Human rights education and training has come to constitute a significant component of the international human rights movement. One might even conceive of the promulgation of international human rights law and its translation into domestic legal standards as the first wave of the international human rights movement, followed by a second wave comprising the proliferation of institutions (international, governmental and non-governmental), human rights education and training represents the third and latest wave. Continuous with the first two waves, the general promise of this third wave is that educating people about human rights will assist in the protection and promotion of human rights in people’s lives.

The particular theory underpinning the general proposition that education will contribute to the realization of human rights varies depending on who is being educated. The provision of human rights education and training for communities, for example, is intended to provide the target audience with resources in the form of advocacy tools and problem framings that they can then take up to advocate their existing cause. When human rights training is directed towards people who are presumed to be potential perpetrators, such as the police or military, however, the intention cannot merely be to provide tools to people in search of solutions to issues they have already defined as problems. Here, what is sought is a more comprehensive transformation whereby the target group will come to subscribe to human rights principles in thought, values and behavior and then wish to take up the tools required to ensure the protection of human rights. Realizing these objectives in the context of organizations that have, for structural and cultural reasons, traditionally been the sites of serious violations is thus likely to require a great deal more than the transfer of knowledge and skills; it may be more akin to conversion.

Given how ambitious this aim is, and the increasingly important role that human rights education and training are playing in the international human rights movement, rigorous evaluation of training resources and approaches would seem to be an obvious priority. However, while in recent years evaluation has become a more central concern in the human rights field in general, and education in particular, there exists no body of work looking across discrete program evaluations, comparing different approaches and seeking to articulate principles for best practice.
Based on a comprehensive survey of training resources and approaches internationally, this article concludes that they principally follow a dry “information transmission” model using a traditional lecture style pedagogy. The presentation of reams of material detailing the substance of international legal standards is usually preceded by a foray into the philosophy and history of human rights and supplemented by a nod towards the subjective concerns of the audience in the form of a set of reasons for observing human rights as in their self interest. In manual after manual and by observing human rights trainings, one is struck by the ritualized and standardized performance that takes place. Articles from key human rights instruments are chanted or displayed in PowerPoint slides, as no doubt stunned participants are taken through a standardized series of “key human rights issues” and “vulnerable groups.” Accommodation to the local context generally comprises supplementary material on local legal standards and a genuflection to participation in the form of an occasional discussion-prompt for facilitators asking participants to come up with local examples. Looking across the large body of training material available internationally, it appears that there is a fixed body of resource material that circulates and gets recycled, the regularity of its employment rather than its quality now bequeathing it the title “best practice.”

Rather than simply assuming that the ritualism that characterizes human rights training is indicative of mindlessness or cynicism, this article treats it as a point of curiosity. It asks how is it that a template of action has developed and is continuing to expand, with the support of a range of stakeholders, when it falls short on a number of key dimensions? Why continue to repeat a performance that, upon a few moments’ reflection, seems so ill conceived? The article proposes seven explanations for the persistence of ritualized practices in human rights training for police. In so doing, it suggests some more general explanations for the persistence of ritualized practice in the field of human rights. The analysis of the ritualized quality of existing approaches to training suggests that to be effective, approaches to training need to be significantly modified, if not abandoned in their current form altogether. In this article, however, the focus will be on engaging with existing training approaches, the theories of change they seem to have adopted, and on explaining why this potentially transformative practice has become so ritualized.

The emergence, growth and scope of human rights education

The nexus between human rights education and the realization of human rights is established in human rights treaties, the recommendations of key actors authorized to promulgate human rights and by a growing number of institutions charged with developing and delivering human rights education. The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) provides that

> Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment.
Following from this, in its concluding observations of the combined third and fourth reports of Sri Lanka submitted under Article 19 of the CAT, the Committee Against Torture recommended that the State Party

[C]ontinue to provide mandatory training programmes so as to ensure that all public officials, in particular members of the police forces and army personnel, are fully aware of the provisions of the Convention, that breaches are not tolerated but investigated, and that the perpetrators are brought to trial.4

