

## Judicial reasoning standards in Ecuadorian jurisdictional guarantees: an analytical approach to Constitutional Court Ruling 1694-21-EP/24

*Estándares de motivación judicial en las garantías jurisdiccionales ecuatorianas:*

*un enfoque analítico sobre la Sentencia 1694-21-EP/24 de la Corte Constitucional*

*Padrões de motivação judicial nas garantias jurisdicionais equatorianas:*

*uma abordagem analítica sobre a Sentença 1694-21-EP/24 da Corte Constitucional*

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**Abstract:** This study aimed to assess the standards of sufficient reasoning within Ecuador's jurisdictional guarantees and their effectiveness in protecting fundamental rights. A qualitative-documentary method was used, analyzing Constitutional Court Judgment 1694-21-EP/24 alongside relevant doctrine and comparative jurisprudence in constitutional law. The findings reveal that, while the Constitutional Court has established specific criteria for judicial reasoning, implementation issues persist, especially in lower courts, where judicial reasoning is often insufficient or ambiguous. Additionally, the Court's interpretive flexibility allows some reasoning elements to remain implicit, which can result in subjective interpretations and inconsistency. Comparative analysis with international systems, such as those in Spain, Chile, and Colombia, highlighted similar challenges and underscored Ecuador's need for clearer standards to reduce subjectivity. The study concludes that ongoing judicial training and the creation of practical guidelines are crucial to achieving consistency in reasoning standards, thereby strengthening due process rights and enhancing Ecuador's judicial system.

**Keywords:** constitutional law; administration of justice; comparative law.

**Resumen:** Este estudio tuvo como objetivo evaluar los estándares de suficiencia de motivación en las garantías jurisdiccionales de Ecuador y su efectividad en la protección de los derechos fundamentales. Se empleó un método cualitativo-documental, se analizó la Sentencia 1694-21-EP/24 de la Corte Constitucional, junto a doctrina relevante y jurisprudencia comparada en derecho constitucional. Los hallazgos revelan que, si bien la Corte Constitucional ha establecido criterios específicos para la motivación judicial, persisten problemas de implementación, especialmente en los tribunales inferiores, donde la motivación es frecuentemente inadecuada o ambigua. Además, la flexibilidad interpretativa de la Corte permite que algunos elementos de la motivación permanezcan implícitos, lo que puede resultar en interpretaciones subjetivas e inconsistencias. El análisis comparativo con sistemas internacionales, como los de España, Chile y Colombia, destacó desafíos similares y subrayó la necesidad de estándares más claros en Ecuador para reducir la subjetividad. El estudio concluye que la capacitación judicial continua y la creación de guías prácticas son esenciales para lograr consistencia en los

estándares de motivación para fortalecer los derechos al debido proceso y mejorar el sistema judicial ecuatoriano.

**Palabras clave:** derecho constitucional; administración de justicia; derecho comparado.

**Resumo:** Este estudo teve como objetivo avaliar os padrões de suficiência de motivação nas garantias jurisdicionais do Equador e sua efetividade na proteção dos direitos fundamentais. Foi utilizado um método qualitativo-documental, analisando-se a Sentença 1694-21-EP/24 da Corte Constitucional, juntamente com doutrina relevante e jurisprudência comparada em direito constitucional. Os resultados revelam que, embora a Corte Constitucional tenha estabelecido critérios específicos para a motivação judicial, problemas de implementação persistem, especialmente nos tribunais inferiores, onde a motivação é frequentemente inadequada ou ambígua. Além disso, a flexibilidade interpretativa da Corte permite que alguns elementos da motivação permaneçam implícitos, o que pode levar a interpretações subjetivas e inconsistências. A análise comparativa com sistemas internacionais, como os da Espanha, Chile e Colômbia, destacou desafios semelhantes e ressaltou a necessidade de padrões mais claros no Equador para reduzir a subjetividade. O estudo conclui que a formação judicial contínua e a criação de guias práticas são essenciais para alcançar consistência nos padrões de motivação, a fim de fortalecer os direitos ao devido processo e melhorar o sistema judicial equatoriano.

