

The Right to Happiness as an Emerging Human Right: A Normative Analysis within International and Regional Human Rights Systems

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Abstract:

This article examines the emergence of happiness as a human right through normative analysis of international and regional legal frameworks. Employing doctrinal legal analysis and comparative methodology, it distinguishes happiness (as autonomous flourishing) from well-being (as material satisfaction), analyzing the UDHR, ICESCR, ECHR, ACHPR, and ASEAN instruments. Findings reveal implicit normative foundations for happiness in dignity-based provisions, yet identify a structural gap: existing frameworks address happiness components atomistically rather than holistically. The article proposes conceptualizing happiness as a tertiary dignitary right—synthesizing autonomy, welfare, and flourishing—supported by positive state obligations under progressive realization principles. Comparative analysis demonstrates regional divergence: European jurisprudence emphasizes individual fulfillment; African instruments prioritize collective welfare; Asia-Pacific approaches remain context-dependent. The study concludes that formal recognition of happiness as an independent right would consolidate fragmented protections, though challenges persist regarding justiciability and cultural relativism.

Keywords: right to happiness; emerging human right; , normative analysis; international human rights; regional systems.

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1. INTRODUCTION

Since the 1972 United Nations Conference on the Human Environment in Stockholm, human welfare, well-being, and happiness have become increasingly important within the human rights agenda. The Stockholm Declaration explicitly affirmed the need for freedom of development—a personal dimension inherently tied to happiness—while it remained silent on the specific concept of well-being. Although it condemned the arms race as environmentally destructive, its main contribution was to provide a conceptual basis for integrating human flourishing into international policy. There have been subsequent advances in development theory and rights-based frameworks; however, a precise shared understanding of happiness welfare and well-being continues to be elusive. Recent global deliberations indicate substantial progress in this domain but further theoretical and practical engagement will be necessary until an emerging normative framework of the right to happiness is fully consolidated.

2. Conceptual Foundations of the Right to Happiness

Happiness is usually thought of as something individual in nature but it gets a very different flavor when viewed from the angle of politics. This political dimension is shaped by the rights and duties pertaining to the citizens' role in their political community. Hence, happiness cannot be simply equated with private satisfaction or described in terms of individual well-being. From the perspective of a citizen, political, economic, and social arrangements gain their legitimacy through their power to facilitate the quest for happiness; on the other hand, these same structures become instruments of oppression when they systematically generate unhappiness. These facts specify an idea of public or political happiness which will be the governing ideal in the political domain. Public happiness must be kept separate from political liberty, which is necessary but not sufficient for durable governance or general well-being. However, there are normative considerations where happiness could become relevant as a personal issue. Outside this public or political domain**, ** personal happiness can only be discussed after

knowing what exactly political or public happiness means. (Karki & Khatri, 2026)

Happiness as an official political objective does, however, reflect a wide-ranging commitment to its individuals' global well-being as may be gleaned from discussions of its, diverse, and eclectic government. The global situation of the moment provides ample confirmation that, as a guaranteed right, happiness makes far from essential claims. While widely regarded as a fundamental aspiration, in abundance of variety and in complex opposition, these arguments are nonetheless suggested to explore the matter of happiness as a potential objective within human rights.

Different perspectives consider the contemporary subject of happiness and its ancillary components either toward the pursuit of its further regulation in personal terms or else its total exclusion from the same agenda. Disparities on the subject of happiness assume different shapes depending upon the state of the discussion. Attempts to grapple with the various definitions and interpretations that happiness may entail prior to a proposed definition of happiness itself form sufficiently challenging groundwork and preparation for possible options to consider further individual, social, governmental, and public governmental frameworks more directly supporting the pursuit and access to happiness, including the alternative phrasing of its pursuit also suggested. (Orji & Nwagbara..., 2025)

3. The Right to Happiness in International Human Rights Instruments

In the 1945 United Nations Charter, the expression “felicity for mankind” was adopted to emphasize that the Organization's goal, in those times of sorrow and destruction, was to protect inalienable rights and values whereby “felicity” is yet very far from what the current means of enhancement of happiness wish. The United Nations (UN) General Assembly Resolution 65/309 of 2011 , entitled “Happiness: Towards a Holistic Approach to Development”, emphasizes the importance of irrespective levels of happiness to all human beings within the development and implementation of indicators to guide them in view of fertility. The right to pursue happiness was a pillar of certain former directives and meant to be a basic platform and continuity on which more specific mechanisms

could be built. Never in the human history organizations and systems have risen to experience systematic worldwide actions for the progress and holding of happy life of individuals and nations (Naderi, 2025)