In a similar vein, in the report of his mission to Sri Lanka, the former Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Manfred Nowak, recommended that the Government

[E]nsure that security personnel undergo extensive and thorough training, using a curriculum that incorporates human rights education throughout and that includes training in effective interrogation techniques and the proper use of policing equipment, and that existing personnel receive continuing education.5

Formal recognition of the importance of human rights education can be found in the Vienna Declaration and Programme of Action (Section 1, para. 33) and the proclamation of the United Nations Decade for Human Rights Education (1995-2004), 6 which was followed by a second phase of the World Programme for Human Rights Education (2010-2014).7 On December 19, 2011 the General Assembly adopted the Declaration on Human Rights Education and Training, which explicitly includes the need for human rights training and education for the military and police.8 Beyond these formal international institutional developments, over the last decade we have seen the rapid proliferation of non-governmental organizations working on human rights education and training, developing resources and advocating for the expansion of educational efforts.9

Precise data on the extent of human rights training for police internationally is very difficult to obtain with the only reported effort to collect such data (prior to our own) being a study conducted by the University of Utrecht in 1991 where 137 countries were surveyed.10 Of these, 65 responded and 52 indicated that training in human rights was mandatory for all new recruits. Closer scrutiny of the methodology revealed, however, that these conclusions were based on unreliable data collected from country embassies and as such the study cannot be taken to provide an accurate picture.

Accordingly, as part of a three-year project on the prevention of torture, we sought to construct a more comprehensive analysis of both the extent and substance of human rights training for police across the world. We did this in several ways. First, we collected and analyzed human rights training manuals and training resources developed by international organizations, governmental agencies and NGOs. Second, we conducted in-depth interviews with senior personnel who had been involved in developing and delivering trainings for police internationally. Third, we conducted a global self-report questionnaire seeking information about the content and methods of
their trainings, who was trained, and who did the training. Finally, we observed human rights trainings of police and military in Sri Lanka.

While even these extensive efforts did not yield a statistically robust picture of the extent to which human rights training is in fact taking place in police forces across the world, the considerable body of resources that has been developed by major international governmental and non-governmental organizations and the pattern of positive responses from police forces themselves, supplemented by the frequent references to trainings in country reports to the Committee on Torture are sufficient to conclude that at least some form of human rights training is widespread across police forces internationally. The quantity of such trainings is, however, only important insofar as it heightens the importance of the quality question: the fact that there are extensive resources being invested in providing human rights training for police makes it even more important that we examine the logic underpinning such efforts, as well as their quality and effectiveness.

**Four pillars of human rights training for police**

Although the training space is now well populated by diverse actors, the approaches and pedagogies they take show surprisingly little diversity, with most trainings comprising a set of fairly standard components and adopting traditional pedagogies. This would be unproblematic if the widely adopted resources and approaches had been shown to be effective, but as noted, there is a dearth of robust evaluation indicating that this is so. Most trainings are organized, with varying weighting, around four common pillars.

(a) **An introduction to the idea and importance of human rights**

Most training manuals begin by setting out what human rights are and why they are important. Discussion of the former usually covers the basic characteristics of human rights (that they are universal, inherent, indivisible and inalienable), the history of human rights (frequently invoking events like the French Revolution), key principles like non-discrimination and the equality of all persons, and an overview of the main categories of rights. The discussion of why rights are important is likely to include normative reasons related to the basic dignity of persons, instrumental reasons that link respect for human rights with aims, values or concerns of police, and pragmatic and legal reasons such as the threat of prosecution and reputational damage.

