When looking for something else, I stumbled on a Fourth of July post that I wrote a decade ago. Despite the temptation to rewrite, I’ve made a only a few small tweaks. It seems, if anything, more relevant today, when our society seems so divided about fundamental values and our President has devoted his life to the pursuit of money, publicity, and conspicuous consumption. But that’s not at all what the Founding Fathers meant by the “pursuit of happiness.”

Without ever really stopping to think about it, I had always assumed that the right to the pursuit of happiness meant freedom from governmental restrictions on your activities. (Since Thomas Jefferson was the author and was always extolling the life of the yeoman farmer, I guess I pictured this as the legal right to cut down part of the forest and start your own little farm.) So, in modern terms, it seemed to mean that the government can’t stop you from “doing your own thing.”

But I realized the other day that this can’t be right. The Declaration says we have an inalienable right to “life, liberty, and the pursuit of happiness.” The reference to “liberty” already covers the freedom to pursue your own goals, whether that’s your own happiness or something else. So what did Jefferson mean by the right to the pursuit of happiness *other* than freedom from governmental restraint?

A little on-line research reveals that a number of philosophers of the time extolled the rational pursuit of “true and solid happiness.” Locke argued that in “pursuing true happiness as our greatest good, obliged to suspend the satisfaction of our desires in particular cases.”

In other words, there is a more deliberative aspect to choice than merely fulfilling our immediate desires. Locke also contended that we need to be able to avoid committing ourselves to any particular goal until we know “whether it has a tendency to, or be inconsistent with, our real happiness.”

Thus, for Locke, the pursuit of happiness involves self-knowledge about what would really make us happy, the ability to discern what actions will promote that happiness, and the self-control to rein in contrary impulses. The pursuit of happiness is different from hedonism or what economists call preference satisfaction; it requires a certain kind of wisdom and character.

For at least some eighteenth century philosophers, real happiness involved a

person’s pursuit of society’s happiness, not just his or her own. Either way, the sense seems different than that of homo economicus, pursuing arbitrary individual preferences by accumulating wealth. Rather, the sense seems closer to Aristotle’s view that “the happy man lives well and does well; for we have practically defined happiness as a sort of good life and good action.”

There is a growing body of happiness research showing that wealth has only a modest relationship with happiness once a minimum threshold has been met. Poor people are less happy than the middle-class, but after that, additional increments in wealth matter less. This research also reveals that fame, like wealth, does not have a deep impact on happiness; social ties and family are much more important. Unemployment creates great unhappiness that lasts even after the individual finds work again. Thus, some scholars argue persuasively that well-being analysis (WBA) would look much different than cost-benefit analysis.

Strikingly, unlike consumption (which is essentially an individual activity), most of the sources of happiness inherently require not just the cooperation of other specific individuals but supportive social conditions — for instance, an economy that provides employment opportunities or communities that provide the opportunity to form lasting friendships. In other words, “the pursuit of happiness” requires not just being allowed to “do your own thing”; it requires society to provide the conditions that make happiness possible.

If society has a duty to provide such conditions, that means that all of us collectively have that duty. (After all, collectively we *are* society.) So the inalienable right to the pursuit of happiness necessarily means the unavoidable duty (where required) to support the conditions under which others are able to pursue happiness. The flip side of the right to pursue happiness is a responsibility for maintaining a certain kind of community — thus, a degree of civil duty.

What does all this have to do with environmental law? It means that libertarian visions based purely on individual autonomy are missing the meaning of “life, liberty, and the pursuit of happiness.” Perhaps most obviously, it also means that cost-benefit analysis is the wrong way to think about social policy, because money is a poor measure of well-being. Individually and as a society, we need to be more concerned about the quality of our lives and our communities, and less about the quantity of our cash.