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CRITICAL DISCOURSE ANALYSIS OF HUMAN RIGHTS EDUCATION:

***DEFENSORÍA DEL PUEBLO* PROGRAM IN ECUADOR**

By

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DISSERTATION

Submitted in Partial Fulfillment of the
Requirements for the Degree of

**Doctor of Philosophy
Latin American Studies**

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Dedication

To Amira, my sun, my moon and my stars
Mi hermosa hija, mi compañera, mi cómplice, mi vida
The reason I want to be a better person every day
Porque hemos aprendido juntas
That “wings are made to fly”

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**CRITICAL DISCOURSE ANALYSIS OF HUMAN RIGHTS EDUCATION:
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ABSTRACT

This dissertation recognizes Human Rights Education (HRE) discourse as a multifaceted and multimodal construction situated socially and historically. Using a Multimodal Critical Discourse Study (MCDS), the research explores the HRE discourse proposed by the *Defensoría del Pueblo de Ecuador* (DPE), the National Human Rights Institution (NHRI) in charge of designing, approving and implementing contents, methodologies and resources of HRE initiatives nationwide. I focus on the educational, communicational, and ontological discourse of the DPE, materialized in three books published in 2015-2016. The results addressed the strengths of the communicational and educative content and design of the books, showing the levels of agency and some inconsistencies in the DPE's decision-making, also drawing attention to the moments when an explicit educational/communicational reflective practice is lacking. This study comprises an interdisciplinary perspective, linking Education and Communication, from a cultural perspective from and towards Latin America, while advancing the debate about HRE discourses in Ecuador.

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Chapter 1 –

Introduction

Practicing human rights and involving HR in HRE thus is a process of constant debate, discussion, and renewal in a communicative [...] sense. (Sabelis, 2012).

Human Rights and Human Rights Education – Hopeful and Problematic

Human Rights Education (HRE) discourse is complex and problematic. The interconnection between how human rights discourse is constructed and perceived, and how HRE discourse is built accordingly and practiced consequently, is the focus of passionate debates. Defenders of human rights and human rights education portray it as a useful tool to build solidarity and peace, promote social justice and prevent abuses (Hopkins, 2011; United Nations, 2012). HRE efforts are seen both as a political and as pedagogical strategy to facilitate democratization and active citizenship (Bajaj, 2011). Perceived as a “deliberate, participatory practice aimed at empowering individuals, groups, and communities through fostering knowledge, skills, and attitudes consistent with internationally recognized principles” (Amnesty International, 2015, in Bajaj, 2011, p. 485), for certain grass-roots level organizations and NGO’s, HRE is, at the same time, a means to promote human rights, and an end in itself (Andreopoulos & Claude, 1997).

For human rights critics and HRE’s detractors, as appealing as it would seem, the discourse about human rights and human rights education becomes challenging. While on the one hand, HRE has a transformative potential, on the other hand, it proposes a particular and exclusive, heavily institutionalized way of understanding human rights (Coysh, 2014). HRE validates certain forms of knowledge (institutional, expert, and technical) while burying and

discounting others (cultural, indigenous, and communal) (Coysh, 2014). The international initiatives are perceived as inappropriate, distant and alien, and are broadly rejected by communities (Boyle & Corl, 2010). Additionally, HRE's increasingly institutionalized and centralized discourse (around the UDHR and the United Nations Organization [UN], its principles, documents, and methodologies) has enabled the UN to regulate the way in which human rights are perceived and disseminated (Bajaj, 2011; Coysh, 2014; Tibbitts & Fernekes, 2011).

International and Latin American Background of Human Rights and HRE

According to the United Nations, human rights can “only be achieved through an informed, and continued demand by people for their protection,” and efforts by international organizations to enforce Human Rights Education (HRE) are described as an “essential contribution” to promote, prevent and protect people against abuses. HRE involves “values, beliefs, and attitudes that encourage all individuals to uphold their own rights and those of others” (OHCHR, 2016a, par. 1).

Due to the primary role of education and teaching of human rights for ensuring the observance of human rights, Human Rights Education (HRE) was declared in 1978 to be a top priority for UNESCO (UNESCO, 1978). Additionally, on December 2004 the UN General Assembly proclaimed the World Programme for Human Rights Education (2005-2020) to “advance the implementation of human rights education programmes [sic] in all sectors,” and it adopted the United Nations Declaration on Human Rights Education and Training in 2011 (UNDHRET) (United Nations, 2012, par. 1). Accordingly, each year nations must report their advances to the World Program, and adjust them to the recommendations of the OHCHR.

Yet since its inception, HRE has faced a political and philosophical debate over the legitimacy of the contents and the methodologies used in HRE. Critics charge that the limited amount of research, the low support from states for educational/communications programs, the scarce international attention, and the “voluntarism” of this practice are major limitations (UNESCO, 1978). Additionally, for some non-Western countries, the debate lingers around the legitimacy of human rights and human rights education discourses, mainly the issues of power and knowledge. Due to their past and present relations with Western developed countries, scholars from ex-colonies in America, Africa, and Asia tend to look suspiciously at foreign knowledge proposed as “universal” values. As Foucault (1995; 1980) argues, it is through institutions which generate specific discourses, that knowledge is controlled, and meaning is produced. Moreover, discourse creates “regimes of truth” –in other words, selected knowledge valued as truth (over other types of knowledge), and its mechanisms of enforcement (Foucault, 1980). Following that argument, human rights discourse is one of the most universally spread regimes of truth with its discursive practices. Thus, power/knowledge relations are of particular importance in HRE, where the dominant discourse of the UN sets the standards for how to understand human rights, whose voices must be heard, and in which contexts (Barranquero, 2011).

In Latin America, some post-colonial and critical theorists perceive human rights as a hegemonic discourse that legitimizes the ideologies of individualism and, in consequence, reproduces a capitalist, colonial, and patriarchal order (Dussel, 2008; Santos B. S., 2014). They argue that when the universal principle of human rights does not take into account cultural identities and diversity, it produces more harm than good. Therefore, a unidirectional and univocal discourse about human rights, reproduced by HRE, will reproduce the systems

of (post)colonial oppression as well. Conversely, people studying and working with social justice issues and social change programs, believe in the transformative potential of human rights and HRE to create a culture of peace, strengthen democracies and promote solidarity (Coca, García, Martín, & Hurtado, 2015; Mariscal, 2015). Therefore, to avoid a blind and dogmatic practice or a complete skeptical rejection, it is necessary to critically reflect on the principles, objects, and practices of HRE discourse in Latin America.

HRE in Ecuador: A Problem that Deserves to be Studied

What is the importance of studying HRE discourse and practice in Latin America? First, understanding human rights as a discourse implies discussing how people conceive, understand, and build their notion of rights, and accordingly how that socially constructed vision about human rights promotes action. Then, if human rights discourse influences HRE's discursive practice, on the ontological, communicational, and pedagogical levels, its design will rely on the relationship between both discourses. Paraphrasing Bloomaert (2005), talking about discourse is not only talking about language. In that sense, HRE discourse is more than empty linguistic constructions or unlinked communicative messages; it is language in action producing actual effects in the world.

Second, to approach HRE as a discourse in Latin America implies studying complex relations, usually negotiated and strongly contested between the macro-, meso-, and micro-levels of HRE. The macro-level (international discourse of human rights, national and regional interests, and local *cosmovisiones*¹), the meso-level (epistemological and pedagogical conceptions of HRE itself), and the micro level (programs, curricula, and

¹ The term *cosmovision* can be translated as Worldview or *Weltanschauung*. However, according to Santos (2010) implies not only a perspective about the world, but a way to understand and comprehend the world through a cultural cluster of beliefs and practices. I will use the term in Spanish: *cosmovisión* or *cosmovisiones*

practices) affect and are influenced by each other, and also answer to the particularities of each country. Being unaware of these intertwined relationships will be reproductive of the status quo instead of being the motor of transformative changes in Latin American societies.

Third, it is fundamental to problematize how the principles of the international system of human rights and HRE discourses are practiced within particular settings in South America. Yet despite its importance, there is scarce research and reflection on this topic. Many questions are unexplored –for example, how can power relations, contents, and outcomes be negotiated and contested between the international system and practitioners in Latin America? What characteristics does an HRE program address, and which elements are required to approach HRE from a Latin American epistemological and methodological perspective? Which alliances are needed to achieve multicultural and interdisciplinary HRE programs in a country? How are HRE pedagogical and communications models proposed in Latin American countries? Finally, how do national HRE programs navigate the debates about human rights?

Fourth, communication and education are strongly related. For some Latin American thinkers and practitioners there is an unbreakable link between education, communication and social change. Following Paulo Freire's thoughts, the intertwined relationship between education and communication aims to empower democracy, through a project of autonomy as the liberating capacity of "thinking practice", achieved individually and socially (Soares, 2009; Valderrama, 2000). Therefore, how are education and communication used to enforce and promote HRE programs? Are they feeding, negotiating, contrasting or opposing each other? To which extent does HRE uses education/communication as a thinking practice and a vehicle for democracy and autonomy?

In order to answer some of these challenging questions, this dissertation proposes a critical discourse study of the HRE national program of Ecuador as a way to portray how the discursive formation of human rights and HRE is enacted in a particular setting. For that reason, I selected the HRE program of the *Defensoría del Pueblo de Ecuador (DPE)*, the Public Defender Office or *Ombudsperson* of Ecuador. By constitutional mandate, the DPE is the Human Rights National Institution, and it is responsible for coordinating, approving, supervising and evaluating (at the operational level) the protection and promotion of human, Nature, and consumers rights. The DPE is also in charge of the strategies to generate HRE knowledge, processes, and standards through the design and approval of the contents and methodology for the different processes of diffusion, sensitization, training, and education programs of the institution at the national level (Defensoría del Pueblo de Ecuador, 2015a). In 2015, almost twenty years after its foundation, the DPE focused on enforcing the HRE program by creating a series of workshops and e-learning processes, and by producing printed and electronic educational materials to accompany them. It is too soon to analyze the results of the program as a whole, because the program is young and has not been evaluated yet. However, the three books (created between 2015 and 2016) make a solid case for being studied, because they compile the discourse about human rights and HRE of the National Human Rights Institution of Ecuador, in charge of designing, approving and fostering the HRE program at the national level.

The Significance of Studying HRE discourse in Ecuador

Analyzing HRE as a discourse is not usual. The heated debate about human rights and human rights education usually is approached from a philosophical or legal perspective (Landman, 2006; Karam, 2001). The central concern has been to problematize ontological or

epistemological questions such as the values, principles, and essence of rights (Al-Daraweesh & Snauwaert, 2013; Bajaj, 2011; Bynum, 2012). From the legal perspective, some scholars discuss the judicial system (policies, norms, treaties at the international, national or local level), and the ways to enforce, protect, or warrant rights (Celermajer & Grewal, 2013; Wahl, 2013). Another important field of study is the educational approach, through which several authors have studied the pedagogy of rights, including models, methodologies, and experiences from the educational perspective (Hopkins, 2011; Keet, 2012; Roux, 2012; Tibbitts, 2002). From the communicative perspective, the study of human rights and HRE is scarce and is mainly produced by non-western scholars (Karam, 2001; Vega, 2012).

Most of the HRE research and theorization in Latin America comes from countries that suffered brutal dictatorships or sustained violence, such as Argentina, Chile, Brasil, Peru or Colombia, and are related to the sociological or educational perspective (Coca, García, Martín, & Hurtado, 2015; Instituto Nacional de Derechos Humanos, 2012; Magendzo, 2000). It is rare for the relationship between human rights and communication to converge on the debate about the right to communicate, as a human right, and its social repercussions (i.e., free speech, hate speech, or the pedagogy of communication) (Jurado, 2009).

Moreover, the relationship between HRE and communication is even more diffuse. Few studies understand human rights as a discourse that produces real programs applied at a national and local level around the world (Coysh, 2014; Keet, 2012). In Ecuador's Academia, human rights are mainly studied in the schools of law and political science; pedagogically, they are studied in the education schools (in relation to citizenship, participation, and multiculturality), and are rarely analyzed in the communication schools.

In this context, the contribution of this dissertation is to analyze HRE from an educational/communication perspective; to look at HRE as a discourse put into practice in a particular non-Western setting; to enhance the research results about Latin American HRE experiences from a Latin American perspective; and finally, to explore the notions of human rights and the human rights educational discourse of Ecuador.

Multidisciplinary Research Questions: Ontological, Communicational and Educational Inquires about HRE in Ecuador

Due to the fact that human rights and HRE are multidimensional and interdisciplinary problematics, this dissertation addresses the study of HRE discourse from three perspectives, posing three types of research questions: Educational, ontological, and communicational. From the educational perspective, the main questions are: How is the pedagogical model of the DPE program conceived and designed? What epistemes, outcomes, methodologies, procedures, sequences, and activities are chosen, and what is the logic underlying these processes? Are these elements coherent and cohesive? How do the educational, pedagogical and didactic models converge in their *in situ* application?

Ontologically, I ask: What discourse of human rights does the DPE program promote? How are individuals and rights conceived? How does the DPE program negotiate or contest the principles of human rights from the UN World Programm of HRE with the constitutional mandates of Ecuador? At what level is it negotiated or contested?

From the communicational perspective, my questions are: What is the role of communication in portraying, promoting, or ignoring cultures in the discourse about human rights of the DPE program? How are cultures, diversity, and interculturality conceived? Is language considered as a universal code to communicate rights or is a cultural translation

needed or used? What subaltern voices are enforced or silenced? Whose dominant voices are reproduced?

My Positionality as an Ecuadorian Researcher

As a researcher in this particular case, I cannot separate myself from my experience as educator/communicator, because “we are shaped by our lived experiences, and these will always come out in the knowledge we generate as researchers and in the data generated by our subjects” (Lincoln, Lynham, & Guba, 2011, p. 124). I have been a professor for over 15 years in Ecuador. During the last decade, I have worked in educational/communicational programs related to human rights promotion with university students and adolescents. At first, I was called to collaborate with an initiative of the department of student affairs at the university where I work. One of the main concerns of my colleagues and myself was the limited and decontextualized knowledge about HIV of our students. We focused on replicating international materials about HIV produced by the UN within the frame of an interinstitutional agreement.

Nevertheless, as time went by, we started noticing that the materials did not fulfill all the requirements of the practice. The language, imagery, context, actors, and some of the content seemed alien and inadequate, even though we did not have the experience or the knowledge to negotiate or question the materials.

Another issue that came to our attention was the limitation in working with HIV sensible topics without talking about other rights and principles. For example, the issue of negotiating safe sex in male chauvinist (*machista*) societies such as Ecuador, involved not only sexual and reproductive rights but related principles and rights, such as self-determination, empowerment of women, education, and economic equality. Therefore, we

worked on a program for the promotion of rights that encompassed all rights as one body of knowledge. We researched and designed some alternatives, using –and culturally translating– some materials, producing others based on our experience, and searching for support and dialogue with other allies in the sector. We activated a very primitive initiative of HRE at the University level. Unfortunately, after more than three years, the program was dismantled. It faced strong criticism from colleagues who considered that HRE in the university would reproduce the international discourse of domination brought by foreign agencies such as the UN. Another problem was the soft and incoherent national and regional policies toward enforcement of HRE in Ecuador. Finally, even with good intentions, some human rights activists and promoters fell into a crusade of being saviors instead of facilitators of the processes (Griffin, 2015). Ironically, the voluntarism of our HRE program, based on a handful of well-intentioned people (with an idealistic savior complex), made us weak.

Fortunately, more and more people are talking about the role of HRE in transformation and social change in our societies, especially since the World Programme and the United Nations Declaration on Human Rights Education and Training (2011). Even though, for many of us, there is no doubt of its importance, the academic research about outcomes, concerns, limitations, and advantages is still often not taken seriously.

I have continued studying HRE and working in human rights promotion in my practice as a professor, sometimes alone, and navigating the political and academic reality of the higher education system. Studying HRE, I have encountered a twofold reality. On the one hand, countless INGOs have developed practices enforcing the UN world program around the world. In 2016, I had the privilege of observing the world summit of an INGO at the UN headquarters. The members of this organization came from many countries, and they were

working in their spaces to promote human rights. But that particular program was not designed to pay attention to cultural particularities. Consequently, there is the other side of the story. International programs, as I have encountered in my practice, are not culturally sensitive. The same issues we faced in the microcosm of my university were present at the macro-level in this organization: voluntarism, lack of policies, scarce scholarly research, and cultural insensitivity.

Currently, my country has a national program of HRE, promoted by the higher institution for HR promotion, the *Defensoría del Pueblo de Ecuador* (DPE). The materials are brand new, and the department of education of DPE is eager to spread the program to all corners of Ecuador. Therefore, this dissertation aims to critically analyze the ontological, educational and communicational discourse of the DPE proposal, considering the twofold dilemma between the international perspective and the cultural sensitivity, as well as its potential, and criticism.

My positionality is based on the idea that reflexivity and awareness about our positions are fundamental for researchers (Nakayama & Krizek, 1995; Moon, 2008). Reflection encourages considerations of what is invisible or silenced in academic discussions, questions the articulation of the researcher's positionality vis-a-vis social and academic structures, and allows an examination of how knowledge is produced by institutions and politics (Nakayama & Krizek, 1995). I consider that my experience working in HRE in Ecuador will provide an inside look from a practitioner's perspective (as an educator/communicator and as a promoter), and my experience as a researcher will contribute to an academic vision of the debates and tensions of the HRE problematic in relation to the strengths and weakness of the DPE's proposal.

Additionally, my positionality as a scholar from Ecuador is also engaged in the territoriality of the construction of discourses. For Barranquero, social sciences tend to develop a hegemonic, Westernized, academic perspective, which assumes excessively anti-democratic and ethnocentric ways of planning. This traditional perspective also orients science towards universal and instrumental models, not applicable to local contexts, and conceives communication as a means and not as an end in itself (Barranquero, 2011). To avoid this bias –which is highly contested in Latin America– the dissertation will apply a policy of permanent reflexivity about the theoretical approaches used to explain the phenomenon, promoting the hearing of the voices of Latin American authors.

Key Concepts to Understand the HRE Problematic

The Human Rights Education discourse is built at the crossroads of multidisciplinary constructs. First, because human rights is a complex concept with diverse understandings, I must acknowledge the perspective from which human rights will be recognized. This leads to a statement of a specific ontological definition of human rights education. Second, concepts such as power, knowledge, and discourse, drawn from sociology and critical theory, are fundamental to producing a critical discourse analysis of HRE. Third, because I argue about the cultural relevance of studying HRE *from* and *to* the Latin American standpoint, it is relevant to review constructs such as culture and interculturality, intersectionality and the decolonial turn of thought in the humanities.

Human Rights. According to the Office of the High Commissioner for Human Rights (OHCHR) (2015a), “[h]uman rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination”

(par. 1). Rights are often expressed and guaranteed by law, and it is the responsibility of states to promote and protect them. Human Rights are interrelated, interdependent, and indivisible (OHCHR, 2015a).

The new Constitution of Ecuador (2008) recognizes the rights and guarantees of national and international instruments, and declares that:

All persons are equal and shall enjoy the same rights, duties, and opportunities. No one shall be discriminated against for reasons of ethnic belonging, place of birth, age, sex, gender identity, cultural identity, civil status, language, religion, ideology, political affiliation, legal record, socio-economic condition, migratory status, sexual orientation, health status, HIV carrier, disability, physical difference or any other distinguishing feature, whether personal or collective, temporary or permanent, which might be aimed at or result in the diminishment or annulment of recognition, enjoyment or exercise of rights. All forms of discrimination are punishable by law (Art. 11.2).

According to the the DPE, human rights are faculties, liberties, and attributes that all individuals have due to their human condition, and to respect, protect and fulfill them is the most elevated duty of the State (Defensoría del Pueblo de Ecuador, 2017a). However, with the reform of 2008, the notion of rights acquired some particularities. Human rights are framed within the principle of *Sumak Kawsay*, defined as a “new form of public coexistence, in diversity and in harmony with nature, to achieve the good way of living, the *sumak kawsay*” (Republic of Ecuador, 2008, Preamble). Additionally, Nature is a bearer of rights, not only humans. Moreover, in Ecuador, based on the principles of *Sumak Kawsay* (Good Living), human rights facilitate the development of a dignified life and the empowered exercise of power, are in continuous development and recognition, and do not need to be regulated by law to be enforced or claimed (such as the rights of Nature and the Culture of the peoples) (Defensoría del Pueblo de Ecuador, 2015a).

This dissertation differentiates the discourse from the practice of human rights². As a discourse, it considers human rights as a socio-historical constant construction. I will follow the idea of the Ecuadorian Constitution, which defines human rights as faculties, liberties and attributes, indispensable for a dignified life, that are framed according to the principles of *Sumak Kawsay*, and are not only regulated by law but by the negotiated exercise of power of all the actors of the nation, including Nature.

Human Rights Education. Another central concept is human rights education (HRE). According to Art. 2 of the United Nations Declaration on Human Rights Education and Training, adopted by the General Assembly in 2011:

Human rights education and training comprises all educational, training, information, awareness-raising, and learning activities aimed at promoting universal respect for and observance of all human rights and fundamental freedoms and thus contributing, inter alia, to the prevention of human rights violations and abuses by providing persons with knowledge, skills and understanding and developing their attitudes and behaviours, to empower them to contribute to the building and promotion of a universal culture of human rights (United Nations, 2012).

This dissertation considers that, despite the importance of the technical knowledge of “attitudes and behaviors” to empower a “culture of rights,” knowledge about human rights is an emancipatory endeavor. It is not only the illustration (as an acquisition of knowledge) about rights, but it is also about creating the conditions capable of transforming and emancipating peoples. Partially, HRE implies the “construction of subjects of rights,” individual empowerment to claim and promote rights in daily life (Magendzo, 2000). However, HRE also implies a collective synergy to empower communities through citizenship, solidarity, and brotherhood to (re)construct societies (García, 2012).

² The intention of this dissertation is not to consider or analyze the praxis of human rights in Ecuador, its statistics, milestones and seat backs in Ecuadorian history, which could be a matter of further studies in the field of human rights in Ecuador.

Discourse. Discourse is a central concept in this dissertation, and it will be constantly referred to during this work. Here, I will draw a few key points to start outlining it. Discourse is a particular way of talking about and understanding the world (or an aspect of the world) (Jorgensen & Phillips, 2002). However, discourse is not *only* language, or even language in use, but language-in-action (Bloomaert, 2005). Discourses are socially constructed knowledge about some specific aspect of reality, and they have been developed in response to the interests of social actors in specific social settings, at personal, interpersonal, institutional, national, or international levels (Kress & Leeuwen, 2001). The modes or ways in which discourses are constructed represent choices made by authors that reflect their social, cultural and political positionality (Kress & Leeuwen, 2001; Wodak & Meyer, 2016a).

In this dissertation, discourses constitute and in turn are constituted by the social reality. On the one hand, a discourse answers to particular historical and social contexts. Hence, it is socially and historically conditioned (Hall, 1997a). On the other hand, discourses can both sustain and reproduce the social status quo, or contribute to transforming it (Wodak & Meyer, 2016a). Hence, discourse has the power to create realities.

Power/Knowledge/Discourse. Discourse, according to Foucault, is power. Its power is based on how discourse delineates a range of elements of knowledge about what is said and what is not said. Also, it determines who can speak, where and when (Jager & Maier, 2016). Therefore, following Foucault, power/knowledge and discourse are intertwined. First, as he argued, if nothing exists outside of discourse, every aspect of life answers to discourse, generating various discourses present at the same time in every culture (Foucault, 1980). The multiplicity of complex discourses competing with each other creates power struggles. Second, the rules that govern discourse are not only linguistic or material. They are drawn

under specific cultural conditions and respond to particular historicity. Additionally, in each period (and answering to every specific cultural condition) discourse produces forms and practices of knowledge. It also creates forms of materialization of knowledge, following dominant discourses (Jager & Maier, 2016), such as the textbooks analyzed here. Hence, knowledge is culturally and historically specific and is saturated with power relations (Hall, 1997a). Therefore, discourse is thus intimately involved in the process of building knowledge through language (Zagan, 2015).

According to Jager and Maier (2016), discourses exercise power because they use some aspects of knowledge to institutionalize and regulate ways of talking, thinking and acting. The power of discourse has two effects: first, discourses constitute subjects by forming the individual and collective consciousness; second, “since consciousness constitutes action, discourses determine action, and actions create materialization. Discourses thus guide the individual and collective creation of reality” (Jager & Maier, 2016, p. 117).

Critical Discourse Analysis (CDA) and Critical Discourse Studies (CDS).

Discourse analysis is usually treated as a method or as a theory. Critical discourse scholars propose that CDA is a theory/method that encompasses a “loose federation of discourse approaches that share a progressivist political commitment and some theoretical roots” (Tracy, Martínez Guillem, Robles, & Casteline, 2011, p. 243). Moreover, Van Dijk proposes that it is more accurate to talk about critical discourse studies, since there is not only one correct way to analyze discourse but rather multiple ways that combine theories and methods to critically study discourse (Wodak & Meyer, 2016b). Therefore, throughout this dissertation I will use the term Critical Discourse Studies (CDS).

CDS are characterized by a common interest in understanding the complex relations between power and discourse to push a social justice agenda. CDS scholars have an admittedly political positionality because their critique of discourse is a critique of the structures and relations of dominance and inequality (Fairclough, 2014). However, differently from activists and other politicians, they focus on more structural and long-term analysis of the causes, conditions, and consequences of social issues, rather than searching for imminent change (van Dijk, 1993). Moreover, the idea of *critique* in CDS is a result of the influence of the Critical Theory informed by Marxism (Tracy, Martínez Guillem, Robles, & Casteline, 2011). Hence, critical thinking is about not only the critique of discourse but the critique of the social order (Fairclough, 2014); it must be immanent, diagnostic and prognostic (Reisigl & Wodak, 2016); and it implies a self-awareness and specific ethical standards (van Dijk, 1993).

Additionally, some critical scholars argue that CDS must be sensitive to the cultural nuances of the texts analyzed because in all cases they represent not only the cultural positionality of their producers but the cultural positionality of their researchers (Pardo, 2013; Shi-Xu, 2012). In this context, language cannot be understood as a *universal* code, but as an (inter)cultural code which must be culturally translated (Baradaran, Motahari, & Manafzadegan, 2015; Gavriely-Nuri, 2012; Kwon, Barnett, & Chen, 2009).

Shi-Xu proposes three basic principles for theorizing and practicing a cultural approach to CDS. It should: a) be locally grounded with regard to culture-specific needs and perspectives; b) be globally minded with regard to culturally diverse perspectives and human concerns (especially coexistence, common prosperity, knowledge innovation); and c) be

susceptible to communicating with relevant international scholarly traditions in terms of concepts, theory, methods, and terminology (Shi-Xu, 2012).

In this dissertation, I recognize CDS as a theory/method to analyze the HRE program of the DPE, in a way that is sensible to the glocal and cultural diversity (Escobar, 2005). I assume the arguments of Shi-Xu about the vital importance of acknowledging the significant theoretical tradition of CDS where it is founded and using a global awareness about knowledge and society, yet distinguishing the relevance of the local cultural approach pertinent to Latin America and Ecuador.

Culture(s) and interculturality and the decolonial turn: Thinking “from” and “towards” Latin America. According to some interpretive and critical scholars, cultures encompass norms and values associated with groups of interconnected individuals that are not discrete, autonomous or static. Rather they are multiple, overlapping, negotiated in relationships, contested at different levels, and dynamic (Boyle & Corl, 2010; Broome & Collier, 2012). Especially, in a diverse context such as Ecuador, cultures cannot be understood as monolithic and static. At the macro-level, the Ecuadorian Constitution defines the State as plurinational and diverse, and recognizes 13 indigenous nationalities and peoples. In addition, three biodiverse regions (Coast, Mountains, and Amazon) configure different worldviews among Ecuadorians that include diversity in gastronomy, clothing, housing, dialect, and religious practices, among other things. Therefore, there is no such thing as one discrete “Ecuadorian culture.” All these factors lead to diverse identities among Ecuadorians. Some of these identities are engaged in struggle and overlapping, others are negotiated or contested in certain situations, and some others have blurred borders. These complexities make the intercultural approach appropriate to use.

In a broader scenario, Latin America is a Westernized object of study in two forms. First, it is an object of study to be analyzed *by* the Western observer. Second, it is an object to be studied *from* a Western perspective. Moreover, even non-Western scholars have learned to study themselves through the lens of the theories and authors which denied their existence and silenced their voices (Lander, 2000). This presents a problem because the research about Latin America keeps being alienating and alienated (Bautista, 2014).

Thinking from a Latin American perspective implies arguing that knowledge is not *universal*. Instead, Latin American scholars propose that the *locus* (place) influences the viewer and the view (Bautista, 2014; Dussel, 2008). This particular way of thinking need not imply the denial of the universal (Western) History of Human Thought, nor does it conceptualize Latin America as a unique place, indescribable and impossible to study, condemning Latin America to the solipsisim. Rather, it involves looking at Latin America as a part of global processes, while keeping the sensitivity of our *cosmovisión*.

Therefore, a decolonial approach is not a theory but a political praxis. It is a positionality toward Latin America. It requires, first, vindicating subaltern epistemologies, understood as emergent narratives; second, empowering alternative practices created as disruptive responses to Westernized models; third, developing practices from the peripheral *locus* (Walsh, 2016). Moreover, a decolonizing turn of knowledge allows a reification of meanings from a (critical) analytical perspective towards an emancipatory praxis of Latin America (Torrico, 2016).

The HRE discourse of the *Defensoría del Pueblo de Ecuador* (DPE) answers to this cultural conjunction. Ideally, HRE should be sensitive to the Ecuadorian peoples' voices and needs. DPE as the Ecuadorian institution in charge of human rights is challenged by the

complex task of presenting a program that, on the one hand, follows the international principles of the World Programme for HRE, and on the other hand, deals with plurinationality and multiculturalism of Ecuador.

Intersectionality and *transversalización*³ of the human rights-based approach.

Intersectionality and *transversalización* of the human rights-based approach are mandatory in most of the Ecuadorian educational system. The HRE program of DPE also takes into account these two terms. Intersectionality, according to Hill Collins and Bilge (2016) is

[...] a way of understanding and analyzing the complexity in the world, in people, and in human experiences. The events and conditions of social and political life and the self can seldom be understood as shaped by one factor. They are generally shaped by many factors in diverse and mutually influencing ways. When it comes to social inequality, people's lives and the organization of power in a given society are better understood as being shaped not by a single axis of social division, be it race or gender or class, but by many axes that work together and influence each other. Intersectionality as an analytic tool gives people better access to the complexity of the world and of themselves (p. 2).

In educational settings, intersectionality acknowledges that discrimination is not a single variable factor or the simple sum of disparities, but a complex interconnection and the overlapping of alternative forms of discrimination (Herdoíza, 2015). The complete development of human beings through education cannot be achieved by ignoring intersectionality. A critical consciousness about intersectionality in education gives the minority groups the possibility to reflect and analyze social inequalities and be empowered by that consciousness (following the beliefs of Paulo Freire), and challenge their current circumstances of oppression (Hill Collins & Bilge, 2016).

³ According to Herdoíza (2015), *Transversalización del enfoque de derechos humanos* is translated as "mainstreaming" human rights approach. This translation can be found in several documents of the UN, such as the Beijing Declaration in 1995 and the International Labour Organization Vision Statement. The use of the concept of mainstreaming represents an issue about cultural translation that I will analyze further in the dissertation. Therefore, I will use the term in Spanish, due to the complicated cultural translation which can be understood as including human rights-based approach as a cross-cutting element throughout the Ecuadorian lifestyle.

On the other hand, the *transversalización* of the human rights-based approach is another critical issue in Ecuador. The term *transversalizar* originates in development programs and women's international agendas as the need to include a particular perspective (usually gender) in any and every cycle of projects and public policies (Yeshanew, 2014). In education, it implies developing a skill, goal, or content about human rights throughout the educational project or curriculum, avoiding a fragmented view of the notion of rights (namely only gender or ethnicity or class as independent factors of discrimination) (Herdoiza, 2015).

Intersectionality and *transversalización* are particularly crucial for the HRE program of the DPE because they are part of the human rights-based approach, which is core in the values proposed in the program. The DPE program follows the equality focus –centered in a human rights-based approach– that is mainstream in the Constitution and the public policy of Ecuador (Secretaría Nacional de Planificación y Desarrollo, 2011; Defensoría del Pueblo de Ecuador, 2016a).

Summary

In conclusion, this dissertation emphasizes the importance of studying human rights and HRE from a communicative/educative perspective, where HRE is considered a discourse influenced by international instruments, principles and agendas, yet shaped by the Ecuadorian principles of the *Sumak Kawsay*. Additionally, the critical discourse analysis of the HRE program of Ecuador uses a CDS cultural approach, intertwining the international scholarly tradition about discourse, power, and knowledge, with subaltern readings of these (and other) constructs from and to Latin America and Ecuador.

This piece will work on three multidisciplinary and multilayered questions: First, to what extent is there coherence and cohesion among the educational, pedagogical, and didactical discourses of the HRE program of the DPE? Second, how does the DPE ontologically conceive human rights and human rights education in its program? And third, how does the communicational discourse of HRE promote and portray culture, diversity, and intersectionality in Ecuador?

The importance of the study lays in the fact that the DPE's proposal is the current national human rights education program in Ecuador. The DPE's educational materials created for the HRE program are used to promote and enforce the human rights perspective of the Ecuadorian state nationwide. However, neither the program nor the textbooks used to promote it have been analyzed previously, and therefore its effects have not been measured. Thus, this dissertation is a first approach to critically analyze the latent and manifest discourse of the DPE, toward the end of enforcing its strengths and warning about its weaknesses. As Sabilis claims, HRE involves a constant debate and discussion in the educative sense, and I would add that it is also an space for the debate in a communicative sense.

The next chapter will present the key conceptual elements relevant to understanding the complex debate about human rights, which nurtures the related discussion about the impact of HRE, as an axis for promoting social change or enforcing the status quo of inequality and discrimination. As human rights are the core of HRE, Chapter 2 will help us to walk through the history of the discourse of human rights, presenting some of the "hard questions" (Holder & Reidy, 2013) and "difficult topics" (Frezzo, 2015), as a contextual framework. Then, it will introduce the context of Human Rights Education, its historical

evolution and approaches, also including related discussions about HRE, from the International System of Human Rights to the Global South and Latin America.

Chapter 2 –

Human Rights Education: An Alternative to Reach the Transformative Potential of

Human Rights in Latin America and Ecuador

Utopia lies at the horizon. When I draw nearer by two steps, it retreats two steps. If I proceed ten steps forward, it swiftly slips ten steps ahead. No matter how far I go, I can never reach it. What, then, is the purpose of utopia? It is to cause us to advance (Fernando Birri (s/a), attributed to Eduardo Galeano).

“Never again”: A Utopia to Advance

“Never again” is written in stone in the Dachau and Treblinka concentration camps, which were turned into museums and memorials after World War II. “Never again” is the phrase written at the feet of a freed slaver statue in Juffureh, Gambia. “Never again” is repeated in the genocide memorial of Rwanda in Lake Kivu. It is written in the *Museo de la Memoria* in Chile, to remind people about the abuses of the dictatorial regime. The phrase is associated immediately with human rights movements, and it is written over and over again in memorials, museums, parks, slogans, and mottos. These words –promoted by former US President Jimmy Carter, among others– compelled all nations to commit to preventing a repetition of the monstrous genocide perpetrated during World War II. According to Carter, “We must forge an unshakable oath with all civilized people that never again will the world stand silent, never again will the world fail to act in time to prevent this terrible crime of genocide” (Powers, 2013, pág. xxi).

Nevertheless, nearly forty years after the “never again” pledge, abuse of people is continues to be allowed by the international community. More than 70 years after the Universal Declaration of Human Rights of 1948, every day, in almost every continent, the

mass media show new cases of human rights violations, “again and again” (Powers, 2013). The promise of “never again,” which has become the promise of human rights advocates and movements, seems far from being achieved: millions of people still suffer from hunger, war, death, displacement, torture, and inequality. Why, then, is it so difficult to fulfill this promise, and moreover, what is the path toward enforcing and accomplishing it?

For activist and advocates, the promise of rights can be denied, suppressed, or remain unfulfilled, but it does not die (Hunt, 2007, p. 175). Human rights are a moral imperative and the last utopia (Donnelly, 2007; Kant, 2005; Moyn, 2010) that expresses for “the most elevated aspiration of both social movements and political entities –state and interstate. They evoke hope and provoke action” (Moyn, 2010, p. 1). Human Rights are widely seen as natural, self-evident, and essential. This is a tribute to their legitimacy and cultural power (Elliot, 2014).

Conversely, for some detractors, there is no evidence that human rights are universal, self-evident or inherent to the human condition. A more radical perspective conceives them as “struggles” or “nothing more than social-historical constructions” (Coysh, 2014, pág. 91). For some authors, human rights are part of the imperialist neoliberal discourse of the Western nations to control the Global South (Dussel, 2006; Foucault, 1999; Roux, 2012; Santos, 2002, 2010, 2014). The principles are couched in rational-legal terms, rather than in religious or philosophical terminology, and therefore are perceived more as realistic than idealistic (Elliot, 2014).

In this context, human rights education (HRE) is perceived as a means to fulfill the promise of human rights and the right to be educated about human rights is an end in itself. In this section, I present the central concepts, theories, and debates about human rights and

human rights education. In the first part, I analyze the general theoretical context of human rights and some critical debates around it. Then, I explain these debates read from and towards Latin America, and more specifically Ecuador. In the second part, I introduce and describe the general ontological and methodological proposal of HRE in the world, explaining Latin American particularities of understanding and practicing HRE, and contextualized HRE programs in Ecuador.

Human Rights History: An Astonishing Phenomenon

Human rights is the central concept around which this dissertation will flow. It is the heart of human rights education programs. Human rights are fundamental to understanding how the notion of rights is created, reproduced and practiced among the different peoples and cultures of the world. Its discussion lingers around philosophical constructs (about subjects, human nature, politics, and ethics) and legal aspects of rights (norms, instruments, treaties). It is also the focus of debates about power, knowledge, culture and interculturality, even about humanity. Yet, there are only a few studies that consider the communicational perspective of rights, and the main bulk of the literature is written in English, leaving large sectors of the world without access to those discussions. Therefore, this section is an intentional (political) review of the evolution of the notion of rights, principles, instruments, and system, to provide as a background for framing the notion of HRE.

According to Mahoney (2007) human rights is an astonishing moral phenomenon whose history has evolved over the centuries. The concept of *human rights* is relatively new, yet the implicit idea of *rights* can be traced to the beginnings of civilization (Donnelly, 2013; Ishay, 2004; Mahoney, 2007). According to some authors, human rights are rooted in notions of duty and responsibility shared in several religious traditions (Lauren in Elliot, 2014), and

human rights are remarkably similar in several cultures around the globe (UNESCO, in Mahoney, 2007). For other authors like Donnelly (2007, 2013), the Western tradition (understood as the linear development of thought from the Greco-Roman tradition, through the Enlightenment, up to the modern configuration of nation-states) had the central role positioning significant bodies of human rights and practices for the first time (Donnelly, 2013). Regardless of its historical origin, today the concept of human rights is flourishing, and individual rights are prized, especially after the second half of the Twentieth Century (Powers, 2014).

Despite the permanent presence of the discourse about rights in our lives, and the rights granted in most of the constitutions of the nations around the world, for the majority of the population it is difficult to define and list their rights accurately (Youth for Human Rights International, 2002-2015). The most frequently used definition holds that human rights are rights that every human being possesses and is entitled to enjoy by virtue of being human (Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997). Moreover, according to the United Nations:

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent, and indivisible (OHCHR, 2015a).

Even though this basic concept seems to be easy to grasp, in practice: Why is it so widely ignored? How can individuals promote, protect and enforce their rights if the most basic knowledge about rights is not part of their lives? The idea of educating people to know their basic rights in order to enforce more effectively them seems obvious. Later in this chapter, I will unpack the apparent logic of this assertion; meanwhile the next section will

present a comprehensive context of the international system of human rights, in which HRE is based.

The International System of Human Rights. Most of the content of HRE programs is based on the legal corpus built around the International System of Human Rights, which was born in the context of the Second World War (WWII). Even though WWII was a humanitarian disaster, it presented the opportunity to think about an international system designed to protect human rights and avoid future genocides. This crisis produced the compromise of 51 nations that founded the United Nations in 1946, to promote and protect peace, international cooperation, and development of the world's peoples.

Currently, the United Nations is an international organization (IO) with 192 Member States. The principles and mission that guide the work of the United Nations are stated in two foundational documents: The Charter of the United Nations and the Universal Declaration of Human Rights (UDHR). The Charter represents the constitutive norms of the organization and establishes that the United Nations is formed by six main (*core*) organs⁴, and numerous subordinate organizations, funds, and specialized agencies under the mandate of those six (United Nations, 2016).

The Universal Declaration of Human Rights (UDHR), signed on December 10th, 1948⁵, includes 30 articles. An international commission led by Eleanor Roosevelt drafted the UDHR, with the participation of René Cassin of France, the Committee Rapporteur Charles Malik of Lebanon, Vice-Chairman Peng Chung Chang of China, and John Humphrey of Canada, and the input of several Western and non-Western states (Carozza,

⁴ 1) General Assembly; 2) Security Council; 3) the Economic and Social Security Council; 4) the Trusteeship Council; 5) the International Court of Justice; and the 6) Secretariat

⁵ For that reason, December 10th was declared International Human Rights Day.

2003). For the United Nations, the UDHR constitutes “a road map to guarantee the rights of every individual everywhere” (United Nations, 2015, par. History).

According to Cassin (in Ishay, 2004), one of the main drafters of the UDHR, human rights are similar to the *portico* of a Temple with four pillars. Based on the French Revolution, the pillars of the UDHR are dignity, liberty, equality, and brotherhood. As Ishay (2004) explains:

[. . .] a first pillar, constructed out of the first two articles, stands for human dignity, which is shared by all individuals regardless of race, religion, creed, nationality, social origin, or sex; the second pillar, composed of articles 3-19, invokes the first generation of civil liberties and other liberal rights were fought for during the Enlightenment; a third pillar, consisting of articles 20-26, addresses the second generation of rights, those related to political, social and economic equity and championed during the industrial revolution; the fourth, representing articles 27-28 focuses on the third generation of rights, those associated with communal and national solidarity as advocated during the late nineteenth century and early twentieth century and throughout the post-colonial era. In a sense, the sequence of the articles corresponds to the historical appearance of changing visions of universal rights (pp. 3-4)

According to Hunt (2007), the UDHR was born ill. Its foremost weakness is its impossibility to be enforced. It is a non-binding document because it was signed but not ratified by the nations (as international law usually requires). Hence, its application depends on the will of each nation, which repeatedly pledge to their sovereignty and self-determination to ignore the UDHR (Donnelly, 2007). To address this weakness by producing a binding obligation for the member states, the United Nations Commission on Human Rights established a convention, later divided into two covenants⁶. The first, the International Covenant on Civil and Political Rights (ICCPR), is more *liberal*. The second one, from a most *socialist* perspective, is the International Covenant on Economic, Social and Cultural

⁶ “Treaty is a formal agreement between states. It creates legally binding obligations and rights among the states which are party to the treaty” (Women, Law & Development International and Human Rights Watch Women’s Rights Project, 1997). Among the treaties are the conventions and covenants.

Rights (ICESCR). These two bodies along with the UDHR are known as the International Bill of Human Rights (Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997). Eight additional treaties were also designed to guarantee human rights in specific areas such as the protection of women, children, and refugees, among other priority-attention groups⁷ (OHCHR, 2015b).

In addition to the International Bill of Rights and following the same structure, there are also replicas of the international system at a smaller regional scale. For example, there is the Americas System of Human Rights, attached to the Organization of the American States (OAS). It is formed by the American Convention on Human Rights (1969), which recognizes personal, legal, civil and political rights, and the *Protocolo de San Salvador* (1988), which deals with economic, social and cultural rights. It also includes the Inter-American Court and the Inter-American Commission on Human Rights⁸. In Europe, the *Convention for the Protection of Human Rights and Fundamental Freedoms* (1950) protects political and civil rights, while the *European Social Charter* recognizes economic and social rights. There is also a European Commission of Human Rights and the Court of Justice. In 1981, the Organization of African Unity (OAU) adopted the *African Charter on Human and Peoples' Rights* that incorporated reforms related to collective, development, and peace rights, that the previous *Banjul Charter* did not have, but the system is fragile (Donnelly, 2013; Women,

⁷ International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965; Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984; Convention on the Rights of the Child (CRC), 1989; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), 1990; Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), 2002; International Convention for the Protection of All Persons from Enforced Disappearance (CPED), 2006; Convention on the Rights of Persons with Disabilities (CRPD), 2006

⁸ The Inter-American Commission of Human Rights (IACHR) is under the Organization of American States (OAS). The OAS and IACHR are under constant criticism and suffer from a lack of economic and political support from their members. More information available in <http://www.oas.org/en/iachr/>

Law & Development International and Human Rights Watch Women's Rights Project, 1997). Contrary to the cases of the Americas and Europe, in Asia, there are no regional or sub-regional charters, norms, declarations or institutions that protect the human rights of their peoples (Donnelly, 2013). After the Geneva Protocol⁹, all parties (states or non-states) involved in a conflict are bound to respect the UDHR (Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997). Also, every state usually mirrors the UDHR in its Bill of Rights, Constitutions, and Laws.

The International System of Human Rights generated concern as soon as it was created. This system, specially through the UDHR, promotes the idea that human rights represent universal and uncontestable values (Donnelly, 2013). Usually, international networks promote the idea of human rights as neutral and necessary (Keck & Sikkink, 1998), and the international legislation considers them inalienable, non-derogable, progressive, irrevocable, nonwaivable, and nontransferable (Bonilla, 2013; Chong, 2014; Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997). For some scholars, the transnational human rights discourse is a construction, produced and distributed by formal human rights networks (like the UN and NGOs) and informal human rights advocates (grass-roots activism and cultural productions) (Hesford, 2011), that reproduces the International System perspective of rights. Hence, some HRE programs (especially the World Programme for Human Rights Education promoted by the UN) seek a common understanding and cooperation about rights from the international to the grass roots

⁹ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, usually called as the "Geneva Protocol". It relates to the treatment of prisoners, civil, and military population during a conflict.

level, based on this notion of rights: universal, interdependent and indivisible (United Nations, 2006).

Conversely, for an increasing number of scholars around the world, especially from non-Western peoples, human rights values are far from being absolute. For some of them, the human rights discourse responds to power relations based on a privileged Western positionality, which culturally legitimize certain subjectivities and identities over others (Chong, 2014; Coysh, 2014; Hesford, 2011; Hunt, 2007; Santos B. S., 2014). According to Elliot, the superpowers used the UDHR to support their ideologies (2014).

From a middle standpoint, some authors argue that the transnational discourse of human rights is not a linear imposition of the West, but it is based on the negotiated and contested connection between individuals and nation-states, between corporations and states, and state and non-state actors (Hesford, 2011), Western states to non-Western states, non-Western to non-Western states, NGO's with respect to business enterprises, and business enterprises in relation to non-Western states (Manokha, 2009). Therefore, from this standpoint, the International System is not only a collection of signatory nations, treaties, and transnational agreements, but a negotiated collective effort to build a community of peoples based on a few mutual values. As stated before, from the latter two perspectives –widely spread especially in non-Western countries– HRE can be a tool to reproduce the existing system of oppression or a tool for emancipation.

Nevertheless, regardless of the standpoint, there are no easy answers. The history of human rights “witnesses the ebb and flow of competing ideas” (Chong, 2014, p. 13), “hard questions” (Holder & Reidy, 2013), or “difficult topics” (Frezzo, 2015) about them. For that reason, it is fundamental that the next section describe some of those disputed ideas, to

understand the subsequent debate about HRE, which is nurtured by human rights controversies.

The international debate about human rights and its influence in Latin America.

Several fundamental themes surround a very passionate political and philosophical debate about human rights. According to Holder and Reidy (2013), “the most difficult questions raised by contemporary human rights theory and practice sit at the intersection of the theoretical and practical considerations” (p. 4). It is an increasing field of study for scholars from the humanities and the social sciences. The most varied disciplines, such as literature, music, sociology, law, anthropology, and history, have contributed with their methods, theories, styles of scholarly inquiry, and modes of engagement (Frezzo, 2015). Numerous conceptions of rights have generated controversies about the meaning and scope of human rights, who defines them, and the impact of their construction, interpretation, implementation, and enforcement of policies, treaties, and norms (Frezzo, 2015). In this section, I explain how the debate about human rights has also shaped and influenced the constitution of the notion of rights in Latin America.

First, one discussion lingers around the division of rights. Even though there was an apparent initial worldwide cohesion to draft them, the tensions and frictions around the 30 rights have proliferated ever since. This division of rights answers to a debate about the importance and relevance of one type of rights over the others. After the Second World War, the nations were separated into two blocks: the *East*, represented by the Soviet Union and the countries under its influence, and the *West*, represented by the United States and its allies. The conflict, known as the Cold War, generated opposed positions toward the UDHR. On the one hand, the Western countries considered the civil and political rights (UDHR Art. 3-21) to

be the top priority of the states. On the other hand, the socialist bloc maintained that the economic, cultural, and social rights (UDHR Art. 22-27) were the main responsibilities of the states. The Eastern bloc argued that the *Western* rights were not even proper rights (Chong, 2014), and that these rights support and reproduce the system of economic domination of capitalism (Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997). The Western bloc celebrated the political and civil rights, arguing that the social, economic, and cultural rights would not be possible without the first ones (Chong, 2014). The irreconcilable rifts between East and West pushed the creation of the two Covenants (Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997).

According to Chong, the dispute about the predominance of one set of rights over the others answers another debate about human rights: the philosophical controversy between essentialists and non-essentialists. For the essentialists, human rights are “a foundational characteristic of human nature, which exist before any social interaction or government decree” (Chong, 2014, p. 14). These Enlightenment ideas are the basis of most modern liberal concepts, such as democracy, sovereignty, and universality (Chong, 2014; Ishay, 2004). The non-essentialists argued that there is no evidence of innate human rights. Moreover, for some of them, human rights are mere “struggles,” social constructions, or do not exist at all (Chong, 2014; Coysh, 2014; Dembour, 2010; Freeman, 2011).

In a similar line of thought, liberal thinkers have argued that human rights are individual, naturally human, based on reason, and inalienable. According to Kant and Locke, rights are inherent to human beings due to their rationality and are based on natural law. The inherent rationality of human nature will lead individuals to the pursuit of their freedom. It

requires, at the same time, the use of rationality to respect the freedoms and dignity of others, and acting on behalf of others. Due to this moral imperative, natural law became public law, and later universal principles (Kant, 2005; Rawls, 2002). Hence, men would not need an oppressive regime that would jeopardize their rights, but an authority that granted rights by not interfering with the individual's quest (Donnelly, 2013; Freeman, 2011; Ishay, 2004; Kant, 2005). As a result, the liberal state, based on the principle of no intervention in private matters, enforces a "sovereign territorial control, the submersion of ethnic and racial identities into a supranational identity, and the determinate rule of law" (Blau & Moncada, 2005, p. 10). Therefore, the strength of the liberal discourse is its universality and inalienability of rights, granted to every person equally, due to the inherent condition of being human. Moreover, according to this perspective, the promise of the rights can be denied, suppressed, or remain unfulfilled, but it does not die (Hunt, 2007, p. 175). The weakness of the liberal discourse is its economic and political bias as a dominant discourse based on Western values and the interests of WEIRD¹⁰ nations (Santos B. S., 2010). For Falks (1981), the liberal discourse has applied a policy of *invisibility* toward certain problems (especially those in non-dominant nations such as Guatemala, Rwanda, El Salvador, and South American dictatorships), and of *hypervisibility* toward other problems related to dominant interests (such as Vietnam, Iran, Iraq, and Palestine) (in Santos B. S., 2002).

According to the socialist approach, rights stand for a more inclusive agenda, directed against the liberal view of market-based individual rights. First, they have opened the debate about the rights of often invisible groups, such as women, GLBT communities, children, ethnic minorities, and the people of former colonies, and have achieved partial recognition of

¹⁰ Western, Educated, Industrial, Rich and Democratic: term proposed by Henrich, Heine and Norenzayan in their article *The Weirdest People in the World?* (Henrich, Heine, & Norenzayan, 2010).

those groups. Second, authors such as Fanon and Said have challenged the concept of rights based on nature and have instead defined human rights as a social construction (Barker, 2012; Fanon, 1963; Ritzer & Goodman, 2004; Said, 1979). Third, authors like Butler, Adorno, and Habermas have proposed that the rights should be related to a more concrete idea of well-being, and move away from the previous moralistic conception of rights (Barker, 2012; Habermas, 1991). Yet, its pluralistic vision, which is its main strength, is also its main weakness. A socialist perspective is perceived as a fractured proposal, not fully theorized, and in some circumstances too idealistic (Donnelly, 2013; Jaggar, 1983).

Another debate lingers around the moral and pragmatic value of human rights. For authors such as Kant and Rawls, human rights are moral imperatives (Benhabib, 2004). On the contrary, some thinkers criticize the discourse of human rights as a moral discourse of pure nonsense (Bentham, in Hunt, 2007, p.177) or an imperialist imposition of Capital (Marx, cited in Hunt, 2007, p. 199). These authors also note that in 70 years of existence, the inefficacy of the international system is proof of these arguments. Especially, during 2014-2016 the statistics of human rights violations have been devastating for activists and advocates. By 2015, 65.2 million people had been forcibly displaced worldwide. In Syria alone, more than 4 million people were displaced, hundreds of thousands were killed, and thousands drowned in the Mediterranean Sea trying to travel to Europe. Hundreds of people were kidnapped, disappeared, or killed in Nigeria, Kenya, and Mexico. In the former Congo and South Sudan, tens of thousands were killed, and millions were displaced because of internal conflict. In the Palestinian territory and the former Soviet states, thousands have died due to the actions of a foreign country's army. Other places like Ankara, Egypt, Beirut, and Paris have suffered terrorist attacks against civilians (ABC Internacional, 2015; Amnistía

Internacional, 2017; UNHCR, 2016). In Latin America, between 2014 and 2018 close to 2.5 million Venezuelans (more than 7% of the population) fled the country due to the authoritarian regime of Maduro and the difficult economic conditions of that nation –with a hyperinflation rate of 219% per month– producing a humanitarian crisis in the neighbor countries, mainly Colombia, Ecuador, Peru, Brazil and Chile (BBC, 2018). These and other world statistics make theorists and activists wonder whether human rights are not just a fantasy.

Other authors argue that human rights are theoretically and pragmatically viable (Freeman, 2011; Ishay, 2004; Moyn, 2010), and even if only as a moral imperative, their strength is undeniable (Donnelly, 2013; Moyn, 2010). Despite all the atrocities that still exist, what human rights advocacy has achieved in less than a century is unprecedented. Out of the 779 international human rights instruments drafted since 1863, 666 of them were written after 1949 (Elliot, 2014). Most of the international treaties and covenants have been signed and ratified, binding nations to obey them. Since 2015, Nigeria banned genital mutilation, Ireland legalized same-sex marriage by popular vote, Germany passed a law for a gender quota in boardrooms, 15 nations in Latin America began drafting a Latin American Protocol for the Investigation of Gender-related Violent Deaths (Femicidio), Sweden added the gender-neutral pronoun *hen* in the official dictionary, Kosovo displayed a “5000 dress” installation in its main stadium in solidarity with the wartime sexual violence survivors, a Malawi chief annulled 330 child marriages, the UN Security Council unanimously recognized¹¹ the central role of women’s participation in peacebuilding, peace mediation and

¹¹ United Nations General Assembly Resolution 2242

conflict prevention, Nepal elected its first woman president, and Canada's new incoming Prime Minister appointed a gender-equal Cabinet (UN Women, 2015).

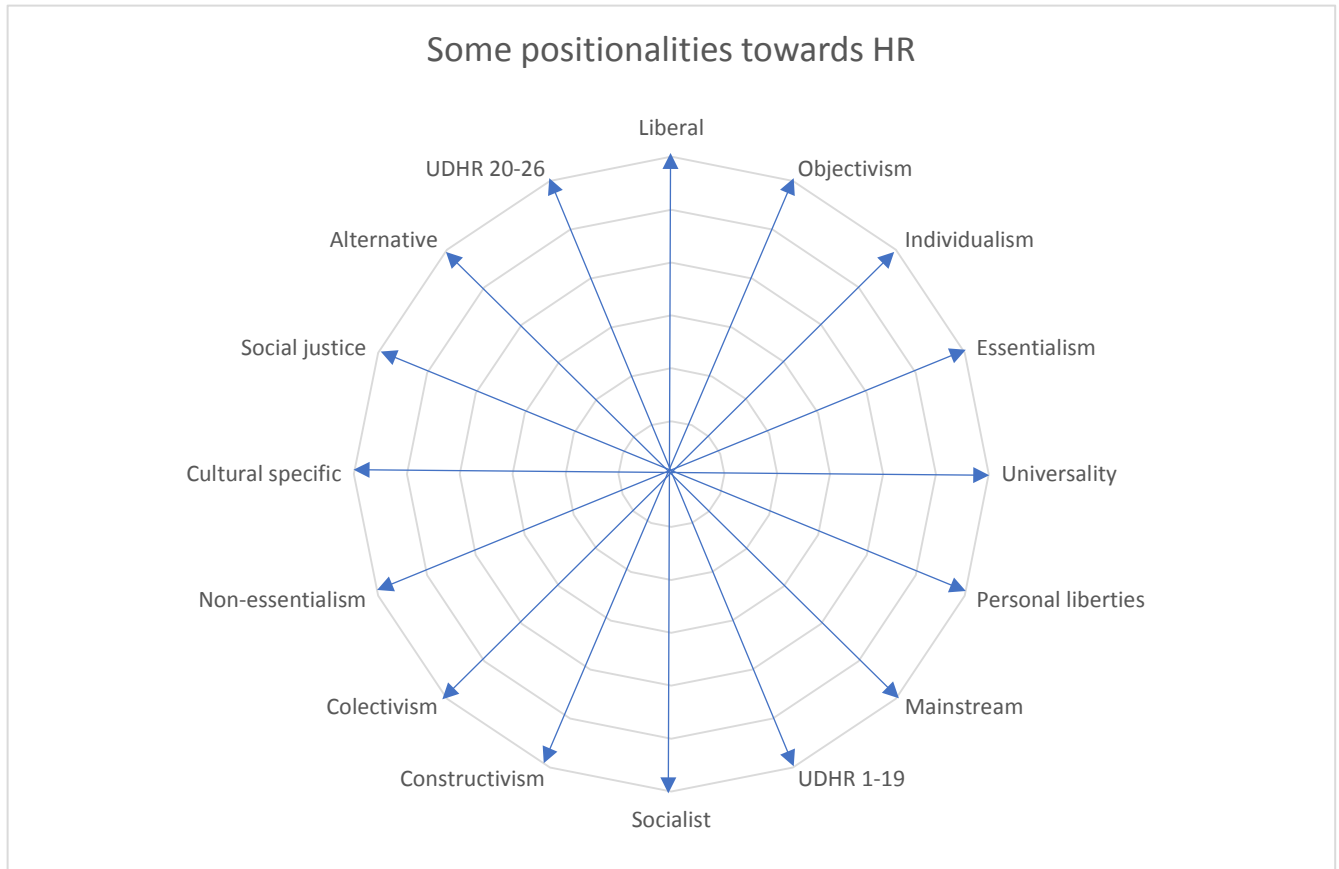
Another debate is led by scholars who discuss the universal value of human rights or their cultural relativism. Historically, there have been many small and large victories toward declaring Human Rights as universal. In the beginning, they were intended only for free wealthy men (not women, children, slaves, or people without property). However, nowadays most of the international legislation considers that all individuals are entitled to human rights no matter their origin, belief, color, language, status, or any other consideration. Arendt (1958) argues that the most basic human right is “the right to have rights,” and therefore to be heard and be considered human (in Benhabib, 2004). Nevertheless, given the abuses that continue to happen all over the world, there is strong contention about whether human rights are actually universal or “just” a construct of the Modern Western World¹² (Ishay, 2004; Holder & Reidy, 2013).

Human rights critics are still questioning *who* has the *right* to determine them, *which* rights, to *whom* the human rights are directed, and why they should be *universals*. The main anti-colonialism theory identifies the first generation of human rights with *market* and *capitalist* perspectives, which privilege individual rights (and a few countries in the world). Instead, some scholars in the Global South emphasize the collective and cultural rights, which aim to achieve social and economic welfare of the peoples (addressed in second and especially third generation rights) (Ishay, 2004; Women, Law & Development International and Human Rights Watch Women's Rights Project, 1997).

¹² Samuel Huntington describes it as “Western against the Rest” the litany of Third World countries against Western Eurocentric values (Ishay, 2004; Chong, 2014).

