# Article IX - v0.3.0 Draft EOS.IO Constitution - Establishes Arbitration Forums[[1]](#footnote-1)

# Purpose

Establishes the third leg of governance, the Judicial. Restricts Arbitrators to operate only within the context of an Arbitration Forum. (For more on what an Arbitration Forum is, read the Discussion.)

# Text of Article

# No Arbitrator shall serve except within an Arbitration Forum.

# Discussion

Several points.

Arbitrators are not free-range lone actors. They operate under very tight constraints:  
1. They only rule on cases brought to them by a party  
2. They operate within the rules of the Arbitration Forum that certified them  
3. Their work is subject to oversight by their Forum  
4. They publish their Findings and Orders for public view (except some aspects of cases may be kept confidential when a party to the case might be harmed by publication)  
5. Their decisions must be reflective of the Constitution, the specific Contracts in play in the case, and the emerging social norms of the community

An Arbitration Forum is a collection of:

* A specific set of Rules of Dispute Resolution (RDR) for managing arbitration cases and deciding those cases
* A particular set of people who have organized the forum and who manage cases and assign arbitrators
* A system of arbitration training and certification
* A set of individual Arbitrators who have been trained and certified

How is a particular Arbitration Forum empowered to take a case?

* The two disputants have agreed to use that particular forum, either before or after their dispute arises (it's better to agree in advance)
* The two disputants have signed a contract that stipulates the use of that particular forum
* The two disputants are part of a community or enclave, and as members they agreed to use a particular forum
* As a special case, the EOSIO Constitution should refer to a specific forum so that, if none of the prior conditions are met, there is still a forum available by default

I'm aware that the plural of the Latin word 'forum' is 'fora' -- I chose to say 'forums' because that's become accepted English usage.

# References

None yet

1. https://forums.eosgo.io/discussion/745/article-ix-v0-3-0-draft-eos-io-constitution-establishes-arbitration-forums [↑](#footnote-ref-1)