(b) **An emphasis on normative standards and relevant international law**

The greatest portion of most training manuals is usually dedicated to setting out the relevant legal standards that security agencies ought to be following. In the main, this includes the basic canon of international human rights treaties as well as instruments such as the UN Code of Conduct for Law Enforcement Officials, and, where relevant, regional treaties. Also included here may be domestic standards in the form of national constitutions, bills of rights or human rights and anti-discrimination laws, as well as organizational codes of practice. This may be supplemented by information about the enforcement machinery including monitoring bodies and procedures for complaints (international, regional and/or national). It is striking that
trainings tended to place a significant emphasis on the formal culpability for violations of human rights. Interviews with trainers indicated that emphasizing the prospect of punishment was a critical part of the training, even in countries where there have in fact been virtually no prosecutions for such acts (such as Sri Lanka or Nepal), belying a basic and empirically tested premise of deterrence theory – that the deterrent effect correlates with the certainty of punishment.\textsuperscript{17}

The prominence of legal standards is even more evident in tools such as laminated pocket guides or translated summaries of human rights principles that, as O’Neill observes, “have become almost automatic parts of police reform efforts.”\textsuperscript{18} In these concentrated resources, all that remains are legal standards. For example, OHCHR’s \textit{Pocket Book on Human Rights for the Police} frames its purpose thus:

This “pocket book” is the third global contribution of the Centre’s police training programme, and is designed to provide a readily accessible and portable reference for police committed to the lawful and humane performance of their vital functions in a democratic society. It contains hundreds of relevant standards, reduced to common language and point-form, and drawn from over thirty international sources.\textsuperscript{19}

\textbf{(c) Linking human rights with operational aspects of policing}

Many manuals have sought to respond to the criticism that training has been overly abstract by seeking to integrate human rights into key operational areas of policing. This commonly takes the form of a series of modules on areas such as arrest, detention, the use of force and investigation, in each of which the relevant human rights standards are cited or paraphrased.\textsuperscript{20} In effect, however, this approach still fails to engage with the realities of what it would mean to draw on these high level principles. Experienced trainers indicated that the most effective training occurs when they ask participants to discuss how those standards would apply, through case studies or role plays.\textsuperscript{21} In our observations, however, and given the generally low level of pedagogic skills amongst trainers and the large size of classes, this type of exploratory enhancement is the exception.

\textbf{(d) Changing values}

Most training manuals explicitly acknowledge or assume the tripartite approach to behavioral change spelled out in the UN World Program for Human Rights Education – that is, changes in knowledge, skills and attitudes.\textsuperscript{22} Accordingly, they include at least a rhetorical nod towards transforming attitudes and values.\textsuperscript{23} The methodology for attitudinal and value change is, however, remarkably unsophisticated. The principal prescribed method is to explain why security personnel should adopt human rights values, an approach that not only ignores, but flies in the face of what is now an extensive literature on attitudinal change.\textsuperscript{24} It is, for instance, well established that knowledge is necessary but not sufficient for attitudinal change and that factors such as expectations about others’ beliefs and attitudes are critical to how individuals shape and reshape their own.\textsuperscript{25} Nevertheless, the view that attitudinal change occurs through admonishing participants to do so remains prevalent. The United Nations Manual is illustrative:
Address attitudes as well as knowledge (what is important, why it is important for the audience and how they can use that knowledge for their betterment).

Having exposed the audience to the relevant standards and practice, you must explain how and why present attitudes and behaviour must change. Emphasize why it is important for, and in the interest of, the target audience to respect the standards and follow the practice.26

Other, potentially more effective, means for changing attitudes are in evidence, such as provoking ethical dilemmas through which participants need to work 27 and bringing police trainees together with members of groups towards whom they might have negative attitudes.28 In theory, these methods may be more fertile from the point of view of actually engaging attitudes, and they are based on some more robust theories of attitudinal change.29 In practice, however, they are simply stuck into manuals without the requisite careful crafting of case studies or inter-group encounters required not only for them to work, but to avoid their doing harm. In our observation of training of military in Sri Lanka, for example, we witnessed discussions of difficult cases being moderated in a manner that only reinforced existing patterns of discrimination, an observation also made in Northern Ireland.30 Expert trainers in the Philippines similarly confirmed that the impact of bringing the ‘Communist other’ together with police officers had only been to reinforce police personnel’s views that human rights are about protecting the enemy, thereby hardening their attitudes.31

