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The New “Old” Judicial Power in Mexico?

¿El nuevo (y viejo) poder judicial en México?

O novo (e velho) poder judiciário no México?

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Abstract:

On June 1, 2025, historic elections took place in Mexico and on September 1, 2025 the newly elected judges took their offices. It was the first time in the modern history of the system of modern states that the judiciary was elected by popular vote on such a large scale. There were 18,449 candidates voting for 881 federal judicial positions – from Supreme Court judges, Electoral Tribunal judges, the Disciplinary Court, District Courts and District Courts. How did the transformation of the judiciary system proceed, from the perspective of the latest amendments to the Mexican Constitution? The purpose of this article is to analyze the process of the transformation of Mexico's judicial power system, particularly how judges are created.

Keywords: Judicial Power; Mexico; Popular Elections

Resumen:

El 1 de junio de 2025 se celebraron elecciones históricas en México, y el 1 de septiembre de 2025 los jueces recién electos asumieron sus cargos. Fue la primera vez en la historia moderna del sistema de estados modernos que el poder judicial fue elegido por voto popular a una escala tan grande. Se presentaron 18,449 candidatos para 881 cargos judiciales federales — desde ministros de la Suprema Corte, magistrados del Tribunal Electoral, el Tribunal Disciplinario, Tribunales de Circuito y Juzgados de Distrito. ¿Cómo se desarrolló la transformación del sistema judicial, desde la perspectiva de las últimas reformas a la

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Constitución mexicana? El propósito de este artículo es analizar el proceso de transformación del sistema de poder judicial en México, particularmente cómo se elige a los jueces.

Palabras clave: Poder Judicial; México; Elecciones populares

Resumo:

Em 1º de junho de 2025, ocorreram eleições históricas no México e, em 1º de setembro de 2025, os juízes recém-eleitos assumiram seus cargos. Foi a primeira vez na história moderna do sistema de estados modernos que o judiciário foi eleito por voto popular em tão larga escala. Houve 18.449 candidatos concorrendo a 881 cargos judiciais federais — desde ministros da Suprema Corte, juízes do Tribunal Eleitoral, do Tribunal Disciplinar, Tribunais de Circuito e Juízos de Distrito. Como ocorreu a transformação do sistema judiciário, a partir da perspectiva das últimas emendas à Constituição mexicana? O objetivo deste artigo é analisar o processo de transformação do sistema do poder judiciário no México, particularmente como os juízes são escolhidos.

Palavras-chave: Poder Judiciário; México; Eleições populares

The **methodology:**

combines historical-institutional analysis (from the 16th-century Royal Audience to the Porfiriato) and dogmatic-legal method to examine the 2024 constitutional amendments.

Main objective:

explain how this transformation materialized from the latest reforms.

Specific objectives:

- (i) to describe the evolution of judicial power in New Spain and the 19th century;
- (ii) to contrast judicial selection models of 1824, 1857, and 1917;
- (iii) to detail the September 2024 reform content;
- (iv) to assess initial outcomes (June 1, 2025 elections).

Cross-cutting research question:

how did Mexico transition from a technical appointment system to universal suffrage for federal judges, and what contradictions emerge between decolonial discourse and clientelistic practices

Key findings:

- (a) the reform was implemented without changing legal formalism in lawyer training; (
- b) voter turnout was very low (13%);
- (c) all elected judges are linked to the Morena party, indicating high politicization risk;
- (d) colonial clientelistic logics persist under new electoral forms.

Introduction

The formation of judicial power in Mexico is peculiar. It is influenced by the European vision – from the Spanish conquests and the formation of New Spain in the sixteenth century, through the American influence – from the nineteenth century, especially in the first constitution of independent Mexico in 1824. In the twentieth century, the constitution of 1917 set the institutional framework of the tri-partite division of power in the hegemonic power system of the PRI party (*Partido Revolucionario Institucional*). Nowadays, judicial power is undergoing a process of, on the one hand, a break with the hegemony inherited from the years of the authoritarian system, and on the other, a decolonization of power. Decolonization means a break with the colonial relationship of subordination. For Richard Albert, the American War of Independence will be the model and starting point in the process of decolonization of law, for other authors American constitutionalism will be the source of colonialism and colonial relations (Albert, 2025). European emigrants in the United States of America invaded territories inhabited by indigenous peoples (Clavero, 2017).

