

Part II: Agents of Change and Innovation

Chapter 4

HUMAN RIGHTS AND DEVELOPMENT: A LEGAL-PHILOSOPHICAL PERSPECTIVE

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INTRODUCTION

Discourse on human rights and development has evolved considerably over the past several decades, reflecting complex interconnections between legal frameworks, ethical considerations, and socioeconomic progress (Wang & Lu, 2024). Traditionally, development was largely understood in economic terms and centered on GDP growth, industrialization, and infrastructure expansion. However, this narrow focus has increasingly faced criticism for neglecting broader dimensions of human well-being, dignity, and social justice. It became evident that development without respect for fundamental human rights risks exacerbates inequalities, marginalization, and social exclusion.

Legal and philosophical perspectives have therefore become indispensable in rethinking development paradigms (Lawrence & Reder, 2019). The recognition of human rights as universal, inalienable entitlements inherent to every individual demand that development strategies integrate rights-based approaches. This entails not only ensuring access to basic needs, such as education, healthcare, and adequate living standards, but also fostering participation, accountability, and empowerment in development processes. Philosophically, human rights provide normative foundations that challenge utilitarian or purely economic concepts of development, emphasizing each person's intrinsic value.

The intersection of human rights and development raises critical questions about the role of law, responsibilities of states and international institutions, and ethical imperatives guiding policymaking (Santy, 2024). This legal-philosophical lens broadens the understanding of development from a mechanistic process of growth to a holistic endeavor aimed at human flourishing in a just and equitable society. This chapter explores the intricate relationship between human rights and development through a legal framework (Pan 2021). By critically examining how human rights principles influence and reshape development policies and practices, this chapter seeks to highlight the transformative potential of integrating rights into the development discourse. The objective was to move beyond conventional economic metrics and to present

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development as a multidimensional concept rooted in justice, equity, and respect for human dignity.

This chapter will analyze key international legal instruments and normative frameworks that embed human rights within development agendas, such as the Universal Declaration of Human Rights and Sustainable Development Goals (SDGs) (Bexell et al., 2023). It will also engage with philosophical debates concerning the nature of rights, justice, and ethical foundations of development, thereby addressing both theoretical and practical dimensions. Ultimately, this chapter intends to provide scholars, policymakers, and practitioners with a nuanced understanding of how a legal philosophical perspective can guide inclusive, participatory, and sustainable development. It aims to contribute to the ongoing dialogue on rethinking development to better respond to contemporary global challenges including inequality, climate change, and social exclusion.

CONCEPTUAL CLARIFICATION

Human rights, broadly conceived, refer to the fundamental entitlements and freedoms that belong inherently to every individual by virtue of being human (Allen et al. 2023). These rights are universal, inalienable, and equal, and transcend race, nationality, gender, and social status. At its core, human rights establishes a normative framework that guides the treatment of individuals by states, institutions, and society. The philosophical roots of human rights can be traced back to natural law traditions in Western thought, where thinkers, such as John Locke, argued for inherent rights to life, liberty, and property based on human nature and reason (Parvini, 2020). Similarly, various religious and ethical traditions have long emphasized dignity and moral worth, contributing to the conceptual foundation of human rights. However, the modern articulation of human rights as legal entitlements emerged primarily in response to abuse witnessed during the 20th century, particularly the atrocities of World War II.

The pivotal moment in the origin of contemporary human rights was the adoption of the Universal Declaration of Human Rights (UDHR) in 1948 by the United Nations General Assembly (Mohd Daud, 2025). The UDHR established a comprehensive catalogue of civil, political, economic, social, and cultural rights, marking a shift from purely philosophical ideals to a codified international standard. This codification recognized that human dignity and freedom are prerequisites for development, linking human rights intrinsically to the processes of social and economic progress.

In parallel, the concept of development traditionally refers to economic growth and modernization, but a rights-based understanding of development began to gain prominence in the late 20th century (Hossin et al., 2023). This perspective framed development not merely as material progress but also as the realization of human potential through the fulfillment of rights, including access to education, health care, and participation in political and social life. Thus, the origin of human rights is inseparably linked to both ethical philosophy and legal institutionalization, establishing a normative groundwork for their intersection with development. The concept of human rights has evolved significantly over time, reflecting changing political, social, and economic contexts (Gluzdak, 2022). Early articulations emphasized civil and political rights - the so-called “first-generation rights”—focused on protecting individuals from state oppression and guaranteeing freedoms such as speech, religion, and due process.