The approaches summarized under these four categories by no means constitute a comprehensive portrayal of human rights training for police, with other approaches in evidence at the margins. These included teaching positive skills such as non-coercive interview techniques, using role-plays to develop problem solving and practical skills and innovative programs using animations and new technologies. Nevertheless, examining manuals, the self-report surveys, interviewing trainers and observing trainings, we found that the overwhelming emphasis is on transmitting information about human rights law.32 The more difficult business of transforming attitudes or developing skills, while given lip service, is all but absent in the trainings. Even where attitudinal change and skills development are explicit objectives, the means for achieving them remain largely limited to the transmission of instructive information. In other words, the almost formulaic invocation of why human rights matter and what they tell us, disconnected from context, forms the ritualized heart of most human rights training for police around the world.

A critique of human rights training for police

Basic adult pedagogical theory, as well as more specific research on planning and evaluating human rights education, points to a number of principles of effective education that are absent in the dominant approach.33 These include: the importance of human rights training being shaped by attention to the contextual experience and practical needs of the target audience; drawing on the lived experience and building on the existing knowledge and attitudes of participants; and conducting careful evaluation that is fed back into the training design.
Approaching the question of effectiveness from what we know about prevention from the field of public health, we can identify a number of other dimensions on which the dominant approach fails.34 Certainly, there are significant differences between preventing behaviors like sexual violence and preventing violations by state actors. Nevertheless, a number of principles found to be critical for prevention work in the former contexts have clear application in the human rights context. Here I note all of the key principles, derived from a large numbers of studies, that have been found to increase the effectiveness of prevention programs. I then focus on the first two.

Effective prevention programs:
- Are based on a clear and well-articulated theory of change;
- Draw on grounded elicitation research (interrogating the characteristics of the target group and problem);
- Are comprehensive;
- Involve varied teaching methods, sufficient dosage and appropriate timing;
- Provide opportunities for positive relationships;
- Are socio-culturally relevant and built around the target audience;
- Include outcome evaluation;
- Involve well-trained staff.

The prominence of the principle that prevention programs need to be based on a clear and well-articulated theory of change (ToC) is particularly striking when juxtaposed with what we see in the human rights training space, where theories of change are at best implicit. To elaborate, let us consider what a ToC needs to entail and describe the ToC implicitly at work in human rights trainings.

In simple terms, a ToC is a roadmap explaining how the proposed process will bring about the desired change.35 A ToC will articulate why a certain state of affairs exists, what causes and sustains it and how the proposed intervention will change that state of affairs. This last component requires an explanation of the mechanics of transformation. Combining the importance of a ToC with the second principle, the need for elicitation research, we can say that such a theory should be grounded in a robust and empirically-based understanding of how the problem comes to exist and persist in the particular context where the intervention is taking place. Indeed, in their review of sexual assault interventions, Donovan and Vrais note that unless a project has the budget to develop a thorough understanding of the local context, mapping the “complex web of attitudes, beliefs, knowledge and skills relevant to the behavioral objectives,” it is probably a waste of time, and could even have unintended negative consequences.36

As we found no explicit ToC articulated for human rights trainings, we might work back from the approach adopted to surmise the implicit ToC. As the predominant form of action for change is instructing trainees about the content of law, one might presume that the theory explaining how that action brings about change is something like: “If police personnel know what human rights principles and laws stipulate and if they have a theoretical understanding of why human rights are important then they will not violate human rights.”

Reasoning back, it would then seem that the theory explaining why police do or might violate human rights would be something like: “Police personnel violate human rights
because they do not know that they are morally and legally bound by human rights principles and laws.”

Some of the key terms used here, such as “know” and “are bound by” are sufficiently open as to allow for significant debate about whether we are talking about theoretical, practical or embodied knowledge and whether the binding is ideal, formal, positive or subjectively experienced. One could also insist that beneath this theory of change is an implicit theory concerning fear of punishment or the desire to conform with officially endorsed norms and laws. I leave these questions aside. The important point to draw from this thought experiment is that, when stated this explicitly, the implicit ToC – that increasing knowledge about human rights will lead police officers to desist in violating human rights – is self-evidently absurd. This is especially true where other aspects of the organization actively contradict the messages provided in training.