The process of decolonization is being implemented especially in the Latin American countries (Merino, 2024). In Mexico, the decolonial discourse has emerged when President Andrés M. Lopez Obrador took power (2018-2024) and is being continued by the administration of President Claudia Sheinbaum (2024-2030), both from the same *Morena* political movement. How is the decolonization of the judicial power system proceeding today? The methodology includes the historical analysis of the institutions such as the Royal Audience, showing its role not only in the past but also in the contemporary. In addition, the dogmatic method of analysis normative framework will be applied.

The Royal Audience

The Indian law and the system of judicial authority were implemented in the New Spain (known as the Kingdom of Mexico). The king exercised undivided power and had the assistance of the Council of Indies (*Consejo de Indias*), which, as a collegial body, advised the king and exercised *de facto* authority over the vast area of the Indies.

The Royal Audience was a judicial body but also served as an executive and advisory body. The institution of the Audiencia was created on the model of that of Castile with Valladolid, which was established in 1371. The first *Audiencia* in the newly discovered lands was the

institution established on 5 October 1511 in Santo Domingo. The *Audiencia* of Mexico was an institution of judicial power as the highest court of the Spanish Crown in the Viceroyalty of New Spain. It was created by royal decree (*Real Cédula*) on October 9, 1527, and was based in Mexico City. It was headed by the *presidente*, the first was Nuño de Guzman. The presidents of *Audiencias* were viceroys from 1535, starting with viceroy Antonio de Mendoza. It occurred tensions and strong disagreements between executive and judiciary powers in New Spain. For example, Hernán Cortés, in a letter to the Council of the Indies, complains about the actions of the *Audiencia* (Cortés, 1871). Internal power disputes were thus common. New Spain had five *Audiencias*, located in Guadalajara (New Galicia), Mexico City, Guatemala, Santo Domingo and Manila. The civil and criminal cases were so numerous that King Charles V decided to establish a Royal Audience in Panama by royal decree of 26 January 1538 (at the request of the Council of the Indies). Together with the *Leyes Nuevas* on 20 November 1542, the decision was made to establish the Royal Audience of Lima with the Viceroyalty of Peru (*Virreinato del Perú*).

The *audiencia* was a judicial authority, but not an independent one, since the presiding officer was a viceroy. *Audiencia* and viceroyalty were institutions that intertwined and influenced in the functioning of government. The experience of the colonies and the process of dependence of the metropolis and the periphery have impacted power formation in contemporary Mexico.

Mexico's judicial power in the XIX century

In the nineteenth century, two constitutions were enacted that regulated the judicial system differently. The first was the 1824 Federal Constitution of the United Mexican States, establishing a republican and federalist system, based on the U.S. Constitution, with three powers: executive, legislative and judicial (Pantoja Morán, 2013). Article 123 of the 1824 Constitution stipulated that the judicial power of the Federation consists of the Supreme Court (*Suprema Corte de Justicia*), District Courts (*Tribunales de Circuito*) and District Courts (*Juzgados de Distrito*).

The Supreme Court consisted of 11 judges, four deputy judges and one prosecutor. The selection of judges was made by the Congress of the Union consisting of the Chamber of Deputies and the Senate. States that were part of the federation sent ternas (letters with three

candidates) to Congress, followed by a vote and election. The term of office for Supreme Court judges was four years, and they could be re-elected if Congress agreed. Requirements to become a judge: a Mexican citizen, at least 35 years of age, and experience in the legal field and a good reputation.