Generally, the themes addressed in this section are not easy and have no *right* answers. According to Moyn (2010), instead of monumentalizing human rights by rooting them deep in the past, it is necessary to acknowledge how recent and contingent they are. Human rights move from morality to politics, from principles accepted by almost all nations in the world to complete disregard and oblivion, from being the “power of the powerless” to serving as the “power of the powerful”, from offering minimal constraints on responsible politics to forming maximal policies of their own (Moyn, 2010).

When thinking the debates about human rights as opposite positions, one can draw many ways to situate those contraries theories and thoughts. Figure 1 shows some of the possible contradictory conceptualizations and theorizations of human rights diagramed as a radial graphic. The importance of this visual representation is not to resolve those debates by determining which side is correct, but first to understand that those debates influence every HRE program, and second, that the DPE has to navigate those debates, negotiating between contradictory beliefs, and position itself inside the international arena. Further studies can advance in analyzing the DPE positionality inside the radar, but this dissertation will not advance in that direction.



Source: Graphic made by the author

Figure 1. Some positionalities inserted in the international debate about human rights.

Moreover, the best way to approach human rights in this new century is by accepting the challenge of conflicting moral visions and political commitments (Benhabib, 2004), as I analyze below.

New scenarios or new discussions?: Human rights in the 21st century. The post-Cold War world had a negative impact on labor movements and unions that had been fighting for decades for better labor and social conditions. It divided communities, discourses, and efforts. Discrimination continues against minorities, such as women, GLBT, people with disabilities, immigrants, refugees, ethnic minorities, and workers. Nor is humanity any closer to eliminating human trafficking, modern slavery, child pornography,

terrorism, civil wars, ethnic cleansing, or antipersonnel mines. Neoliberalism and neo-capitalism have been devastating for the cohesion of the discourse of human rights as a monolithic value. Nevertheless, they have consolidated the system of international human rights practices, laws, and organizations.

On the other hand, the historical advances and milestones reached on rights for the abovementioned minorities cannot be ignored, even though some critics try to deny their significance. These results have been observed and studied broadly. If war and inequality are the marks of 10,000 years of civilization, what has been achieved in the last 70 years has no precedent. All the international treaties have been designed since 1948. Almost all the nations in the world have signed them and are bound to obey them. There are international, regional and local courts that can act with respect to the international norm (Hunt, 2007). As Chong (2014) says, “(h)uman rights have become the universal moral language that activists use to evaluate the actions of governments” (p. 244). For that reason:

In just three decades, state leaders have gone from being immune to accountability for their human rights violations to becoming the subjects of highly publicized trials in many countries of the world. New research suggests that such trials continue to expand and often result in convictions, including some of high-level state officials (Sikkink & Kim, 2013, p. 1).

Moreover, the human rights discourse has impregnated private and public life; it is no longer just rhetoric among the states in the UN. Human rights are present and are fought for in private areas such as homes and interpersonal relationships, as much as they are fought for in school classrooms, universities, public spaces, and political scenarios (Youth for Human Rights International, 2002-2015). For Hunt (2007), today they are touchstones for what is not acceptable behavior. According to Powers (2013) the phrase “Never Again” echoes in the minds of the people. That is exactly the power of human rights, paradoxically, to hurt the

public and private sensibilities when violated. For some authors, what matters is the multiple pressures that can be accomplished by media, politicians, regular officials, organizations, and the public (Hunt, 2007; Risse, Ropp, & Sikkink, 1999; Powers, 2013).

In that sense, Ishay (2004) argues that globalization can be a strength for human rights advocacy. The formation of global human networks¹³, helped by new technologies, has brought attention to the maladies of the world.

If the incorporation of human rights in numerous international treaties reflected a growing awareness of social misery throughout the world, enforcing human rights still remains a problem and a pressing challenge of the new millennium. Finding the best arena in which to implement human rights is a formidable challenge that requires us to draw on the lessons of history, a task to which we now turn (Ishay, 2004, p. 311).

Human Rights must be achieved through an enhanced dialogue where the different groups can exchange ideas and social values (Chong, 2014; Roux, 2012; Santos B. S., 2010). Nevertheless, for Ishay (2004) it is also essential to reach a balance between the coordination of global and local action while protecting the private realm as well.

Moreover, even though there are traditional readings of human rights from the *ius-positivism*, *ius-naturalism*, and *ius-realism*¹⁴, as a result of its history, Latin America produced a geopolitical view and way to understand human rights, in the intersection of the global and local thought and identities, social movements and demographic diversity, theories and praxis. Therefore, HRE programs in Latin America follow the particularities of the region. Hence, it is important to describe some contextual aspects about the Latin America historical development of the notion of rights, to later understand HRE in Latin America.

¹³ Authors as Keck and Sikkink (1998) and Castells (2015)

¹⁴ Positive Law –separation between morals and law–, Natural Law –rights common to all beings–, and Empiric Law –value free method based on science (Bonilla, 2013).

Background for the Latin American construction of the notion of rights. Latin America and other non-Western countries have been strong advocates of human rights since the beginning of the UDHR (Carozza, 2003). Burke (2010) argues that “Third World diplomats made pivotal contributions to some of the most significant events in the UN human rights project. Their voices shaped the two most authoritative instruments in human rights law, the International Covenants” (p. 1-2, cited in Frezzo, 2015, p. 2). Especially Latin American countries proposed and promoted the construction of the United Nations Charter, believing in the possibilities of a mutual ethical compromise and a set of values that would guide the coexistence of the member states of the United Nations (Carozza, 2003).

Nevertheless, various factors undermined this initial strong identification toward human rights. The first one is our convulsed history. During the Cold War, human rights institutions were accused by left-wing parties in Latin America of having a monolithic discourse that tended to “regulate” the non-Western nations as instruments of the liberal capitalist system to maintain its dominance. The anti-colonialist and anti-imperialist discourses became the enemy of UDHR and became loud voices reflected in the arts and other cultural representations, politics, and the academy (Frezzo, 2015; Santos B. S., 2010).

In this effervescence, the left-wing parties opened spaces and became a reality by winning the presidential elections in countries like Colombia, Peru, Chile, and Argentina. However, they did not last long enough to produce changes. The conservative sectors of these nations, helped by North America, ended these governments violently. For about half of the Twentieth Century, Latin America suffered through a long period of dictatorships and authoritarian regimes characterized by the violation of human rights. During these decades, Alencar, Torricos, Duvalier, Pinochet, Stroessner, Banzer, and a slew of military dictators,

were responsible for permanent violations of human rights, silencing social movements and influential voices, and the loss of thousands of dissident lives.

Only after the return to democracy, were the local and transnational social movements and civil society organizations, the international networks, and the international system able to resume human rights discussion and practice while trying to approach the international conventions (Sacavino, 2012). The same extreme left parties that had fought the dictatorships, had not been able to fulfill the promise of a better world through revolution and socialism. The anti-colonialist and anti-imperialist discourses could not justify the abuses of socialist regimes against the most basic freedoms in Western Europe and Latin America. As a result, alternative positionalities emerged between the conservative right (heir of the authoritarian regimes) and the unsuccessful left. The “new” left and the center-left parties reassumed the human rights discourse as a way to promote the wellbeing of their peoples. Conversely, “new” right and center-right parties were morally unable to oppose the notion of human rights protection and promotion¹⁵ (Santos B. S., 2010), even though their positionality remained neo-liberal and pro-modernization.

Despite the apparent agreement to defend human rights from both ends of the political spectrum (which in Latin America consists of not only two parties but dozens of them), our countries are still vulnerable to economic, political, and social crises. During the beginning of the 21st Century, poverty, corruption, inequality, and a lack of conditions for sustainable productivity resulted in new authoritarian regimes in countries such as Venezuela, Argentina, Bolivia, and Ecuador, which have lasted for over 15 years.

¹⁵ Because, as it was mentioned, the human rights discourse is the “international moral norm” (Donnelly, 2007), no political party could oppose it without raising major pressure and criticism from organizations and the press in Latin America.

Another factor that influenced the particular Latin American reading of human rights was our social and cultural construction. After the Colonies and throughout the Republican Era, Latin America became a space for hybridization and *mestizaje* of discourses and utopias. One aspect of this is, first of all, the fact that our peoples are a mixture of ethnic groups, cultural beliefs and practices, intertwined with the unfinished modern Westernized principle. As a result, a distinctive trait of Latin America cultures is the baroque *cosmovision*, a worldview plagued with contradictions and extravagant features peacefully coexisting. Second, authors like Dussel, Larrain, Bautista, and many others, have argued for decades that thinking about the world, and making sense of it, cannot be separated from the *locus* from which it is read. Therefore, thinking for and from Latin America seems mandatory. Third, as opposed to the modern hegemonic discourse, and sometimes using it, many Latin American authors propose a counter-hegemonic practice that is more capable of transforming and emancipating our peoples, a proposal of a non-westernized West. Fourth, the Latin American nations fight for their own conceptualization of peace, dignity, difference, and equality rights for Nature and peoples. Finally, the historical development of the social movements in Latin America has determined a conception of social change and globalization through the *glocal* practices¹⁶ (Escobar, 2005).

Therefore, in addition to the contemporary debates about human rights explained previously in this chapter, our history, philosophy, and politics have shaped the specific way of thinking about human rights *from* Latin America. Santos (2010) proposes that in Latin America there is a necessity for a new architecture of Human Rights that will empower the popular communities and contribute to their struggles and efforts to seek emancipatory

¹⁶ GLObal-Local: glocal

solutions. This dissertation follows the idea of a conception of human rights based on diversity and cultural identities, built and understood for and from Latin America, that will afford us “[...] the right to be equals when difference makes us inferior, and the right to be different when the equality jeopardizes our identity” (Santos B. S., 2010, p. 87).

“All you need is Ecuador”: The motto of a decade in human rights. Ecuador is an example of a non-Western country facing the dilemma between the possibilities and criticism of human rights, and between the universal principles of the international system and the cultural construction of its own notion of rights. On the one hand, Ecuador’s Constitution, approved in 2008, proclaimed a “new form of public coexistence, in diversity and in harmony with Nature, to achieve the good way of living, the *sumak kawsay*” (Republic of Ecuador, 2008, Preamble). According to its *Magna Carta* “rights can be exercised, promoted and enforced individually or collectively” (Art. 11.1). It recognizes Nature as a subject of rights, on a par with national citizens and foreigners (Art. 9 and 10). The spirit of the Constitution is of vital importance because it is the supreme document from which the entire legal system of the country derives, and it prevails over any other regulation (Art. 424).

Meanwhile, according to the Constitution, Ecuador recognizes the rights and guarantees of the international human rights instruments. It follows, within its own essence, most of the principles of the International Bill of Rights (Art. 11). Therefore, Ecuador acknowledges the international system and at the same time that values its own worldview and declares that:

All persons are equal and shall enjoy the same rights, duties, and opportunities. No one shall be discriminated against for reasons of ethnic belonging, place of birth, age, sex, gender identity, cultural identity, civil status, language, religion, ideology, political affiliation, legal record, socio-economic condition, migratory status, sexual orientation, health status, HIV condition, disability, physical difference, or any other

distinguishing feature, whether personal or collective, temporary or permanent, which might be aimed at or result in the diminishment or annulment of recognition, enjoyment, or the exercise of rights. All forms of discrimination are punishable by law (Art. 11.2).

However, the Constitution of 2008 or the Constitution of Montecristi, as it is known, presents many contradictions with respect to the conceptualization and praxis of human rights. Even though the Constitution of 2008 was promoted by Correa's party, and contrary to the first perceived compliance to the international norm, the former President of Ecuador, Rafael Correa Delgado¹⁷, repudiated the international system of rights. He recalled the questionable history of human rights, violated in Latin America by the Western superpowers, mainly through the support of dictatorships during the Cold War period. Correa argued that, even today, under the argument of a "defense of human rights," illegal interventionism and invasions continue to be justified, and that international organizations have historically imprisoned Latin America and the Caribbean with their own Western interests and visions, accrued biases and atavisms (Correa, 2015). He also stated that it was time for Latin America to build its own system of human rights, because "we must understand that Americans from the North and from the South of Rio Grande are different, and we must communicate as blocs" (Correa, 2015, p. 2).

In that line, the twentieth constitution of Ecuador promotes decolonizing principles, equal access to opportunities and distribution of resources, emancipatory struggles, and the protection of human beings as well as Nature. According to Ávila (2012), these characteristics of post-modern law are visible in the Preamble and in the text of the Constitution. Additionally, it declares a plurinational, intercultural, and diverse state, and claims that the *Sumak Kawsay* is a horizontal and harmonious alternative relationship among

¹⁷ Initial discourse of the Seventh Summit of the Organization of American States (OAS) in 2015

human beings, as opposed to the previous patriarchal, vertical, and violent system. Moreover, in addition to the recognition of the rights of people and Nature, the *Carta Magna* not only numbered rights but created several constitutional guarantees addressed to the fulfillment of the promise of common wellbeing (such as *habeas corpus*, *habeas data*, affirmative action, and protection actions) (Avila, 2012).

Ironically, the Constitution of Montecristi, considered one of the most progressive constitutions in America, is at the same time based on a vertical, centralized, hyper-concentrated presidential power (Avila, 2012) that lasted for a decade. The new constitution seems to encourage an autarkic position for Ecuador, which was reflected even in the motto of the campaign that promoted Ecuador as a world-class tourism destination: “All you need is Ecuador,” closing frontiers towards the West, and opening them to nontraditional allies such as China and Iran¹⁸.

A decade after the reform of the Constitution (2008), in spite of its potential, it has been manipulated to produce permanent abuses of rights and has been denounced at the national and international levels. Apparently, it has been proven that a robust legal corpus is not sufficient. Human Rights Watch Report (2017), questioned the administration of Rafael Correa (2007-2017), because Correa’s administration:

[...] has expanded state power over media and civil society and harassed, intimidated, and punished critics. [...] Abuses against protesters, including arbitrary arrests, have not been adequately investigated. Other persistent concerns include limited judicial independence, poor prison conditions, and far-reaching restrictions on women’s and girls’ access to reproductive health care due to fear of prosecution (Human Rights Watch, 2016, p. 218).

¹⁸ Two nations which do not have the most impeccable record of recognition and enforcement of human rights in the world, and which have never before been commercial or political allies of Ecuador.

Similar concerns were stated in the reports from the US Department of State (2016), the OHCHR (2016), and Amnesty International (2017): the criminalization of protest, lack of judicial independence, harassment and punishment of dissident voices, especially indigenous peoples, among other maladies. It seems that the real fulfillment of the promise of equality and equity depends not only on a progressive legal corpus but on the social struggles behind and beyond the power of the State (Avila, 2012).

Despite the 2017 election of a new President, Lenin Moreno, a member of the same party as former president Correa, yet with a spirit open to dialogue and fighting corruption – the structural system prevails. It remains to be seen whether a change of leadership will be enough to follow the most progressive core of the 2008 Constitution, or it whether needs to be reformed.

In the context of the active opposition and support for human rights in Ecuador described above, Human Rights Education seems a viable proposal to accomplish the *utopia* of human rights. However, there are questions that arise about what type of HRE model can help a nation such as Ecuador to promote and enforce a culture of rights (on the one hand, answering to the international context, and on the other hand, respecting local identities and cultures). Also, it is important to describe how HRE is defined and practiced. What are its central “hard questions” or “difficult topics”? What is the role of culture and knowledge in HRE? The next section describes the main concepts, methodologies, and debates around human rights education (HRE), in order to understand the particular praxis in Ecuador.

Human Rights Education: A Means to Fulfill the Promise of Rights

The international context of Human Rights Education. Over the last 50 years, the idea of education around the principles of human rights has slowly permeated the

international and national agenda. The first mention of the role of education in human rights enforcement, as a means for peace and international understanding, was made by UNESCO in 1974¹⁹. Later, on the Thirtieth Anniversary of the Universal Declaration of Human Rights (UDHR), the UN General Assembly (1977) declared that:

[...] for their full observance human rights must be ensured to all human beings and that this aim cannot be attained unless human rights are made known to them, particularly through teaching and education (p. 145).

One year later, in 1978, the International Congress on the Teaching of Human Rights, under the auspice of UNESCO, declared that the UDHR must be a standard of achievement for all nations and individuals. The United Nations advised keeping the declaration “in mind” to promote respect for rights and freedoms (UNESCO, 1978). Its broader conception argues that HRE should include a critical analysis of contextual factors (historical, economic, and political) and be sensitive to differences between countries, to overcome controversies and keep working towards cooperation and the development of peace. So far, the WPHRE has not set a particular methodology on how to put HRE into practice globally (Coysh, 2014).

Almost two decades later, as a demonstration of the international attention to Human Rights Education, in 1995 the UN General Assembly declared the subsequent 10 years to be the *United Nations Decade for Human Rights Education (1995–2004)*²⁰ (Roux, 2012). In this period, HRE was separated from UNESCO, and lost its conciliatory tone. After being placed under the mandate of the OHCHR, HRE was conceived as a life-long process, at all levels, and in all societies; and it was explicitly linked to the aims of peace, democracy, development and social justice, situated within the framework of the Universal Declaration

¹⁹ ‘Recommendation Concerning Education and International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms’ made by the United Nations Organization for Education, Science and Culture (UNESCO)

²⁰ Resolution of the United Nations General Assembly A/RES/49/184

of Human Rights (UDHR), and centered in the UN instruments and institutions (Coysh, 2014). Therefore, it became more structured, institutionalized and global.

In 2004, the United Nations General Assembly created a World Programme for Human Rights Education²¹ (WPHRE) (2005-ongoing). Its goal is to advance the implementation of the human rights education programmes at all levels. The Plan of Action (United Nations, 2006) states that “(b)y promoting respect for human dignity and equality and participation in democratic decision-making, human rights education contributes to the long-term prevention of abuses and violent conflicts” (p. 6).

Divided into 4 phases, the WPHRE “seeks to promote a common understanding of the basic principles and methodologies of human rights education, to provide a concrete framework for action and to strengthen partnerships and cooperation” (United Nations, 2006, p. 6). The first phase (2005-2009) focused on human rights education nationally in the elementary and secondary school systems. The second phase (2010-2014) addressed human rights education for higher education and training for teachers and educators, civil servants, law enforcement officials, and military personnel. The third phase (2015-2019) is intended to enforce and strengthen the implementation of the previous phases and to promote human rights training for media professionals and journalists. The fourth phase (2019-ongoing) looks to consolidate and evaluate the current process and to connect it to the 2030 Agenda for Sustainable Development and other relevant initiatives on human rights education and training (OHCHR, 2016a).

²¹ Resolution of the A/RES/59/113

Finally, in December 2011 the United Nations Declaration on Human Rights Education and Training²² was adopted (Coysh, 2014; OHCHR, 2016a; Roux, 2012). This declaration states that HRE (United Nations, 2012):

[. . .] comprises all educational, training, information, awareness-raising and learning activities aimed at promoting *universal* respect for and observance of all human rights and fundamental freedoms and thus contributing, inter alia, to the prevention of human rights violations and abuses by providing *persons* with knowledge, skills, and understanding, and developing their attitudes and behaviours, to empower them to contribute to the building and promotion of a universal *culture of human rights*. [emphasis added] (Art. 2).

Despite that, for the first time in more than 50 years, the WPHRE proposed a specific plan of action for HRE programs worldwide, which represents a mandate for all member states of the UN. There are still no global results of the process, since many countries are implementing the first stages of the WPHRE and their effects have not been measured. In other cases, some countries have not presented annual reports about their national program's advances. Therefore, the information is fragmented and incomplete.

Although HRE initiatives led by NGOs and social organizations are not new, each one works differently due to multiple variables, such as religious affiliations, access to financing, or political and ideological positions. For example, in Ecuador the first initiative of HRE was under the umbrella of the Ecumenical Commission on Human Rights (*Comisión Ecuménica de Derechos Humanos*) and followed a more catholic approach to rights. Therefore, according to Bajaj (2011) it is vital to be able to determine the standpoint of the organization promoting any HRE proposal, to understand, analyze and forecast the learning outcomes intended and achieved. For that reason, I will now review the primary models of

²² Resolution of the United Nations General Assembly A/RES/66/137

HRE and their weaknesses and strengths, since these categories help to locate the type of HRE program according to its vision.

The models of Human Rights Education. Knowing the pedagogical design of any HRE program helps situate the HRE according to its political and ideological position. Moreover, identifying models and approaches of HRE for characterizing goals and outcomes provides clarity to understand the educational process and project possible outcomes (Phillips, 2013). Based on the UN Declaration of Human Rights Education and Training – UNDHRET (2012), HRE must accomplish three mandates: education *about* rights, *through* human rights, and *for* human rights. Hence, human rights education and training encompasses education (United Nations, 2012):

- (a) About human rights, which includes providing knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for their protection;
- (b) Through human rights, which includes learning and teaching in a way that respects the rights of both educators and learners;
- (c) For human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others.

Within these broad parameters of convergence, argues Bajaj (2011), the discussion about the models of HRE has mainly generated three approaches, which national and international organizations from the public or the private sector generally use: Values and Awareness Model, Accountability Model, and Transformational Model (Tibbitts, 2017). Each pedagogical model has its limitations and potentialities, emergence, conceptualization, and implementation processes.

First, the Value and Awareness Model by Tibbitts (2012) or HRE for Global Citizenship Model by Bajaj (2011) focus on education *about* rights, centered in the content,

primarily through the history and principles of the UDHR, and other United Nation documents (treaties, covenants, and bodies) (Bajaj, 2011; Hopkins, 2011; Tibbitts, 2002). Used in the early stages of the HRE programs, its goal is to transmit values and raise awareness about human rights. It situates the learner as Global Citizen, which promotes actions such as letter-writing, fundraising, and participation in international fora. Examples of this type of approach are the programs led by Amnesty International (Hopkins, 2011) and Youth for Human Rights (Youth for Human Rights International, 2002-2015). Their pedagogical model can be creative and attractive. Above all, it promotes activism and peaceful coexistence through informed practice, as education *through* human rights mandates. Yet it sometimes ends up being instructional. When that happens, the process is *banking*, centered on the teacher or trainer as the owner of pre-determined (and fixed) knowledge, a positionality that limits critical thinking and the understanding of diversity (Bajaj, 2011). According to Tibbitts (2002) it is harmful when an organization considers knowledge about human rights as universal, and consequently assumes it dogmatically, rarely discussing or contesting the origins and implications of the education about rights.

Second, a middle-range theory is the HRE Accountability Model, which focuses on the legal aspects of human rights, and promotes social justice and social change (Bajaj, 2011; Hopkins, 2011; Tibbitts, 2002). It is used in stages when participants are already supposed to be aware of their rights and are directly or indirectly involved in guaranteeing the rights of other people through their professional practice (Tibbitts, 2002). Examples of this type of education are the programs of Human Rights Education Associates (HREA, 2016) and the Ontario Human Rights Commission (2016), which mainly target national and international courts, mediators and negotiators, humanitarian workers, and other practitioners at the

professional level. This middle-range model tends to be teacher-centered and content-centered. Despite the fact that it includes education *about* and *through* human rights, it entails the danger of instructing un-critical professionals, who may base their actions on following the law and become blind to diversity.

Another middle-range model, between the Awareness and Transformational model is the Coexistence Model of Bajaj (2011), a type of HRE that focuses on inter-personal and inter-group aspects of rights, conflict resolution, and information on pluralism and diversity, and aims to promote “learning to live together” (p. 32). It is a model dedicated to recognizing *Other-ed* groups' rights, and it is used in peace and post-conflict education, which through interaction encourages greater empathy and understanding among diverse groups (Bajaj, 2011). This model is closely related to education *through* human rights, addressed to encourage coexistence, respectful environments, and peace.

Third, a Transformational Model is focused on education *for* human rights (Tibbitts, 2012) or HRE as the Transformative Action model. It focuses on skills to *empower* people towards activism and active citizenship. It is a radical political approach usually addressed to minority groups (Bajaj, 2011; Hopkins, 2011; Tibbitts, 2002). It is concerned with power asymmetries and is rooted in the notions of agency and solidarity (Bajaj, 2011). This model treats the individual more holistically, and therefore requires a more complex design and implementation process (Tibbitts, 2002). Bajaj (2011) mentioned that, in Latin America, this type of education blossomed, especially after the dictatorships of the 1970 as a political and pedagogical strategy to facilitate democratization and active citizenship. This approach is problematic when the educator assumes that simply by empowering people through

knowledge and promoting debate and participation, the groups can achieve social change, thereby losing sight of the complexity of the macrostructures of power (Tibbitts, 2002).

Nevertheless, there is no best way to design or practice an HRE program. Each one depends on the interrelations between ontological conceptions about human rights and HRE, educational and pedagogical models, and didactics design. Each model has its potentialities and dangers, yet they cannot be the product of luck or ignorance. They require careful design.

This highlights the importance of analyzing the HRE program of the DPE in Ecuador, because at the national level, this design will affect the way in which the whole nation approaches human rights. If the design, even if well-intentioned, conceals more flaws than strengths, the result can produce un-reflexive citizens and public servants, reproducing systems of oppression and becoming harmful to the *Sumak Kawsay*. This outcome would be the opposite of its intended goal. By critically dissecting the latent and manifest content, pedagogical coherence, and didactics proposal, I intend to reveal the hidden curricula that this process, –like every educational process– comprises, and point out any potentially problematic results.

Human Rights Education as a reflexive practice from the South. In Latin America, as in many other places around the globe, there is an emerging debate among Humanities scholars about the legitimacy of Human Rights and HRE, given the particular anti-imperialist and anti-colonialist conceptions of knowledge. The perceived gaps between North and South, Center and Periphery, Liberal and Socialist perspectives, Western and non-Western interests, have ended up becoming a dispute that situated HRE in a difficult position. To solve this puzzle, some *latinoamericanistas* propose the need for a multicultural approach to human rights from a Latin American *cosmovisión*. This perspective must be able to

encourage the redistribution of power, new coalitions and networks, and an emancipatory solution beyond western modernity and global capitalism (Dussel, 2006; Santos B. S., 2002).

The history of HRE in Latin America is long and diverse. The first initiatives were framed by the end of the dictatorial regimes and the (re)democratization processes during the decade of the 1980s. According to Sacavino (2012), the direct participation of the states was unthinkable during authoritarian governments. Most efforts were encouraged and organized by social movements, NGOs, and civil society organizations through seminars, congresses, workshops, and debates. One of the first records of these encounters was the I Interdisciplinary Course of Human Rights in Costa Rica (1983).

Improved self-awareness in third sector organizations about the systems of exclusion and injustice prevalent in Latin America produced mobilizations and participatory actions, transforming those movements into social and political agents (Sacavino, 2012). HRE took several forms. One form took place inside the formal educational system, where HRE was proposed as a transdisciplinary practice at all levels (Magendzo, 2000). The most exciting example was developed by Paulo Freire in Brazil while he was working for the Ministry of Education from 1946 to 1964. Freire's model has been replicated broadly in Latin America since the 1970s in popular education, and continues to be widely used today.

Another form was based on the popular education movements that were closely related to the liberating and emancipatory paradigm of education developed during the 1970s in Latin America. The increasing demand for knowledge about rights was linked to a specific comprehension of rights, based on their emancipatory potential. The class/labor/indigenous and catholic movements promoted communicative/educative initiatives, such as the mining

radios and ERBOL in Bolivia, IRFEYAL in Ecuador, and Pernambuco Radio in Brasil. HRE became the icon of peacebuilding, citizenship, and public coexistence (Magendzo, 2000).

A third form was built by the common practice of denouncing abuses and defending human rights. The period was the starting point of the Commissions of Truth and Reconciliation in many countries of Latin America. Social movements needed for people to know their rights in order to bring to light the abuses perpetrated against them by the authoritarian regimes. However, knowing about rights was not enough. New conditions prepared the space for more complex programs addressed to promoting a deeper understanding of rights, encouraging the enforcement and the advancement of human rights educational programs (Sacavino, 2012).

During the decade of the 1990s, the social and economic conditions changed. The beginning of the neoliberal system and its modernization project developed a demand for HRE that was strongly centralized in the state. HRE was useful for creating the national identity, socializing the new values of individual rights and the market, leading to its incorporation into the regular curriculum. As universities started to pay attention to the field, scholars and researchers built methodological proposals that incorporated the principles of popular education and critical pedagogy. Nevertheless, the increasing need for professionals specialized in HRE to be incorporated into the state institutions dismantled small ONGs and social movement initiatives (Magendzo, 2000; Sacavino, 2012). As a result, most national curricula now include, in one way or another, HRE principles and contents from the neoliberal perspective.

Heirs of their past, three paradigms can be identified in Latin America's HRE in the 21st Century, according to Flowers' classification (Sacavino, 2012). First, programs based on

government agencies, including inter-government organizations (such as the UN) and other entities promoted by them focus on results, especially those that preserve the order and stability of the State. In these kinds of programs, HRE is based on the knowledge and enforcement of international documents and their universal values, which promote a peaceful global cohesion. Second, programs promoted by NGOs also focus on results, but in a different way. These programs' efforts and perspectives lead to transformation: they consider HRE to be a tool for social change to limit the role of states and to protect people from government abuses, and in some cases to empower vulnerable groups to regain or take (some) power from the state. Paulo Freire's thought is the foundation of their method, through the conscientization process. However, its often loud tone and idealistic proposals tend to crash against the applicability and practical use of the doctrine. Third, some scholars and educators associate HRE with the moral imperative of human rights. The essence of this group is the realization of the human condition, universal ethics, and moral duty and action.

Compared to Tibbitts' models of HRE, the first characterization of Flowers', grounded on government interventions, seems closer the Values and Awareness Model. It is centered on education *about* human rights, built on contents of the international documents, teacher-based instruction, and universal moral character. The third type of Flowers' characterization dances around the idea of an instruction based on knowledge about rights of the Values and Awareness model, but also takes into account the idea of the moral value of education through human rights, in order to accomplish coexistence. Conversely, the second proposal of Flowers, the HRE encouraged by ONGs and social movements, is similar to Tibbit's Transformational model, following the mandate of education *for* human rights, a proposal which seeks social transformation and social justice.

Another aspect to consider, besides the historical development of HRE, is the goal of HRE programs. According to Silva (1998, in Magendzo, 2000) one of the pioneers of HRE in Chile, human rights can be understood as protective instances (respect and protection of guarantees), solidarity ideology (the rights of the poorest and most vulnerable peoples), ethical conscience (human dignity), and critical instances (for human coexistence). Therefore, HRE programs take a political position towards one or another conception. Some other *latinoamericanistas* have proposed HRE as a tool to build democracy, focusing on an integral view of human rights, the importance of memory to “never again” allow human rights violations, the construction of empowered subjects of rights and social agents, and the empowerment of individuals as well as communities, especially marginalized sectors (Magendzo, 2000; Sacavino, 2012).

In summary, the harsh economic, social and political conditions, the shared emancipatory understanding of education as a tool of transformation, the beginning of HRE as popular education, and the shared methodology of HRE with social processes, created a particular way of understanding HRE in Latin America. In almost all the cases studied by HRE scholars and practitioners, education *about/for* human rights is the most used model. It is conceived as an intentional process addressed to the most vulnerable groups. It started with multiple conceptions and intersectionalities of the educators and the educated, the institutions and organizations involved, the educational system, and the global context. However, like any learning process, HRE cannot be neutral. It is a political and ideological endeavor; it navigates positionalities and builds alliances.

Nevertheless, our collective history also made us different from the West. Each nation in Latin America lived its processes according to its circumstances and developed HRE

programs accordingly. That is why Chile, Argentina, and Brasil discovered earlier the value of HRE programs during their (re)democratization periods after dictatorships. Meanwhile, Peru, Bolivia, and Ecuador took a closer approach to popular education because it was the most common form of education in rural indigenous sectors.

Ecuador's first approaches to HRE were related to the Catholic Church's popular education. The First Encounter of Peace, and Human Rights Education in Ecuador in 1987 was organized by the Ecumenical Commission for Human Rights (*Comisión Ecuménica de Derechos Humanos*, CEDHU), and the Commission for the Defense of Human Rights (*Comisión por la Defensa de los Derechos Humanos*, CDDH), and gathered over 35 representatives from all around the country. During that decade, the CEDHU organized the first and second Latin American congresses of ecumenical human rights organizations (Sacavino, 2012). In context, the Catholic Church in Ecuador was a strong advocate for human rights and in the Liberation Theology tradition, and it worked closely with the most vulnerable indigenous groups around the nation. This characteristic prevails to this day.

In the 1990s, the Ecuadorian State took over the HRE area. There was a broad expansion of public policy concerning human rights and their enforcement. By 1990, Ecuador has ratified 5 of the 8 international instruments with HRE content, and by 2006 all the 11 instruments had been ratified by the country, showing rapid progress in public policymaking and adherence to HRE guidelines, and as a result, the creation of regulations and spaces for the fulfillment of those protocols (Instituto Interamericano de Derechos Humanos, 2009). Additionally, human rights content has existed in school textbooks since 1990, a period of the expansion of HRE programs in the formal educational systems around Latin America. A relevant difference is that since 2005, those texts have been continuously

reviewed and include contents from conventions and treaties about minority groups such as people with disabilities, women, migrants, and children (Instituto Interamericano de Derechos Humanos, 2009). Both factors seem to ratify the commitment of Ecuador to the United Nations' idea of Human Rights Education.

Currently, the Ombudsperson Office of Ecuador (Defensoría del Pueblo de Ecuador, DPE), founded in 1994, is the National Human Rights Institution. Its function, by constitutional mandate, is to protect and guarantee the human rights of all Ecuadorian citizens inside and outside the country. The DPE is part of the fifth function of the Ecuadorian State²³ (Participation and Social Control), and therefore, has no function above it, which implies work that is independent of political pressure (Defensoría del Pueblo de Ecuador, 2016a).

Since 2010, this institution has worked in HRE. After some internal reorganization, the DPE created the National Direction of Education and Research and its subordinate entity, the National Technical Direction of Education and Training. Its mission is to “plan, manage and coordinate actions which make it possible to generate processes, and methodological and pedagogical strategies of sensitization and training of public servants and citizens in the field of human and Nature rights” (Defensoría del Pueblo de Ecuador, 2017b, p. 1).

During 2014 and 2015, the DPE designed and applied 214 educational processes, reaching 16,644 Ecuadorians at three levels (training, sensitization and diffusion), on issues of violence and discrimination, public services and consumer rights, life and integrity rights, habitat rights, introduction to human rights, public access to information, constitutional rights

²³ Ecuador has five constitutional functions: the Executive (President and Vice President), Legislative (the Assembly), Judicial (Supreme Court, courts and judges), Electoral (Electoral Council and tribunals), and Transparency and Social Control (DPE, Participation Council, Government Accountability Office, and Superintendencies).

and justice, human mobility, and sustainability and Nature rights. As a demonstration of the rapid development of the program, during 2016 the DPE designed and applied 757 educational processes, reaching 19,605 citizens and public servants (Defensoría del Pueblo de Ecuador, 2017b).

Regarding the population reached, the more significant part of the program addressed citizens and priority-attention groups (*grupos de atención prioritarian*, GAP) around the country, yet they also focused on public servants. This fact illustrates the adherence of the DPE program to the requirements of the World Programme for Human Rights Education (WPHRE) for the second phase (public servants and professionals related to human rights enforcement).

To fulfill the first phase of the World Programme (elementary and secondary education), the DPE developed processes of HRE involving teachers and students of secondary education. Between 2015 and 2016, there were ten workshops of 16 hours each (12 hours of face-to-face sensitization and four hours of virtual enforcement of the process). They reached 139 teachers and their students in 36 schools(Defensoría del Pueblo de Ecuador, 2017b).

Around the third phase of the World Programme (social communicators professionals and media), the DPE created workshops directed to social communicators of the media, about the appropriate use of information with a human rights-based approach to avoid discrimination and human mobility in journalism. They organized over 16 (national and international) workshops reaching 370 journalists, social communicators, and journalism students between 2014 and 2017 (Defensoría del Pueblo de Ecuador, 2017b).

In conclusion, according to the DPE, HRE is projected to create social conditions for the exercise and guarantee of rights from a participatory approach, promoting integrity, complementarity, intersectionality, and practical value. Based on the constructivist pedagogical model, the significant knowledge approach, and participatory education, they constructed a methodological proposal, together with pedagogical tools and materials. In this context, the National Technical Direction of Education and Training has been testing and applying the methodology and materials for HRE in Ecuador since 2014 (Defensoría del Pueblo de Ecuador, 2017b). However, the HRE program of the DPE is new, and due to the change of government in 2017 and the Ombudsperson (women) in 2018, the road ahead remains to be seen. Nevertheless, by constitutional mandate, regardless of those changes, the job of the DPE will continue to be protecting human rights and promoting HRE.

So far, due to the relatively new development of the DPE methodology and materials, there is no in-depth educational/communicational analysis of them. Consequently, this dissertation proposes an initial approach to analyzing the HRE discourse of the DPE, by using Critical Discourse Studies (CDS), and considering the discourse about HRE as a multidisciplinary issue. It will take into consideration, first of all, the educational discourse about HRE in Ecuador, its internal construction and the coherence among its different elements. Second, I will study the ontological construction of the discourse, linking some of the current debates about human rights and HRE, within the Latin American and Ecuadorian context. Third, I will analyze the communicational discourse of HRE around the building of representations of diversity, inclusion of voices, and other cultural aspects of discourse.

Chapter 3 will begin discussing the conceptual framework of CDS, their development and use in studying human rights and HRE topics, and some key concepts linked to

discourse. Next, the chapter introduces multimodality, as the socio semiotic approach to CDS, and Multimodal Critical Discourse Study (MCDS), as the method chosen for this research. Finally, it will make a initial introduction of the three books (methodological guide, handbook and workbook) developed by the DPE between 2015 and 2016, which I will use as my case study.

Chapter 3 –

Multimodal Critical Discourse Studies: A Theory-method to Analyze the Human Rights

Education Discourse of *Defensoría del Pueblo de Ecuador* (DPE)

[...] HRE has to be subversive, even in relation to its own content claims. [...] critiques do not constitute a dismissal or rejection of human rights but rather fidelity towards, because it does demand viewing human rights as discourse, so that the social practices and relations that constitute HRE are in permanent state of renewal (Keet, 2012, p. 22).

Human Rights Education, like education itself, is a political and social process, constructed historically and culturally, that answers to institutional, national and international values. Like any other educational process, it goes beyond the walls of the formal institutions where it happens. It implies complex human power relations and interactions. At the macro-level, HRE is affected by international, national and local regulations, not only about human rights but about the educational system itself. At the meso-level, HRE answers to curriculum design, timetables, hierarchies and institution policies and limitations. At the micro-level, in the didactics of HRE programs, the macro- and the meso-levels are enacted, in some cases defining and restricting pedagogical efforts, because sometimes the macro- and meso-design of an educational program loses its coherence in the praxis.

This dissertation analyzes the material resources of the HRE program of Ecuador, led by the *Defensoría del Pueblo de Ecuador* (DPE), the national entity in charge of human rights education in the country. The guide, handbook and workbook analyzed show the interaction between the macro-level (international and national regulation about human rights and HRE, plus the educational system regulations of Ecuador), the meso-level (the

requirements, regulations and philosophical proposal of the DPE and its program), and the micro-level (the Didactics proposed to fulfil the task of educating about human rights).

In previous chapters I have addressed the complex macro-level of HRE, describing the human rights and human rights education international arena. I also described the institution studied (DPE) and its HRE program. Now, I will focus on one element of the HRE program's micro-level, its material resources. Conducting a critical multimodal analysis at this level will show how the macro-level (the educational model as the negotiated space between the superstructure and the institution) and meso-level (the conceptual and political pedagogical proposal of the DPE) are visible at the micro-level (didactical relationship between educators and educated). I argue that these intertwined relationships (re)produce a discourse about human rights and HRE from the DPE perspective materialized in the textbooks used in the program.

Why Use CDS in HRE Analysis?

Education is a social and political process. As such, it goes beyond the buildings, timetables, curricula, hierarchies, and institutions where it usually takes place. It implies complex human interactions and power relations (Kress, 2011). Moreover, in some cases –as in the case of HRE– education can take place in formal settings like schools and universities, or it can take place in informal educational settings such as neighborhoods, workshops for private, public, or social-civic organizations, and diverse Personal Learning Environments (PLE).

In education, language has been treated as the core of that human praxis. Discourses and texts had their part in constituting the “practices, structures, shapes, values, and purposes of the institution and of those who are participants in its processes” (Kress, 2011, p. 205). For

that reason, during the past 60 years, CDS in education has been used to make sense of and increase understanding of the meanings, practices, and representations of agents and processes, even though discourse is just one of the ways to elucidate how education works.

Critical Discourse Studies (CDS) focuses on exposing the relationship between power and inequities, through the analysis and critique of discourse. Many perspectives of studies are centered on language and language use (pragmatics, semiotics, ethnography of language, sociolinguistics, and discourse studies) and they share a common ground. They are interested in *naturally occurring* language use, within large units of language beyond sentence grammar, including non-verbal aspects of interaction (such as semiosis, multimodal, and visual elements). Other CDS perspectives have focused on elite discourse, which is materialized in textbooks, laws, and art, as forms of social control imposed by hegemonic voices. Some research emphasizes dynamic socio-cognitive strategies, while other researchers look into interactional strategies, by studying the (social, cultural, situational, and cognitive) functions of the context of language use, and analyze a vast number of phenomena of text grammar and language use (Wodak & Meyer, 2016a; van Dijk, 2001).

Research centered on the analysis of discourse (Discourse Analysis-DA) has developed since the 1960s, and currently is a cross-disciplinary field of study in Anthropology, Linguistics, Literary Studies, Sociology, Cognitive and Social Psychology, Communication, and Political Science, with a broad and intense body of knowledge (van Dijk, 2011). However, *Critical* Discourse Analysis (CDA) differs from other discourse studies in its positionality towards the study of discourse. CDA deals “primarily with the discourse dimensions of power abuse and the injustice and inequality that result from it” (van Dijk, 1993, p. 252). According to van Dijk (2011), unlike other social science fields, CDA is

notable for going beyond the theoretical contribution to a specific field of study. It seeks to understand the complex relations between power and discourse to push a social justice agenda. CDA scholars have an admittedly political positionality because their critique of discourse is a critique of the structures and relations of dominance and inequality (Fairclough, 2014). However, unlike activists and other social actors, they center their attention on structural and long-term analysis of the causes, conditions, and consequences of social issues, rather than on producing the imminent change (van Dijk, 1993). As mentioned before, the *critical* turn in CDA proposes not only a profound analysis of discourse but also a critical approach to understand the social and political conditions in which it is produced (Tracy, Martínez Guillem, Robles, & Casteline, 2011). Moreover, to critically analyze a discourse implies self-awareness and specific ethical standards (van Dijk, 1993).

Additionally, CDA is one of the most frequently used social constructionist approaches to understanding discourse. Like other social constructivist approaches, CDA follows the premises that, first of all, knowledge should not be taken for granted as objective truth. Second, knowledge is culturally specific and historically contingent. Finally, the way of understanding and representing the world is created and maintained by social processes. Therefore, it leads to differentiated social actions, which have tangible social consequences (Burr, 1995, p. 5; Gergen, 1985, p. 268-269, in Jorgensen & Phillips, 2002).

CDA is sometimes understood as a *method* to analyze discourse, yet CDA is as diverse as other discourse analysis approaches. CDA studies use concepts from different fields (such as communications, anthropology, sociology and psychology, thus not limited to linguistics), and may use experimental, ethnomethodological or narrative methods (such as interviews, focus groups, and testimonies, among others) to gather information (van Dijk,

2011). Hence, “a good method,” says van Dijk (2013), “is a method that is able to give a satisfactory (reliable, relevant, etc.) answer to the questions of a research project, [...] there is not ‘a’ or ‘one’ method of CDA, but many” (Wodak & Meyer, 2016a, p. 3). Therefore, scholars such as Wodak and van Dijk propose it as a *theory/method* (Chouliaraki & Fairclough, 1999), that encompasses a “loose federation of discourse approaches that share a progressivist political commitment and some theoretical roots” (Tracy, Martínez Guillem, Robles, & Casteline, 2011, p. 243).

Moreover, these scholars argue that a more appropriate term is Critical Discourse Studies (CDS) to describe the theories, methods, and other practices related to critical discourse analysis (Tracy, Martínez Guillem, Robles, & Casteline, 2011; Wodak & Meyer, 2016a; van Dijk, 2013). According to Wodak & Meyer (2016), Critical Discourse Studies, are:

[...] characterized by the common interest in deconstructing ideologies and power through the systematic and retroductable investigation of semiotic data (written, spoken, or visual). CDS researchers also attempt to make their own positionings and interest explicit while retaining their respective scientific methodologies and remaining self-reflective of their own research process (p. 4).

I will use the term Critical Discourse Studies (CDS) to differentiate this approach from other critical or non-critical approaches to the analysis of discourse, and as an umbrella concept that covers the diverse perspectives that I will describe in the following lines. Using CDS to analyze HRE discourse provides this study with a theory-method capable of describing the relations between power/knowledge and human rights, (re)presented in the materials of the DPE program. As I stated before, HRE is a political and social process that produces debates about the implications of power relations in the generation of knowledge;

then, a critical perspective of analysis is needed to encompass those processes, uncovering the principles, values, representations, limitations, and strengths of the DPE's discourse.

Examples of CDS to study HR and HRE. Even though the literature about DA, CDA, and CDS is abundant, only a few authors have applied this theory/method to the analysis of human rights and the human rights education discourse. Human rights have traditionally been studied from the legal perspective (emphasizing the processes, regulations, and laws of human rights) or from a philosophical perspective (centered on the origin and implications of the idea of rights), leaving the analysis of the discourse unattended (Landman, 2006). Karam (2001) argues that it is necessary to study the human rights (and I will add, HRE) discourse as a social construction. From this perspective, CDS of the human rights discourses will analyze not only the social, historical, cultural, and institutional conditions in which discourses are created, but also the process of production and distribution conditioned by those contextual conditions, and naturally, the way in which human rights are perceived and how they produce effects on the lives of the subjects of the rights.

One salient feature of the cases of CDS applied to human rights is that they are conducted in non-Western countries (Collier, 2014; Montesano Montessori, 2011; Pardo, 2010a). Additionally, CDS scholars present diverse perspectives to study and analyze the problematic of these countries. Some of them have used (almost) only Latin American authors and post-colonial theories (Pardo, 2010a). Others have linked CDS with critical racial theories (Temple, 2010) and/or Gramsci's view of hegemony, theories about power, and have used authors such as Fairclough, Wodak, Reisigl, Laclau, and Mouffe, Wodak, van Dijk, among others (Montesano Montessori, 2011; Temple, 2010). Even though the topics are not directly related to human rights, these studies approach them in a broader sense including

intercultural communication related to social justice (Collier, 2014), negotiated dialogues between *guerrilla* and society (Montesano Montessori, 2011), media coverage of poverty (Pardo, 2010a), post-racial and post-cultural discourses (Temple, 2010), human rights spectacularization (Chouliaraki, 2012), or development of humanitarian advertising in newspapers (Vestergaard, 2013). These examples display only a small sample of the increasing interest in human rights topics analyzed from a CDS perspective, to emphasize the open possibilities for additional research.

CDS in HRE. One of the leading articles that guided my initial approach to the CDS of HRE was the historical discourse analysis performed by André Keet about the discourse of HRE. He argues that the fast advance of HRE programs has brought potential dangers when they are applied uncritically and dogmatically. Nevertheless, he proposes that HRE by itself is not the problem and that its potentialities are greater than its weakness (Keet, 2012). He defends the need to study human rights –and consequently, HRE– as discourse, yet critiques the superficial linguistic turn of some analysis. Keet’s work touches key points such as ideology, power, institutionalized discourse, hegemony, and Eurocentrism, and considers authors such as Foucault, Fairclough, Derrida, Luke, Bourdieu, and Wodak. Therefore, the article is consistent with my positionality towards the analysis of HRE. However, this article is that it represents a theoretical macro-analysis without a concrete case to anchor it.

At the other extreme, Coysh presents a micro analysis of HRE programs. His critical discourse analysis is centered on the perceptions of practitioners about the HRE programs incorporated into the school curriculum in Tanzania (Coysh, 2014). This article, like Keet’s, touches on aspects such as power and discourse, yet it has a deeper development of the HRE framework than of the CDS theories. The contribution of this piece is the application of CDS

to a concrete case and its use of a relatively precise methodology that could be replicated.

What is missing, I would argue, is the inclusion of more voices. My methodological critique is about the diversity of voices included in the study because it is more centered on the educators and less on the educated. Clearly, this was the choice of the researcher, but in my view it hampered the quality of the study.

Hopkins produced middle-range research. She studied the application of the HRE's methodology of Amnesty International, by comparing two cities: Washington D.C. in the U.S. and Ouagadougou in Burkina Faso (Hopkins, 2011). The theoretical development of the article is short, and it collected abundant data, although the article is not drawing on CDS, but instead a comparative historical analysis (in pedagogy). I mention it here because it is one of the few available academic studies related to an organization that works with HRE (even though it is not its main role).

Multimodality Contributions to CDS for HRE Discourse Analysis

In Chapter 2, I described how Human Rights Education (HRE) is a social, political and historical construction, led by the United Nations to promote knowledge, skills, and values about human rights which serve in the personal or collective process of decision making, empowerment, and defense of human rights. In order to do that, HRE must provide sufficient content, in a sufficiently compelling way, through dialogue and reflection, to allow individuals and collectives to make sense of the educational process for human rights and apply it to their lives. Therefore, meaning-making is central in HRE.

Broadly, education is a process of meaning-making based on two aspects of a reciprocal communicative relation: teaching and learning. According to Kress (2011), education is based on interactions, and therefore, without interaction, there is no meaning-

making, no knowledge, no learning, and in this particular case, no human rights learning. However, in education, there are many ways, means, and modes to interact. According to my previous analysis of HRE programs, HRE uses various modes of introducing content and producing knowledge, including textbooks, handbooks and guides, and other less traditional means such as music, performance, videos, and images. It also uses diverse forms of communication such as debates, interviews, and social media, among others. Therefore, HRE is multimodal and communicational. However, the way we understand education is also a historical construction.

Traditionally, the Scholastic turn of education based its paradigm on teaching. Teaching focused on the idea that knowledge is constant, cumulative, and transmissible; the learner had a passive role in acquiring knowledge: and the meaning (of the message) was given by the teacher, an expert rhetor that was also the producer of the message. Schools were depositories of knowledge, and language was the core of the educational process, via written texts (textbooks) and privileged speakers (teachers).

However, in the 21st Century, societies changed and pushed changes into education. Currently, there is the belief that knowledge is not fixed, but rather evolves, and can do so rapidly. Knowledge is not a matter just of schools anymore: it is everywhere and it is presented in various forms, which ideally are accessible to “all.” Moreover, in several spaces, the distance between the producer and consumer (prosumer) of messages is small or nonexistent. As a result, most educative reforms during the last decade shifted the emphasis of education from teaching to the learning process. Therefore, pedagogy and curriculum also shifted from content to process, from educator to educated, from passive to active learners. The meaning is created in the negotiation between the sign-maker (as a producer) and the

meaning-maker (as the learner) –sometimes performed by the same agent. Textbooks and other resources are conceived and designed by thinking about the meaning-maker (the learner), the social requirements of the time, and the technological innovations. Therefore, resources are multiple and varied.

The understanding of *texts* as outcomes of the discourse in educational institutions has also changed. *Texts* are constituted and a constitutive part of the educational negotiation of meanings, where the relationships between the macro-, meso-, and micro-levels of the educational system become manifest, evident, and tangible. Due to the fact that education has traditionally based its practice on language (written or spoken), written text and speech were the centers of CDS. However, Machin and Mayer (2012) argue that meaning is communicated not only by language but by other semiotic modes. Hence, education not only takes place via those forms of texts, it occurs inside and outside the classroom and through diverse forms such as images and moving images, gestures, music, and/or objects.

Multimodal theorists, such as Kress, van Leeuwen, and Machin, state that communication (and education as a communicative process) must consider all modes as potentially equally relevant to the process. For them, modes are socially shaped and culturally given semiotic resources for making meaning (Jancsary, Höllerer, & Meyer, 2016). By analyzing multimodal discourses in education, researchers can look for insights into the multiple ways to make sense of and create meanings from the teaching-learning process. According to Kress (2011) “the term multimodality draws attention to the many material resources beyond speech and writing which societies have shaped and which cultures provide as means for meaning-making” (p. 208).

As a theoretical proposal, multimodality is a social semiotic approach that concentrates on meaning as a result of social interaction. The *social* is the origin and source of the generation of meaning, which is also generative of the semiotic process. The core unit of semiotics is the sign, which multimodality considers to be actively made in social interaction. Kress (2011) argues that the difference in the approach to discourse, from *language in use* to *meaning-making*, is crucial to understand multimodality.

The intertwined relation between multimodality and CDS in HRE seems obvious. HRE is multimodal. It is produced not only in formal educational institutions but everywhere and in different spaces of society. It uses images, music, performance, objects, written text, and speech to (re)produce its content. If meaning-making is produced through various modes, studying only the written and spoken forms of discourse limits the range of signs that intervene in the human rights educative process. Multimodal discourse analysis pays particular attention to the functions and relations among modes (Jancsary, Höllerer, & Meyer, 2016). The critical emphasis will serve to question how cultural and social conditions shape the construction, selection, and use of modes in HRE.

Additionally, if the attention of multimodality is on active sign making (semiosis) and the ways meanings are produced through signs, a CDS approach will help us to understand how social interactions affect and are affected in the semiosis of HRE. Multimodality will give insights into the articulation, ensemble, and layout of the different modes of sign-making that produce the discourse about HRE. Finally, HRE being a social, political, and cultural construction, the Social Semiotic approach and the Critical approach allow a multilayered analysis of the DPE program of HRE, materialized in its multimodal texts. Both

theories contribute to describing the relations between power/knowledge, social and cultural construction, and semiotic relations presented in HRE.

Naming in MCDS

According to Kress (2010), naming is a powerful tool of research because it directs attention to specific aspects and ways of understanding the world under investigation. Each term can be interpreted in multiple ways. Naming the terms of the investigation gives the researcher the opportunity to clarify his/her positionality towards a theory or a paradigm in terms of which the study will be conducted. Moreover, according to Todorov (2010), to name is an almost magical act of appropriation. Therefore, as a political and academic praxis, I will next concentrate my attention on expanding my previous definitions include some central concepts that lead my research: discourse and power/knowledge.

Discourse. The word *discourse* is referred to constantly in contemporary mass media, political debates, academic research, and other social spaces. The most common definition relates discourse to any form of *text* and *talk* in varied settings, such as organizations, interpersonal relations, or family (Hall, 1992). Nonetheless, the theories about discourse are diverse and contested. On the one hand, the first conceptualizations made by linguists equate discourse with language. According to the structural linguists that followed Saussure, language (*langue*) is dominated by abstract and relatively fixed structures which determine specific forms of text (oral or written) (*parole*). In that approach, discourse analysts understand discourse as an abstract, theoretical, and homogeneous object of study.

On the other hand, influenced by Bakhtin, Wittgenstein, Foucault, and several members of the Frankfurt School (such as Habermas, Horkheimer, and Adorno), some

scholars outside functional and structural linguistics conceive discourse as an open system and an interaction between language and action. According to this approach, discourse is:

[A] group of statements which provide a language for talking about –a way of representing the knowledge about– a topic at a particular historical moment [...]
Discourse is about the production of knowledge through language. But [...] since all social practices entail *meaning*, and meanings shape and influence what we do –our conduct– all practices have a discursive aspect (Hall, 1992, p. 291)

This proposition is shared by critical discourse analysts who think that discourse is language, but is not *just* language (Wodak & Meyer, 2016a). Discourse is a particular way of talking about and understanding the world (or an aspect of the world) (Jorgensen & Phillips, 2002). Moreover, discourse is language-in-action (Bloomaert, 2005). In that context, discourse for CDS scholars is a form of *social practice*, which “implies a dialectical relationship between a particular discursive event and the situation(s), institution(s), and social structure(s) which frame it” and condition it (Fairclough & Wodak, 1997, p. 258, cited in Wodak & Meyer, 2016, p. 6). Therefore, on the one hand, discourse is socially conditioned (by multiple dialectical relations), and on the other hand, discourse is constitutive because it can help to reproduce the *status quo* or contribute to transforming it (Wodak & Meyer, 2016a). According to Kress (2010), from a social semiotic approach,

Discourse deals with the production and organization of meaning about the world from an institutional position. [...] Discourse refers to ‘institutions’ and the knowledge they produce about the world which constitutes their domain (Kress, 1984/ 1989). Knowledge about the world which is the institution’s domain of relevance and responsibility is continuously produced [...]. ‘Discourse’ names both the complex as well as the understandings derived in encounters with such knowledge. In these encounters ‘we’ produce what we then hold as our knowledge about our world. Discourse shapes and names the routes through which we (have come to) know the socially shaped world as one kind of knowledge (p. 110).

Power/Knowledge/Discourse relation. MCDS receive the influence of the ideas of Foucault about the relation between power/knowledge and discourse. The first consideration

is that, according to Foucault (1980), nothing exists outside of discourse²⁴. For that reason, if every aspect of life answers to discourse, there are various discourses present at the same time in every culture, and the multiplicity of complex discourses competing with each other creates power struggles. Second, the rules that govern discourse are not only linguistic or material. They are drawn under specific cultural conditions and respond to particular historicity. Additionally, in each period (and answering to every specific cultural condition) discourse produces forms and practices of knowledge. Hence, knowledge is also culturally and historically specific and is saturated with power relations (Hall, 1997a) . Therefore, discourse is thus intimately involved in the process of acquiring knowledge through language (Zagan, 2015). However, as I have noted previously, knowledge is not achieved only by language (written or spoken), but by other semiotic modes equally relevant to the acquisition of knowledge (Jancsary, Höllerer, & Meyer, 2016).

According to Jager and Maier (2016), discourses exercise power because they use some elements of knowledge to institutionalize and regulate ways of talking, thinking, and acting. The power of discourse has two effects: first, discourses constitute subjects by forming the individual and collective consciousness; second, “since consciousness constitutes action, discourses determine action, and action creates materialization. Discourses thus guide the individual and collective creation of reality” (Jager & Maier, 2016, p. 117).

In educational environments, according to Kress (2011), “to make a sign is to *make* knowledge” and knowledge is shaped by the social agent, in the selection of distinct representational affordances of specific modes at the point of making of the sign (p. 211).

²⁴ Foucault did not argue that there is not a material world, but he claimed that nothing in the world has meaning outside of discourse. In the same way, he did not argue that discourse is not language, but he argued that it is not *only* language (Zagan, 2015).

There are conscious or unconscious decisions made by the rhetor/producer/teacher, that reflect particular socio-cultural, political and economic contexts of the maker and the educational institution. These decisions are produced in power relations, which determine who talks, about what, when and how. Ergo, power relations are (re)negotiated in the production of the sign, which constitutes knowledge, and are (re)produced in discourse.

Power is a widely invisible systemic and constitutive characteristic of society (Wodak & Meyer, 2016a). Traditionally, it was conceived as an almighty top-down feature individually possessed. The conception of power advanced by Foucault was different. According to Foucault (1990):

Power is everywhere; not because it embraces everything, but because it comes from everyone [...] power is not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategical situation in a particular society. [...] Power is not something acquired, seized, or shared, something that one holds on to or allows to slip away; power is exercised from innumerable points, in the interplay of nonegalitarian and mobile relations. Power comes from below; that is there no binary and all-encompassing opposition between ruler and ruled at the root of power relations, and serving as a general matrix - no such duality extending from the top down and reacting on more and more limited groups to the very depths of the social body. One must suppose rather that the manifold relations of force that take shape and come into play in the machinery of production, in families, limited groups and institutions are the basis of wide-ranging effects of cleavage that run through the social body as a whole. Major dominations are the hegemonic effects that are sustained by all these confrontations (pp. 93-94).

Nevertheless, the constant struggles between groups produce inequalities. Dominance occurs when some groups are able to exercise power over other less favored groups. It is evident in the access to knowledge and therefore discourse. The people who have power over discourse determine whose voices can be heard, and what narratives are going to be told (Fairclough, 2014). This power relation repeats itself at every level of social life, from interpersonal relations inside the family to more formal relations within institutions and

states. Domination of one group over another is natural, and in normal settings, it is to some extent challenged and negotiated. When dominance cannot be contested and becomes accepted by the dominated, it is called hegemony (Gramsci, 1971, Hall et al., 1977, cited in van Dijk, 2001, p. 255)

Discourses have a fundamental role in establishing and maintaining relations of power and dominance through ideologies. “Ideologies are representations of aspects of the real world [...] yet also necessary for sustaining existing social relations, and relations of power and the forms (economic systems, institutions, etc.) in which are embedded” (Fairclough, 2014, p. 32). It is through interactions and socialization that ideologies are established as hegemonic by the power of elites, and become instruments of social control (Reisigl & Wodak, 2016).

