

of the international judicial function of the members of the Mexican federal judiciary will have to face and surmount many political limitations.

The place of international law in the Mexican Constitution and the traditional deference on the part of Mexican judges to the executive branch are strong constraints on the ability and willingness of Mexican judges to fulfil an international judicial function. The general context of the Mexican political regime has an important impact on the role of the federal judiciary in the promotion of the rule of law, internally and internationally.

One way to foster the performance of an international judicial function by Mexican domestic judges would be to implement reforms regarding the place and significance of international law in the Mexican Constitution. The most important step is to suppress constitutionality control of treaties. In addition, all contemporary sources of international law should be mentioned in the Constitution.¹¹¹ Only after following these steps can conventionality control by Mexican judges recover its true meaning as judicial control of the conformity of international law with domestic law.

A more radical option would be to abandon dualism and to accept a monist system of reception and incorporation of international law in the Mexican legal order. A greater openness in the Mexican Constitution to international law would be an expected consequence of the ongoing process of normative inter-penetration in a legally pluralistic global order.

Another way to extend the international judicial functions carried out by Mexican judges would be to strengthen their familiarity with international law norms and institutions. In this sense, better knowledge and specialized education in international law could significantly improve the scope of their international judicial function. This is true for judges themselves, as well as for private parties and litigants that bring cases to their jurisdiction. If parties were to invoke more international law norms and principles in their demands and defenses, Mexican judges would have more opportunities to develop their potential to act as international law judges.

A lessened deference to the executive branch and the consolidation of the formal and informal independence of the Mexican federal judiciary in domestic and foreign legal affairs would create another important incentive for the development of the international judicial function of Mexican judges.

The increasing acceptance of the performance of an international human rights judicial function is, of course, a sign that Mexican judges are aware of the need to go further in the internationalization of their judicial activity. However, the self-perception of Mexican judges as international human rights judges has advanced only little by little and has begun only recently, especially if we consider the urgent and dramatic situation of human rights protection in Mexico. Thus, we can expect their willingness to act as ordinary judges of all international law will also advance slowly and will not become visible, nor should it be expected to become so in the near future.

¹¹¹ BECERRA RAMÍREZ, *Supra*.