However, the post-war period, especially in the 1960s and the 1970s, witnessed a growing recognition of economic, social, and cultural rights (second-generation rights), including the rights to work, education, health, and social security (Schabas, 2021). This broadened the human rights discourse to encompass not only protection from state harm but also positive entitlements necessary for human development. The International Covenants on Civil and Political Rights (ICCPR) and Economic, Social, and Cultural Rights (ICESCR), both adopted in 1966, formalized this expanded vision.

The third phase in evolution includes collective and solidarity rights such as the right to development, peace, and a healthy environment (Kanwal, 2024). This reflects an awareness that rights are not only individual, but also communal and connected to global justice and sustainable development. The right to development enshrined in the 1986 United Nations Declaration on the Right to Development explicitly integrates human rights with development, asserting that development is a comprehensive economic, social, cultural, and political process aimed at constantly improving the well-being of the entire population. Philosophically, evolution reflects a shift from libertarian emphasis on freedom from interference to a more inclusive understanding of justice, dignity, and capability (Gotoh and Richardson 2024). Influential thinkers, such as Amartya Sen and Martha Nussbaum, have reconceptualized development through a human rights lens, emphasizing human capabilities and freedoms as essential to well-being. In particular, Sen's capability approach links development and rights by arguing that the purpose of development is to expand people's real freedom to lead the kinds of lives they value.

Legally, the evolution has moved from UDHR as a non-binding declaration to a complex system of binding treaties, customary international law, and regional human rights mechanisms that hold states accountable for respecting, protecting, and fulfilling rights (Murphy & Swaine, 2023). This legal maturation underscores the growing recognition that development policies must align with human rights standards in order to be legitimate and effective. In summary, the concept of human rights has evolved from narrow civil liberties to a comprehensive framework that integrates individual freedoms with social justice, equality, and human development, thus serving as a critical lens through which development policies and practices can now be examined. To clarify the concept of human rights in relation to development, it is crucial to distinguish human rights from related but distinct concepts such as humanitarianism, charity, and welfare, as well as to elucidate the interplay between rights, duties, and development goals (Barnett, 2020). Unlike charity or humanitarian aid, which are often discretionary and contingent on benevolence, human rights impose legal and moral obligations on states and other actors to respect and fulfill entitlements (Keeney, 2018). Human rights are not gifts but claims grounded in human dignity and justice, making them non-negotiable and universal. This distinction underscores the normative power of human rights as a tool of empowerment and accountability in developmental contexts.

Development itself is sometimes narrowly viewed as economic growth or poverty alleviation (Simorangkir et al., 2024). However, a rights-based approach to development reframes it as the expansion of freedom and opportunities, ensuring that the development processes are inclusive, participatory, and equitable. This approach emphasizes process and outcomes - not only improving material conditions but also guaranteeing that individuals have agency and voice in shaping their futures.

Closely related to human rights are notions of social justice and equity, which focus on the fair distribution of resources and opportunities (Dolet, 2023). While social justice can be broader and include political and economic theories, human rights provide a legal and ethical framework to operationalize justice claims, especially in international and domestic law. It is also important to differentiate between negative and positive rights: negative rights require non-interference (e.g., freedom of speech), whereas positive rights require proactive provision (e.g., right to education) (Friedman, 2023). Both are essential for development, highlighting the dual role of states as protectors and providers.

Finally, the link between rights and duties is fundamental: human rights impose duties not only on states but also on corporations, international organizations, and individuals to respect, protect, and promote these rights. This multidimensional responsibility is key in the contemporary globalized world, where development challenges are complex and interconnected. By clarifying these concepts and distinctions, this section provides a nuanced understanding of how human rights and development intersect as complementary and mutually reinforcing domains that require integrated legal and philosophical approaches to achieve equitable and sustainable progress.

THEORETICAL FOUNDATIONS

The intersection of human rights and development rests on a rich foundation of legal and philosophical theories that underscores their indivisibility and mutual reinforcement (Singh et al., 2023). At the heart lies the Human Rights-Based Approach (HRBA) to development, which redefines development not merely as economic growth but as the realization of human dignity, equality, and justice. This approach draws heavily on international human rights law, particularly the Universal Declaration of Human Rights (UDHR, 1948), which enshrines rights on adequate standards of living, education, health, and participation.

