

# Dr. Rodolfo E. Piza Escalante, in memoriam

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**MSc. Christian Hess Araya**



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**E**I died Jan. 13 in San Jose, Dr. Rodolfo Piza Escalante, magistrate owner, founder and president of the Constitutional Court of our Supreme Court.

Rodolfo's departure is a huge loss to the national forum. But, in particular, represents a blow to the cause of human rights within and outside the country.

To honor the memory of those who for many was a mentor and teacher, in the Bar we wanted to spread a biographical sketch, necessarily modest and incomplete, of a man which the perception of its virtues can only be growing over time.

### Biography in brief

Rodolfo Piza Escalante was born in San Jose on July 24, 1930. At the time of his death, he was 71 years.

He obtained his degree in Law and Notary Public by the Faculty of Law at the University of Costa Rica. He later received his doctorate from the Faculty of Law, Central University today Complutense de Madrid, Spain. Also performed specialized studies in Public Law, Comparative Law, European Common Market and Central American and Social Doctrine of the Church (the latter in the Social Institute Leo XIII in Madrid.

In addition to Spanish, proficient in English, French and, at various levels, Italian and Portuguese.

Throughout his prolific career, Rodolfo accumulate a significant number of honorary titles, including "Doctor of Law, honoris causa from the University of Bridgeport, Connecticut, USA, and" Doctor of Political Science, honoris cause "of Kyung Hee University, Seoul, Korea. Served on many of the Costa Rican Academy of Law and member of its Board of Directors. He received the title of Knight of Magistral Grace, Degree of Grand Master of the Hospitaller Order, Sovereign Military and St. John of Jerusalem and of Malta. Moreover, he was Member, honoris causa, from the Spanish Institute of Procedural Law.

### Justicia Constitutional

In adición to this, Mr. Rodolfo was a visiting professor for short courses and lectures at research centers such as Fairley Dickinson University (New Jersey, USA), International Peace Academy (Washington DC, USA) , Columbia University (New York, USA), Kyung Hee University (Seoul, Korea), Autonomous University of Mexico; Academie Internationale des Droits de l'homme and Sorbonne University, Paris, University of San Carlos and Universidad Rafael

Land Ivar, Guatemala, Universidad del Externado and Universidad Javeriana, Bogota, Universidad Central, Universidad Andres Bello, Caracas, and Jesuit University, San Cristobal, Venezuela Pontifical Commission "Justice and Peace, Vatican City, the University of San Marcos , Lima, Universidad Central and Universidad Austral, Buenos Aires, Universidad de La Plata, University of Catamarca, Universidad Complutense and Universidad Carlos III, Madrid, Universidad de Alicante, Spain, Universidad de Santiago, Dominican Republic, University of Talca, Chile; in Costa Rica: Universidad Nacional de Heredia, Universidad de Costa Rica, Universidad Autonoma de Centro America (Collegium Academicum), University of Science and Technology (ULACIT), International University of the Americas, Universidad Escuela Libre de Derecho, Latin American Institute United Nations Crime Prevention and Treatment of Offenders (ILANUD), National Economic Development Association (ANFE), Legislative Assembly, the Bar Association, Law School, National Commission for the Improvement of the Administration of Justice, the Inter-American Human Rights Institute (San José, Costa Rica), etc. He was also called to give lectures on human rights, international law, constitutional and administrative law in Madrid, Lisbon, Mexico, Guatemala, El Salvador, Nicaragua, Panama, Buenos Aires, Bogota, Strasbourg, Seoul, Boston, Los Angeles, New York, Caceres and Badajoz, Caracas and San Cristobal, Venezuela and, of course, in San Jose.

As an expert, advised the Legislative Assembly on several bills, including those of the Law Governing the Administrative Court, General Law of Public Administration (which was co-author with Dr. Eduardo Ortiz Ortiz); Constitutional Jurisdiction Act (which was one of its principal authors), and others, especially the constitutional reforms (including the creation of the Board and the new Constitutional Court, on texts proposed by him, Habeas Data Act etc.).

No less impressive is the list of public and political office held by Dr. Piza Escalante through his public service career. These include: Deputy Chief of Protocol and Consular Service of the Ministry of Foreign Affairs, then Head of State, member of the Judicial College of the University of Central America, Honorary Member of the Global Society, sponsored by the Kyung Hee University, Seoul , Republic of Korea, and Chapter President of Costa Rica.

