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ANÁLISIS DE LOS ESTILOS DE LIDERAZGO PERCIBIDOS POR EL PERSONAL ADMINISTRATIVO DE EMPRESAS FLORÍCOLAS GRANDES DE PICHINCHA AFILIADAS A EXPOFLORES MEDIANTE EL MLQ FORM 5X.

ANALYSIS OF LEADERSHIP STYLES PERCEIVED BY ADMINISTRATIVE STAFF OF LARGE FLORIGINAL COMPANIES IN PICHINCHA AFFILIATED WITH EXPOFLORES USING THE MLQ FORM 5X.

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RESUMEN: El propósito de esta investigación es analizar los estilos de liderazgo percibidos por el personal administrativo de las grandes empresas florícolas de la provincia de Pichincha, miembros de Expoflores, utilizando el cuestionario MLQ Form 5X. Con un enfoque cuantitativo y análisis descriptivo, se recolectaron y analizaron los datos mediante el programa SPSS, aplicando un corte transversal y diseño no experimental. El MLQ Form 5X está compuesto por 45 ítems, de los cuales 36 están destinados a medir nueve factores correspondientes a tres estilos de liderazgo: liderazgo transformacional (influencia idealizada de conducta y atribuida, motivación inspiracional, estimulación intelectual, consideración individualizada), liderazgo transaccional (recompensa contingente, dirección por excepción activa) y liderazgo laissez-faire (dirección por excepción pasiva y laissez faire). Los otros 9 ítems miden variables organizacionales (esfuerzo extra, eficacia, satisfacción laboral). Los análisis incluyeron pruebas de ANOVA, post hoc, el cálculo del alfa de Cronbach y correlaciones de Pearson. Los hallazgos muestran que el liderazgo transformacional predomina en las empresas, especialmente en directores y gerentes, generando altos niveles de motivación e innovación. El liderazgo transaccional, más común en niveles intermedios, se enfoca en recompensas y cumplimiento de tareas, mientras que el laissez-faire, observado principalmente en mandos operativos, refleja una falta de supervisión. Por áreas funcionales, el liderazgo transformacional destaca en talento humano, producción y TICS, mientras que el transaccional es más frecuente en SISO y producción. El laissez-faire se presenta más en finanzas. Las correlaciones reflejan que el liderazgo transformacional fortalece el esfuerzo adicional, la eficacia y la satisfacción en el trabajo, mientras que el estilo laissez-faire influye negativamente en el rendimiento.

Palabras clave: MLQ Form 5X, transformacional, transaccional, laissez faire/ pasivo, sector florícola

ABSTRACT: The purpose of this research is to analyze the leadership styles perceived by the administrative staff of large flower companies in the province of Pichincha, members of Expoflores, using the MLQ Form 5X questionnaire. With a quantitative approach and descriptive analysis, data were collected and analyzed using SPSS software, applying a cross-sectional and non-experimental design. The MLQ Form 5X is composed of 45 items, of which 36 are intended to measure nine factors corresponding to three leadership styles: transformational leadership (idealized behavioral and attributed influence, inspirational motivation, intellectual stimulation, consideration for individual), transactional leadership (contingent reward, active exception direction) and laissez-faire leadership (passive exception direction and laissez faire). The other 9 items measure organizational variables (extra effort, efficacy, job satisfaction). The analyses included ANOVA tests, post hoc, the calculation of Cronbach's alpha and Pearson correlations. The findings show that transformational leadership predominates in the companies, especially in directors and managers, generating high levels of motivation and innovation. Transactional leadership, more common in intermediate levels, focuses on rewards and task completion, while laissez-faire, observed mainly in operational management, reflects a lack of supervision. By functional areas, transformational leadership stands out in human talent, production and TICS, while transactional leadership is more frequent in SISO and production. Laissez-faire is more present in finance. The correlations reflect that transformational leadership strengthens additional effort, efficacy and job satisfaction in the work, while the laissez-faire style negatively influences performance.

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individualized consideration), transactional leadership (contingent reward, active management by exception), and laissez-faire leadership (passive management by exception and laissez-faire). The other 9 items measure organizational variables (extra effort, effectiveness, job satisfaction). The analyses included ANOVA tests, post hoc tests, the calculation of Cronbach's alpha, and Pearson's correlations. The findings show that transformational leadership predominates in companies, especially among directors and managers, generating high levels of motivation and innovation. Transactional leadership, more common at middle management levels, focuses on rewards and task completion, while laissez-faire leadership, observed primarily in operational management, reflects a lack of supervision. By functional area, transformational leadership is most prevalent in human talent, production, and ICT, while transactional leadership is most prevalent in SISO and production. Laissez-faire leadership is most prevalent in finance. The correlations reflect that transformational leadership enhances extra effort, effectiveness, and job satisfaction, while the laissez-faire style negatively influences performance.

Keywords: MLQ Form 5X, transformational, transactional, laissez faire/passive leadership, floriculture sector.

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INTRODUCTION

The Ecuadorian floriculture sector represents one of the main drivers of the national economy due to its high impact on exports and the generation of formal employment. According to the 2022 Companies Ranking published by SUPERCAS, there are 287 companies dedicated to flower cultivation, of which 68% of those destined for export are located in the province of Pichincha. During 2022, the floriculture sector generated approximately USD 548.64 million, representing 0.77% of the national Gross Domestic Product (GDP) and showing a 3% increase in its exports compared to the previous year, consolidating its positioning as a key player in the international market, with a special presence in the United States and Europe (28).

Despite its sustained growth, recognition, and stability in international trade, the floriculture sector faces challenges related to internal management, particularly regarding the practice of organizational leadership. Leaders and supervisors play an essential role in coordinating teams and building work environments that promote motivation, commitment, and productivity. Nevertheless, inadequate leadership can negatively affect the perception of the organizational climate, causing a decrease in performance, interpersonal conflicts, and lower job satisfaction (35).

In this context, knowing the leadership styles that predominate in floricultural companies in Pichincha affiliated with Expoflores acquires great relevance, as it allows identifying the practices that strengthen strategic direction and those that require improvement. Leadership is a fundamental competence in organizational sustainability, as it directly influences corporate culture, innovation, and human talent performance (19). Understanding whether leaders exercise transformational, transactional, or

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laissez-faire leadership, and how these styles are perceived by administrative collaborators, provides useful information to optimize human capital management.

Transformational leadership drives team members to achieve objectives beyond their individual interests, promoting motivation, creativity, and commitment (20). For its part, transactional leadership focuses on goal achievement through supervision and rewards, while the laissez-faire style reflects an absence of direction, characterized by the leader's lack of intervention in decision-making (14). Recent studies in industrial and service sectors show that transformational leadership is positively associated with job satisfaction and performance, while laissez-faire is linked to negative results (1).

However, the academic literature on leadership in the floricultural context is limited; most studies on leadership have concentrated on traditional sectors such as manufacturing or services, leaving aside agricultural industries such as floriculture, where hierarchical structure, labor temporality, and high staff turnover create particular management dynamics (22). This gap justifies the need for research that analyzes leadership styles in companies in the Ecuadorian floricultural sector, especially in large-sized ones that form part of Expoflores, the country's main export guild.

The present study seeks to analyze the leadership styles perceived by the administrative staff of large floricultural companies in the province of Pichincha, members of Expoflores, using the MLQ Form 5X questionnaire (7). This instrument, internationally validated, allows identifying nine factors associated with three leadership styles: transformational, transactional, and laissez-faire, in addition to measuring variables related to extra effort, effectiveness, and job satisfaction. Its application enables the comparison of perceptions among different hierarchical levels and functional areas within the organizations.

The analysis of the results will make it possible to determine whether the leaders of the floricultural sector predominantly adopt a style oriented toward people development or one centered on control and supervision. Likewise, it will allow recognizing whether there are significant differences in the leadership styles perceived among departments such as human talent, production, finance, or technology. Understanding these variations will contribute to the design of training programs and the strengthening of managerial skills, aligned with the needs of the sector and with organizational sustainability strategies (36).

Leadership styles decisively influence the well-being and performance of collaborators (46). Transformational leadership favors a motivating and participatory environment that stimulates organizational commitment and productive efficiency. On the contrary, passive styles, such as laissez-faire, can generate disorganization, low morale, and demotivation. In the floricultural context, where working conditions require coordination, planning, and constant communication, having transformational leaders is key to maintaining competitiveness and staff satisfaction.

Based on the foregoing, the guiding question of this research is: What are the leadership styles perceived by the administrative staff of large companies in the floricultural sector of the province of Pichincha, belonging to Expoflores, using the MLQ Form 5X tool?

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The general objective consists of analyzing the leadership styles perceived by the administrative staff of large companies in the floricultural sector affiliated with Expoflores in the province of Pichincha, through the application of the MLQ Form 5X questionnaire.

The specific objectives are:

- Determine the predominant leadership styles among the leaders of large companies in the Expoflores sector as perceived by the administrative staff.
- Analyze the predominant leadership styles at the different hierarchical levels and functional areas, and identify similarities or differences.
- Identify areas for improvement that allow reinforcing the identified leadership styles.

The scope of the study is descriptive, analytical, and cross-sectional. It seeks to interpret the perceptions of administrative staff regarding the leadership styles present in large floricultural companies in the province of Pichincha. The results will make it possible to identify which styles predominate and which aspects require strengthening, providing empirical evidence for human talent management in the sector. The research is based on the quantitative approach and uses the MLQ Form 5X tool as the central instrument for diagnosis (50).

In synthesis, the present work aims to fill a gap in the national literature on leadership in the floricultural sector, providing valuable information for strategic decision-making and for the promotion of transformational leadership that drives competitiveness, sustainability, and the well-being of collaborators.

MATERIALS AND METHODS

The research applies a quantitative approach, based on data collection and analysis to fulfill the stated objectives. Through the MLQ Form 5X questionnaire and descriptive statistical techniques, employees' perceptions of leadership styles were evaluated (50). The study has a non-experimental and cross-sectional design, which allowed obtaining information at a single point in time to describe the predominant styles.

The study was conducted in large companies associated with Expoflores, of which there are 26 active in Pichincha (30,31). A stratified probabilistic sampling was used to guarantee representativeness (50). Given the high turnover of operational staff, administrative personnel were considered, due to their direct contact with leaders and their participation in decisions, communication, and motivation (48). Table 1 details 5 companies, the total number of employees, and the corresponding percentage of administrative staff.

Table 1. Percentage of administrative staff by floricultural companies

COMPANY	EMPLOYEES	ADMINISTRATIVE
COMPANY A	1,621	14%
COMPANY B	345	5%
COMPANY C	1,315	5%
COMPANY D	684	7%

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COMPANY E	1,053	5%
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Considering the size of the company with 200 employees and the number of large companies associated with Expoflores in Pichincha being 26 companies, there are approximately 5,200 employees of which 7% belong to the administrative staff, as demonstrated in equation (1).

To determine the sample size, the statistical formula for finite samples equation (2) was used, as it allows determining the appropriate number of respondents based on the desired precision and the population size (11).

where:

N = Population size

Z = Critical value according to the confidence level (usually 1.96 for 95% confidence)

p = Estimated proportion (if unknown, 0.5 is usually used, as it maximizes the sample size)

E = Desired margin of error (for example, 5% or 0.05)

With a 95% confidence level, which corresponds to a Z value of 1.96, and a maximum margin of error of 5%, the result is that the study requires the approximate application of 187 surveys.

Through the MLQ Form 5X tool (Multifactor Leadership Questionnaire), translated and adapted to the Ecuadorian context in order to minimize errors and facilitate participants' understanding. This instrument allows evaluating employees' perceptions of their supervisors' leadership styles, considering three dimensions: transformational leadership, transactional leadership, and laissez-faire leadership.

The version used is composed of 45 items, of which 36 are associated with leadership factors and 9 with organizational outcome variables, such as extra effort, effectiveness, and job satisfaction. The questionnaire was applied to subordinates, who had to indicate their work area, position, age, and gender of the leader, using a Likert-type scale from 0 to 4, suitable for quantitative analysis.

The model includes three higher-level variables: transformational leadership—with five factors: idealized influence (behavior and attributes), inspirational motivation, intellectual stimulation, and individualized consideration—; transactional leadership, composed of contingent reward and active management by exception; and passive leadership, which groups passive management by exception and the laissez-faire style, together with the remaining nine items that evaluate organizational aspects such as followers' extra effort, leader effectiveness, and group satisfaction (20), as indicated in Figure 1.

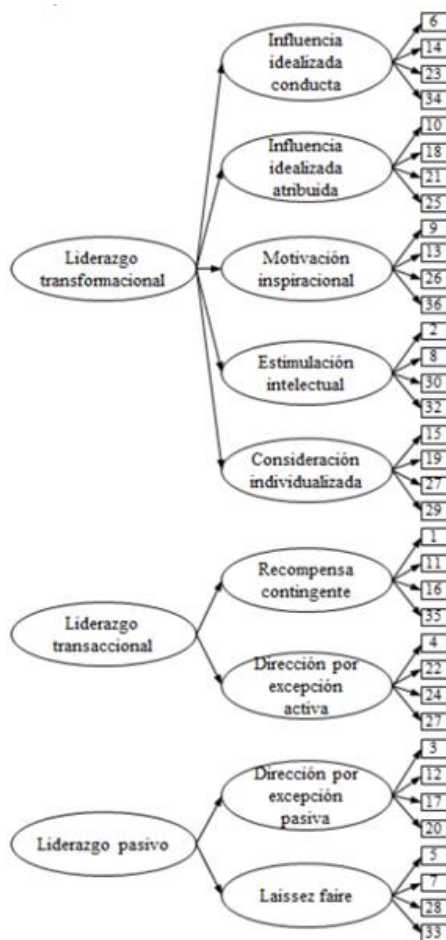


Figure 1. Factorial structure of the original 36-item version of the MLQ-5X.

Source: (19).

[Figure 1 image from original]

To analyze the leadership styles perceived by the administrative staff of large floricultural companies in the province of Pichincha belonging to Expoflores, 33 companies were contacted through calls, emails, and internal contacts, presenting the proposal and guaranteeing the confidentiality and anonymity of the responses. Finally, 26 companies agreed to participate, some with a reduced number of surveys due to the sensitivity of the information. The survey, with an approximate duration of 15 minutes, was prepared in Google Forms and included categorical variables (Annex A) and the MLQ Form 5X tool (Annex B), obtaining 187 responses from administrative collaborators from different areas and hierarchical levels.

The MLQ Form 5X made it possible to evaluate perceptions of three leadership styles—transformational, transactional, and laissez-faire—through 9 factors measured on a Likert scale from 0 to 4 (from “Never” to “Very frequently”). The data were organized digitally and classified by area and hierarchical level.

Data processing and analysis were carried out using SPSS (Statistical Package for the Social Sciences) software, recognized for its usefulness in social research (32). Descriptive analyses and measures of central tendency were applied to determine the predominant leadership, as well as Cronbach’s alpha coefficient to evaluate the

internal reliability of the scale (54). In addition, a one-way ANOVA and Tukey's post hoc tests were used to identify significant differences between areas and hierarchical levels, complemented by Pearson correlations to examine the relationships between leadership styles and organizational variables.

RESULTS

Predominant leadership styles in the floricultural sector

In Table 2, based on the responses of administrative subordinates, the frequencies of the categorical variables are identified.

Table 2. Data of the categorical variables.

BY WORK AREA

	f	%	% Cumulative
ICT and Processes	12	6.4	6.4
Commercial	28	15	21.4
Financial	14	7.5	28.9
Product research and development	14	7.5	36.4
Production	47	25.1	61.5
SISO	3	1.6	63.1
Supply chain	38	20.3	83.4
Human talent	31	16.6	100
Total	187	100	

BY DESIGNATION OF THE POSITION OF THEIR LEADER OR BOSS

	f	%	% Cumulative
Analyst	9	4.8	4.8
Coordinator	45	24.1	28.9
Director	14	7.5	36.4
Manager	37	19.8	56.2
Head	70	37.4	93.6
Deputy Manager	12	6.4	100
Total	187	100	

BY LEADER AGE RANGE

	f	%	% Cumulative
26-35	49	26.2	26.2
36-45	88	47.1	73.3
46-55	39	20.9	94.2
56-65	11	5.9	100

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Total	187	100	
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LEADER GENDER

	f	%	% Cumulative
Female	97	51.9	51.9
Male	90	48.1	100
Total	187	100	

The results show that the majority of respondents perform their functions in the production area (25.1%), followed by supply chain (20.3%), human talent (16.6%), commercial (15%), financial and R&D (7.5%), ICT (6.4%), and SISO (1.6%). Regarding the hierarchical position of the leaders, heads predominate (37.4%), followed by coordinators (24.1%), managers (19.8%), directors (7.5%), deputy managers (6.4%), and analysts (4.8%). Regarding the age range, the most representative group is 36 to 45 years (47.1%), followed by 26 to 35 years (26.2%), 46 to 55 years (20.9%), and 56 to 65 years (5.9%). Regarding gender, a slight female predominance is observed, with 51.9% women versus 48.1% men.

In synthesis, the floricultural sector of Pichincha presents a predominantly female leadership profile, with a predominant age between 36 and 45 years. Most leaders occupy head, coordination, or management positions, mainly in the areas of production, supply chain, human talent, and commercial, which reflects an organizational structure oriented toward operational and people management.

Table 3 presents the descriptive statistics of the nine factors that make up the leadership styles evaluated in the leaders of large floricultural companies associated with Expoflores, according to the perception of the administrative staff.

Table 3. Descriptive statistics of the 9 leadership factors.

Leadership style factors	Σ	Mean	SD	s^2	Sk	SE	K	SE
Idealized Influence Behavior (IIB)	564.750	3.020	0.885	0.784	-0.946	0.178	0.331	0.354
Idealized Influence Attributed (IIA)	573.250	3.066	0.872	0.761	-1.033	0.178	0.779	0.354
Inspirational Motivation (IM)	599.750	3.207	0.867	0.752	-1.270	0.178	1.108	0.354
Intellectual Stimulation (IS)	588.250	3.146	0.854	0.729	-1.213	0.178	1.005	0.354
Individualized Consideration (IC)	501.750	2.683	0.897	0.804	-0.602	0.178	0.084	0.354
Contingent Reward (CR)	550.500	2.944	0.767	0.588	-0.544	0.178	-0.473	0.354
Active Management by Exception (AME)	433.250	2.317	0.896	0.803	-0.429	0.178	0.072	0.354
Passive Management	253.250	1.354	0.909	0.827	0.797	0.178	0.221	0.354

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by Exception (PME)								
Laissez Faire (LF)	215.000	1.150	0.982	0.964	0.905	0.178	0.299	0.354
Valid N	187.000							

Note: SE=Standard Error, SD=Standard Deviation, Sk=Skewness, K=Kurtosis, Σ =sum, Mean, s^2 =Variance

Table 3 shows that transformational leadership is the predominant style in large floricultural companies, highlighting inspirational motivation (3.207) as the highest factor, followed by intellectual stimulation (3.146) and idealized influence, both behavioral (3.020) and attributed (3.066). These results indicate that leaders inspire, motivate, and promote creativity in their teams.

Transactional leadership is also present, with contingent reward (2.944) as its main component, which suggests that recognition of performance is valued, although it is not the dominant approach. In contrast, the lowest values correspond to laissez-faire (1.150) and passive management by exception (1.354), reflecting that the majority of leaders maintain active participation and do not avoid intervening in management.

The standard deviation ranges between 0.76 and 0.98, indicating moderate dispersion in the responses. The lowest variability is observed in contingent reward (0.767), which shows a uniform perception among respondents, while laissez-faire (0.982) presents the highest dispersion, evidencing more diverse opinions. In addition, the factors of transformational leadership exhibit negative skewness, concentrating responses at high values, while laissez-faire shows positive skewness, with responses mostly low on the Likert scale.

Figure 2 shows the results of Table 3 where it is observed that, within transformational leadership, individualized consideration presents the lowest value. In transactional leadership, active management by exception records a lower score than contingent reward, while the factors of laissez-faire leadership are the lowest compared to the other styles evaluated.

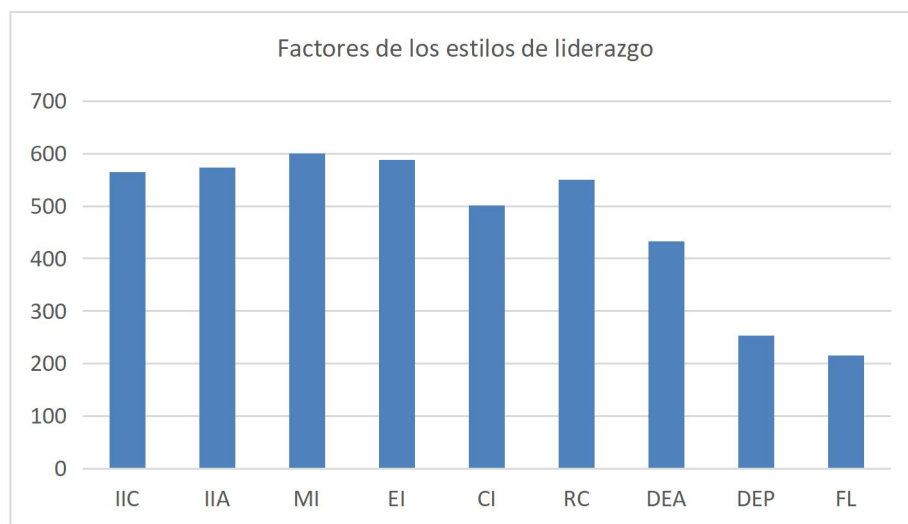


Figure 2. Factors of the leadership styles.

[Figure 2 image from original]

Table 4 presents the descriptive statistical analyses of the 3 leadership styles.

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Table 4. Predominant Leadership Styles.

	TF	TS	LP
Sum	565.550	491.875	234.125
Mean	3.024	2.630	1.252
Std. Deviation	0.791	0.649	0.861
Kurtosis	1.108	-0.326	0.824
Skewness	-1.162	-0.155	1.059
Variance	0.625	0.421	0.741

The results show that transformational leadership is the most predominant (3.024), evidencing leaders who inspire, motivate, and promote the development of personnel. It is followed by transactional leadership (2.630), associated with recognition and performance control, although with less impact. In contrast, laissez-faire leadership (1.252) is the least frequent, reflecting a low tendency toward non-intervention.

The lowest variability is presented in transactional leadership (SD: 0.649), indicating greater consensus among respondents, while laissez-faire shows the highest dispersion (SD: 0.861), which suggests more diverse perceptions. Figure 3 summarizes these results from Table 4, showing the distribution of the three leadership styles identified in large floricultural companies in the province of Pichincha.

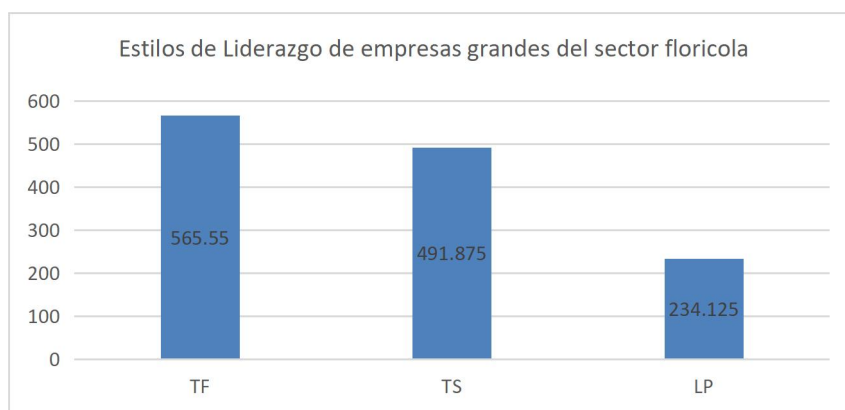


Figure 3. Transformational, transactional, and Laissez Faire Passive Leaderships.

