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# Building Professional Agency in Human Rights Education: Translating Policy Into Practice

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Keywords: professional agency; teaching practices; human rights training,  
human rights practices; human rights policy

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## Abstract

*Teaching human rights is a challenging and complex endeavour that requires the translation of policy into practice. Practitioners working in the implementation of Human Rights Education (HRE) programs need to convert the abstract content of human rights and general guidelines offered in human rights policies into contextually relevant teaching practices that respond to learners' needs. The challenge increases in contexts such as Mexico where the national policy aims to incorporate the robust legal framework on human rights and, at the same time, provide a blueprint to address the current crisis of violence and human rights violations involving cases of torture, forced disappearances, unlawful killings and assassinations across the country. HRE has gained widespread support across governmental and non-governmental organizations in the country and is nowadays the most recurrent strategy to achieve both goals: consolidating the legal framework of rights, as well as combatting and preventing further human rights violations. Despite the current momentum of HRE in Mexico and the high expectations towards it, there is little systematic information on how it is implemented or the role of practitioners in this process. Previous research in HRE has failed to give an in-depth account of the role of practitioners' agency and decision-making for policy implementation, particularly in contexts where these rights are not upheld. To fill this gap in the literature, this article explores how practitioners teaching in Human Rights Education (HRE) programs in Mexico build their professional agency—despite the adverse context and institutional constraints—to better understand how they navigate the complexity of translating policy into practice and the scope and limitations of their individual capacity as mediators in the process.*

## Introduction

**E**ven though education has been considered an important means for the fulfillment of human rights since the adoption of the Universal Declaration of Human Rights (UDHR) in 1948, it is only in the last decades that Human Rights Education (HRE) has developed into a

disciplinary field on its own (Flowers, 2003, 2004). At the international level HRE has gained widespread acceptance with the adoption of the UN Declaration of Human Rights Education and Training (UNDHERET) in 2012 and more than 150 countries actively implementing HRE programs since the launch of the World Program for Human Rights Education (WPHRE) in 2005 (UN, 2005). At the local level, HRE has become particularly important in emerging democracies and post-conflict, as well as post authoritarian societies (Gregg, 2015; Roux, 2012; Tibbitts, 2002) with organizations and practitioners relying on it to frame their demands for social justice (Bajaj, 2012; Branigan & Ramcharan, 2012).

The ultimate aim of HRE is twofold: it seeks to advance the understanding of human rights by providing relevant knowledge and skills and, at the same time, to empower individuals and foster attitudes and behaviors necessary for the promotion and protection of these rights (UN, 2012). To do so, the programs and activities encompassed within HRE aim at conveying information, raising awareness and promoting understanding about, for and through human rights (UN, 2005). These educational initiatives include, but are not limited to, the design and publication of materials; the incorporation of content related to human rights into the formal curriculum and textbooks; the implementation of courses, seminars, and specialized training programs at different levels; and public engagement initiatives and campaigns to raise awareness on issues affecting human rights.

In addition, the diversity of initiatives, activities and programs target several populations, ranging from school-age children to civil servants and law enforcement personnel (Amnesty International, 2012; UN, 2012b). Thus, the implementation of HRE has to adapt the particular objectives of each educational initiative in relation to learners' specific needs and interests so the content regarding human rights is relevant for them, and the skills and attitudes they are required to develop as a result of the educational initiatives varies significantly (Tibbitts, 2002; Tibbitts & Fritzsche, 2006). Considering that the implementation of human rights policies varies significantly according to the context in which it takes place (Risse, Ropp, & Sikkink, 2007), HRE programs also have to take into account the context in

which these are implemented. The situation of rights in each context can impact greatly what is taught about rights and how it is done (Martínez Sainz, 2018a).

As a result, the rationale behind each program and its consequent implementation will change drastically depending on its aims and objectives, learners' profiles and the context where it is taking place. Considering all these different possibilities, implementing educational programs in human rights is a complex endeavor, particularly for the individuals responsible. Practitioners in the field of HRE act as mediators within the discourse of human rights, the educational objectives and the realities and needs of the participants, as well as stakeholders (Bajaj, 2011; Suárez, 2007).

Due to this mediation process, educators' perspectives are essential to better understand the possibilities and limitations of HRE, particularly in challenging contexts including those where human rights are not upheld, where there is a lack of professionalization in this field or where there is little evidence on how to implement HRE programs. Thus, the focus of this paper is on educators' professional agency to explore how they navigate the complexity of translating human rights policy into teaching practices and analyze the implications of their individual capacity as mediators for the implementation of HRE programs. The data upon which this paper draws is part of a larger project researching the intersection of knowledge, reflection and practices in HRE, and other relevant findings from the project have been reported elsewhere (Martínez Sainz, 2018b, 2018a).