Dr. Piza Escalante received the Freedom Award given by the National Association of Economic Development in Costa Rica, and the Human Rights Award of the Foundation for the Establishment of an International Criminal Court ", Boston University.

Between associations and entities was an integral set the Hispano-Luso-American International Law (associate member elected; conference in Santiago de Compostela, Madrid and San José, Costa Rica-speaker-), the Academie Internationale des Droits of l'homme (Paris, France), the Council of the American Institute of Human Rights (founding member: Member of elecci6n), the International Association of Catholic Lawyers, the International Association of Catholic Intellectuals, Pax Romana (Vatican City World Board member, in representaci6n of Latin America, since 1983), Costa Rican Academy of Law (elected founding member and member of the Board), Costa Rican International Law Association (Founding member) Costa Rican Association of Constitutional Law (Member Founder and Vice President) and the Costa Rican Association of Public Law (Vice Chair).

Since then, the academic activities of Mr. Rodolfo Piza teachers were constant. At the University of Costa Rica, served as professor of the Faculty of Law since 1961, giving the chairs of Public International Law, Theory of State, General Public Law, Constitutional Law, Administrative Law and Human Rights. In the Faculty of Economics also taught courses in Constitutional Law and

## Administrative Law.

The Central University Complutense de Madrid today was Don Rodolfo as a teacher of the Faculty of Political Science, Economics and Trade, associated with the Chair of Administrative Law and Management Theory of Professor Fernando Garrido Falla.

In the Autonomous University of Central America, Costa Rica, was a member of the Academic Council of Law, Director of Public Law Seminar for teachers, Professor of Constitutional Law at St. Thomas Aquinas College and Administrative Law at the Collegium Academicum) teacher Institute of Graduate Studies and Research (jointly with the Universidad Carlos III de Madrid), Professor, Master and Doctor of Law (Professor of Fundamental Rights and Constitutional Justice) and Director of the Department of Public Prosecutor for Administrative and Employment Law International, the Attorney General's office, then General Counsel, Chief Counsel of the National Service-now-Costa Rican Institute of Aqueducts and Sewerage Systems, San Jose, Deputy Chief Justice High Court of Administrative and Civil Finance, Vice Party Independent National, founder and general representative of the National Unity Party (later coalesced into what is today the Social Christian Unity Party).

Legislative Assembly deputy, head of the National Independent Party Faction and after the Breaking of the National Unity Party, Delegate of the Legislature before the Latin American Parliament (Caracas Venezuela), and before the Inter-Parliamentary Union Member of the Council of the same ( Sofia, Bulgaria, London, Great Britain, Madrid, Spain). Ambassador, Permanent Representative of Costa Rica to the United Nations (holder of all representations to the United Nations System). Head of the delegation of Costa Rica in the General Assemblies of 1978, 1979, 1980 and 1981 General Assembly on Disarmament 1978, General Assembly on the Law of the Sea, and Special Meetings of Namibia, Palestine (several), Afghanistan, Kampuchea, Strategy Development and Global Negotiations. Chairman of the Special Political Committee of the General Assembly of the United Nations (1978-1979), Chairman of the Credentials Committee of the same (1980-1981). Between 1979 and 1980 chaired the General Assembly several times, in exercise of the Vice President of Costa Rica.

As Special Ambassador, addressed the representation of Costa Rica to the OAS Council and the Meeting of Consultation of Ministers of Foreign Affairs (Inter-American Treaty of Reciprocal Assistance). Justice and first President of the Inter-American Court of Human Rights. Member of the National Political Committee of the Social Christian Unity Party (on behalf of Dr. Miguel Angel Rodríguez Echeverría). Founding member of the American Institute of Human Rights and Member of the Council. Judge then owner and President of the Constitutional Chamber of the Supreme Court, where he served until his death.