The election of the judges of Supreme Court in Mexico according to the 1857 Constitution was fundamentally different from the previous constitution. Article 92 of the 1857 Constitution stipulated that the judicial authority – the Supreme Court – was elected by popular vote. Unlike the 1824 Constitution, in the 1857 Constitution judges were elected by direct vote of the people. Supreme Court judges served for six years and could be re-elected. District and county judges were appointed by the Supreme Court on the basis of merit and experience².

The 1857 Constitution attempted to guarantee the independence of the judiciary by eliminating the influence of the executive branch on the selection of judges. However, in practice, political conflicts and infighting (1858-1861) prevented the implementation of autonomy. Supreme Court Chief Justice Benito Juárez assumed the presidency of Mexico in 1858 due to a political crisis and the resignation of President Ignacio Comonfort. Then in the second half of nineteenth century started the *Porfiriato*, the period of authoritarian dictatorship during Porfirio Díaz (James, 2013). The judiciary power was curtailed during this time (Cabrera, 1957). However, the writ of *amparo* was implemented. Introduced first by Manuel Crecencio Rejon in the State Constitution of Yucatan in 1841, then in the federal constitution of 1857 by Mariano Otero – the special procedure protecting individual rights, known as *amparo* impacted the evolution of judiciary system (McNulty, 2021).

The Constitution of 1917

Mexico's current political constitution, enacted on 5 February 1917, introduced a vertical concept of authority with authoritarian structure of powers (Valadés, 2011). In Article 94 and subsequent articles laid out the rules for the selection and appointment of judges in Mexico, eliminating popular vote. According to Art. 96 the Supreme Court of Justice was elected by the Congress of the Union acting as an Electoral College. Then, the constitution was amended

² Federal Constitution of Mexico, 1857.

in 1928, and the Supreme Court was made by the President of the Republic and submitted to the approval of the Chamber of Senators³.

Since the 1990s, the President of the Republic shall submit a list with three candidates, and the Senate selects one by a 2/3 qualified majority vote. When the Senate rejects the list, the president again submits a new list with three candidates, in which case the Senate votes by a 2/3 qualified majority. If the Senate fails to elect candidates this time as well, the president appoints a judge directly⁴. Judges (*ministros*) serve for 15 years and cannot be re-elected. A judge is expected to be a lawyer, with at least 35 years of age and 10 years of experience.

Since the amendment to the Constitution of December 1994, the Federal Judicial Council (*Consejo de la Judicatura Federal*, CJF) has become a central axis for the proper functioning of the federal judiciary, becoming a generator of modernization and professionalization of the administration of federal justice. It established new standards for the election, appointments and training of clerks, judges and magistrates (Chaires Zaragoza, 2004). Therefore, judges of *Tribunales de Circuito* and *Juzgados de Distrito* are appointed by the Federal Judicial Council, a body created to guarantee the independence of the judiciary. To become a judge or judicial officer, one must meet certain requirements, such as legal experience, good reputation and pass rigorous examinations. In addition to the above, each state of the federation has its own judiciary, regulated by the local constitution. Judges in states and municipalities are appointed by the local congress or governor through a process of ratification by local congresses. Judges of first instance are appointed by the State Judicial Council.

However, as social surveys highlight, trust in the judiciary in Latin American countries is very low, with Mexico among the lowest. Based on the *Latinobarometro* survey (2023): 64.3% of respondents - little or no trust. The recent amendment to Mexico's constitution was a response to negative perceptions of the judiciary and ultimately categorically changed the form of judicial appointments. Let's take a closer look at this.

Judicial power after the 2024 constitutional amendment

³ Art. 96 Mexican Constitution, 1917. DOF 20.08.1928.

⁴ Art. 94 Mexican Constitution, 1917. DOF 31.12.1994.

The proposal to amend the Constitution of 1917 was presented by President Andrés Manuel López Obrador on 5 February 2024. It was five months before the presidential elections. The legislative process moved at an express pace and the new law was published on 15 September 2024. The document was published as “Plan C” in the official journal⁵. State parliaments voted overwhelmingly in favor of the amendment (with the exception of the states of Queretaro and Jalisco).