CDS consider their goal to make a significant and specific contribution to critical social or political analyses by providing an “account of the role of language, language use, discourse or communicative events in the (re)production of dominance and inequality” (van Dijk, 1993, p. 273), deconstructing ideologies and power (Wodak & Meyer, 2016a), and the relations between discourse and power (Fairclough, 2014). CDS seek to comprehend the dynamics of existing social life as a basis for changing it (Fairclough, 2014).

In turn, multimodality studies the choices, agency, interests, and contexts of the sign-maker, and the critical emphasis of the MCDS assesses the relationship between power and modes. Moreover, multimodality addresses power in several spaces. First, MCDS analyzes *how* the discourse is made –in response to the interests of the maker and the needs of the audience. Second, MCDS focuses on *what* is presented in the discourse –the structures

created, challenged, or (re) negotiated in the content. Third, MCDS asks *who* is the rhetor – whose voices are heard or silenced through discourse by the distribution of power.

Cultural Cues to Apply a MCDS in Latin America

Like any other theory, CDS has its detractors. Some scholars mention weaknesses in the methodological and theoretical distinctions between DA, CDA, and CDS (Widdowson, 1995, 1996, 1998, cited in Bloommaert, 2005; Breeze, 2011); others claim that the expected radical political positionality of the researcher against power is sometimes *soft* or only slightly political (Tracy, Martínez Guillem, Robles, & Casteline, 2011); Still others argue that the emancipatory discourse, which proposes a sharp critique of grand-narratives, has transformed CDS into a Westernized grand-narrative that silences non-Western voices (Pardo, 2010b; Paredes-Canilao, 2006; Shi-Xu, 2014); that there is looseness in the ethical restraints between being critical and just criticizing (Bloommaert, 2005; Tracy, Martínez Guillem, Robles, & Casteline, 2011); and that there is a disruption between the relation between ideology and acts of talking, semantic and pragmatic, macro- and microanalysis (Bloommaert, 2005; Breeze, 2011; Tracy, Martínez Guillem, Robles, & Casteline, 2011).

However, as mentioned before, CDS emphasizes making visible and denouncing the ways in which discourse maintains and reproduces the relations of power and domination. Even though CDS critiques raise questions precisely about the lack of reflexivity of the approach, current mainstream CDS scholars have contributed in their attempt to link linguistic theory and social sciences (Fairclough, 2014), have expressed interest in the cognitive character of the analysis (van Dijk, 2016), and take into account the historical dimension of discourse (Wodak & Meyer, 2016a), producing, along with their followers, a robust and varied theoretical and methodological corpus (Bolívar, 2010). However, CDS

scholars present their work as a diverse theoretical corpus applicable in any circumstance and context (Shi-Xu, 2012). This inherent universal value proposed by CDS may paradoxically produce the evil CDS scholars are trying to avoid: The reproduction of a hegemonic discourse which maintains and enforces a system of (academic) dominance over knowledge, from the *West* over the *Rest*.

Cultural Critical Discourse Analysis (CCDA) (Gavriely-Nuri, 2012), or Cultural Discourse Studies (CDS) (Shi-Xu, 2014) proposes an alternative cultural approach to traditional CDA, which aims to expose various ways in which cultural codes are embedded in discourse, and contribute to the reproduction of abuses of power (Gavriely-Nuri, 2012).

This cultural approach:

[...] proceeds from the basic premise that different cultural communities communicate and interact differently, in terms of worldviews, concepts, values, rules, strategies, means, channels, purposes, consequences, historical circumstances, and intra/interrelations, etc. [...] The research tools in CDS as one can imagine are diversified and dynamic. They are transdisciplinary, multilingual, and multicultural; the choice and use of methods are wide-ranging and eclectic, depending on the nature and conditions of the discourses under investigation and the specific research aims (Shi-Xu, 2014, p. 362).

Cultural Discourse Studies uses a set of categories for describing, analyzing, explaining, interpreting, and evaluating discursive events related dialectically, such as agents, intent/form/relation, media use, purpose/effect, culture, and history (Shi-Xu, 2014). As mentioned before, Shi-Xu proposes to theorize and practice the cultural approach by being locally grounded (aware of cultural needs and perspectives), globally minded (about the current debates worldwide), and permeable to the international scholarly traditions of science and knowledge (Shi-Xu, 2012).

In Latin America, post-colonial discourse and post-Western thinking have had a profound effect on the understanding of power and discourse (Dussel, 2008; Mignolo, 2003;

Pardo, 2013; Rodino, Tosi, Zenaide, & Fernandez, 2014). According to Castro-Gomez and Mendieta (1998), three theoretical frameworks inform this particular positionality. The European and Anglo-Saxon postmodernisms (Arendt, Lyotard, Vattimo, Baudrillard, Jameson), the Eastern post-colonialism (Guha, Bhabha, Spivak, Said, among others); and the Latin American post-Western orientation (Mignolo, Dussel, Santos, Quijano, Lander, Escobar, among others) (Castro-Gómez & Mendieta, 1998; Pardo, 2010b). Additionally, other theories inform specifically the CDS. One of the most prominent authors is van Dijk, who not only presented a first sight of colonialism from a Western perspective, but also encouraged Latin American authors to create their own epistemological framework (van Dijk, 2005). Authors such as Santos (2010-2014) and Dussel (2008) followed his lead.

Pecheux and the French School are followed by scholars in Brazil, Chile, and Venezuela. However, the common Marxist and neo-Marxist roots (Althusser, Habermas, Adorno, Gramsci, Horkheimer), along with works by Foucault and Bourdieu, constitute the most significant theoretical background that leads scholarly research (Pardo, 2010b). Nevertheless, their publication in Latin America is slow and scarce in comparison to North American or European journals. The main limitations are financial resources, the almost non-existent support for research by higher education institutions, and the disenfranchisement of scholars from their communities.

Nevertheless, in their view, some scholars the debate about *East* and *West* perspectives is unfruitful. For some academics, it is a fallacy to talk about non-Western perspectives when the roots of Latin American thought come from the *West* (Pardo, 2010b; Resende, 2010). Additionally, most of the body of research has been formed in Europe and the United States, imposing privilege and hierarchies among colleagues (Bolívar, 2010;

Pardo, 2010b; Resende, 2010). Finally, the notion of *East* or *non-West*, and *West* as a monolithic essentialist notion is empirically untenable not possible (Resende, 2010; Soich, 2010).

Nevertheless, Pardo (2010) proposes that Latin American CDS can contribute to and be informed by the research of other non-Western scholars in Asia and Africa. The author proposes that the possible agenda of CDS scholars could include:

1. Addressing regional concerns through the selection of relevant research subjects.
2. Encouraging the development of theories and methods that fit the Latin American situation.
3. Reading the works of Latin American colleagues, especially those that deal with the problems faced by the continent.
4. Becoming conscious of the value of our universities and stimulating teacher exchange between them.
5. Raising our students' awareness of regional issues and promoting critical thinking.
6. Endeavoring to equip our libraries with international books and journals by encouraging both publishers' sympathy and the generation of the necessary financial resources.
7. Supporting the creation of electronic journals (Pardo, 2010b, p. 190).

Multimodality also deals with cultural differences. It presents a middle point from which, on the one hand, it recognizes the possibility of finding general principles or starting points (not presented as universals) for understanding meaning-making in any culture and in any mode, because all signs are produced within a human social group. Yet, on the other hand,

it is in the specificities of cultures that there are often vast differences in the articulation of these principles [...]. In a multimodal approach it is modes –rather than say, ‘languages’–which are compared. Modes are the result of a social and historical shaping of materials chosen by a society for representation (Kress, 2010, p. 10).

Therefore, the appropriateness of using a theory-method combining multimodality and CDS to analyze HRE in Ecuador is based on the idea that, without falling into relativism, a multimodal social semiotic approach “acknowledge[s] that it is impossible to escape ‘positioning’: socially, politically, ideologically and [...], in the end, most significantly, ethically” (Kress, 2010, p. 60), complementing the apparent Critical Theory cultural blindness in mainstream CDS. Finally, the cultural approach to CDS closes the cycle, and contributes to an informed, closer look at HRE discourse read from and to Ecuador.

Methodological and Epistemological Precisions

Case of study: Human Rights Education pedagogical materials of the DPE. The DPE produced from 2015 to 2017 six printed books used in the HRE program. Two of them are notional supporting guides for human rights promoters, educators, public servants, and the general public: *Theoretical Support for the Introduction to Human Rights*²⁵, and the *Support for the National Mechanism for the Prevention of Torture and Cruel, Inhuman or Degrading treatments in Ecuador*²⁶. They are framed as introductory guides for a beginner’s approach to human rights. Another piece of material was the institutional memoir for the Twentieth Anniversary of the DPE –called *20 Years of Institutional Life: Defensoría del Pueblo de Ecuador*²⁷. It contains a historical and current review of the rules and regulations about human rights and the Ombudsperson in Ecuador. These first three materials are useful to understand the theoretical and regulatory construction of the HRE program of DPE, yet they are not precisely pedagogical texts. Therefore, they will be left aside, reserved for further theoretical or contextual consultation if need be.

²⁵ Soporte teórico para Introducción a los derechos humanos (2015)

²⁶ Soporte del mecanismo nacional de Prevención de la Tortura, tratos crueles, inhumanos y degradantes del Ecuador (2016)

²⁷ 20 años de vida institucional: Defensoría del Pueblo de Ecuador

The three books that are of actual interest to this study are: a **methodological guide** for introductory processes of training and sensitization –called *Methodological Guide for Sensitization and Training Introductory Processes to Human Rights* (2016)²⁸, a **handbook** directed to help trainers and facilitators –called *I Live my Rights! Implementing Handbook for Promoters* (2016)²⁹, and a **workbook** to accompany the handbook –called *I Live my Rights! Personal Log* (2015)³⁰. Each of these three pedagogical resources has a different strategy for its construction.

The **handbook** and the **methodological guide** start by contextualizing the educational model of the HRE program and framing it in an intersectional and cross-cutting human rights-based approach, following the national agenda. The pedagogical model is based on the Constructivist and Meaningful Learning theories. The curriculum offers topics based on values, such as identity, empowerment, equality, non-discrimination, democracy, citizenship, social participation, and self-esteem, that constitute the foundational pillars of the HRE program. It also devotes space to analyzing the regulatory context of the *Sumak Kawsay* (Good Living) principles, the mainstream *cosmovision* of Ecuador, mandated by the Ecuadorian Constitution of 2008. Obviously, there is a significant section on human rights, their history, definition, functions, characteristics, and values. These two books (the guide and the handbook) explain in detail the pedagogical and didactic principles of the program, because they are designed to provide facilitators, trainers, and promoters with the educational framework to work HRE in the Ecuadorian context.

²⁸ Guía metodológica para procesos de sensibilización y capacitación en introducción a los derechos humanos (2016)

²⁹ ¡Vivo mis derechos! Manual de implementación para facilitadores y facilitadoras (2016)

³⁰ ¡Vivo mis derechos! Bitácora personal (2015).

Figure 2 presents a comparative chart summarizing the chapters of the three resources, organized by the color that the guide uses to differentiate them. The comparison includes the general content, because in some cases the title will not suffice.

| HANDBOOK | WORKBOOK | GUIDE |
|---|--------------------------------------|---|
| INTRODUCTORY CHAPTERS | | |
| Presentation Introduction Objectives Human Rights Education Human Rights Approach Structure of the guide | | Presentation Introduction Objectives Human Rights Education Human Rights Approach Structure of the guide |
| Recommendations for facilitation | | Opening activities to work human rights |
| UNITS | | MODULES |
| Self-esteem, identity and empowerment | Identity and Human Rights | Identity and Human Rights |
| Human Rights | Human Rights | Basic Aspects of Human Rights |
| Human Rights-based approach | Human Rights-based approach | Human Rights-based approach |
| Equality and non-discrimination | Discrimination | |
| Good Living in Ecuador | Good Living in Ecuador | Human Rights Protection |
| Recap | Recap | |
| Citizenship and social participation | Citizenship and social participation | |
| | | Defensoría del Pueblo as Human Rights Institution |

Source: Graphic made by the author.

Figure 2. Summary of Chapters in each DPE book analyzed, organized by the color that the handbook and guide uses to differentiate them.

Each book will be explained in detail in the next chapter, and thus I offer only to a general description here. The **methodological guide**'s goal is to provide information, tools and methodological orientations for HRE. Through its 292 pages, the guide is designed to help facilitators, public institutions, INGOs and civil society organizations that are interested in the promotion of human rights (Defensoría del Pueblo de Ecuador, 2016b). The guide proposes

to build spaces that enhance social skills, personal abilities, creativity and entrepreneurship of the target population of each education process, with adequate support of the facilitators in order to generate safe learning spaces that contribute to construction of a society that recognizes and respects the rights of all people (Defensoría del Pueblo de Ecuador, 2016b).

After the introductory chapters, this educative resource offers a first chapter of icebreakers and opening activities for workshops that focus on building trust and promoting a safe and sensible environment to work on human rights. The guide is divided into five modules, and each module is distributed into topics, as well as between two and six related activities.

The **handbook**'s goal is to provide information, tools and methodological orientations to HRE, as in the case of the methodological guide. Through its 274 pages it is designed to provide information, tools and methodological guidance for facilitators of the Student Participation Program of the Ministry of Education, whose goal is,

[...] to build spaces that enhance social skills, abilities personal, creative and entrepreneurship of first and second year high school students, with the accompaniment of teachers to generate positive impacts on them and themselves, on their families, in educational institutions and in the community, through citizen participation (MinEduc, 2015, p. 2, cited in Defensoría del Pueblo de Ecuador, 2016a, p. 9).

Just like the methodological guide, the handbook begins, as the methodological guide, with the educational, pedagogical, and didactical framework. After that, the handbook is divided into seven units developed as workshops, and subdivided into two to four activities.

Finally, the **workbook** is designed to be a personal log of the participant's experiences of the program. It contains activities that have to be developed individually, following the sequence and topics of the units of the handbook. It is constructed as a mechanism of self-assessment or self-evaluation; therefore, the facilitator will not grade it. Through its 143 pages, the workbook proposes a very colorful and visual experience for the educated.

Starting from the idea that the discourse should be studied from a multidisciplinary perspective, this dissertation proposes a CDS focusing on three complementary and intertwined levels. At the educational level, discourse will be analyzed with the purpose of evaluating the coherence and cohesion between the macro-, meso- and micro-levels of the educational design. This includes the philosophical and methodological proposal, the arrangement of goals, and resources, as well as the lesson planning inside the activities. At the ontological level, the discourse analysis is geared towards making visible the constructs about human rights, analyzed not from an epistemological standpoint but from the understanding of those constructs from the positionality of the DPE. Finally, from the communicational perspective, I will focus (at the risk of being a reductionist) on the representation of the subject of rights, intertextual and interdiscursive uses, and the multiple modes of constructing meanings in the texts. The interdisciplinary perspectives from which the HRE discourse of the DPE will be analyzed constitute the core strength of the CDS proposed in the dissertation.

Method/Methodology. As I have stated, multimodality and CDS are theory-method because they propose a broad framework to study discourse, yet they do not have one monolithic way of doing it. Since the concrete form of analysis has to fit the particular research question, context and data, multimodality and critical discourse studies can mean many different things, and use very specific analytical tools (Jancsary, Höllerer, & Meyer, 2016).

Broadly, this study mainly draws on features from the Socio-Semiotic Multimodal approach of Kress and van Leeuwen. It also considers: Kress' interest on MCDS of educational processes, the critical approach to the discourse of Van Dijk and Wodak, the positionality of Pardo *from* and *to* Latin America, the cultural perspective of Shi-Xu, the Foucauldian perspective of power/knowledge/discourse interrelations, and the work of Keet, Coysh, and Hopkins, who critically analyzed HRE and human rights discourse.

Specifically, I propose analyzing HRE materials following a five-step methodology. I mostly draw on the methodological proposal of Jancsary, Höllerer, & Meyer (2016), applying it to the HRE perspective. The first three steps focus on three prompts: *how* the discourse is produced, *what* is it about, and *who* is producing the discourse. These are all central questions to uncover the power/knowledge relations. The fourth step analyzes the ways in which those three elements (*how*, *what* and *who*) are assembled together in the composition of the text. Finally, the fifth step opens the space to an evaluative-critical moment.

HRE study in five steps: Using a MCDS procedure.

First Step. Means and media: How the discourse is produced. To answer how the discourse is produced, I address the modes and genres presented in the materials, framing

them in the spatio-temporal and sociocultural context. First, it is essential to frame the discourse, because Kress (2010) argues that:

[f]rames and means of framing are essential to meaning-making in all modes. The frame marks spatial and/ or temporal extension and limits of a text or other semiotic entity. My slogan ‘Without frame no meaning’ entails that we need to focus on frame, on forms of framing and on that which is framed, at all times, equally (p. 149).

Second, according to Kress (2010) mode is an organizing and shaping meaning-resource. This is significant because it is molded by and carries the *deep* ontological and historical/social orientations of a society and its cultures within every sign. The mode answers the question: *With what means* is the message produced? The modes of the HRE texts are mainly the written text, images, and performance.

Third, *genre* is the “typified communicative action invoked in response to a recurrent situation” (Yates and Orlikowski, 1992, in Jancsary, Höllerer, & Meyer, 2016, p. 192). It represents a regulated social relation between the agent (sign-maker) and the social institution where the genre is made. Also, genre follows explicit instructions surrounding its construction, which are visibly recognizable among the producers and consumers, despite the fact that the boundary between one genre and another is thin and depends on the eyes of the researcher. Some of the genres identified in the HRE texts are: Lessons, activities, letters, press releases, charts, performance, and dialogues.

Some questions that must be answered in the materials at this step are:³¹ What is the spatio-temporal and sociocultural context of the materials? Which are the modes used? What characteristics do they have? Which are the genres presented? How institutionalized is each genre? What characteristics are prominent in each genre? Is there a relation between the

³¹ Based on some of the questions provided by Jancsary, Höllerer, & Meyer, 2016

selection of the mode and the genre and the audiences to whom they are addressed? If it so, why and how is it recognizable?

Second Step. Content: What is said and what lies under the surface. In this step, the analysis is centered on describing what is said in the materials. The DPE handbook, the methodological guide, and the workbook have similar features, and definitively the same content. However, not everything that is presented in the texts is visible. Some things like political and cultural values are hidden. Therefore, it is important to read the lines as well as between the lines. By dissecting their parts, I will be able to connect the manifest and the latent content and provide a critical reflexion about what is said about the discourse of human rights and HRE.

I use a multimodal socio-semiotic and pedagogical analysis to study the manifest and latent content of the materials. According to the socio-semiotic approach, signs are the minimal unit of semiosis. However, a sign cannot stand for itself. Signs *make sense* within their appropriate social environment, when a group of people recognizes them. Additionally, as stated before, multimodality proposes that signs can be presented in many ways (modes), all equally significant to the process of meaning-making. Moreover, multimodality is able to say something about the functions of modes, and the relations among them. In summary, Kress (2011) argues that,

Social semiotic and the multimodal dimension of the theory, tell us about *interest* and *agency*; about *meaning* (-making), about *processes of sign-making* in social environments; about the *resources* for making meaning and their respective *potentials* as *signifiers* in the making of *signs-as-metaphors*; about the *meaning potentials* of cultural/*semiotic forms*. The theory can describe and analyse all signs in all *modes* as well as their interrelation in any one text (p. 59).

One fundamental aspect of multimodality is *design*. It responds to the interest of the DPE as the sign-maker. Design is a political (and communicational) endeavor, servant of the

sign-making and shaper of its materiality. It takes into account “the conditions in the environment of communication: the salient characteristics of the audience, the matter to be communicated, and the relations of power that obtain in the communicational environment” (Kress, 2011, p. 222). The interest in studying design is based on the agency of the sign-maker and the designer (who follows the sign-maker prompts). Kress argues that:

The emphasis on sign-making rather than on sign-use is crucial: it asserts that signs are always newly made, out of the sign maker’s assessment of the environment of communication, the resources available for making signs, and the interest of the sign-maker at the moment of making the sign. Signs are motivated conjunctions of form and meaning, the product of the sign maker’s agency and interest (p. 209).

Pedagogically, materials and resources such as the handbooks and guides of this study, are tangible forms of the educational process. They are framed by the educational model (the relation between society and the educational institution), the pedagogical model (the interconnection between the curriculum, goals, resources, and outcomes of the teaching-learning process), and the didactical model (the educated-educator interaction). They also answer to a theoretical proposal, such as constructivism in the Ecuadorian education system. Finally, they are planned according to pedagogical parameters such as context, goals, contents, process and evaluation; and the didactic cycle (beginning, development, and closure).

Manifest content. First, from the multimodal socio-semiotic perspective, I process modules of signs organized as representations of people (male/female, young/old, ethnic diversity), objects (mobile/inmobile), actions (unidirectional/bidirectional), and settings (exterior/interior); also, I pay attention to the style and tone of the written text and the visual material (photographs, illustrations, and icons). Analyzing their layout gives me insights to

understand the design of the materials: the composition of the texts, the (inter)connections between modes, the positions and overlapping of elements like color, lines, and forms.

Second, from the pedagogical perspective, I focus on the general arrangement of the materials. From the educational model –negotiated relation between the macrostructure and the philosophical proposal of the DPE– to the microlevel –the lesson planning– every decision answers to the choices of the sign-maker and the designers. Let us remember, that the lesson planning also answers to the political and communicational intention of the educator, and responds to the assumptions about the educated and the learning process. Here, I asked: Which theories of education are used to build the pedagogical model? How are the values represented and treated? How are people(s), objects, actions, and settings portrayed? How are multiculturalism and plurinationality portrayed? How is intersectionality represented, if at all? How is the cycle of learning used to present the lessons and activities? Which is the theoretical and ontological perspective that is used in describing human rights? Which are the visible elements of design used? What tone do the verbal texts use? How is the visual material presented? Therefore, what does the material say about human rights and HRE?

The latent content. Following Jancsary, Höllerer, & Meyer (2016), this section considers broader structures of meaning that lie beneath the verbal and visual texts of the DPE. First, intertextuality and interdiscursivity are two crucial elements for understanding the *latent* content. Intertextuality for Bhatia (2010) refers to how “several utterances, taken from other texts, intersect and naturalize one another, [...] transforming the past [texts] into the present” (Bhatia, 2010, p. 392, in AlAfnan, 2017, p. 26). The quotation is the most common form of intertextuality. In the DPE case, this is particularly relevant because the three materials analyzed are conceived as complementary to one another. On the other hand,

interdiscursivity refers to the “constitution of a text from diverse discourses and genres” (Fairclough, 1993: p. 138, cited in AlAfnan, 2017, p. 36). Interdiscursivity implies the interaction of discourses within or across them (AlAfnan, 2017). The materials of the HRE program of the DEPE are an example of interdiscursivity because they drew from the discourse of human rights, (critical) education, *Sumak Kawsay* principles, interculturality, identity, and democracy, among others.

Second, another clue to understanding the HRE discourse of the materials is the analysis of the inherent pedagogical proposal. On the one hand there are the interrelations between the educational model, the pedagogical model, and the didactical model. On the other hand, there is a specific type of HRE model that the program is following conceptualized by Tibbitts (2002), and the mandates of the WPHRE (education *about, for, or through* human rights).

Additionally, these materials are relevant because they use two forms of translation: transduction (moving meanings from one mode to another) and transformation (reordering meanings in the same mode). Moving meaning between modes and sources inside a culture is possible but complicated, yet it is even more complicated when meanings must be culturally translated from one logic to another. Let us remember that the origin of the HRE program comes from the United Nations World Programme for HRE, and it also addresses the Constitution and national regulations of Ecuador. Therefore, there is a vast amount of content translated from macro-normative and foreign discourses. There is also a moving meaning inside the three materials, from image to text, and from text to performance.

Here, the questions are: Which ontological and epistemological principles of education are called into the program? Which HRE model (with its principles and values) is

used? Which discourses are intertwined, and how? When and which types of texts are interdiscursive? How are interdiscursivity and intertextuality treated? What content is translated, when, and how? How is interculturality, intersectionality, and diversity implicitly assumed?

Third Step. Sign-makers and Meaning-makers: Whose voices are presented or silenced. As stated in Chapter 2, the prominence of the voices presented in the materials of the HRE programs is of crucial importance to a critical analysis. In the context of the Latin American critical position about the discourse of human rights, the *who* of human rights is a matter of power. Related to the discourse of human rights, the materials give insights about the different voices and stories told around the notion of rights, especially about the grand narratives portrayed by the United Nations (about the international system of rights) and the Ecuadorian State (about the *Sumak Kawsay*). However, it is not that clear how and who speaks for the people.

In connection with the HRE discourse of the DPE, it is essential to address whose voices are heard and in what contexts; how the person educated in the program is constructed as a subject of rights, and with what effects in real life. Moreover, the study questions how the voices of minorities (and their positions on human rights) are contested, negotiated, or silenced by the grand narratives of UN-State. Therefore, applying the concepts of culture, interculturality, intersectionality, *transversalización*, is fundamental to this portion of the analysis.

Here I ask: From what positionality does the rhetor/educator/sign-maker speak? Who is assumed to be the meaning-maker? Who is allowed to talk and who gives voice to others? Are there multiple voices that acknowledge multiple visions, or are there homogenous

regulatory grand narratives? Who is the subject of rights? Hence, more importantly, who talks *around, about, for, to* minorities in these materials?

Fourth Step. Composition: How the elements are interconnected. The fourth step of the analysis implies reconstructing the pieces studied separately. According to Kress (2010), the orchestration of modes helps to understand the purposes and needs of the sign-maker when selecting the *aptness* of a mode over another, the mutual interdependence and *harmony* of the ensembles, the coherence and cohesion between modes, genres and text, and emphasizing the meaning-potentials of the modal, whether trans-, inter-, or intra-modal.

Here, some questions can be posed, such as: How do the verbal and visual elements relate to each other? What are the particular *roles* and *functions* of the verbal and the visual within the text? Or, what integrated *messages* or *narratives* are created through composition? (Jancsary, Höllerer, & Meyer, 2016) Which are the possible hierarchizations and interrelations among modes? Are there more dominant modes or subordinate ones? What is the relation between the latent and manifest content? Does it depend on modes or genres? How does each material function in isolation? How do the three materials function in the program as a whole? Therefore, I question the multiple connections presented in the texts.

Fifth Step. Critical evaluation: What does all this imply? Jancsary, Höllerer and Meyer (2016) invite us to look for patterns of meaning. Patterns will mainly reveal the relations about power/knowledge and discourse. The focus of the rhetor uncovers the interests behind the materials, and the usage of the design shows the goal of the material, and therefore, what is reinforced, challenged, negotiated, concealed, or assumed in the HRE program of the DPE.

According to Kress (2010), the conjoining of elements of the discourse

is neither accidental nor merely contingent; it serves specific, describable social purposes. *Semiotic objects*, whether as buildings, written texts, stories casually told, films, gardens and their layout, video games, the layouts and contents of museums and supermarkets are the material sites for the conjoining of discourses and their emergence in material and naturalized form (p. 113).

Therefore, is it possible to define some of the strengths and weaknesses of the materials? Which aspects should be encouraged and fortified? What are the main concerns about the discourse of human rights? What possible consequences can be inferred about the HRE proposal of the DPE? Ultimately, the main question here is: What do all these previously analyzed materials imply within the human rights education program of the *Defensoría del Pueblo de Ecuador*.

Conclusion, Limitations of MCDS and Positionality

This study proposes a cultural, interdisciplinary and multiperspective MCDS of HRE applied to the particular case of the HRE program of the *Defensoría del Pueblo de Ecuador*. As described previously, the research needs the informed interdisciplinary perspective to draw from the fields of communication, education, and sociology to encompass a holistic view of the problem. It also requires a multiperspective theoretical and methodological view from the critical, socio-constructivism and socio-semiotic theories, tangible in the selection of a MCDS. Finally, my approach is cultural, because I acknowledge my positionality, the context of the study, and of the case, as a result of particular social, cultural, and historical conditions.

Given the global and Latin American framework about CDS, I embrace the idea of a non-Western academic perspective, specifically from the Latin American *cosmovisión*. I embrace the thought that categories such as *West* and *Rest* are discursive constructions (Hall,

1992), not as fixed or essentialist understandings of groups of people, but as identities and political positionalities. This does not imply to erase or deny others, but to be critical and reflective, because:

[...] the East and West are understood not as binary and homogeneous geographical entities, but as cultural-political categories, real or potential [...] Therefore, the notions and terms of East and West are needed as what Spivak calls 'strategic essentialism' (Landry & MacLean 1995) in order to highlight the existing problems of cultural-political inequality, to undermine the globalization of Western capitalism, and to reclaim the cultural identity and diversity for the underdeveloped and developing cultures (Shi-Xu, 2012, pp. 286-287).

In this context, I recognize my privilege as a highly educated middle-class woman, who will obtain a doctoral degree from a prestigious North American university, all of which gives me a Westernized perspective about knowledge. At the same time, I recognize my Latin American roots and context, in which I was born and raised. I also understand the educational model and *cosmovisión* of the Central University of Ecuador, where I work, as a far left-wing public higher education institution. Being a professor in that institution for the past 15 years also marks my perception about education and communication. Therefore, my positionality shapes my view about social phenomena.

Additionally, I adopt the idea of Critical Discourse Studies as a theory/method, centered on the goal of critical analysis of discourse as a way to uncover relations of power/knowledge inside the discourse of human rights education (HRE). I consider that this is a theory/method which gives me the space to discuss and reflect about knowledge and power as social constructions, historically and culturally determined. As a case of study, I propose to analyze the discourse produced by the *Defensoría del Pueblo de Ecuador*, a public institution in charge of human rights issues and HRE. This organization has designed a national program of HRE for the first time, and produced pedagogical materials applied

nationally. This production is a “political one, with political and communicational effects, namely to provoke and produce the rearrangement of social relations by semiotic means” (Kress, 2010, p. 121). Therefore, applying CDS in the case of the DPE allows me to understand the HRE discourse construction from the point of view of the Ecuadorian State.

Consequently, given my sample and my positionality, I found certain aspects of the methodology that must be carefully treated. One possible limitation is that despite CDS’ diversity of approaches, it seems to suffer from relative cultural blindness (Bolívar, 2010; Breeze, 2011; Gavriely-Nuri, 2012; Pardo, 2010b; Shi-Xu, 2014). Multimodal social-semiotics attempt to solve this dilemma, addressing the cultural nuances of multiple modes of communicating a discourse. Therefore, acknowledging all the theoretical and methodological influences of the authors addressed during this study, I assume a cultural approach to MCDS, which can be the appropriate answer to maintain awareness of cultural nuances.

However, multimodality poses a threat. The methodology is complicated and hard to apply in a broad corpus of text (such is my case). The three resources (one handbook, one workbook and the methodological guide to accompany them) are extensive. Another limitation comes from the theoretical framework, since the shapes and boundaries of modes and genres is diffuse and not precise, and framing is weaker in informal settings (such is the case of the DPE).

A further limitation is translation. Translation here is understood not only as the literal switch between one language code to another, but as the translation of the meaning and context associated with the text (Al-Hejin, 2012; Bolívar, 2010). Therefore, translations in the study are multiple. First, the DPE program uses the international system of rights (from the United Nations), plus the national principles of *Sumak Kawsay* and rights, intertwined

with the idea of multiple nations within the Ecuadorian territory, which implies several cultural translations. In addition, the study is performed in English about a Spanish text, by a *Latinoamericana* about her country, thinking through her experience as an international student in the United States, using local and foreign authors and methodologies.

However, I understand those limitations and see them as opportunities for reflection and critical engagement in research. First, I understand that it is not possible to deny or silence the incredible contribution of European and North American authors to CDS. However, it is feasible to assume a more cultural approach and focus on authors who will help me understand the phenomenon *from* a Latin American perspective. Second, it is not necessary to adopt only one complete approach to research, because the field itself is an amalgam of theories/methods. Finally, according to Jansary, Höllerer, and Meyer (2016), it is impossible to describe exhaustively all the narratives presented in one example. Thus, this study is an “indicator of the most dominant stories” told by the case studied. Consequently, this cultural, multidisciplinary and multiperspective study is just a building block to advocate for a broader discussion about human rights and HRE discourse in Ecuador.

In the next chapter, I will start describing and analyzing the data collected around the educational discourse of HRE, constructed by the DPE. It will focus on the coherence between the three levels of educational design: macro- (educative model), meso- (pedagogical model) and micro-level (didactical model). In theory, these three levels should be synchronized, starting with what society requires from an educative program, passing through the institution’s offer, up to the vis-à-vis educational interaction between educated and educator. However, in large or pioneer programs, the coherence and synchronicity tend to be less than optimal. Therefore, studying the paradigms, models, methodologies, methods,

and elements used in designing the program, the dissertation will show the strengths and weaknesses of the HRE program. These results will be complemented in the following chapters with the other two perspectives, ontological and communicational, and then put together in the conclusions.

Chapter 4 –

Educational CDS of the *Defensoría*'s HRE Program

Human Rights Education (HRE) is a long-term strategy with sights set on the needs of coming generations. Such education for our future will not likely draw support from the impatient and the parochial, but it is essential to construct innovative education programs to advance human development, peace, democracy and respect for the rule of law

(Claude, 2005).

HRE is an Endeavor for Passionate and Patient Educators

Given the complexity of current competing ideas about human rights (and consequently HRE), it is imperative that the debate about HRE takes a productive political-pedagogical form (Keet, 2012). The international corpus of law about HRE is robust and comes from different fronts, from the first ideas about the importance of education in human rights in the Preamble of the Charter of the United Nations to the World Programme of Human Rights Education and Training drafted in 2004 and enforced until 2022. In Latin America, the HRE tradition can also be tracked to nearly 40 years ago, from the First Interdisciplinary Course in Human Rights of 1983 in Costa Rica to the work of many NGOs in subsequent years. A “state of the art” of HRE programs in Latin America can be found in the texts of Magedanzo (2000) and Basombrío (1992), who compiled a chronology of the numerous HRE initiatives constructed and enforced, some of which were ended while others have remained in operation through the years in Latin America.

The research about HRE has taken two paths: theoretical and pragmatic (Coysh, 2017). As explained in previous chapters, the bulk of the discussion about HRE has been around its philosophical constructions. Authors such as Flowers (2004) and Tibbitts (2002)

studied how HRE was performed in diverse settings, and they proposed categorizations about the scope of action, topics, organizations involved, and focuses of the HRE programs.

However, for other scholars, one of the most significant debates about HRE is not about its importance or trajectory but about how to do it and with what results. Claude (2005), argues that HRE advocates and practitioners are obligated to implement effective programs of human rights education at all levels and to employ methodologies that will ensure that the task is done well, consistent with the goals of world peace and respect for human rights everywhere (p. 59).

Furthermore, some authors argue that HRE needs to be studied as a discourse, considering discourse not only as text and language but as a social practice and a space of interaction (Coysh, 2017; Keet, 2012). Therefore the need to analyze it through a critical discourse analysis (CDS) which considers its potential dangers and strengths in order to avoid blind practices or dogmatic rejections. According to Coysh (2017),

Critical discourse analysis helps to unravel the historical construction of HRE and show how it has been socially constructed. Considered are the ways in which HRE discourse has been used throughout history to construct and (re)produce social structures and hierarchies, or used as a tool of resistance to (re)construct social relations. Viewed from this perspective HRE is essentially a site of struggle. However, while the production and interpretation of HRE discourse are important, also important is the organization and interaction between the global and the local, institutions and society, theory and practice, and how they shape HRE practice (p. 5).

However, this perspective of CDS is not very widespread. The research in education about HRE is at an initial stage because the scholar discussion has been centered mainly on the debate about human rights and not to the debate of the educational perspective in the discourse of human rights education (Coysh, 2017). Very few HRE scholars and researchers claim to address the interrelation between educational theory and practice from a discursive

approach which, in my view, is where it is possible to test the coherence and cohesion between the philosophy and the praxis of any educational program.

On the other hand, according to a study about CDS in education, most critical analysis of discourses and textbooks have focused on the linguistic aspects of discourse, which constitutes only a small part of the spectrum of educational interaction (Soler, 2008). In addition, these studies around discourse have mainly referred to the written word and not its multimodal aspects, leaving aside the contextual analysis as well as the interactions that occur within educational spaces (Soler, 2008).

That is why this dissertation poses the challenge of making an analysis of the educational design of the DPE program, linking Multimodal CDS with Educational Design Research. I propose that it is crucial to study the design of the pedagogical proposal since it is also a mode of presenting the discourse. Hence, this alternative research approach helps this study because it is

[...] the systematic study of designing, developing, and evaluating educational interventions, –such as programs, teaching-learning strategies and materials, products and systems– as solutions to such problems, which also aims at advancing our knowledge about the characteristics of these interventions and the processes to design and develop them (Plomp & Nieveen, 2007, p. 13).

In this context, the educational design of the DPE texts provides us with the opportunity to critically analyze the constitutive elements of an HRE program that reproduces the discourse of the institution. The inconsistencies in the design between those elements, and the incoherence or inconsistency between theory and praxis, tend to jeopardize the complete educative process –for example, when determine one pedagogical model and later the lesson planning is distanced from that model, or proposing goals and then not proposing activities to fulfill them (Grupo Santillana, 2009b). Hence, in this chapter, I try to

answer some educational research questions about the curriculum design of the HRE program from the macro- to the micro system, such as: What is the coherence and cohesion among the educational, pedagogical and didactic model of the HRE program of the DPE? Therefore, I focus more closely on questions such as: How is the pedagogical model of the DPE program conceived and designed? What epistemes, outcomes, methodologies, procedures, sequences, activities are chosen, and what is their logic? Are these elements coherent and cohesive? How do the educational, pedagogical and didactic models converge in the *in situ* practice?

In this chapter, I used MCDS to analyze the educational design for the HRE program, focusing on the construction of the discourse about *education*. I will reserve the analysis of the multiple modes of the discourse about *human rights* for the chapter about communication, and the analysis of the content of the lessons for the ontological chapter.

Critical Analysis of the Educational Discourse of the DPE's Program

Discourses both constitute and are constituted by social structures (Coysh, 2014; Fairclough, 2014). The dominant discourse of education defines how teachers ought to teach and how students should learn, defining as well the type of power relationships inside the learning process in response to the macro- and meso-level structures and institutions where it takes place. According to Apple (2008), curriculum (as the design of pedagogical praxis) is the structural form of reproducing hegemonic discourses, and textbooks are the materialization of the curriculum. Such insights are yet to be empirically supported, though, because there is scarce research about the political implications of discourse in the educational design of the learning process (Plomp & Nieveen, 2007).

This highlights the relevance of using a CDS approach to analyze the educational discourse of the HRE program, because this theory/method is committed to showing connections that are sometimes hidden from sight, and pays special consideration to macrosocial and institutional contexts, as well as to the microsocial and related grammatical structures that constitute the text (Soler, 2008).

Hence, in this chapter, I analyze how the educational design of the program built the discourse of the DPE from the macro- to the micro-levels, revealing how the DPE conceives education and applies it in its books. I address questions about coherence and cohesion in the educational, pedagogical, and didactic models of the HRE program of the DPE. Therefore, I focus more closely on the matter of how the pedagogical model of the DPE program is conceived and designed. What epistemes, outcomes, methodologies, procedures, sequences, and activities are chosen? What is their logic? Are these elements coherent and cohesive? How do the educational, pedagogical, and didactical models converge in the *in situ* practice?

In order to engage in a critical analysis of the educational discourse, I follow the idea of Multimodal Critical Discourse Study (MCDS) that draws attention to the multiple forms of presenting a discourse, focusing on the method of Jancsary, Höllerer, and Meyer (2016), explained in Chapter 3. This method proposes the analysis of content in order to study *what* is said about education, and *how* the DPE proposes to put it into practice through their handbook, workbook, and guide. First, I researched the manifest content of the educational design of the DPE materials. The manifest content allowed me to understand how the educational, pedagogical and didactic model was built and expressly depicted in their documents. It also shows how the materials are organized and how the topics are distributed throughout the lessons. Once I described the manifest content, the latent content allowed me

to compare and contrast the way in which the ideals stated in the documents (in the introductory chapters) are actually developed inside the materials or during the lessons.

Sometimes the line between the manifest and the latent content was blurry, so I could not separate them (even when I did all the manifest analysis first). Moreover, it was in interlinking the manifest and the latent content that the criticism was produced. As I have explained, the philosophy of education often clashes with its practices, practitioners, policies, and politics. But first, I will start by briefly describing (again) the three materials of the HRE program designed by the DPE that represent my case study.

In short, this chapter uses MCDS to analyze the educational design of the HRE program, focusing on the construction of the discourse about *education*. I will reserve the analysis of the multiple modes of the discourse about *human rights* for the chapter about communication, and the analysis of the content of the lessons for the ontological chapter.

Human Rights Education resources from the DPE program. The *Defensoría del Pueblo de Ecuador* is the Ombudsperson Office of the Ecuadorian State. It is the National Institution of Human Rights (NIHR) in line with the Paris Accord, and its mandate is the promotion, tutelage, and protection of the human rights of Ecuadorian citizens inside and outside the country (Defensoría del Pueblo de Ecuador, 2016b). As part of its goal of promotion of rights, the DPE created a program of HRE which has been implemented around the country since 2015, and produced documents that present a theoretical and conceptual framework of HRE to accompany the interventions.

Among the materials produced by the DPE, three are the object of examination of this dissertation: the Methodological Guide for Sensitization and Training in the Introductory

Processes to Human Rights (2016)³² (called the *guide* in this study), I Live My Rights! Implementation Handbook for facilitators (2016)³³ (called the *handbook*), and I Live My Rights! Personal Log (2015)³⁴ (called the *workbook*). These materials share most of their conceptual and pedagogical construction, yet each one answers to specific audiences and differentiated strategies that are the core of the scrutiny in this chapter.

The three resources produced by the DPE between 2015 and 2016 have never previously been analyzed or evaluated, and therefore, considering the impact of the HRE program and the scope of its reach, I chose them to investigate their strengths and weaknesses. The goal of this dissertation is to produce a first critical analysis of the materials and contribute to their assessment in order to enforce the HRE program in Ecuador. As Claudel (2005) argues, building innovative HRE programs will enforce human rights in the long-term, and that can only be possible through reflective practice.

Educational, Pedagogical and Didactic Model. The DPE program is based on a solid pedagogical proposal that may not be noticed if it is not analyzed closely. The designers, as sign-makers of the program, built an academic offer that considers all aspects holistically, from the most macro- to the micro-levels of the educational process.

This special understanding of the macro-, meso-, and micro-levels of the structure answers to the *levels of concrecion* of the curriculum design, where power/knowledge is negotiated in every educational system (Guffante, Vanga, & Fernández, 2016). From this perspective, the macro-level “is related to the guidelines framed in the national context where policies are established and public education is formulated, which give rise to the

³² Guía metodológica para procesos de sensibilización y capacitación en introducción a los derechos humanos (2016)

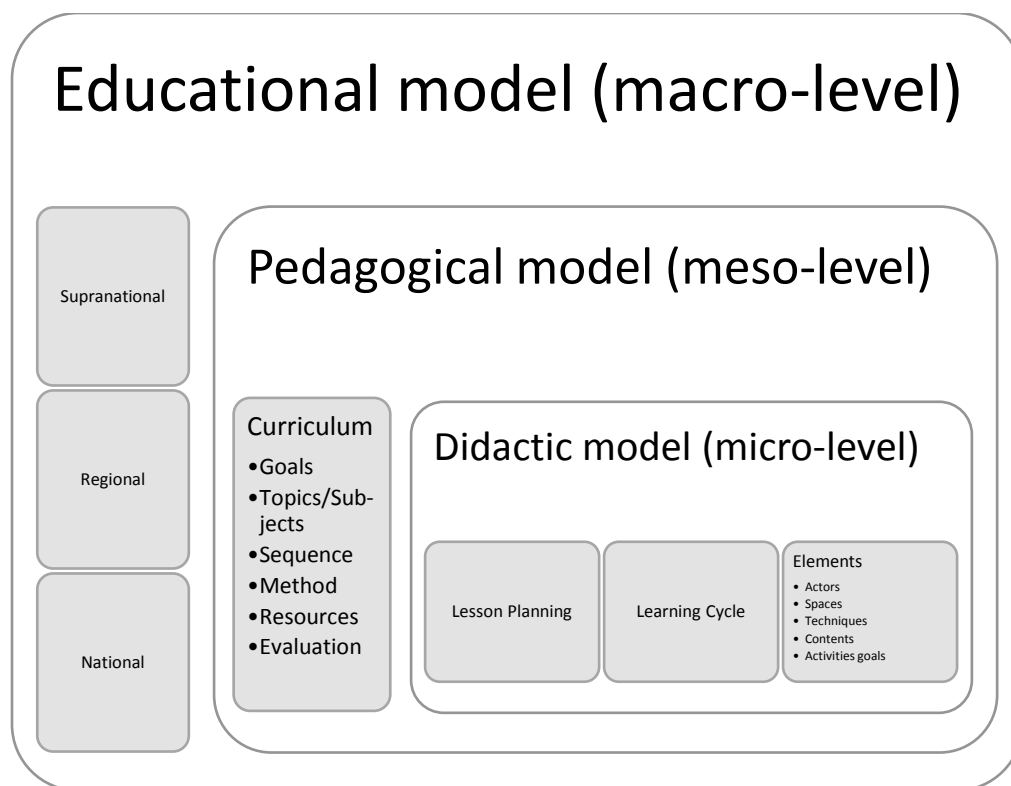
³³ ¡Vivo mis derechos! Manual de implementación para facilitadores y facilitadoras (2016)

³⁴ ¡Vivo mis derechos! Bitácora personal (2015).

Educational, Pedagogical and Didactic Model for the training of citizens” in the context of the Good Living (Guffante, Vanga, & Fernández, 2016, p. 66). As a result of the negotiation between the social system and the institution at the macro-level, the educational model is generated, a *manifesto* about the institution and its vision of education.

At the meso-level each institution organizes, adapts and guides its curriculum structure based on the profile of the desired learner consistent with the level of training that offers. It constitutes an intermediate stage which allows to recognize the requirements of the macrostructure, the philosophical guidelines of the institution, the profile of the educated, and at the same time, it sets the limits of the disciplinary treatment, pedagogical mediation, the processes of research, and the methodological strategies to generate knowledge (Guffante, Vanga, & Fernández, 2016, p. 66). At the meso-level, the institution determines the pedagogical model to which it will subscribe.

Finally, the micro-level is the level of concretion and application of curriculum design, “which allows to go from *what* to *how*; [... and] its concretion is expressed in the course programs or syllabus, and it is the phase where the effectiveness of the curriculum design is defined” (Guffante, Vanga, & Fernández, 2016, p. 71). The didactic model is determined at the micro-level of the curriculum. In **Figure 3**, I syntethize the three levels of concretion of the educational process and pretend to show the necessary consistency from the macro to the micro-structure of the curriculum design as a systemic structure.



Source: Graphic made by the author

Figure 3. Macro-, meso-, and micro-levels of concrecion in the curriculum design.

Educational model: What is negotiated between the superstructure and the DPE?

An educational model expresses the correlation of forces between the sociohistorical conditions of a given society and the identity of the educational organization as a part of that society. It is a theoretical outline made to facilitate the understanding of the philosophical, epistemological, psychological, and pedagogical standpoint of the educational institution. It is the DPE's educational *manifesto*, an ideological position, a statement about how the organization perceives the educational process.

The educational model of the DPE is not explicitly stated in its guide, handbook, or workbook. Nevertheless, the DPE has an implicit educational standpoint, presented in the introductions of its guide and handbook, which takes into account the negotiation between

what the society expects and requires from the institution and how the institution has assembled its educational identity. At a broader level, the DPE negotiates with the International System of Human Rights (ISHR), which each nation in the world is bound to follow. In general, the ISHR and the World Programme of Human Rights Education (WPHRE), as well as other treaties, propose that education is a right and there is a right to education about rights. Therefore, Ecuador is influenced by the supranational regulations about rights and education drawn by the UN and its entities (UNESCO, UNICEF, UNIFEM) and other INGOs, and by regional and multilateral organizations of which Ecuador is a member (CELAC, UNASUR, OAS, Andres Bello Convention).

On the other hand, every person, authority and institution in Ecuador is governed by the Constitution, which mandates that “the rights enshrined in the Constitution and international human rights instruments shall be for immediate observance and enforcement” (Republic of Ecuador, 2008, pág. Art. 426). Consequently, the DPE and its HRE program, as part of the Ecuadorian government, are also informed by the international debate about the benefits or potential dangers of education about rights (a debate that was explained in chapter two). Therefore, the DPE is bound to obey both the International System of Human Rights (ISHR) and the Ecuadorian Constitution, and all of the ISHR’s regulations about HRE.

At the national level, the Constitution of 2008 (Republic of Ecuador, 2008) acknowledges that education in Ecuador must be a lifelong learning process, and it is an unavoidable and mandatory duty of the State (Art. 26). Education is a public service (Art. 345) and it must focus on human beings, guaranteeing “holistic human development, in the framework of respect for human rights, a sustainable environment, and democracy” (Art 27). It can take place inside or outside the schooling system (Art. 28 and Art. 347). Education

shall promote values indispensable for the principle of the good way of living (*Sumak Kawsay*), and therefore, “be participatory, compulsory, intercultural, democratic, inclusive and diverse, of high quality and humane; [...] promote gender equity, justice, solidarity and peace” (Art 27). Moreover, it is “indispensable for knowledge, the exercise of rights and building a sovereign country, and it is a key strategy for national development” (Art. 27). Education “shall be aimed at developing the population’s individual and collective capabilities and potential, enabling learning and the generation and use of knowledge, techniques, wisdom, arts, and culture” (Art. 343)

In response to the international and national context, the DPE states its commitment to the ISHR as part of its constitutional and international mandate of promotion of rights as the National Institution of Human Rights (NIHR). The DPE considers of high relevance its work in HRE because the educational processes are oriented toward building a culture of human rights, contributing to the enforcement of the exercise of individual and collective rights (Defensoría del Pueblo de Ecuador, 2016b, 2016c, Presentation).

The DPE resources explicitly state that its program of HRE is based on five principles: *participatory perspective*, recognizing experiences and knowledge that must be integrated in the construction of learning; *integration* between humans and nature, collective and individual, cognitive and affective skills; *complementarity* between formal, non-formal, and informal education; *intersectionality* among gender, ethnic, intergenerational, intercultural, disabilities and human mobility factors, among others; and finally, *practical value*, searching for significant learning in order to be applied (Defensoría del Pueblo de Ecuador, 2016b, pág. 11).

Because its vision about HRE is not explicitly stated in the guide or handbook, it can also be drawn from another document of the DPE, the Institutional Memoir for its 20th Anniversary, where the DPE establishes that (Defensoría del Pueblo de Ecuador, 2016a):

Human rights “are not in the books, norms, doctrines, jurisprudence. Human rights are in our daily lives, in how we see to one another, how we identify as human beings, how we recognize ourselves: as equals or similar“ (R. Rivadeneira³⁵, personal communication, January 12th, 2016), therefore it is imperative that the *Defensoría* continue working on rights education, not only as a formal education limited to the transmission of knowledge, but as a transformative education that promotes a culture of peace and respect for rights, based on the construction of new attitudes, aptitudes and skills for life; hence, through a bigger number of educational processes of such characteristics, addressed to different audiences in schools, communities, and institutions, an effective positioning of human rights can be achieved, not only as a discourse, but in the decisions of authorities, judicial and administrative resolutions, and in everyday actions of every member of society (p. 90).

In the context of the educational model as the negotiation between what society expects from an institution and how the institutions understand education in that framework and answer to that expectation, the DPE expressed, through the principles of the HRE program and the statement of its Ombudsperson, how they understand human rights and HRE in the historical, social and political context of Ecuador. For the DPE human rights are not only imposed by laws, but are experienced in every aspect of life, so in order to achieve them, it is fundamental to have a program of HRE inside and outside the schooling system. HRE must be based not only on knowledge about rights, but on the attitudes, aptitudes, and actions of the authorities, public servants, and general public. Following the constitutional principles, HRE has to be a significant learning process useful for life, participatory, inclusive, broad, intercultural, and intersectional.

Whichever way the DPE states the relevance of education and its vision about the matter, it is also important to put it into practice during the development of the program.

³⁵ Ramiro Rivadeneira Silva, Fifth Ombudsman of Ecuador, 2011-2016

Therefore, the coherence and cohesiveness of this *manifesto* are tested in the praxis, in the relationship between the objectives at every level of the program, and between objectives and activities.

The pedagogical model: How are the educational principles applied from the superstructure to the educated?

Theories of education used to build the pedagogical model. A pedagogical model is a set of educational practices articulated around some theoretical principles and practices. Every pedagogical model answers to the social contexts of education and the frameworks in which education is understood, in a particular setting and moment. A useful classification of pedagogical models is provided by Zubiría (2013), who defines and contrast the Scholastic (traditional model), the Constructivist, Cognitivist, Active School, and the Sociocritical models. The pedagogical model of the HRE program described by the DPE is constructivist.

Constructivisms³⁶ are the pedagogical models used broadly in the second half of the 20th Century and 21st Century. These models try to answer the ancient question: Is reality discovered or constructed? Constructivism(s) position is that reality is a human construction, and learners cannot grasp the objective “truth” or “reality,” but only the experiences they have around it (Grupo Santillana, 2009a). Consequently, knowledge (about reality) cannot be transferred or taught, as the traditional Scholastic model proposed. The educational process is not centered on the cumulative knowledge of the educator (and the careful planning of contents), but on the active role of the educated. The educator becomes a guide, a facilitator of the learning process.

³⁶ Constructivisms are referred in the plural, because according to Coll (2001), there are three: cognitive constructivisms (focused on the individual process of learning), socio-cultural constructivism (focused on Vygotsky’s social interactionism), and socio-linguistic constructivism (focused on language use, and linguistic and discursive practices) (in de Zubiría, 2013)

Additionally, according to Constructivism, the educated has an active role in his/her learning process, and his/her wellbeing is a fundamental aspect to be assessed at the end of that process. Because this model is based on the educated, learners need opportunities and a proper learning environment to construct their knowledge by themselves, based on their previous experiences, giving meaning to their learning process (de Zubiría, 2013; Grupo Santillana, 2009a; Schunk, 2012).

This statement is important because the HRE program of the DPE is continually referring to the importance of the self-oriented and self-assessed learning process, where the elements provided by the program are useful to build, enforce, and promote the recognition of the learner as a subject of rights and a culture of rights, recognizing that knowledge cannot be transmitted but instead is shared and constructed collectively and that it has to be part of a meaningful learning process.

The second theory explicit in the texts is the Meaningful Knowledge of Ausubel. Ausubel's theory understands knowledge as a process in which the construction of meaning is based on the conceptual structure that the educated already possesses. Therefore, new meanings only occur in connection to past experiences, and new knowledge is assembled upon previous knowledge (de Zubiría, 2013). The DPE materials state that learning is a long-lasting process that connects thoughts with feelings, and must consider the actors (educated and educators), the structures of knowledge, and the social context.

The third theory stated in the DPE materials is the Learning Cycle. The experiential learning theory, developed in 1984 by Kolb, is usually depicted as a wheel representing a four-stage learning cycle: *concrete experience* (doing, having an experience); *reflective observation* (reviewing, reflecting on the experience); *abstract conceptualization* (learning

from experiences); and *active experimentation* (planning, trying out new things related to past experiences) (Kolb & Kolb, 2009). In the DPE guide and handbook, the learning cycle is explicitly described as involving: *experience*, *reflection*, *integrated knowledge*, and *plan for action*. The methodological decision about the learning cycle nomenclature and uses appears to have been made before the creation of these materials because two documents are cited in the bibliography related to this topic³⁷, documents that are not a subject of this analysis.

A fourth theory is not presented explicitly, but the DPE's principles of participation and dialogue point out to the Social Development Theory of Vygotsky. Vygotsky's theory argues that physical development is not *prior* knowledge, but that knowledge mediated by social interactions is indispensable for development. Therefore, Vygotsky proposed that knowledge is not a physical endeavor, as proposed by Piaget, but a social one (de Zubiría, 2013). In that context, Vygotsky's theory is relevant to explaining why, at the meso-level, participation is a principle and an objective explicitly stated in the program. At the micro-level, almost every activity proposes some sort of participatory and collective acquisition of knowledge. Hence, the DPE acknowledges that social interactions are essential for learning.

Let us recap! The pedagogical model at the meso-level of analysis implies a theoretical explanation of the learning process. In these books, the first three theories are explicit, and therefore, they are easier to identify and then compare their coherence in the praxis. The last theory can only be inferred, based on the principles of participation and dialogue. As explained in the methodological chapter, the manifest content helps to understand how the DPE states its positionality towards HRE as an educational discourse, yet

³⁷ The two documents published by the DPE and cited are: *Soporte teórico ciclos de enseñanza aprendizaje* (2014) *Directrices para el diseño y ejecución de procesos educativos en derechos humanos y de la naturaleza desde la Defensoría del Pueblo de Ecuador* (2015b).

not everything is usually explicitly stated by the sign-maker. Sometimes, it is also relevant to make visible theories and approaches that have been inadvertently or unwantedly expressed.

Hence the interest in this dissertation to continually point out the manifest or latent presence of theories, approaches, concepts, and praxes, in order to make the invisible visible, to connect theory with praxis, and to question what is intended and achieved at the micro-level. This chapter will inquire into the educative discourse that constitutes the essence of the HRE program. The human rights discourse and the communicative discourse will be analyzed in further chapters.

Elements of the pedagogical model. Six elements identify or differentiate one pedagogical model from the other. According to Coll (1994, in de Zubiría, 2013) a pedagogical model essentially answers the questions “Why teach (goals)?”, “What should be taught (content)?”, and “When (sequence), how (methods), and with what means (resources)?” Finally, “What, how, and when to evaluate (assessment)?” Therefore, de Zubiría (2013) proposes that for constructivism(s) the goal of education is the comprehension and the conceptual change. The contents must be carefully selected because they must encourage the discovery process of the educated, and they are of three types: cognitive, affective, and procedural. The sequence is open, flexible, inclusive, and generalistic. The methods and resources are self-structured, active, reflective, and dialogical. The evaluation is subjective, qualitative, and integral. Next, I will analyze each element of the pedagogical model of the HRE program.

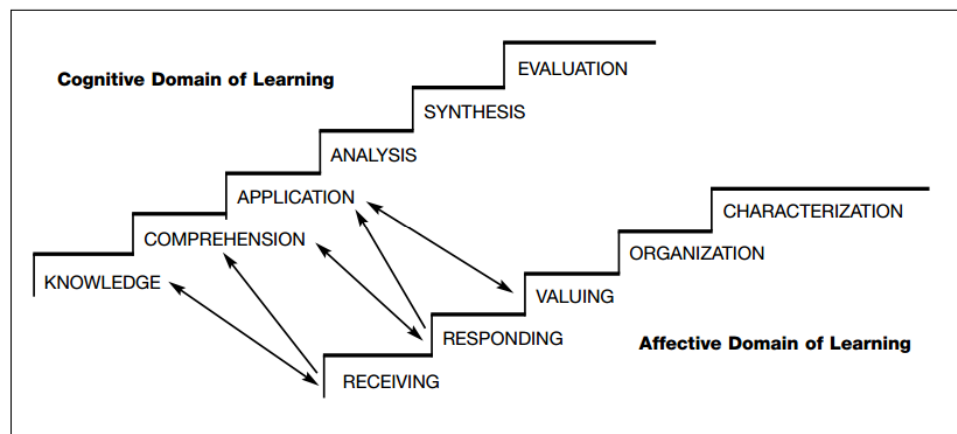
Why teach?: Goals in the HRE program. The DPE uses several levels of objectives. According to Bloom's Taxonomy, revised by Anderson and eight other colleagues³⁸, the cognitive, affective, and psychomotor domains of knowledge are built on levels that must be acquired in a specific order in a continuum from simple to complex, and from concrete to abstract (Anderson & Krathwohl, 2001). Educators around the world have used the taxonomy of objectives since its creation in 1948. It is a helpful tool to organize and regularize categories and subcategories of objectives to provide a conceptual framework, to have a common language among educators, curriculum planners, authorities and students (Anderson & Krathwohl, 2001). I will use this taxonomy to interpret the goals proposed by the DPE³⁹.

The cognitive domain organizes the cognitive process in six levels. According to Crawford, Saul, Mathews, and Makinster (2005), the six levels can be divided into two groups. The first three are considered lower-order thinking skills (LOTS) and are the initial state of knowledge. They are: *remembering* (recalling of facts and basic concepts), followed by *understanding* (explaining ideas or concepts), and *applying* (using information in new situations). The next three levels (considered higher-order thinking skills -HOTS) are more complex and require the previous steps for their fulfillment. They are: *analyzing* (drawing connections among ideas), *evaluating* (justifying a stand or decision), and *creating* (producing new or original knowledge) (Anderson & Krathwohl, 2001).