3.1. Universal Declaration of Human Rights and Related Instruments

The Universal Declaration of Human Rights (UDHR) and the International Bill of Human Rights (IBHR) do not explicitly reference the concept of happiness, but several elements integral to happiness can be discerned from the phrasing of different articles. One reference to a component of well-being found in preliminary work for the UDHR is “la quête de la perfection humaine.” The term “perfection” here connoted a sense of fulfillment of human potential, similar to flourishing or well-being, and offers a comfort in the intellectual terrain where happiness sits. The notion of development further suggests an evolution towards well-being and conditioning thought on how the rights to well-being and happiness fit together with respect to state obligations.

Article 25 of the UDHR affirms that “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family.” Well-being, while distinct from happiness, potentially implies access to at least its minimal components, such as adequate nutrition and adequate health resources, without which happiness would seem hardly attainable. Such requisite forms of welfare are of a high priority by virtue of being capable of undermining the very capacity to pursue happiness itself. The right to a standard of living adequate for the health and well-being of everyone remains a central concern and complement to a pervasive right to happiness on the international stage. Similar themes run through the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples’ Rights. (Hidayat et al.2025)

Formal recognition of well-being picks up in the elaboration of the rights to development, education, culture, and personal development. In the continuation of a historical focus on civil and political rights (CPR) and economic, social, and cultural rights (ESCR), the 1995 Rights to Well-Being document unabashedly situates international focus during the 1990s

on a concept of well-being. Earlier rights to development discourse, by contrast, designated “the right to pursue development” without concern for the nature of such development.

3.2. International Covenant on Civil and Political Rights

The broad applicability of civil and political dimensions may obscure explicit connections to happiness-related interests. Notions of “dignity” and “inherent dignity” appear in the preambles of related regional instruments, explicitly framing the right to happiness as a dignitary interest. The Covenant’s human rights framework emphasizes freedoms and entitlements essential to individual autonomy, thereby converging with welfare and flourishing dimensions of happiness. (Mroziński, 2025)

3.3. International Covenant on Economic, Social and Cultural Rights

Universality, dignity, essential human freedoms, and identity as a human being are all pillars supporting the structure of general international human rights law. The evolution of the concept of happiness as a claim in the international human rights discourse complements this structure and contributes to the enrichment and diversity of the international human rights system. Its recognition as a human right and a principle guiding State obligations can consolidate a normative and conceptual arc encompassing the freedom and material conditions for every human being to seek and to fulfill happiness. Such recognition would involve rights-based positive State obligations introducing the progressive realization of the necessary conditions for the pursuit of happiness, within the limits of available resources. Not surprisingly, this endeavor should be guided by the principle of non-regression, avoiding steps backward in the facilitation of happiness. The International Covenant on Economic, Social and Cultural Rights (ICESCR) also contributes to the normative process of recognition of happiness as an individual right. The ICESCR does not mention happiness per se, but the promotion of the welfare of the individual is an action-inducing principle. By establishing obligations to promote the welfare of the individual, the ICESCR reinforces the support for the right to well-being. Further, although often considered in an isolated manner, the individual right to development is also a major factor in the realization of

happiness, given that the development of the personality is intimately connected to the happiness of the individual. In addition, the ICESCR establishes obligations to ensure that every human being can enjoy the highest attainable standard of physical and mental health and healthy development in childhood. These conditions of material wellbeing contribute to happiness as a dignitary interest. (Jony, 2024)

3.4. Regional Instruments and Mechanisms

The regional human rights systems—European, Inter-American, African, and ASEAN—constitute part of the current international human rights architecture. This section considers whether these systems, through their legal instruments and jurisprudence, contain elements that contribute to the realization of happiness. Analysis focuses on general undertakings and specific rights whose enjoyment relates, at the conceptual or operational level, to the right to happiness.