Next, histograms on the leadership styles are presented.

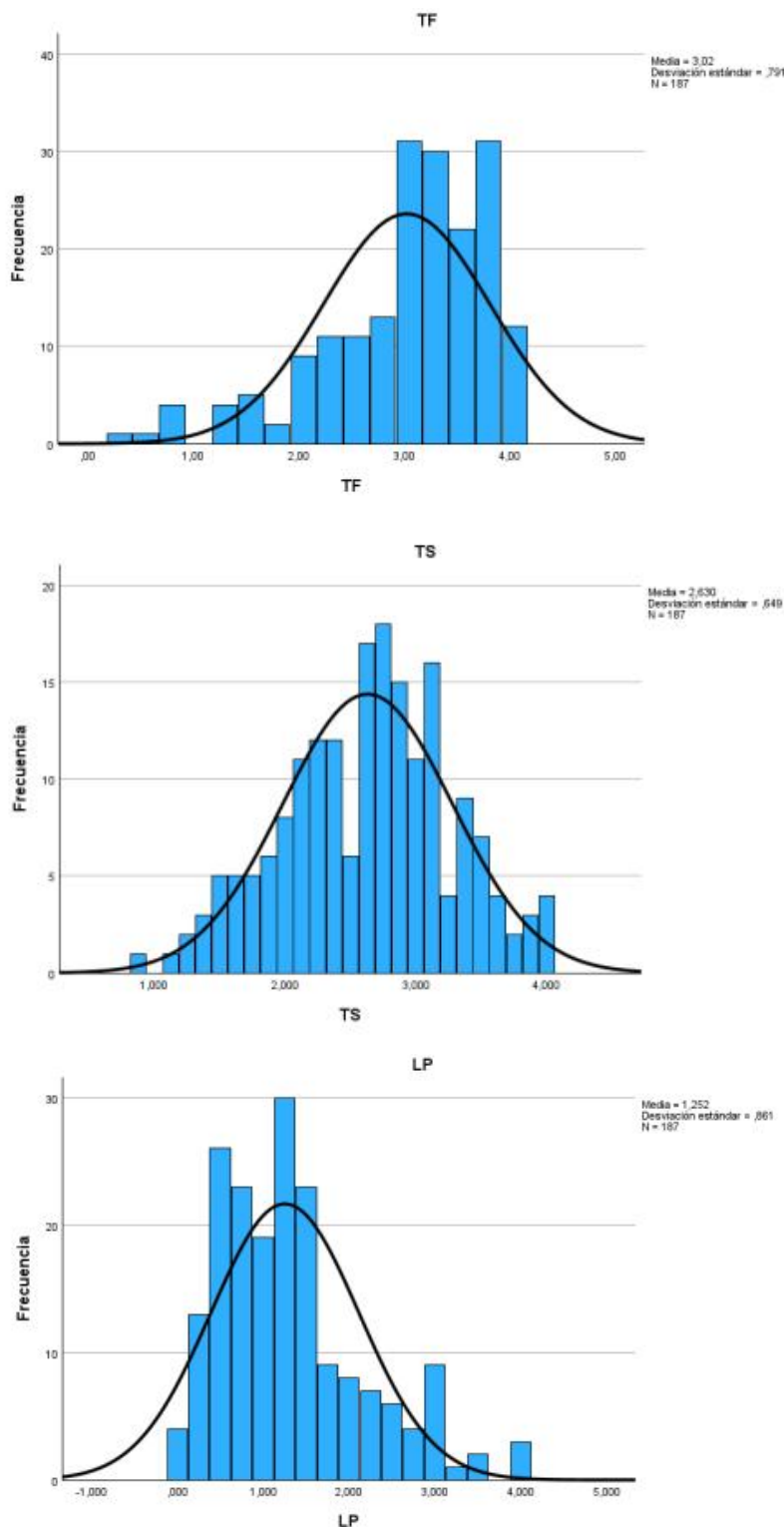


Figure 4. Histograms of the leadership styles identified in the floricultural sector of large companies in the province of Pichincha.

Figure 4 shows the histograms of the leadership styles in large floricultural companies in Pichincha. Negative skewness is observed in the transformational and transactional styles, which indicates that the majority of responses are concentrated at high values, while the positive skewness of laissez-faire confirms its low frequency. Altogether, the

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data evidence that transformational leadership is the predominant style in the floricultural sector of the province.

Regarding Table 5, a Cronbach's Alpha of 0.935 is presented, which evidences excellent internal consistency in the 45 questions of the MLQ Form 5X. This indicates that the items are highly correlated and measure the construct reliably, so it is not necessary to eliminate questions and it is possible to continue with the analysis by factors to evaluate the reliability of each leadership style.

Table 5. Cronbach's Alpha for the MLQ Form 5X questionnaire.

Cronbach's Alpha	Cronbach's Alpha based on standardized items	N of items
0.935	0.944	45

Analysis of the predominant leadership styles at the different hierarchical levels and functional areas, and identification of similarities or differences

Figure 5 shows that transformational leadership (TF) predominates at all hierarchical levels, especially among directors and managers. It is followed by transactional leadership (TS), with greater presence among deputy managers and coordinators, and lower among heads. Laissez-faire (LP) is the least frequent, although it appears at all levels, being more common among analysts and deputy managers, which reflects less intervention or greater delegation. In general, higher levels combine transformational and transactional styles, while laissez-faire is concentrated at the lower levels.

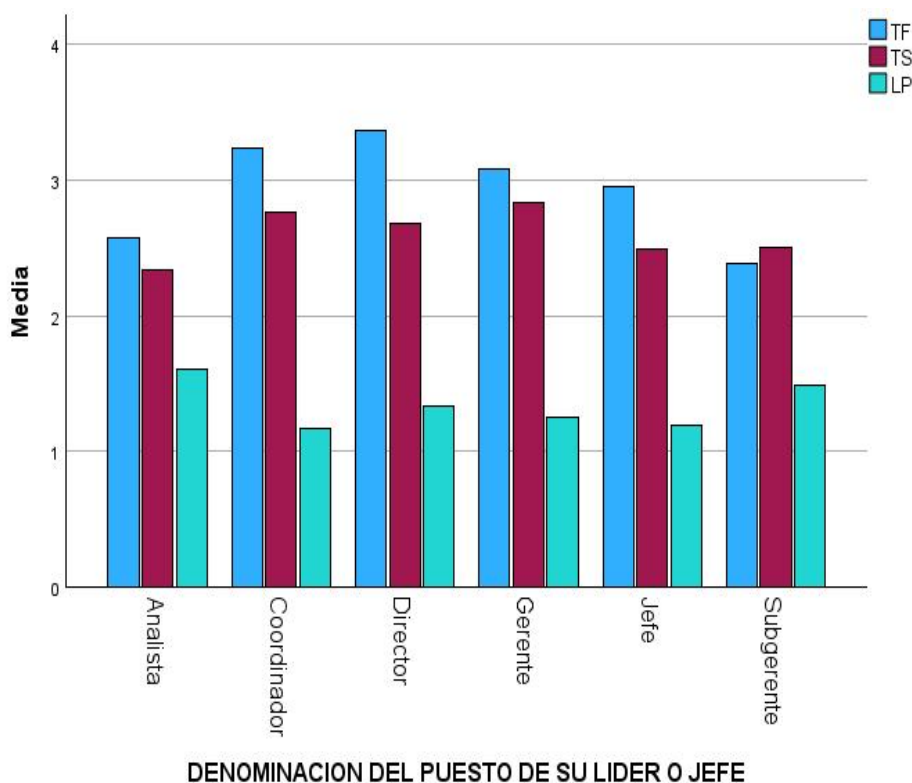


Figure 5. Leadership styles vs. designation of the leader's position.

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Table 6 presents the analysis of variance (ANOVA) that evaluates whether there are significant differences in the leadership styles (Transformational, Transactional, and Passive) among the six hierarchical levels. The hypotheses are posed:

H_0 : there are no significant differences among the hierarchical levels.

H_1 : there are significant differences among the hierarchical levels.

The decision criterion establishes that if $p < 0.05$ H_0 is rejected (there are significant differences), and if $p > 0.05$ H_0 is not rejected (there are no significant differences).

Table 6. ANOVA by hierarchical level.

ANOVA Table	Sum of squares	df	Mean square	F	Sig.
TF * POSITION DESIGNATION Between groups	10.74	5	2.148	3.683	0.003
Within groups	105.552	181	0.583		
Total	116.292	186			
TS * POSITION DESIGNATION Between groups	4.482	5	0.896	2.199	0.056
Within groups	73.763	181	0.408		
Total	78.245	186			
LP * POSITION DESIGNATION Between groups	2.704	5	0.541	0.724	0.606
Within groups	135.123	181	0.747		
Total	137.827	186			

Note: df= degrees of freedom, F=Fisher's test

The ANOVA in Table 6 shows significant differences in transformational leadership according to hierarchical level ($p = 0.003 < 0.05$), so H_0 is rejected. In contrast, the transactional ($p = 0.056$) and passive ($p = 0.606$) styles do not present significant differences ($p > 0.05$), indicating that the position does not influence these styles.

The Post Hoc (Tukey) test (Table 7) identifies three homogeneous subsets. The deputy manager level records the lowest mean (2.383), reflecting lower presence of transformational leadership. Analysts, heads, and managers show intermediate means, while coordinators (3.236) and directors (3.367) present the highest, evidencing a greater transformational tendency at higher levels. Altogether, the results confirm that transformational leadership varies according to hierarchical level, increasing in positions of greater responsibility.

Table 7. Post Hoc Analysis (Tukey) for transformational leadership.

Transformational Leadership - HSD Tukey ^{a, b}	N	Subset for alpha = 0.05 Group 1	Group 2	Group 3
Deputy Manager	12	2.383		
Analyst	9	2.578	2.578	

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Head	70	2.953	2.953	2.953
Manager	36	3.082	3.082	3.082
Coordinator	45		3.236	3.236
Director	15			3.367
Sig.		0.065	0.098	0.569

Note: N= Number of surveys

Figure 6 shows that transformational leadership (TF) presents the highest means in almost all areas, highlighting in SISO, ICT-Processes, Production, and Human Talent, which evidences greater influence and motivation of the leaders. Transactional leadership (TS) maintains intermediate values, with greater presence in ICT, Production, and SISO, reflecting an approach based on rewards. In contrast, laissez-faire (LP) records the lowest means, especially in Financial, Production, and Commercial, which suggests less intervention. Altogether, transformational leadership predominates, followed by transactional, while laissez-faire is the least frequent, indicating active management by the leaders.

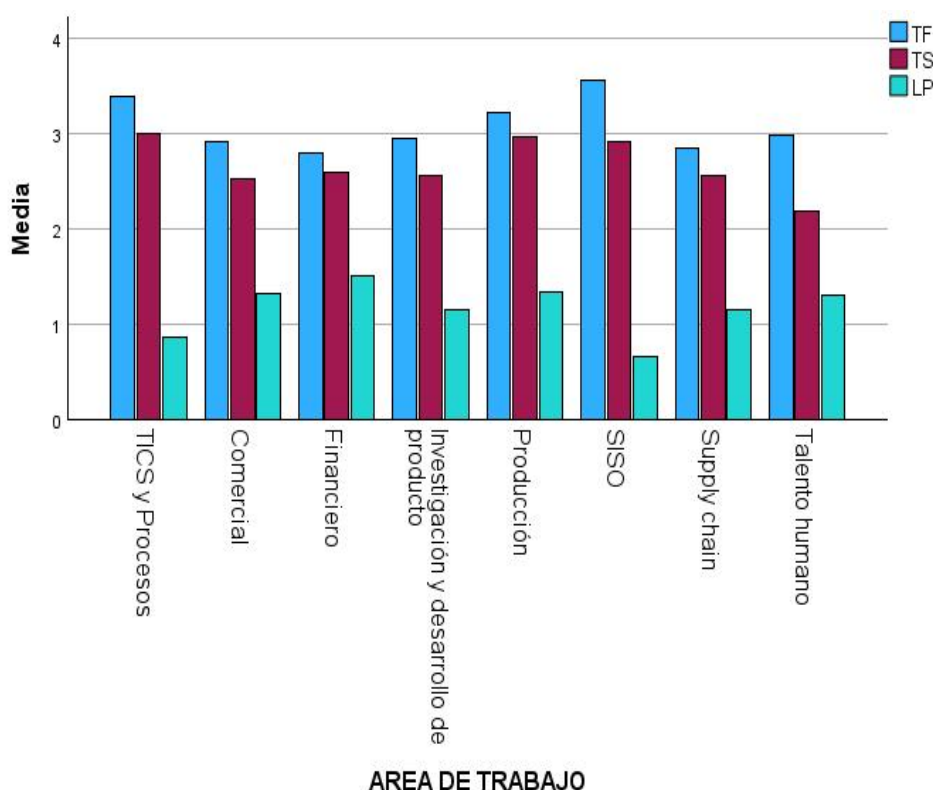


Figure 6. Work areas vs. leadership styles.

The ANOVA in Table 8 analyzes the differences in leadership styles according to the work area, posing the following hypotheses:

H_0 (Null hypothesis): There are no significant differences in the leadership style among the work areas.

H_1 (Alternative hypothesis): There are significant differences in the leadership style among the work areas.

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The results show that there are no significant differences in transformational leadership ($p = 0.164$) or in laissez-faire ($p = 0.461$), so H_0 is not rejected in these cases. In contrast, transactional leadership ($p < 0.001$) presents significant differences, which leads to rejecting H_0 and accepting H_1 , indicating that the way this style is applied varies according to the work area, while the other two styles remain stable among areas.

Table 8. ANOVA Leadership styles vs. work areas.

ANOVA Table	Sum of squares	df	Mean square	F	Sig.
TF * WORK AREA Between groups	6.515	7	0.931	1.518	0.164
Within groups	109.777	179	0.613		
Total	116.292	186			
TS * WORK AREA Between groups	13.934	7	1.991	5.54	<.001
Within groups	64.311	179	0.359		
Total	78.245	186			
LP * WORK AREA Between groups	4.994	7	0.713	0.961	0.461
Within groups	132.834	179	0.742		
Total	137.827	186			

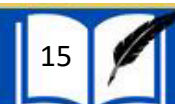
Given that transactional leadership presented a significance value $p < 0.05$, Tukey's Post Hoc test was applied (Table 9), which identified two homogeneous subsets, evidencing similarity within each group and differences between them.

The areas of human talent, commercial, supply chain, research and development, and financial obtained the lowest means (between 2.19 and 2.59), which reflects lower use of transactional leadership and less dependence on rewards or corrections. In contrast, the areas of SISO, production, and ICT recorded the highest means (between 2.917 and 3.00), indicating greater application of this leadership style, characterized by reinforcing performance through reward exchanges and clear expectations.

Table 9. Post Hoc Analysis vs. transactional leadership.

Transactional Leadership - HSD Tukey ^{a, b}	N	Subset for alpha = 0.05 1	2
Human Talent	31	2.190	
Commercial	28	2.518	2.518
Supply chain	38	2.553	2.553
Product research and development	14	2.563	2.563
Financial	14	2.598	2.598
SISO	3	2.917	2.917
Production	47		2.968

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ICT and Processes	12		3.000
Sig.		0.068	0.513

Figure 7 shows, through a bar chart, the leadership styles by areas and hierarchical levels in the floricultural sector. It is observed that transformational leadership (TF) is the most predominant, especially in R&D, Production, and in director, manager, and coordinator positions, reflecting an inspiring and strategic approach associated with greater motivation and staff performance.

Transactional leadership (TS) predominates at intermediate levels, mainly in production and supply chain, highlighting the use of incentives, control, and objective compliance. In finance, a balance between the TF and TS styles is appreciated, while laissez-faire (LP) is the least frequent, although more visible in production, commercial, and in positions such as analysts and deputy managers, which suggests greater delegation or less intervention. In general, the higher the hierarchy, the greater the tendency toward transformational leadership and the lower the presence of transactional leadership.

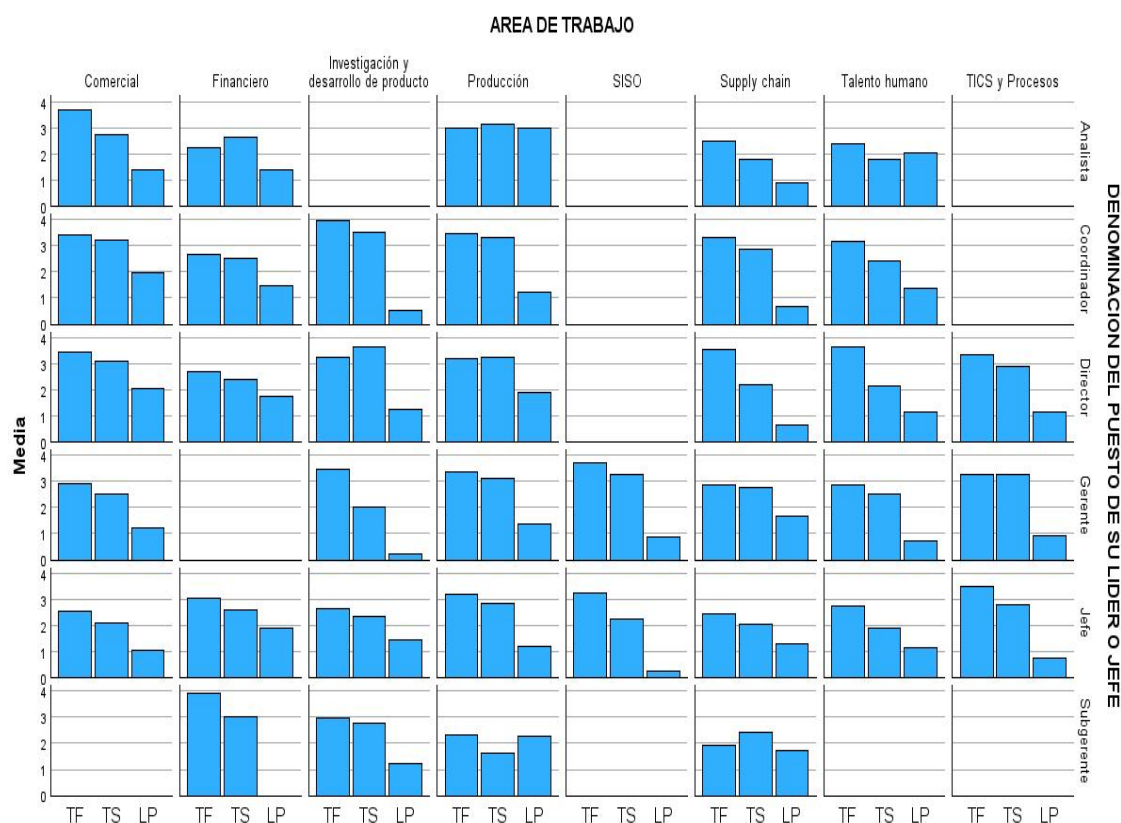


Figure 7. Predominant leadership styles by areas and by positions.

Identify areas for improvement that allow reinforcing the identified leadership styles

Table 10 evidences that transformational leadership (TF) maintains a strong positive correlation with extra effort (0.824), effectiveness (0.916)**, and job satisfaction (0.872), demonstrating its high impact on staff performance and motivation.

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Transactional leadership (TS) also presents moderate positive correlations with extra effort (0.495), effectiveness (0.549)***, and satisfaction (0.523), reflecting a favorable effect, although less pronounced. In contrast, laissez-faire (LP) shows negative correlations with transformational leadership (-0.406), extra effort (-0.356***), effectiveness (-0.450***), and satisfaction (-0.447***), indicating an adverse impact on performance and motivation. Altogether, the results confirm that transformational leadership is the most effective, while laissez-faire generates the most negative effects.

Table 10. Pearson correlations of the leadership styles and organizational variables.

		Correlaciones de Pearson					
		TF	TS	LP	Esfuerzo Extra	Eficacia	Satisfacción
TF	r	--					
	SS	116,292					
	Cov (X,Y)	0,625					
TS	r	,584**	--				
	Sig. (bilateral)	<,001					
	SS	55,701	78,245				
	Cov (X,Y)	0,299	0,421				
LP	r	-,406**	-0,011	--			
	Sig. (bilateral)	<,001	0,883				
	SS	-51,447	-1,127	137,827			
	Cov (X,Y)	-0,277	-0,006	0,741			
Esfuerzo Extra	r	,824**	,495**	-,356**	--		
	Sig. (bilateral)	<,001	<,001	<,001			
	SS	124,055	61,186	-58,373	194,932		
	Cov (X,Y)	0,667	0,329	-0,314	1,048		
Eficacia	r	,916**	,549**	-,450**	,851**	--	
	Sig. (bilateral)	<,001	<,001	<,001	<,001		
	SS	126,176	61,969	-67,527	151,674	163,112	

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	Cov (X,Y)	0,678	0,333	-0,363	0,815	0,877	
Satisfacción	r	,872**	,523**	-,447**	,856**	,902**	--
	Sig. (bilateral)	<,001	<,001	<,001	<,001	<,001	
	SS	129,376	63,64	-72,291	164,511	158,543	189,503
	Cov (X,Y)	0,696	0,342	-0,389	0,884	0,852	1,019

** The correlation is significant at the 0.01 level (2-tailed).

Note: R=Pearson correlation, SS=sum of squares, Cov(X,Y)=Covariance.

Figure 8 shows that the financial, commercial, and supply chain areas present lower values in the organizational variables, while SISO, production, and ICT record higher values. This indicates that the former could face greater challenges in extra effort, effectiveness, and job satisfaction, while the latter show better performance, possibly due to more efficient organizational structures.

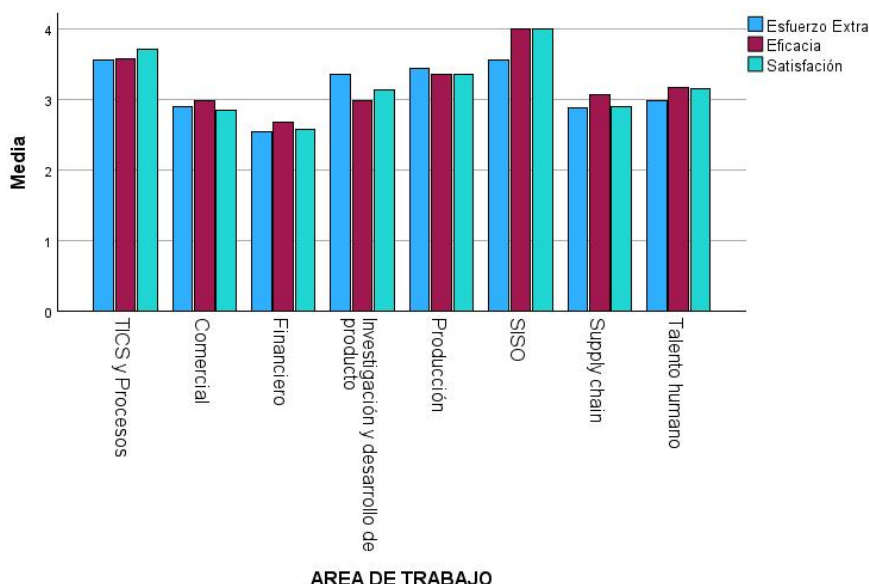


Figure 8. Organizational variables vs. work areas.