**Palavras-chave:** direito constitucional; administração da justiça; direito comparado.

## Introduction

The reasoning behind judicial decisions is a fundamental element of the right to due process and legal certainty, understood as the assurance that legal rules are clear, predictable, and consistently applied by judicial authorities (Freyre-Pinedo, 2022; Zhou et al., 2024). It serves as a crucial tool for ensuring transparency and predictability in the administration of justice, enabling individuals to understand the rationale underlying judicial decisions and, in cases of disagreement, to prepare an informed defense or appeal (Khalid et al., 2024). In Ecuador, the right to due process is enshrined in Article 76, Section 7, Paragraph 1 of the Constitution, which stipulates that a ruling lacks reasoning if it does not state the principles or norms on which it is based and if it fails to adequately explain their application to the specific case (Asamblea Constituyente del Ecuador, 2008). Thus, reasoning is a *sine qua non* for all judicial rulings and a mechanism that strengthens the credibility of the Ecuadorian judicial system and respect for fundamental rights.

Internationally, the right to a reasoned judgment is also considered an essential component of due process. Human rights instruments, such as the American Convention on Human Rights (Organización de los Estados Americanos, 1969), establish that everyone has the right to a defense and a reasoned and impartial trial. In this context, the

principle of reasoning acquires a dimension that transcends national norms, integrating into an international framework of standards that govern justice and human rights (Alvarado-Vélez, 2025). This obliges the judicial systems of signatory countries to adopt reasoned practices in rulings and to protect citizens against arbitrary decisions that may violate fundamental rights. The adoption of such standards has posed a persistent challenge for Ecuador's legal system, highlighting the need to clarify the scope of reasoning within jurisdictional guarantees, particularly in contexts of constitutional actions and judicial review (Ramón Yanchatipan & Barrionuevo Núñez, 2023; Serrano-Vázquez et al., 2020).

Within the framework of Ecuadorian jurisdictional guarantees, the extraordinary protection action enables citizens to contest rulings that infringe constitutional rights. This mechanism has frequently been used to seek redress for rights such as the right to a reasoned decision, with the argument that insufficient reasoning or omissions in judicial decisions undermine fundamental rights. Moreover, in the Ecuadorian legal system, the extraordinary protection action is an essential constitutional remedy aimed at protecting constitutional rights that have been violated by judicial rulings. As per Article 94 of the Ecuadorian Constitution, this action can be interposed against final judgments or definitive orders that infringe upon constitutional rights, provided that the ordinary and extraordinary legal remedies have been exhausted within the prescribed legal deadlines. This ensures that no recourse remains to challenge the ruling unless the failure to file those remedies was not due to the negligence of the person whose constitutional rights were violated. The law defines its scope in such a way that it requires strict adherence to procedural formalities, reinforcing constitutional supremacy and the guarantee of due process within the judicial system.

In this regard, Ecuador's Constitutional Court (hereinafter CCE, for its initials in Spanish) has played a central role in establishing standards for evaluating whether a ruling meets the guarantee of reasoning. Landmark rulings, such as 1158-17-EP/21 (Corte Constitucional del Ecuador, 2021) and 1285-13-EP/19 (Corte Constitucional del Ecuador, 2019), have defined that a ruling is sufficiently reasoned if it clearly states the applicable legal norms or principles, if these norms are relevant to the facts of the case, and if it includes an analysis to assess whether the alleged constitutional rights have been violated. These rulings have set significant precedents in the interpretation of due process within the country.

However, significant challenges persist in the Ecuadorian judicial practice regarding consistent application of these standards. Some rulings have been criticized for lacking clear and sufficient reasoning, creating uncertainty and jeopardizing the effectiveness of constitutional justice. In Ruling 1694-21-EP/24, the CCE addressed the importance of sufficient reasoning in jurisdictional guarantees and assessed whether a ruling that did not detail all the rights claimed by the plaintiff met the necessary reasoning standards (Corte Constitucional del Ecuador, 2024b). The Court concluded that reasoning should be understood as a sufficient justification exercise that allows for comprehension of the decision's rationale, even if not all aspects are exhaustively detailed. This pronouncement has sparked debate regarding the scope of reasoning (Chacho-Juárez & Pozo-Cabrera, 2024; Montaña Escobar et al., 2024) and has highlighted the need for consistent and well-grounded analysis in rulings that involve fundamental rights.