From a legal perspective, the HRBA emphasizes the state's obligations to respect, protect, and fulfill rights, framing development as a duty-bound process rather than a discretionary policy (Scott, 2020). This legal framing draws on International Human Rights Treaties such as the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which mandates the progressive realization of development-oriented rights, and the International Covenant on Civil and Political Rights (ICCPR), which ensures participatory governance integral to sustainable development. The linkage between human rights and development is supported by liberal theories of justice, particularly those inspired by John Rawls' theory of justice as fairness (Hodgson, 2019). Rawls's principles, emphasizing equal basic liberties and fair equality of opportunity, provide normative grounds for development policies that seek to rectify structural inequalities. The Rawlsian framework, extended through Amartya Sen's capability approach, shifts focus from mere resource availability to what individuals can do and be effectively. Sen's model reorients development as the expansion of substantive freedoms, thus aligning closely with the emphasis of human rights on agency, participation, and empowerment.

Another important theoretical underpinning is the communitarian critique that insists on contextualizing human rights within sociocultural realities (Bakri et al., 2024). Communitarianism posits that rights and development cannot be understood abstractly but must reflect the values and needs of communities. This complements the universalism of human rights by recognizing

pluralism and diversity in developmental goals. Finally, critical legal theory focuses on power dynamics, structural inequalities, and the role of law in perpetuating or dismantling exclusionary practices (Mańko 2019). It urges a critical re-examination of dominant development paradigms and promotes rights-based transformative justice as a means to address systemic marginalization.

Together, these theories converge to form a robust conceptual foundation that situates human rights not as peripheral, but central to development, emphasizing a holistic, participatory, and time-oriented approach. While the human rights-development nexus has gained widespread acceptance, several competing or complementary theoretical perspectives offer nuanced critiques and enrich the debate. Modernization theory, which is historically dominant in the development discourse, views economic growth and industrialization as the primary drivers of development (Elfaki et al., 2021). From this perspective, rights are often viewed as secondary, or even potentially obstructive, to rapid economic progress. Critics argue that this approach prioritizes GDP growth over social justice or equity, marginalizing human rights concerns. However, modernization theory's focus on institutional development and governance reforms can complement rights-based approaches when aligned with democratic accountability.

Neoliberalism, with its emphasis on free markets, minimal state intervention, and individual responsibility, presents another competing framework (Bruff 2024). It champions economic freedom but often neglects social rights, leading to tension between market efficiency and equitable development. Critics highlight neoliberalism's tendency to commodify rights, reduce them to market entitlements, and undermine collective claims of social justice. Nonetheless, some scholars have argued for the integration of human rights protection within neoliberal frameworks, through regulatory mechanisms and social safety nets. A complementary perspective arises from post-development theory, which fundamentally questions the notion of 'development' as a Western-centric construct that imposes homogenizing values and neglects indigenous knowledge systems (Slikkerveer, 2019). Post-development scholars argue that human rights discourse, if uncritically applied, can replicate neocolonial-power relations. They advocated alternative paradigms that emphasize self-determination, cultural diversity, and grassroots empowerment. This view challenges mainstream development but also enriches human rights theory by highlighting the importance of context, local agency, and epistemic pluralism.

Feminist theory provides a critical lens highlighting how both development and human rights have historically marginalized gendered experiences (Grosser & Tyler, 2021). Feminist critiques stress intersectionality, exposing how rights and developmental outcomes vary across gender, class, ethnicity, and other identities. Feminist perspectives push for integrating care ethics, relational autonomy, and transformative justice into development frameworks, ensuring that rights are not only recognized but actively upheld for marginalized groups. Finally, environmental justice and sustainability theories have emerged as vital complements, arguing that development and human rights must be reframed within ecological limits (Das 2023). They stress the interdependence between human rights and environmental protection, advocating for the right to a healthy environment as fundamental to sustainable development.

These diverse perspectives highlight the complexity of the human rights-development relationship and underscore the importance of a multidimensional, reflexive theoretical lens (Åbeltiņa et al., 2021). Given the multifaceted nature of human rights and development, this chapter adopts a

Human Rights-Based Approach (HRBA) grounded in legal obligations and enriched by philosophical insights from Rawlsian justice, Sen's capability approach, and critical legal theory. This theoretical lens can be justified on several grounds:

First, the HRBA provides a normative framework rooted in international law, ensuring that development policies are accountable for universally recognized human rights standards (Cançado Trindade & González-Salzberg, 2024). It shifts development from an instrumentalist goal focused on economic output to a right-driven process centered on human dignity, equality, and participation. This legal foundation is crucial in an era marked by growing socioeconomic inequalities and contested developmental agenda. Second, integrating philosophical theories such as Rawls's principles and Sen's capabilities addresses the limitations of purely legalistic approaches by emphasizing substantive justice and freedom (Alfons et al., 2025). These theories allow for a nuanced understanding of development as the expansion of real opportunities, and not just formal rights or economic indicators, thus bridging the gap between legal rights and living realities.