### **Educators' professional agency**

Teaching human rights is a challenging and complex endeavor that requires the translation of policy into practice. Educators in the field of HRE need to convert the abstract content of human rights and the general guidelines offered in policies into contextually relevant teaching practices that respond to learners' needs. Educators have to translate the discourse of human rights into intelligible parameters for their application in everyday life (Bell, 1999) while understanding the theoretical principles of human

rights themselves, the legal instruments and mechanisms that protects them, how these work and how they can be used to redress abuses and human rights violations (Pruce, 2015; Rendel, 1992). Educators need to teach the already complex content in a contextually-relevant manner and addressing learners' needs (Bajaj, Cislighi, & Mackie, 2016; Fritzsche, 2004; Tibbitts, 2002). It is precisely in what they teach, how they do it and why they do it that it is possible to examine how a human rights policy translates into concrete, contextualized and meaningful practices.

To understand the implementation of HRE programs it is critical to examine educators' agency in the translation process of policy to the practices they perform. In other disciplines, including education, professional agency has already been explored as a key element to understanding policy implementation as it relates directly to how practitioners make sense not only of the policy—content, scope and aims—but also of the multiple factors that influence the process (Priestley, Edwards, Priestley, & Miller, 2012). Educators' agency has been described as the individual capacity to act in concrete situations; although the role and influence of contextual conditions has been highly debated.

Whereas some authors underemphasize the influence of social structures and human culture in the individuals' decision-making process (Calhoun, as cited in Biesta & Tedder, 2006) others place greater value to structural, historical and organizational conditions (Popkewitz, as cited by Paechter, 1995). As an alternative, the ecological view of agency, proposed by Biesta, Priestley, & Robinson (2015) suggests that individuals have the capacity to act but that such capacity depends largely on its interaction with the ecological conditions; thus, it is not a property or feature that an individual possess but rather a construction that is enacted through interactions. The ecological approach “highlights that actors always act by means of their environment rather than simply in their environment” (Biesta & Tedder, 2007, p. 137); thus agency is not a fixed capacity but rather an achievement that results of the interplay of individual efforts and capacities with contextual and structural factors in concrete situations (Biesta et al., 2015).

From an ecological approach, any research that attempts to explore or understand professional agency must focus on two equally important aspects: an individual's capacity to act, and the environment in which her actions take place. Following Biesta and Tedder (2007), agency in this paper is considered a relational effect that combines the capacity to act -individual efforts- with the contingencies of the environment where such action occurs; actions 'by means of the environment and not simply in their environment'. Thus, for the individual capacity, aspects such as actions, efforts and intentions should be considered as relevant elements of professional agency; and for the environment, contextual conditions, structures and institutions as well as resources available have to be taken into account.

In this paper, professional agency will be examined from this ecological approach, focusing on the interplay between individual and environment at three different levels: a macro-level (wider context); meso-level (institutions) and micro-level (individual actions and beliefs). This ecological approach is particularly helpful to analyze educators' professional agency in a complex field such as HRE within an adverse and challenging context such as Mexico. Considering the widespread support to HRE in Mexico and the fact that it is the most recurrent strategy to consolidate the legal framework of rights as well as combat and prevent human rights violations (Martínez Sainz, 2018a), it is necessary to understand how educators make sense of what they teach and how they do it to make it effectively and in a relevant way. By examining educators' professional agency it is possible to give an in-depth account of the decisions involved in the implementation of HRE programs and their role in the translation of human rights policies into practices. This analysis of the mediation between policy and practice from the educator's perspective is essential to better understand the possibilities and limitations of HRE, particularly in challenging contexts where these rights are not upheld, where there is a lack of professionalization in this field and where there is little evidence of how HRE programs are implemented.

## **Mexico as a case study**

The situation of human rights in Mexico before its democratic transition in 2000 was precarious, but in the last decade and at the beginning of the post-dictatorship government it deteriorated significantly (HRW, 2013; IACHR, 2015; Uldriks, 2010). The widespread violence, the high level of impunity, executions and the rise in cases of torture and unlawful killings are just examples of the current challenges Mexico faces and reflects the failure of the country in achieving a culture of respect for human rights. The alarming levels of violence, corruption and impunity affecting Mexican society jeopardize the most basic human rights for several groups, particularly those in a vulnerable situation as children and young people, women, migrants and indigenous communities. It is precisely as a response to this crisis that HRE in the country has gained considerable momentum both from the Government and from civil society (UN, 2013).