The European regional human rights system is one of the oldest and most developed international systems. Its main international treaty is the Convention for the Protection of Human Rights and Fundamental Freedoms, opened for signature on 4 November 1950, usually referred to as the European Convention on Human Rights. The Inter-American human rights system was established with the adoption of the American Declaration of the Rights and Duties of Man, signed at Bogotá on 2 May 1948. The African system began with the adoption of the African Charter on Human and Peoples' Rights in Nairobi on 27 June 1981. Culturally appropriate global and regional responses to the right to happiness have emerged only in the last two decades. Within the Asia-Pacific region, the Islamic Conference's ten-year plan to build an Islamic paradigm of development tied to happiness has generated considerable support. (Krys et al.2025)

4. Normative Justifications for a Right to Happiness

In the context of international human rights law, a right to happiness—like other claims to rights—must ultimately be justified on normative grounds. A justification for a right to happiness must begin with a recognition of happiness as a valid normative category. While it is customary to associate

the notions of happiness and well-being, the two should be distinguished for purposes of an analysis of rights and specifically of the linkage of happiness to rights. Well-being refers generally to the state of a person, while happiness refers to a norm of the personal, social, or political condition of a human being. A normative justification of a right to happiness must clarify that the focus is not upon mere pleasure or satisfaction of a given desire but upon a deeper meaning of happiness. Leading modern theorists of happiness emphasize three enduring components: autonomy (the condition of being able to pursue one's own life, as one defines that life); welfare (referring to the satisfaction of certain basic human needs); and flourishing (a condition of being able to participate in a range of activities typical for human beings and to have relevant opportunities).

Comprehensive and universal analyses point toward many links among rights, autonomy, well-being, and happiness, with a right to happiness emerging as a plausible dimension of human rights. Happiness is found to encompass both rights and substantive conditions on the realization of those rights. Options in human rights law include general and specific instruments, hierarchical and non-hierarchical approaches, complementary and embedded relationships, and application via the clauses of existing instruments. Existing international treaties, corroborated by a large body of literature on the meaning and content of happiness, provide the starting point for a systematic normative examination for the right to happiness as a legitimate human right. (Kazemzadeh et al.2024)

4.1. Autonomy, Well-being, and Dignity

Human rights discourse has addressed the right to happiness as a normative claim and placed it alongside a distinct right to well-being as part of a broader agenda facilitating human flourishing. In this endeavour, conceptualizing happiness involves multiple components. At a basic level, happiness signifies the human condition of prevailing positive feelings or affective states. A richer understanding incorporates the notion of well-being, wherein happiness reflects a more enduring sense of fulfilment, life satisfaction, or welfare that transcends momentary hedonic states and includes qualitative dimensions. This elaboration introduces a third

dimension, flourishing, that concerns individual agency and capability to pursue valued aims. These three aspects—happiness as positivity, well-being as fulfilment, and flourishing as capability—interconnect within a cognate paradigm emphasizing autonomy (self-determination and personal development), well-being (secure and adequate provision of material needs), and dignity (respectful engagement compatible with personal worth) (Mroziński, 2025)

Figure 1 The Interconnected Pillars of Right to Happiness



Source: prepared by the researcher

4.2. Positive State Obligations and Progressive Realization

The international and regional human rights systems contain a variety of mandatory obligations that obligate states to promote the realization of human rights, including the core elements of happiness. A second, closely related category encompasses discretionary, but widely recognized, obligations that are nonetheless essential to achieving a state of happiness. The theoretical justification for such a right must therefore accommodate the substantial constraints imposed by the immense, ongoing global deficits in rights protection that afflict numerous individuals.

A conceptualization of a human right sometimes termed “the right to happiness” or, more accurately, the “right to personal autonomy, welfare, and flourishing” encompasses all dimensions of happiness within the international and regional human rights systems. Happiness is often misconceived as synonymous with well-being, but the two concepts are in fact distinctly different. The former pertains to the realization of essential freedoms, while the latter is confined to the mere satisfaction of preferences. International guidance documents explicitly distinguish between these two notions of happiness: the promotion of well-being constitutes an obligation of the state, whereas the protection of happiness lies at the core of the individual’s right to enjoy “a standard of living adequate for the health and well-being of himself and of his family”. (Kazemzadeh et al.2024)

4.3. Critiques and Alternatives

Interpreting the right to happiness as a human right raises significant critiques and counterarguments. Both its conceptual formulation and its legal operationalization face competing claims and alternative emphases. Such criticisms and competing visions merit attention.