The judicial reform aims to replace all state and federal judges, including the Supreme Court by popular vote. Under the reform, all judiciary in Mexico – from the Supreme Court to the district courts – will become popularly elected:

“Article 96. Judges of the Supreme Court of Justice of the Nation, Judges of the Higher Chamber and Regional Chambers of the Electoral Tribunal of the Judiciary of the Federation, Judges of the Disciplinary Tribunal of the Judiciary, District Judges and District Judges shall be elected by free, direct and secret ballot by the citizens (...)”⁶.

Table 1. Judiciary Branch by popular election

<i>Judiciary Branch (Federal level)</i>	<i>Positions</i>
Ministers of the Supreme Court Supreme Court of Justice of the Nation (SCJN)	9
Magistrates of the Superior Chambers of the Electoral Tribunal of the Judiciary of the Federation (TEPJF)	2
Magistrates of the Regional Chambers of the Electoral Tribunal of the Judicial Power of the Federation (TEPJF).	15

⁵ DOF 15.09.2024. *Decreto por el que se reforman, adicionan y derogan diversas disposiciones de la Constitución Política de los Estados Unidos Mexicanos, en materia de reforma del Poder Judicial*) by President Andrés Manuel López Obrador.

⁶ Art. 96. Decree DOF 15.09.2024.

There are 15 judges to five Tribunals of regional state elections composed of three judges each ⁷ .	
Members of the Judicial Disciplinary Tribunal	5
Circuit Magistrates	464
District Judges	386
Total	881

Sources: own elaboration based on information from the INE.

The most important changes concern the Supreme Court (SCJN). The number of judges has been reduced from 11 to 9, and the term of office has been shortened from 15 to 12 years. In addition, the term of office of the Supreme Court president has been reduced to 2 years and will be rotated. The demand to reduce the remuneration of Supreme Court judges was vigorously debated. A salary cap has been imposed on all judges to ensure that no salary exceeds that of the president of Mexico. Judges, when they leave the office, will receive only a final payment equal to 3 months and 20 days of service per year, with no allowance for extraordinary pensions or unjustified pension funds.

Another important change concerns the Federal Judicial Council. The amendment replaced the Federal Judicial Council with the judicial administration body (*órgano de administración judicial*) and Judicial Disciplinary Court (*Tribunal de Disciplina Judicial*). According to Article 94 of the Constitution:

“The administration of the Federal Judiciary is the responsibility of the judicial administration body, while the discipline of its personnel is the responsibility of the

⁷ 1) Mexico City Regional Court (First District), for Baja California, Baja California Sur, Chihuahua, Durango, Jalisco, Nayarit, Sinaloa, Sonora, Sonora.

2) Monterrey Regional Court (Second District) for Aguascalientes, Coahuila, Guanajuato, Nuevo León, Querétaro, San Luis Potosí, Tamaulipas, Zacatecas.

3) Xalapa Regional Court (Third District) for Campeche, Chiapas, Oaxaca, Quintana Roo, Tabasco, Veracruz, Yucatán.

4) Guadalajara Regional Courthouse (Fourth District) for Mexico City, Guerrero, Morelos, Puebla, Tlaxcala

5) Toluca Regional Courtroom (Fifth District) Colima, Estado de México, Hidalgo, Michoacán

Judicial Disciplinary Court, under such conditions as may be established by law in accordance with the provisions of this Constitution”⁸.