Commonly, HRE is used not only as a preventive strategy to decrease future human rights violations or as a redress mechanism to address past abuses but also as a long-term policy to consolidate the legal framework of rights in the country. The legal framework in Mexico, specifically regarding human rights, has changed drastically after the Constitutional Reform in 2011. The reform modified three key aspects of this legal framework, first it incorporated human rights to the Constitution by explicitly stating that all individuals shall enjoy the human rights recognized in the Constitutional and the international treaties to which Mexico is a party. Second, it recognized international treaties and instruments signed and ratified by the Mexican State as constitutional norms, making them enforceable by domestic courts. Third, it emphasized the obligation of the State and civil servants to protect and promote human rights as well as preventing, investigating, punishing and redressing violations of human rights (SEGOB, 2011).

In this context, HRE programs not only need to take into account the challenging context but also provide alternatives to address them and provide a blueprint to successfully resolve them. The organizations developing HRE programs in Mexico can be classified in three different

categories: public organizations, non-governmental organizations (NGO's), and academic organizations, including universities, research centers and other institutions of higher education (Álvarez, 2006; Ramírez, 2006). Similar to other contexts, each kind of organization has a very different perspective on what HRE is, what its main purpose is, and therefore how it should be implemented (Flowers, 2003).

For NGO's in Mexico, HRE represent an attractive strategy as a direct response to the structural violence and a sustainable way to prevent further abuses (Conde, 2006); thus, these organizations tend to employ HRE as a means of disseminating their work and as a path to influence public policy. HRE gives activists and NGOs a space to demand governmental accountability in the defense and protection of these rights (OSCE & ODIHR, 2013). In contrast, public organizations promote educational and training programs either as a preventive strategy or as a corrective mechanism in response to legal recommendations issued (Lachenal, Martínez, & Miguel, 2009). These organizations rely on HRE to prevent and reduce the official complaints of human rights violations and abuses while strengthening the culture of respect for these rights in the country (CNDH, 2013, 2016).

However, Mexico is an exemplary case to examine educators' professional agency in the field of HRE not only for the crisis of human rights the country is facing or the wide array of organizations developing HRE programs. A distinctive element of Mexico is the lack of systematic evidence on the implementation and impact of HRE despite being the most recurrent preventive and corrective mechanism in the country. There is no evidence from which educators can draw upon or base their decision, making the decision making process and professional even harder for them. Currently, the only available information about how HRE programs are implemented is related to outputs: information that confirms the programs are taking place, but not on the outcomes: what changes such programs are achieving.

As an example, in 2014, the National Commission of Human Rights conducted more than a million activities on HRE, almost 30 percent of which were directed to public servants including military, police, and navy

forces. More than 400,000 of these activities focused on vulnerable groups including victims of child abuse and school violence (CNDH, 2015). However, almost four years later there has not been a follow-up assessment to understand if these activities achieved the educational objectives proposed, if they generated an actual impact on individuals' lives or practices, or if any change occurred at institutional or structural levels. HRE is generally perceived in Mexico as the key element that will make the protection and exercise of human rights possible by helping to redress past violations and abuses and prevent further ones (UN, 2013). Despite this, there seems to be no evidence that supports such optimism.

The lack of systematic evidence in the field forces practitioners to rely significantly on their own experiences rather than on verified knowledge, tested practices or professionalized expertise. Considering the lack of guidelines and information that normally serves as a knowledge base for HRE in the country, educators' professional agency takes on a fundamental and decisive role in the way in which HRE is implemented.

### **Research design**

The research design considered the complexity of the field of HRE in Mexico and the highly contested nature of the concept of human rights by focusing on educators' understandings, lived-experiences, and teaching practices. This design places the educator at the center of the process of translating policy into practice and acknowledges their key role in shaping and implementing not only HRE programs but also human rights policies in general.

### **Methodology and methods of data collection**

The present project is a qualitative case study situated within an interpretive approach to educational research that aims to examine the professional agency of educators teaching in HRE programs in Mexico. A case study methodology was selected since it allows to explore complex social phenomena in a real-life context (Thomas, 2011; Yin, 2003) providing a comprehensive account of the relationships and processes occurring within it (Denscombe, 2010). This methodology admits the use of multiple methods

of data collection to gain access from different perspectives and to allow triangulation of the data within and across cases, which reinforces the rigour of the analysis.

Open-ended methods were selected to collect data from fifteen human rights educators working at three different organizations, including semi-structured interviews, think-aloud tasks, observations and document analysis. Most of the data was collected on-site and within working hours. Interviews and think-aloud tasks were conducted either in educators' individual workplaces or designated areas within the institutions, except for the cases in which participants required a different time or preferred to talk outside their workplace.