Other fees and Rodolfo activities include: Head of the Delegation of Costa Rica and the Iberoamerican Congress on Procedural Law Filipino (Madrid, Spain). Alternate delegate of the Government of Costa Rica before the Inter-American Council of Jurists. Section Rican delegate to the Foundation of the American Chapter of the International Commission of Jurists, Managua, Nicaragua -1965. Representative of Costa Rica to the I American Congress of Labour Law, Madrid, Spain. Member of the Drafting Committee of the Administrative Code (General Law of Public Administration) and advisor to the Government and Administration Commission of the Legislative Assembly in dealing with the law, Special Advisor to the Parliamentary Faction of the Social Christian Unity Party and several legislative committees, Member of the Executive Committee for projects in the Judiciary (Constitutional Reform and Constitutional Jurisdiction Act, Law of the People's Defender (Ombudsman), the creation of the Superior

Council of Magistracy, Law on the Judiciary , new Extradition Act, Civil Procedure Code etc.).. Adviser to the Special Committee on Constitutional and Legal Affairs of the Legislative Assembly in dealing with constitutional reforms and the Constitutional Jurisdiction Act, Representative of the Supreme Court of Justice of Costa Rica to the Legislature, in dealing with the new Organic Law of Judicial Power.

Observer to the OAS was the municipal elections in Guatemala, and the Center for Electoral Promotion and Assistance (CAPEL) to general Honduras, Paraguay, Peru (4 times), Nicaragua (2 times), Colombia, Guatemala, (3 times ), Bolivia (3 times), El Salvador (2 times), Panama, Brazil, Dominican Republic and Venezuela.

Participated in the Conference of Judges of International Courts and Other Experts on International Law in Montreal, Canada, to draft the International Declaration on Independence of Justice, United Nations. In addition, the meetings of Presidents (Madrid, Cartagena de Indias, Lisbon, Guatemala), I and III plenary constitutional courts of Latin America, Spain and Portugal (Lisbon, Guatemala), I and VII Meetings of Presidents of Constitutional Courts and Chambers Latin America (San Jose, San Salvador), I, II, III, IV, V and X Seminar on Constitutional Justice (San Jose) International Seminar on Environmental Law (San Jose), etc., General Assembly of the Inter American Press Association (IAPA, Caracas), International Human Rights Rene Cassin (Strasbourg), etc.

Finally, Rodolfo publications include three books, two more in press and three in preparation, translation and about fifty other publications (feature articles, conferences, etc.) On General Theory of Law, International Law, Administrative Law and mainly, Human Rights Law, Law of the Constitution and Constitutional Court.

### **Human dimension**

Despite the huge family, friends and partner (s) Rodolfo work, death, bear witness to the full the enormous warmth that always characterized him.

Like all truly great man, Don Rodolfo wasted simplicity, humility and respect for all regardless of their economic, social or political. His vocation to serve the human being is constantly translated into a concern with respect to the fundamental rights of areas that are frequent victims of marginalization, such as prisoners, abused children or people with alternative sexual preferences.

As proof of the above, I confirm to have witnessed a special hearing for several hours beyond the workday, Don Rodolfo dedicated himself to a single child, by a writ of habeas corpus, "he thought victim attacks and wanted to live with one parent, that was not what the National Children initially assigned speaks. This time, Don Rodolfo, then President of the Constitutional Court, he did bring his presence, interview with his great tact and delicacy of grandfather to the child overcome his anxiety predictable and could relate the details of their plight.

Also I know the time that a single slave server of the Constitutional Court died tragically by drowning during a weekend on a beach far away from San Jose. Don Rodolfo, renouncing his family rest, immediately moved to site to show solidarity with relatives and friends and to see what could help expedite the process of delivery of the body to his family.

Kindly nature and bearable, stood in a great sense of humor. Incurably forgetful, telling us repeatedly used the same jokes, holding them every time as if it were the first. In his last participation in an internal activity of the Board, which awards were handed to officials known for their punctuality, was "unavoidably late, and jokingly complained that there was no prize for him.

The day after his death, Don Rodolfo is sailing in the meeting room of the Supreme Court, with the presence of (the) Judges (as) of the Full Court and a large number of public personalities in the country, including Mr. President.

He was buried in the cemetery of San Jose.

### **Thanks**

Expressed gratitude to my fellow scholar of the Constitutional Court Cabezas Alvaro Gutierrez, for having provided the information from the curriculum which prepared the biography.

MSc. Christian Hess Araya  
Constitutional Chamber

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