

Part 2

Securing Human Rights

Theories of change for human rights and for development¹

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Few human rights agencies work with an explicit theory of change. It is much more common for agencies to have an implicit, partially formed theory of change. Eyben et al. (2008, 202–3) place an ‘archetypes framework’ in this category – change is implicitly thought to come about through some taken-for-granted conventional wisdom (enlightened elites, new laws, people in the streets, a good example, a shock to the system, etc.). The objective of this chapter is to explore what might be gained by bringing these implicit, partially formed theories of change to light within human rights practice.

A theory of change sets out ‘underlying assumptions about the relationships between desired outcomes and the way proposed interventions are expected to *bring them about*’ (Aragón and Macedo 2010, 89, italics in the original). Developing a theory of change can be perceived as producing an *output* that describes how activities lead to outcomes, or as a *process* with an emphasis on conceptual thinking and on-going reflection or learning designed to articulate and interrogate the relationship between activities and outcomes. A good theory of change provides a specific and measurable description of a social change initiative that forms the basis for strategic planning, decision-making, evaluation and on-going processes of learning. It is important to note that theories of change can apply to a specific project or programme, an organisation’s approach or philosophy, a wider collaborative campaign or policy initiative, and the impacts of an entire field such as transitional justice or humanitarian assistance. ‘Systemic’ theories of change are underpinned by the idea that ‘there ought to be a systemic relationship between our understanding of the conditions that are needed for social change *to be able to* emerge in a given context, and the ‘internal,’ organisational conditions that might best allow us to support that change’ (Aragón and Macedo 2010, 91, italics in the original). The breadth of understandings of theories of change in development,

1 This chapter draws on the following publications: Gready and Vandenhove (eds.) (2014) and Vandenhove and Gready (2014).

where such theories are well advanced, range from perceiving them as a highly technical planning tool linked to a donor-driven ‘results agenda’ – for example, an extension of the assumptions made in a logframe – to a participatory and politicised approach to understanding how particular actions impact on sets of power relations to yield impacts. As such, theories of change are understood in very different ways, and play various roles in practice.

This chapter compares human rights and development theories of change for a number of reasons. As noted above, theories of change in development are more advanced, originating in the literature on monitoring and evaluation. In human rights practice, theories of change are virtually non-existent. Will human rights feel the need to articulate theories of change? If so, will organisations simply borrow from neighbours such as development organisations or generate their own theories of change? Whatever transferable lessons there may be one would also expect differences between the two fields to be reflected in their theories of change, despite recent convergence brought about by more serious work on economic and social rights, human rights-based approaches to development, etc. Development work is essentially evidence based, for example moving forward from concrete problems and dilemmas, whereas human rights activism is more usually governed by laws and norms (as such human rights practice often starts from laws and works backwards). Development actors frequently work in partnership with governments, and in some cases will work with governments which human rights agencies regard as oppressive. Such differences will surely inform theories of change. In sum, development work has traditionally been more evidence based, preventive, pragmatic, and non-confrontational, while human rights work is still norm-based, principle-led, and more reactive and adversarial.

Five entry-points to theories of change are addressed in this chapter: 1) The state. 2) The law. 3) Transnational and international collaboration. 4) Localism and bottom-up approaches. 5) Complicated and complex methods.

Three important issues will be highlighted in this discussion about **the state** and theories of change. 1) The responsibilities of the state with regard to change. 2) Optimal relations between various actors – other states, inter-governmental organisations (IGOs), NGOs, etc. – and a given state. 3) Links between roles and relationships, and how changing relationships can modify roles. With regard to the state, three key tensions between development and human rights theories of change can be identified. The first is whether there is a development-human rights trade off, especially at the early stages of development. This tension relates to the classic debate about whether a state should sacrifice civil and political rights at the early stages of economic development. Second, while human rights organisations often have an adversarial relationship with governments, development actors, in part because they are much more dependent on governments as donors and in part because of the less politically contentious nature of their work, more usually work in

partnership with governments. Finally, the neo-liberal era of the shrinking, or ‘hollowed out’, state, raises the question of what role NGOs should play in service delivery. For example, should NGOs only deliver services when also building the capacity of the state to assume its responsibilities?

