equality. The notion of natural law – people are born with rights, and their very existence presupposes the existence of such rights – was originally based upon the concept of natural justice.

Philosophers such as Rousseau and Hobbess, not satisfied with natural law, developed the idea of human rights as part of a social contract – people accept limitations on natural freedoms in exchange for social order and peace. Human rights were part of the ‘state of humankind’, created to ensure a peaceful existence – as well as a just one – that a ‘state of nature’ could not. A human rights based approach to development, therefore, is one that is preoccupied with ensuring social justice and equality first and foremost.

Recognising that human rights ideas did not suddenly emerge in 1945, the major developments in the adoption of legal measures, national or international, intended to promote and protect human rights, resulted from political crises, devastating wars or similarly challenging situations. This history of human rights therefore adheres to one of the laws of history outlined by the historian Arnold Toynbee who referred to the historical law of “progress through crisis”.

Three Generations of Rights?

Some human rights commentators have classified human rights into ‘three generations of rights’ reflecting the different historical periods in which these rights emerged:

- **first generation rights** - associated with civil and political rights (e.g. the right to freedom from arbitrary arrest, to freedom of assembly or freedom of conscience and expression)
- **second generation rights** - those rights which guarantee the economic and social rights of individuals (e.g. the right to health, education, employment and housing)
- **third generation rights** - these rights were not directly included in the Universal Declaration and are usually termed as Group or People’s Rights (e.g. the right to self-determination, the right to development etc., and are rights which can only be fully achieved within the context of a community). Some commentators deny the status of human rights to this category, claiming that human rights are by definition only those rights pertaining to an individual.

There is now also talk of a Fourth Generation of Rights linked mostly to issues of Intergenerational Justice or the Rights of Future Generations.