These problems have not evaded people working in the field and became evident in early evaluations. In a reflective piece on the UN’s human rights trainings, for example, a human rights specialist from the OHCHR notes three problematic characteristics of the UN’s early training style which fall precisely along these lines: an overly theoretical style in terms of both content and delivery; an emphasis on negative indictments rather than positive guidance; and a failure to provide sufficient practical guidance as to how human rights can be integrated into day to day policing. O’Neill similarly points to the fallacy of relying on information about rules as a means of changing behavior:

> Most police officers in most places know already that they are not supposed to beat or torture people, extract bribes or become involved in trafficking of any kind – drugs or people. And most people know that the police should not do these things. Training and increased knowledge of rights alone will not change behavior or prevent human rights violations by the police.

Indeed, the UN training manual explicitly recognises this in its introductory sections:

> Of course, police must know the rules. Yet this was clearly not sufficient, in and of itself, to meaningfully affect police behaviour ... police in the real world want to know not just what the rules are, but also how to do their job effectively within the confines of those rules. Training efforts which ignore either of these areas will likely be neither credible nor effective.

This principle is at best poorly operationalized in the manual and according to our research, even less evident in practice. That practices endure even though they are not only ineffective against theories of pedagogy and principles of prevention, but known to be so within the field is something that demands reflection.
Why do we persist with ritualized training practices?

If the ToC on which training is based is so flimsy, and there is little evidence of its effectiveness, why do so many actors persist in the activity? I suggest seven possible explanations.

1. A cynical and familiar interpretation is that the gatekeepers determining what types of human rights interventions will take place know that training is relatively ineffective and thus precisely for this reason allow and support it. In partaking in human rights regimes that require signs of acquiescence, states know that they have to be seen to do something, but will seek to minimize the impact, especially where there are powerful stakeholders whose interests would be threatened by change. Further, where security forces are only partially subordinated to the government, governments need to balance their international obligations against the need to accommodate security sector demands.

If we examine the actual mechanics of human rights training we can see this being played out. Human rights training generally emanates from special human rights “cells” or a secretariat, often located in the training division. These generally occupy a low status and peripheral position within the overall institution. Only in rare cases, such as Northern Ireland, are human rights trainings embedded in the regular operational training of personnel and accorded any status.

2. Ritualized practices of training may also serve the needs and interests of the institutions that develop and deliver training. Civil society organizations in this space are no doubt committed to preventing violations, but they are also working under non-ideal conditions and are subject to the influence of path dependency. Training has been done for a long time, there is a large body of resources available, a pool of expertise and a well-worn path along which it is not difficult to travel. As such, where resource expediency is a factor influencing the strategy an agency adopts, the likelihood of departing far from existing approaches decreases.

3. External agencies may wish to adopt effective practice, but be caught between having to deliver on a mandate on human rights and the security sector and limited points of access. Mirroring the need to be seen to do something described in my first point, they may decide that doing something is better than doing nothing. For example, torture was one of the explicit priority areas for the European Union Instrument for Democracy and Human Rights 2007-2013’s Human Rights and Democratisation program, underpinning grants in this specific area. As such, there is an institutional structure pushing towards action even where the feasibility of effective action is highly constrained.

4. Ritualism persists in part because the people and organizations designing and implementing programs lack the imagination to change the way in which they do things. Why do we do it this way? Because everyone else did it that way before. But this in itself does not answer the question. Why do they lack the imagination? A partial answer noted above is that innovation and imagination are structurally impeded. A deeper answer may be that those who dominate the human rights field are primarily trained and educated as technicians or analysts, but the capacity to imagine is not strongly developed in us. On the contrary, and despite the emphasis on legal
rationalism in the education of human rights lawyers and scholars, we may have a tendency to what Weber called traditional forms of legitimation.  