Third, the inclusion of critical perspectives ensures vigilance against structural injustices and power imbalances that often undermine rights realization (Lovera-Bilderbeek & Lahiri, 2021). This helps avoid the pitfalls of technocratic or top-down development approaches and promotes transformative justice that empowers marginalized communities. Finally, the inherent flexibility of HRBA enables it to incorporate insights from feminist, environmental, and post-development critiques, thus maintaining its theoretical openness and contextual sensitivity (V, 2024). This makes it a robust and dynamic framework capable of addressing the contemporary challenges in human rights and development. In sum, this combined theoretical lens not only underscores the indivisibility and interdependence of human rights and development but also offers a practical roadmap for rethinking development in a just, inclusive, and sustainable manner.

DEBATES, GAPS, AND THEORETICAL CHALLENGES

The relationship between human rights and development is fraught with complex debates that span the legal, philosophical, and practical domains (Muraszkiewicz 2016). One primary tension concerns the prioritization of economic development versus the protection of human rights. Development initiatives, particularly in low-income countries, often emphasize economic growth and infrastructure expansion as pathways to improve living standards. However, this growth-centric approach can sometimes be sideline or violate fundamental human rights such as the right to land, adequate housing, health, and cultural preservation. Critics argue that development projects driven by neoliberal economic policies may exacerbate inequalities and marginalize vulnerable populations, raising questions about the ethical foundations of development strategies.

Another key controversy involves the universality versus cultural relativism of human rights in developmental contexts (Pratiwi 2020). While international human rights law proclaims universal standards, these norms sometimes clash with local traditions, social norms, and the concepts of community well-being. This tension challenges the implementation of development programs that respect cultural diversity, while simultaneously safeguarding inalienable human rights. It raises the philosophical question of whether human rights are truly universal or whether they should be reinterpreted to accommodate pluralistic worldviews.

The instrumentalization of human rights for development goals presents another critical debate (Næss, 2022). Some scholars view human rights as a tool or framework for achieving development outcomes, such as poverty reduction or education expansion. Others caution that such instrumental use risks diluting the intrinsic normative value of human rights, reducing them to mere policy instruments rather than fundamental moral entitlements. This raises normative challenges regarding whether development is a means for human rights or human rights as a framework to guide development.

Furthermore, the legal enforcement gap between human rights obligations and development practices remains a contentious issue (Skogly 2021). Although international human rights treaties impose legal duties on states, many development initiatives operate in spaces with weak institutional accountability, leading to violations and limited remedies. This gap questions the efficacy of legal mechanisms in protecting human rights within development, and whether philosophical concepts of justice and entitlement are sufficient without robust enforcement. In sum, these tensions reflect broader questions regarding the conceptual coherence of human rights and development, ethics of intervention, and the balance between global norms and local realities. Addressing these controversies requires a nuanced legal-philosophical analysis to reconcile competing priorities and promote development that is both effective and right-respecting.

Critical perspectives on human rights and development offer valuable insights that problematize dominant narratives and propose alternative frameworks (Chamberlain et al., 2022). Postcolonial critiques argue that the human rights-development nexus often replicates colonial power dynamics under the guise of universalism and progress. They suggest that development interventions can serve as instruments of Western domination by imposing externally defined models of rights and growth that marginalize indigenous knowledge, self-determination, and alternative conceptions of well-being. Such critiques highlight the need to decolonize the human rights discourse and development praxis by incorporating multiple epistemologies and respecting sovereignty.

Feminist scholarship has also been pivotal in reshaping conversations (Hays-Gilpin, 2000). Feminist critiques emphasize that mainstream development and human rights frameworks have historically overlooked gendered experiences of poverty, violence, and exclusion. By integrating intersectional approaches, feminists have drawn attention to how rights violations and developmental failures disproportionately affect women, children, and other marginalized groups. This perspective challenges traditional legal frameworks that often focus on individual rights, without addressing the structural inequalities and power relations embedded in social institutions.