Given this situation, the question arises as to whether Ecuadorian judges have sufficiently clear criteria to ground their decisions in jurisdictional guarantees, and whether the standards established by the CCE effectively protect due process and legal certainty. The lack of uniformity in decisions and potential subjective interpretation of sufficient reasoning underscores the need to review and strengthen judicial practices in this area. Insufficient or contradictory reasoning not only violates the rights of the involved parties but also affects the perceived legitimacy and trustworthiness of the judicial system. Therefore, it is essential to deepen the analysis of how reasoning impacts the guarantee of rights and how Constitutional Court decisions can contribute to a more just and predictable judicial system.

In this context, the objective of this study is to explore the standards of sufficient reasoning in Ecuador's jurisdictional guarantees and to analyze how these standards are applied in judicial practice. This research aims to assess the effectiveness of the principle of reasoning as a rights-protection tool and to establish recommendations for improving the grounding of judicial decisions within Ecuador's legal system.

To develop this analysis, the article is structured as follows. First, a literature review is presented on judicial reasoning and its role in ensuring due process, with a particular focus on the standards established by Ecuadorian jurisprudence and comparative law. Second, the methodology used is described, based on the jurisprudential analysis of the Constitutional Court's Ruling 1694-21-EP/24 and other relevant decisions. Subsequently, in the results and discussion section, the criteria applied in the analyzed ruling are examined, assessing their consistency with previously established standards and

comparing them with international judicial reasoning models. Finally, the study concludes with a reflection on the challenges and opportunities to strengthen reasoning standards in Ecuador, highlighting the need for greater uniformity and clarity in the justification of judicial decisions.

### **Literature review**

Judicial reasoning has been the subject of extensive study in comparative law, recognized as an essential component of due process (Knoll, 2024). Both theoretical and empirical analyses have primarily focused on the relationship between the reasoning behind judicial decisions and the protection of rights, as well as on its impact on legal certainty and the legitimacy of the judicial system (Agüero-San Juan & Paredes Paredes, 2021; Mora Bernal & Rojas Yerovi, 2023). Internationally, instruments like the American Convention on Human Rights (Article 66, Organización de los Estados Americanos, 1969) and the European Convention on Human Rights (Article 45, Council of Europe, 1950) establish the obligation to provide reasoned judicial decisions to safeguard the right to a fair trial. These provisions aim to ensure that individuals can understand the rationale behind judicial decisions, which is crucial for transparency and enables the opportunity for appeal.

In the Latin American context, recent studies have highlighted inconsistencies in the systems of judicial reasoning, identifying gaps in compliance with international standards for reasoning and the influence of varying judicial interpretations on the consistency of judicial rulings (Beltrán Calfurrapa, 2024; Matos Oliva, 2022). According to Valenzuela Pirotto (2020), one of the main challenges for the region is consolidating a normative framework that allows for the establishment of objective criteria for judicial reasoning, thus preventing subjective interpretations that could lead to arbitrariness. This is especially important in contexts involving the protection of constitutional rights, where sufficient reasoning acts as a safeguard against abuses of power and errors in interpretation.

In Ecuador, the Constitutional Court has addressed the concept of sufficient reasoning in several significant rulings, establishing that judicial reasoning must include three elements: (i) identification of the applicable legal norms or principles, (ii) analysis of their relevance to the facts of the case, and (iii) assessment of any alleged rights violations (Corte Constitucional del Ecuador, 2024a). Specifically, ruling 1158-17-EP/21 set a precedent by defining a reinforced standard for jurisdictional guarantees, requiring that

judicial reasoning be not only comprehensible but also present a coherent and exhaustive legal rationale (Corte Constitucional del Ecuador, 2021). Through this, the Constitutional Court seeks to ensure comprehensive analysis and prevent superficial or implicit reasoning that could undermine the quality of justice.

Other scholars, such as (Pasaca Coronel, 2024), have evaluated the impact of these precedents on judicial practice in Ecuador, suggesting that, although the Constitutional Court has made strides in establishing reasoning criteria, challenges remain in implementation at lower court levels. In their analysis of rulings on protective actions, they conclude that there is a tendency to apply reductionist criteria, omitting the thoroughness required in jurisdictional guarantees. This situation has sparked debates on the need for specific judicial training and the ongoing review of applied standards to achieve a uniform interpretation of sufficient reasoning.