Table 11 shows that the factors of transformational leadership present strong correlations among themselves, evidencing coherence in this style. The relationships between Idealized Influence Attributed and Inspirational Motivation (0.790), Intellectual Stimulation and Individualized Consideration (0.754), and Idealized Influence Behavior and Intellectual Stimulation (0.804) stand out, which indicates that transformational leaders consistently apply behaviors of inspiration, stimulation, and personnel development.

The transactional factors show moderate correlations with the transformational ones, such as Contingent Reward and Inspirational Motivation (0.732) or Active Management by Exception and Intellectual Stimulation (0.180), which suggests that they also contribute to leadership, although with less impact.

In contrast, the laissez-faire and passive management by exception styles present negative correlations with the transformational factors, such as Laissez-Faire and Inspirational Motivation (-0.434) and Passive Management by Exception and Intellectual Stimulation (-0.328), reflecting their low effectiveness for motivating and developing employees.

Altogether, the results confirm that transformational leadership is the most effective, while the laissez-faire and passive styles are less favorable for organizational management.

Table 11. Pearson correlations of the 9 factors of the leadership styles.

Correlaciones de Person										
		IIC	IIA	MI	EI	CI	RC	DEA	DEP	LF
Influencia Idealizada (IIC)		--								
Influencia Idealizada Atribuida (IIA)	CP	,778**	--							
	Sig	<,001								
Motivación Inspiracional (MI)	CP	,829**	,790**	--						
	Sig	<,001	<,001							
Estimulación Intelectual (EI)	CP	,804**	,785**	,793**	--					
	Sig.	<,001	<,001	<,001						
Consideración Individualizada (CI)	CP	,703**	,747**	,730**	,754**	--				
	Sig	<,001	<,001	<,001	<,001					
Recompensa contingente (RC)	CP	,707**	,680**	,732**	,740**	,648**	--			
	Sig	<,001	<,001	<,001	<,001	<,001				
Dirección por excepción activa (DEA)	CP	,182*	0,138	0,115	,180*	,204**	,212**	--		
	Sig	0,013	0,059	0,116	0,013	0,005	0,004			
Dirección por excepción pasiva (DEP)	CP	-,296**	-,301**	-,356**	-,328**	-,166*	-,220**	,302**	--	
	Sig	<,001	<,001	<,001	<,001	0,023	0,002	<,001		

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Laissez Faire (LF)	CP	-,389**	-,408**	- ,434**	-,421**	-,237**	-,319**	0,139	,657**	-
	Sig.	<,001	<,001	<,001	<,001	0,001	<,001	0,057	<,001	

** The correlation is significant at the 0.01 level (2-tailed).

* The correlation is significant at the 0.05 level (2-tailed).

Figure 9 shows that the five factors of transformational leadership (TF) present the highest means compared to the transactional (TS) and laissez-faire (LP) styles, although differences that reflect areas for improvement are evidenced.

In transformational leadership, idealized influence of behavior is lower in finance and supply chain, which suggests reinforcing the exemplary role of the leader. Idealized influence attributed is lower in R&D, indicating the need to strengthen the perception of inspiring leadership. Inspirational motivation presents a low value in finance, evidencing lower capacity to motivate teams. Intellectual stimulation is low in commercial, which shows little fostering of creativity. Finally, individualized consideration has the lowest scores in commercial, supply chain, and financial, reflecting scarce attention to the individual needs of personnel.

In transactional leadership, contingent reward is low in human talent, signaling the lack of clear recognition systems, while active management by exception is low in all areas, especially in commercial, evidencing little intervention in the face of errors or low performance.

In laissez-faire leadership, both factors record relatively high values in finance, which suggests a lack of active supervision and possible deficit of control and direction. Altogether, the results confirm the predominance of transformational leadership, but also the need to strengthen individual attention, timely intervention, and control in certain areas.

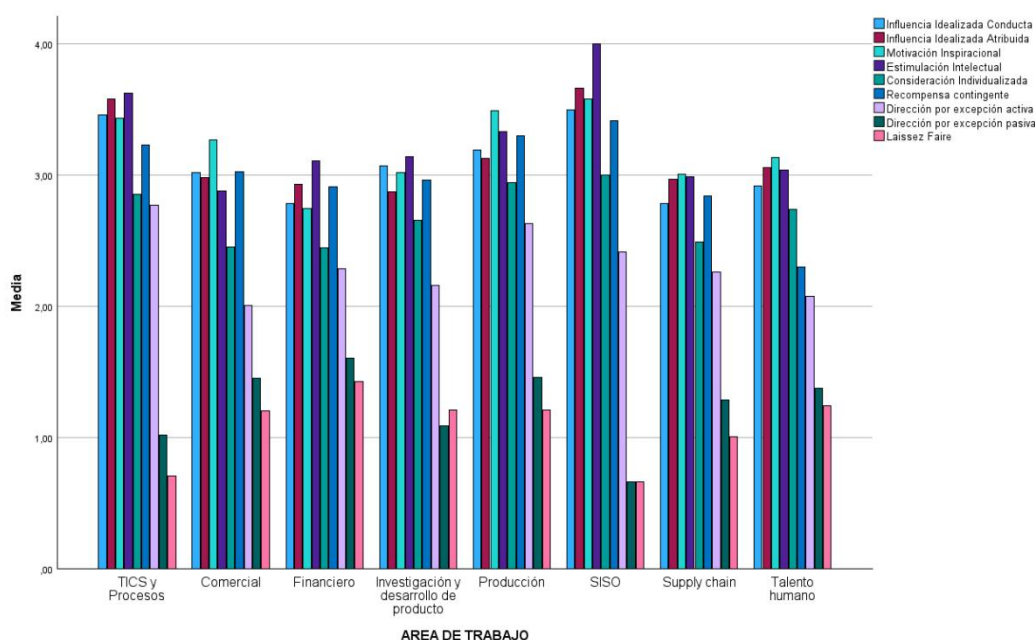


Figure 9. The 9 factors of the leadership styles vs. work area.

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DISCUSSION

The results of the study evidence that transformational leadership predominates in large floricultural companies associated with Expoflores, according to the perception of the administrative staff. This finding coincides with research that highlights the role of transformational leaders in the creation of positive and motivating work environments (16). In the companies analyzed, leaders show high levels of inspirational motivation (3.2072), intellectual stimulation (3.1457), behavioral idealized influence (3.020), and attributed idealized influence (3.066), key factors to foster innovation and talent development, as supported by (34).

Regarding hierarchical levels, transformational leadership predominates at all, especially among directors and managers (4), (17), (54), who affirm that high-ranking leaders tend to inspire and commit their teams. In contrast, transactional leadership is more frequent among heads and coordinators, which reflects an approach oriented toward rewards and task compliance (37), (39). Laissez-faire leadership, associated with low intervention, is observed more among analysts and deputy managers (42), who suggests that it can represent both empowering delegation and a lack of leadership.

Regarding functional areas, transformational leadership predominates in SISO, production, ICT-processes, and human talent, where innovation and motivation are essential (17). Transactional leadership manifests strongly in SISO, production, and ICT, reflecting greater control and focus on performance (Sosik & Godshalk, 2016). Laissez-faire, the least prevalent, confirms the preference for active leaders (39). Within the transactional approach, contingent reward (2.944) is the most relevant factor, although its impact is limited compared to transformational (19). The least common styles were passive management by exception (1.354) and laissez-faire (1.150), associated with lower organizational effectiveness (3).

The correlation analysis shows that transformational leadership presents the strongest relationships with extra effort (0.824), effectiveness (0.916), and job satisfaction (0.872), confirming its positive impact on commitment and productivity (21), (5). In contrast, transactional leadership has moderate effects (39), and laissez-faire is negatively associated with the organizational variables, evidencing its detrimental effect (42), (52).

Areas such as finance, commercial, and supply chain present lower levels of effort, effectiveness, and satisfaction, which suggests strengthening transformational leadership, while SISO and ICT stand out for their dynamism (29). The low idealized influence and inspirational motivation in finance and supply chain reflects the need for more inspiring leaders, while individualized consideration is low in almost all areas, especially in commercial and financial, indicating the need for greater attention to personal development (56).

Likewise, the low contingent reward in human talent evidences the need to improve incentive systems (26), (58). The limited active management by exception suggests little preventive intervention (2). Finally, the higher laissez-faire leadership in finance



could reflect control deficiencies (40), and may negatively affect organizational efficiency.

CONCLUSIONS

The results of the study evidence that transformational leadership is the predominant style in large companies in the floricultural sector of the province of Pichincha. This type of leadership is strongly associated with key variables such as extra effort, effectiveness, and job satisfaction, consolidating itself as the most effective in organizational management. Nevertheless, the presence of transactional leadership with positive impact, although to a lesser extent, was also identified, while laissez-faire leadership showed negative correlations, indicating possible adverse effects on the motivation and performance of personnel.

The analysis by hierarchical levels revealed that transformational leadership predominates among directors and managers, who tend to inspire and motivate their teams. In contrast, transactional leadership is observed mainly among heads and coordinators, who usually focus on supervision and task compliance. For its part, laissez-faire leadership is presented with greater frequency among analysts and deputy managers, reflecting lower intervention in decision-making and performance control.

The statistical correlations confirm that transformational leadership has the greatest positive impact on organizational effectiveness and employee satisfaction. Transactional leadership also influences favorably, but to a lesser proportion, as it focuses on rewards and clear structures. In contrast, laissez-faire leadership is associated with negative results, which suggests that a passive style can affect productivity and team cohesion.

Likewise, differences among functional areas were observed. The areas of finance, commercial, and supply chain showed the lowest levels of effectiveness, effort, and satisfaction, which evidences the need to strengthen transformational leadership in these departments. In contrast, other areas such as production, ICT, and SISO presented more favorable results, reflecting more active and collaborative leadership environments.

Individualized consideration obtained low scores in the majority of areas, which indicates that leaders must pay greater attention to the personal needs of their collaborators. In addition, active management by exception was also limited, which evidences little preventive intervention to solve problems. In the financial area, the notable presence of laissez-faire leadership signals the urgency of improving supervision and decision processes.

In conclusion, the floricultural companies of Expoflores can enhance their organizational performance through greater application of transformational leadership, complemented by effective transactional practices and avoiding passive styles, thereby strengthening commitment, motivation, and job satisfaction.

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DILACIONES EN EL PROCEDIMIENTO DE EJECUCIÓN COACTIVA EN EL BANCO DEL INSTITUTO ECUATORIANO DE SEGURIDAD SOCIAL

DELAYS IN THE ENFORCEMENT PROCEDURE AT THE ECUADORIAN SOCIAL SECURITY INSTITUTE BANK

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RESUMEN: El Banco del Instituto Ecuatoriano de Seguridad Social (BIESS), es el ente encargado de otorgar préstamos hipotecarios y quirografarios a personas naturales o jurídicas, bajo criterios de banca de inversión para la administración de fondos provisionales del IESS. No obstante, los procedimientos de recuperación de cartera vencida evidencian vulneraciones jurídicas a la eficiencia administrativa y a la credibilidad institucional. La aplicación del procedimiento de ejecución coactiva dentro del BIESS ha generado un conflicto en las interpretaciones normativas de las garantías del debido proceso, como, violaciones al principio de economía procesal, celeridad y seguridad jurídica lo que ha dificultado una efectiva recuperación de obligaciones a favor del banco. En este contexto, la investigación tuvo como objetivo analizar las dilaciones en el procedimiento de ejecución coactiva en el Banco del Instituto Ecuatoriano de Seguridad Social durante el año 2024, para identificar las causas del conflicto normativo ante la falta de aplicación del debido proceso y seguridad jurídica. Para ello, se aplicó un enfoque cualitativo, con alcance explicativo y de tipo documental bibliográfica, donde el análisis doctrinal y jurisprudencial fue complementado con la opinión de expertos a través de una encuesta. Los resultados evidencian que, si bien en los últimos meses del año 2024 hubo avances notorios con la aplicación de nuevos mecanismos para el cobro y gestión procesal, aún persisten falencias en el cumplimiento legal para una pronta recuperación de obligaciones, lo que detona un retraso en la naturaleza jurídica del procedimiento de ejecución coactiva. En conclusión, el BIESS presenta deficiencias estructurales que impiden garantizar la protección colectiva del Estado para alcanzar una eficiente recuperación de cartera vencida, afectando la posibilidad de que los afiliados cumplan el pago de su deuda, para mantener un sistema basado en el bienestar legal.

Palabras clave: Coactiva, celeridad, debido proceso, economía procesal, seguridad jurídica

ABSTRACT: The Bank of the Ecuadorian Social Security Institute (BIESS) is the entity responsible for granting mortgage and unsecured loans to individuals and legal entities, under investment banking criteria for the administration of provisional funds of the IESS. However, the procedures for recovering past-due loans reveal legal violations of administrative efficiency and institutional credibility. The application of the enforcement procedure within the BIESS has generated a conflict in the regulatory interpretations of due process guarantees, such as violations of the principle of procedural economy, speed, and legal certainty, which has hindered the effective recovery of obligations in favor of the bank. In this context, the objective of the research was to analyze the delays in the coercive enforcement procedure at the Bank

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of the Ecuadorian Social Security Institute during 2024, in order to identify the causes of the regulatory conflict in the absence of due process and legal certainty. To this end, a qualitative approach was applied, with an explanatory and bibliographic documentary scope, where doctrinal and jurisprudential analysis was complemented by expert opinion through a survey. The results show that, although there was notable progress in the last months of 2024 with the application of new mechanisms for collection and procedural management, there are still shortcomings in legal compliance for the prompt recovery of obligations, which triggers a delay in the legal nature of the enforcement proceedings. In conclusion, BIESS has structural deficiencies that prevent it from guaranteeing the collective protection of the State to achieve efficient recovery of past-due portfolios, affecting the ability of members to pay their debts in order to maintain a system based on legal welfare.

Keywords: Enforcement, speed, due process, procedural economy, legal certainty.

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INTRODUCTION

The coercive enforcement procedure is a set of actions carried out by administrative entities to collect tax and administrative debts repressively (1). Its existence arises from the general interest of the public administration in generating a special legal status where rights can be created, granted, or declared and obligations imposed on the administered party, as well as establishing the coercive power to execute by its own means what has been ordered, so as not to lose the objective of the Public Administration of guaranteeing the rights of citizens through general welfare (2).

From the Ecuadorian scenario, in 1953 with the repealed Code of Civil Procedure, coercive jurisdiction was granted for any concept owed to the treasury or to Public Law institutions. With this new legal framework, the step of legal dynamism was allowed, admitting coercive enforcement in all public institutions. The greatest achievement with the coercive enforcement procedure is with the issuance of the Organic Administrative Code in 2017, because it establishes a single unified type of procedure for all institutions that form the Public Administration (3).

At the national level, any judicial or administrative procedure must respond to constitutional guarantees providing protection to the administered parties and better administrative management that reflects true advances in portfolio recovery, with this abbreviated procedure (4). Although Ecuador has modernized with coercive enforcement, there are still challenges that must be overcome or improved within the regulations. For example, those related to the inadequate application of constitutional guarantees, such as due process, speed, legal certainty, procedural economy, and efficiency would not allow "combating slowness, complexity, and above all the unnecessary use of state resources within the processes" (5).

Generating unnecessary delays in this process, becoming a clumsy and slow procedure that prevents achieving a true collection of obligations, causing slowness and jurisdictional wear in coercive enforcement procedures. In the present research, the Delays in the coercive enforcement procedure will be analyzed, to identify the conflict

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of slowness in the BIESS, through the guarantee model, to allow viable futures within the recovery of portfolio and obligations in coercive procedures, to evaluate the main legal and practical challenges that the Ecuadorian system faces to ensure effective judicial control over administrative discretion.

The BIESS coercive enforcement direction through its regulation has the objective of “regulating the exercise of the power of coercive enforcement, for an effective recovery of the past-due portfolio or obligations that for any concept are owed in favor of the Bank” (6); however, since its issuance there have been violations of due process guarantees, essentially disrespecting the principle of procedural economy and legal certainty, dilating judicial actions resulting in a precarious and slow procedure.

The public administration, through its collecting employee during the procedure of analyzing the granting of payment facilities, must adapt the formal and material rule to the rights of the borrowers and to their dignity through the principle of procedural economy and legal certainty, to obtain more optimal results in the shortest possible time, otherwise, in the future, the coercive processes and their guarantees will be more arbitrary, allowing an abuse of power and a violation of compliance with the regulations, by not giving “faithful application of the Constitution, international human rights instruments, international instruments ratified by the State and the laws and other legal norms” (7).

The Constitution of the Republic of Ecuador, in its article 82, states that legal certainty is based on respect for the Constitution and previous, clear, and public legal norms, something that in the practice of coercive enforcement carried out by the BIESS is not fulfilled, because the COA establishes in a general manner, without greater specification how the coercive enforcement procedure should be applied, while its complementary rule the Regulation for the exercise of the power of coercive enforcement of the BIESS also does not detail the terms or the phases in which the coercive enforcement will be executed, it only makes minimal modifications to the COA, making the coerced parties not have in a clear and previous manner the rules to follow within the coercive enforcement (8).

The fact that the true requirements are not clearly and specifically reflected within the legal system generates distrust in the coerced parties within the coercive enforcement, implying that the principle of legal certainty is violated because certainty is lost and uncertainty increases, generating in the coerced parties a lack of defense and a delay in the development of the coercive enforcement procedure until completing the requirements within the payment facilities. There is legal certainty when the norm is public, possesses durability, and is not retroactive (9).

The Law for the Optimization and Efficiency of Administrative Procedures (10), in its article 3 numeral 8 states that: “in the management of administrative procedures, the entities regulated by this Law may only require compliance with the requirements that are established in a previous, clear, and public legal norm” to avoid delays within the procedures and providing security to the coerced parties that their rights will be respected and in case of an error on the part of the public administration they will benefit.

However, the BIESS by not respecting what is stated in the regulations and applying its own requirements produces that the only beneficiary is them, by allowing the debts to continue growing and their form of payment to continue dilating to the point of creating unpayable obligations in the time proposed by the institution even if they accessed payment facilities, demonstrating that their errors benefit the public administration and harm the debtor, violating the principle of legal certainty, quality, and efficiency within the coercive procedure.

The BIESS being one of the most important public banks regarding real estate must not only guarantee measurable needs, but attend to expectations that arise from concern; for this its executivity must be based on two principles: legitimacy and good faith adding legal certainty and legitimate trust so that debtors have the certainty that the terms and their due process will be respected, where the coercive procedure does not continue violating their rights (11).

MATERIALS AND METHODS

The development of the research is based on the analysis through a legal and doctrinal study of the delays in the coercive enforcement procedure at the Bank of the Ecuadorian Social Security Institute BIESS during the year 2024, to identify the conflict in the regulatory interpretation, such as violations of the principle of procedural economy, speed, legal certainty, and due process.

Type of research and approach

The study is classified as documentary and bibliographic, with an analytical design of qualitative type that analyzes the characteristics of the doctrine of delays in the coercive enforcement procedure and its application in the BIESS, through the study of concepts, theories, and norms, which will give greater depth in the study of data and contextualization of the problem to determine the wear of a special procedure that is characterized by being agile through the principle of effective judicial protection, the same that currently has worn down the state apparatus, converting it into a clumsy and slow procedure that prevents achieving a true collection of obligations, causing slowness and jurisdictional deterioration in coercive enforcement procedures, violating principles of speed, legal certainty, efficiency, and due process, going against the constitutional guarantee model.

Population and sample

The population involved covered collecting employers, external lawyers of the BIESS, and coerced parties; the sample was obtained through non-probabilistic sampling at the discretion of the researchers and fifteen involved were selected for each study group to whom a questionnaire of six closed questions was applied. With this, sufficient information was collected to be able to contrast criteria and evidence the main regulatory and administrative shortcomings in the coercive enforcement procedure within the BIESS.

Techniques and instruments

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For the collection of information, the survey technique was applied, directed at the three previously selected groups. The instrument consisted of a questionnaire composed of six closed questions, the same that were directed at identifying the appreciations and experiences of the population involved regarding the legal violations of the coercive enforcement procedure within the BIESS. Likewise, the documentary review technique was used through the review of documentary sources of doctrinal and regulatory type, with the objective of contrasting the empirical information with the legal perspective of the coercive process. The results obtained were systematized and analyzed through a qualitative descriptive approach that allowed interpreting the causes of the deficiencies detected in the development of the coercive procedure.

Procedure and data analysis

The development was carried out in different methodological stages that guaranteed the relationship of the information obtained. First, the development of review and selection of doctrinal and regulatory sources related to the coercive enforcement procedure within the BIESS was proceeded with, with the objective of establishing the theoretical and legal framework of reference. Next, the questionnaire was applied to the previously selected population: collecting employers, external lawyers, and coerced parties. The survey was employed in a virtual and physical manner allowing expanding the scope of information collection and facilitating the participation of the population.

The information obtained was ordered, classified, and systematized according to the previously defined study variables, allowing identifying coincidences, discrepancies, and similar patterns in the responses. For data analysis, the descriptive and interpretive method was employed where the perceptions of the participants could be examined and contrasted with current doctrine and regulations. Likewise, the statistical software R was used as a support instrument for the collection, organization, and tabulation of the results obtained. With this process, the main causes of the delays in the coercive enforcement procedure could be determined and the compliance with the principles of due process, legal certainty, speed, and procedural economy within the BIESS could be evaluated.

Limitations of the study

The unit of analysis of the research focused on the doctrines and regulations of due process and legal certainty applied to the coercive enforcement procedure within the BIESS. However, during the development of the study certain limitations were presented that affected the results. First, by working only with three specific groups, the sample was reduced restricting the possibility of expanding the findings to the entire population related to the coercive enforcement procedure. Likewise, access to information was limited due to the reservation of institutional data of the BIESS, which hindered the analysis of the legal and doctrinal delays.

From the legal point of view, the lack of uniformity in the application of the principle of due process within the BIESS was evidenced, because each administrative procedure requires compliance with a formal and mandatory procedure; for which each institution must establish clear, viable, balanced, and fair rules that the debtor

understands and can comply with, because due process is a fundamental right that the State has the obligation to protect and guarantee its enjoyment for all persons (12). In that sense, the public administration must act under criteria of certainty and predictability guaranteeing legal certainty within the procedure as established by article 82 of the Constitution of the Republic of Ecuador (13), in accordance with article 22 of the COA, thus eliminating arbitrariness in this type of procedures. These doctrinal and legal limitations reflect the need to strengthen the public administration to ensure the effectiveness of rights and institutional efficiency.

RESULTS

After an exhaustive doctrinal, regulatory, and jurisprudential inquiry to contrast the information obtained in the development, the opinion of experts is available to know their points of view on the subject of the research, for which a survey was applied to collecting employees, junior analysts, external lawyers, and coerced parties of the BIESS. The results of the survey are presented below.