³⁸ The original group always considered the framework a work in progress, neither finished nor final. Indeed, only the cognitive domain was developed initially. The affective domain was developed later (Krathwohl, Bloom, and Masia, 1964), and although both Simpson (1966) and Harrow (1972) provided frameworks for the psychomotor domain, the original group never did, and later the whole handbook of Bloom was revised by Anderson, Krathwohl, and eight other colleagues, in 1999.

³⁹ I will use Bloom's Taxonomy because it is the most used and researched framework of educational objectives in pedagogy. There are others, such as Structure of Observed Learning Outcomes (SOLO) of Collis and Biggs of 1992, and Marzano's New Taxonomy of Educational Objectives of 2001, among others.

Every knowledge acquisition involves some affective component, including attitudes, motivation, and values. The affective domain organizes attitudinal-based learning outcomes. According to Krathwohl, there are five levels of categories: *receiving/attending* (willingness to become aware), *responding* (appreciating or internalizing), *valuing* (accepting, preferring, becoming committed to), *conceptualizing/organizing* (incorporating into a value system), and *characterising by value* (orientation towards/identification with) (Krathwohl, Bloom, & Masia, 1956). These categories, less known and used than the cognitive ones, have been taken seriously again after the UNESCO and several authors declared that the affective domain is important for learning as the cognitive one. **Figure 4** shows the comparison between the levels of the cognitive and affective domains of learning proposed by Bloom, and revised by Anderson & Krathwohl (2001).



Source: (Batt, 2015)

Figure 4. Comparison between the Cognitive and Affective Domains of Learning.

Among the types of objectives proposed in an educational program, there are the educational objectives and the learning goals. The *educational objective* is a broad goal intended to be achieved in the long-term, after some time, toward the end of the educational program. The DPE proposes building learnings, aptitudes, attitudes, and behaviors that

contribute to the exercise of rights, the promotion of a culture of rights, and the prevention and protection of the rights of individuals and collectivities. The HRE proposal of the DPE intends to create the conditions for the exercise and guaranteeing of rights, advocating for the questioning of the social and cultural conditions in which human rights are exercised. These goals can be categorized among the higher-order thinking skills (HOTS). The verbs “build”, “contribute”, “create” and “promote” are related to the higher level of Bloom’s cognitive taxonomy previously explained: *creation*.⁴⁰ The level of creation is the highest because it implies not only the precedent understanding and analysis of a problem or topic but the possibility of putting the new knowledge into practice, after evaluating the best options and opportunities.

However, as good as it sounds, according to de la Herrán & Paredes (2008), the ontological principles of any educational program can be fulfilled during its execution or can clash against the reality of activities and workshops that cannot be put into practice in the educational setting (either a classroom or any other educational space). Therefore, there must exist consistency between the macro-, meso-, and micro-level of the educational design.

The second kind of objectives used in the documents is the *learning goals*. They are intended to state what the educated would be able to do at the end of the learning process. The handbook addresses eight learning goals (p. 9), and the guide focuses on seven (p. 9). Both documents have five common goals: a) to recognize oneself as a subject of rights; b) to use and apply basic human rights concepts; c) to recognize the elements that constitute the human rights approach and its importance in the prevention of discrimination; d) to describe

⁴⁰ According to Anderson and Krathwohl, the creative process can be divided into three: problem representation (attempts to understand the task and generate possible solutions); solution planning (examination of the possibilities and devising a workable plan); and solution execution (carrying out the plan successfully) (Anderson & Krathwohl, 2001)

the existing mechanisms for the protection and guaranteeing of all rights; e) to identify the rights in the Constitution and the corresponding obligations of the State; f) to use concepts and tools that contribute to developing actions and strategies of community action for the promotion of human rights, citizenship, and good living. The comparison between the learning goals of the guide and handbook shows that the documents are consistent with each other, aiming towards the same vision of HRE.

However, it is vital to remark the inconsistencies presented in the educative design, which, as mentioned before, can jeopardize the learning process. First, there is no consistency between the objectives of various levels, and the objectives and the domains of learning. To begin with, the learning goals of the units of the handbook and the modules of the guide are inconsistent. In the handbook, Units 1 through 5 correspond to the first five learning goals, and Unit 7 is the eight learning goals of the handbook (p. 9). The goal of Unit 6 is not stated among the general learning goals, and the sixth and seventh learning goals of the handbook are not correlated with any specific unit. Conversely, in the case of the guide, the learning goals stated in the document are not (explicitly) correlated with any module. This finding shows the danger of stating learning goals without explicitly connecting them later with the activities of units or modules, which can disconnect the pedagogical level from the didactic one, confounding the desired outcomes.

Another aspect to analyze is the consistency between the desire to integrate the cognitive and affective domains of learning at a higher level of thinking. The results show that most of the *learning goals* of the DPE are from the cognitive domain. They use verbs that describe lower-order skills (LOTS) about human rights knowledge, such as “describe”, “identify”, “recognize” elements and actors of human rights, and then propose to apply, use,

and promote them. It seems that the designers of the program assumed that the lower-order skills proposed in the learning goals would be enough to produce the higher-order skills (HOTS), desired by the educational objective of the HRE program.

The program only uses a couple of goals from the affective domain. The verbs used are “to self-recognize” (a LOTS verb) and “to internalize” (a HOTS verb). There are no procedural objectives explicitly stated among the learning goals. The previous analysis implies that even when the educational model promotes a link between the cognitive and affective aspects of learning, in practice, there is more significant weight on the cognitive domain and a considerable lack of explicit objectives relating to the other two domains of learning. Therefore, there is a gap between what the objectives and goals of the macro- and meso-level propose and the domains of learning that can be achieved with those goals at the micro-level.

A second inconsistency exists between the principles of the program and the objectives. The DPE proposal is based on the principles of *participation, integrality, complementarity, intersectionality, and practical value*. These principles are assumed as pedagogical approaches, and at the same time, they are presented, planned and developed implicitly in the activities at the micro-level. It seems that these values are at the same time principles and praxis; therefore, the DPE considers it unnecessary to state them as learning goals. This is problematic because, by not being stated explicitly, it is harder to apply and evaluate their fulfillment.

What and when to teach?: Principles, modules, topics and activities and their sequence. In a pedagogical model, the contents must be distributed in a sequence, which shows the logical prioritization of topics and skills that will be learned from the easier (or

more concrete if that is the case) to the more complex (probably more abstract) knowledge. It could also imply the need for development of a certain kind of skills needed prior to the acquisition of further skills.

In terms of the DPE, the development of the programs shows the distribution of the topics in modules or units, ordered in almost the same way in the guide and the handbook. They place the self-discovering process as the first skill to be developed. It is important because it follows the idea that in order to exercise and demand rights, the individual must recognize oneself (understood as the cognition and recognition of something) as a subject of rights and as an intrinsic bearer of them. Then, they develop the conceptual framework of rights (history, principles, characteristics, and functions), including the principles on which human rights are based (such as dignity, equality, liberty, and non-discrimination), and other essential elements such as the *transversalización*⁴¹ of the human rights-based approach. Later they develop the topic of Good Living, the philosophical and political principle of the Ecuadorian State, including the role and place of the DPE in the national context, and finally, they talk about related topics such as citizenship, social participation and control, and democracy. **Figure 5** shows a summary of the units in the handbook and workbook and modules in the guide, distributed in topics, workshops and activities.

⁴¹ As explained in the previous chapter, the principle of the *transversalización* of the human rights-based approach. In education, it is a concept that implies the cross-cutting inclusion of human rights through all the educational process, not only as a topic but as a praxis in all levels, fields of study, activities and policies, involving all actors (authorities, educators and educated) and in every stage of the educational process.

| Guide | Handbook | Workbook |
|--|---|--|
| <ul style="list-style-type: none"> •5 modules •13 topics •53 activities •Additional chapter with 6 ice-brakers | <ul style="list-style-type: none"> •7 Units •23 workshops •60 activities •Most activities are connected to the workbook | <ul style="list-style-type: none"> •7 units •31 topics •76 activities •Most activities are connected to the handbook |

Source: Graphic made by the author

Figure 5. Comparative chart of Units/Modules, Topics/Workshops, and Activities of the three resources of the DPE.

The **guide** is divided into five modules. The first one, *Identity and Human Rights*, presents three topics: Identity, Self-esteem, and Empowerment. The topics are separated into 10 activities in total. The second module is *Basic Aspects of Human Rights*, divided into four topics: History of Human Rights, Fundamentals of Human Rights, Function of Human Rights, and Characteristics of Human Rights, consisting of 17 activities in total. The third module is the *Rights Approach* divided into 6 activities. The fourth module is *Protection of the Human Rights*, divided into five topics: Obligations of the State, Protection of the Human Rights in the International Arena, Protection of Human Rights at the National Level, Obligations of the Public Servants, and Enforceability, consisting of 16 activities. The last module is *Defensoría del Pueblo as the Institution of Human Rights*, with one topic: The Role of the *Defensoría del Pueblo de Ecuador*, divided into four activities.

The **handbook** is organized into seven units. *Unit 1: Self-esteem, Identity, and Empowerment* presents a small conceptual framework for each topic (Construction of Identities, Self-esteem, and Adolescents' Empowerment for Participation), and develops three workshops, one for each topic. *Unit 2: Human Rights*, presents seven sections (History of Human Rights, Human Rights in the International Instruments, Fundamentals of Rights

(dignity, equality, and freedom), Definition of Human Rights, Function of Human Rights, Characteristics of Human Rights, and Applied Principles of Human Rights), and proposes four workshops (History, Fundamentals, Characteristics and Principles, and Concepts and Functions of Human Rights). *Unit 3: Human rights-based approaches*, presents only three workshops (Human Rights, Intercultural, Human Mobility, Discapacities Approach, Gender Approach, and Intergenerational and Human Rights-based Approach). *Unit 4: Equality and non-discrimination*, presents the framework for two topics: Elements of Discrimination, and Prejudice and Stereotypes (divided into two workshops, one for each topic). *Unit 5: Good Living in Ecuador*, develops four topics (Good Living, The Constitution of Ecuador, Obligation of the State towards Human Rights, and Functions of the Ecuadorian State), organized in five workshops (Public Institutionalidad and the Obligations of the State towards Human Rights, Rights in the Constitution of Ecuador, Field Trip to the Public Institutions, Good Living, and Mechanism of Enforceability of Human Rights). *Unit 6: Recap*, presents two workshops (I Recognize Myself, I Value and Know my Rights, and I Exercise my Rights and Respect the Rights of Others Without Distinctions). *Unit 7: Citizenship and Social Participation*, highlights four topics (Citizenship and Democracy, Participation, Participation and Social Control, and Social Organization), developed in four workshops (Democracy, Citizenship and Participation, Participation of Adolescents -homework, and Social Organization and Social Control).

The **workbook** is also divided into seven units. Let us remember that this document is built as a companion for the handbook, and thus, it is similar but not identical. *Unit 1: Self-esteem, Identity and Empowerment*, develops activities for each of the three topics. *Unit 2: Human Rights*, presents activities for six topics (Fundamentals of Human Rights, Dignity,

Equality, Liberty, Applied Principles of Human Rights, and Human Rights). *Unit 3: Human rights-based approaches: Interculturality, Human Mobility, Disabilities, Gender, and Intergenerationality*, present activities for seven topics (Human Rights, Intercultural, Human Mobility, Discapacities Approach, My experience, Gender Approach, and Intergenerational Approach). *Unit 4: Discrimination*, develops activities for five topics (Equality, Formal Equality, Material Equality, Stereotypes as the Basis of Prejudices, and Elements of Discrimination). *Unit 5: Good Living in Ecuador*, presents activities for five topics (Good Living, The Constitution of Ecuador, Classification of Rights According to the Constitution of Ecuador, Duties of the State towards Human Rights, and Functions of the State). *Unit 6: Recap*, develops activities for one topic (Advice to Reduce Prejudice and Discrimination). *Unit 7: Citizenship and Social Participation*, develops activities for three topics (Democracy, Citizenship and Social Participation, and Importance of Civic Participation and Social Control). It is the most visual document of the three; its visual elements will be analyzed in the next chapter on the multimodal aspects of the discourse.

The implicit construction of the handbook and guide shows a sequence focused first on the enforcement and empowerment of the subject of rights, then on the essential elements of human rights, the Ecuadorian context of Good Living, and later, on the values of citizenship and social participation. This distribution ratifies the idea that, for the DPE, the sole fact of knowing a topic implies the possibility of enforcement, promotion, and exercise of rights. However, the handbook and workbook are closer to developing the principles of the HRE program than the guide, due to the nature of their activities and their target audience. They develop more activities regarding affective and procedural learning goals. In the

conclusion of the chapter, I will go back to the overall consistency between their content, goals, and modules.

How and with what resources to teach?: Method and resources. Recapitulating, the DPE's pedagogical model is based on three theories: Constructivist, Meaningful Learning, and Learning Cycle. The first two have already been described as the general theoretical framework of the program. The Learning Cycle is analyzed at the didactic level because it is during the lesson planning that it is applied. However, it is necessary to highlight, at the meso-level, the theoretical framework of the Learning Cycle as a strategy for applying the didactic model.

With respect to the strategy and resources of the pedagogical model, the DPE's documents are based on a learning cycle proposed by the organization, consisting of four phases: *experience*, *reflection*, *integration of knowledge* and *planning for action*. The DPE developed a chart with the phases of the learning cycle in the horizontal axis and the objectives of the process in the vertical axis (which are not the same as those presented on page 9). It is not clear if it belongs to the design of the meaning makers or if it is based on some author(s) because the name of the phases of the learning cycle does not correspond entirely to the renowned Kolb's Learning Cycle. I assume this chart is part of other methodological document(s) around the HRE framework of the DPE⁴².

The resources used depend on the pedagogical model. Constructivism requires a big deal of resources produced prior to the class. One of the limitations of constructivism(s) is the high cost of producing materials coherent with the learning processes, compared to the traditional scholastic model where the only resource needed is the teacher, a blackboard and

⁴² I have mentioned that there are two technical documents produced by the DPE, cited in the bibliography, that are not part of this analysis.

chalk. In that aspect, the guide and the handbook (with its workbook) include abundant (innovative, creative, and inexpensive) pre-elaborated resources. The resources of these books are the primary concern of the multimodal analysis proposed in the next chapter because, in education, it is as relevant that the resources and activities are creative or innovative than they are appropriate to achieve the goal in mind.

How to evaluate?: Assessment, the gap between proposing and achieving. In the introductory chapters of the handbook and guide, there is no mention of the pedagogical proposal for the assessment process of the HRE program. It is not stated later, during the development of the workshops and activities, either. I can infer that the assessment of the handbook is the workbook, even though it is not designed to be graded or checked by the facilitator. The guide does not implicitly determine which model of assessment is considered. The inexistence of a method of assessment (which does not imply grading or measurements) can compromise the effectiveness of any educational program because it is fundamental to have some sort of mechanism to follow the progress, correct and improve the activities, and provide feedback. It is possible that the standpoint of the DPE is a rejection of the idea of measuring a HRE learning process involving sensitive topics around human rights violations and discrimination. However, I repeat, assessment is vital and does not equal measurements or grading. Many of the products of the activities of the workshops and lessons can be used to systematize the advancement, strengths, and limitations of the learning process and have feedback to improve it.

Didactic model: Where educators and educated encounter each other. Didactics studies the principles and praxis of the educators; it is also called the art of teaching⁴³.

⁴³ It comes from the Greek *didaskein* (to teach) and *tékne* (art)

However, it implies not only the decision-making of the educators, but the relation and evolution of the actors' journeys during the time they are together, the reality and problematics of the teachings in a given moment and institution, and also the methods of educational communication inside the learning spaces (de la Herrán & Paredes, 2008). It is the micro-level of the learning process, where educated and educators are faced within a specific environment, affected by all the macro- and meso-level decisions that have been taken without them.

Didactics focuses on elements such as who is involved in the process (actors), what are the characteristics of the learning environment, what techniques and resources are used, what is the discourse about the topics proposed in the curriculum, and what goals are pursued, that will be analyzed separately, next.

Who are the actors?: Facilitators, participants, and the DPE. Facilitators: they are the personnel who are prepared to accompany the participants in their learning process. According to the DPE, the facilitators are bound to follow six principles of facilitation: *language* (because reality can be constructed, maintained, and modified by it); *relationships*, because people are more important than personal positions; *opportunity*, because learning moments are precious and sometimes unique; *effectiveness*, using the appropriate selection of resources in order to achieve the expected results; *motivation*, to create an appropriate climate to mobilize resources, participants and groups; and *perceptual flexibility*, to discover and use problems and difficulties as an opportunity to generate change (Defensoría del Pueblo de Ecuador, 2016b; 2016c).

Apart from the principles that govern the process, the facilitators also have duties and responsibilities toward guaranteeing the wellbeing of the participants. Among them are to

create a healthy and positive space that generates trust and transparency, inclusiveness, and participation; to promote dialogue and critical analysis; to adapt the program to the specific needs of the ethnic, cultural, or age group; and to ensure the security and integrity of the participants. On a personal level, they must be coherent with human rights and non-discriminatory principles; be self-reflective and conscious of personal bias (generated by ideas, beliefs, attitudes, stereotypes, and other aspects), be self-aware of their personal verbal, non-verbal, and body language; and be responsible for all their personal and professional behavior. In the process, the facilitators should be as attentive to the process as to the results, promoting a dialogue for the resolution of differences, and being sensitive to the power relations and balances among participants.

On a pedagogical level, the facilitators have the responsibility for planning and implementing the program. They must create a timetable and an initial induction to the participants, implement the DPE resources as designed, register attendance, respect the learning process of the participants (materials, participation, and assessment), and readdress toward the DPE cases in which human rights are suspected of being violated.

Participants: they are the reason for the program. They are the people who will construct the process for the “exercise of citizenship, human rights, and the promotion of good living” (Defensoría del Pueblo de Ecuador, 2015b, p. 18). Their role is to participate actively and willingly, respect the agreements, contribute to the process, and participate in the assessment.

However, the audiences to whom the resources are addressed are diverse. The guide seeks “to provide information, tools, and methodological guidelines necessary to work on basic aspects of human rights that the Ombudsperson puts at the service of the facilitators,

public institutions, international organizations, and civil society interested in the promotion of rights” (Defensoría del Pueblo de Ecuador, 2016b, p. 9). Therefore, the guide is aimed primarily at the facilitators of the HRE programs at various levels. Moreover, the targeted audience of the activities in the lesson plans is diverse: children, adolescents, adults, and seniors. Some activities are only for one audience, for example, children or seniors. Most of the activities are for multiple audiences, for example, adolescents, adults, and seniors.

Meanwhile, the handbook and workbook serve the Student Participation Program of the Ministry of Education of Ecuador. This program also seeks to provide information, tools, and methodological guidelines. The handbook is addressed to educators who will implement the program of HRE, but the target audience of the workshops is the first and second-year high school students and indirectly their families, educational institutions, and communities (Defensoría del Pueblo de Ecuador, 2016c).

Defensoría del Pueblo. In the handbook, the NIHR is also an actor in the learning process. Its role is to train the facilitators and coordinators; to accompany and follow the development and implementation of the process; to facilitate the construction of community projects and activities; and to offer support to the facilitators when they identify possible violations of human rights among the participants.

However, it is necessary to clarify that the books are addressed mainly to the facilitators, even though it is remarkable that the participants of the HRE program are multiple and diverse. Many of the activities are too complex to be understood or developed by one person and can lead to misinterpretations about the treatment of the content. For example, some activities in the guide are directed toward children and adolescents and are proposed to be developed in face-to-face interactions or through virtual learning; in the case

of virtual learning, children are not capable of self-directing complex discussion and will require further explanation of the theoretical framework about power/empowerment, diversity, and violence. This generates the same criticism around previous knowledge about human rights principles and related topics. For example, when talking about gender, history of rights, power relations, or the rights of priority-attention groups, the handbook defines the topics in a couple of paragraphs, and the guide sometimes does so in less space. The participants will not have enough knowledge to understand or discuss the topics, because the program is at an initial stage, and therefore they have no previous knowledge. The same thing occurs around the methods and activities. Not many participants will understand the learning cycle, the levels of intervention, the difference between a group activity, a plenary, group discussions, sociodrama, or role-playing, especially if the targeted audience is children.

As mentioned before, in general, the person who conducts or leads the praxis of these books must be an educator, not just anyone. He/she has to be a *connoisseur* of human rights and pedagogy. The facilitator cannot be only a well-intentioned person who wants to apply the DPE's methodology, but needs to be an educator who can change, adapt, complete, or modify lesson plans, can manage sensitive discussions and answer hard questions about human rights violations, can question the content given as foundational and adapt it depending on the participants and the environment, and can give further explanations about principles, values, characteristics, and many other topics involved in the program. In that context, the DPE does not explicitly state the requirements of the facilitator, nor does it explain whether if that person needs previous instruction in other stages of the program.

Where does it happen?: Educational environments for the HRE program. The handbook and workbook are aimed at high school students; therefore, schools and classrooms are the expected learning environments. The DPE can use the complete infrastructure of formal education, promoting activities inside and outside the classroom. On the one hand, this smooths the processes because the HRE program can benefit from all the resources of the educational institution. On the other hand, it represents a limitation, because the HRE program depends on the willingness of the educational institution to include it in its curriculum and the limits that it imposes on the program.

Meanwhile, in terms of the guide, the educational environment is non-formal. It is intended to be applied in non-educational organizations (such as national and international NGOs, public institutions, and other civil society organizations). Non-formal education also represents both a challenge and an opportunity. The DPE must overcome the internal policies and bureaucracy of institutions or organizations not used to educational and training endeavors mingling with their day to day work. However, because they are not an educational organization and have no previous expectations, this type of learning environment allows for a broader range of didactic creativity. The guide also proposes activities in two modes: face to face (inside or outside a classroom) and virtual learning (self-tutored or teacher tutored). Most children-targeted activities are proposed to be performed face to face, yet it also depends on the type of activity, mainly if they need interaction with others. I will suggest analyze in the section about the model of HRE, that the type of audience also determines the type of HRE program and its goals.

The diverse approach around the learning environment seems to be consistent with the standpoint of the DPE regarding the proposition that HRE is a learning process to be

developed inside or outside the classroom, in many daily living spaces. It also opens the possibility of multiple learning opportunities to develop the DPE's HRE program. However, I insist, the program is too complex to be self-directed, especially by children or adolescents.

What techniques are used?: Essential elements of the lesson planning. The learning process for the DPE has four elements: levels, methods, techniques, and educational resources. These elements of the micro-level are one of the strengths of the program. They present a multimodal didactic toolkit of activities based on pre-designed or adapted materials from multiple sources. Precisely this characteristic of the books determined the study methodology of the dissertation, because it shows the need for a discourse analysis not based exclusively on written texts. This chapter describes some of the genres used by the DPE. Genre is an institutionalized form of production of contents following explicit rules of construction, the results of which are intuitively visible to the consumer (Jancsary, Höllerer, & Meyer, 2016). However, for researchers it is harder to separate one genre from another and their limits depend on the eyes of the researcher. Therefore, I will not consider the analysis of genre in this study. I will center my analysis on framing the different modes and the context where they are produced.

Level: It is the first element according to the DPE and considers the depth at which the lesson is designed. The DPE mentions four levels: *diffusion*, *sensitization*, *training*, and *formation*. *Diffusion* is the level of divulgation or socialization of information about human rights through activities that involve the person directly. This level is similar to the first two levels of Bloom's Taxonomy. *Sensitization* implies "experimentation, through the senses, to generate conscience" (Defensoría del Pueblo de Ecuador, 2016b, p. 13). It is a step further which not only provides information but also generates reflexion. This level can be paired to

the second and third levels of Bloom (understanding and analyzing). *Training* is a level oriented toward increasing knowledge and the development of skills and capabilities oriented toward the exercise of human and Nature rights. This level can be understood in Bloom's taxonomy as the third level (applying). Finally, *Formation* is a higher level of the learning process. It is an in-depth, sustainable process aiming to develop cognitive and attitudinal skills to improve the exercise and protection of rights. This level also seems to belong to the Applying level of Bloom. Due to their nature, both the handbook and guide use only the *sensitization* and *training* levels.

Method: is the second element of the learning process. It is the strategic selection of paths to achieve the objectives and learning outcomes intended. The methods proposed by the DPE are congress, encounter, conference, teleconference, fair, online course, forum, and workshop. The method is also different in the guide and the handbook. In the first case, due to its nature as a methodological guide, it presents a broader development of strategies, in order to provide the facilitators with a broader range of alternatives. The primary strategy used in the handbook is the workshop⁴⁴. Eventually, others can be used, such as video forum or cinema.

Techniques: This element involves tools or activities used to implement the method. The DPE uses the lecture (instructor-based activity of knowledge transmission aided by audiovisual materials), group dynamics (activities designed to integrate members of a group connecting activities or goals), case study (analysis and selection of solutions to real-life experiences), role-play (sociodrama useful to raise empathy prior the discussion of delicate

⁴⁴ The Workshop is defined as a participatory process that intertwines theory and practice. This method "produces specific knowledge needed in a concrete reality [...] it combines the learning process with the concrete experimentation in an immediate context" inside or outside the institutional settings (Defensoría del Pueblo de Ecuador, 2016c, p. 15).

topics), brainstorm (exploration of previous knowledge and/or ideas about topics discussed), cooperative work (activities to build joint knowledge or comprehension of specific tasks), plenary session (space to draw conclusions, shared ideas, and doubts after a lecture), group work (discussion or identification of critical elements of the topics helped by an outline of questions). Both documents use the same techniques.

Didactic resources: This is a set of materials designed to aid, help, support, and complement the activities developed in the workshops and activities. They are diverse, and they depend on the level, method, and type of activity proposed: multimedia (videos, songs, links) or printed (songs, cards, images, puzzles). These resources are the core matter of the multimodal analysis because they provide multiple modes for presenting the materials. The methodological guide offers an enhanced selection of resources, while the handbook presents a more in-depth conceptualization of the topics treated in the program. The guide and the handbook contain very few visual elements, while the workbook is the more visual of the three. The handbook and the workbook are intertwined and cannot work separately.

Lesson planning and learning cycle of the activities. Active learning occurs to the extent that it is carefully planned, considering the diversity and needs of learners (Grupo Santillana, 2009b); this highlights the importance of the lesson planning. It involves careful selection of the appropriate didactic elements according to each activity (short term action) or lesson (long term action) (Price & Nelson, 2000). The guide and handbook take into account most of the elements needed in lesson planning. A comparison of the elements of the lesson plans of the guide and the module is presented in Figure 6.

| Guide | Handbook |
|---|--|
| <ul style="list-style-type: none"> • Goal • Purpose • Moment and time • Modality • Technique • Audience • Didactical materials • Consumable materials | <ul style="list-style-type: none"> • Goal • Phases and time • Modality • Technique • Didactical material • Consumable material |

Source: Graphic made by the author

Figure 6. Comparative chart of the lesson plans of the guide and the handbook.

As mentioned before, the guide contains five modules and activities to advance each topic. Each activity contains goals, educational level, momentum, mode, technique, audience, time of implementation, consumable materials, instructions for the learning cycle, and resources. The handbook is divided into seven units, 23 workshops, and a total of 60 activities. Each activity contains goals, mode, time, didactic material, consumable material, instructions for the learning cycle, and appendices at the end of the books.

The guide includes a chapter, presented before the first module, dedicated to six opening activities. The guide proposes that in order to set an appropriate classroom environment, it is necessary to develop certain kinds of activities intended to foster trust, respect, security, and participation, stating the expectations, goals, and norms, solving any doubts that may be raised, and developing initial levels of familiarity among the participants. After that, each module presents a short conceptual introduction and the activities proposed for each topic.

Despite explaining the full cycle of learning in the introductory part of the guide and handbook (which theory has already been analyzed), the learning cycle is complete only in very few activities and workshops. In the case of the guide, only two activities (out of 53) develop the four stages of the cycle (p. 185 and 254). Two activities present only two stages (p. 51 and 127). The rest of the text presents a detailed step by step description of how to implement the first three stages of the learning cycle: linking to experience, reflexion, and integrating knowledge, in two orders (linking, reflecting, integrating, or integrating, linking and reflecting). The presence or absence of some stages of the cycle in the lesson plans could be related to the fact that the guide is for sensitization and training. Therefore, their activities are only proposed for the intermediate level of knowledge (conceptualized by the DPE), and these levels affect the depth of the knowledge, limiting also the fulfillment of the learning cycle.

The handbook presents an incomplete learning cycle in its activities, but its range of completion is broader. Only in seven of 61 cases do the activities of the workshops present steps to complete the four stages of the learning cycle, not always in the same order (workshop activities 5.3, 6.2, 9.3, 18.1, 23.1 and 23.2). In other cases, there is only one, two, or three stages, and they are not in the same order. In two cases, the workshops develop only one phase (workshop activities 14.2 and 15.1). Eleven activities present only two stages in different orders (2.1, 2.3, 2.5, 4.1, 5.1, 5.2, 14.1, 14.3, 17, 1, 17.2, 19.3). The rest of the activities develop three stages. It seems that the selection depends on the goal and level of knowledge proposed in each case, although this is not stated, and can only be inferred. Furthermore, in nine cases there is no consistency between what is stated in the chart at the

beginning of the activity and what is developed below (7.3, 9.3, 12.1, 16.2, 19.3, 22.1, 22.2, 23.1, 23.2).

In this respect, I found the third pedagogical inconsistency of the HRE program. According to Kolb and Kolb (2009), the learning cycle is not determined by the type of knowledge, and one can enter the process at any stage. Nonetheless, an effective learning process can only be achieved when the full circle of learning is completed, especially in a constructivist model that values the experiential stage of learning (Kolb & Kolb, 2009). I cannot infer if other conceptualizations made by the DPE support this way of applying the learning cycle because they are not explicitly stated in the materials.

Furthermore, it seems that the HRE program is designed for the lower levels of thinking in the cognitive domain: remembering, understanding, and applying. Despite the fact that the ontological conceptions of HRE propose that its goal is to produce citizens capable of criticizing the *status quo* and create appropriate conditions for the exercise and guaranty of rights, its HRE offer represents an elementary stage toward achieving such high goals. This could be solved, however, with the appropriate choice of pedagogical strategies or a profound comprehension of the human rights discourse by the facilitators.

Here, I direct your attention to the fourth pedagogical inconsistency, mentioned before. The handbook and the guide are addressed to facilitators, yet, it is not stated that this staff has to be equally well trained about human rights and pedagogy. The sole selection of the strategies, or on the contrary, a blind application of the program, can be very problematic. On the one hand, the handbook and guide can be fully understood –and applied– only if the facilitator has an in-depth knowledge of pedagogy. It does not represent only a selection of strategies, but the best strategies to obtain the best possible results. On the other hand, even if

the facilitator blindly follows the strategies proposed, the content is not deep enough to allow the facilitator to solve, answer, and guide the process about human rights education single-handedly.

Which goals and how to put them into practice?: Types of objectives and activities.

The categorization of the activities' goals as cognitive or affective was the most challenging and extensive part of the analysis presented in this chapter. Their nature was not evident or explicit. Therefore, I had to consider and evaluate the whole activity (including the steps of the learning cycle) and not just the goal stated at the beginning of each activity. My decisions were subjective, although I set some criteria for distinguishing one domain from the other⁴⁵. Still, I consider this analysis relevant to exploring this questions: First, was the program based on cognitive knowledge about rights or did it involve a more internal self-awareness raising experience (as some theory of HRE suggests and the DPE's program states)? Second, in the praxis, were the principles of the program of the DPE (participation, integrality, complementarity, intersectionality, and practical value) practiced within the lessons? Third, was there coherence throughout the program, from the educational objective and the learning goals to the goals of the activities?

The goals of the activities of the workshops and units are consistent when comparing the guide and the handbook. The program present activities from the cognitive and affective domain. Mostly, the verb used to determine the goal of the activity frames the domain of the activity itself. Nevertheless, in some cases during the analysis the verb used was not clear

⁴⁵ I used the definition, classification, and examples of the existing literature about the affective domain of learning goals (Krathwohl, Bloom, & Masia, 1956). However, the final decision was based on the idea the affective domain focuses on connecting directly to the experience or feelings of the participants. It was considered an objective of the affective domain only when it was self-reflective, and specifically aimed at generating attitudes and assessments of human rights issues in one's own life. On the other hand, it was not considered in the many activities that reflected on videos, cards, resources, and role-plays, which aimed to generate opinion or knowledge from an outsider positionality.

enough to limit the domain of the activity, or both domains were intertwined during the development of the activity itself. Therefore, I analyzed the whole lesson plan of each activity to determine its domain of learning. The results show that the balance tilts towards one side (cognitive) more than the other (affective).

The only exception is the first unit (in the handbook) and module (in the guide), related to the first learning objective of the HRE program: self-awareness and recognition of the participant as a subject and as a subject of rights. In this case the cognitive component was smaller than the affective skills developed. The verbs used are to recognize, reflect, identify, value, and understand. It was difficult to separate the cognitive and affective domain in these goals because the steps followed to develop them addressed both aspects at the same time, and the difference was slight. For example, to recognize aspects of identity and then reflect on how those aspects affect the participant's life, the activities proposed touch both aspects of knowledge (the facts about identity and how the participant feels/reflects upon it). However, holistically the activity was intended to develop affective skills more than cognitive ones, leading me to conclude that the first unit and module advanced mainly in the affective domain.

In the rest of the program, the general balance mainly presents goals from the cognitive domain of learning, with a significative lighter weight on the affective domain. As an example of this unequal distribution –from the approximately 60 activities on each book– only about one-third of them were mostly related to the first three levels of affective objectives: receiving, responding, and valuing attitudes. The verbs used were: to identify, recognize, reflect, sensitize, evoke, value, and experiment.

With respect to the other units (in the handbook) and modules (of the guide), the line between cognitive and affective was rather thin, although closer to the cognitive domain. About two-thirds of all the objectives and the steps to fulfill the activities in both books are cognitive. For example, although one activity (p. 120 of the handbook) includes a reflection, the goal of the activity has to do with recognizing the relationship between necessities and rights (which is a cognitive skill). Other cases of primarily cognitive goals were presented in activities that proposed role-playing scenarios about rights, yet, these do not involve feelings but rather the identification of elements or aspects about a topic such as identity or rights. In conclusion, there is considerably more weight on the cognitive domain of learning, although the affective domain is not entirely ignored.

From the analysis of the goals and activities it can also be inferred that the HRE principles of the program of the DPE –participation, integrality, complementarity, intersectionality, and practical value– are presented at the micro-level, even though they are not stated as learning goals at the beginning of the documents. Almost all the activities were planned for working in groups, plenaries, group discussions, role-plays, or small group expositions, thus developing participatory skills. Almost all the activities, as well, practiced some level of individual self-reflective aspects. Therefore, the books also follow the idea of integrality between the individual and the collective, and between the cognitive and the affective domains of knowledge, as described above. The goals and activities addressed both binaries, even if not in a balanced percentage.

Intersectionality is not defined as a concept in the DPE's materials but as a principle, that “integrates into the educational process the gender, ethnic, intergenerational, intercultural, disabilities and human mobility approaches, among others” (Defensoría del

Pueblo de Ecuador, 2016c, p. 11). It is not stated as a goal at the macro- or meso-levels neither is explicitly presented as a learning goal at the micro-level. Thus, it can only be inferred that the DPE understands the praxis of this principle as embedded inside the activities. The activities, especially in Unit 1 and 4 of the handbook and Module 1 and 3 of the guide, provide an opportunity to “walk a mile in someone else’s shoes,” in order to develop awareness about the factors of discrimination and the multiple ways to practice rights. For example, in Unit 4 of the handbook, role-playing and case studies are used as strategies to discuss discrimination, prejudices, and stereotypes; and in Unit 1, diversity is discussed by considering the multiple ways of constructing identity. In the guide, Module 3 is mostly concerned with developing activities to discuss the multiple axes of rights: human mobility, gender, intergenerationality, interculturality, and environment.

The notion of intersectionality as a theory and analytical tool to understand diversity and discrimination is closer to the DPE’s notion of *transversalización* of human rights-based approach that will be analyzed ontologically in the next chapter.

It is important to assess how the principles of participation and intersectionality are conceived. First, these values must be viewed as a cross-cutting approach throughout the whole program and not only in the units related to diversity, because the DPE considers intersectionality and participation to be principles, not just topics for discussion. Second, talking about a topic will not necessarily produce the expected effect, meaning that talking about participation or intersectionality does not equal living the principles in the program, as it will be shown later in the next chapter.

Finally, the practical value of the activities has to be reevaluated as well. Theoretically, this is related to the idea of connecting new knowledge with personal praxis,

making the learning process a meaningful personal learning process. I consider that probably all the activities are designed to tie together, to some degree, personal experiences with HRE. This is most evident in the activities that aim at the second and third levels of thinking. Nevertheless, the strategy used to achieve these levels of thinking is to discuss hypothetical cases, which can result in alienation and desensitization of the educated. In spite of this, the proposition of engaging the participants' lives with the program is valuable because some HRE programs focus only on dry cognitive knowledge of laws and facts (as some law-centered HRE programs propose), forgetting the importance of human rights in daily life.

Also, the principle regarding the complementarity between formal, non-formal, and informal settings is not addressed in both books equally, due to their nature. The handbook and workbook are aimed at a specific target (high-school students). Therefore, the setting is in an educational environment specifically related to the classroom, or to activities outside the classroom but within the educational institution, where the HRE program is applied. Conversely, the guide allows for a wide spectrum of action because it targets diverse specific audiences (public institutions, INGOs, and civil society organizations) so that it can be used in formal, non-formal, and informal learning environments.

Finally, there are some longitudinal inconsistencies between what is proposed in the educational goal and the learning and activities' goals, as mentioned above. The relationship between the learning goals proposed at the beginning of the documents is not systematically connected with units and modules. The learning goals of the books are mainly cognitive when the activities' goals are in many cases affective ones. The objectives by themselves are not enough to determine the type of activities developed, it being necessary to analyze the

whole activity to be able to evaluate their scope. Therefore, a closer review of these inconsistencies can build stronger propositions for HRE.

What contents are taught? A more in-depth analysis of the question about the content of the HRE program will be answered in Chapter 5, the ontological analysis of the HRE discourse, because it shows how the DPE conceives and represents its discourse about human rights, the construction of the subject of rights, and other factors around the positionality of the DPE as a sign-maker. The present chapter is centered on the educational consistency and coherence among the formal elements of the educational, pedagogical, and didactic models of the program.

From an educational standpoint, the guide and the handbook are methodological guides, which by their nature do not provide deep answers to theoretical aspects about human rights. Both documents refer to another resource: *The Theoretical Support for the Introduction to Human Rights* (2015), which is not part of the analysis of this dissertation. These books develop only small summaries and key concepts about human rights issues, the analysis of which will be found in the ontological chapter.

Education About, For or Through Human Rights and the DPE's Model of HRE

There are many ways to classify HRE according to models that offer productive outlines for theorizing its emergence, conceptualization, and implementation (Bajaj, 2017). Models to some degree incorporate the three mandatory elements of HRE, stated by the UN Declaration on Human Rights Education and Training (UNDHRET), that determine the scope of action of HRE: education *about*, *for*, and *through* human rights. According to the UNDHRET (2012), education *about* human rights provides “knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for

their protection”; education *through* human rights “includes learning and teaching in a way that respects the rights of both educators and learners”; and education *for* human rights focuses on “empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others” (Art. 2.2).

As mentioned in Chapter 2, Tibbitts (2002, 2017) studied and determined three main models of HRE that are broadly replicated and enforced by authors such as Bajaj (2011, 2017) and Coysh (2014, 2017): Values and Awareness, Accountability, and Transformational. The *Values and Awareness Model* (Tibbitts, 2002) or *HRE for Global Citizenship* (Bajaj, 2011) focuses on the content and on raising awareness about the importance of knowledge of human rights as a tool for their defense. It addresses a broad and diverse audience, especially in the initial stages of training. Its main flaw is that it usually focuses on a teacher and on content-centered transmission of knowledge (Tibbitts, 2002). This model is closely connected to education *about* human rights, focused on knowledge about the fundamental principles, terminology, documents, and values of human rights. It is also connected to the mandate of education *through* human rights, a knowledge-values-action-based principle that encourages a respectful environment for teaching and learning (Bajaj, 2011; Struthers, 2015).

Second, the Accountability Model targets at a more specific audience such as professionals dedicated to defending, guaranteeing, and managing human rights systems. Its emphasis is the knowledge of legal and normative aspects of human rights. Its greatest weakness is the dryness of the approach, which could generate a dehumanized and automatic practice of human rights enforcement (Tibbitts, 2002). This model is connected to the

mandate of education *about* and *through* human rights, like most of the HRE programs worldwide (Struthers, 2015).

Third, the Transformational Model (Tibbitts, 2002) or HRE for Transformative Action (Bajaj, 2011) aims to promote empowerment, activism, and defense of human rights. This model is closely related to education *for* human rights of the UNDHRET. It states that human rights are the way through which democracy, citizenship, and social change can be fulfilled. It often has a critical approach to power and hegemonic systems and requires complex designs and widespread execution (Tibbitts, 2002). Its most significant risk is its idealism, and even though it is in the core of the HRE as an agent of social transformation and social justice, the mandate of education for human rights and the transformational model are rarely applied (Bajaj, 2011; Struthers, 2015).

The three texts developed for the DPE's program fall into the first model of HRE proposed by Tibbitts, the Values and Awareness Model or education about human rights. According to Tibbitts (2002), this model addresses topics such as the history of human rights, essential instruments and mechanisms of protection, and international human rights concerns. The pedagogical methods used to teach the topics have proved to be very creative, but they hardly develop complementary skills for communication and activism. The strategy procures broad support in order to increase the public pressure towards authorities and can be set in diverse scenarios from campaigns, advertisement, community events, to informal, non-formal, and formal environments.

All these factors can be appreciated in the case studied. The DPE centered all the units and modules, except the first one, around knowledge about rights (such as the fundamentals, approaches, principles, and values related to rights), and the mechanisms of

enforceability in the context of Good Living (such as the role of the state, and the national and international institutions of rights, including the role of the DPE). Additionally, the didactic applied is very creative. It involves diversified strategies directed at specific audiences, one for the handbook and workbook, and another for the guide. As mentioned before, the DPE program has strong pedagogical support, and its didactics are detailed and well thought out. As in most cases of HRE programs of this model of education, most of the activities focus on the cognitive domain; yet, one-third of the books also address the affective domain. Mainly the first chapter is intended to develop affective skills (identity, self-esteem, and empowerment), not directly related to human rights reflection. However, it is not clear if the range depth of the activities of the affective domain is sufficient to produce long-term changes in behavior and attitudes beyond the cognitive level. Finally, the diverse audiences targeted can fulfill the ideal of mass support. The multiple audiences that the guide is intended for can serve as a broader scope of action, including national and international organizations from the first and third sectors.

According to the authors, the best design programs of this model can also develop critical thinking skills. Some HRE programs advance skills such as recognition of different dimensions of human rights exercise, awareness and concern about protection and promotion of rights, critical evaluation of alternative responses, progress towards identifying appropriate choice-making in case analysis, and self-recognition of responsibility and influence in change (Meintjes, 1997, 68, cited in Tibbitts, 2012, 164).

According to my analysis, the DPE design aims to develop some critical thinking skills. The program is concerned with presenting a set of values and principles from which awareness can be developed. The goals and activities focus on reflection, self-reflection,

identification, and recognition of those values and principles. Some activities of role-play or case study are an opportunity to think about scenarios and analyze alternative decision-making responses in the initial stages. The program, however, does not advance to a pragmatic stage where all the knowledge is put into practice, nor does it evaluate real scenarios in order to promote real-life decision making.

Nonetheless, Tibbitts warns that the model of educating about rights also has many dangers. The first one is to avoid becoming a *banking* educational model. This means it needs to be a teacher-centered and content-centered process. Second, because it is the first approach to human rights for most audiences, it offers a superficial knowledge that could end up becoming dogmatic. Another limitation is that the development of critical awareness and self-awareness tends to depend on the intrinsic characteristics of the participants and their desire to embrace those values (Tibbitts, 2002).

In line with the previous concerns, my analysis shows some problems. First, even though the DPE program has not embraced a *banking* model, the analysis of the HRE materials shows that it is profoundly teacher-centered. The facilitators must be well trained and have a profound understanding of rights and pedagogy, because many activities need a clear explanation in order to avoid misconceptions. Additionally, the handbook and the guide are not possible to follow without the lead of someone who knows about rights. Second, the program is presented as a transformational model, however the level of the learning goals and the type of activities in the books represent an initial approach to human rights, and requires a thoroughful follow up of the educator. Furthermore, the self-awareness and conciseness of around the promotion and protection of rights cannot be achieved by one intervention, as the books propose. Therefore, the program looks incomplete or unable of

fulfilling the desired transformative macro-goal. Third, the program is State-centered because many aspects of rights such as the ideological framework of Good Living and the fundamentals of human rights do not allow discussion and construction of new meanings, therefore they are strongly ideological.

The Accountability Model of Tibbitts (2002) expects that the learner is already familiar with knowledge about rights. It targets professionals directly responsible for guaranteeing and protecting human rights (such as police officers and military, prosecutors, lawmakers, judges, and authorities at various levels), and those who work to prevent abuses, and promote, care for, and protect the rights of vulnerable populations (such as community activists, journalist and communicators, facilitators, technical support staff, advisors, and other NGO and civil society personnel). The guide argues that it can be used by “facilitators, public institutions, international organizations and civil society interested in the promotion of rights” (p. 9), other branches of the HRE program of the DPE focus on public servants, journalists and communicators, and facilitators. Therefore, it is not relevant for this study to analyze the second model of Tibbitts.

However, I will analyze the third model of Tibbitts regarding the documents of the case study. Transformation-based programs not only address aspects of human rights but must complement the training of participants in other areas. Individually, subjects are holistically trained in leadership, problem-solving, conflict management, and communication skills. Formal knowledge about human rights is only one of the components of the educational process. Another characteristic is that in some instances it addresses not individuals but communities, such as refugee camps, post-conflict societies, and other civil society organizations. In cases where it is applied at the school level, it involves families and

communities, and not only the students and teachers. It focuses on presenting in-depth cases and promoting alternative decision-making and planning for action with the participation of the whole community (Tibbitts, 2002). As mentioned above, it is closely connected to the idea of education for human rights, through which human rights ought to be translated into social justice and social change.

The DPE program does not manage to become a third model example. Despite the fact that it advances some affective skills related to self-recognition as the subject of rights, it does not reach the higher-order thinking skills in the cognitive domain (synthesis, evaluation, and creation) or the affective domain (organization and characterization). The DPE program proposes some psychological work in empowerment and self-awareness, yet not at the level of additional skills in communication, problem-solving, or conflict resolution. The handbook and workbook, directed to high school students, do not involve families or communities beyond the cognitive level, or at the level of collective negotiation of meanings and decision-making in real life. They are also designed as a one-time intervention, which is contrary to the transformational model, where the contact between facilitators, support groups, and communities is ongoing and lasts far after the intervention is performed. Even though the program states that its goal is transformative, the level it seeks to reach is not attained. It is indeed an initial approach to HRE that must be complemented with other educational levels and actions in further programs to reach its transformative potential.

As Bajaj explains, there are multiple ways to characterize HRE models. Indeed the DPE program can be explained by another middle-range model proposed by Bajaj (2011). This author agrees with the scope of action and the goals of the first and third model of Tibbitts (2002) but proposes a second one, which she names *HRE for the Coexistence Model*.

Bajaj argues that some HRE programs are oriented toward a human rights understanding of *Other-ed* groups. Tibbitts' model focuses on intergroup participation and mutual understanding in post-conflict scenarios, and information about minority groups that have been historically forgotten, in order to enhance empathy and cooperation in society. The Coexistence Model is based on the idea of psychologist Gordon Allport that intergroup contact and understanding could play an essential role in preventing prejudice and consequently violence. It is a model closer to the idea of education through human rights, which is not content-centered but knowledge/values-centered. Therefore, the emphasis of the DPE in presenting activities based on hypothetical cases and group discussions about diversity and difference seems to be explained by Bajaj's Coexistence Model.

Conclusions: From the Design to the Construction of the Educational Discourse of HRE

Tibbitts (2002) argues that "we are at an exciting time of enhanced public awareness and interest in human rights. We must not lose our chance to help make human rights education a critical approach to examining and building our just societies" (p. 170). In this context, the analysis of the educational aspects of the DPE program fulfills those goals. It is intended as a critical look at the pedagogical strengths and weaknesses of the HRE program by describing the internal consistency and coherence of the theories, approaches, methodologies, goals, and outcomes proposed by the DPE.

Furthermore, to grasp the more profound implications of a HRE proposal in the social transformation of communities, advocates and practitioners of HRE have to see beyond the human rights discourse, understanding education equally as a discourse, implicated in moral and political praxis surrounded by power relations, which is affected by the socio-political, cultural and historical context. Hence, the critical approach to education asks us to consider

that education has less to do with methodology and more to do with power and politics (Coysh, 2017). Therefore, a critical discourse study of the educational design of the HRE program provides an opportunity to read the decision-making of the DEP as the producer of an HRE program related to how the institution understands education, and how it presents its discourse about education through the macro-, meso-, and micro-levels of the design.

Following the CDS methodology of Jancsary, Höllerer, & Meyer (2016), I have analyzed the manifest and latent content of the three DPE materials, focusing on their educational aspects, exploring and describing the ways in which the DPE designs its praxis by selecting elements such as objectives, theories, resources, sequences, activities and expected outcomes from the macro- to the micro-level. The manifest content analysis allowed me to understand and scrutinize also the latent content. Both indivisible aspects worked together because, in education (as in other discourses), what is said and what is not said, or what lies between the lines, are equally essential.

Additionally, I used the educational design research, focusing on the analysis of the elements that intervene in the learning process (van den Akker, 2009), strengthened with pedagogical and didactic theories and authors (de la Herrán & Paredes, 2008; de Zubiría, 2013). This methodology is helpful when looking at the balance and consistency of the macro-, meso-, and micro-levels of the HRE program, linking the conceptual proposal with the design at all levels and interpreting their strengths and weakness. Many of the results are presented during the analysis; however, I would like to offer some reflections.

Let us first focus on the educational model. The results show that the DPE negotiated and contested its educational model with the macro-system of HRE. The first negotiation includes the international and national systems of human rights, which are assumed in their

entirety. While the global program and the international system require member countries to comply with the global program (and its different stages), at the same time, Ecuador assumes international documents and instruments as a macro-frame of reference and imprints its own national identity based on the principle of Good Living. The decision-making of the DPE about how to connect and accept the international and national framework of human rights constitutes the backbone of the rest of the program: the educational *manifesto*, the core belief about how the institution understands and will apply human rights education.

The second type of negotiation is about the same macro-systems of human rights (international and national), but the DPE assumes only some parts of them, interpreting others, and producing new understandings, showing its level of agency in the decision-making of its policy about human rights. As a result, the DPE's educational *manifesto* proposes that HRE must be based not only on laws or knowledge about rights, but also on attitudes and skills tending to promote and protect rights, and especially on the life experiences of its participants, in order to be meaningful. Additionally, it needs to be participatory, inclusive, broad, intercultural, and intersectional.

The DPE's standpoint about human rights and human rights education is reflected, first at the macro-level, in the educational objective, consolidating the central backbone of the program. Then, at the micro-level, the analysis shows that the activities are continuously turning their gaze to the HRE program principles. The topics are not related only to laws or knowledge about rights, but assume that other issues have to be included (such as the *transversalización* of the rights approach, intersectionality, and values of non-discrimination, citizenship, and democracy). It is proposed as a participatory and dialogical methodology and

continuously refers to self-reflection and connection to previous experiences of the participants.

However, the macro-level of analysis, the educational model, is only the first step of the educational design. Then the philosophical standpoint of the program, its *manifesto*, must be connected to the meso- and micro-levels as a cascade. Likewise, at each level, the discourse about how education and human rights are understood is replicated. At first glance, there is a strong connection between what is proposed in the educational model as a *manifesto*, what is stated in the pedagogical model as a theoretical framework, and what is practiced in the didactic of the activities at the micro-level. However, some coherence is lost because of inconsistencies at the meso-level.

At the meso-level, the pedagogical model, the philosophical conception of the program (participation, dialogue, self-reflection, and experience-based learning) seems strengthened by the selection of theories that frame it: constructivism, meaningful learning, and social development theory. These theories, proposed as central epistemes, focus on the participants' experiences as they construct realities appropriate to them, and on the idea that the program is not possible without the guidance of the facilitators and participation in a group (de Zubiría, 2013). The interrelation between what is proposed at the macro- and meso-levels, and what is proposed to be accomplished in the micro-level (didactic) is not that clear, especially because there seems to be a gap between the macro- and micro-levels.

A first possible misconception appears between the vision of the program and what is achieved in the praxis. The DPE has an idea about the HRE program that intends to “create the social conditions to propitiate the exercise and guarantee” of rights and the “questioning of social structures, beliefs, and cultural practices” in order to promote transformational

changes (Defensoría del Pueblo de Ecuador, 2016b, p. 12). This position is close to the model called Transformational, a model of education for human rights (Bajaj, 2011; Hopkins, 2011; Tibbitts, 2002) centered around empowering learners to recognize abuses and commit to their prevention (Tibbitts & Fernekes, 2011). Yet, this was not the educational level the activities pointed to. The activities' objectives were directed toward achieving lower-order thinking skills from the cognitive domain (remembering, understanding, applying) and the affective domain (receiving, responding, valuing), far from the higher-order thinking skills (creation, evaluation, and characterization) needed to achieve participation, action, and commitment. Additionally, the topics addressed are closer to education about and through rights, centered in cognitive knowledge, and not conflict resolution, leadership, empowerment, and activism as the HRE for Transformative Action Model requires.

That seeming inconsistency could generate confusion between what the HRE program pursues and what is achieved in these books. However, when reading carefully, the guide and handbook state, almost inadvertently, that they constitute an initial approach to creating knowledge of human rights, and that they are only methodological guides. This statement can be disregarded if the practitioner or reader misunderstands that these books constitute the first approach to HRE, and that it can be inferred that in order to fulfill the vision of the DPE, the resources analyzed in this dissertation are only a part of a broader program of HRE.

Second, there are some inconsistencies between the educational objectives (general and long-term), the learning goals (proposed at the end of the program) and the activities' goals (at the end of each lesson). On the one hand, the educational objective (macro-level)

and the learning goals (meso-level) are not connected. While the first proposes to construct learnings, attitudes, and behaviors contributing to the exercise and promotion of rights, the learning goals are mostly cognitive and only reach the lower levels of thinking skills. Moreover, when the affective domain is presented, it is also at the lower levels. Hence, it is not clear if by promoting lower-order thinking skills in the guide and handbook, the DPE expects to achieve higher-order outcomes, or whether these outcomes are intended to be completed in future programs. Regardless, the educational objective, the domains of learning, and the learning goals are not coherent in the existing materials.

At the same time, these macro- and meso-level objectives are not always explicitly connected with the units and modules. Consequently, there is also no consistency between the macro- and meso-levels objectives and the activities objectives at the micro-level developed later in the units and modules. Moreover, there are inconsistencies in the wording of the objectives themselves because they are not specific enough. I had to analyze all the activities because the objectives by themselves did not determine the level or domain to which the activity subscribed or its connection to the macro- and meso-level objectives.

Additionally, despite considering the principles of the program of primordial interest (participatory approach, promoting integrity, complementarity, intersectionality, and practical value), they are not referred to in the educational or learning objectives or stated explicitly during the lessons. These principles, as valuable foundations of the program, are not presented as cross-cutting elements of the program. They are referred mostly as topics for discussion, which do not ensure understanding, or application during or after the program.

This analysis represents a first reflection on the types of objectives that can be proposed, and on the coherence throughout the document between objectives and activities.

Also, it recognizes the need for the objectives to refer to the cognitive or affective factors, and holds that the activities should complement each other (Bajaj, 2011). In this context, the flaws about the linguistic coherence of the goals throughout the documents can be corrected by generating a matrix of objectives from the macro- to the micro-levels, rearranging, correcting, and rewriting them to make them more cohesive.

Third, another pedagogical inconsistency is the absence of an assessment proposal. Despite the constant mention of the importance of self-assessment by the learners, the program does not propose any system to assess the program itself. Assessment is vital to retrieve feedback, and therefore, to control, correct, and evaluate the learning process (de Zubiría, 2013). Understanding that assessment does not imply measurement or grading, the DPE can use the same activities to evaluate the progress of the process. However, this implies an epistemological decision, a standpoint that the DPE should appropriately indicate in order to address this flaw.

Conversely, the DPE's didactic model represents the stronger asset of the HRE program. The activities advance the learning outcomes and the principles of the HRE program. Additionally, the elements of the lesson plan are consistent. In reading only the activities, they are well planned and they compile a diverse scope of activities from other handbooks, processes, and experiences of the program designers. This careful planning answers one of the most critical tasks and limitations of HRE programs around the world: how to achieve HRE in the praxis (Bajaj, 2017; Coysh, 2017). Therefore, I think that this effort has to be celebrated and praised.

As in everything else, it is essential to point out its inconsistencies in order to reflect upon and review them. In this context, another point of precision is about the actors. The

level of previous knowledge or the level of previous training of the facilitators has to be considered because, in fact, the handbook and guide respond to a model of HRE programs that is teacher-centered. Even if it says that some activities are virtual or self-guided, the whole program is too complex pedagogically to be completed by oneself. The facilitators have to be deeply prepared in human rights and pedagogy in order to avoid misleading their participants. If it were a transformational model, the DPE program would not need to enforce the facilitator's role but the participant's skills in order to work autonomously (Bajaj, 2011). This is not the case.

The resources in the pedagogical and didactical model are important in the constructivist approach. The learning process is not centered on the educator but on carefully planned activities, which constitutes a key element of the learner's construction of knowledge. Hence, each activity must include varied resources to enhance and enrich the learning process. Related to the resources, the lesson plans in both, the guide and the handbook, include a wide variety of resources from audiovisuals, puzzles, games, among others ready to be printed or used. First, the workbook includes a great number of resources referred to in the handbook's activities. Additionally, the handbook itself includes other resources such as puzzles, cases, charts, forms, and short stories, as well as the links to videos. In the case of the guide, since it is not accompanied by other materials, it is sufficient by itself since it includes all the printable materials that are needed for the activities (tree of life, photographs for diversity, cases, short stories, among others). However, a material that should come attached is the book *Theoretical Support for the Introduction of Human Rights* (2015) which is an indispensable companion to both the guide and the handbook. Still, even when the resources of the DPE are developed in the most critical line of the first model of

Tibbitts of HRE, they do not manage to develop the transformational model, which is intended in the *manifesto* of the program.

But the learning cycle presents a more significant inconsistency of the didactics of the HRE programs. According to Kolb's theory, the entire cycle must be completed in each educational interaction (Kolb & Kolb, 2009). Unless the DEP has created its own theory or is based on another author who says otherwise, its activities would not comply with this pedagogical precept. Not all activities meet the entire learning cycle, and the levels go from one to four phases of the process without consistency between the level of activity and how the number of phases completed. There are also some, although not many, mistakes between the phases of the learning cycle proposed at the beginning of the activities and those that are finally designed. Sometimes they work on two, three or four stages. Following Kolb and Kolb's theory (2009), the incomplete learning cycle designed in the DPE's activities compromises the effectiveness of the entire learning process.

These absences or deficiencies constitute a gap between what the educational design requires and what this program effectively develops. This questioning and criticism is crucial because each element of the pedagogical and didactic models is essential (de Zubiría, 2013). From the perspective that the program is perfectible, this reflection will contribute to its improvement.

In conclusion, this section is an analysis of the educational aspect of the Human Rights Education discourse, centered on how the DPE constructs its discourse about education and HRE, and how it is designed to be put into practice through the guide, handbook, and workbook. The results show the decisions of the DPE on educational matters that build its discourse on HRE. Its condition as the NIHR puts it in a privileged position to

be able to negotiate between the requirements of the macrosystem around contents and approaches, obey the constitutional mandates of Ecuador, and at the same time propose the qualities of the HRE program that seem most relevant to the institution. Other national or local programs lack the ability to propose their own conceptions and positions on education and elevate them to the national level (Sacavino, 2012).

It can also be read that the DPE worked to find an educational vision that responds to grand theories about education, and at the same time, that reflects its conception of what HRE means, and that is also a major power/knowledge negotiation. Not many HRE programs set a theoretical framework about education, teaching or learning (Tibbitts, 2017). At the micro-level, each discourse is evidenced in the learning activities and each activity replicates a discourse (Rowe, 2011). Therefore, it is also evident that the diverse selection of activities is a decision to position the program towards a participatory and dialogic side, closer to its position as an institution and its *manifesto*.

Furthermore, it is not perceived that the DPE ponders a philosophy about what it means to educate at the macro-level and then do the opposite at the micro-level. It seems that most of the criticism raised towards the coherence and cohesiveness at the meso-level, or between the macro- and the micro-levels, lies in the inconsistencies of a young program that is starting and has not been evaluated before.