There are basically two views on the role of law in contributing to social change. One view is that the law leads, i.e. it may trigger, facilitate or speed up change; a second view is that the law follows change, i.e. it legally codifies and thus consolidates the change that has taken place. Under the former view the law is considered proactive, under the latter reactive. While it may be premature to draw any firm conclusions, it is clear that human rights law, more than any other branch of the law, can be seen as a potential lever for change. That potential has been explored in particular in strategic litigation. Empirically, it has become clear that the effectiveness of litigation in bringing about change needs to be contextualised, qualified and linked to broader policy provisions. Only when certain conditions are met, may human rights litigation have the direct and indirect impacts looked for.

Two main models for **transnational and international cooperation** are dominant, each with its own theory of change: 1) North-South partnerships, which continue to characterise much development work. 2) Transnational advocacy networks, which are an important point of reference in the human rights literature. The latter literature relates to theories of change in that it seeks to understand changes in state compliance with international norms, and suggest processes or pathways through which actors such as NGOs and IGOs can help facilitate this goal. By identifying methods beyond the purely adversarial, the transnational advocacy literature helps to build bridges between human rights and related fields such as development. In contrast the North-South partnership theory of change takes neither the state nor international norms as its point of departure, but rather tries to empower and build the capacity of local actors in the belief that this will enable change to be locally owned, legitimate and sustainable.

If transnational and international collaboration can be critiqued for being a top-down theory of change, more locally driven, **bottom-up alternatives** do exist. The main development modalities that focus on local context, power and politics prioritise participation, empowerment and citizenship, while an actor-oriented perspective serves a similar function within human rights. Perhaps the main area of tension between development and human rights in this context is the relative priority to be given to process versus outcomes criteria. Localism and bottom-up approaches champion not just a particular direction of change but also particular ways of working, which may take precedence over pre-conceived outcomes (such as the contents of national legislation or international treaties). As such, organisations and communities may define, prioritise, and champion rights that are not legally recognised.

Much of the above discussion indicates the importance of **complicated and complex methods** in both development and human rights. Such methods are in part a function of history – and history depositing a layered archaeology from past political eras, priorities and cycles of donor funding. But such an approach is also an active choice in the present, and a statement that complex problems require complex interventions and solutions i.e. a rejection of simplistic linear, cause and effect, theories of change. Rogers (2008) makes a useful distinction between complicated and complex interventions. Complicated interventions have lots of parts (multiple components, multiple agencies, multiple causal strands). Complex interventions have uncertain and emergent outcomes (multidirectional causal relationships, ‘tipping points’, intractable problems). Using complicated and complex approaches has implications for the skills required to undertake development and human rights work and the strategies employed, but also raises difficult questions about prioritisation, sequencing, the relationship between different kinds of intervention, and appropriate divisions of labour between various actors or professional sectors.

Both development and human rights are characterised by diverse theories of change, and intersections between the two fields are adding to the complexity. The five entry-points to theories of change outlined above are not mutually exclusive – local struggles against oppression can resonate through transnational and international networks, for example – and indeed may be more powerful in combination, but neither can they all be embraced without contradiction. Some are focused and narrowly construed, others are more ambitious and wide-ranging. The entry-points raise questions about appropriate divisions of labour and relationships between the state and other actors; the role of law in bringing about broad-based social and policy change; the formation of optimal change alliances and networks; choices to be made with regard to top-down versus bottom-up as well as process- versus outcome-led approaches; and how organisations and sectors should prepare for a complicated and complex world. Despite their differences, theories of change in human rights and development will focus on broadly similar challenges: who to work with, how to legitimise the activities undertaken, the level of ambition, how to prioritise, etc. It is also clear that the overlaps between human rights and development are growing – raising a broader meta-question relating to the desirability of the growing overlap in philosophy and methodology in the social justice sector (often driven by human rights), and its implications for organisational identity and practice.

To conclude, this chapter argues that there are gains to be achieved by making implicit, partially formed theories of change in human rights work more explicit. By providing a roadmap to change, theories of change serve various goals: showing a causal pathway by specifying what is needed for goals to be achieved; articulating underlying assumptions which can be tested and measured; telling a story about how change happens that can be developed with and articulated to others; changing the way of thinking about an intervention

from a focus on what is being done to the change that is sought; and facilitating cycles of learning. There is one main caveat to this argument: the value and contribution of theories of change will depend on *how* they are embraced and made explicit. Theories of change may shift human rights in the direction of top down, donor driven, technical, quantifiable objectives or they could prioritise bottom up approaches, context and local constituencies, challenges to power, and qualitative measures of change. For the latter to occur, human rights will need to not just embrace theories of change but also to transform them.

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