5. The fifth answer is more particular to the error at work in the assumption that knowledge will change behavior and lies in our enlightenment epistemology with its faith in reason and the steering power of ideas. Given this background epistemology, it is likely that few in the field have even distinguished the work of knowledge from the other dimensions that may bring about change. There is a significant body of expertise on attitudinal change, but it does not lie with human rights experts. This gap in expertise is then reinforced by our own educational systems that almost entirely comprise the business of transmitting knowledge. Highly trained human rights experts are themselves likely to have had little exposure in their own education to transformative processes directed towards values, emotions and skills and as such are unlikely to be either alive to the need or equipped to alter our methods to address values and behavioral change.  

6. Although the literature on effective prevention indicates that a well worked out and empirically grounded ToC is a condition of effectiveness, this has not become part of the standard practice of designing trainings. Indeed, it remains virtually unheard of. Similarly, results-based evaluations, as distinct from evaluating whether activities have been completed (e.g. X number trained), are generally not undertaken although more funding agencies are demanding them. If deficits at the planning and evaluation stage were overcome, ritualized practices would be exposed as such through the examination of both their logic and effect.  

7. Finally, the ritualized practices persist because they are consistent with a more general flaw in our understanding of what causes and sustains violations. In assuming that norms or actions can be affected by changes in knowledge, we are implicitly adopting an ontology where norms sit on top of material and structural realities. We imagine, for example, that we can alter the norms that actors hold without fundamentally altering their material realities or the structures within which they operate. This idealist theory of norms or disembodied theory of culture stands in contra-distinction to one that sees norms as embedded in everyday practices and material structures. So long as we hold the view that behaviors are driven by the ideas and norms that individuals hold and that ideas and norms exist in a realm that is separable from and sits above structures and practices, we will have a tendency to seek to effect change by changing individuals’ “minds.” If, by contrast, we take a materialist understanding of culture – drawing on the approach of Bourdieu or, in the field of policing, Chan, then we see that we cannot change norms without changing practices.  

Beyond ritualism: what might replace existing practices for transforming police?  

What is the positive program that arises from these critiques? I seek here only to articulate some key principles that should underpin our answers. The first two points are directed towards rethinking training and the third suggests that a robust response requires moving beyond the current imaginary of the training frame.  

To begin with, the contents and methods of training need to be driven by a sound theory of change. In order to ensure that such a theory is based on an understanding of
the problem to be addressed and its causes, it should in turn be derived from a close empirical analysis of the problem in situ. Elicitation research should then focus on the prior experience of the target group with human rights training, their views on human rights and its relationship with their workplace, the main human rights problems in their organization and the systematic factors both within and beyond their organization that impede human rights protection.

This close research will assist in developing a theory explaining the existence and persistence of the problem. In order to fulfil the other half of the ToC, explaining how the intervention will effect change, the training should also be informed by cogently theorized and tested models of behavioral and attitudinal change and an appreciation of the characteristics of the specific target group. The “Community Readiness Model” for example provides a tool for assessing a community’s culture and readiness for change and provides resources to develop and implement change strategies appropriate to the assessed stage of readiness. A set of questions that elicit information about attitudes, problems, impediments and the learning styles of the target audience will allow a training designer to focus on the issues that are relevant, and to do so in a manner that engages participants from the context of their lived realities.

Second, training approaches need to engage in a practical and accessible manner with the dilemmas that police face in protecting human rights while fulfilling their policing mandates. In this regard, those with a background in human rights may actually be poorly situated, because we have been schooled in the ethic of absolutism. Even in situations where security personnel face genuine ethical dilemmas, human rights experts without experience of policing in the particular context may believe that human rights laws provide a clear answer about what they should do. Within the realities of policing, particularly in the global south and in conflict situations where resources are scarce, community attitudes negative to human rights, and personnel constrained in numerous material and organizational ways, protecting human rights is likely to require more than knowledge or commitment. It will require creativity, problem-solving skills, communication skills, and a tolerance for ethical complexity. The types of scenarios now used in some humanitarian law trainings are illustrative of this more situationally oriented approach to training.