Another critical perspective comes from critical legal studies (CLS) and critical theory, which question the supposed neutrality and objectivity of human rights laws and development policies (Stewart, 2024). CLS scholars argue that the law is deeply political and serves to maintain the existing power structures. From this standpoint, human rights and development discourse may obscure deeper systemic injustices such as capitalist exploitation and global inequality by focusing on formal rights recognition rather than substantive equality or redistribution. This critique encourages moving beyond legal formalism towards transformative justice approaches that address the root causes of deprivation.

Moreover, the capabilities approach pioneered by Sen and Nussbaum offers a philosophical alternative by focusing on what individuals are actually able to do (Bari, 2020). This approach bridges human rights and development by emphasizing empowerment, agency, and substantive freedoms rather than formal entitlements alone. It provides a normative framework that critiques purely economic or legalistic views of development and human rights, and advocates for a multidimensional understanding of human well-being.

Together, these critical perspectives underscore the importance of reflexivity, plurality, and contextual sensitivity in theorizing human rights and development (Gemignani & Hernández-Albújar, 2019). They called for frameworks that move beyond hegemonic paradigms and address structural inequalities, cultural specificity, and power asymmetry. Despite significant scholarship on human rights and development, several notable gaps remain that hinder the comprehensive understanding of their intersection from a legal philosophical perspective. First, integrative theoretical frameworks that adequately reconcile human rights universality with cultural diversity in development contexts are lacking (García Escobar, 2023). While debates on universalism versus relativism abound, few normative models offer practical pathways for harmonizing these tensions without sacrificing core rights or cultural pluralism. The literature often remains polarized, with insufficient dialogue between proponents of universal standards and advocates of contextual adaptation.

Second, the operationalization gap between legal human rights norms and development practices remains underexplored (Schilling, 2021). Much research critiques the failure of development projects to fully respect rights but offers limited analysis of mechanisms to effectively integrate legal accountability into development institutions. There is a pressing need for studies that examine how human rights can be embedded in development governance, financing, and monitoring frameworks to ensure enforceability and responsiveness.

Third, while critical theories challenge existing paradigms, there is limited empirical work examining the impacts of alternative right-development approaches inspired by the postcolonial, feminist, or capabilities perspectives (Brummer & Oppermann, 2024). Theoretical critiques abound, but more case-based research is needed to understand how these frameworks function in diverse local contexts, their potential to transform developmental practices, and their limitations. Fourth, the role of non-state actors, such as multinational corporations and international financial institutions, in shaping the human rights-development nexus has received insufficient legal-philosophical scrutiny (Pustorino, 2023). These actors often influence development agendas and have significant human rights impacts. However, legal frameworks remain largely state-centric. Exploring how to hold non-state actors accountable in the development processes is a critical gap.

Finally, the literature often underemphasizes the dynamic and evolving nature of development and human rights norms in the face of global challenges, including climate change, migration, and digital transformation (Lusha 2023). There is a need for scholarship to examine how legal and philosophical conceptions of human rights and development can adapt to these shifting realities, ensuring their relevance and effectiveness in a changing world. Addressing these gaps will advance the field by fostering more nuanced, context-sensitive, and practical approaches that mutually reinforce human rights and development.

APPLICATION OR ILLUSTRATION

To understand the interplay between human rights and development from a legal-philosophical perspective, consider the landmark case of the Right to Food in India, specifically the Right to Food Campaign and the subsequent Supreme Court judgments in India related to food security (Sandhu, 2014). This case exemplifies how development policies and human rights frameworks converge, conflict, and evolve in practice.

India's challenge with poverty and hunger is immense, with millions facing food insecurity despite significant economic growth (Barrett & Lentz, 2017). The Right to Food Campaign, launched in the early 2000s, was a coalition of civil society organizations, activists, and legal scholars advocating for the recognition and enforcement of the right to adequate food as a fundamental human right. This campaign emerged amid concerns that development strategies would prioritize GDP growth over an equitable distribution of resources and basic human dignity. In 2001, the Supreme Court of India, responding to public interest litigation (PILs) filed by the campaign and others, declared that the right to food is implicit in the right to life under Article 21 of the Indian Constitution (Biswas, 2020). This judicial recognition mandated that the government implement existing food security schemes effectively and take proactive steps to ensure food for all vulnerable groups, such as children, pregnant women, and marginalized communities.