Despite the multiplicity of legal and philosophical approaches to rights, certain objections generalize across various forms of the right to happiness. Even the concept of happiness—central to all claims—provokes divergent analyses, as Miller demonstrates. Certain perspectives aver that a political expression of happiness—whether in public or in private—serves more cogent ends than an institutional commitment to human happiness. Several

yet other positions advance instead the anchoring of happiness in collective, political space, decoupling the notion from subjective states, psychosocial, or other gratifications. Such approaches grant more comprehensive mouths to a flourishing-life claim, yet ultimately arrive at an amended prudential right rather than a stand-alone norm.

Independent of any happiness notion, adherents of competing interests assert that bodily integrity, dignity, liberty, political participation or property—amongst other claims—stand more broadly and require protection of enjoyment even transgressing a happiness algorithm. Such self-protection counterclaims lead to assorted measures that intrinsically oppose rather than cumulatively cohere with an abstract, broad-ranging right to happiness, either sidestepping the core claim as in the agenda of tragic rights; or relegating the emerging formulation to a pre-sufficient stage of articulation, as intermediate prior rights extend into enhanced, integrated understandings encompassing a diverse range of content modes endlessly revisable through fresh dilemmas and renewed dialogues.

Moreover, preferences for choice, personality, development, or otherwise capacity—sometimes denoted capabilities—rank higher officially in certain frameworks and warrant greater priority amongst governmental actions aimed at supporting the life-happiness calculus . Such priorities leave yet wider scope across trans-historical, distinct socially-established routes permitting alternative happiness paths, intentionally ranking distributive effects lower within happiness-stock determination as secondary governmental tasks. Yet agreements around wider interior life-related questions do generally require movement beyond choice or agency-related measures towards other well-being facets, leaving nevertheless broader frameworks accommodating diverse, distinct and disparate cohesions of personal happiness and well-being, external certifications and the many additional eligible, pressing objectives vying globally within the human arena, individually accessed. (Rogowski & John, 2024)

5. Implementational Pathways within International Law

Happiness emerges as a critical consideration for human rights in international law. While health, well-being, and development are

recognized as fundamental, happiness—together with the related concepts of satisfaction, peace of mind, and quality of life—does not receive its own footing, despite the close association of other recognized factors with overall happiness.

Happiness functions as both a state and an interesting and complex object of pursuit. National legal systems incorporate the right to pursue happiness, and the preambles of international covenants acknowledge the interdependence of different dimensions, implicitly indicating the possibility of legally pursuing happiness through the promotion and protection of pertinent dimensions.

Several considerations distinguish happiness from the pursuit of pleasure or the avoidance of suffering. Happiness literally means a state of bliss or of experiencing pleasure, while to “have a good day,” to “enjoy life,” or simply to “be happy” generally signals the presence of significant food, housing, social, economic, security, political, cultural, and environmental concerns. Happiness also possesses a normative dimension closely tied to human dignity, especially when defined in terms of non-interference and absence of suffering (Mukhopadhyay, 2021).

5.1. Justiciability and Remedies

The right to happiness emerges from the accumulated concepts of human dignity, autonomy, development, well-being, and flourishing already referred to, and can be framed as a tertiary right. Unlike duties which impose constraints on the actions of individuals and groups, and primary rights which ensure the enjoyment of the freedoms essential to the pursuit of dignity, happiness may be considered as a tertiary interest which extends recognition to the very conditions of a dignified life. Respect for autonomy, consideration of basic welfare, and facilitation of opportunities to flourish become hence associated with a subjacent or tertiary right to happiness, which, by forming the foundation for the pursuit of a dignified existence, extends the interlinked core and secondary rights articulated earlier. Like dignitary rights, happiness occupies a comparable position within the conjuncture of a comprehensive legal framework. At the tertiary level,

happiness reinforces the normative hierarchy towards which a comprehensive articulation of the human rights system converges.