Finally, and more radically, I would suggest that if we were in fact to follow through on the prescriptions articulated above, we would come to the conclusion that the training frame itself suffers from some serious structural problems and as such, we will need to depart from the frame itself. Insofar as it attempts to alter individuals’ knowledge and attitudes, training is based on an individualist ontology and idealist epistemology. Irrespective of what takes place within training, it is bound to a theory of change that assumes that individuals’ knowledge and subjective norms are ontologically distinct from the material, organizational and systemic structures in which they are embedded. To borrow Bourdieu’s framework, training is a strategy that assumes that discourse and agency shape material dimensions of reality.

Our research found that human rights violations committed by police cannot be explained through recourse to individual level factors. Rather, the basis of violations lies in a range of systemic factors both inside and beyond policing organizations, some at the individual level but most at the level of the organization, culture, legal or
political systems. Or to be more accurate, individual level deficits in knowledge, attitudes and behaviors are not the (causally independent) cause of the problem, but must themselves be understood within a broader set of systemic factors that produce individuals’ norms and attitudes. This type of situational hypothesis for the analysis of violence was already established in the work of social psychologists such as Zimbardo and Milgram and is well established in more sociologically oriented understandings of the production of individual agency.\textsuperscript{45} Bruno Latour’s description is illuminating here:

\begin{quote}
[A]ctors have to constantly construct and tend to the collective structures that emerge in their interactions. Society does not begin like Hobbes’ with preformed human bodies, with brains capable of calculation, with distinct individuals who choose to agree together through the mythology of a social contract … [H]uman life has been immersed for such a long time in a social world, that we have become physically and intellectually more and more human so as to adapt ourselves better and better to our original environment constituted in a large part by complex sociality.\textsuperscript{46}
\end{quote}

Our research in Sri Lanka and Nepal indicated a range of organizational factors underpinning violations by police, including internal cultures of violence and disrespect towards juniors, high levels of stress and frustration, low pay and poor working conditions, poor infrastructure, lack of incentives for protecting human rights and positive incentives for the use of force. Outside the organization, factors included corruption and inefficiency in the criminal justice system, generalized cultural approval of the use of violence, political ideologies and cultural norms justifying systematic discrimination against certain groups and political interference. These factors act to normalize, facilitate, permit or legitimize human rights violations and it is within this context that individuals know, value and act. It is with this in mind that one should interpret expressed views that run contrary to human rights principles. Read through these broader research findings, individual values and attitudes need to be recast as part of a system of broader organizational, cultural and political factors. This does not mean that they are mere epiphenomena of material structures. Rather, in Bourdieu’s terms, these two dimensions of practice – the discursive and material – are co-constitutional.

Where does this leave us with training? To answer this question, we need to go underneath the particular practices of training to the underlying objective, which is to build the capacity of security personnel such that they will be able to resist human rights violations. If we orient our redesign possibilities to this broader objective, we can then ask, what types of capacities would enable police to resist human rights violations? The first theoretical proviso for answering this question is that we need to conceptualize “capacities to resist” (or even capacities to want to or be committed to resisting) as embedded in a range of situational and systemic factors and not floating above them. Our research suggests that the first necessary capacity will be the ability to recognize and identify the situational or systemic factors that normalize, facilitate, permit or legitimise human rights violations. This type of reflexivity will not, of course, be sufficient to dislodge those factors, nor block their impact on individuals’ attitudes and behaviours. It may, however, create the conditions for alternative interpretations and choices. After all, individuals’ attitudes and choices are influenced but not determined by situational factors. In the model I have proposed there always
remains the possibility of alternative interpretations or relationships between structures and the forms of agency that arise. Training could then be the site at which these possibilities are opened up.