- In-depth, semi-structured interviews were conducted with all the participant educators. The same interview protocol was used for the fifteen cases, although the probes for follow-up and further exploration of emerging themes changed based on participants' responses.
- Think-aloud task protocols focused on the educators' reasoning process, problem-solving, and decision-making processes, which were used by adapting statements from an earlier study on the subjective dimensions of human rights (Stenner, 2010).
- Participant observations of educators' teaching activities were conducted face-to-face when possible, and distance education programs using the same protocol to register the sessions.
- Document analysis encompassed official publications and reports of each organization, program handbooks, as well as teaching and learning materials of each practitioner using the same structured protocol.
- Field notes were used to triangulate information while contextualizing the data collected through the other methods to make sense of the experiences of the participants through the researcher's gaze.

A hybrid approach to data analysis was used in three different stages. In the first stage, an inductive analysis of each educator as an individual and idiographic case was conducted to allow relevant themes to emerge from the data itself. During the second stage, a list of initial codes generated from the first round of analysis was used to compare and contrast data across the fifteen cases. The third stage consisted of a deductive analysis, in which data from the fifteen cases was analysed using a coding framework as an existing classification of the theoretical approaches to HRE (Martínez Sainz, 2011). This participant-driven hybrid approach and nested arrangement of the data analysis allowed an integrated examination and critical analysis of the theory and practice of HRE.

### **Institutions**

The research project examines educators working in the following institutions; the National Human Rights Commission, the Local Human Rights Commission of Mexico City, and a local NGO based in Mexico City. The three participant institutions have different profiles and vary in competence, scope, and political affiliation (Table 1). Even though they offered similar topics as part of their HRE programs, each one had a particular approach and focus on different populations according to their institutional guidelines, agenda, and resources. Furthermore, there are deeper and more contrasting differences among these organisations, particularly in relation to their conceptualizations of HRE, the purpose assigned to it, and its content and assessment.

(Table 1)

<b>Institution</b>	<b>National Human Rights Commission</b>	<b>Local Human Rights Commission</b>	<b>Local NGO</b>
Scope	32 States	1 State	5-10 States
HRE programmes	On-line - Ambulatory	- On-site Ambulatory	On-line On-site Ambulatory

Populations to whom HRE are programmes are directed	Civil servants, Law enforcement officials, Army and navy, Police forces, Schools (students, teachers, head teachers, parents), NGOs and Local Commissions personnel, Human rights educators, Doctors and healthcare professionals from public hospitals and medical centres	Civil servants, Law enforcement officials, Army and navy, Police forces, Schools (students, teachers, head teachers, parents), NGOs personnel, Prisoners and young offenders, Homeless people, People with disabilities	General public, Civil servants, Law enforcement officials, NGOs personnel, People with disabilities
Perceived political affiliation	Centre/Right	Centre/Left	Left
Educators invited to the study	11	6	2
Total of participants in the study	7	6	2

The differences among institutions demonstrate the importance of an ecological approach to examine professional agency in HRE. Even though educators in Mexico face the same contextual challenges of violence, corruption and impunity they work in organizations with distinctive institutional agendas and conceptualisations of HRE. By looking at the relation and interplay between organizations and educators it is possible to understand the impact institutional conditions, agendas and structures have on the capacity to act and make decisions throughout the implementation of HRE programs. It is important to note that the identity of the public organizations is disclosed because relevant information about their agendas and approaches to HRE, as well as the evidence to support their institutional differences and political views, depends on them being identified. The National and Local Commissions have education departments that are large

enough to make it difficult to recognize the identity of the educators participating in the study; however, the identity of the local NGO is kept anonymous because its organizational size and the very limited number of people working in HRE programmes would give away information related to the identity of the participants.

### **Participants**

The current research explores the professional agency of educators working at public organizations and NGOs at a local and national level. I focus only on these institutions because, unlike most academic organizations, their programs focus exclusively on human rights, and these are not taught in relation to other topics, but as a stand-alone subject. A total of fifteen educators participated in this study. Although most of them considered human rights in Mexico to be a professional field dominated by lawyers, in this sector of HRE, the profile and background of the practitioners proved to be more diverse. Only four of the fifteen educators that participated in the research are lawyers, the majority—one third of them—are psychologists, and only two of them have a professional background in education. The cases covered all levels of expertise, from early-career educators with less than one year of experience to practitioners with decades working in HRE. Practitioners differed in their level of involvement or familiarity with human rights, either at a personal or a professional level, before working as educators. Fictional names are used in the paper and their professional background is not disclosed to protect their confidentiality.

### **Findings**

The findings of the research are presented following the three levels of the ecological approach to educators' agency: the macro level to analyze the interplay between educators and the wider context of Mexico; a meso level to examine the interaction of educators with their institutions; and finally, a micro level of focus on individual capacity to act and make decisions in the translation of human rights policy into practice. These levels

allow a close examination of educators' agency, the challenges they face as mediators of human rights policies and the ways in which they overcome them.