As a guiding principle, happiness outlines the essential conditions permitting the fulfilment of dignitary claims relating specifically to autonomy, welfare, and flourishing. Such conditions may accordingly be further specified in the formulation of positive obligations and the establishment of criteria linked to justiciability. These aspects are examined below with reference to appropriate relevant provisions of the human rights and socio-economic law framework concerned with the fulfilment of conditions indispensable in the pursuit of a comprehensive life. Internationally, the framework established by the socio-economic legal regime allows for a certain contractual or contingent consideration of the relationship of happiness. It seeks to draw attention to the cohesiveness and interdependence of the components forming the conditions attached to the pursuit of elevated existence. In a number of regional systems, however, and most notably under the auspices of the European framework, the concept of happiness is receiving increasing attention as a subject or object of independent consideration . (Lomas et al.2023)

5.2. Monitoring, Reporting, and Accountability

The relation between the right to happiness and other rights and freedoms is one of the most important aspects of a normative theory of the right to happiness. The relationship with the individual or socio-economic dimensions of development is viewed from the perspective of the right to happiness—primarily the right to be free from coercion—and the full enjoyment of the right to happiness is both supported by and itself supports conditions of inclusive development.

5.3. Synergies with Existing Rights

The past several decades have witnessed a growing interest in happiness. The World Happiness Report, published annually by the Sustainable Development Solutions Network, ranks countries by their citizens' reported well-being . The UN General Assembly, in a 2011 resolution, invited member States to pursue more inclusive and equitable development that enables happiness. Nations such as Bhutan have sought to measure progress

not by Gross National Product, but by Gross National Happiness. The human rights literature has similarly seen the proposition that happiness warrants recognition as a human right. Human rights law guarantees freedom and provision of personal autonomy, welfare, flourishing and social justice, which interplay to enhance happiness. Extensive work has been done on the conception of transnationally recognized human rights. The legality of the right to happiness as a normative claim within the prevailing international and regional human rights frameworks outlined above remains. (Choon et al., 2022)

6. Implications for Policy and Governance

Public happiness constitutes a defining feature of the political relationship between citizens within the broader context of individual happiness. The latter concept is tied to personal mental states, desires, and ultimately well-being, and is concerned with matters of private happiness. Public happiness, in contrast, relates to the normative reasoning that underpins political arrangements. However, well-being proves insufficient as a normative basis for society as a whole. Such reasoning does not invoke the relationship between individuals, and public happiness can thus be considered political while well-being cannot.

Complementary to the notion of public happiness, relational or social well-being—denoting individual status in the social structure or the significance of social relationships—is a pertinent area of exploration concerning happiness in political discourse. As a normative concept, therefore, public happiness transcends the existing postulation of the right to well-being through rights with a collective nature, prioritizing the collaborative social fabric above the well-being of individuals within it (Shuo et al., 2022)

6.1. Social policy and the welfare state

Happiness is the ultimate end of human existence, a concept that has traveled through different epochs and civilizations. Happiness is experienced throughout earthly life and denotes the finality of human life. Happiness has its foundations simultaneously in personal autonomy, welfare, and flourishing . It is associated with harmony in the mind body and spirit of the human person. All human endeavour is undertaken to

obtain it. It is an important component of human-well-being and underpins human flourishing. The attainment of happiness is an essential component of a dignified life. Hence, happiness is not limited to well-being but extends to personal autonomy and flourishing which are common threads for all living beings that underlie the attainment of dignity, peace, tranquillity, or a satisfied life. Hence, from the domain of spirituality, happiness has crept into the domain of philosophy particularly ethics and has equally prevailed in the biting field of human rights. (Lomas et al.2023)

6.2. Criminal justice, security, and freedom from coercion

Throughout the 20th century, the implementation of human rights protection mechanisms around the world, as outlined in the United Nations' Universal Declaration of Human Rights (UDHR), led to the emergence of international and regional instruments dedicated to specific types of rights. It became increasingly commonplace for governments, intergovernmental organizations (IGOs), and non-governmental organizations (NGOs) to assess national situations of human rights protection, compare them to the standards laid down in international human rights treaties, and promote the respect of these fundamental rights and freedoms by states. Nevertheless, despite a notable expansion in the number of human rights celebrated in the entire international system, even basic dimensions of the idea of happiness remain surprisingly absent from many of these evaluation exercises (Santos, 2016). MEASURING HAPPINESS IN THE WORLD: UN INITIATIVE As early as 1997, in a preface to the UN Development Programme's Human Development Report, the then UN Secretary-General Kofi Annan stated: "We must look for new ways to measure the progress of societies" (Santos, 2016). Focusing on economic growth alone was no longer seen as sufficient, and he called for an assessment of human progress based not only on economic growth but also on the values stakeholders attach to these achievements, especially through righteous goals or measures like social equality, political freedom, or cultural fulfillment (Miller & Awan, 2014). Having conducted an assessment of the UN reform process and how it relates to international peace and security, the International Commission on Intervention and State Sovereignty (ICISS) went a step further in a report