This case highlights how a legal framework rooted in human rights can reshape development policies (Turner, 2021). Rather than viewing development as mere economic growth or infrastructure building, the court's intervention repositioned development as a process deeply connected to the fulfillment of fundamental rights, including access to food, health, and dignity. The campaign and subsequent rulings also illustrate the dynamic relationship between state obligations and citizens' entitlements (Jiaheng et al., 2021). Development projects were re-evaluated in light of their impact on human rights, emphasizing transparency, accountability, and participation. For instance, failures in implementing the Public Distribution System (PDS) were scrutinized legally, demanding that the government improve delivery mechanisms and address corruption, leakage, and exclusion errors.

While the legal affirmation of the right to food was a milestone, its practical implementation raised philosophical and policy questions regarding the nature of rights and development:

1. Universalism vs. Particularism: How universal human rights be balanced with the contextual realities of poverty, caste, and regional disparities?
2. Positive vs. Negative Rights: Food as a positive right requiring active state provision challenged classical liberal notions, emphasizing non-interference.
3. Development as Empowerment: The campaign underscored that development is not merely about economic indicators but also about empowering individuals as rights holders with agency.

The Right to Food has inspired similar judicial activism and policy reforms in other countries, illustrating how legal rights frameworks can influence development agendas globally (Barel-Shaked & Buda, 2024). This underscores that effective development requires integrating human rights principles - dignity, equality, and participation - into planning and implementation.

This case also demonstrates the importance of multi-actor engagement-civil society, judiciary, and government-in advancing a rights-based development paradigm (Cherpovytska, 2022). This exemplifies how the legal-philosophical understanding of rights transforms abstract principles into lived realities, making development inclusive and just. The case of the Right to Food vividly illustrates key theoretical tensions and insights at the intersection of human rights and development. From a legal philosophical perspective, this scenario challenges reductive conceptions of development as purely economic, and pushes for a normative framework grounded in human dignity and justice.

Philosophically, human rights can be understood not only as legal claims against the state but also as capacities that enable individuals to lead their lives (Rodenhäuser, 2018). The Right to Food highlights this dual character: the right is a legal entitlement enforceable through courts, but it also embodies an ethical commitment to empower individuals and communities. This resonates with Sen's capability approach, which frames development as expanding substantive freedoms rather than mere wealth accumulation. Legally, the case reflects evolving interpretations of state responsibility-from a minimalist role focused on non-interference to a proactive duty-bearer obligated to ensure positive rights (Jovanovic, 2023). This redefinition aligns with social contract theories that emphasize justice and equity as the foundations of legitimate governance. This also reflects the shift from negative to positive liberty in political philosophy.

The case brings to the fore the principles of distributive justice and democratic participation, which are often marginalized in traditional development discourse (Wienhues, 2020). This reveals that securing rights, such as food, requires structural reforms that address social inequalities and ensure participatory governance mechanisms. This aligns with deliberative democratic theory, which advocates for inclusive decision-making in development policies. Legal-philosophical reflections must also grapple with the tension between universal human rights and sociocultural particularities. The Indian context, with its complex social stratifications, requires sensitive calibration of universal rights norms to local realities, avoiding cultural imperialism, while safeguarding fundamental dignity.

In sum, the right-to-food case exemplifies how human rights, understood philosophically and legally, provide a normative foundation for development that is equitable, inclusive, and just. It highlights the imperative of integrating legal enforcement with ethical reflection and participatory governance to realize the transformative potential of development in the contemporary world.

CONTRIBUTION AND INNOVATION

This chapter contributes a distinctive interdisciplinary perspective by integrating legal and philosophical approaches to the complex relationship between human rights and development (Chenwi, 2021). While much of the existing scholarship treats development primarily as an economic or policy-driven process, and human rights as a normative framework, this chapter argues for a deeper conceptual fusion that challenges these conventional separations. It reconceptualizes development not merely as material progress or institutional reform, but as a normative project inherently tied to the realization of human dignity, freedom, and justice, anchored firmly in human rights discourse.

This perspective advances beyond the dominant “rights as constraints” or “rights as instruments” models, which often depict human rights either as legal limits on development actions or tools to enable development outcomes (Hahn, 2011). Instead, the chapter posits human rights as both the normative foundation and the ultimate purpose of development processes. It situates human rights as an intrinsic evaluative lens, one that requires development initiatives to be assessed in terms of their ability to uphold and expand individuals' substantive freedoms rather than mere economic indicators or institutional effectiveness.