### **Teaching rights in a difficult context: reconciling expectation and realities**

The widespread violence, human rights abuses and impunity in Mexico led to several educators (7/15<sup>2</sup>) to explicitly recognize the tension between the ideals of human rights they teach and the reality of their implementation. For them, working in a context where these rights are not upheld serves as a motivation that reinforces their commitment towards HRE. Nevertheless, their interaction with such context forces them to acknowledge a distinction between the expectation of a human rights culture and the contrasting reality of their implementation. This distinction does not necessarily have to discourage educators, as Eric claimed, the aspirational nature of human rights can serve as a guideline for them:

“Even though we know that in reality is not like that, [in reality human rights are not universal], they are an aspiration. An ethical and legal imperative that motivates us, so human rights -through the members of the society- can move forward towards that direction.” (Eric, TAT)<sup>3</sup>

In a similar way, Alan argued that the lack of respect for rights or their seemingly unreachable nature should not be a problem to 'believe' in the significance of this discourse. For him, even if the whole project of human rights is utopic and its practice standards are unattainable, a lot can be achieved just by pursuing these goals:

“[Through human rights] we can built a society, a healthy, free, plural society. A balanced and horizontal society in which we all have the same opportunities. And human rights are something really utopic [...] but what utopias are for if it is not to keep us walking towards them.” (Alan, TAT)

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<sup>2</sup> These numbers indicate the total of educators each statement is referring to out of the total of cases considered.

<sup>3</sup> Each quote identifies the method of data collection: SSI for Semi-Structured Interview, TAT for Think-aloud Tasks, OBS for Observations and DOC for document analysis.

However not all the educators shared Eric and Alan's optimism and had a more difficult time making sense of human rights in such an adversarial context. For instance, Lucas affirmed that the reality of human rights in the country serves to demonstrate how inoperable these are in practice in a context that lacks the minimal conditions for their protection and promotion.

"Well, you realise that human rights... they sound really nice in theory but in practice there is not such thing. In practice, the minimal conditions for a culture of legality and respect towards human rights do not exist, for instance there is a lack of respect amongst them [the students] and their schoolmates. [If they can't even respect each other] how can there be human rights? Is just utopic!" (Lucas, SSI).

For Lucas, without such minimal conditions the whole discourse of human rights is a utopian endeavour that can lead educators to challenge the notion of human rights itself. Yet, for other educators the violations of human rights were useful inputs for their programs, either as teaching materials or strategies. In this sense, the violent context as well as the violations and abuses of these rights had an impact in both the pedagogy and the content of HRE programs. Most educators argued (12/15) they adapted the content they taught to reflect the reality of learners regardless of how contradictory or far away from human rights standards it was. The analysis of legal cases related to human rights violations and abuses was the most common strategy among educators working with civil servants and law enforcement personnel (5/15). Educators that actually used these cases of violations as teaching materials to shape their workshops and strategies argued that using real examples helped them to illustrate the importance of HRE and fostered a discussion on how to address practical issues and translate these rights into practice.

Several educators (8/15) strongly believed that HRE was essential in Mexico, given the current situation of violence and abuse; although their beliefs did not prevent many of them (7/15) from seeing the limitations of HRE and the shortcomings of the programs they implemented. For instance, Eric was aware of how slow the process of assimilating human rights could

be and knew that, like any other educational process, the results of a significant learning would not be immediate, which could undermine the public and sponsors' perception about the impact of their programs.

All educators (15/15) acknowledged in a lesser or greater extent the disparity between the ideal and the reality of human rights and argued that the constant violations and abuses was generating a widespread scepticism towards human rights in the country. The expectation of what human rights are and what these could achieve was constantly confronted with the reality of individuals and groups educators taught regularly. Whereas for some educators, the disparity between the ideal and the reality of human rights could be interpreted as a flaw in the concept itself (6/15); for others like Silvia, Anna or Alan it only represented a challenge but was not evidence of the unviability of the project of rights itself. Most educators (9/15) considered teaching human rights a rewarding profession and strongly believed that thanks to HRE it was possible to change for the better people's lives, and ultimately impact society and promote social change. Thus, several of them (6/15) were convinced that by teaching human rights they could have a positive effect in the lives of learners and, in the long run, in the country.

### **Implementing HRE programmes: managing support and constraints**

The institutions in which educators worked, played an important role in the way educators conceived HRE and how they implemented HRE programs and the support they received from their institutions, or lack of it, had a strong impact on their practices. As an example, the local Commission offered all of the educators a specialized training in human rights, but also in HRE. Approval was a compulsory requirement for them to teach, and the training had no extra cost for them. On the contrary, the institution encouraged educators to attend courses and study during their working hours and to select modules to acquire further specialisation in areas of their interest from environmental rights, rights of the people with disabilities or peace education. Most educators working in this institution (5/6) expressed

how the training and support have strengthened their work and has resulted in a strong commitment towards the institution.