Question 1. Does the coercive enforcement procedure respect the principle of due process and legal certainty?

Table 1. Question 1.

Constitutional guarantees in coercive enforcement	Frequency	%
Yes	4	26.7%
No	11	73.3%
TOTAL	15	100%

Data analysis: This question was to know the opinion of the respondents regarding whether the coercive enforcement procedure respects the principle of due process and legal certainty. As can be seen in the inserted table and graph, the majority of experts considered that constitutional guarantees are not respected, because the BIESS dilates the process regarding due process with late notifications, verifying the application of unreasonable deadlines in the different stages of the coercive enforcement and legal certainty is violated by reason of the sudden changes in the regulations in its internal application regulation in the request for payment facilities in the requirements and approval times resulting in a lack of transparency in the information. The other experts considered that the principle of due process and legal certainty are respected within the coercive enforcement procedure, although they mentioned that to avoid delays the BIESS must improve its structure and communication with external lawyers for an agile and prompt application of this procedure.

Question 2. Should the principle of efficiency in the coercive enforcement procedure of the BIESS be limited by the transparency of the public administration?

Table 2. Question 2.

Principle of efficiency in public administration	Frequency	%
Yes	12	80%
No	3	20%
TOTAL	15	100%

Data analysis: In this question the majority of experts considered that the principle of efficiency should be limited by the transparency of the public administration in the coercive enforcement of the BIESS to avoid unnecessary delays, because if it is sought that this special procedure be rapid and there be optimization of resources, publicity, clarity must be respected and accountability of administrative acts must be carried out to grant a guarantee in the rights of the coerced parties to avoid unjustified wear on the state apparatus. The other respondents expressed that the principle of efficiency should not be limited to the transparency of the public administration, because their objectives are different and combining them would affect the coercive enforcement procedure of the BIESS with the implementation of more bureaucracy that would affect the coerced parties with an increase in their interests in their total debt payment obligation.

Question 3. Should the principle of legality in the coercive enforcement procedure applied by the BIESS be limited by criteria of administrative reasonableness?

Table 3. Question 3.

Application of the principle of legality	Frequency	%
Yes	8	53.3%
No	7	46.7%
TOTAL	15	100%

Data analysis: The surveyed experts, in their majority, considered that currently the application of the coercive enforcement procedure in the BIESS violates the principle of legality, by not following its procedure as the Organic Administrative Code (14) establishes and applying only a regulation that external lawyers and debtors do not know. Therefore this principle must be limited by the criteria of administrative reasonableness to have logical, proportional, and adequate decisions in an effective portfolio recovery, otherwise a procedure that is far from being rapid will continue to be applied, which at this moment maintains excessive rigidity with unjust results for the public administration and its debtors.

Question 4. Doctrine establishes that the coercive enforcement procedure has the power of coercion to achieve effective recovery of the obligations of the coerced parties, the same that is not unrestricted, because it is limited by the Constitution in its article 426, which establishes that administrative authorities and public servants are subject to the Constitution, as well as respecting fundamental rights such as effective protection and principles of equality, proportionality, or reasonableness. Do you consider that this doctrine is applied to the coercive enforcement procedures that the BIESS executes?

Table 4. Question 4.

Doctrine of coercive enforcement procedure	Frequency	%
Yes	1	6.7%
No	14	93.3%
TOTAL	15	100%

Data analysis: Faced with this question the majority of respondents considered that this doctrine is not applied within the coercive enforcement procedure in the BIESS, because in reality there are coerced parties who have been trying for years to cancel the totality of their debt so as not to lose their mortgaged real estate, however the public administration does not speed up the application of this procedure as established by the Organic Administrative Code and its regulation which although they seek to clearly determine the procedure to follow for the recovery of the obligations that the insured maintain, they violate the principle of equality, proportionality, or reasonableness because some processes are handled in a strict and inflexible manner; while other processes even being in the preliminary phase are granted greater flexibility and ease in the payment of their debt affecting confidence with the administration, a position that several external lawyers share. The other respondents considered that yes this doctrine is applied, because the BIESS respects what is stated in the Constitution and the Organic Administrative Code, where the problem in the coercive enforcement procedure comes from the obligated parties who want to circumvent the system and wait for the coercive enforcement to prescribe.

Question 5. Judgment No. 105-10-JP/21 of the Constitutional Court (15), establishes “As a general rule, the attachment or retention of retirement pensions does not proceed in a coercive process by express prohibition of article 371 of the Constitution of the Republic”, that is, the retention of bank accounts that come from alimony, remuneration, and retirement pensions of citizens who are in a coercive enforcement procedure is prohibited. Did you know this decision?

Table 5. Question 5.

Judgment No. 105-10-JP/21	Frequency	%
Yes	9	60%
No	6	40%
TOTAL	15	100%

Data analysis: The majority of the consulted experts considered knowing this judgment because within the tripartite relationship that the BIESS manages, the external lawyers in addition to achieving an effective portfolio recovery respect the judgments of the Constitutional Court because, although the coercive enforcement procedure is handled by coercive force, constitutional rights are respected in vulnerable persons where their right to a dignified life can be affected. Unlike this, the other respondents considered that they did not know Judgment No. 105-10-JP/21, but that within their process these restrictions on precautionary measures were applied being the only respect for the law that the BIESS carries out within the coercive enforcement procedure.

Question 6. Coercive enforcement has as its objective, the agile, efficient, and legal recovery of past-due obligations in favor of the State applying the principles of speed and procedural economy expecting efficient results in the shortest possible time. Do you consider that the BIESS effectively applies this concept in the coercive enforcement procedure?

Table 6. Question 6.

Objective of coercive enforcement	Frequency	%
Yes	5	33.3%
No	10	66.7%
TOTAL	15	100%

Data analysis: The majority of the consulted experts considered that the BIESS does not make a legitimate exercise in the application of the coercive enforcement procedure by not existing standard information in the handling of information, by violating the principle of legal certainty and not establishing a clear procedure as established by the Law for the Optimization and Efficiency of Administrative Procedures; in addition in practice there are difficulties in the efficiency of the process due to excessive delays, complex and unnecessary bureaucratic procedures, and lack of internal coordination, which generates a delay and excessive expenditure of public resources violating the principle of speed and procedural economy. Unlike this, the other respondents considered that the BIESS does legitimately exercise the principles of speed and procedural economy, because periodically reviews and advances of the different procedures are made which allows satisfactory results and a correct application of legal procedures that allows helping citizens in the payment of their debts.

DISCUSSION

The analysis of the results allows identifying significant deficiencies in the coercive enforcement procedure of the BIESS, particularly in the effective application of the principles of due process, legal certainty, speed, procedural economy, and efficiency. These delays derive from regulatory gaps, absence of regulatory uniformity, and internal administrative deficiencies the same that generate an impact on the rights of the obligated parties and on institutional efficiency.

Constitutional guarantees of due process and legal certainty

Every administrative authority must guarantee compliance with the norms within administrative procedures as established by article 76 numeral 1 of the Constitution of the Republic of Ecuador regarding the principle of due process. Within the coercive enforcement procedure of the BIESS the application of this principle has as its objective guaranteeing legality and legal certainty “by imposing on the administration the unrestricted respect of the current legal and regulatory norms. This ensures that administrative decisions are based on the law and not on discretion” (16).

In this way, the public administration will strengthen institutional quality and the confidence of its citizens with the promotion of impartiality and consistency in the

actions of public servants (17). From the results obtained, it is deduced that administrative omissions remain in fundamental stages of the coercive enforcement procedure, which affects the efficiency of the process and the guarantee of the rights of the affiliates, which could trigger procedural nullity or delay the compliance of an effective portfolio recovery, among the most common delays is the lack of timely notification, deficiency in the motivation of the rulings, and the suppression in the valuation of writings and evidence presented by the debtors evidences the lack of protection of the rights of the obligated parties reflecting a deficiency of the public administration, delaying the effective portfolio recovery putting at risk the legitimacy of the process and the confidence of the administration.

Likewise, the principle of legal certainty is based on respect for the Constitution and that the norms be previous, clear, public and whose application be by competent authorities as established by article 82 of the Constitution of the Republic; the Constitutional Court in its judgment No. 0035-09-SEP-CC establishes that this principle allows the development in the personality of citizens in the exercise of their rights without fears, uncertainties, or risks creating an environment of predictability, braking arbitrariness and the affectation of the legal order provoked by the State or the entities that form the public sector such as the BIESS the same that within its coercive enforcement procedure violates.

Essentially this principle is compromised due to the regulatory dispersion that occurred with the application of the Code of Civil Procedure until 2016 and later the employment of the Organic Administrative Code in force from 2017, making an organic transition impossible; due to this regulatory fragmentation and current application of new non-positivized procedures has generated uncertainty within the coerced parties and other consulted experts, resulting in an action based on the discretion of the collecting employees in the coercive enforcement of the BIESS making its procedure lose the quality and efficiency that is sought within the public administration.

Violation of the principle of speed and procedural economy

The principles of speed and procedural economy seek to obtain efficient and adequate results in little viable time, saving all kinds of costs and efforts especially in coercive enforcement procedures, whose delay comes to be unnecessary on occasions (18). In that sense the principle of speed is a mandate of optimization “that imposes on the administration its impulse of office by the head of the administrative unit in charge, which is who must support just measures to avoid delays and extravagances in the methods” (19).

For its part, the principle of procedural economy has as its objective optimizing the available resources in judicial processes and administrative procedures both human and material (20). That is, with this principle it is sought to avoid unnecessary procedures, excessive formalities that do not contribute real value in administrative procedures, achieving efficiency in the public administration guaranteeing respect for the rights of its citizens.

These principles colligate within the coercive enforcement procedure of the BIESS because they are the cornerstone to achieve an effective portfolio recovery in an agile



manner, without unnecessary procedures and unjustified delays; however, the findings reflect that the delay in the issuance of credit titles, delay in notifications, and an excessively formalistic processing have failed to comply with the objectives of the principles of speed and procedural economy affecting the optimization of public resources.

To ensure compliance with the objective of the coercive enforcement procedure of the BIESS of achieving an effective recovery of obligations that are owed in favor of the bank. Constitutional guarantees must not be sacrificed, because by complying with the deadlines and requirements that the law establishes a value of good public administration is given, avoiding institutional inefficiencies and above all an economic wear for the BIESS and its coerced parties. Currently a commitment is required on the part of the actors involved in the judicial and administrative apparatus, fostering a culture of efficiency and rationality in the use of resources within administrative procedures to improve their execution.

Impact of the delays in the coercive enforcement procedure

There is a tension between efficiency in portfolio recovery and respect for the fundamental rights of the administered parties, the lack of speed and scarce foundation in the actions have overshadowed the transparency of the procedure compromising confidence in the BIESS. This demonstrates the need to strengthen its internal regulations to guarantee efficiency without compromising due process and legal certainty.

The delays have generated serious consequences for the public administration preventing there from being necessary income for the institutional operation of the BIESS to continue with mortgage or unsecured loans, because the slowness in the coercive enforcement procedure has generated distrust among users and increasing the administrative load, duplicating the efforts to recover the values of the overdue credit in favor of the public institution of the BIESS.

In conclusion, the coercive enforcement procedure of the BIESS presents administrative shortcomings that compromise the effective portfolio recovery and the protection of the fundamental rights of the coerced parties, to overcome these delays a clear and public regulation will be required that respects the requirements provided for this class of special procedures, as established by the Law for the Optimization and Efficiency of Administrative Procedures, in addition to there existing an institutional commitment that prioritizes efficiency and administrative transparency guaranteeing respect for due process and legal certainty.

CONCLUSIONS

The coercive enforcement procedure in the BIESS evidences that, despite the regulatory and regulatory evolution, shortcomings subsist that generate a wear on the institutional apparatus, weakening the public administration and affecting confidence in the citizenry. The legal gaps, the regulatory dispersion, and the lack of uniformity of application of the procedure have provoked unnecessary delays that contradict the constitutional guarantees of due process and legal certainty. Consequently, the regulations must be strengthened and internal processes improved as indicated by the

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Law for the Optimization and Efficiency of Administrative Procedures, where public entities may only require compliance with requirements that appear in a previous, clear, and public legal norm; to improve internal processes and guarantee a balance between administrative efficiency and respect for the constitutional rights of the coerced parties and the legal nature of the coercive enforcement procedure revives and can be agile, avoiding continuing to distort the legitimacy of public management.

The delays in the coercive enforcement procedure of the BIESS are not only due to regulatory failures, but also to the inconsistency of application in practice. The Constitution of the Republic of Ecuador and the Organic Administrative Code establish principles such as speed and procedural economy; where, the lack of internal coordination and the discretion of its public servants provoke unjustified delays, irrelevant bureaucratic procedures, and unnecessary expenditure of resources. Although the BIESS has issued an internal regulation to speed up this procedure in its different stages it does not clearly detail the requirements for payment facilities, generating uncertainty and lack of defense for its obligated parties.

The present study reflects that the BIESS applies an incorrect form to collect the pending obligations of the coerced parties, by violating constitutional guarantees, that every public administration faces when balancing efficiency and quality in its processes; making the coercive enforcement procedures slow and complicated reflects the omission in creating an environment of defense and confidence generating an institutional wear maintaining an inconsistent process where some cases are handled in a strict manner and others with greater flexibility that affects the equality and reasonableness of the public administration; because these administrative errors do not benefit any party and only delay the objective of achieving an effective portfolio recovery.

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INTELIGENCIA ARTIFICIAL Y DESARROLLO SOCIOEMOCIONAL EN ADOLESCENTES: DESAFÍOS, RIESGOS Y TRANSFORMACIONES EMERGENTES EN LA ERA DIGITAL

ARTIFICIAL INTELLIGENCE AND SOCIO-EMOTIONAL DEVELOPMENT IN ADOLESCENTS: CHALLENGES, RISKS, AND EMERGING CHANGES IN THE DIGITAL AGE

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RESUMEN: La integración creciente de sistemas de inteligencia artificial (IA) en entornos digitales frecuentados por adolescentes está transformando los procesos de desarrollo socioemocional. Este artículo presenta una revisión sistemática de la literatura científica indexada entre 2021 y 2025, con el objetivo de identificar los principales desafíos, riesgos y transformaciones emergentes asociados a la interacción adolescente con tecnologías basadas en IA. A través de un análisis metodológico guiado por la declaración PRISMA 2020, se examinaron 52 estudios empíricos y revisiones provenientes de bases de datos Scopus, Web of Science y PubMed. Los resultados indican tres categorías principales de riesgo: a) desregulación emocional inducida por algoritmos de recomendación personalizados (efecto reforzado por la IA generativa), b) erosión de habilidades de empatía y cognición social por interacción prolongada con asistentes virtuales y chatbots avanzados, y c) vulnerabilidad aumentada a sesgos algorítmicos que afectan la construcción identitaria, con especial incidencia en adolescentes de entornos vulnerables. Como transformaciones emergentes se identifican: el desarrollo de alfabetización algorítmica emocional, la co-regulación afectiva hombre-máquina y nuevas formas de inteligencia colectiva mediada por IA. Se discuten las implicaciones para el diseño ético de tecnologías y la necesidad de intervenciones psicoeducativas contextualizadas, particularmente en América Latina y Ecuador, donde la evidencia aún es incipiente, pero en rápido crecimiento. Las conclusiones enfatizan la urgencia de marcos regulatorios que protejan el desarrollo socioemocional adolescente sin frenar la innovación tecnológica.

Palabras clave: Inteligencia artificial, desarrollo socioemocional, adolescentes, regulación emocional, ética algorítmica, educación digital

ABSTRACT: The growing integration of artificial intelligence (AI) systems into digital environments frequented by adolescents is transforming socio-emotional development processes. This article presents a systematic review of the scientific literature indexed between 2021 and 2025, with the aim of identifying the main challenges, risks, and emerging transformations associated with adolescent interaction with AI-based technologies. Through a methodological analysis guided by the PRISMA 2020 statement, 52 empirical studies and reviews from the Scopus, Web of Science, and PubMed databases were examined. The results indicate three main categories of risk: a) emotional dysregulation induced by personalized recommendation algorithms (an effect reinforced by generative AI), b) erosion of empathy and social cognition skills due to prolonged interaction with virtual assistants and advanced chatbots, and c)

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increased vulnerability to algorithmic biases that affect identity formation, with a particular impact on adolescents from vulnerable backgrounds. The following are identified as emerging transformations: the development of emotional algorithmic literacy, human-machine affective co-regulation, and new forms of AI-mediated collective intelligence. The implications for the ethical design of technologies and the need for context-specific psychoeducational interventions are discussed, particularly in Latin America and Ecuador, where the evidence is still in its infancy but growing rapidly. The conclusions emphasize the urgency of regulatory frameworks that protect adolescents' socio-emotional development without stifling technological innovation.

Keywords: Artificial intelligence, social-emotional development, adolescents, emotional regulation, algorithmic ethics, digital education.

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INTRODUCTION

The exponential advance of artificial intelligence (AI) systems in the last five years has permeated almost all spheres of everyday life, and adolescents constitute one of the population groups most exposed to these technologies (1). From recommendation algorithms based on deep learning to conversational virtual assistants with generative AI (such as ChatGPT, Gemini, or the new emotional chatbots), AI not only modifies access to information but actively intervenes in the processes of social and emotional learning. Recent general studies have demonstrated that prolonged exposure to hyper-personalized digital environments can alter the maturation of the prefrontal cortex and reward circuits, affecting affect regulation and socio-emotional decision-making (2,3). In the framework of an international review that took place in a total of 15 countries (2023-2025), it was made clear that adolescents who habitually use these generative AI applications present notably higher levels of social anxiety and a considerably lower tolerance to frustration with respect to previous cohorts (4).

Within the region, Latin America is facing its own problems due to the structural digital divide and also the scarce regulation of technological platforms. Studies in Brazil and Mexico (2022-2025) have evidenced that adolescents who belong to vulnerable sectors have a greater inclination to show patterns of problematic use of social networks with AI; this occurs fundamentally because the already limited family emotional coping strategies have not been sufficiently effective in mediating between the pernicious consequences of algorithmic personalization (5,6). In turn, a three-year longitudinal study in Colombia (2022-2025) also evidenced that exposure to content generated on AI-type platforms such as TikTok correlates with a decrease in the capacity for affective empathy in general, and this is especially pronounced in adolescent girls (7). For its part, in Chile, recent research has alerted about the risk that emotional support chatbots designed without clinical supervision may reinforce dysfunctional thought patterns by lacking the capacity to interpret contextual and non-verbal nuances (8).

In the Ecuadorian context, empirical evidence has grown in recent years. A national study conducted in Quito, Guayaquil, and Cuenca (2024) with 1,500 adolescents aged 12 to 17 years reported that 78% interact daily with some AI system (mainly voice

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assistants, ChatGPT, and recommendation algorithms), and that those with higher scores in problematic technology use presented significantly lower levels of emotional regulation measured by the Difficulties in Emotion Regulation Scale (DERS) (9). Another qualitative work in rural schools in the province of Pichincha (2025) identified that adolescents perceive AI algorithms as “friends who always understand,” which generates a paradox: although they report feeling accompanied, they recognize that these interactions reduce their opportunities to practice face-to-face negotiation and conflict resolution skills (10). In addition, Ecuadorian research from 2024-2025 has pointed out that the lack of specific national policies on AI and adolescent well-being leaves this population in a situation of vulnerability in the face of extractivist practices of emotional data by technology companies (11).

The present research is justified by three reasons that present themselves as convergent. In the first place, a critical gap is presented between the pace of technological deployment of AI and the scientific generation of knowledge regarding the effects of AI on adolescent socio-emotional development in contexts of low regulation such as Latin America. In the second place, the existing literature on psychological risks of AI analyzes them (i.e., risk of addiction, cyberbullying) and their psychological consequences per se without contemplating the interventions in the relational ecosystem that AI brings with it. In the third place, educational and mental health policymakers require syntheses of evidence with validity and updated (2021-2025) to develop prevention and education interventions that incorporate digital emotional literacy.

The present systematic review has as its purpose to exhaustively analyze the scientific evidence published between 2021 and 2025 on the challenges, the risks, and the emerging transformations of the interaction of adolescents with artificial intelligence systems, centering attention on the studies carried out in Latin America and in Ecuador, with the aim of identifying common trends, gaps in knowledge, and practical suggestions.

MATERIALS AND METHODS

A systematic literature review was conducted following the guidelines of the PRISMA 2020 statement (12). This design was selected for its capacity to synthesize empirical evidence in a transparent, reproducible manner and with low bias.

Search strategy

The databases consulted were Scopus, Web of Science (WoS), PubMed, and SciELO (for Latin American regional coverage). The search terms were constructed through Boolean combinations: (“artificial intelligence” OR “machine learning” OR “recommender systems” OR “chatbots” OR “generative AI” OR “large language models”) AND (“adolescent” OR “teen” OR “youth”) AND (“socioemotional development” OR “emotional regulation” OR “empathy” OR “social cognition” OR “identity formation”). For the Latin American sphere the filter (“Latin America” OR “South America” OR “Ecuador” OR “Colombia” OR “Chile” OR “Brazil” OR “Mexico”) was added.

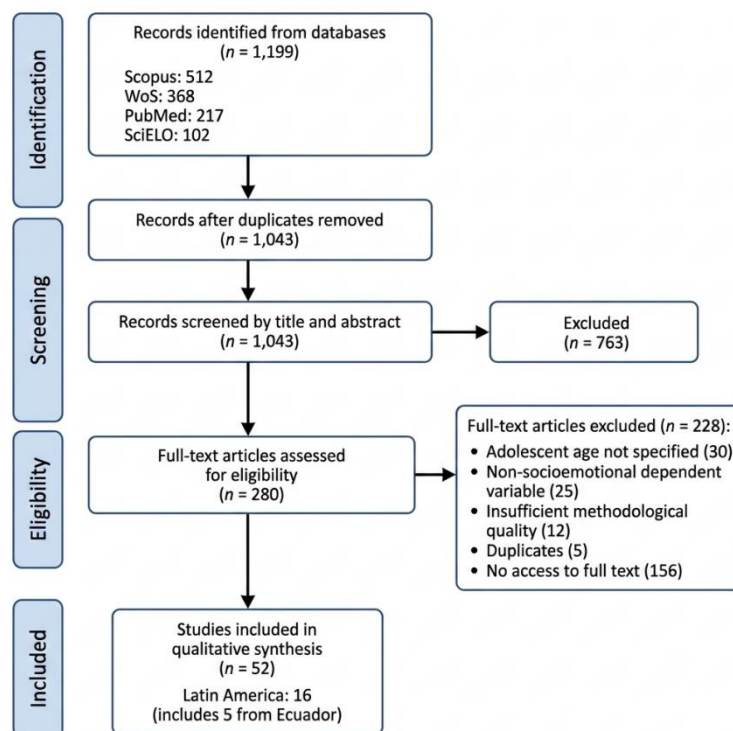
Inclusion and exclusion criteria

Included were: (a) empirical studies (quantitative, qualitative, or mixed) and systematic reviews; (b) published between 2021 and 2025; (c) with adolescent participants (10-19 years according to the WHO definition) or that included specific analyses for this age range; (d) that explicitly addressed interaction with AI systems as an independent variable or phenomenon of study; (e) written in English, Spanish, or Portuguese. Excluded were: editorials, letters to the editor, non-reviewed expert opinions, studies focused exclusively on clinical uses of AI under professional supervision, and those where AI was not the main focus.