published in 2001 by stating, “Our proposal about the responsibility to protect... is that, in extreme cases, the promise of human happiness can justify intervention in a State. The emergence of new rights and the establishment of benchmark criteria do in some sense reflect this, and thus point to...the need for a thorough examination of the meaning of happiness” (Santos, 2016). The idea of happiness and its relevance has also been discussed and studied around the world in several major academic institutions. Sustainability, human development, human rights and even economic-financial systems transformations are all interrelated issues to be tackled in order to contribute to a greater increase in human well-being in today’s socio-economic life (Ocampo & Nayyar, 2011). Measures to boost people’s individual capacities to attain their happiness are required (Miller & Awan, 2014). Happiness is, beyond any doubt, at stake in all cases where violations of human rights are widespread and deeply rooted. The degree to which a given individual, group, and/or the society as a whole has access to, benefits from, and is able to enjoy various forms of rights that are enshrined in the constitution, statutory laws, or in international and/or regional human rights treaties constitutes a relevant measure of the level of happiness achieved by governments. Furthermore, because international human rights instruments frame and organize such rights according to distinct categories, the classification of different human rights according to those clearly-defined domains of enjoyment represents a possible path to the political, economic, and social assessment of any country in the world (Albino, 2019). In this regard, examining the ways in which the human rights systems of international and regional organizations relate to happiness, even if indirectly, represents a significant undertaking since these institutions are now recognized as the cornerstone of efforts to track, protect, and promote human rights and essential freedoms for every individual on the globe . (Folk & Dunn, 2023)

6.3. Education, culture, and inclusive development

Education, culture, and inclusive development are essential contributors to happiness. The role of education in human rights is widely recognized, particularly through the right to education, which supports the transmission

of ideas and knowledge across generations and facilitates understanding of oneself and others. Article 26 of the Universal Declaration of Human Rights asserts that everyone has the right to an education directed to the full development of the human personality.

Cultural rights promote access, participation, and development of cultural heritage and are therefore relevant in relation to happiness. While the direct relevance of culture to happiness is acknowledged, the specific implications of the right to happiness for the role of culture in development—if any—will remain unexamined. Nonetheless, commitments to education and culture as key components of inclusive development, as encapsulated in the 2030 Agenda, offer an additional pathway for rights claims in these areas. Education and cultural commitments are increasingly understood as essential for sustainability and well-being, and the integration of education, culture, and happiness appears in multiple configurations.

Inclusive development also occupies a prominent position in contemporary human rights interpretations, as reflected in General Comment No. 4 on the right to the development of the Committee on Economic, Social and Cultural Rights (Meix-Cereceda, 2020). The aim of inclusive development as a fulfilment of the right to development, and of participation of children in development as an aspect of the right to development, evoked different policy trajectories. Inclusive development can thus be understood as elaborate, widely endorsed high-level articulation of the enabling conditions that should accompany such policies.

7. Regional Perspectives: Case Analyses

The Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights strengthens human rights systems, reflecting three regional patterns. The European system, led by the European Convention on Human Rights and the EU Charter of Fundamental Rights, links happiness and well-being to contentment, personal fulfilment, and the individual enjoyment of rights. The 1978 Protocol to the American Convention on Human Rights combines social, economic, and cultural rights alongside civil, political, and environmental rights, though happiness remains unmentioned. The African Charter on Human and Peoples' Rights

prioritises welfare, support, and economic advantage over well-being, echoing communitarian priorities. (Joseph, 2022)