In contrast, all the educators working at the National Commission (7/7) mentioned they had not received specialized training to teach human rights. As several of the educators (5/7) working in this institution affirmed, they were expected to learn how to teach human rights through practice, which one<sup>4</sup> of them affirmed was ‘unacceptable and unfair to participants as they were the ultimate victims of the lack of training.’ This educator remembered the first workshop he conducted with police officers and recalled it as a terrible and ‘traumatic’ experience because he was not prepared to teach to this group and had no institutional guidelines on the matter. Similarly, another educator shared her experience:

“I started working in this area in 1995 and my first experience teaching [human rights] was horrifying. It was with the administrative staff and directors of one of the prisons in X State. And even though I had all the information, absolutely everything, the basic: what are human rights, how the non-judicial system of human rights works, what does it do and its scope, etc... However, I can tell you, that first experience teaching was the most disastrous of my life” (L., SSI)

The distressing experience of starting to work as human rights educators in this institution resulted in most of them (5/7) feeling self-conscious about their professional performance due to a lack of support and guidance. Nevertheless, educators compensated for the lack of formal support from their institutions with informal mentoring and peer-to-peer assistance, which made them feel more confident about what they were doing:

“When you arrive and start working in HRE, well no one prepares you. Is not like if the institution is preparing you to [teach human rights]. You learn the hard way [...] and I can’t remember exactly when I started teaching but I never got the necessary tools to do it. What I do remember is that a friend of mine, a colleague working here helped me, and on the way... Maybe I

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<sup>4</sup> Name not disclosed to avoid identification

don't remember all her advice of that moment but I guess she suggested me how to deal with the group, what to do and so on" (S, SSI).

Many educators (6/15) openly admitted they relied on the support from colleagues at the beginning of their career and, for them, this support was essential in learning how to teach. As they explained, it was easier for them to understand what 'good teaching' of human rights looked like by observing more experienced colleagues and listening to their advice. As a result, for many educators (6/15) learning to teach was an experiential process of 'learning by doing', and their pedagogical approach to human rights was developed through constant practice. As one of the most novice educators explained:

"You have to learn [classroom management and teaching strategies] in practice, you [teach] and then you see if... well, you see how to learn the skills you need to perceive the differences of each group and your role as educator" (L., SSI).

For him, learning how to teach human rights was only possible by actually teaching, making mistakes and learning something new from each group of learners he works with. 'Learning by doing' and 'learning on-the-go' were the most constant references made by educators when explaining their beginnings as educators. Despite the shared experience of learning through practice, there were clear differences according to the support educators had in their learning process. Those who had institutional support to obtain formal training on HRE (6/15) were developed confidence in their professional practice much faster than those who had to rely on informal support and self-teaching (9/15). In addition, educators with formal support felt more validated as professionals in HRE in comparison to those who, despite years of experience, still felt incompetent.

Although training was considered key, this was not the only kind of support institutions offered to educators. For instance, educators working at a local NGO (2/15) had received strong support from the institution to deliver new projects and programmes on HRE and reported they felt encouraged to conduct research on issues of their interest. Although

creativity to design new activities and resources was also valued and encouraged in the Local Commission, educators working there (6/15) recognized there was an institutional design for HRE programs that they should follow. In contrast, most educators of the National Commission (13/15) reported a very limited scope of action to adapt the programs, workshops or courses, and they focused primarily on making changes to their teaching materials.

The institutional influence on educators was also related to the resources they were given and the constraints placed on the implementation of HRE programs. The lack of resources and limitations, in terms of time and number of educators available, or programs they have to cover, creates significant differences between what educators considered a suitable pedagogy and effective teaching practices, and what they actually do on a regular basis. In several cases (6/11) these differences were evident during the observed sessions. For instance, Julian affirmed that dialogue was at the centre of his pedagogy in human rights and that he usually favoured an active learning approach in his programs for the army and the police. However, in reality he had to teach over 200 soldiers at a time making it almost impossible to have dialogue with learners. As a result, his teaching approach was mostly expository. He talked for more than an hour and a half, allowing only fifteen to twenty minutes at the end of the lecture for questions and comments from the participants. Similarly, Clara and Anna argued HRE should be based on a transformative pedagogy looking to empower learners and promote a change in their attitudes and behaviors. However, in reality, given the constraints of time and lack of resources in their institution, they only worked for two hours with each group without any follow-up activity. Thus, the institutional constraints made it impossible for them to implement strategies and activities consistent with a transformative pedagogy.