A final reflection: Because HRE is an educational process, a product of political and historical reality, reflexivity has a double role. On one side, educators have to be reflexive about their positionalities and backgrounds. On the other hand, they have to be reflexive about the theories, practices, concepts, and implications of their epistemological and methodological decisions (Collier, 2014; Griffin, 2015). For Nakayama & Krizek (1995)

reflexivity encourages considerations about what issues have been silenced or ignored in academic discussions, proposals of new research and the articulation of the researcher's position vis-a-vis social and academic structures, and the examination of the institutions and politics that produce knowledge.

This educational reflexion follows that line of thought, and hopes to contribute to the scholarly discussion about the strengths and weakness of HRE programs by analyzing one concrete, extensively detailed, and currently active case. To this end, Chapter 5 will explore the ontological construction of the discourse about human rights in the materials. This dissertation departs from the assumption that an epistemological understanding of rights could corroborate the idea that human rights principles and values are universal, and therefore, applicable to all nations around the world. Conversely, the ontological perspective conceives an understanding of rights that are situated in a concrete time and place, which is one of the core ideas of this research. Therefore, the ontological discourse analysis presented in the next chapter departs from the belief that the DPE construction of the notion of rights answers to the particularity of the *Defensoría* being the National Human Rights Institution in Ecuador, and it influences in the construction of its HRE program

Chapter 5 –

Ontological CDS of the *Defensoría*'s HRE Program

Thinking about human rights knowledge and what it does to the ontological dimension of learning is thinking about who we become as professionals when embodying and enacting human rights in the classroom

(Adami, 2014).

HRE: More Than Constructs, a Positionality

According to Cohen (1955, in Karam, 2001), there are different discussions about and around the discourse of human rights. Some discourses are centered around diplomacy and the International System of Human Rights (ISHR); the information directed to the observance, monitoring, and intervention of NGOs and activists; the discourse produced by journalism and media by reporting about claims of abuses of human rights and social movement's struggles; the social sciences and humanist debate around aspects of the human rights discourse, such as violence, discrimination, freedom, equality, and human rights principles; the political discourse about human rights presented by politicians, authorities and states, and their limits and responsibilities; and the educational discourse about human rights and human rights education, regarding pedagogical choices (principles, methodologies, contents, and empirical research).

In the previous chapter, I examined, from an educational perspective, the construction and internal cohesiveness of the human rights education (HRE) resources developed by the *Defensoría del Pueblo de Ecuador* (DPE). That analysis provided a notion about the pedagogical principles around and about a program of HRE broadly applied in Ecuador, but

the results are derived exclusively from its educational design (epistemologies, methodologies, methods, models, elements, and outcomes).

In this chapter, I continue my analysis of the HRE discourse of the DPE resources from a perspective that I have named *ontological*. An ontological CDS of the human rights education program implies to critically explore the construction of knowledge about rights, not from an epistemological dimension (knowledge about knowledge) but from a discursive dimension about *human* rights. I will explain.

Epistemology and ontology are closely related. Epistemology is the study of knowledge, how it is acquired, and its properties, while ontology is the study of being. While the former is concerned with what we can learn about the world and how to do it, the latter is concerned with whether or how the subject-who-knows affects or is affected by the knowledge about the world. Some critical scholars argue that constructs and normative notions about human rights and the subject of rights are generally dealt with from an epistemological approach, especially in the social sciences. However, forgetting the ontological root of the generation of knowledge tends to produce conceptual premises about human rights that are conceived as neutral and universal truths (Adami, 2014; Bekerman & Zembylas, 2014). Because all knowledge is a human creation, it is crucial to be aware of the power relations around the conception of human rights premises and, therefore, the discursive construction about those premises, “to stop taking things for granted and instead trace their trajectories and their consequences concerning what we perceive of as existence and how we can know” (Bekerman & Zembylas, 2014, p. 54).

For more than forty years since the first discussions around the HRE, a robust corpus of concepts about human rights has been built, strengthened, and nurtured by the

International System of Human Rights (ISHR), which has been erected as an undeniable and uncontestable moral truth. Later, that knowledge about rights was reproduced by the HRE programs (Baxi, 1997; Keet, 2012; Zembylas, 2015). However, despite its popularity, the discourse on human rights used by the HRE is dry, plagued by legal terminology, and sometimes lacking conceptual clarity, which make it vulnerable to the inappropriate uses, double standards, and misinterpretations that have caused it to lose its deeper meanings (Szczepanik, 2014). Moreover, Santos (2002) argued that the monolithic construction of the discourse of human rights is not a matter of chance, but a systematic abuse of power/knowledge relations of the West to produce a dominant ideology, using this human rights framework to dominate and colonize the South.

In short, power and knowledge combine to create discrepancies about human rights. People and institutions that use or create knowledge are also imbued in those power relations within specific socio-political and historical contexts. Uncritical acceptance of the discourses about rights consequently reproduces dominant power relations. Hence the relevance of a “critical assessment of the ontological position inherent in normative premises upon which knowledge claims are made” (Bekerman & Zembylas, 2014, p. 54), Therefore, the goal of analyzing the DPE books from an ontological perspective seeks to uncover the roots of the knowledge used in the program to construct the DPE’s discourse, and at the same time, analyze the impact of the selection of certain contents in the discourse of the institution.

In that context, CDS being a type of theory/method interested in deconstructing the discourse “through which concepts and notions are being expressed in order to reveal hidden power relations”, it serves to scrutinize the most prominent concepts of human rights “through the critical examination of political decisions, legal regulations, and agendas of

national and supranational political actors that take human rights as a point of reference” (Szczepanik, 2014, p. 14). This is the reason why this study is not related to the epistemological construction of the notion of rights by the DPE but to the ontological positionality of the DPE towards rights. It aims to describe and evaluate how the *Defensoría del Pueblo*, as the NIHR of Ecuador, understands human rights and human rights education, and how it builds the discourse around those beliefs.

Therefore, using CDS, I describe the internal content of the discourse of human rights, its principles, coherence, and inconsistencies from an ontological approach, because as in the case of the educative design, the selection of approaches from one to the other determines the ontological discourse that the DPE is presenting through the content of the HRE program. From this perspective, I ask: What discourse of human rights does the DPE program promote? How are people and rights conceived? How does the DPE program negotiate or contest the principles of human rights from the UN World Programm of HRE with the constitutional mandates of Ecuador? And, at what level is it negotiated or contested?

Drawing from the Multimodal Critical Discourse Study (MCDS), elaborated by Jancsary, Höllerer, & Meyer (2016) described previously, this chapter will examine the content of the materials. According to these authors, the content is an element of the MCDS that shows *what* is said about a discourse. The manifest content provides insight into the most dominant features of the discourse, and the latent content includes broader structures of meaning underlying the texts. The results of the analysis are presented as an interlinked relationship between both types of content, categorized in topics such as the principles and values of the human rights conception, essential aspects of human rights, intersectionality, identity and the subject of rights, and the relationship between human rights and the

Constitution of Ecuador. That being said, here I will only examine the written mode of the content of the HRE program of the DPE, as one of the modes in which the discourse of the DPE is presented. This mode must be read as a part of the whole MCDS which focuses on certain aspects of the discourse in each chapter. But first, I will briefly recap the context of the HRE program, with a small reflection about current HRE in Ecuador.

Contextualization: What is the Sociocultural and Spatio-temporal Context of the Resources?

Two aspects are essential for contextualizing a discourse: the spatio-temporal context in which the texts are produced, and the socio-cultural context in which the sign-maker(s) produce them (Jancsary, Höllerer, & Meyer, 2016). The DPE program was born in the context of increasing awareness about HRE during the past fifty years, since the first time the UNESCO mentioned in 1974 the importance of focusing on educational processes to enforce rights as means for peace and international cooperation.

At the dawn of the Twentieth First Century, three important moments marked the materialization of the public concern about HRE worldwide: the United Nations Decade for Human Rights Education (1995-2004), the World Programme for Human Rights Education-WPHRE (2005-ongoing), and the United Nations Declaration on Human Rights Education and Training-UNDHRET (2001). These milestones in HRE shaped the baseline conceptualization, understanding, and practices of the educational processes about and around human rights worldwide.

In Latin America, the first attempts to discuss and produce HRE programs occurred in the 1980s at the national and regional levels, especially from religious-based organizations and NGOs (such as the *Vicaría de la Solidaridad* in Chile, the *Movimiento Ecuménico de los*

Derechos Humanos in Argentina, the *Comité Ecuménico de la Solidaridad* in Bolivia, and the *Comisión Ecuménica de Derechos Humanos* in Ecuador -CEDHU). Particularly after their atrocious authoritarian regimes and their return to democracy, Latin American societies and various groups showed a social and political sensitivity towards human rights issues. The numerous congresses, workshops, and summits developed during the decade also reflect the worldwide interest in education as a fundamental factor to achieve human rights. As a result, Latin America developed networks for coordinating efforts, research, and educational resources such as the Interamerican Institute of Human Rights based in Costa Rica, and the Popular Education Council for Latin America and the Caribbean (CEAAL) with itinerant headquarters.

In Ecuador, in addition to the CEDHU, which began its work at the end of the 1970s, at the beginning of the next decade, other organizations began their efforts, such as the Permanent Commission for the Defense of Human Rights (CDH), and the Latin American Assembly of Rights Human (ALDHU). Later, many organizations with locally-based programs, religious-based groups, and civil society movements started to coordinate their actions to create the Ecuadorian Federation of Human Rights (FEDHU).

These organizations focus their efforts on educating about basic concepts of rights related to ground-based experiences and empowering populations that have suffered from human rights abuses, especially in popular and rural areas. Another area of their interest has been training community promoters capable of educating and promoting rights in their communities and elsewhere. These NGOs have also developed printed materials, texts, guides, and other resources in order to enforce and disseminate their programs (Basombrío, 1991).

However, as in many other Latin American countries, the HRE initiatives of NGOs and civil society organizations suffer from economic problems and reduced access to long-term interventions due to lack of support from the State and the private sector. Often they depend on unpaid volunteers and members, and struggle with low budgets, inadequate media coverage, and the political interests of some leaders. Moreover, on many occasions, leaders and activists of human rights organizations have been victims of harassment and persecution. This helps to explain the slow growth of these HRE initiatives.

Moreover, the State has had a late role in promoting HRE programs. There was a first attempt to create a National Plan for Human Rights Education of Ecuador, promoted by UNESCO. The initiative was under the coordination of the Ministry of Education and some civil society organizations (2002-2003), and they reached some agreements until the consolidation of a long-term plan for HRE nationwide. However, the work of the commission officially ended in 2004, and the this plan was filed (Instituto Interamericano de Derechos Humanos, 2009).

It was after the 2008 Constitution was passed that the Ombudsperson Office started to work in an HRE program, after it became an independent institution separated from the Public Defender Office and the Judicial Branch, and placed under the newly created Transparency and Social Control Branch (Defensoría del Pueblo de Ecuador, 2016a). In 2008, the Constitutive Assembly determined the *Defensoría del Pueblo* as the National Institution of Human Rights (NIHR), assigning it the mandate of promoting, disseminating and protecting the rights of individuals, collectives, communities, peoples, nationalities, and nature (Defensoría del Pueblo de Ecuador, 2019).

As the NIHR, one of its missions was to promote human rights through education aimed at generating learning processes which enforced knowledge, skills, and behaviors, contributing to the construction of a culture of rights, creating favorable social conditions for the full exercise of human and nature rights, and the principle of good living. The DPE also considers it vital to increase the quality of the educational process by producing educational resources, creating quality criteria, and empowering well-trained educators. These mandates are the responsibility of the National Technical Directorate for Education and Training (DNTEC, from its name in Spanish), part of the Department of Education and Research. The DNTEC's goal is to promote and coordinate the HRE processes (including the development of contents, methodologies, and tools), and therefore it is also in charge of producing the resources, criteria, and trained educators (Defensoría del Pueblo de Ecuador, 2019).

However, in spite of the structural organization of the Ecuadorian state, where the five branches ought to work independently to fulfill their mandates, History shows that the five branches of the state were everything but independent during the past decade. The *Revolución Ciudadana*⁴⁶, led by the constitutional President Rafael Correa (2007-2017) and *Alianza País* (his political party), was a ideological and political movement that through complicated political actions, during a decade, infiltrated its power at all levels into the educative, justice, electoral, health, and national planning system, and silenced divergent voices using its systemic control and state power. The Judicial Branch remained silent about human rights abuses against Correa's detractors, and in some cases, passed unconstitutional verdicts against them. The National Assembly (Legislative Branch) approved or blocked

⁴⁶ The name given by Correa and his party to the process of general changes throughout his mandate, which began with the ending of the Congress in 2007, and the creation of a Constitutive Assembly that changed the Constitution in 2008, appointed all the high authorities, judges, and ministers, and even eliminated the high command of the Armed Forces, in order to appoint people in favor of their program.

laws according to the Party's desires and convenience. The Transparency and Social Control Branch also remained silent. Numerous complaints have been documented and made public after the end of Correa's government (Amnistía Internacional, 2017; Human Rights Watch, 2018; United States Department of State, Bureau of Democracy, Human Rights and Labor, 2018).

The Ombudsperson Office of Ecuador was not the exception. During the first years of the rebuilt organization (2008-2012), the *Defensoría* worked on improving and speeding up the processes for reporting abuse, producing protocols for complaints (such as the National Mechanism for Prevention of Torture and Other Cruel, Inhumane, or Degrading Treatments or Penalties), receiving and administering several lawsuits around human rights abuses against original peoples and communities. Also noteworthy is its work on producing the mechanism, contents, methodologies, tools, and resources for HRE, especially between 2012 and 2016. However, even though its mandate is to watch over the rights of the Ecuadorian people, the position of the DPE was publicly questioned because it was unclear or mild in cases of human rights abuses during the decade of the *Revolución Ciudadana*, showing that the institution was not immune to the general politico-ideological control of the State.

The two *Ombudsmen* selected during Correa's government (Fernando Gutierrez 2008-2011, and Ramiro Rivadeneira 2011-2016) were highly questioned by activists and civil society organizations, scholars, and human rights activists. Critics and detractors argued that the *Defensores* assumed too moderate a role about abuses against the people by making mild suggestions to public servants and institutions (Ortega, 2017; Romero, 2016), not listening to the social organizations' and activists' complaints and denounced cases (CDH-Comisión Permanente para la Defensa de los Derechos Humanos, 2016), and that the

Defensores' voices were systematically muted by the government (Hajjar, 2011; Herrería, 2011), enforcing the *status quo* with or without their willingness.

In 2017, the new government, after the end of the *Correísmo* and the *Revolución Ciudadana*, appointed a new *Defensora del Pueblo*, Gina Benavides, a woman with vast expertise in defending human rights causes. Since her selection as temporary Ombudswoman, she has conducted processes involving memory and reparation in highly publicized cases of abuses against rights that are pending resolution (such as the case of the Ten of Luluncoto⁴⁷ and Yasunidos⁴⁸) and has had an active role in monitoring government action. In many cases, her positions are frankly against the current president, Lenin Moreno, showing apparent freedom of action. This fact could suggest a change toward a more open and less confrontational style of government, empowering voices that were previously censored, and providing the possibility of a more public role for the DPE. However, the results of the administration of Freddy Carrión Intríago, the new *Ombudsman* appointed in April 2019, remain to be seen.

I suspect that the socio-political context described above can also affect the HRE program of the DPE, because, as I have argued, despite the supposedly independent function of the DPE, it was influenced by the political environment of the *Correísmo*. The growing interest of the State to coordinate, design, enforce, and execute HRE programs was linked to

⁴⁷ A controversial case, where ten people were detained and accused of terrorism and crimes against the State. Their legal process has been questioned because includes several human rights violations, from unfair trial to persecution and torture. The State at that time alleged that this people were part of a terrorist cell that intended to destabilize democracy, while the accused argued that the evidences against them were forged (Avila, 2013)

⁴⁸ A group of activist of Nature's rights, called the *Yasunidos*, protested for months against the extractivist intention of the Ecuadorian government to drill on the Yasuní National Park in the Amazonia, even though there was a court verdict against it. They collected enough signatures to call for a national referendum, but they were ignored, and later persecuted by the government. Its case was presented on international courts (Yasunidos, 2019).

the interest in spreading the official narrative. The frame in which the HRE resources were developed also assumed the principles of the *Sumak Kawsay* proposed and enforced by the Constitution of 2008, mainstreamed through all the functions of the Ecuadorian State and its educational system. This reflection does not necessarily imply that the principles are not constructive or are questionable⁴⁹. In fact, many principles of Good Living are coherent with the principles of the UDHR.

However, it's worth clarifying that the development of the HRE resources of the DPE has not occurred independently of the social and political moment in which they were created. The *Sumak Kawsay* was used to build a cohesive identity nationwide, was imposed without much discussion, and was impossible to be effectively contested because of its magnitude. An ideology imposed by a hegemonic discourse through an ideological state mechanism, in fact constitutes, as Althusser and Foucault explain, the opposite of identity, freedom, and other human rights principles. In summary, the dogmatic discourse spread nationwide about respect for human and nature rights as a constitutive principle of the *Sumak Kawsay*, and the enforcement and exercise of rights during the last decade were two different things.

But, how did the DPE understand and explain the basic principles of human rights? Were the concepts and activities coherent? Were they contested, negotiated, or simply replicated from international instruments? How was this expressed or not, or was it silenced? What effects might be inferred? Next, I analyze the fundamental constructs developed in the three texts that are the subject of discussion in this dissertation. I describe the concepts,

⁴⁹ I have previously argued that the *Sumak Kawsay* (or Good Living) principles were at the time of their creation a very progressive vision of rights, recognized internationally, and also a step forward to a new way of perceiving rights, not only as innate and universal, but as an ongoing inclusive historical construction.

sometimes connected to specific activities, relating their manifest and latent content. Then, I reflect on the cohesiveness and coherence of the *Sumak Kawsay* principles with other national and international principles, and their relation to the Ecuadorian construction of identity, presented in the DPE texts. Since it remains to be seen how the new political scenario will affect the reading and implementation of the DPE materials, I recommend such vital critique as part of further studies.

Content: What is Said and What Lies Under the Surface

The content consists of *what* is said in a text. The Critical Discourse Studies (CDS) methodology proposes that there are two types of content: the manifest content is the explicit and conventional meaning of text and images, while the latent content is a broader structure of meaning underlying the verbal and visual texts (Jancsary, Höllerer, & Meyer, 2016). As in the case of the educational analysis of the previous chapter, it is not possible (or relevant) to separate both types of content. I will instead start to describe the immanent conception of human rights used by the DPE program, and then analyze common topics of interest about the human rights discourse, such as intersectionality, identity, otherness, and wellness, to understand the way they are interlinked.

The history, principles, values, and normative framework of human rights are the common topics worked in the HRE programs. For example, the HRE handbook of Youth for Human Rights International⁵⁰ works the topic of the history of human rights into Lesson 1 (Youth for Human Rights International, 2005), and in the Basic Training Handbook for UN Staff⁵¹ the topics about normative and principles are presented in the introduction (OHCHR,

⁵⁰ Youth for Human Rights is a INGO founded in 2001, whose HRE program has been translated to 17 languages, worked in more than 30 countries, and is currently starting a chapter in Ecuador.

⁵¹ Applied worldwide

s.a). The DPE also works with these initial topics. One of the strengths of the program is that it also works on correlated aspects of human rights, such as regional and local normative, relevant factors in the construction of the subject of rights, and additional philosophies of the DPE program (approach to human rights, discrimination, and citizen participation, among others). Another important content presented in the books is related to the immanent construction of the notions of human rights, and its principles and values, that constitutes the common core of the HRE program.

Immanent human rights principles and values inside the HRE texts.

Human rights definition. For the DPE, human rights are “faculties, freedoms, and attributes that all people have because of their human condition, both in their individual dimension and in their collective dimension” (Defensoría del Pueblo de Ecuador, 2016c, p. 75). Ensuring they are respected, protected, and fulfilled constitutes the highest duty of the State and marks the boundary between the exercise of the power of the State and the citizens’ exercise of rights. Moreover, each person is equal in rights, duties, and opportunities, and will not be discriminated against for any reason (described in the Art. 11 of the Constitution).

A function of human rights is to allow the development of a dignified life and a personal life project through a direct exercise of power. Human rights are considered to be in continuous development and recognition, and it is not necessary that they be enshrined in legal regulations to demand compliance (Defensoría del Pueblo de Ecuador, 2016c).

On the other hand, the DPE also considers that human rights are guarantees, norms, and obligations that humanity has established to preserve the dignity, well-being, and opportunities of development of all people. This context of the DPE’s definition of rights is

framed by the International System, hosted by the Office of the High Commissioner (OHCHR) that expresses,

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible (OHCHR, 2015, in Defensoría del Pueblo de Ecuador, 2016c)

Ecuador recognizes that human rights are universal, and hence the principles established in the international arena that all states must obey. In fact, Ecuador is one of the few countries that has signed most of the treaties and covenants of the UN. The OHCHR (2015) argues that,

Universal human rights are often contemplated in the law and guaranteed by it, through treaties, customary international law, general principles and other sources of international law. International human rights law establishes the obligations of governments to take action in certain situations, or to refrain from acting in a certain way in others, in order to promote and protect the human rights and fundamental freedoms of individuals or groups (in Defensoría del Pueblo de Ecuador, 2016c, p. 75)

In summary, the DPE negotiates its own definition of rights between the general principles of the ISHR and the principles of *Sumak Kawsay* stated in the Constitution. Discourse, as expressed previously, is a historical and heterogenous construction contextualized by the particular situation, institution or social structure which frames it (Fairclough & Wodak, 1997, in Wodak & Meyer, 2016). Consequently, the discourse of the DPE even negotiates between contradictory discourses prevalent in a particular spatio-temporal context.

The DPE subscribes to the idea of human rights as inherent to the human condition and believes that no one can be discriminated against by reason of any personal attribute (such as gender, age, identity, or others). However, the DPE has a different conception of

rights, revealing inherent tensions between the international instruments and the national *cosmovisión*. First, rights are not only rights but faculties, attributes, and freedoms, thus enhancing the scope of the concept. Second, it also supports the idea that they are not only an individual responsibility (considered as a life project, as the liberal idea of rights states), but that they can be demanded and enforced collectively (a principle that comes from the socialist perspective of human rights). Third, rights are not bounded to laws in order to demand compliance, thus putting distance from the idea that natural law became human rights law. However, it is not explained how rights can be enforced or demanded if there is no law to protect them. It can be inferred that it is probably around and through social and communitarian practices, oral indigenous norms, and social participation exercises, principles closer to the DPE experience.

The second part of the negotiation in the conception of rights revolves around the idea of the principles of *Sumak Kawsay* or Good Living, and the inclusion of the idea of Nature as a bearer of rights. On the one hand, in Ecuador, rights are not only the rights enjoyed by each person as “an individual”, and therefore, human rights do not refer only to “a person” as a bearer of rights but to all humankind. The Constitution states that “[p]ersons, communities, peoples, nations and communities are bearers of rights and shall enjoy the rights guaranteed to them in the Constitution and in international instruments” (Art. 10). The DPE considers that human rights can be enforced in their individual as well as in their collective dimension (Defensoría del Pueblo de Ecuador, 2016c). The exercise of rights aims at the fulfillment of good living. The Constitution frames its text around the idea of “[a] new form of public coexistence, in diversity and in harmony with nature, to achieve a good way of living, the *Sumak Kawsay*” (Preamble). The DPE states that Good Living in Ecuador is a new ethics and

a horizon of coexistence and that the guaranteeing of human rights is governed by the principles of the Constitution and Good Living (Defensoría del Pueblo de Ecuador, 2016c).

On the other hand, the inclusion of Nature is also significant. The Constitution states that “Nature shall be the subject of such rights as the Constitution recognizes for it” (Art.10). Additionally, it recognizes Nature as a subject of rights “for the first time in history and guarantees their existence through maintenance, regeneration and repair of life cycles, which should be observed by every person, entity, or corporation that intends to intervene in Nature” (Defensoría del Pueblo de Ecuador, 2016b, p. 237). Yet, it is not explained how Nature can enforce or demand its rights, and it can be inferred that people (as subjects of rights) will enforce and demand Nature’s rights (implicitly an object of rights).

The discourse about the concept of human rights is contradictory politically and philosophically. The DPE considers the unity between human beings and Nature, the collective and the individual, the cognitive and the affective, existing on the edge of transcendental and ancient tensions discussed profoundly in the human rights discourse around the world. Additionally, the DPE’s adoption of the OHCHR’s concept of rights is the foundation for the international understanding of rights which prizes universalism, individual freedom, and reason, based on the Western liberal tradition of thought, and is enforced by the UN and the International System. Conversely, the whole conception of rights of *Sumak Kawsay* and the Constitution is socialist (or 21st Century Socialism as it was called by the *Correísmo*), which values collective rights, participation, culture and identities, and Nature’s rights.

Thus, the DPE negotiates between two opposite conceptions of rights, the liberal (UN based) and the socialist view (Constitution based). This produces internal philosophical

contradictions about the main principles of human rights, promoting an uncritical acceptance of ideological premises (one foreign and one national), and therefore, the reproduction of such discrepancies in the program. This, is the opposite effect of what HRE is supposed to generate. However, it also proves that the DPE manages to produce actual viability in the coexistence of two conflicting discourses⁵² by naturalizing it as diversity.

History of human rights. The DPE recognizes that human rights are a historical and social construction from the most ancient human history to our present time, and that they have been nourished by several theoretical and cultural approaches around the world. Three aspects are analyzed in relation to how the DPE portrays the history of human rights: the selection of historical events and its implications, the importance given to history, and the design and selection of activities.

The DPE's selection of milestones that represent the historical evolution of rights differs from the guide to the handbook. However, both represent a particular Eurocentric and Westernized approach to history. The handbook introduces a more extensive text, explaining the importance of some historical events in shaping the struggles of peoples to defend their rights. It underlines a few petitions and bills, introduced in Europe since the Middle Ages, to restrain the uses and abuses of power from monarchs, recognizing certain rights and principles (such as freedom of belief, dignity, and the right to live). Some events in America, such as the wars against the native peoples of the Dominican Republic and Haiti, and later, the Declaration of Independence of Virginia (1776), and the Declaration of the Rights of Man and of the Citizen of the French Revolution (1789), were the first documents about rights that inspired movements and revolutions, such as the Bolshevik Revolution of 1917,

⁵² We are perfectly consistent in our inconsistencies!!!

and the Mexican Revolution (1910). However, even though these rights state that all men are equal and free, most declarations leave aside women, slaves, or workers. In the Twentieth Century, events such as the First and Second World Wars determined the importance of having a joint treaty that would protect rights for everyone. As a result of the global concern about human rights, the DPE argues, in 1945 the international community, led by the UN, created the Universal Declaration of Human Rights (UDHR). Explicitly, even though the text presents a relatively comprehensive view, nothing before the Middle Ages or outside of the Western world exists.

The guide has a simpler version of the history of rights. It begins by stating the importance of rights and their historical evolution, but it only mentions the Declaration of the Rights of Man and of the Citizen, and later the First and Second World Wars and their implications. These core moments, according to the guide, produced the UDHR, ratified by 192 nations. It also references that this first international instrument of human rights with its two Covenants (ICESCR and ICCPR) constitutes the International Bill of Rights. It seems that in its attempt to simplify the history of rights, the guide produces an incomplete view of the evolution of rights. Moreover, it has a Eurocentric bias, proposing that the French Revolution and the two World Wars were the only events worth mentioning.

Consequently, a first critique about the management of the topic about the history of human rights is that it presents a Westernized perspective. A broader view of the history of human rights considers other distinguished predecessors during the Enlightenment in Europe. Even though many declarations of rights and laws with human rights-based approaches were drafted around the world since ancient times (such as the Cyrus Cylinder in 529 B.C.), very often they are forgotten (Ishay, 2004). Moreover, one of the most critical struggles in Latin

America related to rights, the Independence Wars of the Nineteenth Century, is not even mentioned. Therefore, the selection of a particular type of history of human rights implies a worldview around human rights as a Western tradition (Ishay, 2004; Rorty, 1993).

The second aspect scrutinized is the relevance given by the DPE to looking back into the past. According to the DPE, it is necessary to know the history of rights in order to enforce them and avoid violations against them. Keeping the memory alive is the way to fulfill the promise of “never again,” the fundamental principle of the International System. The DPE acknowledges that human rights are an ongoing construction, shaped by the historical struggles of social movements, individuals and organizations along a history that has produced improvements in the quality of life of minorities; yet, there is still work to be done. Additionally, human rights begin with the recognition of the individual as a subject of rights, individually and collectively. It is not only a discourse, but it has to be enforced by norms, mechanisms, and tools to demand and protect them.

However, a second critique can be made around the importance of *memory* in this discourse. Although keeping their memory alive has been the struggle for societies that have suffered atrocious violations of rights, memory maintained uncritically is not by itself a producer of changes. It is not only memory, but it is what we do with it and how we use this knowledge for future processes that matters (Risse, Ropp, & Sikkink, 1999). Moreover, a critical knowledge that does not fall into repetitive and banking education, is imperative. It is crucial to examine how knowledge is produced by institutions and policies (Bekerman & Zembylas, 2014), to maintain a permanent reflective practice among educators and researchers, and be aware of the negotiations of meanings, silenced voices, and emergent topics (Nakayama & Krizek, 1995). Therefore, it is necessary to critically see and analyze

history and the social construction of the discourse made by the powerful and dominant sectors, ergo the relation between power and knowledge explained by Foucault.

Additionally, the relation between the storyteller and the tale is relevant in the construction of the notion of the “West” as Hall argues. Yet the DPE materials offer no discussion about the correlation of forces or the influence of the storyteller in the construction of *memory*. For example, the history of human rights features the remarkable people that helped build the notion of rights globally such as Mandela and Kofi Anan, yet no one national or regional personality is introduced. Another example is the multiple advances on promoting human rights around the world, from the Code of Hammurabi to the UDHR, yet there is no mention of the independence struggles or the rights movements after the dictatorships of the 1970s in Latin America. Hence, if memory matters, an ontological discussion about how and where it is generated is also important for promoting the identification and enforcement of national and regional identities and pride, and for renewing the desire to fight for human rights locally.

The third point to examine is about the relationship between the content and the activities⁵³ used to teach them. The activities (p.87 to 97) in the guide are based on watching a video and discussing it, analyzing and re-arranging a comic-based puzzle, and a case study resolution. The handbook activities (from p. 80 to 88) analyze the same video, a small story, and ask the participants to relate the milestones of the history in a map, and connect it to two activities in the workbook. In the section that integrates the knowledge of some of the activities of the guide and handbook, there is a summary pinpointing several of the concepts,

⁵³ The specificities of the activities from a pedagogical perspective are analyzed in Chapter 3. In this part, I will only scrutinize the interrelation between the topics and objectives of the activities and the immanent content and its communicative implications.

articles of the Constitution, and an enhanced explanation of the topics developed in the introduction of the modules or units of the guide and handbook. This small summary is presented in almost all the units and modules of the guide and the handbook.

First, a critique can be made about the intertextualities used in designing the activities and contents, even though the relevance and influence of intertextuality will be analyzed later. Using intertextuality is a sign-maker decision about the discourses that they want to engage in dialogue with the text produced. Intertextuality is the interrelation with and across texts, and it happens in many ways, sometimes intersecting each other, sometimes transforming a past text into a new one, or referring to other authors or ideas, sometimes touching and sometimes intertwining their proposals (AlAfnan, 2017).

The three texts I analyzed use the text *Theoretical Support for the Introduction to Human Rights*, to describe the main milestones of the history of human rights, and it is available in the online repository of the DPE. In spite of the importance of this resource as a crucial document during the whole program, because it contains all the theoretical support about human rights needed for an in-depth understanding of the basic concepts around them, it is not considered a constitutive part of it. As the program is currently designed, this text can or cannot be used as a backup for the promoter or educator, leaving open space for interpretations and misconceptions.

Another intertextual element used to enforce the content is a video, available on YouTube, produced by the INGO Youth for Human Rights International. It summarizes a broader view of the history of rights, envisioning a somewhat linear evolution of rights. The video reviews the history of rights from the first ideas of rights by Ciro the Great, through mainly the Greco-Roman Empire and the heirs of that tradition (Europe and North America),

up until the World Wars and the subsequent constitution of the UN and the UDHR. No mention is made of African, Asian or Latin American struggles and milestones for rights⁵⁴. This video is one of the most publicized audiovisual materials about rights available for free (measured by the number of views). However, as shown, it still promotes the particular Westernized vision of the world prevalent in most of the HRE programs.

A second video, also available on YouTube, is proposed as an additional resource to accompany the educator. It presents a broader view of the history and fundamental concepts of human rights. It contains the edited content of the YHRI's video (mentioned above) plus other parts of videos pasted without an argumentative line. Contrary to the idea of AlAfnan (2017) that the intertext incorporates valuable information and enhances the content of the new text, these videos reinforce the Westernized perspectives of the history of rights previously criticized.

Finally, a repeated critique throughout the guide and the handbook is that the case studies use hypothetical examples that are not connected to the experiences of the participants. The activities propose case studies, role-playing, and readings to be discussed in plenaries. Almost all of them involve hypothetical circumstances related to some sort of violation or human rights struggles. No activity is proposed to assess the current level of risk and vulnerability of the actual participants in the process. This means that some partakers in the HRE program may be going through violations of their rights without being able to recognize that reality, because they may think of violations as something that happens to

⁵⁴ I am not going to analyze its content in depth, because it is not produced by the DPE, and therefore is not part of the ontological production of knowledge of the DPE. What matters is the fact that it was selected as a resource by the DPE and it implies a reproduction of the YHRI ontological conception of rights as well.

others and not to themselves. As a result, analyzing hypothetical cases may produce what scholars predict: alienation, rejection, or desensitization.

The only activity in the whole unit that relates directly to the life experience of the educated in reflective practice is called *life project* (p.104 in the handbook and p. 127 of the workbook). It opens the possibility to talk about personal struggles and challenges, and it corresponds to the section about the definition of human rights. It is a very personal experience because it asks the participant to think about what is at stake when one's rights are violated (loved ones, dreams, life).

This type of HRE approach seems closer to the Coexistence model proposed by Bajaj (2011), and education *through* human rights (United Nations, 2012). Bajaj (2011) argues that some HRE programs engage in the discussion about *other-ed* groups' rights, in order to enhance the understanding and cooperation among populations. Based on Allport's proposals, this model proposes that contact among diverse people is a positive factor to help them avoid discrimination and prejudices. On the other hand, education about rights requires promoting peaceful environments and HRE-based values and common understanding. Therefore, the treatment of cases, role-playing, sociodramas, group discussions, and reflections can be addressed to fulfill the goals of understanding *Others*, peaceful coexistence, and cooperation among the participants and as members of society.

Some authors argue that approaches to human rights distanced from the reality of the participants produce alienation and rejection, naturalization of violence, and the possibility of disaffection to the message when feeling that human rights violations occur to "other" people in "other" places (Boyle & Corl, 2010; Coysh, 2014; Dutta & Acharya, 2014). Hence, there is an enormous danger in referring to an alien history and hypothetical cases to explain the

importance of human rights, because it can produce disaffection and alienation, contrary to the intended cooperation and coexistence.

Principles. The DPE centers its HRE program around three principles: dignity, equality, and freedom. *Dignity* is defined by the DPE as an inherent and intrinsic value of every human being, independently of his/her status, social recognition, or desirable social attributes. According to the DPE, dignity is the foundation of human rights because it is the recognition of humanity. It implies the acknowledgment of a person as an end (and not a means of social relationships), and a reciprocated recognition of *others* as valid interlocutors with their own rights and positionalities (Defensoría del Pueblo de Ecuador, 2016c).

Equality recognizes the inherent differences between humans, according to the DPE. However, even though as humans each person is different from every other, all of us are equals in dignity. Therefore, equality is the antithesis of discrimination. It implies not only the relationship between equality and difference but also the recognition that it is not a passive relationship. To achieve equality, the states have to promote and protect minorities so they can reach the level of enjoyment of rights that privileged groups have, through formal equality (norms, and laws that guarantee neutrality), and material equality (the guarantee of the elimination of any barrier preventing the full exercise of rights) (Defensoría del Pueblo de Ecuador, 2016c).

Finally, *freedom* is defined as a value that ensures that humans can act willingly and following their conscience. It also implies the ability to define one's self and pursue a life project. The limits of freedom are the line that unites a person with other human beings, because a person can exercise autonomy as long as he/she does not endanger the freedom of others to enjoy their rights (Defensoría del Pueblo de Ecuador, 2016b).

In the case of the principles of human rights, the DPE discourse seems to negotiate again between the International System and the national principles of rights. Basically, the DPE explicitly picks these three principles of UDHR (dignity, equality, and freedom), analyzes them through some social sciences authors and theories (such as Foucault, Rowlands, Luhmann, Savater), among other local authors, and regional legislation (such as the Inter-American Convention of Human Rights), understands them in relation to the national system of rights (including the Constitution of 2008, National Plan of the Good Living, and the Social Participation Law), and subscribes to them. However, the selection and adaptation of these constructs is partial and very specific.

The principles of dignity, equality, and freedom are recognized as some of the fundamental values related to human rights by the ISHR. As seen below, the UN considers in the preamble of the UDHR,

[the] recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world [and . . .] the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom (United Nations, 2015, pág. Preamble).

The Constitution mentions these principles several times among others, but they are not explicitly treated as fundamental principles of the Ecuadorian state. Here, it is relevant to draw attention to the agency of the DPE as the sign-maker. Agency is the relation between the production of action in a situated context, and the social structure and social practice where it occurs (Fairclough, 2014). By selecting some principles among many, the DPE produces editorial decisions as a result of its agency, negotiating between the ISHR, the Ecuadorian state, and the institutional principles as a way to produce its identity. Again, the

reflection about the relation between the way power produces knowledge and knowledge produces power is relevant because “[h]uman rights education discourse then is part of the transnational site of struggle which exists in a permanent relationship of provocation between domination and resistance” (Coysh, 2014, p. 108).

However, the guide and the handbook address this matter differently. The handbook explains each concept in detail, providing theoretical support and connecting them to national and international definitions and norms. By contrast, the guide develops only one paragraph per principle and then refers the reader to other sources, resulting in insufficient and incomplete information. Both texts consider the three principles as interconnected concepts rather than expressing them separately in the activities. Through the five activities of the guide (p. 98-118) and the three of the handbook, (p. 89-96), the document proposes various didactics to discuss dignity and respect for diversity. Nevertheless, the activities are related to the three principles but not directly connected to them, complicating the possibility of retrieving more evidence from the document or enhancing the comprehension of the topics. Therefore, as on many occasions during the program, the educators must be able to clarify concepts and characteristics by themselves, and it is almost mandatory that the educators have solid training in the topics addressed.

Later on the handbook, Unit 4 (p. 144-167) is dedicated to enhancing the principle of equality by introducing the concept of discrimination, and its related elements: prejudices and stereotypes. *Discrimination* is defined as any act or omission that distinguishes, excludes, restrains, or prefers, voluntarily or involuntarily, a person or group, and as a consequence results in the impairment or nullification of a right (Defensoría del Pueblo de

Ecuador, 2016c). The Ecuadorian Constitution (2008) clearly states the reasons why no one can discriminate against others under any circumstance, because

[a]ll people are equal and will enjoy the same rights, duties and opportunities. Nobody can be discriminated against for reasons of ethnicity, place of birth, age, sex, gender identity, cultural identity, civil status, language, religion, ideology, political affiliation, judicial past, socio-economic condition, migratory condition, sexual orientation, health status, HIV status, disability, physical difference; nor for any another distinction, personal or collective, temporary or permanent, that has the purpose or result of diminishing or nullifying the recognition, enjoyment or exercise of rights. The law shall punish all forms of discrimination. The State will adopt affirmative action measures that promote real equality in favor of the holders of rights that are in a situation of inequality (Art. 11.2)

The Constitution (2008) also leaves an open clause referring to “any other personal or collective, temporary or permanent distinction” (Art. 11.2) which cannot be used to discriminate against a person or group establishing, through the regulations, a formal or material equality.

The principle of equality and non-discrimination exists in the foundation of the Constitution, but it is also a mirror of the international regulations against discrimination. The UN states that equality and non-discrimination is one of the cross-cutting principles of human rights according to the ISHR, and that,

The principle [of equality and non-discrimination] applies to everyone in relation to all human rights and freedoms and it prohibits discrimination on the basis of a list of non-exhaustive categories such as sex, race, colour and so on. The principle of non-discrimination is complemented by the principle of equality, as stated in Article 1 of the Universal Declaration of Human Rights: “All human beings are born free and equal in dignity and rights” (OHCHR, 2015a, pág. parr. 7).

It is also stated in the core definition of human rights, because “rights [are] inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination” (OHCHR, 2015a, par. 1). Therefore, the DPE ascribes to the

definition of human rights and principles of equality and non-discrimination and they are also principles mirrored in the Ecuadorian Constitution (2008).

Following the explanation about equality and discrimination, two complementary concepts are introduced by the handbook: *stereotypes* and *prejudices*. According to the DPE, *stereotypes* are generalized characteristics that we attribute to a social group that are usually believed without basis and are inaccurate. *Prejudices* are the (generally negative) valuation that is attributed to those socially constructed beliefs, perceptions, and attitudes towards other people. Discrimination occurs when we (re)act based on stereotypes and prejudice, harming others by our actions or omissions (Defensoría del Pueblo de Ecuador, 2016c).

It is worth highlighting that everyone has stereotypes about other groups. They are the result of socialization. Some people also value those stereotypes negatively or positively. The problem arises when those attributes and values are acted upon in daily life. In addition, there are institutionalized historical prejudices against specific sectors of the population that have been discriminated against for centuries (i.e., indigenous people and women). Thus, HRE is vital to acknowledge and identify discriminatory practices. The Ecuadorian state has affirmative measures to ensure the formal and material equality of rights of priority-attention groups (Defensoría del Pueblo de Ecuador, 2016c).

The handbook presents six activities to address discrimination, stereotypes, and prejudice (p. 143-167), that denote a coherent relationship between the discourse and the didactics to talk about it. One of them is a variation of the Circle of Privileges of McIntosh⁵⁵, which aims to connect people with their current reality of privilege and discrimination. It

⁵⁵ McIntosh (1989) explained that people are carefully taught not to recognize white/race privilege (defined as an invisible package of unearned assets) that produces advantages of one group of people over others. Therefore, she created a list of these invisible aspects of the daily life in an attempt to identify and raise awareness towards them. The methodology resulting from her work is often used in workshops.

poses questions that each person has to answer according to his/her own characteristics and experiences, and then the group discusses their understanding of the topic in a plenary. Another activity asks the participants to identify micro-aggression sentences based on prejudices and stereotypes, and when they have spoken them to another person as a joke or in earnest. Both activities work on connecting the topics with the daily life experiences of the educated.

The other four activities are case studies, group work, and individual reflections, strictly related to discrimination, prejudices, and stereotypes. Some of them relate to other activities in the workbook. In the workbook, two activities focus on connecting the topics to personal experiences. One explores the advantages and disadvantages of personal privileges, and the other, the identification and reflection about one's personal stereotypes and prejudices. None of these topics is formally addressed in the guide. It can be inferred that the handbook is a more comprehensive resource; it is continuously referred to by the guide, it includes a deeper theoretical explanation of each topic, and it also contains the additional reflection about discrimination. However, because the guide does not need the handbook, once more, the guide is incomplete.

In conclusion, the evidence shows two different styles used by the DPE to negotiate meanings with other discourses. The first, subscribes mirror-like to the international and national regulations, with only small changes and adaptations –for example, the cases of the conceptualization of human rights and the principle of non-discrimination. A second strategy involves negotiation with selective inclusion of elements from other discourses –for example, in the case of the three principles of human rights. Again, these topics show the dynamic and multiple possible relationships between power/knowledge, agency, and context, to generate a

self-identification and positionality about the discourse of rights. The DPE positions itself as a cosmopolitan institution walking the line between opposite positions. The DPE produces its own concept of rights while it navigates between the universal discourse of rights and the national socialist principles of rights; it uses some principles and characteristics from the ISHR and also from the Constitution and shows different levels of agency; it positions the program in the highest transformational standards of the HRE while it presents a sensitizing initial vision. However, it cannot be inferred whether the DPE has addressed on the internal consistencies and inconsistencies of its decision-making. As Coysh (2014) argues,

In a process where meaning is produced, represented, and consumed, the most critical dimension is a reflexive understanding of the interests embodied in the process itself, and how these interests might be transformed, challenged, or sustained so as to promote rather than repress the dynamics of critical thought and action (p. 109).

Characteristics of human rights and principles for the enforcement of rights. The DPE acknowledges that human rights are an ongoing project, answer to particular theoretical and historical backgrounds, and are influenced by social, economic, political, and cultural conditions. In that context, human rights possess specific characteristics, as a result of their historical and theoretical background, that differ to a greater or lesser extent from one region to another (Defensoría del Pueblo de Ecuador, 2015a).

As the National Institution of Human Rights in Ecuador, the DPE considers human rights as *universal* (accepted by all peoples and states); *inherent* (inseparable from the human condition); *inalienable* (that cannot be suppressed, replaced, or negotiated); *irrevocable* (that cannot be dispensed with, not even voluntarily); *intransmissible* (their enjoyment is personal, individual and non-delegable); *interdependent* and *indivisible* (the advance of one affects the others and cannot be exercised partially); *of equal hierarchy* (no one prevails over the

others); *progressive* (they evolve in an upward direction); and *imprescriptible* (permanent) (Defensoría del Pueblo de Ecuador, 2016c).

The selection of the principles described above seems coherent with the mainstream approach to human rights, and in agreement between the ISHR and the Constitution. According to the ISHR, human rights are interrelated, interdependent, indivisible, universal, inalienable, equal, and non-discriminatory, and are at the same time rights and obligations (OHCHR, 2015a). According to the Constitution, human rights are unalienable, obligatory, indivisible, interdependent, and of equal importance (Republic of Ecuador, 2008).

Additionally, the principles for the enforcement of rights enhance the specific regulatory framework, because they are essential for the fulfillment of the duty of the State to protect, respect, guarantee, and promote rights. In Ecuador, the Constitution mandates that rights be based on their individual and collective exercise, enforcement, and promotion; rights seek equality and non-discrimination, and the State shall determine affirmative action measures if needed to accomplish these ends; rights are guaranteed by law and demand direct and immediate application, without conditions or requirements; no secondary regulation can overcome the principles and mandate of the Constitution; public servants and administrators must ensure the most favorable interpretation of rights; human rights must be enforced in any case, even if they are not recognized in a regulation; human rights are progressive and cannot be diminished, undermined, or annulled; and the duty of the state is to respect and enforce rights (Republic of Ecuador, 2008; Defensoría del Pueblo de Ecuador, 2016c).

In summary, the DPE compiles a selected group of principles and characteristics, included in the International System of human rights, and combines them with the principles of rights and the principles for the enforcement of rights mentioned in the Ecuadorian

Constitution. Yet as I have noted in previous chapters, some of those principles, such as universality and individuality are strongly contested and debated internationally.

The most problematic and questionable characteristic of human right discourse is universality. It is continuously discussed by critical authors (Coysh, 2014; Elliot, 2014; Holder & Reidy, 2013; Santos B. S., 2002). Universality is often considered in three dimensions: philosophical (as a value based on reason), historical (as a value located above history, time and space), and cultural (as a value applicable to all human beings without distinction) (Peces-Barba, 1994). The discussion around each of these factors has been led by scholars who argue that human rights are historical, social, and contextual constructions, and therefore they are not omnipresent and incontestable principles. According to them, individualism is a notion of rights addressed certain criteria to identify the subject of rights as an individual bearer, not as collectivities or as a person involved in interpersonal networks (Ishay, 2004). In Latin America specifically, the more imminent concern is about the use of universality and individuality as a subscription to alien values imposed by the West that are immune to cultural diversity and sensitivity, and ignorant of the collective character of many social movements in the South (Santos B. S., 2002)

These contradictions force the DPE to negotiate between the international norms and interpretations of rights, and local ones. On the one hand, the DPE subscribes to the idea of the universality of rights, as a value inherent to all humans, without ignoring its progressiveness, and its ongoing social and historical construction. On the other hand, the DPE argues that rights can be personal or collectively demanded. Thus, in later units, it recognizes the power of social participation and collective coordination in order to enforce and protect the rights of peoples and Nature. While, I cannot infer the way in which that

negotiation takes place, it is clear that the DPE in its program tries to reconcile the inconsistencies between opposite principles (universality and localism) by presenting them as diversity.

Concerning the praxis of these constructs in the texts, there are inconsistencies between the theoretical concepts presented and the activities of the handbook, guide, and workbook. The handbook includes a chart explaining each characteristic of human rights, and another chart about the principles of enforcement of rights. Conversely, the guide, as in every other module, only mentions the concepts briefly at the beginning of each chapter. As in previous cases, the content is implicit, requiring the knowledge and skills of the educator, or the previous knowledge of the participants, to connect topics and explain them.

With regard to the activities, in general, the treatment of the characteristics and principles of enforcement of rights is incomplete in both texts. Primarily, they aim to identify them and then reflect about their the existence (yet there is no focus on any political or philosophical discussion). Both activities proposed in the handbook are directly connected to the topics (one to the characteristics, and the other to the principles, p. 97-101). In contrast, three activities in the guide (p. 135-156) mainly present rights as universal values working together with some other characteristics (interdependency, indivisibility, and equal hierarchization). However, my main concern in the guide is that two activities propose the analysis of images about diversity relating them to universality as a principle free from a cultural value. The photographs portrays peoples from diverse places in the world folklorizing its characteristics without acknowledging the complexities of cultures. Moreover, those representations reinforce several stereotypes of gender, class, and identity (specificities that I will analyse in the next chapter).

It is crucial to identify and reflect upon the inconsistencies about the characteristics and principles of human rights. According to Coysh (2014), “theory and action are inter-reliant in praxis, which means there can be no theory without action, and no action without theory” (p.108). Therefore, it is useless to present topics in the guide and handbook without them being discussed or applied. Moreover, if these topics create such profound political and cultural debates, the same kind of analysis and reflection must be generated when presented in a HRE program. Subscribing mechanically to any discourse about rights eliminates its transformative potential and the transformative potential of a HRE program that embodies it, as well as the education itself (Coysh, 2014; Pitsoe, 2012; Santos B. S., 2002)

Intersectionality, the cross-cutting human rights-based approach of Ecuador. As described above, the human rights-based approach of the DPE is grounded on the principles of equality and non-discrimination, which implies understanding that there are diverse factors (such as gender, age, health conditions, race, or ethnicity, among others) that produce specific types of discrimination and limit the access to rights of different individuals and groups, due to multiple reasons. Conversely, discrimination is a malady that continuously afflicts the Ecuadorian society, as is shown by the constants report in the media of abuses against rights, especially in populations that also suffer from hunger, poverty, and lack of education, in spite of the fact that discrimination is explicitly prohibited by the Constitution (Art.11).

The antithesis of discrimination is equality. Equality is a notion recognized and mainstreamed throughout the Ecuadorian Constitution of 2008 and several legal corpora. Equality is based on the principle that all people are equal before the law, and therefore, no one can be discriminated against under any circumstance. According to the National

Secretariat of Planning and Development of Ecuador (SENPLADES), equality is defined as the confluence of multiple approaches that must be interlinked and used through the entire planning system of the state (Defensoría del Pueblo de Ecuador, 2016b). In Ecuador, the theoretical perspective is called *transversalización*⁵⁶ of the human rights-based approach.

Following the framework mandated by the Ecuadorian state, the human rights-based approach grounded on equality includes five different interlinked and intertwined lines or categories: gender, intergenerationality, interculturality, disability, and human mobility. These are described in the introduction of the guide and the handbook, representing the core human rights frame to understand the HRE program (Defensoría del Pueblo de Ecuador, 2016b, 2016c).

Gender is defined by the DPE as a social and cultural construction, determined by specific norms, beliefs and expected patterns of behavior of femininity and masculinity. That construction limits access to opportunities to exercise rights. Gender equality is recognized in the Constitution (2008) as a historical struggle, and the State guarantees formal and material equality and non-discrimination (Art.66).

Intergenerational equality includes, according to the DPE, protection against abuses and discrimination based on age differences. It also implies guaranteeing access to opportunities for a dignified life and appropriate care throughout life, especially to priority groups consisting of children and adolescents and senior citizens (Constitution, 2008, Art.35 to 38, and 44 to 46).

⁵⁶ According to Herdoíza (2015), *Transversalización del enfoque de derechos humanos* is translated as *mainstreaming* human rights-based approach, a term ratified in many international documents. However, I use the term in Spanish. I will talk more about the translation of the terminology later in the next chapter.

Interculturality is defined by the DPE as a political proposal that recognizes and revalues the ethnic-cultural diversity of Ecuador, away from the ethnocentrism visible through racism and social injustice. Interculturality emphasizes the *unity in diversity* of the state, stating that Ecuador is “a constitutional state of rights and social justice, democratic, sovereign, independent, unitary, intercultural, plurinational and secular” (Defensoría del Pueblo de Ecuador, 2016b, p. 20). Intercultural equality vindicates the right to identity, a sense of belonging, ancient traditions, and social organization (Constitution, 2008, Art.56 to 60) of original peoples, indigenous peoples, Afro-descendants, and *Montuvios*, and these rights are presented as being interlinked to other rights as well such as education, health, habitat, and human mobility.

The human mobility line according to the DPE implies the right to circulate freely through the Ecuadorian territory and to be able to choose a place of residence. Human mobility also includes all types of voluntary or forced movement and displacement of people, and the abuses and crimes generated as a result of that. According to the Constitution (2008) no individual can be discriminated against because of their migratory status, and the rights of the individual are interlinked to all the other rights (Art. 40 to 42).

People with disabilities are those “who accompanied by their capabilities, potentialities, and talents show some temporal or permanent reduction of any physical, mental, intellectual, or sensory function” (Defensoría del Pueblo de Ecuador, 2016b, p. 21). This aspect of equality understands that discrimination and lack of access to rights, and not the disability itself, are the main barriers for people with disabilities. The Constitution (2008) promotes public policies that provide specific and quality attention to this priority population according to their needs (Art. 47 to 49), and also to all the other rights contemplated in it.

The DPE acknowledges that identity is formed by multiple factors and dimensions. To a greater or lesser extent those dimensions interact with one other and produce vulnerabilities when there are unequal or subordinate power relations among groups. Collins (2000) argues that discrimination is usually not produced by a single condition. Societies are built on power relationships that are shaped by several factors operating at the same time. Those struggles, inside systems of power, legitimize certain privileges, behaviors, and obviously, rights. Therefore, when a person is discriminated against it is hard to determine if this is occurring due to one single axis or to multiple axes working together (such as race, class, or gender), and influencing one another (Collins & Bilge, 2016). For example, an indigenous, young, uneducated woman is more vulnerable to discrimination and human rights abuses than a *Mestizo*, educated middle-age woman, even though, it is impossible to determine which factor has more weight over the other in influencing her vulnerability –age, gender, education, or ethnic origin.

Crenshaw (1989) explains that discrimination is like traffic in a street intersection where traffic flows in many directions. If there is an accident at the cross-roads, it can happen in one way or another, or in multiple ways, and it is difficult to explain how it occurred. Similarly, on some occasions, discrimination is the result of the multiple flows of the identity of a person, and it is difficult to pinpoint precisely which aspect of identity is playing. Intersectionality helps expand and deepen the understanding and study of discrimination, and therefore the enforcement of, and demand for rights.

Contextually, intersectionality was born out of the Critical, Feminist, and Race theories in North America. According to Collins (2015), it is difficult to define what intersectionality is, because conceptual frameworks sometimes limit the range of a concept,

restraining its reach and use. Intersectionality is not only one thing, but instead a fluid concept, nurtured by many thinkers, which encompasses multiple interdisciplinary studies and practices. It is challenging to define, even though it is broadly used and discussed. However, considering the need to define it for this study, I will subscribe to the idea that “[t]he term intersectionality references the critical insight that race, class, gender, sexuality, ethnicity, nation, ability, and age operate not as unitary, mutually exclusive entities, but as reciprocally constructing phenomena that in turn shape complex social inequalities” (Collins P. H., 2015, p. 2).

Some Latin American scholars, especially feminist scholars, argue that intersectionality is also a Western construction that fixes the analysis of the social problematization into some categories regarding mainly the intersection between sex and race, and to a minor degree, socioeconomic conditions, age, and sexuality (Rivas, 2018). Lugones (2005) argues that the overlapping of intersecting oppressions is a mechanism for control, reduction, immobilization, and disconnection, and that moreover oppressions are fused, co-constituted, and interdependent (see also Rivas, 2018).

Meanwhile, intersectionality is also an analytical tool to study the complexity of some social phenomena that require multiple points of examination. In that way, I use intersectionality to understand and explain the multiple factors intertwined in the ontological construction of the DPE discourse. Intersectionality can be studied from different perspectives. On the one hand, it shows the intersectionality of the sign-maker (the person who speaks), and on the other hand, it analyzes the intersectionality of the receiver (the audiences).

First, the intersectional study of the sign-maker gives an account of the positionality of the DPE as the producer of knowledge. It can be inferred that the DPE's understanding of the multiple factors of identity, the power relationships among privileged and subaltern groups, the complex dynamics of discrimination, and the importance of empowering through knowledge of the five priority-attention groups (gender, intergenerationality, interculturality, human mobility, and disabilities) is closer to the theoretical approach of intersectionality, even though, the DPE does not name it as such. The DPE only present it as a principle of the HRE program that "integrates into the educational process the gender, ethnic, intergenerational, intercultural, disabilities and human mobility approaches, among others" (Defensoría del Pueblo de Ecuador, 2016c, p. 11), and later does not connect the principle with objectives at any level of the program. However, I connect the idea of intersectionality with the human rights-based approach as one way to explain the DPE's intersectional positionality, its discourse about diversity and rights, and its practice as sign-maker.

In addition, the DPE uses an intersectional approach when producing its program of HRE as a critical pedagogical tool for empowerment and social transformation by linking knowledge/power and human rights. In order to achieve that, the three texts analyzed present activities to encourage discussion about diversity, solidarity, discrimination, empathy, privilege and power, coexistence, and dignity while maintaining the five categories of the human rights-based approach. The HRE program can be read from the intersectional approach in both levels: the intersectional positionality of the DPE as sign-maker (educator), and the intersectional positionalities of the meaning-makers (educated).

The HRE program of the DPE is based on the human rights-based approach, consisting of the five intertwined categories described above. It is the core positionality of

the institution towards human rights. This means that the DPE understands human rights as an intersectional issue. Furthermore, intersectionality is presented in the human rights discourse as a cross-cutting principle through the Constitution and the Ecuadorian system of planning, and the DPE as the NIHR follows that line. Therefore, it is a foundational principle of the program; it shows the intersectional positionality of the sign-maker.

Also, intersectionality can be used to analyze how the DPE understands the positionality of the meaning-makers of the program, the educated. The third module of the guide and Unit 3 of the handbook extend the notion of the human rights-based approach. These sections in both resources explain how multiple factors shape the identity of people, and how those multiple factors are related to discrimination when the lack or presence of them determines stereotypes and prejudices that materialize in access to, or denial of, equal opportunities. In layer after layer, privileged groups build systems of unequal power relations which exclude other groups. This is what Collins (2000) calls a matrix of domination.

The human rights-based approach of the HRE program of the DPE questions reality by arguing that inequality is a social construction, and that it must be changed through knowledge and sensitization, first, by identifying unequal power relations and vulnerable groups; and second, by creating and adopting measures to empower peoples, changing the imbalanced relations, and fighting against discriminatory practices. This approach considers each person to be an end in him/herself, unique and irreplaceable, capable of choosing, different but equal in rights and dignity, considered as an individual and as part of a collective. Finally, it also argues that considering a person with multiple aspects also implies that, in some cases, a particular condition of discrimination and exclusion must be fought and achieved above others (Defensoría del Pueblo de Ecuador, 2016c). Consequently, the

program touches on the intersectionality of the educated, explaining to them how their positionalities are built and understood.

Collins (2000) argues that knowledge is vital to reinforce the *status quo* or to fight against the matrix of domination. Hence, in human rights-related struggles, knowledge is used to raise awareness of unequal power relations, reconceptualizing interlocking systems of oppression, rethinking the understanding of knowledge and the constructions of regimes of truth, and restoring agency to people through empowerment and an informed exercise of rights. It is, therefore, crucial to understand and reflect upon the relationship between knowledge, power, consciousness, and empowerment as tools for transformation in human rights. That is the focus of this dissertation in the intertwined common concern connecting Critical Theories (of Race, Feminist, Pedagogy, and Discourse) and CDA.

Finally, another way to use intersectionality is as an analytical tool of the content. Using intersectionality in that way allows the researcher to have a more complete vision of the phenomenon (Collins & Bilge, 2016). This method of analyzing the three texts of the DPE's program shows some inconsistencies between the (intersectional) human rights-based approach and the activities suggested to enforce the values that it proposes.

