

800 YEARS OF THE MAGNA CARTA:

The Origin of the Rule of Law and Human Rights in the World

Let us commemorate the 800 years of the enactment of the Magna Carta. The latter represents the origins of the Rule of Law as well as of the Human Rights. Its enactment gave rise to, for the first time in mankind, the power of Monarchs being subject to the letter of law.

COMCE, the British Chamber, the Industrial Club and the British Embassy have the honor to invite to the magna conference, in which we will have the presence of:

His Excellency Mr. Duncan Taylor
Ambassador of the United Kingdom in Mexico

Lic. Eduardo Medina Mora
Minister of the Supreme Court of Justice of Mexico

Dr. Óscar Cruz Barney
Member of the Institute of Legal Research

Dr. Rafael Estrada Michel
Director of INACIPE (*Instituto Nacional de Ciencias Penales*)

Dr. Paul Garner
Historian

Lic. Antonio M. Prida, Moderator
Vice-president of the Mexico-United Kingdom Committee
Member of the Board of the British Chamber of Commerce

During the event, there will be selected film screenings of the time of King John Lackland and discussed by Ignacio Durán Loera.

A cocktail will be offered at the end of the event.

Wednesday September 30, 2015
18:30 hrs

Salón Tamayo, Industrial Club
Andrés Bello No. 29, Col. Polanco, México City

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By: Antonio M. Prida Peón del Valle
(Vice president of the Mexico-United Kingdom Committee)

This year it is commemorated the 800 years anniversary of the Magna Carta, the document that gave rise to the rule of law and human rights.

On June 15, 2015, the issuance of the Magna Carta by famous British King John Lackland turned 800 years old, this is maybe the first document in history of mankind in which the power, until then held absolutely by the monarchs, is located underneath the rule of law.

As a matter of fact, in 1215, the Barons of the first English King, which committed armed murder, sent to the gallows, raped his wives and daughters, abused of his widows, and plunged them with excessive taxes, obliged the King to subscribe a covenant in which he recognized and committed to respect a series of rights and liberties of some of his subjects, pretending to impose limits to the royal power.

Thus, the Barons rebellion, carried out in historic Runnymede, was a peace treaty forcibly imposed to the King with the fundamental purpose of preventing a revolution that otherwise he would have been deposed. Although as a peace treaty the Magna Carta was a complete failure, given that it could not prevent the civil war, most of its 63 articles were dead letters for the King, and albeit its content was annulled by the Pope Innocence III, the document has been acquiring through history the importance it now has. As a matter of fact, today it is considered as the first written Constitution in Europe, the origin of the rule of law and the foundation of the individual liberties, clearly of the right to life, right to property, right to access to justice, and the right to due process. Although none of its articles refer to the right of petition, today universally acknowledged in the contemporaneous occidental world, we can affirm that **the Magna Carta is in itself a tribute to the direct political action of the subjects against tyranny.**

Of its important content, maybe article 39 is one of the most relevant articles, by stating the following: "No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land." This provision is, no more and no less, than the origin of the constitutional right to due process of law and of a fair trial.

It is also of extraordinary relevance article 40 of the Magna Carta that establishes the following: "To no one will we sell, to no one deny or delay right or justice," which refers to nothing more than the recognition of the human right to access to justice in an equitable and expeditious manner. Finally, it is worth noting that in the Magna Carta it is established a special

right in favor of the merchants, freedom of transit, and land and water security. Within the limitations of this important document is the fact that it was not addressed the recognition of the rights and liberties for all the subjects of the Kingdom, but exclusively to the aristocrats, clergy, merchants, and in some exceptional cases in favor of free men, all male, given that the legal protections to women were limited to their heritages as widows of the Kings' Barons; yet, the rights of the commoners remained being unknown.

This is how legal equality before the law, one of the cornerstones of Human Rights as are conceived nowadays, was recognized in a much later historical period to 1215, in which the Magna Carta was subscribed by the despicable villain King John, the most evil monarch of British history, whose contemptible behaviour paradoxically gave rise to the rule of law in the world.