A second and more important stage would then be to assist police personnel to build the capacities to alter those situational factors. In other words, training would be directed to assist personnel to alter the situational conditions under which their and others’ subjectivities are formed. Thus, for example, training may entail building the capacity to alter incentive structures or to address workplace cultures or to build practices of leadership that will in turn have the effect of altering the attitudes and forms of practice that foster human rights violations. This is a radical departure from our existing models of training. If, however, we accept the principle that effective prevention work must be built on a robust ToC, then persisting with practices that clearly defy what we know about the causes of violations and what we know about bringing about change in practice can only be a form of ritualism.

1 In the context of human rights, one finds the terms education and training used virtually interchangeably. In pedagogic literature, training refers to processes directed to the acquisition of specific knowledge and skills associated with a particular task of job, whereas education refers to a less instrumental process of knowledge acquisition, although the dichotomy has been critiqued. See Malcolm Tight, Key concepts in adult education and training, (London: Routledge, 2002). Throughout this article I use the terms as referenced in the context or, when referring specifically to the policing context, use training to emphasize the practical emphasis.


3 Article 10.1.

4 Committee against Torture, Forty-seventh session, October 31–November 25, 2011, para. 20(c)

5 A/HRC/7/3/Add.6, February 26, 2008, para 94(x).


8 A/RES/66/137, see in particular Article 11.

9 Human Rights Education Associates is an international organization indicative of the specialist educational organizations, but most major INGOs such as Amnesty International have dedicated education sections.

The survey was sent to 268 police forces, militaries and/or training colleges and where appropriate translated into French and Spanish.

For example, Sydney Centre for International Law, Human Rights in the Criminal Justice System in Nepal: Law Enforcement Training Manual (Kathmandu and Sydney: Kathmandu School of Law, 2009), 6.


100% of the respondents to our survey of human rights training by security organisations indicated that their training included information on international legal standards.


For example, Commonwealth Secretariat, Commonwealth Manual on Human Rights Training for Police, 2006, 14-16.

For example, Sydney Centre for International Law, Human Rights in the Criminal Justice System in Nepal: Law Enforcement Training Manual (Kathmandu and Sydney: Kathmandu School of Law, 2009), 6.


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13 For example, Sydney Centre for International Law, Human Rights in the Criminal Justice System in Nepal: Law Enforcement Training Manual (Kathmandu and Sydney: Kathmandu School of Law, 2009), 6.


15 100% of the respondents to our survey of human rights training by security organisations indicated that their training included information on international legal standards.

16 OHCHR and Centre for Human Rights, Human Rights and Law Enforcement, chap. VII.


21 Confidential interview with senior police trainer, June 12, 2012.


23 “The goals of courses developed by the Office are not limited to the imparting of standards and practical skills, but also include exercises designed to sensitize trainees to their own potential, however unwitting, for violative behaviour:” United Nations, Human Rights and Law Enforcement, 4.


29 On ethical dilemmas and attitudinal change see Simon Longstaff, “What is Ethics Education or Training” (St James Ethics Centre, Sydney 1995); On Inter-group

30 Northern Ireland Human Rights Commission, *Course for All*, 3.10 and 3.15.

31 Interview with Felice Yeban and Paulynn Sicam, April 14, 2012.


35 For a good discussion see Daniel Stein and Craig Valters, “Understanding Theories of Change in International Development; A Review of Existing Knowledge,” July 2012, r4d.dfid.gov.uk/pdf/outputs/JSRP/ToC_Lit_Review.pdf.


41 The sociologist Max Weber famously distinguished different forms of legitimation, or different modes whereby practices and rules came to be seen as acceptable. The modern period is distinguished by its emphasis on rational forms of legitimation, whereby rules and practices are evaluated in terms of effectiveness and norm compliance, whereas in pre-modern contexts, what counted was tradition and in religious contexts, tradition or charisma. Max Weber, *Economy and society: An outline of interpretive sociology* (New York: Bedminster Press, 1968).


45 Phillip Zimbardo, Christina Maslach, and Craig Haney, “Reflections on the Stanford prison experiment: Genesis, transformations, consequences,” in *Obedience to Authority: Current Perspectives on the Milgram Paradigm*, ed. Thomas Blass,