The handbook, *¡Vivo mis derechos!*, theorizes about the idea that each person is the addition of multiple factors which must be respected. However, two critiques can be offered. The first one is that the images used in one of the activities are not based on the reality of Ecuador. The photos (p. 121) portraying poverty, conflict, and hunger can be identified to the Global South (though not Ecuador), but the photos about progress represent people and scenarios that are clearly not from our reality. This disconnection can produce alienation, a

sense of non-identification with the problem, making believe that “those” things happen somewhere else, whitening the human rights utopia.

Second, most activities in Unit 3 (p. 111-139) seem to be planned for heteronormative people. It also is implicit that they will not have any disabilities (because they talk about it not from experience but empathy). A few activities recognize binary identifications as characteristics of women or men ignoring other sexual orientations and identifications outside the men/women binary. Some activities touch on *adultcentrism* as a form of discrimination against children and adolescents; however, they do not talk about age differences concerning senior citizens. It can be inferred that these generalizations can be based on the fact that the resources are oriented toward the youth (high school students). Therefore, the DPE wrongly assumed that the participants will be a Westernized, homogenous group.

The workbook presents self-oriented activities to enforce the principles reviewed in the workshops (p. 45-77). This is the longest unit in the book because it presents detailed work on each one of the five categories of the approach. However, the same critique can be made on the ontological conception of equality and diversity, read from an intersectional approach. Gender is presented as binary. Intergenerationality covers the struggle of *adultcentrism* versus youth but no other issue around age. Human mobility has a bias toward the types of stories representing the nationalities and conditions of migration. However, the texts have richer explanations than the handbook, and allow for a deeper understanding of the topics. Additionally, they present activities oriented toward discussion and analysis.

Therefore, a strength of the program is that the handbook and workbook are intended to be used together, complementing each other. Topics and activities nurture one another by

presenting group activities and discussions and personal reflections. The question arises as to how the promoters/educators *in situ* would work in the event of having a person who belongs to one of the priority groups of which the DPE is talking about when the program does not include them as active subjects and divergent voices.

The guide (p. 159-186) offers a shorter introduction to the human rights-based approach than the handbook, describing the five categories rapidly, and mentioning the importance of understanding diversity and equality. Yet, it does not mention the intersectionality of those factors. As in the other cases, the main critique is that the discussion about equality exists from assumptions of heteronormativity. Gender is presented as binary (men/woman) privileges, problems, and needs, excluding other identifications. Disabilities are assessed from empathy, not experience.

Nevertheless, the guide has a strength in that two activities are adapted from the circle of privileges of McIntosh that I have explained above. These activities open up the discussion about diversity and the ways power relations produce privileges in various forms, affecting people in their daily lives. However, both activities work through empathy (asking the participant to role-play a character) and not personal experiences or self-identification (what they actually live). Again, extrapolating experiences (from hypothetical cases) does not necessarily connect the person with the experience; instead, it can produce alienation and detachment.

The ontological construction of the subject of rights and identity.

The construction of the subject of rights. Even though the history of human rights leads to a common and widespread discussion about what human rights are (characteristics, history, pros, and cons), it is also vital, though less common, to analyze to whom the rights

are directed, how societies construct or portray their subjects of rights, and what role the individual being has in his/her exercise and claiming of rights. Here, I analyze how the DPE builds the notion of the subject of rights: roles (active or passive), intrinsic or extrinsic characteristics, and the factors that build the subject of human rights, one of the cross-cutting concerns of this dissertation.

Depending on the approach, human rights are addressed to specific individuals. The matter about who constitutes the subject of rights shifts from the economically and politically marginalized groups to the socially and culturally excluded. For some authors, the subjects of rights are passive receivers of rights from the State, which has the mandate to protect people and grant human rights. For others, the individual is an active subject of rights, in a process where he/she becomes conscious of his/her rights and, as a part of a community, is better able to participate in social processes to protect him/herself (Lyotard, 2002).

The handbook states that the first step towards human rights activism is to recognize oneself by posing the question “Who am I?”. According to the DPE, the human being builds his/her own style based on his/her history, experiences, and relationships with other people. It is from these experiences that each person develops a particular way of understanding the world. This human being with all his/her complexity is the subject of rights. Moreover, a person is not only the receiver of rights but has an active role in their pursuit and fulfillment.

The DPE considers three topics fundamental to recognize ourselves as unrepeatable, irreplaceable, unique human beings: identity, self-esteem, and empowerment (Defensoría del Pueblo de Ecuador, 2016b). I believe that these three issues, addressed in the first unit in the guide and the first module on the handbook, represent one of the most significant advances in the HRE program. The DPE holds that educating about rights cannot be limited to knowledge

of the history, principles, and values of human rights, but must be expanded to the construction of a subject of rights, capable of self-identification, who values that individual and collective identity, and is empowered through that knowledge to enforce and claim rights.

Identity. Identity for the DPE is a set of characteristics and traits that make us different from one another, but at the same time allow us to belong to a given community. It is a dialectic struggle between being different (from others) and similar (to others). Identity is a social and historical construction, not fixed but dynamic, that changes through time and personal experiences, and is affected by the social environment (Defensoría del Pueblo de Ecuador, 2016b). Individual characteristics can be physical or behavioral, experiences or interests, and these factors shape the self-assessment of oneself, becoming the individual identity. Social identity is shaped by characteristics that we share with other people of our communities (nationality, sex, gender, ethnicity, religious beliefs, economic conditions, among others), and these contribute to the way we are socially perceived. Therefore, identity is related to feelings of self-esteem and belonging (Defensoría del Pueblo de Ecuador, 2016c).

The Constitution states that every person has the right to an identity and that no one can be discriminated against on this basis (Art. 11 and 53). Moreover, Ecuador recognizes ethnic, age, national, social, gender, sexual orientation, and identity diversity (Art. 83). Likewise, recognizing and promoting diverse identities is a vital part of national development (Art. 276).

The intertwined self and social valuation of a person inside a community affect the exercise of rights directly. Belonging to some communities determines ways of being

perceived by others and oneself, and also determines access (or lack of it) to rights and circles of privileges (McIntosh, 1989).

Collins argues that because a person typically belongs to more than one community, discrimination can be multiple and cumulative (Collins & Bilge, 2016). Thus, it is crucial to identify and analyze diverse identity constructions and understand how multiple shapes of power relations produce privileges which enforce the discrimination and exclusion of certain groups. This reflection is not only valuable to assess the personal construction of identity and one's social intersectional position, but it is also relevant to the assessment of how each person relates to others (inside power relationships), and through circles of privilege, participates in dynamics of discrimination against others, sometimes without even noticing it.

The activities in the handbook (p. 42-49) and workbook (p. 7-9) are designed to develop self-awareness of the multiple axes of identity. The activities must be worked first individually (some of them in the workbook), and later, discussed in plenaries or groups. The activities focus on the individual identification and recognition of the self, for example by profiling one's identity, or drawing the *Tree of Life* (p. 48-51) with personal traits, origins, strengths and weaknesses, dreams and projects. The guide has the same activity as the Tree of Life, and another called *Fingers of a hand* (p. 47), which ask the participants to relate each finger to one aspect of life (physical, cognitive, emotional, social, and spiritual) and think about identity as a hand that is complete only when all of its fingers are working together.

One activity in the guide must be examined in detail. It is based on the social value of identity as a factor in discrimination or inclusion. The activity is presented as a puzzle that encompasses different aspects of identity (sex, age, nationality, education, sexual orientation,

skin color, religious, political, and ideological factors) which has to be completed and discussed with other participants.

However, the images⁵⁷ can be interpreted as biased because the drawings accompanying the aspects of identity have to do with stereotypes and prejudices associated with them. For example, in the image of an indigenous woman, the issues to be discussed about identity are ethnicity, skin color, migratory status, and educational level, assuming that this person will have that kind of problems and not others. The same happens with the drawing of a *mestiza* woman associated with gender, age, nationality, and political/ideological position, assuming that gender is a matter related to women only. The way these images are used reproduce stereotypes and prejudices instead of representing diversity and intersectionality. Conversely, the same activity could be valuable to talk about intersectionality if it were not presented as related to specific drawings of people.

Self-esteem. Self-esteem is the “positive evaluation of oneself that favors the strengthening of our capacities and potentialities, and motivates our self-realization” (Defensoría del Pueblo de Ecuador, 2016c, p. 41). Self-esteem is built in the negotiation between what a person perceives he/she is like (self-image), how a person defines her/himself (self-concept), and how a person feels about that relation (self-valuation). Depending on the balance between the three concepts (image, concept, and valuation) the person constructs his/her self and acts accordingly (self-realization prophecy). When the balance is positive, the person has high self-esteem, and therefore he or she tends to defend his/her positionality. When there is instead a negative self-evaluation of the self, there is a higher risk for the person to be vulnerable to discrimination and violence. According to the

⁵⁷ These and other images will be analyzed separately later.

DPE, self-esteem is fundamental to the construction of the person as a subject of rights, the feeling of belonging to a community, and the consequent citizen participation in the exercise and enforceability of rights (Defensoría del Pueblo de Ecuador, 2015b).

The five activities of Unit 1 in the handbook continue with the identification of the characteristics of the self and their social and personal valuation (p. 50-57). They reflect on the social construction of the “ideal” person and how people are continually pressured to fulfill social standards. These activities highlight the importance of self-esteem to recognize and defend one’s value.

In the guide, the activities related to self-esteem (p. 52-66) lead the participants to reflect on the importance of acceptance of oneself and one’s body, skills, and capabilities, and the importance of self-esteem for the exercise of rights. There is also one activity that touches on aspects of self-care as a manifest means of self-esteem.

However, even though at the personal level, the self-realization prophecy and self-esteem have an impact on the personal perception of rights and their enforceability, the DPE assumes that all violations against rights and all discrimination can be managed at this level. The DPE seems blind to the countless cases of systematic discrimination against groups, genocide, war, economic factors, even natural phenomena, that have no relation to how a person feels about him/herself and have a direct impact on the impossibility of the exercise of rights. Let us consider the economic crisis in Venezuela and the millions of people it has displaced to other countries in Latin America, where the issue is not lack of self-esteem, but a structural problem of the country and the region. If the problem was related just on identity and self-esteem (yet not necessarily), each Venezuelan would be able to claim his/her rights,

and as a subject of rights, would be able to somehow reverse the personal effects of displacement. This is obviously not what these displaced Venezuelans are experiencing.

The third factor worked in the program of the DPE, *empowerment*, is the strongest of the three (identity, self-esteem, and empowerment) in terms of having possible effects on claiming rights, as we will see.

Empowerment. Empowerment is a specific way of understanding and using power. Power, for the DPE, is the acquirable capacity of an individual to transform his/her reality (Foucault, 1980), and a means for the social system to fulfill its functions and objectives (Parson, 1969; Luhmann, 1995) (Defensoría del Pueblo de Ecuador, 2015b). According to Rowland (1997, in Defensoría del Pueblo de Ecuador, 2016c, p. 42) there are four ways to exercise power: power of one person or group *over* another; power *from* the inside (self-esteem, confidence, and autonomy); power *to* transform or change realities; and, power *with* other people and groups to mobilize resources and alliances.

Empowerment is possible when a person, first, is aware of the condition and situations of inequity surrounding him/her; second, changes his/her self-perception and enhances his/her capacities to negotiate, participate, influence, or control decisions about his/her life; and third, decides to participate in transforming unequal social, economic, or politic conditions (Defensoría del Pueblo de Ecuador, 2015b).

The DPE considers that the subject of rights has an active role in exercising those rights. The handbook discourse, addressed to the youth, argues that the national and international legislation promotes and protects the rights of children and adolescents not only as passive receptors of care and protection but as active subjects in the exercise of rights (Defensoría del Pueblo de Ecuador, 2016c). The guide, addressed to a broader audience,

states that an empowered person is able to change his or her reality, from being a bearer or receiver of policies and services to an active protagonist responsible for his/her own life (Defensoría del Pueblo de Ecuador, 2016b).

The activities of the handbook (p. 58-64), directed to adolescents and children, are associated with understanding power (in its different manifestations), analyzing one's amount of power over one's decisions, and participating in the process of empowerment. The guide develops more complex activities (p. 67-81), using extra time and resources, probably because it is addressed to a more age-diverse audience.

The three resources emphasize the construction and strengthening of the self, situated in a community, but they promote an introspective analysis. It can be inferred that their approach to empowerment has to do with the proposal of HRE to be used as a way to empower people and create the subject of rights. Nevertheless, a broader perspective is needed because power is also a structural matter. Many aspects of daily life are related to one's capacity for decision-making and the exercise of rights, for example when electing a candidate for mayor or president. But elections are also complex systems of discourses and practices intersected by poverty, education, political interests, information, and media, that are beyond a single person's power. Additionally, the three texts lack a discussion about the empowerment of communities as actors in social life (recognizing the value of our long history of labor and indigenous movements), as a way to promote social change.

Citizenship, democracy, and participation. The liberal understanding of citizenship connects a person with a state in a specific territory. Based on the principle of individual responsibility for the enforceability of rights, historically, the "citizen" has been a white, adult, educated, heterosexual, rich man. In Ecuador, this was true until 1979 when the

Constitution eliminated education and property requirements for citizenship to enable a significant number of people to attain the condition of citizenship (Defensoría del Pueblo de Ecuador, 2016c). Still, citizenship remained bound to the territorial condition, meaning inside the country. With the vast movement of Ecuadorians to the United States and Spain, the territorial condition of citizenship presented an enormous problem in terms of protecting and guaranteeing rights for the displaced, and providing them with public services.

As Arendt mentioned, the first right lost with human mobility is the connection to a territory and a state that protect the person, a loss that jeopardizes all other rights. With the Constitution of 2008, the Ecuadorian state subscribes to the idea of Universal Citizenship, which recognizes every person as a subject of rights, capable of participating and exercising an individual identity, whether living inside or outside Ecuadorian territory. In a progressive move for the full exercise of rights, the Constitution extended citizenship rights to non-Ecuadorians as well⁵⁸.

The DPE considers that citizenship requires conscious, empowered, and free people, capable of enforcing their own rights and participating and sharing in the decision making of their communities (Correa and Noé, 1998, in Defensoría del Pueblo de Ecuador, 2016c). Citizenship is thus a dynamic and flexible construct, enforced by social participation and democracy, that contemplates people as active subjects of rights. Additionally, the Ecuadorian concept of democracy views the subject (bearer) of rights as the motor to achieving Good Living through active civic participation.

⁵⁸ This policy forces the State to give the same access to health, education, housing, work, security, and other rights to foreigners. However, the Constitution never regulates how to fulfill this promise. A decade later, we have an enormous problem of budget and access to public services, among a thousand other problems, because they are insufficient even for Ecuadorians, much less possible for our brothers and sisters of Latin America, especially the people displaced from Venezuela.

Citizen participation is a principle of democracy, a constitutional guarantee (for the recognition and exercise of rights) and a right to participation in the public affairs of Ecuador, according to the Constitution (2008). Citizens can influence public affairs through four types of participation: community participation (family, neighborhood, or peer groups); social participation (social organizations and movements); political participation (candidates for public office); and citizen participation (individual or collective functions of control and auditing of public offices).

On Unit 7, the handbook focuses on citizen participation as a means to empower people and communities, introducing the chapter with a long explanation of key concepts. In eight activities, the DPE works on democracy, citizenship and participation, participation of adolescents, social organization, and control. The didactics to present the topics are the usual techniques of analyzing hypothetical case studies, role-playing as a tribunal and a cabinet, and group activities.

Yet, in these units, two activities were different from the others. The handbook asks the participants to search and reflect on problems that affect the adolescents in the community (p. 260), and asks to research about a social organization in the community that helps enforce human rights (p. 266-267). Both activities go beyond the usual analysis of cases that, although well designed, do not connect with the reality of the people involved in the educational process. Both activities seem to aim at connecting the idea of participation with the actual spaces and problematics of each educated, closing the gap between theory and practice.

The cross-road: Human rights principles and the Constitution of Ecuador.

Good Living and human rights. The concept of Good Living (*Sumak Kawsay*) is a new construct introduced in the Constitution of 2008. It is “the ultimate goal of the State, in the sense that it is not only to guarantee minimum subsistence conditions but also to ensure that each citizen can carry out his/her life project fully and in harmony with Nature” (Defensoría del Pueblo de Ecuador, 2015b, pág. 172). It is based on principles such as equity, respect for diversity and community values, social participation, solidarity, harmonious coexistence with Nature, social cohesion, and sustainability.

However, Good Living or *Sumak Kawsay* is far from idyllic. Even though it expresses respect for diversity and unity in diversity, the former government silenced dissident voices and attacked ethnic groups and populations that thought differently for an entire decade using the Constitution to justify its actions. Even if it is necessary to differentiate the principle from the praxis of it, some authors argue that *Sumak Kawsay* is misinterpreted. Its critics argue that the concept is a deficient combination of ancestral Andean principles (based on communitarism and the good living for all people) mixed with liberal Western principles (around economy, national planning, health and identity), thus becoming an instrumentalized empty signifier (Domínguez, Caria, & León, 2017). In spite of any debate or criticism to it, the principle of Good Living is mainstreamed through every aspect of state planning, from education to economy, national or local planning, and legislation. Therefore, by mandate, it is a fundamental principle of the HRE program of the DPE.

The handbook starts the 5th unit (p. 169-203) by explaining the concept of *Sumak Kawsay* and the organization of the Constitution of Montecristi. The Constitution includes the three traditional generations of rights (civil and political; economic, social and cultural;

and collective rights). In addition, it provides the same weight to all without prioritizing one over others. Later, it includes the innovative principle of acknowledging the rights of Nature.

The fourth module (p. 187-266) is the longest one in the guide, and it focuses on the regulatory aspects of the protection of rights: duties of the state, protection of rights in the national and international arena, duties of the public servants, and enforceability of rights. Interestingly, the *Sumak Kawsay* is not presented as a topic even though it is a backbone philosophical concept in the HRE program.

The handbook and the guide describe the Constitution of 2008, known as the Constitution of Montecristi after the city where it was drafted. Through its 444 articles, the Constitution classifies rights into seven groups: Good Living rights (Art. 12 to 34), priority-attention groups rights (Art. 35 to 55), participation rights (Art. 61 to 65), freedom rights (Art. 66 to 70), protection rights (Art. 75 to 82), communities, peoples and nationalities rights (Art. 56 to 60), and Nature rights (Art. 71 to 74)⁵⁹. Following the Constitution, both resources (guide and handbook) of the DPE divide the priority-attention groups into nine categories: senior adults, children and adolescents, youth, people in a condition of human mobility, pregnant women, people with disabilities, people with catastrophic diseases, people deprived of freedom, users and consumers. The resources also include a description and a detailed list of the rights granted by the Constitution, ordered in each category.

The activities on the handbook, workbook, and guide focus on topics regarding *Sumak Kawsay* and other rights included in the Constitution. However, it is complicated to connect the activities to these two topics, which are only one part of the unit and module. For example, Workshop 14.1 of the handbook, developed fully in the workbook, is a well-

⁵⁹ The guide and the handbook have an error in the number of the articles contained in each section of the Constitution, that I have corrected in this summary.

designed and elaborated board game about some aspects related to rights. Even though it is exciting and dynamic, it is not directly related to the study of *Sumak Kawsay* or the Constitution. It bears repeating: the educator must be very well trained in human rights in order to connect the activities of the unit and module to the topics. This is problematic because the program is not intended to be developed by an expert but by educators or activists interested in human rights education.

In the end, the principles of *Sumak Kawsay* are only mentioned superficially and not enforced later in the activities, despite being the central foundation of the philosophy of the Ecuadorian State. The idea of a society aiming at Good Living and the wellbeing of its citizens, in cooperation and participation, including Nature as a bearer of rights, promoting unity within diversity, enforcing multiculturalism and plurinationality, is innovative and profound. Yet this topic is addressed only briefly in the handbook and only mentioned in the guide in the section about types of rights determined by the Constitution. Here again, theory without practice in a constructivist pedagogical method makes no sense.

This is a critical omission because, without connecting the principles of Good Living to the spirit of the Constitution, rights become a comprehensive compendium without a soul. The way rights are treated in the module and unit is by reviewing lists, dividing them into groups, and breaking them down by priority groups. This position is not far away from other HRE programs that mechanize human rights divisions and reduce knowledge about rights to the mnemonic level.

Institutions and mechanisms of protection and enforceability of human rights.

Rights are guaranteed in the International Bill of Rights (and other international mechanism and treaties) and are replicated at the national level in the constitution of each country. It is a

duty of the State to respect rights and guarantee favorable conditions for their exercise.

Ecuador, like any other nation, has created mechanisms and institutions dedicated to the protection, enforcement, defense, and promotion of human and Nature rights (Defensoría del Pueblo de Ecuador, 2016b).

The 5th unit of the handbook and the 4th module of the guide define the four obligations of the state towards rights: to respect, protect, guarantee and promote rights. According to the DPE, to *respect* is the absolute prohibition of the State to exercise abuses of power against its citizens. To *protect* is the duty of the State to prevent third-party intervention in the exercise of rights. To *guarantee* means ensuring that all persons can access to rights by themselves. To *promote* is the duty to strengthen rights through socialization, budgets, and conditions, to create favorable conditions for citizens to claim rights. To protect, guarantee, and promote are called positive obligations of the State because they require a direct action from the State. To respect is a negative obligation of the State that implies non-interference in the liberty of its citizens to exercise their rights (Defensoría del Pueblo de Ecuador, 2016c).

The three resources also describe the five branches of the Ecuadorian state and their attributions. The division into Legislative (Art. 120), Executive (Art. 147 and 154), and Judicial (Art. 167) branches is well known in most of the republics of the world. Additionally, we have the Electoral Branch (Art. 219 and 221), and the function of Transparency and Social Control (in charge of auditing and controlling the entities of the State). The resources include an enhanced explanation of the attributes and functions of each branch.

The Transparency and Social Control Branch is highly criticized because it is considered a political invention aimed at weakening other functions of the State and monopolizing the power of nominating authorities and auditing them. In 2019, there were several social movements and social civic organizations working toward a referendum that would eliminate the Transparency and Social Control Branch. The fate of this entity remains to be seen, but its days seem numbered. This remark is important, because the DPE is under the fifth branch.

Each function of the Ecuadorian State has several institutions dedicated to the protection of rights, and mechanisms through which people can claim the fulfillment of their rights. One of them is the DPE, the National Human Rights Institution of Ecuador, under the mandate of the Transparency and Social Control branch. However, the handbook does not establish other institutions under each function which can be referred to in order to enforce rights. On the contrary, the activities propose searching for institutions whose goal is to protect rights. And they are set as homework (research, field trip, and field trip report), with no accompanying a list or description of institutions for the educator to use as a backup.

The 4th module of the guide provides a more comprehensive vision of the mechanisms and institutions for the protection of human rights, however incomplete. First, it explains the systems for the protection of rights in the international and national arenas. Regarding the International System of Human Rights (ISHR), the module mentions the Charter of Rights, the two covenants and tree conventions (out of seven conventions and nine optional protocols) and the Inter-American System of Human Rights (IASHR) --mentioning only two out of nine conventions and several other declarations and protocols. It explains the difference between a declaration (not a binding document) and a covenant and a convention

(which are binding). In the activities, the DPE asks participants to analyze and compare some instruments of the ISHR with some of the IASHR. Then the activities focus on the Inter-American Commission on Human Rights (IACHR), called CIDH (*Comisión Interamericana de Derechos Humanos*) for its name in Spanish.

Second, the module presents the protection system at the national level. It includes the previously discussed division of rights and priority populations mandated in the Constitution. The guide also introduces another topic: the mechanisms to guarantee the protection of rights. The difference between guarantees and rights is that a guarantee is a means by which a right becomes effective. There are four types of guarantee according to our Constitution: regulatory (laws and norms), public policies (medium-term political instruments), jurisdictional (measures dictated by a judge), and institutional (mechanisms to protect institutionality for human rights protection). Among the jurisdictional guarantees, there are measures called actions that are the closest to a personal or collective enforceability (protection action, habeas corpus, habeas data, non-compliance action, access to public information action, and extraordinary protection action) (Defensoría del Pueblo de Ecuador, 2016b).

Another topic related to the national system is the role and obligations of public servants. The topic's inclusion in the guide is probably related to the fact that one of the target audiences of the guide is public servants. The activities addressed to the general audience develop the role and scope of action of public servants and their obligations. On the other hand, the activities addressed to public servants propose to analyze and identify some issues related to their professional reality such as discriminatory practices, the use and abuse of force, legitimacy, and their role inside the community.

Third, the guide presents a whole chapter about the *Defensoría del Pueblo* as the National Human Rights Institution in Ecuador. Historically, the *Defensoría* comes from an ancient tradition of protection of rights against the power of the state which includes the Eflores in Sparta (750 BC), Euthunoi in Athens (759 BC), Defensor Civitatis in Rome (AD 365), and the Tucuyrucuy (South America). The figure of the Ombudsperson appears in the 16th Century and was institutionalized for the first time by the Swedish congress in 1809, as a delegation of parliament but independent of it (Defensoría del Pueblo de Ecuador, 2016b).

The modern concept and functions of the Ombudsperson come from the Swedish tradition, and remains as it was originally created: to look after, inspect, and enforce the administration of the rights and freedoms of citizens, and admit their claims against the state apparatus. The instances responsible for ensuring that the state apparatus complies with the protection, promotion and guarantee of rights are called National Human Rights Institutions. Therefore, the DPE as the Ombudsperson Office is also the NHRI in Ecuador (Defensoría del Pueblo de Ecuador, 2016b)

In Ecuador, the *Defensoría del Pueblo* is part of the fifth power, Transparency and Social Control, constituted as a mandate of Art. 214 and 2015 of the Constitution of 2008. I have addressed its history in the second chapter and at the beginning of this one. The activities of the module propose a group activity to address the history of the figure of the Defender and a case study based on actual press releases.

Finally, as a part of the mechanisms and institutions for the protection of rights, there is the principle of enforceability of rights. Enforceability is the possibility that the holders of rights have to claim from the State the fulfillment of its obligations (either individually or collectively), and it is also the right to know that all rights can be claimed (OHCHR, s.f., in

Defensoría del Pueblo, 2016b). Rights can be enforced in two ways: by collective action to push public policies, programs, projects, regulations, and mobilizations; or, by claiming human rights from the existent regulations (Defensoría del Pueblo de Ecuador, 2016b).

The handbook presents two activities to approach enforceability. Workshop 17 proposes the construction of an enforceability route based on three principles: prevention, protection, and sanction. There are six cases to be worked in groups that analyze the best strategies for claiming rights. The activity is connected to two activities in the workbook.

Once again, the educator must know about the functioning of the State to be able to connect the activities with the topic Inside the five branches of the State there are institutions and mechanisms that are particular to each field, but they are not explicit in the text of the DPE. In the case of the guide, it can be inferred that the participants have previous knowledge about human rights because the target audience is facilitators, public institutions, and international organizations, which can have a broader background in the field. In the case of the handbook, the facilitators, which are high school teachers, must be aware of the possible difficulties encountered during the process.

The handbook in the last unit, which presents the principles of participation and democracy, states that citizens can influence public affairs through participation. Even though it was described above, it makes sense in this context because citizen participation can be considered as a mechanism to enforce and claim rights. The handbook argues that a person can have a leading role in the decision making, auditing, and control of their social community life. The mechanisms of *civic participation* are consultation, town councils, discussion tables, citizen networks, public audiences, and “empty chair”. The mechanism of social control is *veedurías* (citizen oversight), community defenders, and user committees.

Another form of participation is *social organization* which can be family-individual, communitarian, social, civic, or political organizations (Defensoría del Pueblo de Ecuador, 2016c).

The topic of democracy and participation, on the one hand, follows the requirements of the Ministry of Education regarding the high school curriculum around civic education. On the other hand, the topic can also be read as an approach to let young people know about the existing mechanisms to claim and exercise their rights. However, these issues are not addressed in the guide, which is, as has been said before, aimed at a diverse audience with or without prior preparation in human rights.

Conclusions: What is the Ontological Discourse of the HRE Program

The ontological discussion about human rights education brings us to the construction of the idea of human rights enforced by the DPE, emphasizing the positionality of the DPE as the producer of the discourse. Understanding that knowledge produces power and power produces knowledge (Coysh, 2017) helps us to comprehend that human rights discourse is not a neutral selection of epistemes, but rather the result of power struggles, negotiations of meaning and contextual situations. In that context, HRE programs can become either a site for struggle or a space to reproduce the *status quo*; hence its vital to critically analyze the ontological construction of the human rights discourse inside HRE programs.

A critical discourse study (CDS) from the ontological perspective helps explore the construction and decision-making processes of the DPE in its selection of knowledge on which to base its HRE program. Also, CDS makes it possible to reveal the agency of the institution in the decision-making process as the NHRI in Ecuador. Besides, it allows us to infer some of its consequences and formulate some criticisms around the building of

knowledge related to human rights. The discourse about human rights analyzed in this chapter is the result of the positionality of the DPE in relation to the socio-political and historical context of the institution in Ecuador, and it responds to its understanding and conceptualization of human rights and HRE.

Hence, this chapter used the Multimodal Critical Discourse Study (MCDS), described in Chapter 3, to examine the manifest and latent content about human rights categorized in topics such as the principles and values of the human rights conception, essential aspects of human rights, intersectionality, identity and the subject of rights, and the relationship between human rights and the Constitution of Ecuador, revealing the internal consistencies, inconsistencies, and negotiations of content presented by the DPE⁶⁰.

In the first place, it is crucial to acknowledge the strengths of the content in the DPE's human rights discourse. On the one hand, although there is a vast theoretical component about human rights, the HRE program is not focused only on human rights principles, regulations, and history, but on complementary topics such as discrimination, stereotypes, democracy, citizenship, and citizen participation. It also enforces the active construction of the subject of rights. It should be noted that the DPE states that people are active subjects of rights who, through an informed practice, are capable of defending and claiming their rights. To do this, the DPE develops three axes: empowerment, identity, and self-esteem.

Precisely one of the strengths of the DPE program lies on these peripheral topics (democracy, identity, empowerment, and discrimination, among others) which enrich and enhance the scope of the discussion about human rights. Some HRE programs interested in

⁶⁰ For analytical purposes, it would have been impossible and fruitfulness to separate the latent and manifest content because one informs the other, so I merged the two components.

the transformational potential of education for human rights expand the scope of knowledge beyond the basic and fundamental notions of rights (Struthers, 2015).

It is worth mentioning that another plus of the HRE program is that each resource has its own *forte*. The handbook provides the more solid manifest content, which is another asset because this text is the center of the program. The workbook, as a personal log, is an asset of the program because it dialogues directly with the educated, linking contents and target audience. Finally, the guide's strength lies in opening the process to other audiences, using the strengths of the other two texts, a fact that works in its favor.

Another critical topic is the national regulation and conceptualization of rights, and the processes of enforcement of rights according to the Ecuadorian rule of law, which implies a complementarity between the international and the national contexts of rights and also the interest to present a situated educational proposal. The inclusion of the additional topics is an illustration of the agency of the DPE in negotiating between the ISHR, the Ecuadorian Constitution and the DPE's positionality towards human rights.

In that context, the first significant aspect is the ways in which the DPE negotiates the content about and around rights. On the one hand, the DPE clearly uses different levels of negotiation of contents between the international conception of human rights and human rights education, which comes from the ISHR, and the national conception of rights mandated in the Constitution (macro-level). Another level of negotiation is between the macrostructure and the institutional understanding and goals of the HRE process (meso-level). Finally, the DPE also negotiates between the two previous levels and the internal design of the didactic of the topics (micro-level), picking from different experiences and matching them with some of their own.

On the other hand, negotiation is not necessarily a coherent, always consistent process. In the case of the DPE, it navigates between two opposite positions about rights –the liberal understanding of rights promoted by the ISHR, and the socialist position mandated in the Ecuadorian Constitution. The DPE subscribes to both sides without further discussion, which is the opposite effect of what a transformational HRE program should enforce: a critical understanding of human rights. However, at the same time, the DPE selects some principles and characteristics from the ISHR and also presents its own concept of human rights –enhancing the traditional one, which reflects the institutional vision about rights, and will also define their agenda as an NHRI. Let us remember that discourse has effects in the real world.

The results about levels of negotiation, and the complete subscription or not to some principles, show the capacity of agency of the DPE and also its positionality as the National Human Rights Institution in Ecuador. It can navigate between the national and international standards, subscribing completely to the macro-level and, at the same time, incorporating and selecting principles and characteristics that represent its own vision about rights, enforcing, enhancing or ignoring fundamental concepts about human rights, neither following blindly the ISHR and the WPHRE, nor presenting the counterhegemonic positionality of some NGOs.

Another result, in some way related to the negotiation of contents, has to do with the political implications of uncritical subscription to some principles. This remark is most evident regarding the history of human rights. The DPE chooses a Western perspective of the evolution of rights, reinforcing the ideas of authors such as Donnelly (2013), who believe that human rights are a Western creation. Yet this runs counter the argument of some

scholars who states that the Western perspective of right has ignored or silenced dissident voices because, first, human rights have been understood and fought for in non-Westernized scenarios since ancient times (Elliot, 2014), and second, that Westernizing human rights will only contribute to colonization and alienation of non-Western countries (Santos B. S., 2002).

Memory is also a space for struggle. Powers (2014) argues that memory helps advocates and activists of human rights to keep on fighting for liberty and the promise of human rights. According to the author, uncritical memory will only serve as an empty declaration without any actual effect on advancing social change, as has continually happened around genocide and war. Therefore, describing and promoting a Westernized history of rights without promoting an in-depth discussion about their origin, the power/knowledge relationships involved in the creation of knowledge, and the geopolitical implication of those constructions, can do more harm than good in enforcing human rights education.

A concept so intricate and contested as human rights, as I widely describe in chapter 2, loses its multifaced complexity when presented only as topics within an activity to be conceptually discussed and not as a part of the power/knowledge constructions mentioned before –for example, talking about the concept of human rights without an in-depth discussion about the importance of understanding liberal or socialist notions of rights, universal or cultural principles, individualism or collectivism, and many other “hard questions” (Holder & Reidy, 2013), or “difficult topics” (Frezzo, 2015). These discussions are particularly important in the context of Latin America, a continent that has developed a special sensitivity towards Westernized knowledge, which is often perceived as alien and

alienating (Santos B. S., 2002), that cries out for the cultural dimension of rights and the construction of alternative epistemes.

Another level of negotiation and selection of content is around the resources used as companions and sustenance of the activities in the three books. The DPE selected a variety of sources such as videos, comics, readings, and cases, to use them, in a way, as additional informational resources or material for case studies. A major critique is the lack of criticism and cultural sensitivity when including such materials. The selection of the materials reinforces the Westernized ideas embedded in the rest of the content, which seems to be the repeated position of the DPE.

At the micro-level, a recurrent concern about the DPE's HRE program is the inconsistencies between the activities and the topics. Leaving topics without a discussion is as bad as providing activities without connecting them to the topics (de la Herrán & Paredes, 2008). Such is the case of the main topic of the *Sumak Kawsay*, which is merely mentioned, and no activity is proposed to reinforce the notion. Conversely, some activities in Unit 4 address the problem of violence without a conceptualization of power/violence in the theoretical parts. Both mistakes affect the program because they leave essential issues unattended, open to misinterpretation or oblivion.

Another inconsistency between activities and principles is related to the use of cases to work on concepts such as diversity, intersectionality, and participation, among others. The problem for some authors is that, when hypothetical cases are proposed that are not connected with the actual personal experiences of the participants, they can be easily perceive that human rights violations are not close to them and thus reject or ignore them (Boyle & Corl, 2010; Dutta & Acharya, 2014). On the other hand, some HRE programs use

the case study of other-ed populations to encourage dialogue and discussion about diversity and cooperation, and foster the culture of peace (Bajaj, 2011). Consequently, these activities, which are frequent in the DPE program, can generate both spectra of effects depending on the successful guidance of the facilitator.

Another weakness is the uneven conceptual support provided in the handbook, guide, and workbook. The handbook represents the first and most solid resource of the three texts analyzed. The workbook has only a few concepts and they are not advanced in depth, but this fault is compensated for because it is designed to be the accompanying material of the handbook. However, the bigger problem is the guide. The guide has a brief conceptualization of the topics covered, which is sometimes limited to just a couple of paragraphs per topic. The uneven depth of content in the books can undermine the capacity of the educator to explain, expand, or enforce his/her knowledge about the multifaceted framework of human rights education, or even worse, could allow these misinterpretations or biases to be reinforced. This fact supports my remark in the previous chapter that to be effective the facilitator of the HRE program of the DPE cannot be just any person, but an educator well-versed in human rights.

A final remark: The principle of intersectionality has been met from various perspectives throughout this study. It is a profound concept that is useful for analyzing complex situations in which multiple axes of diversity come into play in the construction of a discourse (Collins P. H., 2015). I used it as both a category of analysis and as an analytical tool.

Intersectionality is mentioned as a fundamental principle of the program in the introduction of the guide and the handbook, so it can be inferred that the DPE considers the

participants to be subjects of rights from an intersectional perspective. Furthermore, the program is founded on the *transversalización* of the human rights-based approach linking gender, intergenerationality, interculturality, mobility, disability and environment, which even though is not named as “intersectionality” reinforces the notion of the intersectional nature of the subject. In other words, on the one hand, the DPE inscribes the principle within its discourse, and on the other hand, this principle permeates the construction of the *other*.

Using intersectionality as an analytical tool allows me to interpret these subscriptions, because, although it is explicitly stated in its proposal, the DPE is less clear about the way of carrying it out. That is to say, in spite of posing it as a principle of the program, later it is not addressed as an objective at any level, and at the micro-level of the activities it is proposed only as an indirect topic of discussion. Thus, it cannot be considered as a transversal principle, because in reality it is only treated as a notion to be inferred indirectly. Additionally, throughout the texts, the subject of rights is treated as a one-dimensional subject, which in some cases is related to gender aspects, in others to discrimination, and in others to enforceability, without reinforcing the multiple axes of the identity that affect the subject of rights.

It is evident that every educational process entails many challenges. It is very complicated to consistently connect abstract concepts with activities, thinking at the same time about diverse audiences and answering to the international and national context. Also, education as a political endeavor entails expressly or not, consciously or not, the impact of the decision-making process of the producer of the educational discourse, because educators are constituted and constitutive parts of the system.

Nevertheless, the most significant danger around the ontological construction of the HRE program of the DPE, as the National Human Rights Institution (NHRI) in Ecuador is the scope of its reach –since it is able to enforce the program nationwide– and the impossibility of inferring the level of awareness about the negotiations of meaning at multiple levels that I have described. Only the results are visible, and they are not necessarily constant. They reflect the construction of an uneven conceptualization of rights, navigating between opposite visions without careful reflection.

In any other case, the unconscious hidden-curriculum in an educational process could have been disregarded, but one of the core principles of the DPE program is to promote the questioning of social structures, beliefs, and practices in order to produce social change through the informed active role of the educated. It is an oxymoron to try to create critically educated students without critical educators.

I thus emphasize the importance of reflective practice in education, which allows us to analyze the premises that are considered true, the consistencies and inconsistencies between theory and practice, the hidden curriculum in educational discourses, and the antidemocratic unconscious practices. This also makes it possible to reinforce existing strengths, promoting democratic and participatory practices centered on the educated and on human rights. This ontological critique of the HRE program is the first inquisitive look that allows us to move forward, following Galeano's idea of *utopia*.

The way the DPE has constructed its discourse about human rights and HRE has been so far analyzed from two different perspectives, educational and ontological. In the next chapter, I will explore what I called a *communicational* perspective. This approach focuses on aspects about rights –such as representation, voices, intersectionality, and translation– that

were left aside in the previous chapters. It will also analyze whether the DPE, mainly through design and its editorial decisions, enforces or contradicts the ontological and pedagogical principles previously studied.

Chapter 6 –

Communicational CDS of the *Defensoría*'s HRE

[...] Not only is the problem of rights as such, but of the relationship with others. The reality of HHRR [human rights] is that of acts, their expressions, and the way they are given. This confers the HHRR study a possibility also to investigate the meaning of social actions and the deeper meaning of the issues that have so much concerned us with communicative thinking in Latin America: social justice, democracy, communicative equity, right to information. The HHRR are emerging as a broader category of analysis that leads to an integrating knowledge, and also points to new ways of defining and fighting for a more dialogic and participatory communication, where a broader idea of human dignity is promoted (Karam, 2001, p. 37).

Human Rights Discourse and the Construction of Meaning

The discourse about human rights has tangible effects on the exercise of rights. As Jager and Maier (2016) argue, discourse is a particular way of talking and thinking about an aspect of reality (human rights in this case), but it is also a way of acting accordingly. Therefore, “the increase of scientific, interdisciplinary, communicative study [of human rights as discourse] is one of the strategies to promote effective observation, defense and denunciation (national and international)” (Karam, 2001, pág. 33). Moreover, the contribution of a communicative epistemology is that it enhance the understanding of how “social actors construct, appropriate, and interpret society itself, based on the understanding and management of human rights” (Karam, 2001, pág. 33).

Despite its importance, human rights discourse is not frequently considered from a communicative perspective. According to some authors, human rights are usually discussed by social sciences and humanities scholars in the context of their philosophical principles and history (creation, evolution, debates around them), their empirical value (worldwide

statistics, stepbacks, and accomplishments), and their judicial order and rule of the law (bills, treaties, covenants, laws, agreements and violations) (Keet, 2012; Landman, 2006).

However, there are scarce studies that explain how human rights are represented and constructed in the discourse, and how the contents of that discourse are selected, produced, and interpreted in context (Karam, 2001). Therefore, Karam (2001) proposes to return to discourse as an informative source on the connection between human rights and their influence on the complex framework of social relations. Therefore, it is vital to study “how the stories are embodied, how the social conflicts are modeled and regulated in the discursive exchange, and how the enunciative stories and procedures give an account of the characteristics of the social struggle and historical conjuncture” (Karam, 2001, p. 33).

In chapter 4, I examined the discourse of the DPE about education, determinant in the construction of its HRE program. The results revealed a strong theoretical background and thoughtful pedagogical design. But like any other learning process, it was found to include some inconsistencies between the macro-, meso-, and micro-level of the program. I argue that the educational design (re)produces the discourse of the DPE about education in every decision about the design of the program. What was relevant to this dissertation because it represented an initial contrast between epistemological and methodological studies on HRE and its application to a specific case (DPE) in a specific place (Ecuador).

In chapter 5, I described the internal construction of the discourse, which I have called the *ontological* analysis of the texts. It implied an ontological evaluation of how the DPE understands human rights and human rights education, and how it built the discourse around those beliefs. The analysis focused on the content about human rights in the books, scrutinized from a critical perspective, in order to unveil what is explicitly said in contrast to

what lies beneath the surface. The ontological analysis of the DPE program was relevant because it showed that discourses are not only linguistic constructions, but are produced and reproduced by a person or institution, situated in a particular context and affected by it, and enacted in the real world.

This chapter, which I called *communicational*, assesses the decision-making of the designers/sign-makers in the way that the meaning in the DPE texts is produced and presented. Meaning is the result of human interaction, and in every interaction, there are multiple modes to communicate meaning. The communicational analysis departs from the idea of Kress (2016) that learning and communication are interlinked, and are constituted and defined mutually in a closely integrated domain of meaning-making.

Modes are presented in sets: writing-image-layout or gesture-posture-speech-spatial position, in which no mode is more important than the other (Kress, 2011). First, I analyze the representation of subjects of rights focusing on the images and illustrations, and then I discuss other semiotic elements (such as color and graphics) that accompany the content. My argument is that the designer's decisions are not only a matter of aesthetics or a layout (understood as a blueprint of a publication), but that design reflects the way the DPE ontologically understands diversity, interculturality, and intersectionality, and how they represent the others. Additionally, I describe and analyze the influence of intertextuality and translation in producing the messages and their relation to cultural aspects of the discourse. Later, I present some reflections about the multiple means and media for building the discourse and the presence or absence of multiple voices. Finally, to conclude the chapter, I explain the composition, one of the elements of the MCDS (Jancsary, Höllerer, & Meyer,

2016), used to describe some of the implications of the interrelations among what is said (content), who speaks (voices), and how the discourse is presented (multimodality).

I approach communication from a social semiotic perspective, focusing on the agency of the actors and the influence of the context. It is a multimodal understanding of contemporary human interaction where communication takes place in multiple modes at the same time. This study is centered on the meaning-making process of three of the four strata suggested by the multimodal communication theory (Kress, 2010): discourse, design, and production. In chapter 3, I focused on the relationship between discourse and design from an educational perspective. In this chapter, I will concentrate more on the relationship between design and discourse from a communicational angle.

From the communicational perspective, I ask: How is the communication and discourse of HRE used to promote and portray culture, diversity, interculturality, and intersectionality in Ecuador? What is the role of multimodal communication in portraying, promoting, or ignoring cultures in the discourse about human rights of the DPE program? How are cultures, diversity, interculturality, and intersectionality understood and then represented in the discourse? Is language considered as a universal code to communicate rights or is a cultural translation needed or used? Finally, I argue that the communicative decisions made by the DPE, mediated by power/knowledge relationships and context, generate a discourse that is not coherent with the ontological and pedagogical proposal of DPE, analyzed in previous chapters, because what is set as pedagogical values (participation and dialogue) and ontological principles (intersectionality, active subject of rights, among others), clashes against the ways in which modes are presented and what they are representing.

Representations: How are people(s), objects, actions, and settings portrayed?

Representation is the production of meaning through language (Hall, 1997a). According to the constructionist approach, language is not a mirror of the “real world”, but a complex relationship between the signs we use to represent the world, culture, and reality. Hall (1997, 2013b) argues that people do not communicate directly with the objects of the world, but in a mediated way by using signs about the world. However, in spite of the fact that signs are arbitrary, signs must be conveyed in societies by forming a system of codes called language. These systems of representation are mediated by a social factor (culture) and a personal one (the individual’s unique way to interpret the world). So how does meaning creation take place?

In fact, it depends on two different but related systems of representation. First, the concepts that are formed in the mind function like a system of mental representation which classifies and organizes the world into meaningful categories. If we have a concept for something, we can say we know its ‘meaning’. But we cannot communicate this meaning without the second system of representation, a language. Language consists of signs organized into various relationships. But signs can only convey meaning if we possess codes that allow us to translate our concept into language – and vice versa. These codes are crucial for meaning and representation. They do not exist in nature but are the result of social conventions. They are a crucial part of our culture – our shared ‘maps of meaning’ – which we learn and unconsciously internalize as we become members of our culture. This constructionist approach to language thus introduces the symbolic domain of life, where words and things function as signs, into the very heart of social life itself (Hall, 1997a, pp. 28-29).

Therefore, “the relation between ‘things,’ concepts and signs lies at the heart of the production of meaning in language” (Hall, 1997a, p. 29). This is particularly important with visual signs and images because even though most of them remain closer to the object/subject they represent, people still need a conceptual framework to read them, and its reading is mediated by cultural aspects. Moreover, an image, like any other semiotic resource, needs frameworks for its interpretation because it draws from the past experience of

the meaning-maker, sets affordance for potential uses, is actualized in a concrete space-time environment, and at the same time sets the parameters for future uses (van Leeuwen & Kress, 2011).

The photographs and images presented in the texts of the DPE can be read from the perspective previously presented about representation. On the one hand, they were produced as a graphic decision of the producers of the resources. But even if it is almost impossible to infer the intentionality of the sign-maker, from the communicational perspective, these visual elements will never be read to be as neutral or innocuous as one would think, or as “just” a graphic element to break the monotony of words. On the other hand, in addition to the intention of the sign-maker, the meaning attributed to these visual elements is produced by the meaning-makers. The meaning will answer to the individual conceptualization/interpretation of people, and the cultural factors of the society in which the signs are produced and will be read. As Karam mentioned, communication presents to the reader/audience a way to understand the world, and therefore, human rights. Hence the importance of analyzing these elements in this section.

Photography in the construction of meaning.⁶¹ Very few photographs are used in the texts. The handbook uses photos in two activities (p. 118 and 121). The first one portrays a group of small children from an African tribe, almost naked and barefoot, sitting in a circle with their feet together. They are used to portray the concept of *Ubuntu*, the idea of the common wellbeing. However, what they are representing is the idea of indigenous people, almost naked but living happily together in a community, despite their poverty or harsh conditions. It also reproduces the idea of the “good savage” (poor but mild, docile, well-

⁶¹ The complete selection of photographs used by the guide and handbook can be retrieved from the resources available in the webpage of the DPE. The sources of the photos are described at the end of the books.

intended), and the “ignoble savage” (almost human but not a true man), which are myths associated to the native people of the Global South, therefore of the “Other” America (Hall, 1992).

Additionally, *Ubuntu* is a foreign concept that alienates the idea of collective living. Instead, the DPE could have used the *minga*. The *minga* is a pre-Columbian tradition about voluntary community service for the good of the community, and it is still practiced nowadays by many indigenous and *mestizo* peoples in the Andean region of America. It is a concept linked to cooperation, easily identifiable by Ecuadorians, and which has the advantage of being unrelated to poverty or “uncivilization.”

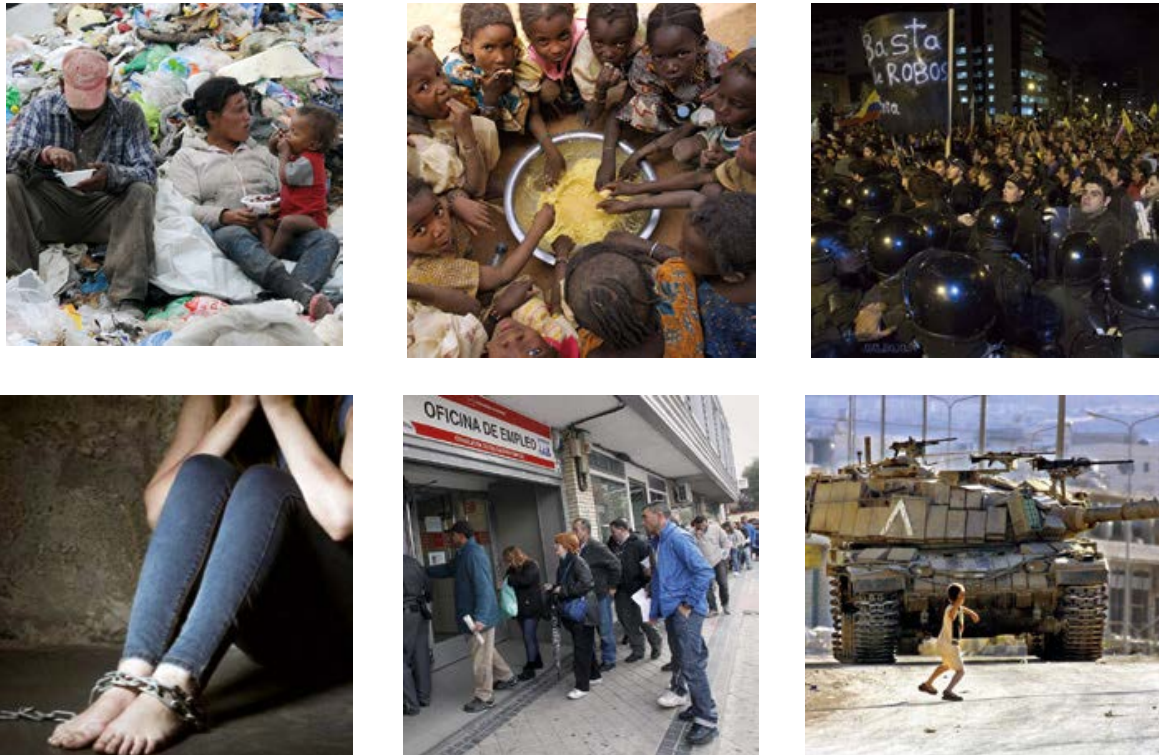
The other case of the use of photography is similarly alienating and stereotypical. The activity explores the reasons why people migrate and is linked with the same activity in the workbook. It uses four photographs associated with positive things: quality of life, leisure/adventure, economic stability, and studying abroad. Two images portray white people, another portrays dollar bills, and the fourth one young happy people with a small flag in their hands. The privileged people are white, have the right to leisure, to play, or to study, and their children can relax in the grass, as it is shown in **Figure 7** as examples of the Westernized portray of wellness.



Source. *Defensoria del Pueblo de Ecuador*, 2016c

Figure 7. Representation of Westernized Wellness.

The other eight photographs are associated with negative images: war, hunger, political instability, natural disasters, human trafficking, poverty, unemployment, and political persecution. None of them portray white people except the one portraying human trafficking where the victim is a white woman. **Figure 8** presents some of the examples of the representation of negative images associated to the Global South.



Source. *Defensoría del Pueblo de Ecuador*, 2016c

Figure 8. Representations of social problems in the Global South according to the Guide.

The photographs used to portray poverty and despair are related to groups already represented as minorities, which look like African, indigenous people, *mestizos*, or black people. They are fighting against tanks with stones, eating from a shared plate with their hands, sitting on garbage while eating from a container, waiting to be killed by a dictator, or fighting in the streets for freedom.

If communication provides people a framework to understand the world, what is the DPE telling them? The conclusion that can be inferred is that people migrate to the WEIRD⁶² (Western, Educated, Industrialized, Rich, and Democratic) nations because they are always associated with positive outcomes. There is no hunger, war, conflict, instability, or crime there. Meanwhile in the Global South, we have all those negative things, and of course, none of the positive ones. This distorts the fact that poverty and despair are a scourge everywhere, including the WEIRD countries. Authors such as Fanon (1963), Said (1979), and Hall (1997) argue that the image of Other-ed groups is a discursive construction, a geopolitical representation of reality, more than a mirror image of the world. Not only is the Global South a conglomerate of expected images to Westernized eyes, but even more importantly, these “societies are the image they have of themselves when they are reflected in the mirrors that are constructed to reproduce the dominant identifications at a given time” (Santos B. S., 2000, p. 49).

An example of migration, drawn from a closer experience that would present this global phenomenon in a more sensible form has to do with the on-going migration of the Venezuelan people to other Latin American countries. These noble people are fighting against an authoritarian regime, and many migrate to Ecuador and other neighboring countries in search of better opportunities. We are physically very similar, we speak the same language and have common historical background; yet, unlike many other Latin Americans whose countries are more stable, they have been forced to move to other Latin American countries in order to survive. Therefore, migration is not only associated with moving to WEIRD nations. Some of the other countries can be more stable, but we still have poverty,

⁶² (Henrich, Heine, & Norenzayan, 2010)

natural disasters, unemployment, human trafficking, and we still fight for our rights in the streets. There is also internal migration in Ecuador, because people move from the rural areas to the cities in search of better economic opportunities or in search of better education because the best schools and all the universities are only located in the big cities, or because they have been affected by natural disasters and have no choice but to move somewhere else. So there are more immediate and less stereotypical examples available for explaining migration.

The guide has two activities that use photographs. Both activities intend to recognize the importance of universality in human rights. The goal of the activities is to explain that, around the world, everyone is a subject of rights no matter our differences, or how we look, or where we are. This is crucial because every state recognizes human rights and that they should be applied equally and without discrimination (Defensoría del Pueblo de Ecuador, 2016b).

This selection of images is called *Photographs of Diversity* and portrays various groups of people in different scenarios divided into five groups of four photos. Only three of the twenty can be directly associated with Ecuadorian people: a group of five young people from Otavalo, a group of five young Amazonian people, and three young women painted as mimes from Cuenca (the sources of the images are on page 291-292), images shown in **Figure 9**.



Source. *Defensoría del Pueblo de Ecuador*, 2016b

Figure 9. Photographs of actual Ecuadorians according to its source.

The three photos of LGBTQ people portray only foreigners. The three families portrayed among the 20 photographs are only from the LGBTQ community, and also are set in scenarios of relaxation, wealth, or comfort. Moreover, the images about LGBTQ communities and family seem to be only an issue of the Western world. Even the community's mobilization is colorful and peaceful, far from the actual struggles of LGBTQ people in Ecuador where they are being killed in the streets for being different. **Figure 10** presents examples of people from the LGBTQ community and also portraying families. All of them includes people from other countries according to the source of the photos.



Source. *Defensoría del Pueblo de Ecuador*, 2016b

Figure 10. Representation of LGBTQ communities and families.

Additionally, all the people representing indigenous communities are from Asia or Africa. Most of the images represent poverty or a folkloric view of indigenous peoples

(clothes, scenarios, and body painting), as shown in **Figure 11**. Again, topics around wealth, comfort, relaxation, or leisure are associated with Western people.



Source. *Defensoría del Pueblo de Ecuador*, 2016b

Figure 11. Representation of indigenous peoples.

The second activity in the guide, offered a few pages later, shows five images. Three of them represent Ecuadorians: one indigenous woman with grazing *llamas*, a group of children sitting at a table in a daycare, and two afro-Ecuadorian children. The other two also represent children: a group of African children writing with chalk in small blackboards, the other is a group of Buddhist children. **Figure 12** presents the three photographs of Ecuadorians in the activity about diversity.



Source. *Defensoría del Pueblo de Ecuador*, 2016b

Figure 12. Ecuadorian people among the photographs about diversity.

In conclusion, the photographs used to represent diversity, instead of showing the diversity of the peoples and nationalities of Ecuador, reproduce worldviews where certain kinds of people are commonly associated with specific scenarios or behaviors. For example,

poverty equals indigenous peoples, wealth means Western people. Yet, the values that the DPE advocates are respect for diversity and consideration of the other as a subject of rights, such as identity and self-determination, which are the opposite of folklorization and stereotyping. This could be justified if the DPE raised the idea of education *through* human rights, the approach that proposes that the HRE is an opportunity to promote the peaceful coexistence of peoples by exposing them to knowledge and understanding of the diversity of Other-ed groups (Bajaj, 2011).

The comic's characters as representatives of groups of people. The editorial selection of illustrations is used to call the attention and interest of the students and help them understand the contents (Soler, 2008). Usually, some textbooks use fictional characters as illustrations that portray specific people as the representatives of the whole group. Yet, the characters used to illustrate and accompany the content proposed by the DPE differ immensely between the workbook/handbook and the guide.

The workbook shows more consistency and a less stereotyped characterization of Ecuadorians. These characters are mostly displayed as an element of design; nonetheless, they address the audience by showing them a concept or providing them with the instructions for an activity. In the case of the guide, the characters often show stereotyped traits, and the role of the illustration is merely decorative. They never interact with the text or address the audience, they mostly smile and pose to be seen. The handbook, on the other hand, does not have characters to accompany its contents, probably because the handbook and workbook are presented together, the handbook being the methodological text for the facilitators and the workbook the personal log for the targeted population of adolescents.

Los Defensores in the workbook: The illustrations that the workbook uses are The Defenders, a group of five children/adolescents designed by the DPE as the characters of a previous human rights promotion campaign. They have been presented as a comic book with 13 chapters and as a television animated series with 25 chapters, disseminated in the mass media in Ecuador and currently available on YouTube. **Figure 13** presents the five characters *Los Defensores*, starting from the left, in the back row are Shakaim and Patricia, and in the front row are Mayra, Martín and Rubén.



Source. Defensoría del Pueblo de Ecuador, 2016a

Figure 13. Los Defensores.

Selecting five young people as human rights “superheroes” is strategic because the target audience is High School teenagers who can connect with diverse characters close to their reality. The Defenders are described in the DPE’s webpage as⁶³ (Defensoría del Pueblo de Ecuador, 2018):

⁶³ Information taken from the DPE webpage and translated by the author

Rubén is a 9-year-old *Montubio* boy born in the province of Manabí. He is funny, expressive, gentle, intelligent, and very active. His family always treats him with respect and equality, motivating his autonomy and self-esteem. He likes animals, and when he grows up, he wants to be a veterinarian.

Martín is an 11-year-old *Mestizo* boy born in the province of Pichincha. He is smart, witty, loyal, daring, and funny. He likes to ride a bike and a skateboard in the parks of his neighborhood. His parents work in organizations that help refugees and children living in the streets. It always protects the youngest and most defenseless.

Mayra is an 12-year-old Afro-Ecuadorian girl born in the province of Esmeraldas. She is daring, funny, supportive, and communicative. She likes to dance to the sound of the *marimba*, walk the street of her neighborhood, and talk with her neighbors to tell them the news. She has a curious spirit that motivates her to investigate.

Shakaim is a 15-year-old Shuar teenager born in the province of Morona Santiago. He is cheerful, respectful, honest, and very proactive. Together with his family, he lives in a humid tropical forest near the Upano river. He speaks Shuar, Chicham, and Spanish, and is convinced that having a life in peace requires respecting the rights of others and nature.

Patricia is a 17-year-old *Mestiza* teenager born in the province of Chimborazo. She is open, friendly, perceptive, and a little rebellious. She likes excursions, and traditional food and festivals. Respect for others is very important to her. She has grown up in an environment where men and women are valued and respected.