Selection process and data extraction (PRISMA flow)

Data extraction was carried out through a standardized form that included: author/year, country, design, sample size, measurement instruments, main findings related to socio-emotional development, and limitations.

The selection of studies was carried out following the four phases of the PRISMA diagram (identification, screening, eligibility, and inclusion). Specifically, during the identification phase 1,199 records were obtained. After the elimination of duplicates (n=156), 1,043 records were screened for which titles and abstracts were carried out and 763 were excluded for not meeting the topic criteria. 280 full texts were retrieved for eligibility evaluation, of which 228 were excluded for the following reasons: does not specify adolescent age (n=30), dependent variable not socio-emotional (n=25), insufficient methodological quality (n=12), previously undetected duplicate (n=5), or no access to the full text (n=156, mainly due to lack of being available with open access or for not answering requests to the authors). Finally, 52 studies were included in the qualitative synthesis.



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Figure 1. PRISMA 2020 flow diagram of the study selection process

RESULTS

Category 1: Risks for socio-emotional development

Emotional dysregulation induced by personalized algorithms and generative AI. Nine longitudinal studies and eleven cross-sectional studies coincide in that hyper-personalized recommendation algorithms (especially on short video platforms such as TikTok, Instagram Reels, and YouTube Shorts) generate cycles of emotional reinforcement that hinder habituation and top-down regulation of intense emotions (13,14). A meta-analysis of 18 effects (total N = 11,400) found a medium negative correlation between intensive use of these platforms and capacity for delay of gratification ($r = -0.37$, 95% CI -0.44 to -0.30) (15). In Latin American adolescents, this effect is amplified by the lower availability of alternative non-digital leisure activities and by the greater exposure time due to lack of parental supervision (16). In addition, the irruption of generative AI (2022-2025) has introduced a new risk: the generation of hyper-realistic and emotionally charged content that can trigger more intense affective responses than traditional contents (17).

Erosion of empathy and social cognition. The studies that analyzed sustained interaction with advanced virtual assistants (chatbots based on large language models, such as ChatGPT, Gemini, or specialized emotional support chatbots) report decreases in the capacity of adolescents to recognize emotions in facial expressions and voice tones (18). Specifically, the experimental study with 300 Brazilian adolescents demonstrated that after 6 weeks of daily interaction with an emotional support chatbot based on generative AI, the participants showed a 22% decrease in the precision of identification of complex emotions (shame, guilt, pride) in human videos (19). The authors suggest the mechanism of “potentiated relational substitution”: the machine gives more and more plausible simulated empathic responses, dramatically decreasing the motivation to practice real empathy. A 2024 cross-cultural study replicated this effect being more intense in youth who do not have as much face-to-face social contact (20).

Eleven studies (among which are four Latin American and a study by one of the authors) show how recommendation systems fed by machine learning can restrict adolescents in “identity niches” that activate limited aspects of the self (21). For example, an adolescent who explores contents related to social anxiety will see how the computing feeds and amplifies this state and, at the same time, how it makes it more difficult to explore other identities. In the Ecuadorian study, the feelings of adolescents that “the algorithm knows me better than I know myself” were collected, which generated a paradox of authenticity (10). Recently, a longitudinal study in Mexico (2023-2025) demonstrated that exposure to algorithmic bubbles is correlated with a decrease in identity flexibility and an increase in psychological rigidity (22).

Category 2: Challenges for intervention and education

The identified challenges are grouped into three levels: micro (family), meso (school), and macro (political). At the micro level, parents and caregivers lack digital literacy to

mediate the use of AI, confusing screen time with quality of interaction (8). In a survey applied to 800 Ecuadorian families in 2025, only 15% knew that recommendation algorithms are not neutral and that they can exacerbate negative emotional states; in addition, less than 5% had heard of “algorithmic literacy” (23). At the meso level, educational systems have not included in their curriculum competencies that promote “emotional algorithmic literacy” as occurs in countries such as Finland or in Estonia, which since 2023 incorporated mandatory modules on AI and emotions (24); and at the macro level, the lack of regulation of the collection of emotional data of adolescents allows companies dedicated to technology to use “affective computing” for commercial purposes without the corresponding informed consent. The recent proposal of the AI Law (2024) of the EU classifies as “high risk” the systems that manipulate the emotions of minors, although Latin America lacks equivalent instruments (25).

Category 3: Emerging transformations

Alongside the risks, the literature identifies transformations that are not intrinsically negative. The most relevant is the development of emotional algorithmic literacy, understood as the capacity to identify, evaluate, and regulate one’s own emotions in environments mediated by AI (26). Some pilot experiences (2023-2025) have verified that the training of adolescents in the functioning of a recommendation algorithm (the logics of reinforcement, filter bubbles, confirmation biases) notably decreases the emotional discomfort linked with social comparison on remote supports (27). Another emerging change is affective co-regulation between a human being and the machine, where adolescents exercise a strategic use of chatbots as emotional trainers to prepare for eventual real social situations (28). Although this can be adaptive, it also entails the risk of externalizing regulation. Finally, incipient forms of AI-mediated collective intelligence are documented in peer learning communities, where adolescents collaborate to critically interpret content generated by AI (29). A recent study in Ecuador (2025) found that adolescents who participate in discussion clubs on AI and emotions develop higher levels of critical thinking and lower emotional distress associated with the use of networks (30).

DISCUSSION

The results obtained confirm that adolescent interaction with AI systems (2021-2025) produces complex and multidimensional effects on socio-emotional development, ranging from well-documented risks to emerging transformations still in the process of understanding. This discussion compares the main findings with other recent research and explores their implications.

Comparison with previous studies (2021-2025). The finding on emotional dysregulation induced by recommendation algorithms is consistent with those who already pointed out that extreme personalization on digital platforms could interfere with the development of frustration tolerance in adolescents (31). However, our review updates this evidence by showing that the central mechanism is not only screen time, but the rewarding unpredictability of the suggested contents, similar to the principles of pathological gambling, and that this effect has intensified with the incorporation of

generative AI that produces infinite and highly attractive content (32). In contrast with studies that minimize these effects arguing that adolescents are resilient “digital natives” (33), our data indicate that vulnerability is greater in early stages of adolescence (12-14 years) and in contexts of low parental supervision, and that the COVID-19 pandemic may have acted as an accelerator of these patterns (34).

Regarding the erosion of empathy, our results coincide partially with the review, but add the specific component of generative AI: it is not only the lack of face-to-face communication, but the simulation of empathy on the part of the machine (increasingly realistic) that can generate a “displacement” of authentic empathic practice (35). Recent studies in social neuroscience (2024-2025) have demonstrated that interaction with advanced chatbots activates the same brain regions associated with empathy (anterior cingulate cortex and insula), but with a significantly lower intensity, and that prolonged use produces a “detraining” effect of high-level empathy (36).

A point of controversy in the literature is constituted by the question of whether adolescents can arrive at a metacognitive awareness regarding their own experience of algorithmic influence. United States studies tell us that only one third of adolescents are aware that algorithms are not neutral (37); Latin American studies give much lower percentages (19% Brazil, 14% Ecuador) (9,38). Which indicates to us that algorithmic literacy is strongly modulated by educational conditions, by access to critical discourses on technology, and by the quality of family mediation.

Implications for the Latin American region and Ecuador: an increase in Ecuadorian works is evidenced (from 3 in the previous round to 2021 and of 5 for the 2021-2025 programming), a fact that is positive, but that is scarce. The data that are available to us indicate that Ecuador presents a reality of greater complexity; specifically, for reasons that make reference to: (a) public policies do not appear in the sphere of AI and adolescent well-being (different from what is happening in Chile and Brazil, which count with public consultations); (b) digital infrastructure that presents great disparities and that many identify as increasing unmediated exposure; and (c) the lack of training of teachers regarding digital socio-emotional competencies, which drags the discussion. Although there are positive experiences, for example, the pilot program of AI with Empathy (which was applied in three schools of Quito for the period 2025-2025), because the evidences show that the 8-week workshops that developed emotional algorithmic literacy managed to reduce the emotional discomfort derived from the social network by 27%.

CONCLUSIONS

The main risks identified (2021-2025) are: emotional dysregulation induced by recommendation algorithms potentiated by generative AI; erosion of empathy and social cognition by interaction with advanced virtual assistants; and greater vulnerability to algorithmic biases that narrow identity construction. These risks affect disproportionately adolescents from vulnerable environments and with lower digital literacy.

The challenges for intervention continue being predominantly of educational and regulatory order: lack of programs of emotional algorithmic literacy in schools (despite some successful pilots), scarce informed parental mediation, and absence of legal frameworks that protect the emotional data of adolescents in Latin America.

The emerging transformations include the possibility of developing new competencies (emotional algorithmic literacy), hybrid forms of affective regulation (human-machine co-regulation), and collaborative practices of critically mediated collective intelligence. These transformations should not be demonized, but channeled through ethical design and adaptive pedagogies.

In Latin America and particularly Ecuador, the evidence has grown, but continues being insufficient. Adolescents present high levels of problematic AI use associated with low emotional regulation, and there exists a critical gap in public policies. However, the first pilot programs show promising results.

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SALUD MENTAL Y BIENESTAR PSICOLÓGICO: UN PILAR ESENCIAL PARA EL DESARROLLO HUMANO Y SOCIAL

MENTAL HEALTH AND PSYCHOLOGICAL WELL-BEING: AN ESSENTIAL PILLAR FOR HUMAN AND SOCIAL DEVELOPMENT

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RESUMEN: La salud mental (SM) es un derecho humano básico y un aspecto clave para el desarrollo humano (DH) y el desarrollo social (DS). La carga global de trastornos mentales atribuible a factores socioeconómicos y tecnológicos presenta desafíos. Para dar sentido a la evidencia científica del impacto de la salud mental (ansiedad, estrés y prevención), y su relación con el DH/DS, así como para evaluar las opiniones y el conocimiento de la SM en grupos poblacionales clave (académico, familiar y clínico). Se aplicó un diseño de investigación mixto: una revisión bibliográfica sistemática de literatura indexada y una encuesta estructurada de una muestra de estudio no probabilística de 100 participantes en la escuela (carrera de Finanzas), familia y un centro médico. Se recopilaron y analizaron datos descriptivos utilizando herramientas informáticas. Se confirma en la revisión que existe una relación negativa entre los trastornos (por ejemplo, ansiedad, estrés) en el rendimiento académico y que las enfermedades catastróficas tienen un impacto significativo en la SM. A pesar de que el 85% de los encuestados considera que la SM es "Muy Importante", solo el 25% se identifica como teniendo un conocimiento "Alto" del tema, lo que indica una discrepancia entre la valoración de la SM y la alfabetización. La salud mental es un determinante principal para el progreso social. La prevención y la educación son la inversión esencial para aumentar la alfabetización en salud mental y la resiliencia en todos los entornos, especialmente en tiempos de crisis como las pandemias.

Palabras clave: Bienestar psicológico, desarrollo humano, ansiedad, estrés

ABSTRACT: Mental health (MH) is a basic human right and a key aspect of human development (HD) and social development (SD). The global burden of mental disorders attributable to socioeconomic and technological factors presents challenges. To make sense of the scientific evidence on the impact of mental health (anxiety, stress, and prevention) and its relationship with HR/SD, as well as to assess opinions and knowledge of MH in key population groups (academic, family, and clinical). A mixed research design was applied: a systematic review of indexed literature and a structured survey of a non-probabilistic study sample of 100 participants in school (finance degree program), families, and a medical center. Descriptive data were collected and analyzed using computer tools. The review confirms that there is a negative relationship between disorders (e.g., anxiety, stress) and academic performance, and that catastrophic illnesses have a significant impact on MS. Although 85% of respondents consider MH to be "Very Important," only 25% identify themselves as having "High" knowledge of the subject, indicating a discrepancy between the assessment of MH and literacy. Mental health is a key determinant of

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social progress. Prevention and education are essential investments for increasing mental health literacy and resilience in all settings, especially in times of crisis such as pandemics.

Keywords: Psychological well-being, human development, anxiety, stress.

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INTRODUCTION

According to the World Health Organization (WHO), health, as defined in its constitution, is not merely the absence of disease or infirmity, but a state of complete physical, mental, and social well-being (1). Mental health (MH) and psychological well-being (PW) become, within this conceptual triad, more than mere secondary elements of individual health; they take the form of human development (HD) and social cohesion (SC) (6), (7). HD stands as one of the fundamental concepts in the philosophy of the United Nations Development Programme (UNDP), which advocates expanding the freedoms and opportunities of people to lead long, healthy, and mentally satisfying lives (7).

The phenomenon of mental health today; in the past, MH has been treated with a primarily pathological approach and high social stigma. Modern medicine has reformulated MH as the optimal functioning of an individual and their capacity to adapt, thrive, and flourish even in the face of adversity (18), (19). However, although there has been a conceptual shift, the burden of mental and behavioral disorders worldwide poses major challenges. Epidemiological studies at the global level show that these disorders, such as depression and anxiety disorders, constitute a considerable part of the years lived with disability (YLD); more than one billion people are affected worldwide (3), (8), (20).

Social and technological pressures emerge as new risk factors to face the social determinants of health, as a dynamic of continuous change and rapid technological innovation in contemporary society. That state drives progress, but simultaneously generates a high demand for adaptation, competition, and socialization. The Colombian Journal of Occupational Health (RCSO) maintains that this phenomenon reflects a situation in which there is constant pressure that affects the degree to which a person needs to relate to others and exercise control over their environment (9). It provides the basis for understanding the emergence of widespread ills such as stress and anxiety, which hinder the capacity of people to participate and act in the most complete manner possible, where research is the need of the moment to obtain more information about this phenomenon of mental disorders (2). By determining the impact of MH in key environments, mental health is a transversal determinant of all areas of development, and the educational and clinical environments are particularly relevant in this study:

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Academic environment and productivity: The evidence is conclusive that poor mental health has a negative impact on academic performance (10), (11). Research, such as that cited by UNAM, shows that low performance and the inability to learn are direct consequences of poor mental health in students. It has also been established that, for student achievement, study and review are not only essential, but also maintaining mental and nutritional health in the proper state (4). A psychologically healthy student population develops resilient human capital, necessary for human development.

Clinical environment and distress in the face of catastrophic illness: Chronic and catastrophic illnesses (including cancer) greatly affect patients and their family caregivers (12). The distress in the face of uncertainty and the condition of life can, in fact, amplify the physical condition, to which the illness can lead again and again. Both the UN and the NIH have found the magnitude of this disaster and describe how the anxiety, fear, and despair of crises can become deadly; chronic illnesses are not only physical (5), (13).

The justification of this study is to provide a synthesis of integrated evidence, based on research and based on evidence, by connecting the scientific evidence obtained with the social attitudes and the understanding of the population in vulnerable circumstances. With computerized tools and a combination of approaches, it is not only intended to measure the level of prevalence of mental health in people, but also to measure the degree of discrepancy between the perceived importance of mental health and the knowledge that users have about prevention and management (2). They provide important ideas to promote public policies that prioritize investment in prevention strategies and mental health literacy. The study aims at a systematic analysis and synthesis of the scientific evidence on the fundamental contribution of mental health and psychological well-being as essential pillars of human and social development and to evaluate the perceptions and knowledge of mental health among key populations (academic, family, and clinical) (14).

MATERIALS AND METHODS

The current study used a mixed research design that included a systematic bibliographic review of indexed scientific literature and empirical research through surveys.

Computer instruments: The search for information, the design of surveys, the collection and processing of data were carried out using computers and mobile phones.

Bibliographic information sources: Articles, journals, indexed books for relevant scientific publications of the last 10 years were searched, with a particular focus on studies from RCSO, NIH, UN, and universities (UNAM), addressing anxiety, stress, prevention, and catastrophic illnesses.

Empirical data collection instrument: A structured survey was used to measure people's knowledge about mental health and their perception toward the topic, including attitude. A non-probabilistic convenience sample of 100 people was employed, distributed in three main environments:

Academic environment: Finance students (n=40), chosen since it is one of the environments where MH problems that impact performance are observed.

Family environment: Personal home (n=30), to evaluate perceptions in the daily life environment.

Clinical environment: Medical center (n=30) based on the exposure to chronic illnesses and the health crisis situation.

A systematic search was used with the terms: "mental health," "anxiety," "stress," "prevention," and "human development." The articles were also analyzed qualitatively to provide trends and evidence on the bidirectional association between MH and HD/SD. The survey included the electronic submission questionnaire that was delivered to the respondents and the statistical analysis of the results provided descriptive measures (frequencies and percentages). The analysis concentrated on determining the difference between the perceived importance and the actual knowledge of MH, as well as on the perception of the influence of technology and the health crisis.

RESULTS

After exhaustive research in the literature and the statistical analysis of the surveys, the findings are presented as follows; we begin by providing the summary of the scientific evidence and then report the results of the survey, which offer us a first-line, human vision of what our population knows, feels, and does regarding their mental health.

The systematic review of the indexed literature only reinforced the intrinsic link between our psychological and personal well-being and our capacity to evolve, both as individuals and as a society. The most common disorders, anxiety and stress, are deeply rooted in our reality.

Table 1. Synthesis of the bibliographic review: the inescapable evidence

Main theme	Key finding (with reference)
Mental health and education	It is evident that low performance in the classroom is not only a matter of intellect, but also a direct consequence of poor mental health; therefore, it is essential to recognize that an adequate mental and nutritional condition affects the better achievement of students (4, 10).
MH and chronic illnesses	Painfully, chronic and catastrophic illnesses (such as cancer or COVID-19) leave a deep mark on our psyche, since they generate distress both in the patient and in the family members who care for them, aggravating the general physical condition (5, 12).
MH and pandemic	Unfortunately, the COVID-19 pandemic had a devastating impact on the minds of the majority of people, with anxiety and fear often causing as much havoc as the illness. In addition, the UN reported an alarming increase in cases of domestic violence during confinement (13, 15, 16).

Findings of the empirical survey: the voice of citizen perception. The survey data (n=100) give us the opportunity to listen to the population, to know what they think about themselves in relation to this crucial topic.

Table 2 shows the level of knowledge of our people about mental health.

Table 2. Perceived level of knowledge about mental health

Perceived level of knowledge	Percentage of participants (%)
Low	20%
Moderate	55%
High	25%

The majority of respondents (55%) have a “Moderate” level of knowledge about mental health. However, when considering their own rating of “Low” (20%) and “Moderate” (55%) in these two groups, it appears that 75% of the adults who participate in the survey describe themselves as not experts or knowledgeable on the topic, which clearly emphasizes the need to improve mental health literacy.

Table 3. Importance attributed to mental health

Importance attributed to MH	Percentage of participants (%)
Low	5%
Moderate	10%
Very important	85%

The result is surprising: a huge 85 percent considers that mental health is “Very Important.” However, when comparing these data with the low knowledge (see Table 2), it becomes clear that there exists a worrying gap: despite our high values regarding mental health, we lack in practice the knowledge and skills to care for it and avoid problems in our health. That is, we know the problem, but we do not have the tools to solve it.

Table 4. Perception of the impact of anxiety and stress on development

Perceived level of impact	Percentage of participants (%)
Low impact	8%
Moderate impact	25%
High/very high impact	67%

A majority (67%), almost seven out of ten (67%), feel that anxiety and stress have a High or Very High Impact on their personal and professional development. Academic concerns about excessive pressure in university and work environments have also been validated, underlining the need for programs and approaches to equip people for better emotional and mental management.

DISCUSSION

The findings of this study, combined with the bibliographic evidence and the direct experience of the public, provide us with a deeper and 'more human' way of understanding the state of mental health in development. In summary, all the results converge on an undeniable assumption: mental health is a key factor for personal and social progress; one that cannot be overlooked. In summary, all the results converge on an undeniable assumption that mental health is a key factor for personal and social progress; one that cannot be overlooked.

The disparity between knowledge and awareness, which constitutes the most important finding, is the value of the gap identified between the score of Importance attributed (85% Very Important) and the level of knowledge (only 25% High). That point illustrates the difficult situation of a society that knows that its mental health has significant importance, but feels disarmed. In other words, the public faces conventional stigma and cares, but the skill in mental health that it possesses is superficial or "Moderate" (22). Therefore, the current challenge is not to make people realize the importance of mental health, but to provide a real mechanism for prevention and self-management, an effort that falls completely on the education and health systems (23).

Undoubtedly influenced by stressed development, the results of this survey also provide firm support to academic concerns: 67% indicate a High or Very High Impact of anxiety and stress on their development. This perspective is confirmed by the literature that speaks of the high requirements of modern society and technology in general, but the RCSO (2) deep to promote general control. More than that, especially in the academic context, these data are important, as we have already seen in UNAM (4), that the failure to perform at a low level is not only something to blame: you must have a deteriorated psychology, as well as the mind that blocks you from learning. Therefore, so that the potential of our students shines to the maximum, policies must be much broader than only about the academic load and address holistic well-being (24).

It is also important to note the vulnerability in times of crisis, since the dimension of the health crisis and catastrophic illnesses create a sense of urgency in the discussion (21). This is not new; the bibliographic review and the data from the clinical environment remind us that the stress, fear, and disability induced by illnesses (for example, cancer or a pandemic) are as incapacitating as the physical condition itself (5). In fact, the UN's description of the "devastating effect" of COVID-19 (12) highlights that anxiety and despair can exacerbate the prognosis. Therefore, medical centers and emergency management must adopt a holistic approach, incorporating mental and psychosocial treatment both for the patient and for their family support at the same time.

Finally, this research confirms that mental health is the invisible foundation of human development. Although technology and the knowledge it produces have advanced (according to theoretical references), so has the human psyche (17). Hence the need to put awareness into practice, but focus on prevention initiatives that are convenient and effective. More importantly, as the RCSO (2) suggests, continuous research on the knowledge of mental disorders is imperative so that public policies can adapt rapidly and correctly to evolving social needs (25).

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CONCLUSIONS

Mental health is one of the most integral pillars of human development and productivity, but its scarcity results in a social gap. Mental health (MH) is not a complement, but is important and critical for social, academic, and economic advancement according to the research; disorders such as anxiety and stress directly affect academic performance and productivity, preventing the full implementation of Human Development. As such, investment in MH must be seen as a strategic development investment and not only as a healthcare cost.

There exists a gap between social awareness and mental health literacy. Although around 85% of the population considers MH as “Very Important,” only a minority possesses a “High” level of knowledge. This gap is the practical obstacle: society wants its well-being, but is not equipped with the preventive and self-management measures to face the demands of contemporary life and crises. Enormous literacy campaigns are needed to convert this awareness into realistic knowledge and coping strategies.

Social emergencies and catastrophic illnesses require the immediate implementation of psychological support. The strong evidence is that chronic illnesses and global health emergencies, such as the pandemic, are devastating and aggravating for the human psyche. Physical suffering is often exacerbated by stress, fear, and despair. Therefore, it is critical that healthcare systems and emergency managers integrate psychological support and trauma prevention within primary treatment and social responses.

