

The British Institute of International and Comparative Law celebrates the launch of the Bingham Centre for the Rule of Law

The Institute celebrated the launch of its Bingham Centre for the Rule of Law on Monday, 6 December at the Royal Courts of Justice. The Bingham Centre for Rule of Law is devoted to the study and promotion of the rule of law through comparative research, discussion and training. It aims to be the foremost institution of its kind in the world, specifically devoted to this vitally important issue worldwide.

The Centre is named after Tom Bingham (The Rt Hon Lord Bingham of Cornhill KG), a man of outstanding professional and human qualities and the first judge to hold all three of the most senior posts in the British judiciary - Lord Chief Justice, Master of the Rolls and Senior Law Lord. He was President and Chair of the British Institute of International and Comparative Law, in which the Bingham Centre is placed.

In attendance was an audience of over 200 contributors and supporters of the initiative. After a welcome by the Rt. Hon The Lord Judge, Lord Chief Justice of England and Wales, the event began with a set of speeches from an esteemed panel that included Lady Bingham of Cornhill, Rt Hon Kenneth Clarke QC, MP, Lord Chancellor and Secretary of State for Justice, Roger Errera, Former Senior Member of the Conseil d'Etat, Paris and Visiting Professor at Central European University in Budapest, Professor Jeffrey Jowell QC, the inaugural Director of the Bingham Centre, and Sir Christopher Bellamy QC, Chair of the Bingham Centre Appeal Board.

The Rt Hon Lord Phillips of Worth Matravers, President of the Supreme Court of the United Kingdom opened the speeches. Lord Phillips honoured Lord Bingham by reminding the audience how his work will illuminate the law for generations to come and traced his career from Lord Chief Justice, to Master of the Rolls and Senior Law Lord at the House of Lords. In particular, he highlighted Lord Bingham's support for making the European Convention on Human Rights part of UK law and the importance of the preserving basic human rights from infringement by other individuals or the state. Lord Bingham felt it was vital that individuals be able to enforce their human rights on UK soil, rather than having such fundamental decisions made only at the international level. Lord Phillips concluded by quoting language from some of Lord Bingham's more famous judicial opinions, for example, that on the Bell Marsh detainees, which highlighted the importance and meaning of the rule of law.

Lord Phillips was followed by Lady Bingham, who discussed Lord Bingham and his great personal and professional commitment to the value of the Magna Carta, specifically Chapters 39 (the principle that no penalty shall be exacted upon anyone except according to law of land) and 40 (that justice may not be slowed, delayed or denied). For Lord Bingham, those two chapters 'have the power to make the blood race'. In other words, if enforced universally, they could change the face of the world. Lady Bingham remarked that it is because of that belief that everyone had gathered at the Royal Courts of Justice in honour of Lord Bingham.

Kenneth Clarke highlighted the importance of the rule of law at home and abroad, especially today when nations are increasingly interdependent and globalization is on the rise. He commented that now more than ever, the rule of law is needed to restore the balance between civil liberties and state security, which may have become skewed in recent years. Mr Clarke pointed out that the current government is therefore striving to uphold the rule of law and has declared civil liberties a priority. In connection with that, he asserted that the Coalition Government is supportive of the European Convention on Human Rights and is planning to review the effect of the UK Human Rights Act, with a view toward its possible revision in order to ensure its effective implemented in the UK. He closed his speech with the hope that the Bingham Centre for the Rule of Law might make a valuable contribution to ensuring that the rule of law is protected from those who downplay its application and importance.

Mr Clarke was followed by Roger Errera, who marked the occasion with a sadness at the passing of Lord Bingham, but also stated his personal hope that the Centre for the Rule of Law will carry on his great work by serving as a centre for the high-level exchange of ideas between different legal cultures. Mr Errera underlined the interesting contrast between the new trend toward constitutionalism and the rise of the international protection of human rights, and the unusual amount of fear and temptation for unfettered discretion and abuse of power, which has led, in some countries to extraordinary rendition and the acceptance of torture. The Centre will be uniquely placed to discuss these issues in depth according to the various qualities of the rule of law set forth by Lord Bingham in his recent book, *The Rule of Law*.

Jeffrey Jowell, the Centre's inaugural director, next spoke about the history of the concept of the rule of law, tracing it from Dicey's definition in 1885 to the 2005 Constitutional Reform Act's formal endorsement of the rule of law. Professor Jowell presented an overview of the planned activities for the Centre which broadly include the highest study of the rule of law, education and training and collaboration with other institutions and individuals in the UK and abroad. He drew attention to a few specific issues that might be included in the Centre's programme of research, namely the cross-border regulation of financial institutions and the independence of the legal profession. With regard to the former, one of the Centre's first projects will consist of a collaborative study with the American law Institute examining the apparent lack of certainty regarding cross-border regulation of financial institutions in the United States, the UK and the European Union.

Sir Christopher Bellamy drew the speeches to a close by expressing his and the Institute's gratitude to all those who contributed to the Centre and supported its inception. News of the Centre has received a warm reception in the UK and abroad. The initial target for the Centre is £2.25 million, which will provide funding for its first five years. As of the launch, the Centre has reached a firm commitment for just over £1.6 million. Sir Christopher noted that while the Centre is well on its way, there is still a steep road ahead and a further need for sponsorship, partnerships and donations to put Centre on firm footing for indefinite future. He concluded by stating that it has been apparent that the Centre strikes a profound chord in those who encounter it, and that it is the task of the Centre to study, analyse articulate and defend the rule of law in all its international and national aspects.