to defend the truth, to promote the common good and to live love.

What each person does affects in one way or another the entire world. What position are you going to take? Are you going to let the comfort of doing nothing gain? Today we invite you to listen to your heart because there is really something deep inside you that wants a different reality, but remember that change is in your hands ... what you don't do, nobody else will do for you.