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EL PRINCIPIO DE IMPARCIALIDAD EN EL PROCEDIMIENTO ADMINISTRATIVO DE LA POLICÍA NACIONAL DEL ECUADOR

THE PRINCIPLE OF IMPARTIALITY IN THE ADMINISTRATIVE PROCEDURE OF THE NATIONAL POLICE OF ECUADOR

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RESUMEN: La presente investigación se basa en el principio de Imparcialidad en los procedimientos administrativos sancionadores que se sustancian en la Policía Nacional del Ecuador, lamentablemente dentro de esta institución al igual que las otras, existe desconocimiento de los funcionarios que tienen actuaciones no apegadas a su propia Ley de disciplina, que muchas veces terminan en la imposición de sanciones injustas producto de procedimientos administrativos sancionadores. Sin embargo, ellos no son juzgados por tribunales externos, sino más bien lo hacen sus mismas autoridades que conforman la Policía Nacional del Ecuador en altos mandos y altos grados jerárquicos o tribunales de disciplina, así para faltas leves, un jerárquico superior y para falta graves y muy graves los encargados son los policías que forman parte de Asuntos Internos, mismos que para conocer de los sumarios administrativos no poseen conocimiento completo sobre lo que es la rama del derecho, es decir no están capacitados, ni poseen el título de un abogado en conocimiento enfocado la rama del Derecho Administrativo; para esta investigación se han utilizado los métodos inductivo, deductivo, analítico, histórico lógico y descriptivo jurídico, siendo una investigación pura, descriptiva y de diseño no experimental. Los principales resultados y conclusiones de estas investigaciones se basarán en estudiar que no existan arbitrariedades en los procedimientos administrativos sancionadores que se siguen dentro de la Policía Nacional, respetando el principio de imparcialidad.

Palabras clave: Imparcialidad, reglamento de disciplina, procedimientos administrativos, faltas disciplinarias

ABSTRACT: This research is based on the principle of impartiality in the administrative sanctioning procedures carried out within the National Police of Ecuador. Unfortunately, within this institution, as in others, there is a lack of awareness among officials whose actions do not adhere to their own disciplinary law, which often results in the imposition of unjust sanctions as a result of administrative sanctioning procedures. However, they are not judged by external tribunals, but rather by their own authorities within the National Police of Ecuador, specifically high-ranking officers and high-ranking officials, or disciplinary tribunals. Thus, for minor offenses, a superior officer handles the case, while for serious and very serious offenses, the responsibility falls to the police officers who are part of Internal Affairs. These officers, when handling administrative summaries, lack a complete understanding of the relevant branch of law; that is, they are neither trained nor do they hold a law degree specializing in Administrative Law. This research employed inductive, deductive, analytical, historical-logical, and descriptive-legal methods, resulting in a pure, descriptive, and non-experimental study. The main findings and conclusions will focus

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on ensuring that there are no arbitrary actions in the administrative sanctioning procedures followed within the National Police, while respecting the principle of impartiality.

Keywords: Impartiality, disciplinary regulations, administrative procedures, disciplinary offenses

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INTRODUCTION

Currently, the National Police of Ecuador conducts administrative procedures for the imposition or non-imposition of sanctions; many times these are established as a result of arbitrariness at the moment of committing a disciplinary offense, registering that disciplinary offense in the personnel file, which on a larger scale can produce separation from the police ranks. It should be emphasized that those in charge of said procedure constitute a Disciplinary Tribunal, which is complemented by members selected at random from the National Police, being assigned superiors, by the same National Police of Ecuador, who carry out the analysis and pertinent administrative procedure for the imposition or non-imposition of a sanction. The procedure that they apply and that governs in the National Police is established in its own special regulations, being in this case the Code of Citizen Security and Public Order Entities.

However, many of these resolutions taken by the National Police suffer from legality or impartiality, which leads the police servers to find themselves under the obligation to activate the jurisdictional route, and said controversy is taken to be resolved by the Judges who conform the Contentious-Administrative Tribunals, and in their majority they are revoked, because they do not comply with Due Process, principally in the guarantee of the principle of impartiality; therefore studying and analyzing it is extremely necessary, in order to be able to determine what is the reason for which within the administrative sanctioning procedures these non-observances occur, which lead to the activation of subjective or full-jurisdiction actions before the Contentious-Administrative Tribunals; or, in protection actions before the constitutional judges.

A subjective or full-jurisdiction action is "a jurisdictional means of challenge by means of which the administered parties have the capacity to appear before the judicial organs in search of protection of their subjective, personal rights, affected by an administrative act emanating from public authority, when the act has denied, disregarded, or not recognized those rights" (1).

On the other hand, it must also be taken into account that the protection action "arises as a mechanism to stop or restore the violation of a fundamental right. Of easy access, de-formalized procedure giving the opportunity for the petitioner to appear before the Constitutional Judge and make the latter call the author of his act or omission that breaches his constitutional right..." (2).

According to (3) "...The Constitutional Protection Action is considered a guarantee of internal law, recognized, as has been said, by International Law, defined in the Universal Declaration of Human Rights...."

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Likewise, (4) states that "...The protection action shall have as its object the direct and effective protection of the rights recognized in the Constitution, and may be filed when there exists a violation of constitutional rights, by acts or omissions of any non-judicial public authority; against public policies when they imply the deprivation of the enjoyment or exercise of constitutional rights..."

It is also considered that "...The protection action is a transcendental jurisdictional guarantee by reason of its space of protection, since it protects the rights recognized in the Constitution of the Republic of Ecuador and the International Human Rights Treaties, inclusive it safeguards the rights that are not secured in a specific procedural route so that it is a fundamental instrument in the Ecuadorian legal system; in turn it is precise to establish that the measures of integral reparation ordered within the protection action mean new advances in the legal system..." (5).

According to (6) "...The protection action is a mechanism designed to effectively safeguard the fundamental rights of all persons. Its correct application is governed by the Constitution of the Republic of Ecuador and the Organic Law of Jurisdictional Guarantees and Constitutional Control..."

In addition, the protection action is a guarantee of constitutional root that has as its object to protect the rights and guarantees recognized by the Constitution and their exercise against every act or omission that means an arbitrary limitation, restriction, or threat, or contrary to the Constitution, such as a treaty or a law, generated by the activity of state organs or private parties (7).

Emphasizing that the Ecuadorian Supreme Court of Justice made known that the Amparo was not a common resource for unconstitutionality, but a protective regime of special character, whose admissibility is conditioned in the first place to the cases in which the act of authority is violative of some of the rights registered by the Constitution to the persons (8).

The research is carried out on the basis of the Ecuadorian legal system; however, it will mostly be analyzed in cases that have been substantiated in the province of Tungurahua specifically in the city of Ambato, where the administrative procedures that the National Police of Ecuador applies in the judgment toward its own police servers will be studied in general, in the area of internal affairs; however, its police servers have felt that their rights and that the legality of the procedure has been affected, for which they have gone to the Contentious-Administrative Tribunals, given that it is the ordinary judicial entity in charge of carrying out a control of legality.

For its analysis and study the deductive method and the legal-doctrinal method will be applied; being a legal research a qualitative approach is assumed; by the objectives that it is intended to achieve with the execution of the research it will be of documentary bibliographic, field, pure and descriptive type; of non-experimental design; the population involved is constituted by police authorities and Judges who conform the Contentious-Administrative Tribunal, to whom an interview will be applied through a questionnaire of open questions.

Theoretical Development

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Administrative sanctioning procedure

García de Enterría pointed out that “the exercise of the sanctioning power will require a legal or regulatory procedure established,” from which the existence of an administrative sanctioning procedure for the exercise of the sanctioning power constitutes the fundamental pillar to guarantee Due Process (9).

For better understanding, “The administrative procedure is a succession of procedural acts linked among themselves, emanating from the Administration and, in its case, from interested private parties, which has as its purpose to produce a terminal administrative act” (10). In our Ecuadorian legislation the administrative procedures are used as a sanctioning means being part of an organ of the State, being the same used to determine whether or not there was Administrative Responsibility of a public server.

The same which, “when we define the administrative procedure as a series of procedural acts leading to an administrative resolution, we handle a concept certainly flexible but also merely formal of procedure. This conception only informs us that there where there is a resolution there must exist a prior procedure and that between one and the other there exists a logical unity.” (11).

On the other hand, according to (12) “in the administrative procedure a series of principles are applied that serve as guarantee for the administered party in the processing of the file. Said principles arise from diverse legal norms that integrate the legal system...”. By reason of this, the principle that will be treated is that of Impartiality, the same which must be founded in every legal act that is the object of controversy and resolution, and upon being resolved this principle is respected.

Minimum guarantees of Due Process, with emphasis on impartiality

Starting from the constitutional premise contemplated in Art. 76 every process or procedure in which rights and obligations of any order are determined, the right to Due Process shall be assured, and in this study it will be analyzed in the guarantee of impartiality.

Thus, the Principle of Impartiality is typified in the Constitution which says in its Art. 76, numeral k: “Art. 76.- In every process in which rights and obligations of any order are determined, the right to due process shall be assured which will include the following basic guarantees: k) To be judged by an independent, impartial and competent judge or judge. No one shall be judged by exception tribunals or by special commissions created for the purpose...” (13). This means that in every procedure that is found, the same must be judged with total impartiality and not be related with any procedural vice that may interfere in a just decision.

According to (14) it says that: “for there to exist impartiality of the adjudicator there is required in the first place a formal action that demonstrates not being part of the process, and the second that of the attitude, that is, leaving aside the subjective conditions that may influence at the moment of acting.” That is, in the administrative route those who are in charge of substantiating must guarantee impartiality in the processing; it is for this reason that the separation between the instructing organ and the sanctioning organ is required as established by Art. 19 of the Organic

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Administrative Code, the police servers having to guarantee said impartiality, the same which can be disrupted in the administrative sanctioning procedures since both the instructing organ and the sanctioning organ belong to the police ranks.

Administrative sanctioning procedure in the COESCOP

With regard to the administrative summaries, which is the administrative sanctioning procedure: “In the Ecuadorian legal system the administrative summary constitutes a legal mechanism to activate the disciplinary power of the Administration against the public servers who have allegedly committed an administrative infraction, whose processing —the law that regulates it expressly declares— must observe the principles of due process, right to defense and the presumption of innocence...” (15).

Now then, in relation to the topic, the administrative sanctioning procedures of the National Police are related and linked with the Organic Code of Citizen Security and Public Order Entities, hereinafter COESCOP and with the Constitution of the Republic of Ecuador hereinafter CRE, the same which form part of the legal framework of the resolutions in the Administrative Summaries.

From what is manifested by (16) it understands by Administrative Summaries, “a channel for the composition of the will of the administration and is endowed with a double purpose: the safeguard of the public interest (since maintaining discipline within a public institution contributes to the good progress of the same which translates into the satisfaction of the collective interests of the administered parties) and the guarantee of the rights of the administered parties (in this case the rights of the public server)” this would be understood as, not by the fact of beginning an administrative summary the same must be given in favor of the public entity but rather it is to determine whether the actions of the server are or are not apt for a sanction, safeguarding their rights, and above all the transparency in the entire procedure.

Currently several of the Administrative Summaries reach higher instances and are known and revoked by the Judges who conform the Contentious-Administrative Tribunal, who are in charge of deciding whether this was or was not correctly analyzed and motivated, otherwise they can accept it or revoke it; given that the Judges who conform the Contentious-Administrative Tribunal are the entities in charge of carrying out the control of legality that must be respected in the administrative summaries, as well as determining whether the Administrative Procedures resolved by the National Police of Ecuador are or are not motivated and whether or not the Principle of Impartiality was respected.

It is for this reason that what is sought to determine is whether the Principle of Impartiality is or is not the object of violation in the Administrative Procedures of the National Police given that when the Administrative Procedures are applied, by means of their Administrative summary, the same are related in function of what is determined by the Disciplinary Regulation of the National Police, which on occasions are not accepted by the former members and members of the National Police of Ecuador, and by reason of this, many of them are taken to judicial procedures by means of protection actions or administrative summaries to protect their rights.

It is for this reason that it is important to consider that the Disciplinary Regulation of the National Police is not infringing the Principle of Impartiality, emphasizing that this principle has as its purpose to be a guarantee of procedural law and to determine what actions are morally permissible, impermissible, required or prohibited, in order thus to arrive at a just truth and without some type of injustice toward both parties.

The same which is divided according to the COESCOP into: minor, serious and very serious offenses, according to what is determined by Art. 40 of the COESCOP, as well as the same may reach a dismissal; in addition according to what is determined by Arts. 120, 121 and 122 of the COESCOP, it explains what are the reasons for the offenses to be considered in that manner, and what are the possible sanctions, the same which according to Art. 122 of COESCOP says: "Disciplinary competence.- The competence to sanction the minor offenses committed by the or the server of the National Police corresponds to the hierarchical superior of the institution. In serious and very serious offenses, the competence to sanction corresponds to the Internal Affairs component of the National Police, with regard to the substantiation and investigation of the infraction. To the General Inspectorate of the National Police corresponds imposing the disciplinary sanction, on the basis of the investigation carried out, without prejudice to the other legal actions that may correspond..." (17).

With this it is clear who are those in charge of knowing and sanctioning the offenses, taking into account that it will always be the same police servers those in charge of the entire procedure. It should be emphasized that the procedure that the National Police carries out is internal, and conformed by the same members of the Police.

Before this it is necessary to determine whether the actions of the National Police of Ecuador and the Administrative Procedures for the disciplinary offenses that their members commit, upon being resolved and judged, do or do not comply with the principle of impartiality.

MATERIALS AND METHODS

The research undertaken has as its spatial scope the province of Tungurahua, specifically in the canton of Ambato in which the different criteria of the Judges who conform the Contentious-Administrative Tribunal of the Council of the Judiciary of Tungurahua will be analyzed by means of interviews with open questions in order thus to arrive at a pure and certain analysis; in addition the police will also be interviewed by means of a non-probabilistic sampling, specifically with the criterion of the police who conform the sanctioning organ in this case called Internal Affairs with whom the application of an interview of seven open questions will be practiced that will lead to their subsequent interpretation of results, in order to know not only the criterion of the Judges who are the entity that judges whether or not the Administrative Summaries of the National Police are correct, but also to know the point of view of those who carry out these summaries, and on what regulation or criterion they are based, the same which must be explicit and founded by the same Police. And as a last point administrative summaries of the National Police that were carried out in previous years will be analyzed in order to make a brief analysis focusing principally on the offense committed as well as on the sanction that was reached, as well as the

motivation that in these diverse cases was carried out by means of the Tribunals that conformed the National Police.

The research was carried out using the inductive methods given that from several general concepts a single analysis and conclusion of the interviews that will be carried out will be reached, analytical by reason that this article is based on real facts and criteria of law professionals, historical-logical and descriptive-legal founded on the theoretical development, thus being a pure, descriptive and non-experimental design research.

RESULTS

A condensation of the responses carried out by the justice operators who are part of the District Contentious-Administrative Tribunal with seat in the city of Ambato has been carried out, obtaining the following results:

Table 1. Responses by the justice operators of the Ambato seat.

1. Do you consider that the disciplinary regime in the administrative sphere is the exercise of the ius puniendi of the State with a purpose of punishment or of control of relations between the State and the persons.	It is necessary to understand that within an administrative disciplinary process, the basic guarantees that are found in Art. 76 of the Constitution have to be contemplated, such as for example the guarantee of Due Process and Legal Certainty; for that reason it should be clear what are the legal dispositions that are going to be directed toward a determined disciplinary process, given that if there is not knowledge of the Constitution and the Law, the statutes and regulations of the National Police in order to know toward where the disciplinary process is oriented and to identify the regulation in hierarchical order, to understand what is the summary procedure that must be followed and the stages that must be known and manifested, observing the regulations of due process and motivation.
2. Do you consider that the guarantee of impartiality is respected in the disciplinary procedure of the National Police, taking into account that the entire procedure is substantiated and resolved through the same members of the national police.	No, at a certain point it has been observed that, in the very administrative summaries of the National Police, there are discriminations, contradictions and the most important the violation of due process is seen in the guarantee of motivation, by not having a duly motivated response.
3. In the disciplinary procedure that you as an institution carry out do you consider that the guarantee of impartiality is respected, taking into account that the entire procedure of substantiation is resolved through you yourselves as members of the National Police.	Although the National Police says that they are a commission, it does not cease to be the same institution; it is recommended that it be another entity that regulates this type of actions more than anything at the moment of qualifying and taking the decisions in certain acts, acts that lack the same motivation that in my criterion is the greatest of the problems in the National Police, given that they are not justifying in a founded manner why they arrived at this decision, even proofs are lacking and upon pronouncing

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	ourselves as Contentious Tribunal we declare those acts as illegal.
4. In your experience what do you consider the greatest deficiencies that the National Police have incurred in the substantiation and resolution of their disciplinary procedures.	The lack of preparation; the police within the legal department, the persons in charge of these summaries must have sufficient preparation to carry out a process where fundamental rights of the persons are at stake; then this preparation is what is lacking for them, and they should train the personnel in charge of the summaries; then the lack of knowledge of the norm plays a very important role.
5. Within the disciplinary procedure of the National Police, what do you consider should be reformed with the purpose of guaranteeing an effective protection of the rights of the summarized servers, as well as to respect Due Process.	It is recommended to make a socialization of the internal regulation of the National Police so that this does not counteract with the Constitution of the Republic, because despite being with a Constitution of 2008, to the present date here there is still internal regulation that does not adjust to the same regulation, as well as there should be periods of training.
6. You as Judge who conforms the Contentious-Administrative Tribunal, what do you recommend and what is the first step so that the change that the National Police must make is beneficial for the institution itself.	Training; if the National Police wants results with regard to its processes it has to make an efficient, effective and continuous training. Given that if they do not have a technical defense that does not have knowledge of the procedural moments that must be activated at the corresponding moment and that lack of preparation at least here as experience has brought them that those acts that have resulted (administrative summaries) have been declared null and illegal.
7. It is known that in the National Police the persons who are part of the tribunal and of internal affairs many times are not Lawyers, nor Magisters or Specialists in Administrative Law; you as Judge of the Contentious-Administrative do you believe that it is recommendable that they are the ones who should conform the Tribunal or who process these summaries.	Of course, given that when we speak of law, we speak of specialty and this is a purely administrative matter; it must not only be a lawyer who has general knowledge but a lawyer specialized in administrative law and if there is not, it is understood that the National Police is calling so that society participates in different contests so that they form part of the police ranks be lawyers for troop or magisters for specialists, but they should consider placing them and valuing them for their knowledge in the sectors where the lawyers and the magisters are really needed, according to their specialty.

Analysis: From what is manifested in the interviews carried out with the Judges of the Contentious-Administrative the principal idea is taken as the lack of knowledge and the lack of training on the part of the National Police, focusing on that the majority of the cases that arrive at the Contentious-Administrative Tribunal are due to poorly resolved summaries of the National Police that fail to comply with due motivation and due process, concluding thus, in the lack of knowledge by the persons who conform the Administrative Tribunals.

Interview carried out with the police who conform the area of Internal Affairs. A condensation of the responses carried out by the judicial servers who form part of Internal Affairs of the National Police, organ that is in charge of the substantiation of the administrative sanctioning procedures, has been carried out, obtaining the following results:

Table 2. Interview carried out with the National Police.

1. Do you consider that the disciplinary regime in the administrative sphere is the exercise of the ius puniendi of the State with a purpose of punishment or of control of relations between the State and the persons.	We consider that if we make a similarity with criminal law yes, because what is sought is to regulate the conduct of the police servers with the purpose of maintaining the collective interest over the individual interest determining certain misconducts that are typified in COESCOP; these offenses are typified in Arts. 119, 120 and 121 of the mentioned normative body; then our purpose is to seek that discipline within our institution through the procedures established in the norm.
2. In the Disciplinary Procedure that you as an institution carry out, do you consider that the basic guarantees of Due Process are respected.	Yes, starting from Human Rights, we know that they have been recognized at the world level and in our constitution it has ratified them as Fundamental Rights, and Art. 76 of the CRE that establishes Due Process; if we take as starting point the principle of constitutional supremacy it establishes that all the norms that are extracted from the constitution must have harmony with it; in that sense the COESCOP has harmony with what the constitution establishes making emphasis on Art. 118 that tells us that all the procedures must be carried out observing Due Process; nevertheless if the code did not use it making a control of constitutionality what should prevail is Due Process whether in Constitutional or Administrative matters; that has been said by the Constitutional Court and our regulation.
3. In the disciplinary procedure that you as an institution carry out do you consider that the guarantee of impartiality is respected, taking into account that the entire procedure of substantiation is resolved through you yourselves as members of the National Police.	Yes, given that we as institution divide ourselves in the following manner: the minor offenses that are processed by the hierarchical superior, and the serious and very serious offenses that are carried out by the Internal Affairs component; in the first case yes there exists impartiality because in the COESCOP it establishes that the hierarchical superior who knows of this offense must gather information and on the basis of that taking into account the principle of material truth determines element of charge as discharge if the presumed misconduct incurs or not in an offense and on the basis of that initiates the procedure stipulated in Art. 126 of COESCOP, and who resolves is who does not have knowledge of the fact, and the opportunity is given to the administered party so that he answers and it is determined if there is or is not responsibility. Now then in the topic of serious and very serious offenses, in the case that

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	the hierarchical superior who knew of the presumption of the offense at the moment of gathering information considers that there exist sufficient elements or clear indications that make presume a serious or very serious offense remits to the Internal Affairs component; in that case a requisitory procedure is opened, gathers information, investigates on the basis of the principle of material truth and determines if there exist sufficient elements, chooses one of the two routes that the same makes an interlocutory order that sends to the archive for not having sufficient elements or in its defect is an initial order with which the Administrative Summary is initiated, which is found in Art. 128 of COESCOP and after that it is notified and a secretary is designated and a substantiating agent (lawyer) is designated and we as substantiating agent what we seek is the truth, and who finally resolves respecting due process the delegate of the general inspectorate, and he is who presides the administrative summary (the oral hearing) and there the summarized has opportunity with his technical defense to expose his theory the same as the substantiator with the proofs that are evacuated, who has nothing to do with the delegate with Internal Affairs.
4. In your experience as part of internal procedures do you believe that there are deficiencies in the substantiation and resolution of your Disciplinary Procedures.	If we speak of deficiencies, it is understood that in all processes there are deficiencies even in the Ordinary Route if there exist certain deficiencies and many times these deficiencies are not presented by the administrative component but the same investigated persons are those who provoke them; in certain cases they are occasioned by the technical defenses.
5. Within the disciplinary procedure that you as institution process, do you consider that the COESCOP should be reformed; if your response is positive in what sense.	No, given that the COESCOP gathers all the fundamental rights of the Constitution; in reality in comparison with the laws and regulations that we had before, the COESCOP guarantees the right to defense, guarantees all Due Process and Right to Defense for which there should not be any change.
6. Within the Administrative Summaries at the moment of conforming the Disciplinary Tribunal, the police who conform the same and those who decide the resolution of the summary are lawyers specialized in Administrative Law; if your response is negative fundament it.	In itself as had been manifested the delegate has nothing to do with internal affairs, but here we speak of two administrative authorities who know by competence, the minor offenses, and the authority who knows serious and very serious, and in that sense those who know ARE NOT LAWYERS, taking into consideration that it is not resolved according to the title but to the competence that the Constitution and the Law have granted them; it is on the basis of the position and function that they fulfill; logically it is considered that they should have knowledge in Law, so that in that sense there may be a deficiency despite the fact

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	that we as institution do train those who fulfill these activities.
7. Do you consider that impartiality is guaranteed, since at the moment of conforming the Tribunal for the substantiation of the Disciplinary Procedure the separation between the instructing organ and the resolving organ must be guaranteed.	Yes, given that who is in charge of the substantiation of the resolution is the Internal Affairs component, and if the initial order is dictated on its part there the investigation is initiated (Summary Hearing) and at that moment a directive police server delegated by the inspector of the National Police intervenes and he is who presides the summary and who directs the hearing is the head of Internal Affairs and at the right side always there is a legal advisor who knows of the matter.

