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Mexican tribunal orders sanctions on archdiocese

David Agren Catholic News Service | Jul. 5, 2011

MEXICO CITY -- Mexico's electoral tribunal has ordered the Interior Ministry to sanction the Archdiocese of Mexico City for comments urging Catholics to not vote for political parties promoting liberalized abortion laws and same-sex marriage.

The Mexican bishops' conference and the Mexico City archdiocesan spokesman, Father Hugo Valdemar Romero -- also named in the ruling -- have questioned the legality of the order.

"According to the (tribunal) judges, a citizen's critical opinion of a political party for its immoral, criminal and destructive actions toward the family and its values is an attack against the democratic life of our country," Father Valdemar said at a July 3 press conference, two days after the tribunal ruling. "Such a proposition is not only a judicial contradiction, but borders on the ridiculous."

Father Manuel Corral, spokesman for the bishops' conference, called the ruling "an insult" and said it was delivered in a way that seemed to say "so that you'll learn."

It remains uncertain if the tribunal, a five-judge panel akin to the Supreme Court with exclusive jurisdiction over electoral matters, has the authority to order the Interior Ministry to act.

Armando Martinez Gomez, president of the College of Catholic lawyers of Mexico, said the case would be appealed and acknowledged it might take years to settle.

The ruling highlights lingering church-state tensions in Mexico, where prelates traditionally have avoided giving opinions on political matters or directly criticizing political parties and politicians.

The electoral tribunal cited the need to keep church and state separate as the reason for its ruling.

"What is being defended is the secular state. This is the constitutional right that is being protected through various actions described in the Law of Religions, which has as its common objective protecting the secularism of the state," Constancio Carrasco, electoral tribunal judge, wrote in the ruling.

The case against Father Valdemar and the archdiocese, lodged by the leftist Democratic Revolution Party, has generated legal confusion as it has bounced among the country's electoral institute, electoral tribunal and Interior Ministry.

Both the electoral institute, which referees all partisan political activities and organizes elections, and the Interior Ministry have said the case is not theirs to adjudicate. The electoral institute, after being ordered to review the case by the electoral tribunal, ruled Father Valdemar violated the country's electoral code, but absolved the Archdiocese of Mexico City.

In its July 1 ruling, the electoral tribunal found both Father Valdemar and the archdiocese in violation of the electoral code, which, the judges said, conforms to the Religious Associations Law. The Interior Ministry is

responsible for regulating the country's religious associations.

The Democratic Revolution Party, which governs Mexico City, made its complaint after Father Valdemar criticized the party and a Supreme Court ruling last August that declared a local law permitting same-sex marriage and the adoption of children by same-sex couples to be constitutional.

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