Each of the five characters has particular physical, intellectual, and emotional characteristics. Physically they are different, the shape and color of their hair, skin, eyes, height and even their clothing makes them the representation of a particular person. They could also represent other diversities, such as the ethnic groups of Ecuador (Afro-descendants, Montubios, Amazonians, and Mestizos), gender (three men and two women), and one of them has a physical disability. Additionally, the fact that they have a particular name, characteristics, and unique interests makes each character more complete and avoids stereotypes. Therefore, each child is not the representation of a whole group of people or ethnic group, but just a person with some characteristics common to some groups of people (as real people are).

However, there is still some reductionism in portraying diversity. For example, the clothing of the *Montubio* and Amazonian characters seems to have an ideological charge because, for example, not every Amazonian is shirtless or wears an *anaco* (traditional skirt), and not every *Montubio* wears a handkerchief in the neck and a hat. The clothing of the other three characters also seems alien to those used in our country considering our climate. For example, people rarely wear shirts without sleeves and short pants in the Andes region due to the cold weather. Despite these remarks, the representation of Ecuadorian people portrayed in the workbook by the *Defensores* seems more diverse and comprehensive than that of the characters developed in the guide that will be described below.

The characters of the guide: the characters of the guide are seven: a young indigenous woman, an Afrodescendant man, an adult man in a wheelchair, a working-class adult man, a *mestizo* girl, an elderly *mestizo* woman, and a *mestizo* adult woman. Unlike the workbook, where the characters have special features that make them unique individuals, in the guide, the illustrations used to portray diversity are full of stereotypes. **Figure 14** shows the seven characters of the guide, used as illustrations accompanying the guide.



Source. *Defensoría del Pueblo de Ecuador*, 2016b

Figure 14. Comic characters presented in the guide.

The young indigenous woman is dressed in a *pollera* (plated skirt) and a white embroidered blouse, with ruffles on the sleeves and bare shoulders, black shoes, and the hair combed in two braids. This clothing is not related to typical dresses of the nationalities of Ecuador. The most similar is that of the town of Baños in Tungurahua. Not being a character with individual characteristics, her dress would aspire to represent all the indigenous women of Ecuador. This is a simplistic and stereotyped representation because the attire of the indigenous nations are very diverse and depend on historical, cultural, and even environmental aspects (colors, textures, and fibers available in the area) and climate aspects. This also implies that all indigenous people wear traditional attire, and that this is the only way to identify them. This woman appears five times so is it also relevant to analyze her body language. She is waving, smiling or posing in a mostly passive and docile attitude. This can also be read as a representation of indigenous people as passive or as be the expected representation of young women. As I have argued before, from an intersectional standpoint,

it is not possible to separate the levels of discrimination when a person, or a character, is analyzed.

The young Afrodescendant man also presents stereotyped traits. He is always smiling or greeting, and when he is accompanied, he is behind the other characters. He has three positions (he is relaxed with arms crossed, arms raised as if celebrating, and smiling in a frontal position with arms and legs relaxed). He represents passiveness and/or peacefulness. He is the only character that has a different skin color than the other six. Representing the other six characters with the same skin color can be interpreted as an unconscious form of color blindness and whitening people aspiring to represent that we (Ecuadorians) are all *mestizos*, with a few Afroecuadorian exceptions, perhaps for fear of hurting susceptibilities.

The man in the wheelchair has almost no variations. He is always in a semi-frontal position, smiling slightly, showing a thumbs up sign with his hand. He represents people with disabilities, who are as passive as the other characters. He is not joyous as the Afro-descendant or the *Montubio*. Moreover, the designer showed so little interest in the character that he looks the same, in the same position every time he is shown –probably mirroring the general interest of society in this group of priority attention. This attitude is the opposite of what the DPE should show towards them.

The elderly woman is similar to the previous case. She is presented in two body positions: pointing to something above her head in a semi-turned position, and with her finger up as if telling something. Both positions seem to be connected to the idea that elderly people have something to show or lecture about. She is always behind others when accompanied and she is not smiling but shows a serene facial expression. She is one of the most common stereotypes of elderly people: white-haired combed in a bun, dressed in simple

clothes, wearing sleepers, passive. Senior citizens, however, are also very diverse and cannot be characterized simply by their hair or clothes.

The girl appears three times, twice of them in the same position, sitting on a football ball, and one time beside her ball with her hands around her face. Probably the intention of placing her beside a ball is to show that girls can also play football or that a person cannot be defined by her life choices (such as the sport he/she chooses). But contrary to this interpretation, the design of the character ends up representing the stereotyped cute little girls. She is drawn with two pigtails, one of the most characteristic traits used to represent little girls. Her hands around her face also portray a tender attitude. In the end, her role is to look cute even if she plays with balls.

The above description can be connected with the portrayal of the adult woman. It can be assumed that she is a *Mestiza* because she has no particular trait that defines her otherwise. Her skin color, as for the rest of the characters, is exactly the same as the others. She is not wearing any folklorized traditional clothing. Moreover, she is taller and thinner, and has different body proportions than the other characters illustrated. She is always in front of other characters and she has an empowered body position, every time in a different elaborate illustration. She is wearing a tank top and blue pants, which is a sexist representation of women immediately related to showing her body, like the shoulderless blouse of the indigenous woman. This is another example of intersectionality, where the character represents at the same time stereotypes of race, gender, and class by showing certain traits such as skin color, clothing, and body language.

The last character is an adult man. He represents a working-class man and appears six times. He is wearing a white shirt, a blue cap, brown pants, and rubber work boots. Not only

does his clothing suggest that he is a worker but also his body positions because he carries a big tube in one of the illustrations. He and the girl are the only ones displaying an activity (he with a tube, and she with a ball). He shows a broad smile with an open mouth (as laughing), one arm extended as if inviting us to read. His head and arms/hands are the most disproportionate of the characters, giving him a more cartoonish appearance. He is defined by his clothes, his activity, and his body language, which by implication is typical of all working-class men in Ecuador.

In general, the characters are not carefully selected, and the designer's decisions about how to illustrate them enforce stereotypes. For example, the skin color is the same in almost everyone, except for the Afro-descendant, showing color blindness. The clothing and body positions portray beliefs towards gender, ethnic, and class differences. They do not interact with the text. Instead, they are posing passively as visual objects rather than empowered agents. This misrepresentation or simplification of the socio-economic, cultural and ethnic diversity of Ecuador could represent the intention of the State to present an hegemonic discourse which hides our ethnic and social differences in order to create an "ideal" image of Ecuadorians.

The fact that they are not people with their own characteristics makes them the representatives of the entire human group they are supposed to belong to. This produces a sense of alienation for people who use the guide and do not feel identified with any character, or they may even be offended by the simplicity of how they have been represented. Folklorization of culture, especially inside the educational system, is harmful. Walsh (2007) argues that inside the educational system, interculturality has served to justify exclusion, by talking about the Other, with the other, yet not hearing their voices and misrepresenting the

complexity of their cultures. The author argues that “under the umbrella of ‘interculturality,’ textbooks published respond to a representation policy that, incorporating many images of indigenous and black people, only serves to reinforce stereotypes and colonial processes of racialization” (Walsh, 2007, p. 54).

Other cases of representation of diversity. Two cases must be analyzed apart from those mentioned above. The first one is the design of the activity called *Social Puzzle* in the guide, in which the characters in question are presented again. It is supposed to be a game in which the pieces of a puzzle are used to connect the participants of the workshops with other participants who share the same characteristics (sex, age, ethnicity, nationality, among others). If the activity did not have illustrations, it would be fine. However, the designers connect the characteristics in the puzzle with particular characters. For example, the indigenous woman is associated with characteristics such as ethnicity, immigration status, level of education, and skin color; while the *mestizo* woman is associated with sex, age, nationality and political thought. It can be directly inferred that the problems of the mestizo and indigenous women are not the same. The worker is related to economic situation, religious beliefs, work, or education, but those are problems that concern neither of the two women. Therefore, by linking particular characteristics that are common to all human humans (such as sex, nationality, age, educational level, or religious beliefs) to an illustration of a person representing a minority group, what is achieved is instead the exclusion and stereotyping of those groups.

The second case is shown in the workbook. It is a representation of the gender problematics where a man and a woman showing heteronormative bodies are presented half-naked, unconscious, and connected to bottles attached to their heads. The bottles contain the

roles expected of each one (sex, money, and power painted in light blue for him; cleanliness, fashion and children in pink for her). It is an activity that invites us to reflect on what society stills upon us daily about what gender is. However, the representation of only heteronormative men and women to talk about gender excludes all other possibilities of GLBTI groups and diverse bodies.

Therefore, diversity is a problem misrepresented by the design decision-making of the DPE. However, human rights and social justice-based education commitment go far beyond simply promoting only understanding and tolerance among diverse groups, as the mandate of education through rights of the WPHRE can promote. They are opposed to institutionalized discrimination based on racism, sexism, classism, and xenophobia, embodying an educational practice based on a commitment to cultural pluralism, amplifying marginalized voices, social and economic rights, and analyzing systems of (in)justice (Gibson & Grant, 2017). Once more, it is vital to remark the importance of generating a reflective practice in the DPE to assess what the DPE expects from the program and what it is doing to enforce the fulfillment of its goals.

Means and Media: How the Discourse is Produced

Design and layout: What visible elements of design are used? According to Kress (2010) design has become the center of interest of multimodality research because it is prospective; it starts with the imagining of the task, includes knowledge about the task, and understands the present conditions in which it is developed and the needs of the agents to which the task is directed. Yet, rather than being a neutral or surgical decision-making of the producer/sign-maker, it is the translation of the sign-maker's "politically oriented assessment

of the environment of communication into semiotically shaped material” (Kress, 2010, p. 132).

Regarding discourse, the multimodal design materializes the ensembles of writing-image-layout modes, to present and “(re)contextualize social positions and relations, as well as knowledge, in specific arrangements for a specific audience” (Kress, 2010, p. 139). The layout is a way to organize the socio-semiotic modes in a spatial frame, and it orients the viewer socially (as a part of a group), epistemologically (around knowledge) and ontologically (around the social status of knowledge). This emphasizes the importance of analyzing the elements (apart from writing) that intervene in the layout, to understand them as a part of the design of the discourse –conceptualizing design as the political arrangements of the ensembles of discourse produced by the DPE.

Illustrations that accompany the content: Besides the characters and photographs in the workbook and the guide that have been described, most of the other illustrations are chosen as ways to illustrate and accompany the contents of the text. For example, the workbook shows photos of famous people related to human rights (Kofi Annan and Nelson Mandela), and vignettes of Mafalda (a comic with political overtones in Latin America), which are connected to the texts described in those sections. In the guide, for example, there is a traffic light in an activity called *Intergenerational Traffic Light* (which deals with conflict management) and a tree in an activity called *The Most Important Tree in the Forest* (which deals with the life project). However, not all the minor illustrations related to the text are easy to connect to the meaning of the content; they are very diverse and do not follow an editorial line.

Graphic organizers. The three texts of the DPE use graphic elements, which provides a sensation of order and organization. Their usage is coherent and consistent. One way to use a graphic organizer is at the beginning of each activity, where a chart presents the didactic elements of the lesson planning (goals, times, resources, target audience, purpose, modality, technique, etc.). The next figures are examples of the use of graphic organizers to present the lesson plans of the activities in the guide (**Figure 15**) and in the handbook (**Figure 16**).

| Actividad ¿Para qué sirven las leyes? | |
|---------------------------------------|---|
| Objetivo | Reflexionar sobre la importancia de defender nuestra dignidad y de las demás personas mediante la creación de sistemas de protección normativo para el ejercicio de los derechos humanos. |
| Propósito | Sensibilizar |
| Momento | Desarrollo, cierre |
| Modalidad | Presencial: Aula, exteriores A distancia: auto tutorado, tutorado, semipresencial |
| Técnica | Sesión plenaria, trabajo en grupos, trabajo personal |
| Audiencia | Adolescentes, adultos/as, adultos/as mayores |
| Participantes: | 1 – 30 |
| Tiempo total | 40 mins. |
| Recursos | <ul style="list-style-type: none"> Ficha de análisis: ¿Para qué sirven las leyes? Introducción al Derecho Fundamentos de los DDHH |
| Materiales consumibles | <ul style="list-style-type: none"> Hojas de papel bond Esferos |

Source: Defensoría del Pueblo, 2016b

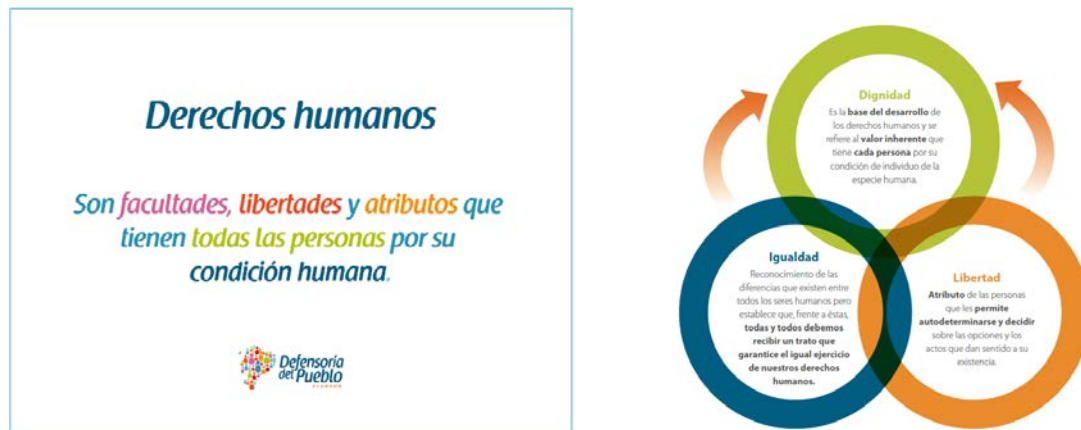
Figure 15. Example of the lesson plan's chart of an activity in the guide.

| Taller 5 | Actividad 1 | | Buscando casa | | |
|----------------------------|--|---------|---------------|---------------------------|------------|
| Modalidad | X | En aula | X | En exteriores | Extramural |
| Técnica/s | Dinámica de grupo y plenaria. | | | | |
| Objetivo Actividad | Conocer las percepciones de las y los participantes con respecto a los atributos asignados a las personas y su relación con la dignidad como fundamento de los derechos humanos. | | | | |
| Fases y tiempos | Vincular con la experiencia | | 45 | Integrar conocimientos | |
| | Reflexionar | | 15 | Planificar para la acción | |
| | Tiempo total de la actividad: 60 minutos | | | | |
| Material didáctico | Anexo 1. Tarjetas "Buscando casa" Modelo A, B y C | | | | |
| Material consumible | Tijeras, goma o cinta adhesiva. | | | | |

Source: Defensoría del Pueblo de Ecuador, 2016c

Figure 16. Example of the lesson plan's chart of an activity in the handbook.

Also, there are charts that summarize the activities contained in each module or unit. Some additional tables recapitulate essential information and are presented as printable material (types of rights, principles of enforcement of rights, priority-attention groups, among others). Finally, some vital concepts or graphic connections between concepts are highlighted in colored charts. **Figure 17** shows some other examples of graphic organizers presenting key informations and cases in a an attractive and colorful way.



Source: *Defensoría del Pueblo de Ecuador*, 2016c

Figure 17. Other examples of graphic organizers.

These graphic elements are efficiently used because they break the monotony of the text, organize the information, highlight important aspects that the designer wants to call attention to, and help to maintain the interest of the reader.

Colour. According to Machin (2007), colour is a communicative mode in its own right, and has several communicative functions such as helping to create coherence, association, and emotional or psychological identification in a text. Colour is an essential element in the three DPE texts and it is coherently managed. Each unit and module are designed in one color, which makes the topics easy to differentiate. Additionally, the colour makes the text look alive, entertaining, and dynamic, even when the guide and the handbook

are texts of around 300 pages each. In addition, there is consistency in the handling of colour within each module or unit. That is, the titles, subtitles, tables, and charts all use the same colour. In my experience with the application of textbooks, color helps when implementing the workshops because it is necessary to photocopy or print several activities, and the color of the edge of the page allows the facilitator to easily locate the activities as part of a topic or unit.

A final remark about design: the design of the DPE materials initiate from the need of the institution to organize the ensembles of modes in response to the particular framework of the HRE program and the characteristics of the audiences to which it is addressed. But it also has the pragmatic function of organizing the resources to facilitate the comprehension of the books. I have conceptualized design not only as layout (as it is part of it), but as the political decision-making of the sign-maker to organize the semiotic resources in order to orient the meaning-maker socially, epistemologically, and ontologically (Kress, 2010). Therefore, the results show the political educational/communicational positionality of the DPE to present resources that are friendly, organized, innovative, diverse, light and colorful, and easy to use and read, intended to engage the educated in the learning process.

Intertextuality: Texts and videos brought in to the DPE's texts. Intertextuality is the repeated utterances from other texts producing a new one, using fragments, images, phrases, by rephrasing or quoting, but keeping the meaning close to the original (AlAfnan, 2017; Fairclough, 2014). In this study, intertextuality is not conceived as a mere linguistic exchange of texts. The relevance of the intertextuality analysis is that every text is made to be read in its specific context, and thus “reading” one text in the context of another affects the original meaning, producing an accumulation of meanings across texts (Hall, 2013a). As in

other aspects of discourse, intertextuality can also generate dangers such as the reproduction of texts changing their meaning or reinforcing previous misinterpretations or manipulations of meaning (Alfawa'ra, 2019), thereby producing and reproducing systems of oppression.

Intertextuality is continuously put into service in the construction of the DPE texts. The first case has to do with intertextuality between the three materials. The *Vivo mis Derechos!* handbook was designed first and tested in face-to-face workshops aimed at teachers and high school students nationwide, and it was the first document published. This effort was produced within the framework of the first sentence of the World Programme for Human Rights Education (WPHRE), focused on primary and secondary education. The methodological guide was then made as a complementary text to fulfill the mandate of the second phase of the WPHRE, to cover other populations, such as higher education, public servants and other activists. That is why, on many occasions, the guide quotes the activities and resources of the handbook, and not vice versa.

Another noticeable intertextuality exists between the handbook and the workbook, for obvious reasons. The handbook mentions where to apply the workbook, and many of the activities in the handbook are based on the workbook. Nonetheless, most of the theoretical support of the workbook is in the handbook, so they are complementary. The existence of one without the other would be possible, but their holistic understanding would be limited.

Another intertextuality among the materials published by the DPE is with the *Theoretical Support for the Introduction to Human Rights*. This is the technical document that strengthens the entire process. Its content is detailed and specific. However, its use is only suggested and it is not treated as a theoretical accompanying document, as it should be. Therefore, the same previous criticism persists: the handbook and the guide can only be

applied by a facilitator with in-depth knowledge of human rights. It cannot be applied comprehensively by a neophyte of the subject. Thus, the theoretical support should be incorporated, or be part of the package delivered to the facilitators.

There are other intertextualities too. In total, 32 of the 139 activities of the guide, and 38 of the 192 activities of the handbook are adaptations of guides and handbooks from other national and international organizations that work on human rights, human rights education and education. These organizations include for example, the International Red Cross, the British Red Cross, UNICEF, UNHCR, and Amnesty International. There are also activities carried out by authors interested in the subject and other documents produced at national levels, such as by the National Secretariat of Planning and Development of Ecuador (Senplades) and the *Defensoría*. This could be read, on the one hand, as a strength of the DPE's materials, as it recognizes successful experiences in other countries and also reaffirms worldwide interest in working on HRE manuals and guides. On the other hand, it creates the problem of cultural translation of the materials, which will be discussed a little later in another section.

Another intertextuality, perhaps more evident, is the citation of authors as a source of reference, especially in conceptual development. There are more than 160 references and the types of resources used are diverse. For example, authors such as Foucault, Rowland, Luhman, and Ghita Sen as are cited, and entities that are part of the UN such as UNICEF, UNESCO, UNHCR and OHCHR, their documents, treaties, and conventions. Recurrent local sources are the Constitution of Ecuador and *Theoretical Support for the Introduction to Human Rights* of the DPE. Above all, there is a high self-referentiality to documents and

cases of the *Defensoría* that were prepared or executed by the institution in other instances (such as cases that the *Defensoría* has promoted).

In addition to the use of other sources (authors or documents) to strengthen or enrich the DPE approaches, another way of thinking about intertextuality is interdiscursive treatment. Interdiscursivity is a form of intertextuality that binds one text with another in such a way that “different discourses and genres are articulated together in a communicative event” (Jorgensen & Phillips, 2002, p. 73). These authors argue that discourses, mixed in creative ways, are indexes of, and often the reason, for the theoretical advancement of the social sciences. But their combination in traditional forms can be an index of the reproduction of traditional forms of thought and of dominant and hegemonic discourses.

Interdiscursivity is also ubiquitous in the DPE program. For example, citing Foucault means talking about power/knowledge relationships, and citing Gita Sen means bringing issues of feminism and development. It has also provided experience in HRE that specializes in the rights of priority sectors, such as activities carried out with people in a state of human mobility, violence, and gender. For example, UNESCO brings aspects of children's rights, and UNHCR brings concerns about refugees to the materials of the DPE. At the micro-level as well, there are activities that have been adapted from processes that deal with issues of refugee women in Mexico, undocumented workers in the United States, women victims of violence, and child workers, among others. It is essential to recognize even the discourse about rights and HRE from other institutions because each discourse answers to a given particular context.

Audiovisual intertextuality. There are other intertextualities in the 15 videos and 1 podcast associated with the three texts. Here, a superficial analysis of the cases is necessary

since each audiovisual aid could be the focus of a complete chapter of this dissertation. However, the referential analysis of these documents is crucial because they are treated in some occasions as providing theoretical support for the contents of the activities, while on other occasions they are the cases that are discussed or analyzed in the workshops, and still on others they are additional resources for consultation. Though, these materials affect the DPE project, they will not be analyzed as particular cases because they are, for the most part, not produced by the DPE. Consequently, their contents cannot be attributed to the DPE decisions as sign-makers, but only as their editorial decisions.

All videos are public and available on YouTube and the DPE website. The videos were taken from organizations such as YHRI, Amnesty International, and the UN. The *Defensoría's* own videos are from the animated series *Los Defensores*, and from a documentary about the right to memory. The rest of the videos are selected from uploaded academic programs, campaigns, and educational channels.

The only podcast suggested is that of *Radialistas Apasionados*, a webpage that develops audio material on social issues (violence, discrimination, and rights, among others), and also includes scripts, so they can be reproduced. The podcast is available on its website and deals with the heteronormative social determination about gender.

The importance of using audiovisual materials in learning processes is unquestionable. However, inattentive or mechanical inclusion of a resource in an educational process can have complicated results. In the case of this HRE program, the videos continue to represent realities, people, scenarios, and contexts existing outside of Ecuador. This lack of representation of Ecuadorians can produce alienation and distance in the persons who read the message. It would seem that rights happen in other places, to other people. As Pigna

(2014) argues, this is the way we have been learning history in schools: although the great revolutions that have occurred in other parts of the world are distant, they rule how we should see and talk about the future (TEDx, 2014).

Like any other educational, communicational, or human rights endeavor, intertextuality (and interdiscursivity as a part of it) must be read from a critical and political perspective. Intertextuality is a social construction located in social interactions, and consequently, it is an opportunity to make meaning about the world in educational settings. The selection of the sources, the extracts, and the discussions generated from these texts is of vital importance for the whole learning process (Bloome & Egan-Robertson, 1993). Intertextuality can be used to reproduce the dominant hegemonic Westernized thought, reproducing at the same time the *status quo*, or it can be an opportunity to discuss a more culturally diverse and locally grounded understanding of the world, intended to promote social transformation. Thus, it is not only a matter of selecting the appropriate resources but of what to do with them –enforcing in-depth discussions about the contents of the materials, and interconnecting them to the reality of the educated.

Modes: Texts, images, performances? Which ones are used and what characteristics do they have? The multimodal texts analyzed in this dissertation are produced by the *Defensoría del Pueblo de Ecuador* (DPE), whom I call the sign-maker. The production of the three texts is enacted in the specific spatio-temporal and socio-cultural context that I have described above –as the National Human Rights Institution, answering to the World Program of HRE, in a left-wing government, among other circumstances. Additionally, this production answers to a specific way of perceiving human rights and education: from the perspective of the state, and the mainstreaming principles of the concept

of Good Living. These previous descriptions of the HRE program of the DPE help us understand the framework of the whole program. But in order to understand the modes presented in the resources of the HRE program, I first have to frame the resources.

According to Kress: “Without frame no meaning” (Kress, 2010, p. 149). Framing is the way each mode is delimited and differentiated from another. It also helps define and shape the understanding of a given mode, because each mode presents the messages with specific interpretation codes. For example, a video can explain the history of human rights with the same content as a reading or an infographic, but each medium will represent a specific way of constructing the message. In the case of the DPE’s resources, the modes vary according to the choices of the sign-maker. The process of framing separates the viewer from what is viewed.

In the handbook and workbook, we have the *Defensores*, who use the *comic book* as a way to present content on human rights. Also, there are several images of Mafalda, a renowned Latin American political comic strip from Quino. It is used to connect with the young target audiences through its language and colorful design. The comic strip synthesizes language and image in the context of the modern visual world, and can be a powerful tool for promoting critical thinking (Miravalles, 1999). The portrayal of the characters is also part of the modes selection strategy.

The *videos* that accompany the activities are another way of presenting the content of the three materials. This strategy represents the appeal to *homo videns*, the audiovisual culture in which an image is sometimes worth a thousand words (Sartori, 1998). They are typically short, but beyond this the similarity ends, for they are not homogeneous. There are documentaries, animations, readings, and reports, which make for variety in the way the

mode is used. In other cases, for example, in some online universities, all videos have the same format, color, and even the same set, turning the standardized videos into a brand. That is not the case of the *Defensoría*, which did not produce its own videos but instead used videos that are freely available on the YouTube platform.

The *audio aids* are scarce: just two. The first one is a song that is also presented as a video showing mostly the singer playing the song in a concert. The second one is a podcast of the educommunicational platform Radialistas.org. This is a strategy that is little exploited despite the great possibilities of radio as the *Theater of the Mind* (Figeroa, 1997). Unlike videos, which determine how the content should be viewed, audio aids allow the audience to re-interpret and create their own idea of the content while listening. Radio or audio resources can be the answer to presenting contents without stereotypes and bias, to diversify points of view and avoid silencing subaltern voices.

Another way is *performance*, presented in the genres of *role-playing* and *theatricalization*. I have discussed before that this is one of the most frequently used strategies of the DPE to generate dialogue and discussion in the activities of the three books. The analysis of their effects in practice cannot be developed here since that is not the object of this study. However, I can infer from the way in which roles are proposed that it is still focused on “talking about” the different one, the Other, from the heteronormative perspective, silencing different voices. One way to avoid this bias is to ask the participants to enact situations closer to their daily lives, scenarios that could be created and discussed according to the needs of each group.

Images have been described in previous sections. They are presented in two ways: as decorative graphic elements and as resources. As design elements we have the Defenders (as

a graphic resource, not the comic strip) in the handbook and workbook, the characters of the guide, and some other small elements (pictures, maps or graphic organizers). As a resource, they become a mode, understandable by itself—for example, the board game of the workbook, the thermometer and the traffic light in the guide, the charts used as forms to be filled out, or the graphic organizers. These elements are useful because they reorganize the same information in the text, allowing the reader to re-interpret the content. Mnemonic graphics and other images are useful tools to access memory and attention from a different door of the brain (Buzan, 2018).

Readings, cases, and short stories are the predominant mode. Despite the attempt to present videos and additional material, the written text remains the most common form of educational support. Moving away from Socratic maieutics and other dialogic methods of education, the written word appropriates traditional educational systems that have been in place since the development of the printing press (Martín-Barbero, 1998). However, our society has changed, and the educational system must also change. According to Ferrés (2000), it is imperative that the educational system modifies its structures and schemes to adapt to the new ways the educated perceive and construct their reality. Twenty years ago Martín-Barbero (1999) noticed that,

What is at stake in the education relationship with the communicative ecosystem is the school's relationship with its society. We are not trying to put it in a world of fiction, on the contrary, we are trying to think of a school that interacts with its society; we're trying to prevent that between the culture of the teachers, from which they speak and think, it will open a gap every day in relation to the sensitivity and the culture from which their students listen, think, and dream (p. 16).

It must be clear that education has to serve the society in which it is produced. Since using non-traditional modes of presenting content is not a magical solution, and images cannot be used to avoid creating more in-depth and critical content, educators must consider

a paradigm shift. The challenge is to think about education for a new era, woven together with well-planned, critical, and human-centered content and innovative ways to present it through modes that include new ways of perceiving and understanding the world.

Translations: How and when are contents and modes translated?

Translating content: According to Kwon, Barnett & Chen (2009), when dealing with intercultural and cross-lingual texts, translation is a necessity to reach a common understanding. This aspect is especially crucial for international documents that are widely used and translated into several languages, and whose meaning is supposed to be “universally” valid, or at least interpreted in the same way for different nations and the cultures inside those nations. But the quality of the translations must be evaluated by taking two factors into account. The first one is a technical factor: the accuracy of the semantic equivalence between one language and another. This aspect is commonly addressed and more natural to correct.

The second factor is a cultural one. Cognitively, language produces a mental map to understand a text. An inappropriate translation can produce a different route than the original text intended. Additionally, the socio-semantic process implies that meaning is a social construction which can be overlooked or distorted if the translator does not understand the cultural context (more than just the semantics of the words) (Kwon, Barnett, & Chen, 2009).

Although the materials translated into several languages by the UN follow a thorough process of reading and analysis by experts with extensive experience, they include a level of translation that is implicit –the cultural factor. Generally, the international instruments are designed in English as *lingua franca*, and assume Western cultural patterns of composition and expression. Kwon et al. (2009) maintain that although the instruments designed by the

UN tend to be considered universal, they implicitly include cultural factors that are difficult to pinpoint and are usually ignored. It can be inferred that some of the documents used by the DPE as resources to construct the guide and the handbook had official translations. For example, the documents of the UN (such as the Declaration of Human Rights) have several levels of translation and process control. But I might offer a note of caution: analyzing the cultural nuances of the original texts and their impact on the DPE's materials is so vast and complex that it should be the subject of further studies.

However, what can be inferred is that the DPE's materials explicitly assume the universality of the official texts of international organizations. Universal in language implies that it is universal as a sign and as meaning. The theoretical base of the handbook is grounded on the international history of rights and on the international instruments. There is no reference to local or regional struggles that enforce or review the universal principles or rights. This aspect can be ignored or considered unimportant, but it has a profound political implications. It constitutes the hidden cultural perspectives implicitly accepted inside the international texts (Kwon, Barnett, & Chen, 2009).

Conversely, the DPE's materials assume the principle of *Sumak Kawsay* to be transversal in their proposal. Viteri (1993) is the self-appointed translator of *Sumak Kawsay* as *Buen Vivir* (Good Living), a principle of harmonious coexistence used by the ideology of the Socialism of the Twentieth First Century promoted by the Citizen Revolution (cited in Domínguez, Caria, & León, 2017). The principle of *Sumak Kawsay* was originally used outside the Ecuadorian state by minority indigenous populations as a mean of insurgency, but when it was incorporated into the Constitution of 2008, some scholars argued that it lost its deeper meaning (Domínguez, Caria, & León, 2017).

This suggests a second problem in the HRE program of the DPE: the cultural translation of Good Living. While the *Defensoría* subscribes to the universal principles of human rights, which are based on liberal ideas, at the same time, it also subscribes to the principles of Good Living, which are socialist and indigenist. Thus even without specifying the critical criteria of these ascriptions, it must navigate between cultural principles that could even be considered opposites, namely liberal individualism and socialist communitarianism. The only case in which the *Defensoría* assumes a different position is in the definition of human rights, where they explain that their definition is different from that of the UN and that of the Constitution, and they have formulated a new one between the two.

Bringing texts from other international organizations, as previously mentioned, can be seen as a strength of the advocacy materials. But a critical concern that has been raised throughout this dissertation is to think about universal assumptions about human rights. That is, activities and texts designed for other realities and in other contexts are translated only linguistically, without taking into account the readings or implications that they can generate. One of these cases is the Ubuntu story, where there is a notion of solidarity and community that is alien to us. Instead, they could have shown the *minga*, a community solidarity principle that is closer and easier to relate to our daily life.

Another case is the stories in the workbook. They were adapted from a series of short stories located in a fictional town of Kipatla. Despite the fact that they appear “culturally” neutral, and that the stories have a good argument appropriate to the topics addressed, the name of the town Kipatla is immediately associated with Central America, because neither Kichwa nor Spanish have the combinations of T-L-A letters in names. Let’s keep in mind that foreign names, faces, and cultures produce a detachment from the topic addressed.

Accordingly, a simple change of name to better reflect reality could have changed the way the reader perceives the text.

Translating modes: Another aspect of translation is related to the transit of texts from one mode to another. Kress (2011) argues that moving meaning between modes and sources inside a culture is complicated enough, but it is even more complex when it is produced between cultures that process meanings through a different logic. As explained before, translation is not only a literal semantic switch between one language code to another but the translation of the meaning and context associated with the text (Al-Hejin, 2012; Bolívar, 2010). Kress (2011) notes two forms of translation: transduction (moving meanings from one mode to another) and transformation (reordering meanings in the same mode).

The three texts analyzed show several translations between modes. There is a vast amount of content translated from macro-normative and other human rights discourses; there is also a moving of meaning inside the three materials, from image to text, and from text to performance. Other translations exist between video and text, or audio and text, in the case of videos and songs that are applied as content strategies.

Some of the cases explained above as intertextuality and interdiscursivity are examples of transformation, that is to say moving activities from manuals and guides of other human rights organizations (such as the British Red Cross, or Unicef) into DPE texts. However, these are more complex because translations between texts addressed to different audiences must take into account not only the language but also the content. Such is the case of the short stories located in Kipatla because they move interculturally from short stories written in Mexico to micro-tales transformed into the local Ecuadorian context.

The most common type of transformation is seen in the activities or texts from the handbook to the guide. For example, the activities in the handbook around intergenerational relations are centered around adult-centrism because the text is addressed to adolescents and children (p. 131-134). But the guide presents more or less the same topic, and it is directed to all audiences (adults, seniors, and adolescents and children), overlooking other conflictive intergenerational relations (p. 177-181). So moving content from one text to the other, even inside the same program, with the same objectives and the same methodology, can generate conflicts if the transformation of contents is done mechanically.

Another type of translation is transduction, changing from one mode to another. This is the case of the activities connecting images, videos, or audio to text. Sometimes its conversion does not generate problems. For example, in the workbook, the podcast of radialistas.org about gender inequality is also available as a script (p. 59). Guerra's song about power includes a link to the video available on YouTube and its lyrics (p. 37). In other cases, the conversions have more complicated results. Such is the case for the images used to reinforce the topic of gender differences (p. 58). These images ignore gender diversity, assuming it as a binary contrast between women and men, simplifying the complex and multifaceted problematics of gender by trying to explain them with an image.

A small reflection about translation is that it has to be culturally aware. According to Hall (2013b), an image, a sound, or a written word are signs that carry many possible meanings. Meaning takes place in the conjunction between the socially constructed and culturally determined concepts and the text. People from the same culture share a system of representation, constructed and fixed by codes, that provides them clues about how to interpret a certain sign in a particular context, how to give meaning to that sign. These codes

are conventions mediated by culture. Consequently, the problem of translation is not only to change one linguistic code into another, (in this case from English to Spanish) but to understand that if codes are culturally bound, the translation also moves through cultural nuances intelligible only in the context of the culture.

Modes are not different from other signs. Modes are socially shaped and culturally given semiotic resources for making meaning (Kress, 2010). Consequently, translation between modes inside the same culture, argues Kress (2010), is at the same time possible but extremely difficult, while translation between modes and cultures is even more complex.

Therefore, it is important to realize that when using intertextuality, interdiscursivity, and multimodality the selection of any semiotic resource across languages or modes is not a mere semantic translation from text to image, or from one language to another. Rather, it must acknowledge the cultural meaning of the resources selected in order to avoid ending up reinforcing gender or class stereotypes (Hall, 2013a), or any other ideological bias (Alfawa'ra, 2019; Domínguez, Caria, & León, 2017).

In summary, the analysis of the different forms of translation reinforces the idea about the need for a reflective practice, which is constantly mentioned throughout this study. Meaning is produced in context, is culturally sensitive, and it reproduces the way in which human rights are understood and the subject of rights is represented in the HRE program of the DPE.

Sign-Makers and Meaning-Makers: Whose Voices are Shown or Silenced

Dialogue is fundamental for HRE, as an educational and communicative process. However, “[w]ho gets to participate in dialogue is dictated by the interests of the system in sustaining itself as an economic enterprise” (Dutta & Acharya, 2014, p. 184). Hence, voices,

processes, agendas, and legitimization of participants in dialogue are sites of power struggles between the dominant system and subaltern communities that push for spaces to be heard. The voice is thus a powerful tool to achieve structural transformations (Dutta & Acharya, 2014). Holland and Martin (2013) argue that HRE programs share a common objective of providing skills to encourage active participation, recognizing the importance of helping people find their voices in order to promote, protect and claim their rights.

In the HRE program analyzed, the dominant speaker is the *Defensoría*. This is understandable because through the HRE program the DPE is fulfilling the mandate to promote human rights through education as the National Human Rights Institution of Ecuador. The *Defensoría* has assumed an active role in HRE by designing and publishing these textbooks that guide education processes and standardize language and practices at the national level.

The discourse of the DPE states that people are active subjects of rights. It also states that “all people and social groups have the ability to acquire and exercise to a greater or lesser extent their power to transform their reality” (Defensoría del Pueblo de Ecuador, 2016b, pág. 67). Moreover, for the first time in history, the Constitution “guarantees [Nature’s] existence through the maintenance, regeneration, and repair of life cycles, which must be observed by any person, entity or corporation that intends to intervene in Nature” (Defensoría del Pueblo de Ecuador, 2016b, p. 237).

It might have been expected that following the DPE’s values of dialogue and participation, the institution would include multivocality in its texts, but that is not the case. There are discrepancies between discourse and practice regarding the voices and subjects used in the texts analyzed, stated from the privileged positionality of the DPE as the National

Human Rights Institution. First, there is the degree of coherence between discourse and praxis regarding the issue of intersectionality. The discourse talks about priority-attention groups, the importance of people empowering themselves, and the active role of rights subjects, but the activities do not allow for the voices of those groups be heard. The *Defensoría* falls into the trap of speaking *for* them, not *with* them, or encouraging them to speak. Its intersectionality is presented in the discourse but not practiced.

This lack of coherence is especially evident in the cases used in the materials to generate debate. When talking about others, the DPE talks about migrants, about women who live violence, about peoples and nationalities, among others. There are two exceptions, and these are the videos *Derecho a la memoria* and *¿Sospechosos?* The first is a documentary about all the people who have suffered abuses against their rights by the Ecuadorian government. The second is a testimony of human rights violations against the Afrodescendant community in Quito. But one might wonder what would happen if part of the population being educated through the HRE program belonged to a priority attention group? What would happen if these people found themselves as objects of discussion and not as active subjects pose their own problems and solutions? As Walsh mentions, the educational process has often served to silence diverse voices by presenting them as an object of discussion (Walsh, 2007).

The handbook and workbook offer a more direct relationship with the audience of young people and children to which the activities are directly addressed, and they are asked about their positions and opinions. But what is dealt with as a one-dimensional factor. If that population has additional conditions such as gender or ethnicity, it becomes again the object of study and not the subject of study.

Graphically, in the guide, the Others become again the objects of the discourse. The characters used as a graphic strategy are not active subjects. They are simply drawn as part of the background. Their faces may demonstrate an active attitude, but they do not dialogue or interact with the reader. Nor do they do it in activities or texts.

The case of the *Defensores* in the handbook and workbook is different because these characters, as mentioned before, have personalized traits that distance them somewhat from becoming mere stereotypes of the peoples they represent. In addition, they have bubbles of dialogue that, despite being mostly used only to summarize concepts, at least they are aimed directly at the readers. As I have argued before that the Defensores in the handbook reflect a better planned intersectionality because the characters represents personalized diversity than the characters in the guide.

It should also be noted that theoretically, the materials are based on a dialogical strategy. Therefore, most activities focus on proposing a topic, video, case, or reading, and suggest group and plenary dialogue. Therefore, I can infer that the dialogue (structured and guided) is supposed to be developed during the activities. However, the DPE directs in advance the activities towards issues and activities, and due to the fact that the facilitators are not experts in the field of rights and diversity, there is the risk that different voices will be ignored or silenced during the practice.

The DPE proposes, along with its program, a dialogical HRE based on the recognition of the person as an active subject of rights. However, the DPE makes visible its positionality as privileged speaker by not including multiple voices, and by speaking for the other and not with the other. Dutta and Acharya (2014) argue that dialogue for social change is the acknowledgment of power relationships that are negotiated at sites of dialogue. The

presence of multiple voices makes it possible to eliminate the top-down discourse, which is especially generated through state institutionality. Moreover, power relations around dialogue introduce other problems about the reproduction of systems of domination. This fact is particularly worrisome because the DPE is the NHRI whose mandate is to promote and protect human rights for all Ecuadorian People. However, Dutta y Acharya (2014) assert that,

[...] the issue of ‘otherness’ is ensconced within a larger politics of power and domination that concerns an engagement with the problematics of modernist epistemic structures that constitute the other through acts of erasure. What for instance are possibilities for engaging with the other where the ‘other’ is created through a variety of material and symbolic resources put into motion in those very dominant public spheres of mainstream societies that have typically served as the spaces for privileged dialogue, simultaneously erasing the voices of the subaltern sectors? (p. 172)

Composition: Conclusions on How All the Elements Are Interconnected in the Texts

Composition is the fourth step of the MCDS methodology of Jancsary, Höllerer, and Meyer (2016), after contextualizing and analyzing the latent and manifest content.

Composition is one of the central aspects of multimodal meaning-making (Kress, 2011). It is intended to reconstruct the multimodal texts analyzed separately in the previous steps and look at them in an integrated approach (Jancsary, Höllerer, & Meyer, 2016).

Multimodality and the relations among modes. Multimodality is based on the belief that communication is produced through multiple modes. However, in the case of the HRE texts, as mentioned before, the written text is the predominant mode in the tree resources analyzed. The dominance of the written word over other modes is a product of the traditional system of education based on the “culture of the book,” (Villamarin, 1997) that the educational system has been working with for centuries. It is also a result of the context of the production of resources by the *Defensoría*, because the DPE tried for the first time to

systematize diverse experiences in a handbook and a guide that can be used by activists and educators interested in HRE in Ecuador.

Subordinate to the written text in the guide and the handbook, there are other audiovisual modes presented as companions or resources: videos, podcasts, images, and comic strips. Another mode of working the topics of human rights is performance, through role-playing, games, and sociodramas. These sub-modes operate as resources and are of vital importance because they diversify the contents and redirect the attention of the educated.

The workbook is different because it is mainly graphic, assisted by the same resources that accompany the handbook: videos, podcasts, comic strips, among others. The written text as a resource is scarce and it is used only to direct or explain the activities proposed. This is only possible because the workbook accompanies the handbook. If it were a stand-alone resource, it would look incomplete.

In summary, the three texts analyzed –the handbook, workbook, and guide– are multimodal. They present their contents in various ways, linking, intertwining, or complementing resources in order to present an enriched HRE narrative. It is a multifaceted, innovative, visually attractive and dynamic product, and this is one of its strengths. However, it sometimes looks uneven and unbalanced, with modes from very different sources, and with different length, and quality, revealing a lack of an argumentative line. Perhaps my primary concern is the absence of selection criteria, or the lack of explanation for their criteria, to help participants understand the resources in a context.

As Kress (2010) argues about the importance of framing in an analysis, defining and limiting the understanding of each mode helps to understand which modes are involved in a specific discourse, the social constrictions and characteristics expected from those modes,

and the role of each mode. This initial approach to delimiting modes makes it possible to take a first look to understand how they interact with each other.

Integrations of messages and narratives in multimodality. What is the importance of multimodality aside from design? As Jancsary, Höllerer, & Meyer, (2016) ask, what integrated *messages* or *narratives* are created through composition? The DPE texts do not provide a simple answer. There seems to be a gap between what the human rights discourse says and the way the *Defensoría* has found to say it. For example, a central axis is an intersectionality, which is called the human rights-based approach, and its *transversalización* throughout the Ecuadorian system. But in practice, additional resources (images and videos, especially) fail to reproduce the principle of intersectionality, and instead reflect a misunderstood and biased representation of diversity. It is again a stereotyped representation of Ecuadorian society and humanity.

It also seems that the multimodal construction of the discourse is mostly coherent in the manifest content (what expressly is said about human rights in the text) throughout the three texts. However, it is not coherent with respect to the internal negotiations and debates generated around and about the way the DPE conceives human rights and generates its HRE program accordingly.

In chapter 5, the ontological analysis of content showed that there are multiple levels of negotiation in the construction of the discourse of the DPE, from total subscription to various degrees of agency. For example, the discourse fluctuates between two opposite ways of thinking, from the liberal perspective of rights enforced by the UN, to the socialist standpoint of *Sumak Kawsay* enforced by the Ecuadorian Constitution. Another negotiation takes place between principles and characteristics of human rights, where the DPE shows

several levels of negotiation that go from total subscription to the values and principles of human rights to negotiations where the DPE selects some principles and imprints upon them its own positionality and its interpretation of the topic.

In the same way, those levels and forms of negotiation, subscription, and agency, sometimes inconsistent, were evident in the multimodal proposal. For example, some videos selected as resources enforced an evident liberal standpoint about the principles of human rights of the ISHR. And even though the DPE advocates for *Sumak Kawsay*, there is an absence of resources reinforcing the collective and Nature-based side of the human rights positionality.

Discussion about power/knowledge is also absent. For example, there is a song questioning power and abuses of rights from a Latin American perspective that does not discuss the nuances of negotiating hegemonic discourses and power inside the whole discourse of the DPE. Another example is the representation of the history of human rights, which comes from a Westernized perspective without acknowledging the immense contributions of countries in the Global South. Therefore, the DPE advocates for critical thinking and empowered identity but loses its voice as part of the Latin American counter-hegemonic discourse about rights.

Similarly, there is a permanent inconsistency between latent content and manifest content in all modes. That is, the principles that the DPE argues as the basis of its program (human rights-based approach, equality and non-discrimination values, construction of active subjects of rights, among others) fail to be visible in the activities and resources, which reproduces traditional forms of understanding human rights education and its related topics.

There are very few cases when multimodality is used to present and represent diverse voices by selecting resources that represent subaltern or alternative stories told by their protagonists. Instead a common practice throughout the documents is to use multimodality as a complement of the main text for *talking about* others, and not as diversify of voices or an opportunity to talk *with* the Other.

One of the significant inconveniences among modes is the inconsistency between the manifest content and the representation of that content related to diversity. While the content advocates for a human rights-based approach –centered on the recognition of and respect for diversity, the photographs and images used to portray differences are stereotyped and exclusive. Therefore, it seems that the relation between the written text and the visual text was not carefully planned and overlooked the more profound meaning of each selection.

In summary, multimodality fails to represent the immanent values of the program. There is a divorce between modes, modes and manifest content, and manifest and latent content presented through modes. The selection of modes seems arbitrary and uneven, addressing only the aesthetics of the activity without constructing a diverse multivocal conceptual framework about rights.

Intertextuality, interdiscursivity, and translations between modes. Intertextuality and interdiscursivity are the issues of discussion here. Intertextuality is understood as the utterance of one text in the construction of a new one, and interdiscursivity is the construction of a new text from diverse discourses and genres (AlAfnan, 2017). The DPE uses both strategies extensively when bringing texts from various sources into its three books. On the one hand, this enriches the DPE texts because it energizes content, deepens concepts, and brings diverse points of view to the discussion. Yet on the other hand, the

selection seems to reinforce the liberal positions of its discourse, thus losing the opportunity to use multimodality to enhance the debate about human rights discussed extensively in chapter 2.

Translation is considered to be not only a transfer of meaning between one language code to another (Kwon, Barnett, & Chen, 2009) but also the mobilization of meanings between modes and between contents (Kress, 2010). The three books analyzed use many forms of translation, from one mode to another, from one text to another. The mobility of meaning is fundamental for intertextuality and interdiscursivity. However, as in other cases, the DPE seems not to be considering the implications of choosing one source above another, presenting human rights values as universal, and detaching them from the closer realities of Ecuador and Latin America. In short, the perspective from which the DPE uses translation does not take into account cultural factors.

The discursive educational analysis of chapter 4, the ontological considerations of chapter 5, and the communicational factors described in this chapter, all suggest that translation has not been a consistent or conscious decision of the DPE. The results show that even though the program has many strengths, there are several inconsistencies in the communicative and educative design that impacts hardly the meso-/micro-design. Rumor has it that Devil is in the details.

Final implications of the communicative MCDS. This chapter has focused on the importance of discourse understood as language-in action. The human rights discourse of the DPE, therefore, illustrates the way the National Human Rights Institution of Ecuador talks and thinks about rights, but also, how they construct their practice about rights through design. At the national level, this has an enormous weight because the DPE has the

possibility to enforce an HRE program in every corner of the country, becoming the dominant discourse about rights in the nation.

Moreover, if the discourse about human rights is the way to talk, think, and act about this topic, as Karam (2001) argues, it is also the way human rights are taught through HRE programs. Therefore, the DPE's human rights and HRE discourse will affect the perception of the target audience that is educated through the three texts analyzed here, and it will affect the way this audience will act upon its understanding of rights. Hence, the importance to study human rights and human rights education discourse of the DPE, to enhance and deepen the debate about these important topics.

Finally, I argue that the communicative decisions made by the DPE, mediated by power/knowledge relationships and context, generate a discourse that is not coherent with the ontological and pedagogical proposal of DPE analyzed in previous chapters, because what is set as pedagogical values (participation and dialogue) and ontological principles (intersectionality, active subject of rights, among others), clashes against the ways in which modes are presented and what they are representing.

By way of conclusion, the next chapter will first summarize the basic arguments about human rights and HRE presented in this dissertation; then, I will highlight the advantages of a cross-cutting analysis of the HRE discourse; finally, I will present a prospective about the HRE program in Ecuador, namely, the need for continuous reflective practice in every communicational and educational aspect when proposing HRE programs, in order to achieve the "social justice, democracy, communicative equity, and the right to information" (Karam, 2001, p. 37) that Latin America and Ecuador so desperately need.

Chapter 7 –

What Does All This Analysis Mean? ... Returning to the Utopia

It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way—in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only (Charles Dickens, 1859, in the “Tale of two cities”, talking about the Enlightenment Era and the French Revolution).

Human Rights Education Utopia

Human rights education is not unidimensional, light or darkness, good or evil, as some theorists may suggest, but they are both at the same time, light and darkness, possibilities and dangers. Throughout this dissertation, my intention has been to advocate for the idea that Human Rights Education (HRE), and through it, human rights, are the last utopia (Moyn, 2010), a powerful possibility for social change. Along these lines, Galeano argues that utopias help us to keep moving (Galeano, 2012)⁶⁴, and therefore, considering human rights as utopia will allow us to move towards the positive vision of the future that the peoples of the world dream about. I probably sound idealistic, but what if not an idea were the human rights struggles when they begun? And what are but great ideas becoming reality through the decades?

This dissertation shows that human rights education, as opposed to being a unidimensional concept, it is a highly political endeavor because it involves two aspects of

⁶⁴ Galeano quotes his colleague Fernando Birri, but it is usually attribute to him.

reality that generate by themselves an enormous debate: education and human rights. Factors such as contents, methodologies, results, implications, and contexts are at the center of the discussion, design, and praxis of HRE.

But human rights and HRE are complex concepts, and they have drawn passionate advocates and fierce detractors. On the one hand, for the defenders of these two discourses, they represent the “last utopia” (Moyn, 2010). Human rights are powerful (Risse, Ropp, & Sikkink, 1999). The promise of the rights “can be denied, suppressed, or just remain unfulfilled, but it does not die” (Hunt, 2007, p. 175). They call for “the most elevated aspiration of both social movements and political entities – state and interstate. They evoke hope and provoke action” (Moyn, 2010, p. 1). In general, human rights are widely seen as natural, self-evident, and essential to social coexistence (Elliot, 2014), and the power of human rights is based on their inherent, proclaimed, and universal principles (Coysh, 2014). Those principles are mainly contained in the international documents, treaties, and institutions under the mandate of the United Nations (UN), and its core document the UDHR.

Therefore, Human Rights Education (and training) is defined as “essential for the promotion of universal respect for and observance of all human rights and fundamental freedoms for all, in accordance with the principles of the universality, indivisibility and interdependence of human rights” (United Nations, 2012, Art. 1.2). HRE’s goal is to promote “values, beliefs, and attitudes that encourage all individuals to uphold their own rights and those of others”, and procure a “culture of human rights” (OHCHR, 2016b, par. 1). Its main power is its transformational potential for social change (Tibbitts, 2002), and it is viewed as “the promise of the third millennium” (Baxi, 1997).

On the other hand, human rights and HRE are perceived by detractors as alienating and inappropriate discourses. According to authors around the world, human rights’ “universal” principles are everything but “universal”. There is no evidence that human rights are self-evident or inherent to human conditions, or applicable at a global level (Bajaj, 2011; Coysh, 2014; Dusserl, 2006; Roux, 2012; Santos, 2010). Thus, a more radical perspective conceives them as “struggles” or nothing more than social-historical “constructions” (Coysh, 2014). Human rights principles are couched in rational-legal terms, rather than in moral imperatives (Moyn, 2010; Zembylas, 2015), and conversely are perceived more as *Realistic* than *Idealistic* (Elliot, 2014).

Zembylas (2015) argues that over the years, “human rights have come to be presented, through HRE, as monolithic truths derived from a questionable epistemology that assumes a universal conception of human rights as a representative of all the traditions” (p. 3). By using international normative language, human rights and HRE discourse impose one particular vision of the world or *cosmovision*⁶⁵: the Western liberal paradigm (Dussel, 2006; Dutta & Acharya, 2014; Roux, 2012; Santos B. S., 2010).

Moreover, on top of the problematic conception of human rights and HRE, education and communication are also highly political (Bourdieu, Sapiro, & McHale, 1991; Arendt, 1958). Communication and education are closely related, but their link has been understood at different levels. For some scholars, especially in Anglo-Saxon academia, communication and education are subsidiaries –using one in service of the other: communication for education, or education for communication (Alonso, 2004). Some critical scholars have understood the intertwined balance between communication and education (Fasset &

⁶⁵ Worldview, or the German term used as well *Ziegtgeist* (Webster Dictionary). I will use the Spanish word *Cosmovisión*, which implies also a particular conception of language and the world.

Warren, 2007). The Latin American model, based on Freire's praxis in Brazil, "has managed to merge inter and transdisciplinary Education with Communication, cemented and justified not exclusively in communicative or educational theories, but in human rights (equality and freedom) and political (democracy)" (Castro, 2011, p. 119), a new field of study called *Educomunicación*.

At the same time, HRE is influenced by the debate about human rights, and the theoretical framework of education and communication, making it the challenge of being a complex object of study. For scholars who question the notions of established truth and knowledge, social sciences tend to develop a hegemonic, Westernized, academic perspective, which assumes excessively anti-democratic and ethnocentric ways of planning (Barranquero, 2007, 2011; Bourdieu, Shapiro & McHale, 1991; Foucault, 1999, 1976, 1980; Harding, 1993). This traditional perspective also orients science towards universal and instrumental models, not applicable to local contexts, and conceives communication as a means and not as an end in itself (Barranquero, 2011; Elliot, 2014), and education as a means to reproduce the status quo (Freire, 2005).

Latin America has been extremely susceptible to the political, social, and ideological sensibilities of the Global South about the construction of hegemonic knowledge. This type of knowledge has invisibilized or oversized the problems of the Global South depending on powerful foreign interests, has produced a distorted vision of the South by being analyzed through the eyes of the West, and has alienated the discussion of the South from the South itself (Bautista, 2014; Dussel, 2006; Santos B. S., 2010). Some critical scholars propose that, to overcome the dominant discourse, researchers must question the knowledge given as truth,

and be exceptionally reflective about their practices in constructing their truths (Hall, 1992; Soich, 2010).

Given the complexity of the competing ideas about HRE, and the historical and socio-political context in which it is discussed, it is necessary that the debate about HRE take a productive politico-pedagogical form (Keet, 2012), which departs from the understanding of the relations between power and knowledge, and becomes a reflective-practice, avoiding the idea of rejecting or denying human rights, or conversely, accepting its possibilities blindly (Hunt, 2007; Keet, 2012; Zembylas, 2015), also understanding HRE from a communication/educational view.

In the framework of the discussion about human rights and HRE, this study reflects the need to augment the academic research on HRE in Latin America and begin the discussion of the topic in Ecuador. There are unlimited possibilities to study the topic of HRE in Latin America, its political and economic implications, its designs, epistemologies and methodologies, and its results. The reasons why such studies have not prospered are many. First, the studies come from other countries (such as Chile and Argentina), which have been immersed in other types of historical contexts (Basombrío, 1991). In addition, studies do not usually come from the field of communications (Karam, 2001). They come from the fields of philosophy and law, with regard to the fundamental debates on human rights, or they come from the field of education when dealing with the pedagogical aspects of human rights education (Landman, 2006). Few or no multidisciplinary and multi-focused studies have been offered to scrutinize the multiple edges of education: content, design, and context (Soler, 2008). Finally, there are few case studies on HRE programs in Africa, Europe and

North America (Hopkins, 2011; Keet, 2012; Roux, 2012), and no academic studies on the Ecuadorian case.

In the context of the multifaceted problematics of human rights and human rights education, extensively discussed in chapter 2, this dissertation considered approaching the phenomenon from a multidisciplinary perspective, which my training allows me to explore, bringing together concerns about Education, Communication and Sociology. Hence, I consider three research axes, associated with three macro-level research questions to study discourse from the educational, communicational and ontological perspectives. But first, I will recap on some aspects about CDS which provided the conceptual and methodological framework for this study.

MCDS: A theory/method for investigating HRE. Karam (2001) says that it is necessary to analyze human rights as a discursive social construction. Discourses are social practices conditioned by the historical, social, cultural and institutional frameworks in which they are produced and distributed, and at the same time, they condition the relationships and identities of the people and groups that assume and interpret them (Wodak & Meyer, 2016b). Understanding them thus implies studying the way in which human rights are (re)presented in the production and distribution of discourse, but it also involves the study of how actors construct and appropriate their reality based on their understanding and management of discourse (Karam, 2001).

In education, CDS separates itself from the linguistic and behavioral fields of study and focuses on explaining education as a social practice. However, some studies suggest that although CDS has focused on the analysis of power relations, it has not being design to avoid or confront them. Instead, they have focused too much on the written text, leaving aside other

multimodal aspects and interaction in educational spaces. Therefore, according to Soler (2008) the study of educational discourse would imply the understanding of educational practices for transformation and emancipation through self-reflection and proactive processes.

Characterized by a deep social commitment to denounce and unveil the structures and relationships of power and inequality, Critical Discourse Studies (CDS) have a strong political positionality. Through their exercise, it intends to analyze the complex relationships between power and discourse, with an interest in advocating for a transformative social agenda (Fairclough, 2014). In this context, Foucault explains that human rights cannot be based on an immutable and timeless essence of humanity but in fact are particular formations of power-knowledge that configure us as humans (Golder, 2010). For this author, power is not vertical, nor given; it is not a thing that is held, owned or delivered. Power for him is an exercise, microphysical if desired, used in organizations similar to networks; it is mobile and decentralized, and it only exists in action (Foucault, 1980).

Therefore, if the discourses are produced by power relations, the discourses need not be simply divided between dominant and dominated, but instead can be multiple, simultaneous and contradictory (Swingewood, 2000). There are thus no power relations without resistances, and the resistance to power is multiple (Swingewood, 2000). As a result, discourses can sustain and reproduce the social status quo, or contribute to transforming it (Wodak & Meyer, 2016b). This approach opens the possibility of thinking about the liberating possibilities of human rights education (HRE).

In this context, according to Van Dijk (2003), CDS must be inherently diverse and multidisciplinary. The commitment to the rigorous study of social problems merits an

analysis of reality from multiple focuses. To do this, "multidisciplinary theories must account for the complexities of the relationships between discourse structures and social structures" (van Dijk, 2003, p. 143).

CDS has been considered in this work as a theory/method, which is concerned with the in-depth analysis of the power relations at play in the discourses of society that reflect the need to study human rights and education as a discourse from a multidisciplinary perspective. It also makes it possible to push a social agenda of change, although it is not a proposal from activism.