Analysis: The National Police for its part manifested that they as sanctioning organ of their own institution base themselves purely on COESCOP the same which is a branch of the CRE being the same a just code, without any vice of impartiality, and that their administrative summaries are based on the same Code, for which the resolutions that they emit are attached to the law; however they highlighted that their institution does lack more law professionals in the area of Internal Affairs, as well as training of their personnel in charge of the resolution of the Summaries that are carried out within the Institution.

DISCUSSION

It is understood that upon analyzing the results to the first question posed about the Principle of Impartiality to the Judges of the Contentious-Administrative, the same who discuss whether or not there exists impartiality in the Administrative Summaries trying to find the failure in the same system, the fact of the lack not only of impartiality in a certain sense but rather the lack of knowledge of the norm is considered which leads us to the lack of motivation in the Administrative Summaries; this is by reason that those who conform Internal Affairs (in charge of resolving serious and very serious offenses) and the Hierarchical Superior (in charge of resolving minor offenses) do not have exact knowledge of the norm and still less are Lawyers specialized in Administrative Law which leads us to having certain deficiencies in the Administrative Summaries.

With respect to the criterion of the members of the high commands of the National Police of Ecuador, it is understood that they are in total disagreement that the principle of impartiality would come to be violated in their administrative procedures and that at no moment has it been acted with inequality; rather they recognize the fact that the Institution should implement more knowers of the law in these summaries, and implement trainings for those who conform Internal Affairs, without leaving aside that the Institution does not fall into impartiality by the sole fact that the same police servers are those who resolve these summaries, given that they are governed by their norm the COESCOP the same which comes from the same Ecuadorian Constitution for which they determine that it is impossible a margin of error, given that the knowers of the Administrative Summary (those who are going to

resolve) are not police who know of the case to resolve given that they are chosen at random; more than if in case deficiencies are found it is because the very lawyers who defend the counterpart usually have vices in the law and do not allow the summary to be resolved in a motivated manner in relation to the offenses whether minor, serious or very serious that they process, and without delays.

From what is manifested previously and compared with the research carried out by (18) the same which in its pertinent part relates that: "...I must make allusion that the procedure of minor offenses exists a total violation of due process; there have been cases that the hierarchical superior verifies that a police server has committed a presumed administrative disciplinary offense, proceeds immediately to issue a memorandum to the police server so that he gives answer with the discharge proofs, being a violatory of due process, violating that principle of impartiality; there does not exist burden of proof; the principle of orality is not complied with, when the correct in the procedure of the disciplinary regime is to make known to his hierarchical superior through an information of denunciation inasmuch as he has the obligation to inform, in an immediate manner, to his hierarchical superior, thus the Organic Code of Citizen Security and Public Order Entities disposes..." With this it is verified that the police server not only incurs in the principle of impartiality but also in due process, because he does not know how the same must be processed; said this does not mean that that is motive of excuse, but in part the lack of knowledge of the law is what does not help to evolve and give a correct processing to the administrative summaries of this institution.

Likewise, in the research titled (19) in its pertinent part specifically in the results it points out that "...The surveyed law professionals assure in 87.5% that the guarantees of due process are applicable in the administrative disciplinary procedures in the National Police of Ecuador, in the substantiation of every type of offenses, while 12.5% consider that the right to due process should only be applied upon substantiating serious offenses; which denotes that there still exist lawyers —in a minimum percentage— who consider that this right must be respected in certain processes, when the correct is that it be guaranteed in every action of the State where rights of the persons are involved..." This leads us to the analysis manifested by the Judges of the Contentious-Administrative who explained about the training; if the National Police wants results with regard to its processes it has to make an efficient, effective and continuous legal training.

By reason of what is manifested by (20) it is had that: "...to solve the problematic with respect to the affectation of the principle of proportionality in the sanctions applied to the administrative disciplinary regime of the National Police of Ecuador..."

Analysis of cases

Table 3. Resolution No. 2018-005-SZ-SDT.

POLICE SERVER:	Captains of the Police Cristian Roberto Zamora Bonilla and Second Corporal of the Police Diego Wladimir Morales Naranjo.
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OFFENSE COMMITTED:	Abandoning the place of work without authorization, causing a serious prejudice to the service, to the physical or psychological integrity of the persons.
MOTIVATION OF THE RESOLUTION:	The motivation was based on: For having allegedly framed their action and very serious disciplinary offense established in Art. 121 num. 2 of the COESCOP that signals "...2. Abandoning the place of work without authorization, causing a serious prejudice to the service, to the physical or psychological integrity of the persons;..."
SANCTION: DISMISSAL	DISMISSAL, in conformity with what is established in Art. 48 of the COESCOP.

Table 4. Resolution No. 2013-2702-DGP-DIF.

POLICE SERVER:	Police Officer Fredy Fernando Villa Guaño.
OFFENSE COMMITTED:	Abuse of confidence dispersed by the superior.
MOTIVATION OF THE RESOLUTION:	The motivation was based on: The disposition prescribed in numeral 47 of Art. 60, of the Disciplinary Regulation of the National Police, has similarity to the disposition established in numeral 21 of Art. 64, of the Disciplinary Regulation, that grants competence to this Tribunal; the facts refer to diverse circumstances according to the quality of the juridical good violated being that for this last disposition the concept of arbitrariness represents not only disobedience to a disposition but violation of the sense of security and police discipline, fact that has been adverted in the present case among other elements upon permitting that third parties manipulate with imminent danger to their lives a State weapon exclusively disposed as element of public security, to which is added the series of aggravating circumstances that substantially modify the penalty and that refers to those determined in letters b, d, and m of Art. 30 of the Disciplinary Regulation of the National Police, that is to incur an offense with abuse of confidence dispersed by the Superior.
SANCTION:	PENALTY OF DISCHARGE OR DISMISSAL from the police ranks.

CONCLUSIONS

After the theoretical analysis and of cases, it can be concluded that:

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- It is concluded that the National Police carries great responsibility over all the decisions of the Administrative Summaries, since in the majority of cases they end up taken to the Contentious-Administrative Tribunals for a control of legality, inasmuch as at the moment of resolving they are not motivated in an adequate manner.
- Although expressly, from the Constitution it is provided and it is required that there exist a respect for Due Process, in the guarantee of impartiality; and the infra-constitutional norms guarantee in equal manner the impartiality, and since the administrative sanctioning procedure is the exercise of the *ius puniendi* of the State, it has put in danger the guarantee of impartiality due to the fact that in the police ranks the principle of police hierarchy governs and if the instructing and sanctioning organs belong to the same institution it puts at risk the impartiality with which they are processed.
- The administrative sanctioning procedures are governed by the COESCOP, the same which is centered on respecting what the Constitution determines; as was indicated in the previous numeral, the fact that the same police servers are those who substantiate does not guarantee impartiality, but what does put at risk the impartiality is the lack of knowledge that many of the police servers have with respect to the substantiation, given that the result of this lack of knowledge is the response to the fact that there exist revocations of their internal administrative summaries.
- By reason of the lack of knowledge of norms, it is concluded that there is a great vacuum within this institution, given that the same upon not knowing what all these principles are is not intentional, but yes responsibly they incur in not being motivated, and the lack of knowledge is the consequence of the fact that there exist several administrative summaries that are under control of legality in the Contentious-Administrative Tribunals.

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FORTALECIMIENTO DE LA ECONOMÍA POPULAR Y SOLIDARIA: UN MODELO ALTERNATIVO PARA EL DESARROLLO SOSTENIBLE EN ECUADOR

STRENGTHENING THE POPULAR AND SOLIDARITY ECONOMY: AN ALTERNATIVE MODEL FOR SUSTAINABLE DEVELOPMENT IN ECUADOR

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RESUMEN: La Economía Popular y Solidaria (EPS) en Ecuador se consolida como una alternativa sostenible e inclusiva que contrarresta el paradigma del lucro, planteándose como columna vertebral para el desarrollo del país. La presente investigación indaga en su concepción, proyección y los obstáculos que enfrenta, al mismo tiempo que evalúa su eficacia en generar bienestar social, promover la equidad y proteger el entorno. A través de un enfoque cualitativo, se recogen testimonios de distintas instituciones de EPS, desentrañándose aspectos decisivos para su desarrollo y restricciones que limitan su expansión. Los hallazgos corroboran que el modelo de EPS fortalece la cohesión social, estimula la participación colectiva y promueve la redistribución de la renta, mediante el comercio justo, la producción de cercanía y sistemas de gestión participativa. Las conclusiones ponen en evidencia que el éxito del modelo está indisolublemente asociado a políticas públicas consistentes, a la disponibilidad de financiamiento solidario y a capacitaciones dirigidas a la administración empresarial y la innovación tecnológica. A pesar de estas fortalezas, subsisten retos de envergadura, tales como un elevado grado de informalidad, la carencia de canales de comercialización consolidados y la presión competitiva ejercida por el sector privado. Se concluye del presente estudio que el fortalecimiento de la economía popular solidaria (EPS) demanda una estrategia integral que articule de manera efectiva al Estado, a la sociedad civil y a las propias iniciativas solidarias, de modo que se potencie su función de motor del desarrollo equitativo y resiliente, orientando la actividad económica hacia lógicas más humanas y respetuosas del entorno.

Palabras clave: Inclusión financiera, desarrollo comunitario, soberanía alimentaria, políticas públicas, emprendimiento social

ABSTRACT: The Popular and Solidarity Economy (PSE) in Ecuador is consolidating itself as a sustainable and inclusive alternative that counteracts the profit paradigm, positioning itself as the backbone for the country's development. This research investigates its conception, projection, and the obstacles it faces, while evaluating its effectiveness in generating social welfare, promoting equity, and protecting the environment. Using a qualitative approach, testimonies are collected from different EPS institutions, unraveling decisive aspects for its development and restrictions that limit its expansion. The findings corroborate that the EPS model strengthens social cohesion, stimulates collective participation, and promotes income redistribution through fair trade, local production, and participatory management systems. The

conclusions show that the success of the model is inextricably linked to consistent public policies, the availability of solidarity financing, and training in business administration and technological innovation. Despite these strengths, major challenges remain, such as a high degree of informality, a lack of established marketing channels, and competitive pressure from the private sector. This study concludes that strengthening the popular solidarity economy (PSE) requires a comprehensive strategy that effectively coordinates the State, civil society, and solidarity initiatives themselves, so as to enhance their role as drivers of equitable and resilient development, guiding economic activity toward more humane and environmentally friendly approaches.

Keywords: Financial inclusion, community development, food sovereignty, public policy, social entrepreneurship.

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INTRODUCTION

Although Ecuador has a normative framework oriented to promote the Popular and Solidarity Economy, this sector persists without becoming a consolidated protagonist within the national productive structure. Structural and operational obstacles remain that slow its expansion and limit its potential to impact in an appreciable manner the reduction of poverty and inequality. For this reason, the present research proposes to elucidate, in a systematic manner, the internal conditioners that continue undermining the strengthening of its organizations and, at the same time, to map the set of external factors that operate in a synergistic or adverse manner. Likewise, the identification of a selective set of interventions and of political orientations is pursued whose scope is measured, not only in function of the economic sustainability of the entities, but anticipating their capacity to make of development a process socially redistributive, inclusive and prudent in relation to its environmental potential.

The economic and social perturbation of global character, deepened by the inherent restrictions of the neoliberal model, has channeled attention toward economic alternatives that place human well-being, social justice and environmental sustainability at the center of their priorities, above the mere accumulation of income. In such a framework, the Popular and Solidarity Economy (PSE) presents itself as an alternative model of disruptive character and, at the same time, constitutes a critical anchorage for a development that aspires to be more inclusive and resilient.

In Latin America, the emergence of the popular and solidarity economy (PSE) does not present itself as a phenomenon of current relevance, but as a prolongation of the community responses and of the popular circles in the face of chronic exclusion and real-estate inequality (1). Cooperativism, the associations of tested producers and the networks of solidarity barter adopted operative forms decades ago, but it has been during the last five-year period that these experiences have received the political and regulatory validation in the region (2), (3). State policies oriented to the PSE have been

strengthened, such as the Program of Foment of the Solidarity Economy in Brazil, the initiatives around the care of food production in Argentina and the frameworks of rural reconversion in Bolivia, which inscribed in the legislation, situate the sector as a determining incentive in the creation of non-precarious work, in the conquest of food autonomy and in the sustainable reduction of poverty (4), (5). Also, the Economic Commission for Latin America and the Caribbean (ECLAC) has endorsed, in consecutive valuations, the PSE as a device to inscribe the economy in frameworks of greater democracy, proposing the transfer, in addition to production, of value where scarcity has been institutionalized, constructing in this way, social capital in the margins of the “formal” economy (6).

In Ecuador, the consecration of the popular and solidarity economy (PSE) in the Constitution of 2008 underlined an advance without precedent in public policies, providing an original normative framework for its subsequent advance and reaffirmation (7). The Montecristi magna carta characterized the national economy as of social and solidarity character, declaring this modality as a fundamental pillar together with the public and private sectors (8). The subsequent promulgation of the Organic Law of the Popular and Solidarity Economy (LOEPS) and of the Law of the Popular and Solidarity Financial Sector (SFPYS), in 2011, pretended to regulate, watch over and stimulate the entities that integrate the PSE, such as production cooperatives, of services, of savings and credit, associations, and other popular economic units (9). Nevertheless, beyond the detailed legal support, the sector still remains exposed to structural obstacles that have hindered its definitive strengthening.

The execution of the normative framework faces barriers such as the prevalence of informality, the scarce management capacity of the entities, the limited access to just and stable markets, and the unfair competition on the part of the enterprises of the private sector (10), (11). Such difficulties restrict not only the expansion of the solidarity economy enterprises, but weaken the possibility that these convert themselves into levers of systemic transformation, deteriorating in a tangible manner the well-being of the most vulnerable groups that institutionally depend on their productive model for survival. Although an increase in the number of organizations and in the affiliation of members has been observed, the effect of the cooperative modality on the productive structure and on the design of public policy remains, to date, at marginal levels (12). Consolidating this sector is not an option, but an unpostponable responsibility to develop a model of economy that combines resilience, inclusion and equity in coherence with the sustainable development objectives of the 2030 Agenda (13), (14).

The present study has as general objective to analyze the strengthening of the Popular and Solidarity Economy in Ecuador as an alternative model for sustainable development, through the exploration of the experiences, challenges and opportunities of the organizations that conform it.

MATERIALS AND METHODS

This study situates itself in a framework of qualitative research, given that this orientation allows deciphering the complexity of social phenomena, human experiences and the meanings that social actors insert in their everyday regulations.

The purpose does not consist in quantifying, but in norming it and unraveling it through a process of reading and analysis that puts in relief the procedural achievements that define the organizations of the Popular and Solidarity Economy in Ecuador. The inquiry feeds itself from the obtaining of non-numerical information, through which is unveiled, from the voice of those who compose them and of their directives, the configuration of their identities, the obstacles that they face and the alternatives that they glimpse.

The environment of the research was the geographic ambit of the provinces of Chimborazo, Tungurahua and Azuay, selected by the significant presence of organizations of the PSE, both in the productive sector (agriculture, handicraft) and in the financial (savings and credit cooperatives).

The study implemented a design that combines bibliographic-documentary review with field work. In the bibliographic phase, the PRISMA approach (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) was resorted to with a view to guaranteeing transparency and exhaustiveness in the selection of sources. A set of key words was defined: "Popular and Solidarity Economy Ecuador", "sustainable development and PSE", "cooperativism in Ecuador" and "public policies for the social and solidarity economy", which guided the search in databases, indexed journals and repositories of public policies. Inclusion criteria were established (publications of the last decade, in Spanish or English, with peer review and substantive relevance in the PSE) and of exclusion (non-arbitrated sources, case studies that extracted data that do not correspond to the Latin American region) and they were processed in an exhaustive manner to avoid biases in the selection.

For the field phase, the obtaining and the analysis of the qualitative data were carried out by means of semi-structured interviews directed to 20 representatives of organizations of the popular and solidarity economy (PSE). To these interviews were added focus group sessions, designed in an intentional manner to provoke the collaborative exchange about the tensions and the possibilities observed in the sector. The resulting recordings were transcribed and subsequently thematic coding was proceeded to. In this process stable patterns were made visible, themes that reappeared in a systematic manner and categories that arose in the observations, such as organizational management, insertion in the market circuits, the protagonism of the apparatus of the State and the social repercussions of the practices of the PSE. The qualitative information, unlike the quantitative databases, was not the object of statistical treatment; the reading was carried out in an integral form, with the purpose of elaborating a unified narrative that reflected with depth the dynamics of the field.

RESULTS

The results of this qualitative research are presented through the identification of key emerging themes from the interviews and focus groups, backed by the reviewed literature. Next, the most relevant findings are detailed in three principal axes: the social and community contribution, the internal challenges and the external barriers.

Social and community contribution

The entities analyzed in the framework of Social Property Enterprises (PSE) exhibit a notable capacity to foster social cohesion and impulses of community appreciation. The greater part of them bases its functioning on self-management and on a decision-making understood as collective exercise, at the same time that it develops the continuous and effective participation of the major actors that in them integrate themselves. In the agricultural collectives that produce, the interviewees emphasize their conviction that the associative practice not only increases productivity, but also elevates, in a significant manner, the quality standards of the offer from a rational prevision of resources and from the optimal utilization of knowledge. In the ambit of the entities that realize savings and that also operate in credit mechanisms, the finding verifies, in a conclusive manner, that their action anticipates and adjusts the financial inclusion of sectors that the bank of simple commercial formalization has insistently declared "risky". One of the leaders in the ambit of agropecuary production in Chimborazo reaffirmed, by way of motivating synthesis, that "success did not dare to build itself its name, but that of the community; after all, we form ourselves in rounds of learning, we dispose ourselves in turns of sale and the utility is entered to the task of constructing a home and of consolidating the community itself".

The regime of production inscribed in the principles of the PSE, in addition to offering signs of justice and productivity, directs itself to food sovereignty through norms that of honesty distill themselves in a personal purpose, and that confront, modestly, the exorbitant models of agroindustry. The federations and the agricultural collectives that re-send themselves opt for agriculture free of synthetic inputs and for the systematic conservation and innocuity of ancestral knowledge, ipso facto, the mechanisms, the agroecological handlings and, without scratches, the modes of collective coexistence insist on the capacity and on the civility of assuring the resilience, in the same collective measure, of the ecosystems that sustain their territorial fabric.

Table 1. Perceived benefits of the PSE model.

Benefit Category	Description
Economic	Access to accessible credit, solidarity markets, fair prices for production, generation of local employment.
Social	Community cohesion, empowerment of women and youth, democratic participation in management, strengthening of cultural identity.
Environmental	Use of sustainable practices, conservation of natural resources, organic production, reduction of the carbon footprint.

Internal challenges of the organizations

Despite the contributions that they have generated, the organizations of the popular solidarity economy (PSE) face permanent difficulties of the internal ambit that limit their structural consolidation. One of the most evident problems is the insufficiency in the formation in business and financial management. Although their referents and affiliates possess a solid domain of the productive techniques, the knowledge in marketing, accounting, strategic planning and the harnessing of information technologies is scarce. This deficit reverberates in their capacity to scale operations and to operate in markets in a competitive manner. Likewise, governance reveals itself

as an additional obstacle; in determined collectives recurrent tensions were documented in the spaces of decision, characterized by the fragility of the institutional mechanisms.

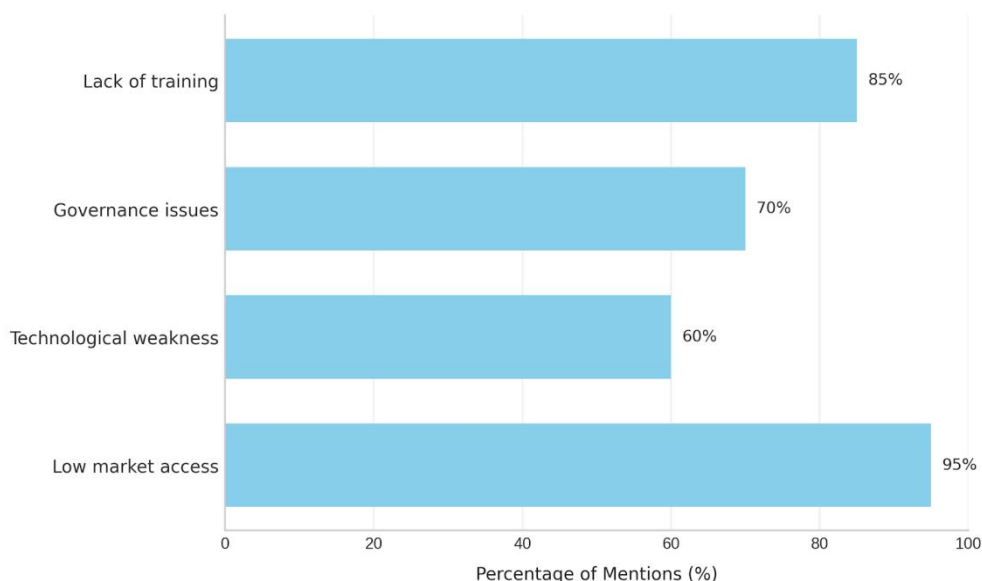


Figure 1. Percentage of PSE organizations that report management challenges.

Figure 1 indicates that the most critical limitation that the entities of the Popular and Solidarity Economy (PSE) face is, with a representation of 95%, the scarce access to markets, a phenomenon that is inscribed in dynamics of structural exclusion and that obstructs their potential of commercialization and viability. To that barrier is added the insufficiency in training programs, whose incidence is in turn of 85%, which suggests functional illiteracy in technical and management competencies.

Complementarily, the dysfunctions of governance contribute a 70% of the complaints, a condition that diminishes the quality of collective decisions, transparency and internal unity. Finally, a 60% of the organizations report technological deficiencies, a lack that clarifies the digital gap and limits the capacity to innovate and to operate with efficiency. These concatenated defects sustain the urgency of formulating and deciding concatenated public policies that strengthen capacities, favor inclusion in commercial circuits and modernize the institutional and digital infrastructure of the PSE subjects.

External barriers and the role of the state

The organizations of the PSE also face themselves to significant external barriers. The limited access to stable and just markets is one of the principal problematics. The majority of the undertakings depend on local fairs or on a limited network of clients, which prevents them from generating consistent incomes. The unfair competition with the private sector and the lack of differentiation of their products in the conventional market were also recurrent themes.

With regard to the role of the State, the interviewees expressed a mixed perception. Although they recognize the existence of the LOEPS and the institutions of foment, they point out that the implementation of public policies is insufficient and fragmented. Bureaucracy, the lack of interinstitutional coordination and the limited financing are

persistent barriers. An interviewee of the artisanal sector in Azuay commented: “The government says that it supports us, but the real support on the ground does not arrive. There are no constant training programs, nor markets where we can sell what we produce at a fair price.”