Philosophically, the chapter draws on contemporary theories of justice and capabilities, invoking Sen and Nussbaum's emphasis on human flourishing and choice (Alheis & Shatara, 2019). However, it pushes the discourse further by emphasizing the legal recognition and enforceability of rights as critical to preventing the instrumentalization of development goals and ensuring accountability. This fusion elucidates the tensions between universal legal norms and culturally embedded developmental practices, proposing a pluralistic yet principled framework that negotiates these tensions without sacrificing core human rights standards. Moreover, this insight addresses ethical ambiguities in mainstream development paradigms, especially the tendency to prioritize economic growth over social justice and the risk of sidelining marginalized groups. By anchoring development within a human rights framework, this chapter foregrounds the ethical imperative of inclusivity, participation, and empowerment, underscoring development as a process of expanding real freedoms and legal entitlements. This reframing challenges policymakers, scholars, and practitioners to rethink development strategies not simply as growth or poverty reduction, but as rights-affirming projects that must be legally supported and philosophically justified.

Building on this novel perspective, this chapter proposes a synthesized framework termed “Rights-Centric Development,” which integrates legal enforceability and philosophical legitimacy as co-constitutive pillars for sustainable development. This framework asserts that development policies and practices must be designed and evaluated through a dual perspective.

1. Legal dimension: Development must comply with binding human rights obligations, ensuring legal accountability, protection of vulnerable groups, and institutional mechanisms for remedies and redress. This legal grounding guarantees that development is not arbitrary or discriminatory but respects internationally recognized rights standards.
2. Philosophical dimension: Development should aim to expand individuals' substantive freedom and capabilities, nurturing human dignity and agency. This dimension prioritizes participatory decision-making, cultural pluralism, and ethical reflection on the goals and impacts of developmental interventions.

The Rights-Centric Development framework challenges reductionist approaches that treat development as either technical economic management or aspirational policy rhetoric (Labes (Craciun) et al., 2020). Instead, it proposes a holistic model in which development outcomes are legitimate only if they simultaneously satisfy the legal rights criteria and promote human flourishing.

By combining normative philosophy with positive legal frameworks, this proposition offers a roadmap for reorienting development studies, policies, and practices (Calo, 2017). It invites a shift towards multi-dimensional metrics of development that go beyond GDP growth or income levels,

incorporating legal compliance indicators and freedom-based measures of well-being. This comprehensive approach enhances the ability to detect and correct injustices embedded in development initiatives, thereby fostering sustainable, equitable, and human rights-respecting development in an increasingly complex global context. In sum, this contribution innovates by bridging the gap between legal enforcement and philosophical ideals in development discourse, creating a robust framework that guides scholarship and practice towards a more just, accountable, and human-centered understanding of development.

IMPLICATIONS AND FUTURE DIRECTIONS

The intertwining of human rights and development presents a compelling theoretical challenge that urges the reconfiguration of both frameworks (Sá Rebelo, 2019). Traditionally, development theories have prioritized economic growth and material progress, often sidelining normative considerations such as dignity, justice, and rights. Conversely, human rights discourse emphasizes universal entitlements and moral imperatives, but occasionally lacks practical integration with development policies and institutional frameworks. Therefore, this synthesis demands an expanded theoretical approach that situates development as a multidimensional process grounded in rights-based ethics.

Philosophically, this convergence raises critical questions about the nature of justice and the role of state and international institutions (Ronzoni & Valentini, 2020). From a Rawlsian standpoint, development infused with human rights demands principles of fairness that guarantee basic liberties and social goods to all individuals, especially the marginalized. Similarly, Sen's capability approach reinforces the idea that development should be about expanding freedoms and opportunities, aligning closely with human rights norms. This interplay challenges reductionist conceptions of development and emphasizes the intrinsic value of human dignity over instrumental gains. Legally, the recognition of economic, social, and cultural rights as justiciable obligations transforms the landscape of development policies (Cavallaro et al., 2019). This necessitates a shift from seeing development as a charity or policy preference to viewing it as an enforceable claim under international law. This shift has profound implications for state accountability, global governance, and the roles of transnational actors. Moreover, innovative mechanisms are required to reconcile conflicting rights and priorities, such as balancing environmental sustainability with economic development or individual freedom with community welfare.

In sum, the theoretical implications of linking human rights and development underscore the need for interdisciplinary frameworks that integrate the normative, legal, and empirical dimensions. They demand that scholars move beyond fragmented analyses to embrace complexity and ethical depth in understanding development as a right-affirming process. The emergent nexus between human rights and development opens several fertile avenues for future research (Miller, 2015). First, there is a pressing need to develop robust methodologies that can operationalize rights-based approaches in diverse development contexts. This involves creating indicators that effectively capture rights realization alongside traditional economic metrics, enabling more nuanced policy assessments.

