



THE BEST INTERESTS OF THE MINOR AS A PRINCIPLE OF INTERPRETATION IN MEXICAN CIVIL LAW

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ABSTRACT. From a doctrinal perspective and based on a case study, this article analyzes the way in which the best interests of the minor has become an important principle of interpretation in Mexico's legal life. This is observed in the evaluation of different situations in which the federal Judicial Branch has resolved conflicts dealing with fundamental rights, taking into account family law-related issues. Moreover, there are important cases that neither the state nor local courts have resolved as they specifically deal with the protection of minors in the printed media. Therefore, as of the constitutionalization of Civil Law, the traditional form of this particular branch of law has been revised, considering the rescue of the person and in compliance with the international treaties that Mexico has signed, as a form of legal argument.

KEY WORDS: *Best interests of the minor, family law, weighting, personality rights of minors, a child's right to identity.*

RESUMEN. *El presente artículo analiza de forma doctrinal y a partir de un estudio de casos la forma en que el interés superior del menor entra como un principio interpretativo importante a la vida jurídica mexicana a través de la va-*

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loración de distintas situaciones donde el Poder Judicial de la Federación ha dado solución a conflictos de derechos fundamentales, considerando temas propios de derecho de familia. Además, existen casos relevantes que ni los Tribunales Locales ni Estatales han resuelto como es precisamente la protección del menor en los medios de comunicación impresa. Es así que a partir de la “constitucionalización” del Derecho Civil se ha reconsiderado el Derecho Civil tradicional, en función del rescate de la persona y en cumplimiento de los tratados internacionales que ha suscrito México, como un camino de argumentación jurídica.

PALABRAS CLAVE: *Interés superior del menor, derecho de familia, ponderación, derechos de la personalidad de los menores, derecho a la identidad del menor.*

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