This Disciplinary Court will be composed of five members elected by popular vote for one six-year term. The presidium will be subject to rotation. The court will be able to impose sanctions, suspend or remove judges. The Disciplinary Court also shall rule on the excessive length of cases decided, which, according to Article 17 of the Constitution, is to be maximum of six-month duration:

“The laws provide for tax cases in which both the administrative courts and the district and circuit courts of the federal judiciary or the Supreme Court of Justice of the Nation shall rule within a period of no more than six months from the date the competent authority becomes aware of the case. If the aforementioned deadline is not met and a ruling is not issued, the court hearing the case must immediately notify the Judicial Disciplinary Court and justify the reasons for the delay or, if applicable, inform the internal control body in the case of administrative courts”⁹.

Candidacy requirements vary depending on the position. In general, the requirements for judges are as follows, according to Article 97:

- Being born in Mexico and fully exercising civil and political rights;
- Possession of a law degree issued as of the date of the announcement of the recruitment of candidates; an overall grade point average of at least 8 or its equivalent; and a grade point average of 9 (on a scale of up to 10) or its equivalent in subjects related to the position applied for, in undergraduate, specialized, master's or doctoral studies;
- Possession of a good reputation, no conviction for a crime punishable by imprisonment and no conviction for a crime of domestic violence in any of its manifestations;
- Residence in the country during the year preceding the date of publication of the application;

⁸ Art. 94 Mexican Constitution. DOF 15.09.2024.

⁹ Art. 17 Mexican Constitution of 1917. DOF: 17.01.2025.

- Not having held the position of Secretary of State, Attorney General of the Republic, senator, federal deputy or head of the executive branch of any federal entity during the year, federal deputy or head of the executive branch of any federal entity during the year preceding the date of publication of the election notice.

The transitional articles of the amendment postulate gender equality. Voting is intended to ensure that voters register their candidacy in accordance with the following principles:

- “a) For the positions of judges of the Supreme Court of the Nation, citizens may elect a maximum of five women and a maximum of four men;
- b) A maximum of three women and a maximum of two men may be elected to the position of judge of the Disciplinary Court of Judges;
- c) A maximum of two women and a maximum of two men may be elected as judges of the Upper Chamber of the Electoral Tribunal of the Judicial Power of the Federation;
- d) For district chamber judges of the Electoral Tribunal of the Judicial Power of the Federation, a maximum of two women and one man may be elected in each chamber;
- e) A maximum of five women and a maximum of five men may be elected to the positions of district judges and district judges”¹⁰.

Implementing such a revolutionary law has been a challenge. The Constitution stipulated the creation of three committees by the Union powers to make transformative processes in the smoothest possible way. The Supreme Court has established a committee (*Comité de Evaluación del PJJF*), responsible for selecting future judges, court officials and ministers, composed of prominent lawyers¹¹. The evaluation committee was created by legislative and executive powers too.

According to Art. 96.II:

- “b) Each Branch will form an Evaluation Committee (*Comité de Evaluación*) made up of five persons recognized in the legal activity, which will receive the files of the

¹⁰ Art. 2 transitory Constitution. DOF 17.01.2025.

¹¹ Mónica González Contro, director of the Institute of Legal Research, National Autonomous University of Mexico, Emma Meza Fonseca, judge of the Criminal Court and of the First District, Emilia Molina de la Fuente, Mexican Lawyers Association, Wilfrido Castañón Leon, expert on civil and commercial procedures and Luis Enrique Perea Trejom, PhD in law, academic researcher.

applicants, evaluate legal activity, which will receive the files of the applicants, evaluate the fulfillment of the constitutional and legal requirements and identify the best evaluated and legal requirements, and shall identify the best evaluated persons who have the necessary technical knowledge for the technical knowledge necessary for the performance of the position and who have distinguished themselves for their honesty, good public honesty, good public reputation, competence and academic and professional background in the exercise of the legal activity, and of the legal profession, and

c) the Evaluation Committees shall compile a list of the ten best evaluated persons for each position in the cases of Ministers and Ministers of Justice, the cases of Ministers of the Supreme Court of Justice of the Nation, Magistrates of the Superior Chamber of the Supreme Court of Justice, and Magistrates of the Superior Chamber and regional chambers of the Electoral Tribunal and members of the Court of Judicial Disciplinary Tribunal, and of the six best evaluated persons for each position in the cases of Circuit Judges and Magistrates, and of the six best evaluated Circuit Magistrates and Judges and District Judges. Subsequently, they will purge list by means of public insaculation to adjust it to the number of nominations for each position, observing gender parity. Once the lists have been adjusted, the Committees shall submit them to the authority representing each of the branches of the Branch of the Union for its approval and forwarding to the Senate”¹².