Andrea and Silvia also believed HRE educators should have an active teaching approach that deemed learners' needs as the centre for designing, planning and assessment of the programs. In reality, to cover all the groups and programs they needed, the activities and strategies they implemented were set in advance, and learners' needs were only taken into account during

the discussions at the end of the workshops. A compromise of learning objectives was common among educators, despite wishing to implement meaningful programs that would lead to the transformation of learners' attitudes and behavior. At most, educators aspired to raise awareness and inform learners about their own rights.

The constraints were different for each organisation, but almost all educators (14/15) discussed how the available resources and institutional constraints limited what they could actually do when implementing HRE programs. For most educators (10/15), this implied either a compromise on the pedagogical approaches or lowering the levels of expected learning outcomes of their programs according to their possibilities and circumstances. They felt constrained with limited capacity to act constantly, regretting they could not do as much as they would like to due to the imperfect and, most of the time problematic, conditions they face. For this reason, educators tended to make a distinction between the ideal educational objectives they wished to pursue as educators, and the actual objectives they were able to cover.

### **Translating policy into practice: making decisions and concessions**

Educators' decision-making during the implementation of HRE programs is related to what they considered the moral and ethical implications of their jobs, particularly in relation to human rights violations and abuses. Educators have to work with victims and perpetrators alike, and during courses and workshops, they are often confronted by learners about cases and the involvement of their organisations. For many educators (7/15) the interactions with victims of violence and groups suffering human rights abuses posed extremely difficult dilemmas, particularly when they perceived a clash between their moral obligations as individuals and their professional responsibilities as human rights educators. For instance Cecilia explained that when they encounter a victim of violence as educators, they have to adhere to institutional guidelines and limit their actions to what is expected from them: to provide information on how to seek further help and refer the victim to a relevant authority. However, doing so is not only frustrating for

them, but also feels insufficient for the victims. Discussing a similar case, Linda explained:

“We found a lot of violence, a lot of abandoned children, a lot of children who are alone because both parents work and they grow up the best they can... As educator you encounter [terrible] things, young people approach you, I think because they look up to you, and they ask for help. One day a girl told me: ‘I have a problem, I suffered [sexual] abuse, my father raped me’. And those kind of things you just think: ‘oh no, what can I do?’ [As educator] you try to give her advice within the legal limits [of what you can do]: you recommend her to look for help or if she wants to report a formal complaint you can give her the name and telephone number of the \*organization\* and explain to her there are other institutions that can help. [...] It moves you because you cannot believe something like this happens.” (Linda, SSI).

Similarly to Linda, many educators (7/15) expressed frustration as they are aware that their professional responsibility is limited to solely providing information for learners so they can seek further counselling or legal advice; however, at a personal level they feel they need to do more to help these children and young people. Most of the educators working primarily with children (6/10) were conflicted as they based their work, objectives and content of HRE programs on the Convention of the Rights of Child (CRC) and other legal instruments that emphasize the obligations of adults regarding the safety and development of children. For this reason, they have to constantly make decisions to delimit their scope of action and ponder these legal instruments and their institutional guidelines. For instance, for Clara, the broader responsibility towards human rights trumps any prohibition to get involved or limitation posed by her institution, as all adults are directly accountable for protecting and promoting children’s rights, and failing to do so makes her co-responsible:

“Well, I do have to follow my institutional regulations but I have a superior command by the CRC, the UDHR and the Constitution... from there all adults are responsible that all children have [secured] their rights, all adults, all people even if we are not their mothers, their grandmother, their

neighbour. Is our responsibility, so I believe that is my obligation” (Clara, SSI).

By acknowledging their role and their permanent responsibilities towards children’s rights according to legal instruments, many educators (7/15) were willing to challenge institutional protocols for the safety and well-being of children. However, as they explained, it is difficult to decide how to act or how far to get involved in cases of violence and abuse, and these had a significant impact on them. Experienced educators (6/15)<sup>5</sup> seemed to be able to manage these dilemmas better than novice ones and felt more confident making decisions and acting on their personal judgements, despite institutional protocols and guidelines.

Even though institutional guidelines are designed for educators to address these dilemmas by establishing limits to their scope of action and specifying their responsibilities in terms of what they ought and ought not to do, for many of them (9/15) it was their experience and own ethical principles that ultimately informed their actions. For them ‘doing the right thing’ or ‘making the right decision’, was not a self-evident or simple process, but rather the result of reflection and constant deliberation. For several of them (8/15), the problem was not a failure distinguishing right from wrong, but a result of structural constraints that make it difficult for them to take a stance and act according to their own ethical and professional judgement. This is the case of Oscar and Julian who strongly believed they needed to design and evaluate their programs differently for them to be successful and who had serious concerns about the content they are presenting. However both have received strict orders from their superior to continue implementing the programs in the same way they have done so far, regardless of whether they think is right or wrong. For some educators (8/15) these constraints caused frustration, whereas for others (2/15) the impossibility of doing what they considered the right thing raised serious questions about their moral obligation in their profession.