Second, comparative studies examining how different legal systems incorporate human rights into development strategies could yield valuable insights into best practices and contextual challenges (Guragain et al., 2024). For example, research could explore how constitutional courts in various

countries adjudicate conflicts between economic development projects and rights protections or how regional human rights bodies influence national development agendas.

Third, interdisciplinary research integrating philosophy, law, economics, and political science can deepen the understanding of normative tensions inherent in development, such as the trade-offs between individual rights and collective welfare or short-term economic gains versus long-term sustainability (Timchenko & Timoshenko, 2020). These inquiries are critical for informing policy frameworks that are both just and pragmatic. Finally, empirical investigations into grassroots experiences of rights-based development initiatives would enrich theoretical models and improve their implementation (De Souza Filho et al., 2023). This bottom-up perspective can reveal how marginalized communities perceive, access, and negotiate their rights in developmental processes, highlighting the gaps between formal guarantees and lived realities.

The integration of human rights into development practices has significant implications for policymakers, practitioners, and international agencies (Pertek & Roux, 2022). Adopting a rights-based approach fosters accountability, ensuring that development projects respect fundamental freedoms and address inequality rather than exacerbate it. It also encourages participatory governance and empowers communities to shape development priorities that align with their rights and needs. Practically, this approach can improve program design by emphasizing legal compliance, ethical considerations, and economic efficiency (Ridwan & Vania, 2023). For instance, incorporating human rights assessments into infrastructure projects can prevent displacement, safeguard labor rights, and promote environmental justice. Moreover, it reinforces the legitimacy and sustainability of development interventions by grounding them in universal moral commitments rather than in transient political agendas. In the rapidly changing global landscape, marked by challenges such as climate change, migration, and digital transformation, embedding human rights in development frameworks is indispensable for building resilient and inclusive societies. Practitioners equipped with this dual lens are better positioned to navigate complex trade-offs and advocate for equitable rights-affirming outcomes.

CONCLUSION

This chapter seeks to bridge the often-fragmented discourse between human rights and development by exploring their intersection through a legal philosophical lens (Marks & Han, 2020). The core argument advanced here is that development, when conceptualized solely as economic growth or material progress, remains inadequate and potentially harmful unless firmly grounded in the framework of human rights. Development must be understood as a multidimensional process that promotes not only economic well-being but also dignity, freedom, and equality of all individuals. From a legal perspective, the chapter emphasizes the normative force of international human rights law, which provides binding obligations on states to ensure that development policies respect, protect, and fulfill fundamental rights (Mahajan, 2022). Human rights law situates development within a framework of justice, accountability, and participation, thereby countering purely utilitarian or technocratic approaches that often marginalize vulnerable populations. This legal grounding underscores the indivisibility and interdependence of rights-civil, political, economic, social, and cultural- that must inform all stages of development planning and implementation.

Philosophically, the chapter engages with key theories to unpack the conceptual tensions and synergies between human rights and development (Muñoz Carmona, 2023). Drawing on the capabilities approach, the discourse highlighted the importance of expanding individuals' real freedoms to live lives they value beyond mere resource distribution. It also interrogated competing ideas of justice, autonomy, and collective well-being, stressing that development should empower individuals as rights-holders and active agents, rather than passive beneficiaries. The chapter further explored the ethical imperative to recognize the plurality of cultural and social contexts in which development unfolds, cautioning against universalizing models that may perpetuate neo-colonial power imbalances.

Together, these legal and philosophical insights contribute to a more holistic and critically reflexive understanding of development (Sehajpal et al., 2023). They call for development strategies that integrate human rights principles, such as non-discrimination, participation, transparency, and accountability, thereby enhancing legitimacy and sustainability. Moreover, this approach demands vigilance against instrumentalising human rights merely as tools for economic ends, advocating instead of their intrinsic value as expressions of human dignity. In conclusion, the chapter reaffirms that rethinking development necessitates a paradigm shift, one that moves beyond narrow economic metrics and embraces a human rights-based approach as foundational. Such a shift not only aligns with international normative commitments but also offers a more just, inclusive, and sustainable pathway for global development. Future research and policymaking must continue to deepen this interdisciplinary dialogue to ensure that human rights remain at the heart of development in a rapidly changing world.

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