

Specialized electoral tribunals of the democratic process

V Sokol*

Department of Management, Ateneo de Manila University, Quezon City, Philippines

*Corresponding author. E-mail: sokolvolk@gmail.com

Received: 28-Nov-2022, Manuscript no: GJPSET-22-82775, **Editor assigned:** 02-Dec-2022, PreQC no: GJPSET-22-82775 (PQ), **Reviewed:** 16-Dec-2022, QC no: GJPSET-22-82775, **Revised:** 23-Dec-2022, Manuscript no: GJPSET-22-82775 (R), **Published:** 30-Dec-2022, DOI:10.15651/GJPSET.22.3.035

DESCRIPTION

The institution of specialized electoral tribunals (courts, juries, boards, or councils) charged with resolving disputes on electoral results are the distinguishing feature of the Latin American model of electoral tribunals. These tribunals may have judicial or executive functions, and they may serve as higher or lower courts. This can be seen as a significant contribution from Latin America to political science and electoral law, which is a necessary component of the current democratic processes in this area. It also validates the rule of law and the use of legal systems for resolving disputes. The main benefits of the specialized tribunal process are quicker resolution and adjudicators with extensive experience and legal and issue knowledge. The specialized Latin American electoral courts, which in some cases have autonomy and similar powers to the judiciary, have been given the authority to settle electoral disputes, which has satiated the need to protect the judicial nature of the election's qualification process. Resolutions are made in accordance with legal and constitutional principles in this fashion and neither the Supreme Court nor the judiciary is subjected to constant criticism for how they respond to political or party interests. Political assemblies whose members were not impartial and allowed their political interests to affect their resolutions were stripped of this competence.

Tribunals are nevertheless subject to the judicial scrutiny that ensures a fair trial despite the fact that they are neither part of the judiciary nor the executive branch. On the other hand the elimination of conventional authorities particularly those chosen by the people ensures their independence in the settling of electoral disputes and the

legitimacy of the election. For those nations where the authorities themselves adjudicated the validity of their own elections, the existence of an independent electoral tribunal is a great improvement. This is the first step toward transforming the current judicial dispute resolution system which is based on legal procedures from the conventional model of conflict resolution which is based on political debate.

Elections for resolving disputes in Latin America became politicized in the last part of the nineteenth century and the first quarter of the twentieth. In contrast, during the past 70 years, there has been a slow but noticeable shift in the direction of specialized electoral tribunals that are in charge of settling electoral disputes and in some cases even of conducting the election. There are executive or judicial components to these electoral authorities. The politicized system of conflict resolution is followed by the progressive formation of these specialized electoral tribunals in the area. They were initially implemented generically and with consideration for the fact that each nation has a unique history through an administrative electoral body that was mandated by law and had a temporal character.

Members of the executive branch and political party representatives make up this structure. The following action led to the structures being given constitutional status and being shielded to ensure their independence and objectivity. The majority of the time such a change also indicates that these electoral authority models become permanent, specialized and focused on resolving conflicts while maintaining administrative powers or establishing alternative electoral authorities some of them in the judiciary.