However, on 27 January 2025, all members of the Committee for the Evaluation of the Judicial Power of the Federation, in a letter to Supreme Court, resigned from this body due to “legal impossibility” (*imposibilidad jurídica*) and inability to perform the functions assigned to them. In this context, there is talk of populism, with which the authority from the administration of President AMLO is marked (Ríos Figueroa, 2021).

Circuit Magistrates (*Tribunales de Circuito*) as well as District Judges (*Juzgados de Distrito*), shall serve for nine years and may be reelected consecutively at the end of each term. They may not be reinstated outside the judicial circuit in which they have been elected, except for

¹² Art. 96.II. Mexican Constitution. DOF 15.09.2024.

exceptional cause as determined by the Judicial Disciplinary Court, and they may be removed in the cases and in accordance with the procedures established by law.

Among the conditions to be elected as Circuit Magistrate and District Judge, it is necessary:

“I. To be a Mexican citizen by birth, in full exercise of his or her civil and political rights;

II. To have, on the date of publication of the call mentioned in Section I of Article 96 of this Constitution, a legally issued law degree and to have obtained a general grade point average of at least eight points or its equivalent and nine points or equivalent in the subjects related to the position to which he/she is applying for in the bachelor's, specialty, master's or doctorate degree. In the case of Circuit Magistrates and Judges, they must also have at least three years of professional practice in a legal area related to their candidacy;

III. To have a good reputation and not have been convicted of a felony punishable by deprivation of liberty;

IV. To have resided in the country during the year prior to the date of publication of the call mentioned in Section I of Article 96 of this Constitution, and

V. Not to have been the head of a State Secretariat, Attorney General of the Republic, Senator, Federal Deputy, or head of the executive power of any federal entity, during the year prior to the date of publication of the call mentioned in Section I of Article 96 of this Constitution”¹³.

However, art. 97 include formal requirements for a judge, an important observation concerns the procedural institution itself, but it should also include the formation of the lawyers themselves. Pez Hernandez (2024) stressed the new reform overlooked a paradigm shift in teaching. It is not enough just to implement the new legislation on universal suffrage, but still to provide *Bildung*. In implementing the new model of judges' appointments, the reform overlooks education (*Bildung*), for legal formalism remains the cornerstone of teaching and practicing law in Mexico. According to art. 96. IV:

“In the case of Judges of the Supreme Court of Justice of the Nation, Magistrates of the Superior Chamber of the Electoral Tribunal of the Judiciary of the Federation and members of the Court of Judicial Discipline, the election shall be held at the national

¹³ Art. 97, Mexican Constitution. DOF 15.09.2024.

level in accordance with the above procedure and under the terms provided by law. The Executive Branch will nominate up to three candidates through the President of the Republic; the Legislative Branch will nominate up to three candidates, one by the Chamber of Deputies and two by the Senate, by a qualified vote of two thirds of its members present, and the Judicial Branch of the Federation, through the Plenary of the Supreme Court of Justice of the Nation, will nominate up to three candidates by a majority of six votes”.

Those interested in becoming candidates registered from December 2024 to January 2025 within the period set by the Federation Judicial Evaluation Committee. After registration closed, an evaluation committee reviewed applications to verify that candidates meet the criteria. This includes validation of work experience, academic background and other specific requirements.