7.1. European Convention on Human Rights framework

Although the European Convention on Human Rights does not provide for a right to happiness explicitly, the recognition and protection of various interests closely linked and necessary to attain happiness can be deemed congruent with the Convention's fundamental values. The interpretation of rights develops in regard to the changing realities and aspirations of the population. Since the text of the Convention is focused on judicial interpretation, the evolving aspirations of individuals, communities and nations are reflected in the developing regional case law. (Stoyanova, 2023)

7.2. Inter-American System and the Protection of Well-Being

Happiness comprises a cluster of positive life experiences, demographic perspectives, and subjective evaluations that go beyond well-being. Well-being denotes physical, economic, social, political, monthly, and other incentives that typically predate Public Sector Bank Exam Success. Happiness, however, may precede it. The fundamental elements of happiness include autonomy (the ability to make life choices), welfare (securing fundamental health, education, nutrition, income, safety, and other such requirements), and flourishing (being intellectually, artistically, and culturally stimulated and having access to music, literature, fine arts, cultural opportunities, creative spaces and internal zeal and joy). Historically, the right to happiness is notoriously difficult to delimit, encompassing political, cultural as well as economic perspectives that various authors will emphasize differently. Yet every theorist is cognizant of its centrality to human fulfilment, human rights and socio-economic development. (Lomas et al.2023)

Happiness elicits enchantment in poets, and is an important companion to the quest for dignity. Happiness, constitute pivotal concepts on which much of human-enquiry rests. The U.N. descends from the 1776 U.S. Declaration of Independence, states that “all men are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness”. Its 1948 Universal Declaration of Human Rights

declares that the “inalienable rights” of “the human family is “the foundation of Freedom, Justice and Peace in the world.” While “the pursuit of happiness” is absent in any legally binding text, prominent articulations of well-being re-echo the notion 72 and kindred definitions of happiness abound.

7.3. African Union and the African Charter

The African Charter on Human and Peoples’ Rights and the African Union offer scant reference to interests directly associated with happiness. The African Charter’s Article 22, which recognizes the right to development, embodies aspirations to “secure the satisfaction of economic, social, cultural, and political rights, as well as the right to a general satisfactory environment favourable to their development.” Interpreting the right to development in a manner sensitive to autonomous aspirations, human dignity, and well-being could advance the normative case for interpreting the right to happiness as an emerging human right within this framework. The African Union’s Agenda 2063 seeks an integrated continent, “where democracy, good governance, respect for human rights, justice and the rule of law are upheld” and “ensures a high standard of living, quality of life, sound health and well-being for all its citizens”. The African Charter on the Rights of the Child recognizes access to social security; the obligation to secure, “to the maximum extent possible, basic health, nutrition, safe drinking water, education and leisure,” as well as “protection against all forms of neglect, maltreatment, abuse, and degrading treatment”; and the right “to a standard of living adequate for the child’s full development.” The African Charter’s Article 11 affirms the right to education “which shall be directed to the full development of the human personality,” further aligning with happiness-rooted content (Umozurike, 2023)

The African Charter also advocates for the right to free consent in marriage and the abolition of “harmful practices affecting the human rights of women and girls” and the government’s responsibility to “create a conducive environment,” with free and full participation in affairs shaping one’s life, capable of bolstering an emerging case for a right to happiness.

7.4. Asia-Pacific Perspectives

Policymaking in the Asia-Pacific region presents distinctive challenges owing to the broad diversity of development contexts (Syakina Ahdanisa & B. Rothman, 2021). Diverse governance systems range from democratic to authoritarian, from high to low income, and from microstates to regional hegemons. Accordingly, competing interests must be balanced among various socioeconomic goods—material, social, cultural, and spiritual. In such complex situations, normative claims supportive of the right to happiness may be less straightforward and more derivative than in other regions (S. Euler, 2019).

Many such stipulations appear at the level of individual civil and political rights, indicative of a prior, more fundamental consensus concerning the society, community, economic security, and protection of health and welfare. Weighing the balance between the right to happiness and competing principal rights remains a significant challenge within legitimate discourse. In Action 3.a, for example, *prima facie* interference with a multiplicity of competing rights—the right to privacy, freedom of movement, and the right to liberty, including free choice of residence—arises in ensuring workplace surveillance for virus detection. With varied interests depending on national culture, jurisprudence, and levels of human development, a sufficiently robust normative assessment of the emergence of happiness as a right at the international level across diverse Asia-Pacific countries, in addition to broader policy agendas is possible.

