Chapter Three

The Structure of Human Rights NGOs in the United States, Britain and Germany

This chapter establishes a conceptual framework for the analysis of the structure of human rights NGOs, and examines the extent to which those structures might affect their ability to mobilise law in defence of human rights. It also attempts to comment on the main factors that determine which structures NGOs adopt in practice. As mentioned above, the theories of Burstein and Wasby both posit structure as one of the most important variables in the mobilisation of law to defend human rights by organisations. That claim is investigated in this chapter through examination of the structures of the case studies for clues as to how NGOs can best be structured to mobilise law in defence of human rights in different situations.

As mentioned above, Alston has remarked\(^1\) that human rights law draws upon many disciplines and modifies them for its purposes. In discussing the structure of human rights NGOs this chapter mainly draws upon Organisation Theory and modifies it for the specific purpose of examining the structures of human rights NGOs.

Because Organisation Theory as a discipline has been focused on for-profit corporations rather than not-for-profit bodies, there is a certain incompatibility in using concepts from Organisation Theory to analyse the structure of human rights NGOs. This incompatibility exists because, as Alain Touraine has remarked,\(^2\) social movements (and human rights NGOs) develop an awareness that they are interrogating the basic values of their society. This contrasts with most of the organisations considered by Organisation Theory, which have much more self-interested aims such as the making of profit. To put it as Jürgen Habermas has,\(^3\) social movements and human rights NGOs have a civilization building and developing role, which commercial corporations generally do not.

---

1. See introduction.
Charles Tilly remarks in his theory of revolutions that organisation is a key component which successful social movements must develop at some time in their life cycle to be effective.\textsuperscript{4} Assuming that Tilly’s theory is accurate, the development of organisation seems as crucial a question for human rights DNGOs as for the social movements that Tilly describes. Despite the fact that social and revolutionary movements have produced highly intricate organisational forms, such as the Bolshevik vanguard party,\textsuperscript{5} no analytical language describing these organisations has developed. In the absence of such a language, it is thus useful to draw upon Organisation Theory, as it can supply both a more detailed analysis of such structures and also supply tools to evaluate how they might facilitate or hinder efficiency in mobilising law in defence of human rights.

3.1. Relevant Concepts of Organisation Theory

Organisation Theory defines organisational structure as the formal system of task and authority relationships that control how people coordinate their actions and use resources to achieve organisational goals.\textsuperscript{6} Structures have the capacity to control the way people behave, the means used to motivate them to achieve the goals of the organisation,\textsuperscript{7} and how they respond to their environment.\textsuperscript{8}

The following concepts drawn from Organisation Theory are for the purpose of description and analysis of the organisational structures of the case studies. Some of these concepts, however, are also evaluative, because Organisation Theory posits that the adoption of certain structural features in certain situations should increase efficiency.\textsuperscript{9} Some of these concepts are therefore used, as set out in the Balanced Model below, to evaluate the impacts of different structures on the effectiveness of the case studies in different environments.

\textsuperscript{6} G.R. Jones \textit{Organisational Theory: Text and Cases} (2nd ed) (Addison-Wesley, Reading (Mass), 1993) p. 11.
\textsuperscript{7} \textit{Ibid.}
\textsuperscript{8} \textit{Ibid.}, p. 35.
\textsuperscript{9} \textit{Ibid.}, p. 11.