DISCUSSION

The data presented in this research both confirm and nourish the theoretical understanding of the popular and solidarity economy in Ecuador, opening, through an explicit dialogue, new spaces of interlocution with academic research. In particular, the evidences referred to the social contribution of the PSE and its propensity to produce tissues of community cohesion inscribe themselves in the analytical trajectory of Bértola and Ocampo, who sustain that the solidarity and social economies operate as structural support in the accumulation of social capital and in the construction of resilient capacities within the Region, to which they situate as nucleus of their discussion (15). Simultaneously, the findings that give account of the mechanisms of financial inclusion and of democratization of credit, generated from the action of the popular and solidarity sector, and that locate this process in the spectrum of basic services, show a chaining with the analyses of Moncayo and coauthors (16) from which it is affirmed that their intervention mitigates differentiations of access to financial services that usually perpetuate inequality.

Nevertheless, the findings that address the internal and external challenges contradict, at least in part, the affirmation that the normative device is sufficient by itself to settle the Public Health Enterprise. The valuations of the informants with respect to the lack of formation and to the deficits in the function of management disauthorize the optimism of some official documents (17) that privilege a supposed innate organizational capacity of the community organisms. This analysis evidences that, without the provision of a sufficient technical and strategic assistance, the PSE will continue in a condition of precariousness.

The permanent restriction linked to the access to markets for the initiatives of Popular and Solidarity Economy (PSE), together with the evident insufficiency of the public policies, has been documented systematically in the bibliography. The report of the Alliance for the Popular and Solidarity Economy (18) reaffirms that the lack of stable commercialization channels arrogates itself the status of principal obstacle for the efficacy and the survival of the undertakings. The evidences that here are presented add that the bureaucracy and the disarticulation between the normative and the operative appear, in a unanimous manner, as some of the most formulated critiques by the actors.

This coincidence orients to conclude that the institutional policies of support have not produced the strategic effects that would be sought, at least in observable terms. In turn, the demand of a more robust framework that articulates the public sector, the private sector and the organizations of the PSE is dosed in the contemporary thought; this exigency coincides with the framework proposed by (19), that appeals to the construction of a framework of plural economy capable of integrating, in equality of conditions, the most varied organizational modalities.

The discussion confirms that the consolidation of the popular and solidarity economy (PSE) in Ecuador exceeds the merely legislative horizon and becomes a question of construction of integral public policy. Such construction should, simultaneously, confront internal vulnerabilities such as insufficiencies in human formation and deficiencies in management and dismantle external obstacles, in particular the limited access to markets and to financing. It is imperative to attack these interdependent dimensions through an orientation that transcends the conjunctural assistance and that centers itself, instead, on the promotion of autonomy and the deployment of competencies that generate themselves in the very bosom of the undertakings. Only thus the PSE will be able to acquire the character of protagonist agent in the processes of sustainable development that the country demands in the current conjuncture (20).

CONCLUSIONS

The model of Popular and Solidarity Economy in Ecuador manifests itself as an option of sustainable development of broad credit, given that it articulates, in a same horizon of actions, social inclusion, strengthening of communities and guarantee of environmental sustainability. Through practices of self-management and of horizontal solidarity, the groupings that integrate the PSE consolidate networks of mutual support that, in turn, increase the capacity of response of the communities before perturbations and offer, in programmatic terms, a transit toward an economy whose axis is not the individual accumulation, but the common well-being.

Despite the apparent normative backing, the consolidation of the PSE faces diverse limiting factors. Among these stand out the obstacles of management, the precarious access to markets and the fragile governance. The insufficiency of training programs in strategic competencies and the inconsistent execution of public policies exercise an accumulative effect that restricts the expansive capacity of these initiatives and their potential multiplier effect. It results, therefore, indispensable that the State and civil society instrument, in an articulated manner, strategies that attend these limitations, in order to provide to the PSE entities the competencies, markets and legitimacy required for their growth, consolidation and sustainability in time.

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BARRERAS PARA LA AUTOFORMACIÓN CONTINUA Y EL DESARROLLO PROFESIONAL DOCENTE

BARRIERS TO CONTINUOUS SELF TRAINING AND TEACHER PROFESSIONAL DEVELOPMENT

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RESUMEN: El presente estudio analiza el impacto de las diferencias generacionales en la autoformación continua y el desarrollo profesional de los docentes del Colegio Camilo Ponce Enríquez, en Quito, durante el año 2025. La autoformación, entendida como un proceso autónomo, reflexivo y autorregulado, permite que los docentes asuman un rol activo en su crecimiento como profesionales, favoreciendo la innovación pedagógica y la mejora continua. Sin embargo, su implementación enfrenta barreras estructurales, como la falta de tiempo, recursos limitados y escasa cultura institucional de aprendizaje permanente, así como barreras generacionales, que se reflejan en la resistencia al cambio, la adopción desigual de tecnologías y percepciones distintas sobre la necesidad de actualización profesional. El estudio adopta un enfoque cuantitativo correlacional, con diseño no experimental, descriptivo y de corte transversal, mediante encuestas tipo Likert aplicadas a 54 docentes del colegio. Se busca identificar las barreras percibidas, evaluar el nivel de desarrollo profesional y determinar la relación entre estas variables según la generación docente. Los resultados permitirán comprender cómo las diferencias generacionales influyen en la adopción de recursos digitales, los estilos de aprendizaje y la disposición a la innovación pedagógica. Asimismo, aportarán insumos para fortalecer políticas institucionales que promuevan la autoformación de manera inclusiva y adaptada a las necesidades de cada grupo etario, favoreciendo la cohesión del trabajo colaborativo y el desarrollo profesional sostenido. Reconocer la diversidad generacional como un recurso estratégico constituye un camino para construir una escuela más inclusiva, innovadora y capaz de enfrentar los desafíos educativos contemporáneos.

Palabras clave: Autoformación, barreras, desarrollo, generaciones

ABSTRACT: This study analyzes the impact of generational differences on continuous self-training and professional development among teachers at Colegio Camilo Ponce Enríquez in Quito during the year 2025. Self-training, understood as an autonomous, reflective, and self-regulated process, allows teachers to take an active role in their professional growth, promoting pedagogical innovation and continuous improvement. However, its implementation faces structural barriers, such as lack of time, limited resources, and a weak institutional culture of lifelong learning, as well as generational barriers, reflected in resistance to change, unequal adoption of technologies, and differing perceptions regarding the need for professional updating. The study adopts a quantitative correlational approach, with a non-experimental, descriptive, and cross-sectional design, using Likert-type surveys applied to 54 teachers at the school. It seeks to identify perceived barriers, evaluate the level of professional development, and determine the relationship between these variables according to teacher generation.

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The results will provide insight into how generational differences influence the adoption of digital resources, learning styles, and the willingness to embrace pedagogical innovation. They will also provide inputs to strengthen institutional policies that promote self-training in an inclusive manner, tailored to the needs of each age group, fostering collaborative work cohesion and sustained professional development. Recognizing generational diversity as a strategic resource represents a path toward building a more inclusive, innovative school capable of addressing contemporary educational challenges.

Keywords: Self-training, barriers, development, generations.

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INTRODUCTION

Education in the knowledge society faces new challenges where continuous teacher training constitutes a fundamental strategic axis. In this new educational paradigm, characterized by an accelerated evolution of technologies, changes in pedagogical models and profound social transformations, teachers face the challenge of updating themselves and preparing constantly to respond to the demands of the 21st century. Self-training, understood as an autonomous, self-regulated and reflective process of professional learning, acquires particular relevance by allowing the teacher to be the protagonist in their professional development, beyond formal training instances.

Self-training is a key tool to strengthen educational practice, foster pedagogical innovation and promote a culture of continuous improvement (Marcelo, 2002). However, this process faces obstacles such as structural barriers, the lack of institutional time, the scarce organizational culture of permanent learning, and limitations in access to digital resources. Together with them, generational barriers emerge as a critical component that influences in a significant manner the way in which teachers of different ages approach their self-training processes.

Generational gaps, in particular, manifest themselves in the differences in digital skills, in the resistance to methodological change and in the perception of the utility of continuous training. While some teachers, especially the younger ones, tend to adopt new technologies with greater fluency and naturalness, others, with greater professional trajectory, may face difficulties to integrate them into their teaching practice. These differences impact the effectiveness of training programs and the cohesion of collaborative work within educational institutions.

In the context of Colegio Camilo Ponce Enríquez, the existence of intergenerational tensions is evident. The teaching community is very diverse in ages, formative trajectories and levels of experience, which enriches the institutional climate, but also presents challenges for the implementation of homogeneous formative processes. It has been possible to identify that some teachers present difficulties in the use of educational digital platforms, others do not completely recognize their own formative needs, and there exist various points of view with respect to the role that continuous training plays in professional improvement. These conditions limit the consolidation of

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a culture of self-training, necessary to face the challenges of an inclusive, updated and contextualized education.

Faced with this scenario, the present research poses as general objective to analyze how generational differences impact continuous self-training of the teachers of Colegio Camilo Ponce Enríquez, considering both the perceived barriers and the strategies used to confront them. A quantitative approach of correlational type is proposed, with the purpose of identifying significant relationships between the generational variable and the commitment to self-training, as well as evaluating the factors that influence this relationship.

The choice of this approach responds to the need to generate empirical evidence that allows better understanding this problematic and offering inputs that orient institutional decision-making. In addition, it seeks to contribute to the design of educational policies that foster teacher professional development from a generationally sensitive perspective, capable of recognizing the needs and motivations that vary according to the age group and the previous experiences of the teachers.

The present study frames itself in the line of research on teacher professional development, educational inclusion and use of technologies in education. Theorists such as (2) have highlighted the importance of promoting processes of contextualized, flexible formation centered on the subject who learns. Under this perspective, self-training is a mechanism to acquire new competencies, but beyond that, it is a strategy of professional empowerment that allows the teacher to be protagonist of their growth and to adapt to the constant changes of their environment.

The findings of this research will allow understanding with depth the incidence of generation in the styles of teacher learning, in the adoption of digital resources, and in the disposition to pedagogical innovation. At the same time that they will contribute to the strengthening of the institutional practices of accompaniment and formation, benefiting directly the teachers in their process as professionals of education and, in an indirect form, the educational community in general. The recognition of generational diversity as a richness and not as a barrier can convert itself into a key strategy to construct a more inclusive, collaborative school adapted to the contemporary challenges.

MATERIALS AND METHODS

Research design

The purpose of the present research work is to analyze how the generational differences among the teachers of an educational institution influence the adoption of practices of continuous self-training and in their professional development.

The study frames itself in a non-experimental design of descriptive type and of cross-sectional cut, since it seeks to describe and analyze the phenomenon without manipulating variables, observing the facts just as they present themselves in the natural context of the teachers.

Likewise, the same authors point out that the cross-sectional designs “collect data in a single moment, with the purpose of describing variables and analyzing their incidence and interrelation in a determined time” (p. 247).

Therefore, this study will center itself on identifying the barriers that obstruct teacher self-training, analyzing the level of professional development and determining the existing relationship between both variables considering the generational differences present in Colegio Camilo Ponce.

Research approach

The study will develop under a quantitative approach, since it pretends to collect and analyze numerical data that allow describing tendencies and relationships between the variables of the study.

The quantitative approach, according to (3), “uses numerical measurement and statistical analysis to establish patterns of behavior and test theories” (p. 4).

The quantitative approach is ideal for the present work, allowing quantifying the perceptions of the teachers and establishing objective associations between the studied factors.

Research methods

The methods applied in the research are the following:

- Deductive method: It will allow starting from the theoretical concepts about self-training, professional development and generational differences to interpret the empirical results obtained from the questionnaire applied to the teachers.
- Inductive method: It will be employed in the observation and analysis of the results, allowing deriving general conclusions about the studied phenomenon from the data collected from the sample.
- Analytical method: It will be key to decompose the data into categories (self-training, barriers, professional development and generation), compare them and identify patterns, tendencies or correlations between the variables.

Population

According to (4), the population is defined as “the set of persons or objects of which something is desired to be known in a research” (p. 4).

The population object of this study is constituted by 54 teachers who work in Colegio Camilo Ponce, including personnel of distinct areas and educational levels during the 2025 school year.

Sample and sampling

According to (4), “the sample is the unit of analysis that can be conformed by persons, organizations or objects, and must be in concordance with the objectives of the study” (p. 122).

A non-probabilistic sampling by convenience will be employed, considering the availability and voluntariness of the teachers to participate.

Therefore, all the active teachers of Colegio Camilo Ponce will be invited to participate, seeking to reach a representative coverage of the distinct generations present in the institution.

Data collection techniques

(5) defines the techniques of data collection as “mechanisms and instruments that are utilized to reunite and measure information in an organized form and with a specific objective” (p. 31).

In this research, the survey technique will be employed, administered in digital form by means of Google Forms, which will allow compiling structured information in an efficient, secure and anonymous manner.

The survey will be applied in an individual manner, in an approximate time of 15 minutes, during the work day, previous institutional authorization.

Data collection instrument

The designed instrument consists of a structured questionnaire of 20 closed items, elaborated under the Likert-type scale of five options:

- Strongly disagree,
- Disagree,
- Neutral,
- Agree,
- Strongly agree.

Each item corresponds to one of the five principal dimensions of the study:

- Teacher self-training,
- Barriers to self-training,
- Professional development,
- Digital competencies,
- Generational differences.

According to (5), the Likert scale “consists of a set of items under the form of affirmations or judgments before which the favorable or unfavorable reaction of the individuals is requested” (p. 10).

The instrument was designed specifically for this research, guaranteeing its validity by means of the review of experts in education and methodology; its reliability could be verified through a pilot test applied to a reduced group of teachers.

Data techniques and processing

The analysis of the information will be carried out by means of descriptive statistics, understood as “a set of procedures destined to present masses of data by means of tables, graphs and measures of summary” (6).

The processing of the data will be carried out in Microsoft Excel and Google Forms, tools that will facilitate the tabulation, calculation of frequencies, averages and standard deviations.

In addition, tests of comparison of means and correlation will be applied to identify significant relationships between the variables (barriers, self-training, professional development and generational differences).

RESULTS

The results obtained in the research reflect a majority positive valuation toward continuous self-training and teacher professional development. In general, the participants show a clear disposition to assume the responsibility of their own learning; nevertheless, structural, organizational and personal limitations persist that hinder the consolidation of an institutional culture of permanent formation. In the results it could be evidenced that the teacher professionals recognize the importance of updating their knowledge, improving their pedagogical practices and remaining updated with the demands of the contemporary educational context. However, it is also observed that many of these individual efforts face adverse labor conditions that restrict the participation in formative activities.

In the component of teacher self-training, corresponding to items 1 to 4 of the survey, a percentage superior to 80% of the surveyed expressed that they seek academic resources in an independent form and digital bibliography to strengthen their professional practice. Likewise, the majority indicated that they plan personal learning goals and apply the acquired knowledge directly in their teaching labor. This behavior denotes a proactive attitude facing autonomous learning and a necessity to remain in constant updating. Among the most mentioned strategies are found the reading of scientific articles, the participation in virtual seminars, the consultation of educational platforms and the collaboration with colleagues to exchange experiences and knowledge. Nevertheless, around 10% of the participants manifested insufficient motivation or disagreement with the idea of realizing self-training processes, signaling as principal reasons the lack of time, the overload of administrative work and the absence of institutional incentives to recognize the individual efforts of updating.

In relation to the personal and organizational barriers (items 5 to 9), the results confirm that 61.9% of the teachers consider that the lack of available time and the labor load constitute the principal obstacles to involve themselves in processes of continuous formation. This group signals that, although the institution occasionally offers spaces or training courses, there exists an incompatibility with the labor schedules and the institutional responsibilities impede the sustained participation in this type of activities. Another 33.4% could identify the limited offer of pertinent courses and the scarce institutional support as factors that restrict the access to new formative opportunities. In a complementary form, 61.9% reported not presenting difficulties related with connectivity or the handling of technological tools, which

indicates that the barriers are not associated with technical limitations, but rather with structural conditions of the labor environment. Some teachers mentioned that the institutional formation centers itself on administrative aspects and not on the pedagogical or investigative development, which diminishes the motivation toward the participation.

With regard to the impact of continuous formation (items 10 to 13), 80.9% of the responses confirm that there exists a significantly good professional performance thanks to the participation in updating activities. Among the benefits stand out a development in the planning of classes, the adoption of new didactic strategies and the strengthening of the competencies with regard to communication and technology. Likewise, 71.4% manifested feeling prepared to apply innovative methodologies and approaches centered on the active learning of the students. However, a 23.8% recognized that in the institutions there is not counted with sufficient spaces to share experiences or to reflect collectively on the acquired learnings. This group considers that the lack of collaborative work limits the possibility of transferring the knowledge to an institutional or community level, reducing the global impact of the formation.

In the section of digital competencies and use of educational technologies (items 14 to 17), the results reveal that 71.4% of the teachers feel competent in the use of digital platforms and technological resources in their teaching process. Of this group, 57.1% apply with frequency digital tools in the development of their classes, these being interactive presentations, virtual learning environments and applications of formative evaluation. The majority unfolds with facility in virtual environments and recognizes the utility of the technologies to guarantee a quality teaching and to improve the communication with the students. However, a 19% showed themselves neutral with respect to the use of digital tools, signaling the absence of training in the area or the resistance to change as the principal motives. This tendency is observed principally among teachers of greater age, who prefer to use traditional methodologies facing the technological resources.

The results of items 18 and 19 allowed identifying significant differences in the generational perceptions about continuous formation. 61.9% of the participants consider that the younger teachers adapt with greater facility to the innovative methodologies and to the integration of technologies in the educational practice. In contrast, 28.6% recognize that age influences directly in the disposition toward self-training, since some teachers with greater trajectory show themselves less interested facing the technological and pedagogical changes. These generational differences influence the participation in formative processes, and in the adoption of practices of teaching and evaluation. The data reflect a perceptive gap between generations, the same which could influence the dynamics of institutional work, the pedagogical updating and the construction of learning communities.

Finally, in the component of intergenerational collaboration (item 20), 85.7% of the teachers confirmed valuing the collaborative work between generations as strategy to strengthen the professional formation. The participants highlight that the interaction between experienced and young teachers allows combining the acquired pedagogical wisdom with the emerging digital competencies. This interchange is perceived as an opportunity to enrich the teaching work, innovate in the educational practice and

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reduce the generational gaps identified in the previous sections. Some surveyed mentioned that the collaborative work not only favors the apprehension of new knowledge, but also strengthens the sense of academic community and the institutional commitment with continuous improvement. In general terms, the results evidence that intergenerational collaboration represents a potential resource to consolidate a culture of collective and sustained self-training within the educational environment.

In synthesis, the quantitative and descriptive findings obtained in this study allow affirming that, although there exists a clear disposition of the teaching staff toward self-training and professional updating, personal and institutional factors persist that limit its full development. The principal limitations relate themselves with the lack of time, the overload of work, the scarcity of incentives and the scarce opening of institutional spaces of shared learning. Even so, the results also reveal solid strengths in the personal commitment, the technological domain and the valuation of the collaborative work, aspects that can constitute the base for the strengthening of institutional policies oriented to the permanent formation of the teaching staff.

DISCUSSION

The results obtained confirm a favorable tendency toward continuous self-training among the teachers, but still there exist factors that obstruct its full development. The elevated percentage of professors who demonstrate initiative to learn in an autonomous manner reflects the growing consciousness about the importance of professional updating. This finding coincides with what is exposed by (2), who signals that professional learning is a self-regulated process that requires internal motivation and personal planning.

However, the structural barriers such as the labor overload and the lack of institutional incentives continue limiting the participation in formation programs, in line with the observations of (7). The absence of institutional policies that guarantee time, resources and recognition to the formative effort reduces the sustainability of these processes, even when there exists an individual disposition.

In relation with the impact of continuous formation, the teachers perceive a professional development in their educational performance, which evidences the effectiveness of these experiences to promote innovative pedagogical practices; however, the deficit of spaces for the professional interchange reveals the necessity to strengthen the communities of teacher learning, aspect emphasized by (8) upon signaling that professional development consolidates itself through a permanent accompaniment and institutional collaboration.

The analysis of the digital competencies demonstrates advances in the technological domain of the teaching staff, although differences associated with age persist. The insecurity that some older teachers manifest confirms the existence of a generational gap, coinciding with the approaches of (9) about the differential adaptation to the technologies between generations. This phenomenon requires inclusive training strategies that promote digital literacy without excluding any age group.

Intergenerational collaboration presents itself as a primordial opportunity to integrate traditional knowledge with new digital competencies. The positive valuation of this aspect on the part of the teachers backs the proposal of (10), who defines professional development as a collective process of construction and shared reflection. In the same manner, (11) highlight the importance of the cooperation between generations as means to overcome the formative gaps and consolidate a culture of sustained self-training.

In conjunction, the results allow concluding that, although the teaching staff demonstrates that it disposes itself constantly to self-training and professional perfectioning, a structured institutional intervention is required that guarantees adequate conditions for its development. The consolidation of a culture of permanent learning will depend on the equilibrium between the individual motivation, the institutional support and the impulse to create collaborative and inclusive environments.

CONCLUSIONS

The study allowed understanding that teacher self-training is an autonomous, self-regulated and continuous process, oriented to the strengthening of the professional identity of the educator and to the adaptation facing the demands of the current educational context; self-training transcends technical training and configures itself as a critical reflection and of self-management of knowledge. The results evidence that the principal barriers for its development are not solely personal, but also institutional and structural, related with the organizational culture of the institutions, the labor overload and the generational differences.

The research, of quantitative approach and non-experimental descriptive design, was applied to 54 teachers of the educational institution Camilo Ponce Enríquez by means of a Likert-type survey. This instrument allowed identifying different perceptions about self-training, the existing limitations and the relationship between age, digital competencies and disposition toward continuous learning. The analysis of the data contributed empirical evidence about the current situation of teacher professional development, highlighting the coexistence of a high motivation with the presence of structural obstacles that limit its sustained practice.

The findings showed that the majority of the teaching staff recognizes the importance of continuous formation, but faces difficulties associated with the lack of time, the scarce institutional accompaniment and the weak articulation between generations. These factors confirm the existence of a gap between the theoretical recognition of self-training and its practical application within the educational centers. Likewise, it was evidenced that the generational differences influence the adoption of innovative methodologies: the younger teachers present greater familiarity with the educational technologies, while those of greater age manifest insecurity or resistance facing the change. Nevertheless, the majority values positively the intergenerational work as an opportunity to strengthen collective learning.

In the institutional ambit, it was verified that the absence of support policies, incentives and pertinent formative programs limits the sustained development of self-

training. This result highlights the necessity of the educational institutions to promote spaces of pedagogical reflection, professional accompaniment and recognition of the autonomous formation as essential part of teacher development. Self-training requires, therefore, the individual commitment and the backing of organizational structures.

Among the limitations of the study, the reduced size of the sample stands out, the cross-sectional character of the research and the dependence on the instrument of self-perception, which can introduce subjective biases. However, these aspects do not invalidate the findings, but rather suggest the necessity of more ample, comparative and longitudinal studies.

As future lines of research, it is recommended to explore the relationship between self-training, labor well-being and teacher motivation; to analyze the intergenerational digital competencies and their impact on pedagogical innovation; and to design models of accompaniment based on communities of practice and collaborative mentoring.

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