## **Methodology**

For the development of this study, a qualitative-documentary methodology was employed, focused on an in-depth analysis of primary and secondary legal sources. This approach is suitable for research in constitutional law and fundamental rights, where the primary objective is to interpret and contextualize normative and jurisprudential criteria rather than measure quantifiable variables. The qualitative methodology enables an interpretative and critical examination of legal and doctrinal texts, providing a deep understanding of the reasoning standards within Ecuador's jurisdictional guarantees framework.

The main documentary basis for this research is Ruling 1694-21-EP/24 issued by the Constitutional Court of Ecuador, a decision that addresses the sufficiency of reasoning in the extraordinary protection action within the context of public procurement. Analysis of this ruling enabled the exploration of the Constitutional Court's criteria in applying due process rights within the guarantee of reasoning, evaluating the effectiveness of the proposed standards and regulations in protecting fundamental rights.

To gain a more comprehensive understanding of the topic, other relevant rulings, such as 1158-17-EP/21 and 1285-13-EP/19, were included. These rulings set precedents regarding the requirements for reasoning in judicial decisions in Ecuador. These decisions were examined in detail to identify patterns in argumentation, levels of motivational sufficiency, and coherence between Constitutional Court decisions and their application in judicial practice.

Additionally, a documentary review of related doctrine on due process and judicial reasoning within comparative constitutional law was conducted, incorporating sources from experts in judicial reasoning and constitutional procedural law. Authors such as Aponte (2022), Cobreros Mendazona (2023), Rodríguez-Izquierdo (2022), and Toro Velásquez (2021) were referenced to contextualize the significance of reasoning in the international and Latin American arenas, while more specific studies on its application in Ecuador enriched the analysis of the local context (Bustamante-Fajardo & Molina-Torres, 2023; Contreras Pérez, 2022; Gamboa Pani & Anzieta Reyes, 2023; Gómez; Villavicencio, 2022; Ricaurte, 2023). These doctrinal texts allowed for a comparison of international standards with those applied in Ecuadorian judicial practice, providing a critical perspective on strengths and areas of opportunity within the national legal system.

The analysis procedure involved a comprehensive reading and coding of the main ruling and selected doctrines, identifying the primary thematic categories related to reasoning in jurisdictional guarantees. Subsequently, the data were interpreted within the framework of constitutional law, evaluating the sufficiency of arguments in relation to the standards proposed by the Constitutional Court and their alignment with due process principles. Information triangulation—including case law, doctrine, and regulation—ensured the internal validity of the study and the depth of the analysis. Finally, the analysis was interpreted according to the study's objective, and findings were organized to facilitate a structured discussion that contributes to both constitutional theory and judicial practice in Ecuador.

## **Results and discussion**

The analysis of Ruling 1694-21-EP/24 issued by the Constitutional Court of Ecuador reveals a series of key findings regarding the application of the principle of reasoning within jurisdictional guarantees. These findings enable the identification not only of the criteria utilized by the Constitutional Court to define sufficient reasoning but also of the inconsistencies and challenges present in its application within Ecuadorian judicial practice. The main results of this research are outlined below, organized into three categories: (1) the sufficiency of reasoning in the ruling under analysis, (2) coherence with the standards established by the Constitutional Court, and (3) comparison with international doctrine and comparative jurisprudence on judicial reasoning.

## **1. Sufficiency of reasoning in ruling 1694-21-EP/24**

In its analysis of Ruling 1694-21-EP/24, the Constitutional Court assessed whether the Criminal Chamber of the Provincial Court met the reasoning requirements necessary to guarantee due process. The Court emphasized that judicial reasoning must include an exposition of the norms or principles underlying the decision, an explanation of their relevance to the facts of the case, and an analysis that enables a thorough understanding of the application of these norms. The CCE concluded that, although the Criminal Chamber presented certain normative and factual foundations, its analysis lacked thoroughness and clarity in several areas, relying on general statements without adequately applying them to the specific context.