Using CDS in the analysis of the HRE allows us to critically understand the relationship between knowledge and its generation, as well as the voices, actors, content, and power relations involved in the construction of these aspects (Wodak & Meyer, 2016b). The critical position of this theory/method allows us to understand and denounce the inconsistencies and strengths of a program, generating awareness of inadvertently transmitted values, and of the dangers of blindly assuming human rights values and premises generated by the dominant discourses of the ISHR and the Ecuadorian State through the Constitution.

CDS is a confederation of methods that are effective depending on the purposes and scope of each study, and they are the result of the researcher's informed decisions (Tracy, Martínez Guillem, Robles, & Casteline, 2011; van Dijk, 2013). Many studies on school texts have focused on the analysis of the written word (Soler, 2008). But I did not want to analyze only the written word because that can generate a one-dimensional view of the educational discourse. As demonstrated in this study, the highest number of inconsistencies were generated when the written text was translated into other modes (eg. images and photographs), and when audiovisual elements were selected to support the written text.

Multiple modes of communicating a discourse can also be, as Dickens says “light or darkness”, and the intent of its analysis is to assess that duality. Therefore, in chapter 3, I described the method of Multimodal Critical Discourse Study (MCDS) by Jancsay, Hollerer and Meyer, focused on analyzing the multiple ways in which the discourse of DPE was materializing in the books they had published.

This methodology advances in five steps, which were analyzed separately in an Excel matrix, and then served to interpret the results, presented in chapters 4 to 6. The process I followed to obtain the results was systematic and received continuous feedback, following the matrix of research questions, and the topics and subtopics that were derived from them, which I also explained in Chapter 3. Therefore, initially, I was able to analyze each of the topics contained in the research questions separately, but as I continued to investigate, the data crossed and intertwined. Therefore, I started to categorize the results by topics related to the research questions and the patterns I found. Then I began to describe the results, going continuously back and forth when I found an explanation or a contrasting datum until, finally, the study reached a saturation of results.

According to Jancsay, Hollerer and Meyer (2016), the first step investigates *how* discourse is produced, focusing on the means and modes of production of the message. It is crucial because the MCDS is based on the assumption that multiple modes of presentation of the same content not only affect its external form but also have a deep ontological meaning and a social and historical basis.

The second step is based on *what* is said in the discourse. It is a multidisciplinary content analysis regarding the ontological construction of human rights, the pedagogical content of the materials and the communicational content of the discourse. In this respect, the

manifest and latent content were analyzed separately, but it was not possible to present the results separately because they were deeply intertwined.

The third step was to analyze the *voices* present in the texts, assessing who were the sign-makers (DPE) and who were the meaning-makers (educated). This deals with the positionalities of the speaker, the representation of the subjects, and the negotiations about the voices that are presented or silenced in the texts.

The fourth step *reconstructed* the interconnections between the previous parts studied already. This step analyzed how the content (what is said about a topic) was reflected in the modes (how it was said and translated), and which voices could be heard (who spoke). The consistencies, coherence, and cohesiveness could be revealed and some conclusions could be drawn.

Finally, the fifth step opened the space to an *evaluative-critical* moment, which is set forth in this chapter. It uses the idea of Reisingl and Wodak (2016) that CDS must be immanent, diagnostic, and prognostic, making it possible for me, in the conclusions, to present the tentative prognosis of the problematic studied. I am showing the patterns of the relations between power/knowledge and discourse, focusing on the decisions of the sign-maker, and the intertwining conjunction of the three approaches to discourse analyzed: educational, ontological, and communicational, revealing reinforced, challenged, negotiated, concealed, or assumed principles of the DPE's HRE program.

Following what Claudel (2005) and Tibbitts (2002) argue, HRE must be a critical exercise that arises awareness about human rights, and at the same time, a self-reflective practice. The goal of this dissertation has been to present a first multivariable critical approach in order to enforce the HRE program in Ecuador

Three Axes to Analyze the HRE Discourse of the *Defensoría del Pueblo de Ecuador*, and Some Answers

Educational discourse about Human Rights Education. The theorization of HRE has illuminated its immense pedagogical possibilities but it has also revealed the dangers of the uncritical application of educational programs. The focus of the pedagogical studies centers around and about HRE is related to the way in which it can be applied. Some authors propose methodologies, scopes of action, and models. For example, Flowers (2004) and Tibbitts (2002) suggest some models of HRE. However, very few studies are related to researching the design and praxis of programs in various settings.

Therefore, chapter 4 focused on answering some of the inquiries about the educational design of the HRE program of the DPE in Ecuador. I asked: What is the coherence and cohesion among the educational, pedagogical and didactic model of the HRE program of the DPE? I focused closely on questions such as, how is the pedagogical model of the DPE program conceived and designed? What epistemes, outcomes, methodologies, procedures, sequences, and activities are chosen, and what is their logic? Are these elements coherent and cohesive? How do the educational, pedagogical, and didactic models converge in the *in situ* practice?

The main conclusion concerning this research question is that the materials have a solid pedagogical background developed at the macro- (educational model), meso- (pedagogical model) and micro-level (didactic model), even though, like any educational program, what has its strengths and weaknesses. The pedagogical analysis searched for answers about how the program was designed from the macro-level (the educational model as the negotiations between the ISHR and the Ecuadorian Constitution with the DPE), the

meso-level (the pedagogical model with the epistemes, goals, and outcomes proposed) and the micro-level (the didactic model as the vis-à-vis interaction between educated and educator). The three models were analyzed based on the coherence and cohesiveness between them, and not towards the content of the program, which was analyzed later in the communicational and ontological parts.

At the macro-level, the educational model answers to the negotiation between the international system and the national social, historical and political context. The International System of Human Rights (ISHR) marks the duties of the DPE as the National Institution of Human Rights (following the Paris Accord), also complying with the World Program of HRE (WPHRE). At the national level, the Ecuadorian Constitution mandates that the DPE, as the NIHR, is bound to respect, promote, protect, and enforce the rights of the citizens. One of the duties of the DPE is to generate, apply, and evaluate processes and programs of HRE. As a result of this negotiation, the institution created a *manifesto*, a philosophical standpoint about how HRE must be understood in a specific context.

The *manifesto* about education of the DPE is implicitly stated in the introductory paragraph of the handbook and the guide, and it is more clearly expressed at the Institutional Memoire for its 20th Anniversary (Defensoría del Pueblo de Ecuador, 2016a). It mandates that human rights are not only compelled by laws but are experienced in every aspect of life. Therefore, HRE can happen inside or outside the formal education system. Education about rights must be based not only on knowledge about rights, but on attitudes, aptitudes, and actions of authorities, public servants, and members of society. HRE, as any other learning process inside the education system of Ecuador, proposes a meaningful lifetime experience,

participatory, inclusive, broad, intercultural, and intersectional, indispensable to achieve equity, solidarity, justice, and peace.

At the meso-level, the pedagogical model is constructivist. Constructivism proposes that reality is a historically situated socio-cultural construction. Therefore, based on the theories of Piaget, Ausubel, and Vygotsky, education is a process focused on the educated, through which they individually or collectively build their knowledge, creating learning that will be meaningful throughout life (de Zubiría, 2013; Grupo Santillana, 2009a; Schunk, 2012). This philosophical understanding of education is consistently addressed in the objectives of the program.

The first major criticism of the program at the meso-level is that it states that human rights education should be transformative, centered on the subject, and in a construction of learning that advocates for a culture of human rights and peace. This is consistent with the theoretical approach of authors such as Bajaj (2011), Flowers (2000) and Tibbitts (2002) of an HRE based on a model of Social Transformation and Activism, also called Education *for* rights, as the highest level of knowledge and commitment regarding human rights (Bajaj, 2011; Baxi, 1997; Flowers, 2000; Tibbitts, 2002).

However, further into the analysis, it was discovered that these texts do not reach the Transformational Model of HRE. Their meso- and micro-objectives are an initial stage of HRE programs, called education *about* rights, Values and Awareness model, or HRE for Global Citizenship (Bajaj, 2011; Flowers, 2000; Tibbitts, 2002). This model proposes an HRE based on the initial teaching of principles and skills around human rights, focusing on forming members of the international community. Evidence shows that the books mention that their objective is to raise awareness about human rights (therefore, they are the first

approach), but they are not explicit about how they are going to achieve the objective of the social transformation. It can only be inferred that these materials are the first step to a more in-depth program offers later.

The model of the DPE is not banking, meaning that it is based on diffusionist, unidirectional education. However, it is heavily teacher-centered. Additionally, it is planned as a one-time intervention, as opposed to the idea of life-time learning of the transformational model. Finally, it is only occasionally directed to the target audience, contrary to the idea of a deeper intervention, designed to reach whole communities.

When the elements of the pedagogical model were analyzed individually major inconsistencies could be observed. The first one exists between the different levels of the program's objectives. The macro-objective to be achieved at the end of the program, called the educational objective, states that it is important for the DPE to build learning, aptitudes, and behaviors in facilitators that contribute to the exercise of the rights of the participants, and promote a preventive culture that protects the rights of people, communes, communities, peoples, nationalities and groups (Defensoría del Pueblo de Ecuador, 2016b, 2016c).

The objective of creating holistic learning by connecting knowledge with aptitudes and behaviors is consistent with the pedagogy of DPE that states that cognitive learning is as important as affective and psychomotor objectives. But most of the proposed objectives have to do with the cognitive domain, addressing the affective level only in one-third of the cases, and paying much less attention to the psychomotor domain, giving the three texts analyzed an overall cognitive nature.

Cognitivism is far from the constructivist theoretical base stated by the DPE. For example, the implicit construction of the handbook and guide shows a sequence of topics

focused first on the enforcement and empowerment of the subject of rights. Here is where most of the affective objectives are set. The rest of the topics are developed mostly from the cognitive domain. It can be inferred that, according to the DPE program, obtaining knowledge at the cognitive level will generate the skills and competences in the affective and psychomotor realms in addition, which will produce a committed enforcement, promotion, and exercise of rights.

Additionally, in its pedagogical model, the DPE states that its main goal is to achieve the highest order skills of thinking (HOTS): creation and evaluation. However, this proposal collides with the meso-level objectives, called the learning goals, to be achieved at the end of the educational process. The learning goals common among the texts analyzed point to the lower order thinking skills (LOTS) of the cognitive domain of learning (remembering, comprehending, and applying) so the higher-order objectives (HOTS) of the program are neglected (analyzing, evaluating and creating). This inconsistency between what is expected from the program and what is proposed in the books suggests that for the DPE, the sole fact of knowing a topic reflecting lower order skills, implies that the higher-order skills will somehow also be acquired. Also, it is not clear, as mentioned before, if these texts are the preamble for a more extensive program at some later date, and that is the reason why they only aim at LOTS.

The principles determined by the DPE for the program are not part of the objectives but are posed as cross-cutting values. From the three documents analyzed, the handbook and the workbook are closer to developing the principles of the HRE program (participatory approach, promoting integrity, complementarity, intersectionality, and practical value) than the guide. These values, superficially, seem to be connected with the goals and activities in

the documents, although they present some inconsistencies at the micro-level when presented in the activities. The DPE refers continuously to these values, but in practice, it only raises them as topics of discussion and does not create activities in which the participants connect these values with real-life experiences or apply them to daily life. This study took a closer look at the relationship between the values and goals proposal of the program in the ontological and communicational phase because it implied a further in-depth review of the books.

Another significant remark about the program is that, contrary to every sound pedagogical principle, the DPE does not propose any type of evaluation. I assume that the organization's personnel believed that it was not appropriate to measure the outcomes of the program, considering it a sensitive issue. However, the evaluation does not necessarily imply a way of quantitative measurement but a way of assessing and influencing the progress, problems, and successes of any educational endeavor. So, the lack of evaluation becomes a big pedagogical gap.

At the micro-level, the didactic model answers, on the one side, to the contextual framework of the organization where the educational process develops as well as to the educational itself. On the other side, it also comprises the decision making of the educators in the classroom and the educational communication approach inside the classroom. Didactics is the art of teaching, and it implies the interaction of the educator vis-à-vis the educated. This is the space where all the previous planning and the philosophical approaches of education are tested, because the whole consistency of the educational planning are put into action and it reveals the possible gaps between what is stated as philosophy and methodology and what is enacted inside the classroom.

At the micro-level, there are some observations about the actors and scenarios, as one of the elements of the didactic model. Facilitators, participants, and the DPE can engage in the learning process inside or outside the classroom, as the DPE states. Even though the program opens the possibility of multiple audiences and settings for learning, it is a tricky matter. First, not anyone can be a facilitator, because they need a profound understanding of human rights and pedagogy, and this is a focal point in the criticism of the program because it is not stated clearly. Due to the lack of knowledge, either a blind follow-up of the program or the inability of the facilitator to respond effectively to the concerns of the students could produce profound consequences in the acquisition of human rights-basic knowledge. At the same time, the target audiences are varied, from high-school students to public servants. The adaptation of discourses and activities appropriate to each target can complicate the successful application of the program if the facilitator is not well trained in pedagogy.

The settings or spaces for education also have advantages and disadvantages. For one thing, formal education is structured and resourceful but it can also be bureaucratic and restrictive. In contrast, a non-formal setting is open and dynamic, but it is untested and has other types of restrictions. Its strength is that it opens the possibility of using varied educational spaces. Additionally, the participants and techniques are designed to be inside and outside the classroom, face-to-face or virtual. However, I emphatically maintain that the activities are too complex to be developed by oneself without the effective and informed direction of an educator, or a facilitator as the DPE names them. The information, especially in the guide, is incomplete, and it involves frequent intertextual references to the Theoretical Support, yet the guide and handbook do not consider this additional book as mandatory. In addition, the requirements of facilitators are not stated, even though I have emphasized the

relevance of an informed and pedagogically empowered educator. However, the result of the relationship between the scenarios and modes of learning and the success of the program cannot be known yet because the program has not been assessed or evaluated.

There is another inconsistency related to the objectives. There is a disjuncture between the educational goal (macro-), the learning goals (meso-), and the objectives of the activities (micro-). The educational goal proposes a transformational HRE, connecting knowledge, skills, and behaviors. The learning goals propose medium-range objectives mostly from the cognitive domain, and they are closely connected to the meso-level objectives (learning goals), even though in some cases this is not explicit. Nevertheless, the objectives from the macro- and meso-levels are varied, but they do not reach the transformational macro-goal, producing a gap between the macro-levels and the other levels. Therefore, it seems that the books have some missing links with respect to producing a coherent cascade of objectives from the macro- to the micro-level of objectives.

Another aspect to take into account is that the Learning Cycle moves away from Kolb's traditional approach, without specifying whether it is based on other authors or on a construction of the DPE. The way the DPE presents its activities is inconsistent with Kolb's theory because, contrary to this author's theory which states that all stages must be fulfilled in each educational interaction (Kolb & Kolb, 2009), only very few activities of the three documents analyzed reach the complete four-stage cycle.

Finally, critically analyzing the pedagogical aspects of the books is a key contribution of the dissertation, because, as mentioned before, there are very few studies of actual praxis of the principles of HRE in a concrete institution and context. Scholarly discussion has centered its efforts on categorizing cases, theorizing approaches, or defining HRE. This case

presents a CDS of the epistemes, methodologies and desired outcomes, vis-à-vis the macro-, meso- and micro-design of an HRE proposal.

Ontological discourse about Human Rights Education. For some authors, the human rights discourse has created a complicated language, unclear and full of technicalities, which generates incontestable premises (Baxi, 1997; Keet, 2012; Zembylas, 2015). Additionally, for critical authors from the Global South, such as Santos (2002) and Dussel (2006), the discourse of human rights has been used by the West as a mechanism of domination of the Global South, in the name of those incontestable truths.

Then again, the other side of power proposed by Foucault argues that it can also be used to advocate for a "new" type of rights, antidisciplinary and emancipatory (Foucault, 2003, cited in Zembylas, 2015). This position defends a critical commitment (neither a total acceptance nor a total rejection) of human rights within the idea of "unfinished humanity," as a work in progress (Golder, 2010).

In that context, chapter 5 analyzed the ontological discursive construction of the DPE towards understanding human rights and HRE. It was not considered from an epistemological perspective, because even though the epistemes are analyzed, this study proposes that knowledge is not neutral. Furthermore, discourse analyzed from the ontological standpoint is crucial to remembering the roots of knowledge about rights, the context in which discourse is generated, and how the subject-who-knows affects and is affected by that context when generating knowledge, and how those factors determine the construction of a discourse about rights (Bekerman & Zembylas, 2014). Hence, this dissertation analyzed the HRE discourse of the DPE for two reasons: first, to critically analyze the roots of the premises of the knowledge about rights used by the DPE, and second, to reveal the impact on

the construction of its discourse of the decision-making of the institution when selecting the knowledge used.

Therefore, using CDS, I described the internal content of the discourse of human rights, its principles, coherence, and inconsistencies from an ontological approach. From this perspective, I asked: What discourse of human rights does the DPE program promote? How are people and rights conceived? How does the DPE program negotiate or contest the principles of human rights from the UN World Programm of HRE with the constitutional mandates of Ecuador? And, at what level is it negotiated or contested?

As mentioned before, there is enormous importance in the ontological analysis of the roots of knowledge about rights. The analysis of the particular choice of sources and events for the HRE program of the DPE allows for some critiques about the selection of the knowledge about rights used in the construction of the discourse and its immediate effects.

One of the main results is that the DPE negotiates meanings in various forms and levels with other discourses. The first negotiation is between two opposite conceptions of rights –the liberal and the socialist views. The first one comes from outside of Ecuador and it represents the dominant discourse of the ISHR and the WPHRE, enforced by the UN. The second one is the socialist principle of *Sumak Kawsay* (Good Living) mandated by the Ecuadorian Constitution of 2008. The results show that in the face of these competing ideas, the DPE treats them as diversity and promotes their coexistence inside the HRE program. It also produces an internal philosophical inconsistency which is reproduced uncritically, with an effect opposite to what a critical human-rights based HRE program should generate: critical thinking about rights.

Similarly, the DPE subscribes to the liberal view of the evolution of human rights. Some criticism is raised here, first, around the Westernized perspective of the history of human rights provided by the program. As some authors mention, the selection of certain sources, events, and voices, creates a worldview around human rights as a Western tradition (Ishay, 2004; Rorty, 1993), silencing and making invisible subaltern voices (Santos B. S., 2010). A second critique can be made around the importance of *memory* in this discourse. Memory is vital to raise awareness of the dangers of violations of rights, encourage new participation, generate social cohesion and international visibility, and produce social change (Minow, 1999; Powers, 2014). Nevertheless, if memory makes invisible our own history and enforces the idea that human rights come from the outside, it can be inferred that it will generate the opposite effect: alienation, desensitization, and passivity.

On the other hand, the types of negotiations carried out by the DPE show that it has agency. Agency-as-a-choice is at the center of the negotiation of the meaning of the sign-maker (Kress, 2010). At first, the DPE subscribes to opposite perspectives of human rights and a Westernized explanation of the history and evolution of rights. However, on other occasions it picks and chooses between concepts, principles, and characteristics of rights, so that it builds its own vision of rights applying it as the foundation of HRE. That is, the DPE's decisions range from total subscription to the creation of concepts and methodologies.

The micro-level of the program is another space where the DPE shows its agency. The resources chosen to enforce and accompany the program are varied. The DPE picks several audiovisual materials and methodologies from other guides and programs. Nevertheless, as in previous cases, most of the materials follow the liberal perspective without giving the same weight to the socialist view of rights, or to subaltern voices.

Still, the main concern throughout the thesis, as in the case of educational design, has been that these decisions are not within a systematic and coherent process that demonstrates an editorial line, and this is also consistent from the macro-level to the micro-level. These negotiations show the first sign of the ontological understanding of the rights of the DPE. On the one hand, it believes in the universal, liberal, dominant discourse of human rights which comes from the UN and the WPHRE; yet on the other hand, it subscribes to the socialist principles mandated in the Constitution without knowing exactly how to enforce them. The DPE apparently considers some principles and characteristics from the international corpora to be fundamental, but at the same time, it imprints in its discourse more socialist ideas such as participation, intersectionality, and dialogue, and creates a comprehensive concept of human rights, beyond the essentialism of being humans.

Another space where the DPE's ontological construction can be read is from intersectionality. Used as a category and as an analytical tool, intersectionality is essential to evaluate the coherence between theory and praxis in complex social scenarios (Collins & Bilge, 2016) such as HRE. The DPE subscribes to the human rights-based approach mandated by the Constitution, consisting of the interconnection between gender, age, disabilities, mobility, interculturality, and Nature. It also holds that the subject of rights, being an active and crucial actor of human rights promotion and enforcement, builds his/her identity through multiple axes. In the praxis, however, the DPE mostly uses age, gender, disabilities, and human mobility as topics to talk about, generally via unidimensional discussions; they are not transversal axes in the program. It seems that for the DPE it is problematic to separate its position as NHRI, constricted by social and political

constructions, leaving aside the state-centered vision about rights, to produce a conception about rights centered on Otherness from the other and to them.

Another important aspect is the DPE's position towards the ontological construction and representation of the subject of rights. As mentioned before, the DPE enforces the notion of an active subject of rights who can defend and claim his/her rights through an informed praxis. In order to achieve that, the DPE proposes to provide skills for the identification and valueing of the self, and through that, for the empowerment of people as subjects of rights. These sections of the three books are where most of the activities are centered around discussing self-centered and real-life based activities. Yet, in the rest of the guide, the discussion about the Other-ed groups as subjects of rights takes a different turn. When others are talked about, their lives and struggles are treated from hypothetical cases, and only in very few cases do the documents involve connecting Otherness to oneself. This view of the subject of rights can be explained for HRE from the Coexistence model, proposed by Bajaj (2011) and from the education *through*⁶⁶ human rights mandated by the UNDHRET (United Nations, 2012). Both proposals argue that by learning about others through information, discussion, and contact among groups, HRE can achieve a respectful understanding and peaceful coexistence. However, some critical authors argue that presenting cases of Otherness that are detached from the immediate context can produce alienation and detachment, when such cases are perceived as something that happens somewhere else, and the educated can become frustrated about the oversimplification and folklorization of diverse cultures (Boyle & Corl, 2010; Dutta & Acharya, 2014; Walsh, 2007).

⁶⁶ I have described before that the three mandates for HRE presented in the United Nations Declaration of Human Rights Education and Training (UNDHRET) were explained: education *about* rights (norms, history and principles), education *through* rights (enforcement of respect and peaceful environment), and education *for* rights (empowerment and action).

Concerning the decision-making about meanings, it appears that the DPE decided to negotiate the presence or absence of topics in its HRE program in part to demonstrate the positionality of the institution. A big part of the HRE program focuses on enforcing the mandate of educating *about* rights of the UNDHRET (United Nations, 2012), by treating aspects such as the history of human rights, fundamental notions, documents and treaties, and other contents especially developed by the UN. Several programs in the world are dedicated to fulfilling this aspect of HRE.

Nevertheless, the DPE includes other topics, such as discrimination, stereotypes and prejudice, the enforceability of rights, and the construction of the subject of rights, enhancing the institutional understanding of HRE. It also includes aspects of *Sumak Kawsay*, participation and dialogue, even though they are not expressly developed in the activities. These decisions may be based on the belief of the DPE that HRE is not bound to the law but to social participation and social praxis, which tilts the balance towards the mandate of human rights *for* education from the UNDHRET (United Nations, 2012), as a way of empowering people to defend and demand their rights.

As mentioned in previous chapters, the HRE program of the DPE does not reach the HRE Transformational model proposed by Tibbitts and enforced by Bajaj. Nevertheless, the ontological positionality of the DPE is not purely centered on universal principles and norms. It seems that the DPE also navigates between levels and models of HRE. Thus, in some cases, the DPE manages to follow through on its principles to the micro-level in the activities, even though in other cases, such as the case of *Sumak Kawsay*, it is “lost in action!”

It can be inferred, though, that the varied topics selected by the DPE to construct the ontological notion of rights of the HRE program have been purposely chosen to show dynamic and multiple negotiations between power, knowledge, agency, and context. I have called attention to the importance of a reflective educational practice, which include, not only reviewing foundational principles of rights but engaging in critical discussions about the process of construction of such notions, taking into account the many “hard questions” (Holder & Reidy, 2013), the “difficult topics” (Frezzo, 2015), and the “cultural construction” of human rights (Santos B. S., 2002) debates around human rights and human rights education extensively discussed in chapter 2.

Despite the many criticisms presented around the inconsistencies found during the analysis, the program has many strengths. The DPE considers in human rights away from a reductionist judicial context; it includes national and international frameworks as well as peripheral topics addressed to enhancing human rights and building an active subject of rights. Moreover, what is mostly consistent along the three books of the program. Also, each resource has its own *forte*. The handbook is a more comprehensive resource; it has a detailed explanation of the topics and it is constantly referred by the guide. The workbook is the more visual of the three; perhaps because its language and images are expressly addressed to adolescents and children; its visual aspects are dynamic and colorful. The guide, focused on a broader audience, opens up the range of action of the program. Additionally, one of its biggest advantages is the wide array of activities, sources, and learning opportunities.

Finally, the HRE books created between 2015-2016 are part of a young program that is searching for its voice and position, testing methods and methodologies, with no system of evaluation and systematization yet in place. With this in mind, the ontological analysis is

addressed toward valuing those aspects that can be considered successful, and critically evaluating the inconsistencies and deficiencies that could become a problem, because instead of promoting social transformation in pursuit of more fair societies, what can reinforce systems of domination and exclusion hidden as human rights discourse. This is particularly crucial since the DPE has the responsibility of designing, promoting, and enforcing the human rights education initiatives and contents at the national level.

Communicational discourse about Human Rights Education. Karam (2011) argues that considering the discourse of human rights (and I will add the HRE discourse) makes it possible to discuss not only the constructions of meaning but the possible impact on the people who receive such discourses. Through communicative interaction, discourses guide people's understanding of the world and their subsequent actions based on that understanding, which is another reason to consider the research of HRE discourse from a communicational perspective.

Additionally, discourse is an institutionalized way of talking and acting upon the world, which includes the way to produce material objects that regulates and reinforces action and exerts power (Jager & Maier, 2016). This highlights the importance of studying the three resources of the DPE –handbook, workbook and guide– as materialization of the DPE considered as multimodal resources, because studying HRE discourse can illustrate the way to think and talk about human rights, and act accordingly.

Chapters 4 and 5 of the dissertation looked closely at the two sides of the coin of human rights education discourse: the *educational* discourse and the ontological discourse of *human rights*. Without oversimplifying communication, and only for research purposes, Chapter 6 focused on other “communicative” aspects of discourse left aside in previous

chapters. Above all, it reviewed the forms of representation of diversity, interdiscursivity and intertextuality, the multiple complementary modes of creating discourse, and the interrelation between modes, meanings, and narratives. It also looked at the voices immersed in the discourse, and the sensibility of the program to cultural aspects of discourse, such as translation.

One of the main results of the analysis is that the educational discourse about HRE, the ontological discourse about human rights, and the multimodal representation are not consistent. First, there is a problematic representation of diversity. Although the DPE's discourse on diversity assumes that the active subject of rights is constructed through many axes, in the photographic representation of what it means to be Ecuadorian, the representations are loaded with stereotypes. Stereotypes are also included in the representation of Other-ed groups, which reflect a cultural reductionist perspective. Additionally, the representation of social problems such as poverty, inequality, war, migration, and violence has a Westernized bias, which as Santos (2010) argues, has a profound impact on the construction of the self and the detriment of the self-image of people in the Global South.

This stereotyped representation is also repeated in the guide through the illustrations used to portray Ecuadorian identity. Characters representing entire cultures or groups are differentiated only by their clothing (mainly) and the color of their skin. This kind of cultural reductionism and silencing subaltern voices demonstrates a whitened heteronormative construction of otherness (Walsh, 2007).

It should be noted, however, that the graphic representation of the workbook uses the characters of the series *Los Defensores*, a comic strip that, although it was not created for this

book, is appropriate for the target population –adolescents and children. In *Los Defensores*, each character is a person with his/her own characteristics, and therefore, as much as any real person, he or she is not the representative of an entire group of people.

Moreover, as a general balance, even though the books are constituted by a dominant written mode, they also present an interesting range of audiovisual resources to accompany the written word: comics, videos, podcasts, images, readings, photographs, illustrations, and performance proposals. The audiovisual selection of resources responds to the logic of the modern student, more *homo videns* than *homo sapiens* (Sartori, 1998), who is accustomed to receiving a large amount of multimedia information in the educational processes as well as in daily life. However, this in-depth analysis is crucial to assess the implications of the selection of resources that reproduce the dominant discourse of human rights without cultural sensitivities. A space is needed for a transformative and critical debate, located in reality, and closer to the context of the people, which sets the stage for the heightening of public awareness process, proposed by Freire (2005).

Another aspect to highlight is the supplementing of the discourse of the DPE with resources from other discourses and sources. For one thing, the intertextuality and interdiscursive nature of the DPE's texts is a strength because they use previous experiences and resources from other organizations interested in issues close to HRE. The Red Cross, Amnesty International, Youth for Human Rights International, and several NGOs, as well as authors such as Foucault and Rowland, are among the sources selected by the DPE. The problem arises when the discourse of these resources is examined. Although their in-depth analysis is beyond the people of this dissertation, I observed that the videos strengthen the

liberal vision of human rights reinforced by the UN and the ISHR, leaving little room for subaltern and culturally diverse voices.

The analysis of translation enriched the results related to intertextuality and interdiscursivity. The issue with translation is to understand it as not simply a transformation of semantics from one language to another, but as a socio-semantic process of building meaning within a cultural context (Kwon, Barnett, & Chen, 2009). In multimodal texts, Kress (2011) proposes two forms of translation: transduction (moving meanings from one mode to another) and transformation (reordering meanings in the same mode). These two ways of mobilizing texts are not very sensitive to cultural aspects in the DPE case. For example, a short story is adapted from another story, in a way that ignores a linguistic particularity that geographically places the narrative outside Ecuador. In such situations the process of the multiple forms of moving texts can reproduce the liberal Westernized way of perceiving human rights.

Along the same critical line about culture and diversity, one of the biggest concerns of my research has been the construction of the other, the analysis of the voices present in the discourse, and the way their presence or absence marks a position around the construction of the discourse, as Dutta (2014) would say. In this HRE program the dominant voice is that of the DPE, which speaks *about* others, and often *for* others, but not *with* others. Cases of priority attention populations (usually hypothetical) are analyzed, discussing when and under what circumstances the rights of others are violated, but only in a few cases is testimony about violations of actual human rights provided, and there are not many spaces for the participants to talk about their problems or those of their communities.

In summary, multimodality was used to complement the building of the activities at the micro-level, but in context, they did not help to construct a stronger notion of humanity. The analysis of these chapters shows how the written text and the audiovisual aids are combined to produce narratives about human rights that reproduce stereotyped portrayals of Ecuadorians, of notions of wealth and poverty, of the dominant I, and of Otherness. Additionally, the discourse of the resources used in the books is not discussed but simply assumed to be neutral, thereby it reinforcing the idea of universalism by suggesting that human rights struggles are fought in the same way everywhere. Moreover, divergent voices and principles, such as *Sumak Kawsay*, proposed as a foundational concept of the program, are not supported or discussed, but rather left as notions without actualization.

Dutta and Acharya (2014) argue that through the creation of material and symbolic resources, the politics of power and domination produce a discourse about others that privileges the voices of certain people and erases the voices of others. This praxis is contradictory to HRE essence. One of the main goals of HRE is to provide the participants with skills to find their own voices in order to claim and defend their rights and those of their communities (Holland & Martin, 2013). Empowering people to access to their voices to claim their rights emphasizes the importance of studying the communicational discourse of HRE in the program proposed by the DPE.

Critical Evaluation: Cross-cutting Revision of the Research

The fifth step of the Jancsary, Höllerer, & Meyer (2016) methodology asks for a critical balance of the separately analyzed steps in order to find patterns that can be connected to broader contexts related to power/knowledge relationships. The crucial focus on (re)contextualizing findings is based on the idea that discourse can only be understood in

relation to its context, and not as separate pieces of analysis –contents, modes, actors (Wodak & Meyer, 2016b).

And, which is the general balance of the HRE program? Pros and cons of the DPE's initiative. Through a cross-cutting analysis, the results shows two strengths and two limitations repeatedly presented in the three books, explained in detail in previous chapters and grasp them up once more here. The first strength of the program is its edu/communicative design, understood as the political and strategic arrangement of elements, situated socially and historically. The program develops an educational design, starting from the macro- (educational), meso- (pedagogical), and micro-level (didactical), becoming its backbone where every other element is inserted. The communicational design is also introduced as a multimodal innovative, colorful and diverse. Both designs are intertwined and complementary –even though they were analyzed separately for investigative purposes– having many lines and decisions interlinked constantly –in the contents, activities, resources, and layout.

One surplus of the edu/communicative design is the variety of activities and resources selected to enhance and enrich the program. Pedagogically, the DPE choses between activities (sociodramas, plenaries, group and individual work, among many others), to be executed inside and outside the classroom, with the aid of varied resources (videos, audios, forms, or games). Communicationally, the institution uses diverse modes (comics, performance, readings, audiovisuals, stories/cases), and semiotic resources (graphic organizers, illustrations, and photographies). This variety gives the program a robust body, with multiple positions and axes to be enjoyed.

The second common strength in the program is the multiple levels in which the DPE shows agency as decision-maker/producer/rethor of the HRE program. This point is vital because it distance the HRE proposal of the DPE from a blind reproduction of international or foreign initiatives, one of the main scholarly critiques of other initiatives around the world. The DPE's agency is exercised when selecting constitutive elements to build its edu/communicative proposal, for example by determining the modes through which the program is expressed, as well as in the complex (and some times contradictory) negotiation around the notions of rights. The result of the DPE's agency is a complex, multifaced, innovative and diverse program, which obviously, includes also some limitations as any other young on-going HRE initiative.

Hence, the first limitation of the DPE proposal is the inconsistencies presented along the program. One of the biggest inconsistencies raises between the principle of diversity and intersectionality of the program and the stereotyped and dominant perspective from which otherness is represented through images and activities. Another inconsistency lies across the lost interconnection of the macro-level of the design, and the meso- and micro-level, between objectives and activities, and between activities and the proposed topics and principles.

I have argued before that it is not possible that an educative process be completely coherent and cohesive, because as a part of our nature, humans tend to have a complex and sometimes contradictory perception of the world. However, thinking from an edu/communicative design, some inconsistencies jeopardize the educative process, for example, when an objective is not achieve in the activities, or when a theory proposed as a pedagogical model is later disregarded in the praxis. The previous argument is intended to explain why this dissertation focus repeatedly in the inconsistencies between the macro-,

meso-, and micro-levels of the educative design, in the selection of the constructs about human rights on which later the HRE program is built, or between the principles of diversity, participation and dialogue and its representation and exercise.

The second limitation is the lack of an explicit reflective practice of the DPE. A common saying argues that “one have to teach with the example”, and that is lacking in the project. The DPE do not explicitly argues the notions or criteria used to select between theories, methodologies, contents, modes or resources. Evaluation as one of the most significant ways to reflect upon educative processes is inexistent in the program. The positionality of the DPE as a NHRI and part of the Ecuadorian state apparatus is not expressed, producing a dominant hegemonic voice which silence subalternities and othered groups.

In human rights education the process of decision-making is vital because, as it has been argued along the research, a discourse is not only the way to think and talk about rights, but the way to act upon the world based on those notions. The explicit positionality and understanding of rights of the DPE can open the possibility for a reflective practice through the educative process, limiting the possibility to believe that the DPE’s criteria is “the only” way to think and talk about rights, and therefore, act upon them. Thus, a reflective educative practice produces as an effect an stronger and diverse praxis of promotion and enforcement of the human rights in Ecuador.

What and how the DPE propose education and with which implications? Here, the three perspectives for studying discourse (ontological, educational, and communicational) are interlinked and summarized in three aspects. The first one is to analyze what is *said* about HRE, that is, the construction of contents that build the human rights education discourse.

The second one is to analyze *how* the discourse is designed, namely, the way in which this discourse is presented and represented. Third, is to consider the *implications* of the three books as a whole, as the realization of the discourse of rights of the DPE.

What is said. What is said in an educational program or material is not always explicit. The analysis of what the DPE has said about education and human rights lies inside many layers of educational/communicational notions, methodologies, and activities. The general balance of the CDS of the DPE texts demonstrates a strong HRE proposal, based on a wide range of constructs about human rights and education, with many strengths and some weaknesses as might be said of any concerns perfectible human process.

My first remark about what the DPE says is about education. The educational proposal of the DPE is Constructivist and believes in meaningful learning; it is participatory, dialogical, intersectional, complementary, and of practical value; and it is human rights-based. The books pose, then, an educational, philosophical, and ontological understanding of what education means beyond being only a collection of activities. Luckily, that is at least half of the pedagogical design. Coherence and consistency can be increased throughout the books when there exists a theoretical and methodological backbone to start with, and when the program has a guiding focus. Therefore, it is necessary to highlight the existing DPE's framework developed in the introduction of their materials, which constitutes the umbrella under which the whole program is designed.

It is also remarkable that the DPE has developed the resources in terms of principles and values to administer its HRE program, adding long, medium, and short-term objectives. The educational goals are connected to the principles about human rights that the DPE

proposes, mainly, participation and dialogue. Therefore, human rights, education, and HRE principles are coherent –even if they are sometimes inconsistent at the micro-level.

Another strength of the DPE program is that it responds to the macro-level of the international system of human rights and the World Program of HRE, but at the same time, it considers itself within the Ecuadorian Constitution and negotiates constructs that give the program its own character. This is a notable achievement often absent in the programs of other INGOs. According to the DPE, the construction of the notion of rights is not essentialist, dogmatic, or law-based. The national human rights institution of Ecuador proposes that human rights are “faculties, liberties and attributes, that all people have because of their human condition” (Defensoría del Pueblo de Ecuador, 2016c, p. 88). “They are in continuous development and recognition, and it is not necessary to enshrine them in legal rules to demand compliance.” (Defensoría del Pueblo de Ecuador, 2015b, p. 118). As the NHRI, the DPE considers that respect, protection, and fulfillment of human rights constitutes the highest duty of the State, which enables allow people to develop a worthy life and direct the exercise of power (Defensoría del Pueblo de Ecuador, 2015b). This notion shows the negotiation between the essentialist international notion of rights and the socialist view based in the principle of *Buen Vivir*. This position is consistent throughout the three texts, but always with more strength in the handbook, because it is the basis for the other two. It shows the DPE’s agency and its desire to create an innovative HRE program with its own identity, not merely mirror reflection of the international norm. However, it also constitutes one of the most critical inconsistencies because it negotiates between opposite concepts, sometimes assuming them blindly, and in other cases creating its own views on how to conduct HRE. Without an explicit reflection about the DPE’s positionality, learners and facilitators can

assume that the DPE' human rights construction is the only way to understand and learn about rights.

Additionally, an advantage of the program lies in the variety of topics that go beyond human rights notions (history, characteristics, norms, treaties), including topics such as self-determination, identity, empowerment, enforceability routes, discrimination, stereotypes, and prejudices. I especially highlighted the first unit and module that process the construction of the individual as an active subject of rights. The additional topics enhance and enforce the notion of rights to produce a more human-centered and less legal vision, which is also a plus compared to other programs. Nevertheless, it seems that it was harder for the institution to develop about ways to balance the contents between opposite notions of rights or to promote in-depth discussions about them, which reinforces the Westernized vision of human rights so questioned in Latin America.

Moreover, the biggest problem I encountered, once I analyzed its content and design several times, was the difficulty of being totally coherent between what is said as doctrine (notions, constructs, values), how it is designed (modes, voices, sources, representations), and what is proposed to be executed in the activities. I have mentioned, for example, the inconsistency between talking about diversity as a value, but only presenting it via hypothetical cases for discussion. Instead of making visible the immanent diversity of the participant's reference group, and enforcing the practical value or knowledge, this is presented as a topic to be *just talked about*. Another example is the DPE's discourse about diversity, which conceptualizes it in the written text, but incorporates images full of stereotypes, and fails to propose activities for reflecting and living diversity as a real-life experience.

Voices are essential in HRE to build social justice and equality. Therefore, in this case, it is a disadvantage for the DPE to pose as the dominant voice. Despite its lofty goals, in the end, the DPE talks about diversity from the perspective of the dominant *I* rather than from and towards the other-ed groups. This positionality is similar to that of some UN entities, where the universalist discourse of rights is enforced by the univocal position of the institution. In a previous study I encountered, for example, that the Office of the High Commissioner of Human Rights speaks from the position of the dominant *I*, as the maximum representative of human rights of the UN, talking about the violation of rights of Others without considering the inclusion of their voices (Fernández-Vela, in press).

How to do HRE. According to my experience as a higher-education evaluator⁶⁷, not many institutions are concerned about creating and assessing the macro-, meso- and micro-level coherence of their programs, profound details that could jeopardize the result of any educational process. Additionally, few institutions and educational programs have expended time and resources to create a *manifesto* that shelters their positionality as educational institutions. Many are worried mainly about their curriculum design at the meso-level and how to download it into the classroom without thinking contextually within the institution.

The DPE, by mandate, has to coordinate, approve, supervise, and evaluate the system of promotion and protection of rights in Ecuador, and therefore, as part of its promotion responsibilities, its duty is to design and approve methodologies and contents of HRE programs at the national level (Defensoría del Pueblo de Ecuador, 2016a). Accordingly, a fundamental strength of the program is the goal of the DPE to design an HRE proposal that

⁶⁷ For several years I have been participating in the process of accreditation and assessment of the quality of higher-education promoted by the Ecuadorian Government, as a part of the institutional technical team, and as advisor, and coordinator at my School.

will link aspects from the macro-, meso-, and micro-levels, and not just present a list of isolated topics or activities. The three books are extensive and substantially designed to fulfill the DPE's mandate as NHRI. It presents its vision about human rights education in a clear manner, setting long-term, medium-range, and short-term objectives, selecting theories of education, pedagogical strategies, topics and sequences, and then activities and resources that match these objectives. However, the CDS shows that it is between the macro-, meso-, and micro- that some coherence is lost.

Having said that, the handbook is the stronger of the three books. It has a deeper explanation of the topics, and most of the activities and resources it includes are referred to in the other two. The workbook is the most visual book of the three. The handbook and the workbook are designed to work as one. Of the three materials, only the guide could work without relation to the other two, although it is the least theoretically complete of the three. However, I believe the three books analyzed are incomplete without the *Theoretical Support for the Introduction of Human Rights* because it constitutes the theoretical basis of the entire program. I also consider that for a holistic understanding of the program, it was necessary to investigate the three documents, since only by analyzing them all was I able to contrast and compare results.

The distribution of units and modules was an asset of the program. It shows first the construction of the subject of rights, then present human rights notions, and then complements all of this with additional topics. Then it is divided into workshops and activities where each activity follows a lesson plan. The detail and consistency from the meso- to the micro-level of the program is also a plus. Another strength is the variety of

resources used to support the conceptualization of the topics offered, also as cases for discussion, through continuous intertextual and interdiscursive connections.

The design is definitely an issue when materializing a discourse in a textbook. As a political decision of the sign-maker, the design definitely answers to the positionality of the educator situated in a context, the perceived needs of the educated, and the HRE logic. These books showed two designs –educational and communicational–, and it was demonstrated that it was a difficult task to be always systematic and precise when moving between the conception of education and human rights and ways to represent them in the resources; how to interlink notions of education and rights from objectives to activities presented in different modes; how to use multimodality to enforce human rights and education; or how to balance education and communication from images to activities. In the end, education and communicational design were one, because the interlink between education and communication feed both approaches merging them in one.

In summary, the HRE program of the *Defensoría*, materialized through its three books, seems to be a comprehensive project. It demonstrates that human rights education has to be concerned, on the one hand, with presenting a systematic, well-designed, consistent, and profoundly conceptualized educational proposal that provides the program with a backbone on which the other academic decisions can be built. On the other hand, the program must do all it can to present a profound conceptualization about human rights that is the result of a careful reflection about the positionality of the educator, even though it has to be critical and flexible, promoting the debate about the political, social, and historical context surrounding the construction of the notion of rights.

However, because this is a new program and it has not been evaluated before, its results in the long run remain to be seen. Also, the Ecuadorian political scenario changed in 2017, and it also remains to be seen how the new political scenario will affect the reading and implementation of the DPE materials. Moreover, the HRE program could be affected by the will of the new Ombudsman in enforcing or limiting the program. Therefore, I recommend a vital critique as part of any further studies.

Implications. Comparing the three books has allowed me to see the program as a whole and to consider what difference it made to address one audience or another, to see if it was needed to include in-depth explanations or just some characteristics, to see if the consistency between the macro-, meso-, and micro-levels was a coincidence or if it was consistently planned and designed, and to contrast sources, resources, objectives, and activities, which allowed me to see the intertextual and interdiscursive relations between the books. Still, another factor in developing an HRE program revolves around deeper constructs linking communication and education: the consistency between the vision of what HRE represents for the organization that supports it, and how that logic is cascading, thus, how the discourse and the design of resources respond to the relations between power and knowledge. Through comparing and contrasting the three books (guide, handbook and workbook) and the three discourses (educational, ontological and communicational), this CDS provided me the richness of data needed to present a holistic view of the HRE program of the DPE.

Discourse is a way of seeing and being in the world. Therefore, the DPE's discourse about HRE reproduces its vision of human rights and HRE and its position as a national institution in charge of human rights protection and promotion, and consequently, as a part of the dominant discourse of the Ecuadorian state. This implies that if the program reproduces

stereotypes and biased views of the Other, the person educated through the program will do the same. Additionally, the scope of the program implies that these conceptions will be reproduced at the national level, deepening the (mis)understanding of Otherness that is already problematic in modern societies.

This study shows that what is set as pedagogical values (participation and dialogue) and ontological principles (intersectionality, active subject of rights, among others), clashes against the ways in which modes are presented and what they are representing. The program lacks self-awareness and self-criticism about the values reproduced, or about the negotiations that are carried out at the ontological or educational level. It is not critical but it asks for criticism, it is not dialogic but it proposes it, it is not reflexive but it encourages reflection. Hence the need for the reflective practice advocated during this study.

Discourses are forms of reproduction of dominant ideologies. However, while ideologies encompass only ideas, hegemonies encompass social practices as well (Martínez Guillem & Briziarelli, 2012). That is the place for this analysis. Following Foucault's idea about power/knowledge and its relation to human rights, power can be used to advocate for a new conception of human rights that is antidisiplinary and emancipatory. Therefore, as a whole, the HRE program proposed by the NHRI in Ecuador is not light or darkness but both, that is perfectible as any other educative program, which ratifies the hope that some researchers have in HRE programs in constructing and reflecting on improved initiatives.

Prospective Analysis: Where Do We Go From Here?

The CDS methodology states that an investigation must be analytical, descriptive, and prospective (Reisigl & Wodak, 2016). But this principle will not be fulfilled if higher education research has no effect on reality. One of the most crucial criticisms of scholars is

that their research is created within an “ivory tower”, a place that allows them to look at reality without getting involved in it and without affecting it.

On the contrary, this research aimed to open the debate about the scope, strengths, successful cases, dangers, and potentialities of HRE in Ecuador. And since this intention, by itself, will not suffice to put us in touch with reality, I will propose recommendations about what can be done to bolster the strengths of the DPE program and amend its weakest points.

The first recommendation is to understand that in the case of any educational material to be used in a learning process, education and communication must be looked at in a holistic way, and not only by considering communication to be an aesthetic tool, or education as a praxis without soul. What is said and how it is said, who says it and when, which means are used and with what effects, are edu/communicative aspects that are often overlooked, as demonstrated in this study.

The education/communication relationship is understood as more than the instrumentalization of alternative ways of educating or bringing media to the classroom. It considers the political and ethical decision-making process of the educator as producer of the HRE and governed by the macro- and meso-levels. Videos, photographs, and images are pedagogical opportunities to generate dialogue and participation. The performance (role-play and cases) are also spaces for reviewing, analyzing, and discussing issues that are close to and affect the daily life of the students. Education/communication would then be understood as a need to engage in productive in-depth discussion about power and knowledge.

Along the same lines, one aspect that reflects the greatest inconsistencies found in this study is the design. This highlights the need for in-depth communicational planning,

including policies, strategies and an editorial line, following a policy of the institution that reflects a thorough discussion of the design (not only perceived as layout) and that encompasses the positionality of the DPE in relation to human rights. The layout, as a materialization of the design, should answer to such editorial policies and lines consciously formulated by the organization. For example, the selection of images, videos, and other complementary materials should not be based solely on aesthetic criteria or random decision-making. As a result, every audiovisual material, comic, performance, or semiotic resource must fall inside the borders of the DPE's educational/communicational plan.

Therefore, in the future, illustrations can be standardized following design concepts and informed decision-making, as is, for example, the case of *Los Defensores* in the workbook. A recommendation can be to develop characters (similar to *Defensores*) in other stages of the life cycle, but with characteristics that turn them into *personas* and not stereotypes. Renowned comic strips can also be used, for example, Mafalda, who is a character with its own personality, which therefore will not misrepresent a human group.

However, there are discrepancies between discourse and practice regarding the voices and subjects implemented in the texts analyzed, and I propose that, as the National Human Rights Institution, the DPE should reflect upon them. First, there is the degree of coherence between discourse and praxis regarding the issue of intersectionality. The discourse talks about priority-attention groups, the importance of people empowering themselves, and the active role of rights subjects, but the activities do not let the voices of these groups be heard. The *Defensoría* falls into the trap of speaking *for* them, not *with* them, and failing to encourage them to speak. Therefore its intersectionality is presented in the discourse but not practiced.

Another important aspect is the vertical consistency between what the institution wishes to achieve with the program (macro-), what the program proposes as results at the end of the program (meso-), and what it is actually executing in the relationship between the educator and educated. The inconsistency between goals and objectives, from the long term to the short term, can be systematized in a matrix in which the vertical and horizontal coherence is shown as a diagram. Subsequently, having clarified this macro-/meso-/micro-negotiation, the activities will then be instrumental to achieving the fulfillment of the objectives. This can end the divorce between subjects, objectives, and activities.

There are three other aspects of pedagogy which must be reconsidered. First, assessment is vital to every learning process. It should be stated as a way to understand and evaluate the process of teaching and learning, as well as the program itself. It involves thinking not only about the instrument of evaluation but also about its principles and scope. Second, the learning cycle must be fulfilled in each interaction, if following Kolb's theory, or otherwise present the theoretical background supporting other visions about this pedagogical element of education.

Last, regarding the educator, the type of educator needed should be stated, as well as the requirements and previous knowledge expected of them, or additional processes should be provided to educate the educators. Consequently, thinking about a HRE school for promoters and facilitators seems a natural way to solve this gap between what is expected of the educators and how the DPE can ensure that those expectations are met in the program.

The content will also have to be reviewed. The institution must reflect on its positionality and the logic of content negotiations between the International System, the national principles of *Sumak Kawsay*, the DPE's needs, and what its participants require.

Once the DPE clarifies its ontological positionality and understands its process, it can include these reflections around its construction of rights and HRE. Since critical pedagogy states that education is a negotiation and a transformative exchange, the DPE must be the first to be clear about its position.

Additionally, a more ethnographic turn of the investigation can bring a more in-depth view of the program. I had the chance to participate in some workshops using a few of the DPE's activities and resources, and I had a hint of what is to be on the other side of the HRE process. It lead me to confirm the belief that future studies are imperative to explore the participants perspective of the educative process, using qualitative methods such as interviews to the designers of the books and testimonies from the educated, among other. Nevertheless, the study of those perspectives were not part of the focus of this dissertation.

Lastly, with self-reflection about its positionality the DPE can solve one of the biggest issues of HRE, which is the debate about the values traditionally assumed to be universal, and therefore, unquestionable principles about human rights and HRE. The moment when the multiplicity of theoretical, philosophical, and political debates around human rights are put on the table, the participants will be able to draw their own conclusions in the transformative process that the DPE as the NHRI wants. This position exists within the DPE but it fails to make it visible at the micro-level. As Soysal (2004) argues,

The must taken-for-granted dichotomy of particular versus universal no longer holds [...] The particularistic identities and claims we encounter today are inevitable outcomes of the universalistic principles to which we firmly adhere [...] What really matters is the very process of negotiation, contestation, and dialogue in which these claims and identities are mobilized. After all, confrontation and dialogue are what constitutes the basis of democratic public spheres (p. 5)

Final reflections and limitations of the study. Because HRE is an educational process, reflexivity has a double role. For one, critical scholars have to be reflexive about

their own positionalities and backgrounds (Collier, 2014; Griffin, 2015). Additionally, as some authors state, reflexivity in education is vital for educators to become aware of theories, practices, concepts, and implications of epistemological and methodological choices (Collier, 2014; Griffin, 2015). A reflective pedagogical practice raises questions about voices, methodologies, and topics presented or silenced in academia, opening the field for new spaces and positionalities for research, and examines the academic structures, institutions and political frameworks where knowledge is produced (Nakayama & Krizek, 1995).

This reflective position avoids falling into the traps of ignoring cultural nuances of the cases studied, assuming research methods or theories as regimes of truth, and alienating Latin American from how and where their region is studied. This dissertation has been placed in the uncomfortable position of being “globally minded and locally grounded” (Shi-Xu, 2014) in using approaches and theories, with the goal in mind of analyzing the HRE program of Ecuador from and towards Ecuador, situating also the case in the international scholarly debate about HRE. In this context, education/communication as a thinking practice developed by Latin American scholars and practitioners is a viable alternative for reflection on HRE in Latin American countries such as Ecuador.

Also, as a part of the self-reflexion of the study, this dissertation has endured several processes of translation, that I must report. First, the texts are written in Spanish, and this dissertation analyzed them in English, through a Spanish speaker (me). In several parts, I have had problems reading in Spanish and then trying to interpret what I think in *Spanglish* by writing the analysis in English. An example of this challenging cultural appropriation is the term *transversalizacion del enfoque de derechos* which in Spanish means that the promotion and defense of human rights go through all educational processes, issues, spaces,

and times. However, the direct translation is *mainstreaming* which culturally means another thing. Mainstreaming means incorporating themes into the dominant culture. Some Latin American authors use the term in English (*cultura mainstream=cultura dominante*) (Martel, 2011). This is not the sense in which the term is used, but although I was able to find a more appropriate term like *intertwined* or *cross-cutting*, I used the terminology introduced by the UN as its policy⁶⁸, proving that translation is far from a simple linguistic choosing of words but rather a deeply engraved political matter.

Another term that suffered the same linguistic vacuum is what in Spanish is called *cosmovisión*, translated as *worldview* in English. However, *cosmovisión* is more than a way of seeing the world; it is how cultures perceive, understand, and act according to their understanding of the world, how they make sense of the world, and how they experience it.

This aspect is also affected by the factor, as some authors critique, that Latin American scholars look at their realities through the lens of foreign authors and read in other languages. It is a criticism in which we look through the eyes of the Others to interpret a reality that the Others have not lived but that we believe they understand better than us. This is a self-criticism that I have maintained throughout this study and that I have not been able to resolve. First, because there are not enough studies in Latin America to use only authors who self-refer. Second, because my doctoral degree is being earned in the United States in a language that is not my native language, and therefore, it already separates me from the object I study and from myself as a subject who studies. Third, because the texts I study are in Spanish, produced in the Ecuadorian context, but they continuously use references to

⁶⁸ I looked for the translation of the terminology by comparing official documents of the UN in English and Spanish, and authors that analyzed or criticized the UN policy of integrating human rights throughout all the UN system (from agencies and allies, to policies and programs, and treaties and technical documents) (McCrudden, 2005; Oberleitner, 2007)

international elements (documents, guides, standards, sources), which poses the same issues that I analyze and criticize. Therefore, at the risk of losing my sanity in an attempt to deny myself, my culture, and my context, or deny everything that does not belong to me by birth, I embraced the idea of Shi Xu (2012) who maintains that in these cases it is necessary to be strong enough to defend and be aware of one's own cultural needs and perspectives, while keeping an open mind to value the global cultural diversity of the world and appreciate and critically engage with the international scholarly traditions.

As Martínez-Guillem (2014) argues, academic work in a language that is not one own mother tongue involves a twofold task: relating the facts connected to the perception of reality (and the emotions linked to them), and trying to comply with the accuracy demand of academia. This is why I reserved the last part of my study for a bilingual reflection about my identity and my position as a woman scholar, *latinoamericana*, Ecuadorian, and Spanish speaker.

Therefore, I Believe...

Nosotros somos como los granos de quinua si estamos solos, el viento lleva lejos. Pero si estamos unidos en un costal, nada hace el viento. Bamboleará, pero no nos hará caer.

Dolores Cacuango⁶⁹, lidereza indígena de la lucha por la igualdad de los pueblos y nacionalidades de Ecuador.

“Why are you going to waste your time studying human rights? Everything is said and done”, “Human rights are fought in the streets, not in books”, “Human rights are only discourse with no actual effect on improving people's lives”, “But you have privileges? You cannot talk about human rights violations”. These were some of the remarks people made

⁶⁹ “We are like quinoa grains if we are alone, the wind takes away. But if we are united in a sack, nothing makes the wind. It will wobble, but it won't make us fall”. Dolores Cacuango, indigenous female leader, pioneer in the struggles for the pueblos and nationalities rights in Ecuador.

when I decided to commit my dissertation (including my life, mind, soul, and sanity) to the topic of human rights and human rights education.

Many years have passed since I started to work with HRE and I still believe in writing and studying, and yes, in talking about rights, because as I have proved through this analysis, one thing is producing a discourse about human rights, and a different thing is being able to coordinate coherent concrete actions to enforce and promote rights through an HRE program, accordingly.

Ecuador has immense possibilities. It is a place of contrasts, from the climate to the political arena. Ecuadorians have to get used to these contrasts and contradictions.

Identity has only been truly such or fully existed when it has endangered itself by giving itself whole in the dialogue with the other identities; when, when invading another, it has been transformed by it or when, when invaded, it has tried to transform the invader. Your best way to protect yourself has been to take the risk (Echeverría, 2001, p. 63).

It is in this tension, in a game of multiple identities, that we believe it is possible to think about the constitution of truth, understood not as a given fact but as a coexistence of truths in dialogue and dispute. Subalternities appear as such in relation to this dialectic. A critical HRE that seeks to question the truth statute of human rights discourse cannot fundamentally obviate the immanent tensions in the relationships between power-knowledge-discourse.

While thousands, or a few hundred, or even just a handful of Ecuadorians continue to believe in Ecuador, I am convinced that utopia will allow us to walk to the country we want and our children deserve. I have nothing more to say but that I believe in the utopia of human rights and in the potential of HRE to spark that kind of transformation. Above all, I believe in Ecuador, the country where I was born, full of courageous and beautiful people, full of

contradictions, pain and joy, tenderness and passion, light and darkness. As Velasco⁷⁰ (2016) sings,

Yo nací en este país que sabe a caña y algodón
que se ilumina mucho antes de que salga el sol
Yo nací en este país de niños pobres y almidón
endeudados con los mismos que se lo llevaron todo
Un país lleno de historia, de hombres y mujeres de hormigón
llenos de coraje y de ternura, llenos de pasión
Yo nací en este país, que va con alegrías y dolor
con gente linda y con canallas que nos roban la ilusión
que no le teme al porvenir, que no se deja derrotar
que no me pide visa, y al que siempre quiero regresar
yo nací aquí [...]
Yo nací en este país, que a veces me hecha para atrás
a veces me resigno, a veces me quiero escapar
pero yo nací aquí, aquí aprendí a caminar
aquí te conocí, aquí me enamoré de tí
yo nací aquí
si tengo que alejarme y caminar lejos de tí
te llevo en mis palabras y en mi manera de amar
te llevo en mis sentidos y en mi forma de cantar⁷¹

⁷⁰ Velasco is a singer, composer and producer of music in Ecuador. He has worked to enforce and promote the rights and the work of the artist in the country. He dedicated a good part of his production to recovering the memory of Ecuadorian music, by reproducing a classical song with new arrangements, bringing this kind of music closer to the new generations. He has been nominated and winner of several national and international awards, and has sung with famous artists in international festivals, drawing attention to our music internationally. Additionally, he has dedicated his public image to enforcing programs of peace, and as result, he was a UN Ambassador of Peace in 2004. Currently he is the Minister of Culture of Ecuador. *Yo nací aquí*, the name of this song created in 2004, is also the name of the NGO he founded to work for social change in the country.

⁷¹ I was born in this country that tastes like cane and cotton
that is illuminated long before the sun rises
I was born in this country of poor children and starch
indebted to them who took it all
A country full of history, of men and women made of concrete
full of courage and tenderness, full of passion
I was born in this country that moves with joys and pains
with beautiful people and with scoundrels that rob us of our dreams
that is not afraid of the future, that does not admit defeat
that doesn't ask me for a visa, and where I always want to return to
I was born here, I was born here
I was born in this country that sometimes pulls me back
Sometimes I resign myself, sometimes I want to escape

but I was born here, here is where I learned to walk
Here I met you, here I fell in love with you
I was born here
If I have to go away and walk away from you
I carry you in my words and in my way of loving
I carry you in my senses and in my way of singing

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