Candidates who meet the requirements are placed on an official list of candidates. In some cases, due to the number of candidates, an *insaculación*, a random selection procedure, took place to determine who will appear on the ballot. The *insaculación* was used to guarantee impartiality and transparency in the designation of candidates for public office. In the context of the recent judicial reform in Mexico, this method has been implemented to choose the candidates who will appear on the ballot for various positions within the Judicial Branch. On January 31, 2025, the Senate of the Republic carried out a public *insaculación* process to determine the candidates for judges, magistrates and ministers. The main objective was to eliminate discretionality and possible external influences in the selection, thus promoting equal opportunities and transparency in the conformation of the Judicial Branch. The implementation of *insaculación* in the judicial reform seeks to democratize the election of judicial authorities. However, this approach has generated debates about its impact on judicial independence and the quality of the judiciary.

Mexico's National Electoral Institute (INE) published on February 16 the list of 4,224 candidates for judges, magistrates and ministers. The document shows the lists divided by the position to which they aspire, from ministers of the Supreme Court of Justice of the Nation, magistrates of the Court of Judicial Discipline and magistrates of the Superior Chamber of the Electoral Tribunal of the Judiciary of the Federation. The names of the aspiring magistrates of the Regional Chambers of the TEPJF in Mexico City, Guadalajara,

Monterrey, Toluca and Xalapa can also be seen. The names of the candidates for circuit magistrates and judges of different specialties, such as criminal, labor, civil, administrative and mixed, among others, are also included. In summary, a total of 881 members of the federal judiciary branch of government will be elected¹⁴.

Conclusion

The historic elections were held in Mexico on June 1, 2025. For the first time in the modern history of the system of modern states, a general election of the judiciary took place. However, the first suffrage presents a contradictory challenge for the democratic institutions. On the one hand, the constitutional amendment from September, 15 2024 might be an example of decolonial constitutionalism understood as a categorical form of breaking with the colonial past. On the other hand, the risk of power concentration within Morena movement party is without doubt the reality.

The new elected judges – with the president of the SCJN, Hugo Aguilar Ortiz who got the biggest number of votes, and Lenia Batres Guadarrama, Yasmín Esquivel Mossa, Loretta Ortiz Ahlf, María Estela Ríos González, Sara Irene Herrerías Guerra, Giovanni Azael Figueroa Mejía, Irving Espinosa Betanazo, and Aristides Rodrigo Guerrero García – started their mission on September 1, 2025. All they are related in different scopes and ways to the Morena movement, confirming growing risks of politization. Moreover, the low voter turnout (13%) in the elections showed real problems of the power’s legitimation.

During the colonial period, the law was treated instrumentally. Same might happen during modern times. The dominant culture was not the rule of law, but clientelism – a specific relationship between the king and the *conquistadores*, with Cortes at the head. This cooperation was based on mutual benefit and cooperation. The *conquista* was based on the

¹⁴ There would be six ballots for the 2025 Judicial Election

This is the first election day of this kind, so there are also significant changes in the design of the ballots.

The ballots are distributed as follows according to the colors:

Purple – judges of the SCJN

Blue - Magistrates of the Superior Chamber of the TEPJF

Pink - Circuit Judges and Magistrates

Yellow - District Judges and Magistrates

Salmon - Magistrates of the Regional Chamber of TEPJF

Green - Magistrates of the Judicial Disciplinary Tribunal

It is also important to note that on the Judicial Election ballots, candidates will appear in alphabetical order, by gender, numeral and the following abbreviations.

Executive Branch – PE, Legislative Branch – PL, Judicial Branch – PJ, Incumbent Ministers - EF

exploitation of material and human capital, which was to be articulated by organizing forms of state in the name of the king. The system created system of clientelism reciprocal.

The universal suffrage may represent the reproduction of clientelism and certain forms of clientelist practices – something that goes beyond the limits of the topic of this article and is an invitation to follow the changes and future studies. However, sceptics of the popular election must admit that law – in general socio-philosophical terms – is not only the application of an already enacted law, based on a system of law. But above all, law is a social construct in action. The new legal solutions might be overwhelmed by shadows from the past.

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