Specifically, the Court noted that the Criminal Chamber failed to conduct a substantive analysis of the alleged violation of the right to legal certainty, one of the central claims made by the petitioner. The ruling also did not provide a reasoned explanation as to why other constitutional rights invoked in the complaint were not addressed. Additionally, the Chamber's decision relied on generic assertions regarding the legality of the procurement process, without clearly linking those legal norms to the factual circumstances of the case. These omissions were identified as key areas in which the reasoning was insufficient, as they hindered the petitioner's ability to understand the judicial rationale and to evaluate whether their constitutional rights had been duly protected.

This result highlights an ongoing concern regarding insufficient reasoning in decisions related to the protection of rights, particularly in cases where the Court has emphasized a reinforced standard of reasoning. In this ruling, the Constitutional Court acknowledged that certain elements may be implied but clarified that, in matters concerning fundamental rights, a detailed analysis is expected to avoid ambiguities — understood as vague, incomplete, or insufficiently justified arguments— and to provide a comprehensible and reasonable explanation. This finding aligns with prior studies indicating that rulings in Ecuador tend to contain omissions or superficial justifications, potentially affecting perceptions of legitimacy and transparency in the judicial system (Bustamante-Fajardo & Molina-Torres, 2023; Contreras Pérez, 2022; Gamboa Pani & Anzieta Reyes, 2023).

In the specific context of Ruling 1694-21-EP/24, the Constitutional Court addressed an extraordinary protection action concerning the adjudication of a public procurement contract. The petitioner alleged that the Criminal Chamber of the Provincial Court failed



to assess the alleged violation of the right to legal certainty. In response, the Court examined whether the lower court had fulfilled its obligation to provide sufficient reasoning by articulating the applicable legal norms and demonstrating their relevance to the facts. While the Court acknowledged that certain normative elements were mentioned, it found the analysis to be deficient, particularly due to the absence of a clear explanation regarding the alleged violation of constitutional rights. This judicial reasoning illustrates the Court's effort to balance its reinforced standards of reasoning with the principle of procedural economy, while still requiring a minimum threshold of argumentative clarity in matters involving fundamental rights.

## **2. Coherence with standards established by the Constitutional Court**

Another significant finding is the assessment of coherence between the reasoning standards established by the Constitutional Court in prior rulings and their application in the case of Ruling 1694-21-EP/24. The Court has consistently emphasized the need for thorough analysis in cases involving jurisdictional guarantees, where normative arguments must not only be included but also applied specifically to the context of the alleged rights. In this case, the Court reiterated the importance of clear and comprehensive reasoning, especially in appellate or review judgments involving fundamental rights.

However, an analysis of the ruling reveals that, although the CCE tried to apply its own standards, tensions emerged regarding the interpretation of sufficient reasoning. The Court recognized that certain aspects of the Criminal Chamber's decision were justified normatively but identified argumentative gaps in the presentation of facts and the application of constitutional principles. This finding aligns with doctrinal reviews, wherein various authors emphasize that, although the Court establishes clear guidelines on reasoning, difficulties persist in their implementation by lower courts, which often interpret these criteria in a subjective or insufficient manner (Gómez Villavicencio, 2022; Ricaurte, 2023).

The study further revealed that the Court seems to adopt a flexible approach to applying its reasoning standards, allowing certain elements to be implicit rather than explicit. However, this flexibility poses risks to the clarity and consistency of rulings, as the boundary between an implied premise and a lack of reasoning can be difficult to define in practice. This aspect calls for greater clarification to prevent ambiguous interpretations that may result in inconsistent decisions and hinder the protection of constitutional rights.

### **3. Comparison with international doctrine and comparative jurisprudence**

In comparative terms, the reasoning standards established by Ecuador's Constitutional Court show similarities to criteria observed in other jurisdictions, particularly in Latin America and Europe, where due process is also closely linked to the right to a reasoned judgment. In countries such as Spain (Cobrerros Mendazona, 2023; Rodríguez-Izquierdo, 2022; Tribunal Constitucional de España, 2015), Colombia (Corte Constitucional de Colombia, 2016, 2023; Toro Velásquez, 2021) or Chile (Aponte, 2022; Tribunal Constitucional de Chile, 2020) the Constitutional Court mandates that decisions be explicit and clear in their reasoning, ensuring that all rights and principles invoked in the complaint are addressed. This reinforces the notion that judicial reasoning is essential for transparency and consistency within judicial systems.