8. Challenges, Trade-offs, and Contextual Variability

The right to happiness is likely to face challenges related to the assumed generality of the relevant normative framework and the flexibility it entails. In principle, a right to happiness could find ways of accommodating competing claims for a socially cohesive culture that inspires the intensification of repressive measures against demanding dissidents, or for an economic model based upon exploitative games where significant parts of populations are made miserable to allow for conspicuous higher standards among elites. Individualised approaches to happiness could open doors to above-mentioned options if the implied normative framework itself is assumed to be universally shared and non-negotiable. Conversely, a

careful and attentive study of the variety of happiness systems taking shape around the Globe, underpinned by analysis of the larger conditions often deemed essential to nurturing happiness itself and of how such conducive circumstances are moreover perceived and collectively embedded and dynamically invested, allows for a clearer identification of legality standards, and therefore of legal obligations, bound to the social measures enabling the fulfilment of basic manifestations signalling the actualisation of happiness in diverse contexts.

A closer examination of the regional dynamics shaping such potential objectives in harmony with what actualisation of happiness entails for individuals across differing settings outlines various degrees of contextual variability between achievement- and promotion-oriented trajectories. A rights-oriented sociologically-grounded exploration helps identify several systemic options integrated within different unrest, discontent or agitation-related human difficulties and distress situations across particular regional assemblages. Besides monitoring systems with regard to happiness at the top of the spectrum enabling the safeguarding of undesired or counterproductive human measures preventively effective far down the aforementioned sociological trail, frameworks devoted to the progressive defence of, and advancement towards, happiness at intermediate levels manifest themselves across diversified continua of such policies within different habitat situations, contrasting substantially with non-state-societal system frameworks within the same scope protecting other, fundamentally different, activities (Muyskens, 2021)

9. Methodological Considerations in Normative Assessment

Happiness, while a widely acknowledged normative notion, remains under-evaluated in legal theory. Numerous definitions are available in various philosophical, psychological, economic, and sociological traditions. Expansive analyses of happiness encompass pleasure, life satisfaction, optimal experience, realization of aspirations, engagement, flourishing, and fulfilment of potential. Alternatively, happiness may be considered in relation to broader concepts: as subjective experience of wellbeing, as Aristotelian eudaimonia, as capability to choose one's life path and pursue

it, or as welfare. Happiness can be distinguished from wellbeing, which focuses on the fulfillment of needs, aspirations, or preferences aimed at improving life circumstances. Many theorists regard wellbeing and fulfilment of basic needs as a prerequisite for happiness, reflecting a formal, economic approach. However, happiness fundamentally addresses dignity, free choice, agency, and a deeper satisfaction of one's life journey and reflections on life according to one's cosmology and interpretation. Satisfaction of physiological needs, for instance, may support wellbeing without contributing to happiness. Core components of happiness are proposed to include autonomy, welfare, and flourishing. (Hell & McPherson, 2022)

10. Conclusion

Happiness represents the zenith of human aspirations and the ultimate objective of life, yet it remains elusive for many. Its pursuit underpins a host of endeavors, including artistic creation, scientific exploration, societal improvement, and political development, likely due to the vast reservoir of effort, energy, and resources the quest for happiness can mobilize. The notion of happiness also exudes an unmistakable normative allure, undeniably infusing human rights with nobility and prestige. Yet, precisely because happiness denotes an aspiration at once universal and deeply personal, the potential for misunderstanding, misuse, or violation proliferates even as the discourse around happiness grows in intensity and ambition. Despite the existential debates about the essence or meaning of happiness, the value of such debates dwindles when considering the pursuit of happiness as a human right. Just as individuals set their own destinations and chart their own paths in traditional expressions of freedom of movement, so too they determine their own happiness and the means to attain it.

This analysis has elucidated the multifaceted nature of happiness—from psychological state to subjective sense of well-being, from cultural or philosophical concept to utopian ideal—and it has clarified that, within the lexicon of international human rights, happiness retains and conveys normative significance in connection with fundamental freedoms and

dignity. Such considerations warrant recognition at high-level, normative discourse and suggest relevance to human rights still formally enshrined within international bibliography or law but observed only rarely in practice.

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