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<sup>5</sup> Educators with more than six years working in HRE

## Discussion and conclusion

The findings presented in this paper demonstrate the different ways in which human rights educators in Mexico develop their agency in the implementation of HRE programs, not only by navigating the challenges of the wider context, but also addressing the particularities of their institutions and reflecting on their own values and beliefs. By using the ecological approach to agency proposed by Biesta & Tedder (2007) it is possible to understand the relational connections that allow educators to develop their professional agency in the field of HRE and analyze the interactions of educators' individual capacities and their environmental conditions. Professional agency thus is examined in the implementation of human rights policies through HRE programs considering how educators' individual actions—from program design to teaching practices—are enacted in response and by means of their environment.

Educators not only acknowledged the critical situation of human rights violations and abuses in Mexico, but also understood the complexity such context presented for their professional practice. The challenges the country faces in the protection and promotion of human rights did not discourage most of them from doing their work; on the contrary, the adverse circumstances increased their conviction and commitment towards HRE. The constant violence, impunity and abuses forced educators to realize the urgency of implementing HRE programs.

In this sense, instead of being a constraint, educators used the context intentionally as a resource for teaching and learning to adapt content, strategies and even the purpose of HRE programs. By doing so, educators demonstrated that they develop a capacity to effectively mediate the discourse of human rights from the legal framework and international policy to meaningful practices that take into account learners' experiences of violence and abuses. Educators' professional agency serves to the "*vernacularization*" (Merry, 2006) of human rights in Mexico by incorporating the local, concrete and challenging conditions to shape it and make it more meaningful. Educators do act as mediators in the translation the policy into practice through similar mechanisms to the ones already

identified by Risse et al. (2007): adaptation, strategic bargaining, consciousness-raising, dialogue persuasion and habitualization. The development of a professional agency is what makes it possible for educators to implement these mechanisms.

The interpretation and implementation of policies into programs and practices required that educators confronted the contradictions of human rights and recognized the gap that exists between the ideals that these rights represent and their actual realization in the country. Even though such confrontation has already been identified as a key element of teaching human rights (Bajaj et al., 2016; Hammond, 2016; Keet, 2017; Zembylas, Charalambous, Charalambous, & Lesta, 2016); the findings of this paper show that developing a critical pedagogy is a challenging process for educators, as they are required to confront the nature, limits and scope of rights while persuading learners of their importance and significance. It is precisely because of the demanding process of translating policies while addressing the challenges of the context that the support given by the institutions was key for the development of educators' professional agency.

The findings of this paper show the impact of institutional support, mentorship, and peer-to-peer assistance for the development of professional agency in HRE. Previous research in HRE has addressed the impact of organization positionality and how organizations advance different HRE purposes, objectives and programs depending on their agendas (Flowers, 2003). However, the findings demonstrate that positionality also plays a determinant role in educators' agency by enabling or disabling their individual capacity to act, although not in relation to the type of organization as previous literature suggests. The influence of the institutions in HRE program implementation and teaching practices is related to the support and resources available. Providing specialized training was key for educators' capacity to act confidently implementing HRE programs, and creating spaces for mentoring and peer-to-peer guidance can be a way to accelerate the process of agency development in this field.

The interactions educators had with their institutions showed that their agency was developed not only despite the constraints and limitations each institution presented, but also as a result of them. The lack of resources

or support, for instance, hindered educators' capacity to act, whereas encouragement from their institutions fostered innovation, which corroborates the relational nature of agency development (Biesta et al., 2015). Even though educators found a way to overcome and adapt to their particular conditions, the impact of institutions in what educators do and how they do it needs to be considered more thoroughly when discussing HRE implementation. Institutions should be aware of the impact their structures and processes have on educators' agency and, consequently, on learners' experiences.

A deliberation of the ends they pursue (Heilbronn, 2010), as well as the reflection of their experiences (Schön, 1983) were key elements for educators' capacity to act in relation to the wider context and the institutional constraints. For instance, through their experiences teaching human rights, educators not only became more sensitive to the complexity of the context and learners' needs, but also to the ways in which they could adapt programs and tailor them accordingly. Educators' agency made it possible to adapt the institutional programs that are mostly standardized and make human rights more relevant to learners in the processes. Furthermore, the findings of the study show that educators' agency also allows them to challenge institutional protocols and guidelines when they consider them to be unfair or go against the core principles of human rights that they teach.

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