

Presentation

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The relationship between México and China, in addition to being the happy encounter of two friendly countries, stands out throughout their history for a countless number of reasons and coincidences, as corresponds to two millennial countries.

Their first coincidence is signified by time; due to each country's long and fructiferous history, in its geographical sphere, each one knew how to develop through centuries and millennia. In this sense, China as much as Mexico, makes up part of that select group of ancestral cultures that have continued serving as humanity's references due to their importance and transcendence.

On the other hand, Mexico and China also hold the welcome privilege of having staged the first encounter between China and the Latin American region on October 8 of 1565, with the arrival of the galleon San Pablo onto Mexican shores. And it was in the framework of one of the most beautiful settings in Latin America, the port of Acapulco, where, for the first time, the two cultures met and gained consciousness of the other's existence. On one hand, there was the elegance of the porcelain, as well as the beautiful silk products, which were commissioned from China to fulfill the ambassadorship of its introduction. On the other hand, Mexico, with its silversmithing, the delicate flavors of its cacao, and the strong personality of its chilies, afforded China with the first impression of a country and a region with which strong cultural ties existed.

In that sense, distance, and its best spokesperson, the sea, were finally defeated by the first expressions of a maritime globalization that lasted more than 250 years, and that brought closer and made possible the path of a dialogue of cultures and countries, which endures up to our times.

The official Mexico-China relationship begins in December of 1899, when both countries signed a Treaty of Friendship, Commerce, and Navigation, which was published in the Federal Official Gazette of Mexico on July 24, 1900; it is a historical document through which relations between the two countries were formalized, authorizing the establishment of diplomatic and consular representations. The Treaty, in Article 10, was already foretelling the important

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relationship between the two nations, textually pointing out the following: “There will be perpetual, strong, and sincere friendship between the United Mexican States and the Chinese Empire, as well as their respective subjects and citizens.” This principle of friendship, interrupted by the important historical changes that occurred in both countries in the 20th century, was ratified when Mexico, on February 14, 1972, reestablished its diplomatic relations with the People’s Republic of China.

Since the seventies, Mexico has confirmed its permanent interest in strengthening its relationship with China and make it grow. For that reason, each of the Mexican presidents that has followed since that date, has carried out Oficial Visits —President Luis Echeverría in 1973, José López Portillo in 1979, Miguel de la Madrid in 1986, Carlos Salinas in 1993, Vicente Fox in 2001, and recently, in 2008, President Felipe Calderón. For its part, China has shown its appreciation and interest in Mexico through the visit from the Vice-president of the People’s Republic of China, Zeng Qinghong, in January of 2005, in the same way as with the visit of President Hu Jintao in September of the same year.

Currently, the relationship between Mexico and China is characterized by an intense development of its commercial relations. From an almost inexistent exchange of goods in 1980, to the close of 2010, this exchange surpassed the figure of 45 billion dollars, turning China into Mexico’s second commercial partner; and Mexico, in turn, into China’s first commercial partner in Latin America with approximately 30% of its total commerce in the region.

It is for that reason that, in this framework of profound historical bonds of this two countries, and of the ever more intense economic relations in recent years, that the Institute of Law of the Chinese Academy of Social Sciences and Legal Research Institute of the National Autonomous University of Mexico the have deemed it appropriate to hold a meeting and sign a strategic alliance that contributes to the greater knowledge of the judicial systems of both countries, and to strengthening the friendship between both nations.

As a starting point for this important meeting, an International Congress on Cultures and Comparative Judicial Systems, Mexico-China, has scheduled in Mexico City on September, 2008, which was an important starting point for the legal knowledge of both countries, and, at the same time, a stimulus for carrying out specialized research on various disciplines in the future.

In the same way, based on this joint work, in a significant manner appeared in 2008 the book, “Mexico-China: A Study of Comparative Law”, which comes to be in Mexico, as in the majority of the countries of Latin America, the first academic effort that approaches the important topics relative to the history and current reality of Law in the People’s Republic of China in an integral manner.

Now we have the pleasure, in base of this joint effort, to publish the present work titled “A Glance to Mexican Positive Law” which represents one of the first books that appears in the People’s Republic of China regarding the Mexican Law System. This will surely help the Chinese jurists into knowing and approaching properly Mexican Law.

The carrying out of the different Seminars on Comparative Law, Mexico-China, like the realization of this published works, are clear examples of the desire of the Institute of Law of the Chinese Academy of Social Sciences and of the Legal Research Institute of the UNAM, to advance toward a greater knowledge of the legal culture of both countries. Equally, they show that the increasingly important economic, political, and social relations between Mexico and China are facilitated and supported on the basis of this knowledge.

I formulate my best wishes so that Mexico and China, in their millennial coincidence, continue to strengthen their coexistence through the dialogue of both nations that know how to speak without hurry, and that when they do dialogue, know how to do so with the common language of their history.