However, studies also indicate that gaps remain in Ecuador between the established normative framework and its practical application, presenting an ongoing challenge within the judicial system. A recurrent problem lies in the lack of uniformity in rulings and the varying judicial interpretations of sufficient reasoning. In this regard, different scholars emphasize the importance of establishing a more robust normative framework that clearly defines the minimum reasoning requirements, thus preventing subjectivity and reducing the risk of arbitrary decisions (Almuzaini & Azmi, 2023; Villacreses Valencia, 2022). Compared to other judicial systems, Ecuador appears to need greater precision in its reasoning standards, as well as ongoing training for judges in the application of these criteria.

### **Conclusions**

The analysis of Ruling 1694-21-EP/24 reveals that, although Ecuador's Constitutional Court has set clear standards for reasoning within jurisdictional guarantees, significant challenges remain in their effective application. In this ruling, the Court evaluated whether the Criminal Chamber of the Provincial Court met the standard of sufficient reasoning in its decision on a public procurement process. Although the Chamber presented certain normative and factual foundations, the Court found the analysis insufficient in several areas, omitting detailed explanations of how the legal principles were applied to the specific facts of the case. This finding underscores the persistence of a judicial practice that often confines analysis to generalities without delving into the specific context necessary for effective protection of fundamental rights.

In particular, the Court noted that reasoning must be more than a simple recitation of norms; it must include a logical exposition that connects legal principles with the context of the case. In the case under review, the Constitutional Court concluded that certain aspects of the Criminal Chamber's resolution met the basic motivational standard, yet lacked the thoroughness expected in a rights protection decision. This finding aligns with previous research identifying a tendency within Ecuadorian courts to provide reasoning that may lack sufficiency or clarity, potentially resulting in indirect violations of due process.

This conclusion is based on the identification of recurring patterns in judicial decisions, including insufficient articulation of legal norms, a lack of detailed analysis linking legal principles to the facts of the case, and the omission of explanations regarding alleged rights violations. These elements lead to what this study defines as inadequate or ambiguous reasoning: arguments that are vague, incomplete, or disconnected from the specific legal and factual context. The analysis of Ruling 1694-21-EP/24, along with prior Constitutional Court decisions, reveals that such deficiencies are not isolated but reflect broader issues in the judicial practice of Ecuador, particularly in lower courts. This undermines the transparency and legitimacy of judicial rulings and weakens the protection of constitutional rights.

The study also shows that the Constitutional Court exercises a degree of flexibility in interpreting its standards, allowing some elements to be implied within judicial reasoning. However, this flexibility creates ambiguity regarding the boundary between an acceptable implicit premise and a lack of clear justification, which could lead to divergent interpretations across different court levels. This highlights the need for greater precision in the applied criteria and for ongoing judicial training to prevent subjective interpretations that could jeopardize the uniformity and consistency of judicial decisions.

Finally, the comparison with international doctrine and jurisprudence from other jurisdictions shows that Ecuador faces similar challenges in implementing an adequate reasoning standard. Nevertheless, unlike judicial systems in countries such as Spain and Colombia, where specific reforms have been implemented to strengthen the principle of reasoning, Ecuador's regulations still lack clarity in some fundamental areas. This finding underscores the need to establish practical guidelines for judges, enabling them to apply reasoning standards uniformly and appropriately, thereby reducing subjectivity and strengthening the right to due process within Ecuador's judicial system.

Specifically, these fundamental areas include the lack of clear and objective criteria to determine when judicial reasoning is considered sufficient, the ambiguity surrounding the scope of implied reasoning permitted in constitutional decisions, and the inconsistent application of reasoning standards in lower courts. Additionally, there is a notable lack of procedural guidance for assessing the sufficiency of reasoning in constitutional review. These gaps hinder the effective enforcement of due process guarantees and highlight the urgent need for regulatory reforms and practical tools that guide judges in delivering reasoned decisions aligned with constitutional principles.

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