

The Pursuit of Happiness

by William C. Dennis

The occasion of the anniversary of the Independence of the United States of America traditionally has called for a few words about our institutions of Liberty. My few words combine three themes: the settlement of the Rocky Mountain West—a theme appropriate to our location here at Big Sky, Montana; the idea of Liberty—the special interest of our sponsor; and the Declaration of Independence itself—in remembrance of this particular anniversary.

I choose to call this address: “The Pursuit of Happiness.” I think Jefferson intended to suggest by his now-famous phrase, that happiness, if it is to come at all, comes more through the pursuit than the acquisition. Whatever the scholarly debate on the meaning of this phrase may eventually conclude, Americans over the ages have acted rather practically on the implied suggestion of Jefferson that happiness comes from living an active life of freedom.

For most people, through most of human history, change was likely to bring personal hardship—holding on to the little one had was about all that could be expected—and even the *idea* of progress was inconceivable. But self-betterment was a real possibility in America, and the hope of personal improvement was one of the driving forces in American settlement. But it was not so much ease and comfort they

Dr. Dennis is Director of Socratic Seminars at Liberty Fund, Indianapolis, Indiana.

This essay is adapted from a Fourth of July oration delivered at a conference at Lone Mt. Ranch, Big Sky, Montana, sponsored by the Political Economy Research Center, Bozeman, Montana, and Liberty Fund. It is reprinted here by permission.

sought, but opportunity. The restless mobility of Americans attests to the fact that material success by itself brought not happiness but boredom, and that too much security could be debilitating rather than liberating. Or at least so it once was; now times have changed. Perhaps we have lost some of the spirit of adventure in the pursuit of happiness once possessed by earlier generations.

I begin with a few stories of the westward movement. Let us look at *Journal of a Trapper*, by Osborne Russell. Russell was born in Bowdoinham, Maine in 1814 and died in Placer County, California, August 26, 1892. Maine was not yet a state at his birth and California was only an administrative province of the Spanish Empire. In April of 1834 Russell left Independence, Missouri, on what was to become a nine-year journey in the pursuit of happiness, heading for the Rocky Mountains as a fur trapper. Russell wandered all over the northern Rockies on incredible journeys of risk and daring.

Here, in his own words, is Russell’s description of his Fourth of July, 1835, in Jackson’s Hole in what now is Grand Teton National Park:

Here we again attempted to cross Lewis’ fork with a Bull skin boat July 4th Our boat being completed we loaded it with baggage and crossed to the other side but on returning we ran it into some brush when it instantly filled and sunk but without further accident than the loss of the boat we had already forded half the distance across the river upon horse back and were now upon a other shore. We now commenced making a raft of logs



UNIVERSITY OF NEBRASKA PRESS

Sketch from *Journal of a Trapper*.

that had drifted on the Island on this when completed we put the remainder of our equipments about 2 oclk P.M. and 10 of us started with it for the other side but we no sooner reached the rapid current than our raft (which was constructed of large timber) became unmanageable and all efforts to reach either side were vaine and fearing lest We should run on the dreadful rapids to which we were fast approaching we abandoned the raft and committed ourselves to the mercy of the current. We being all tolerable good swimmers excepting myself, I would fain have called for help but at this critical period every one had to Shift for himself fortunately I scrambled to the shore among the last swimmers. We were now on the side from whence we started without a single article of bedding except an old cloth tent whilst the rain poured incessantly. Fortunately we had built a large fire previous to our departure on the raft which was still burning

I now began to reflect on the miserable condition of myself and those around me, without clothing provisions or fire arms and drenched to the skin with the rain

I thought of those who were perhaps at this moment Celebrating the anniversary of our Independence in my Native Land or seated around tables loaded with the richest dainties that a rich independent and enlightened country could afford or perhaps collected in the gay Saloon relating the heroic deeds of our ancestors or joining in the nimble dance forgetful of cares and toils whilst here presented a group of human beings crouched round a fire which the rain was fast diminishing

meditating on their deplorable condition not knowing at what moment we might be aroused by the shrill war cry of the hostile Savages with which the country was infested whilst not an article for defense excepting our butcher Knives remained in our possession—(18-19)

Despite these miserable prospects, Russell did not expend much effort feeling sorry for himself. Indeed, his whole journal is laced with expressions of confidence and optimism in the face of adversity, of a sort all too lacking in today's far more comfortable world. For instance, here is from Russell's description of winter quarters 1836-37, located where Clark's Fork joins the Yellowstone River 11 miles west of Billings, Montana:

We all had snug lodges made of dressed Buffalo skins in the center of which we built a fire and generally comprised about six men to the lodge The long winter evenings were passed away by collecting in some of the most spacious lodges and entering into debates arguments or spinning long yarns until midnight in perfect good humour and I for one will cheerfully confess that I have derived no little benefit from the frequent arguments and debates held in what we termed The Rocky Mountain College and I doubt not but some of my comrades who considered themselves Classical Scholars have had some little added to their wisdom in these assemblies however rude they might appear.(51)

Crossing the Snake

Russell knew that he was engaged in a risky business and knew from experience that things could go quickly and dramatically wrong, that life was never secure. For instance, listen to this passage from an earlier crossing of the Snake on 21 June 1835:

Here we were obliged to cross Lewis' fork which is about 300 yds. wide and might be forded at a low stage of water, but at present was almost overflowing its banks and running at the rate of about 6 mls per hour. We commenced making a boat by sewing two raw Bulls hides together which we stretched over a frame formed of green willow branches and then dried it gradually over a slow fire during the night 22d Our boat being completed we commenced crossing our equipage and while 5 of us were employed at this a young man by the name of Abram Patterson attempted to cross on horse back in spite of all the advice and

entreaty of those present his wild and rash temper got the better of his reason and after a desperate struggle to reach the opposite bank he abandoned his horse made a few springs and sunk to rise no more—he was a native of Penna. about 23 years of age. We succeeded in crossing our baggage and encamped on the East side for the night. (14-15)

Russell was not insensitive about the loss of his young companion but he simply was aware that free men must accept certain risks, sometimes large risks indeed, if they were to accomplish anything of lasting interest with their lives, if they were to follow their dreams in the pursuit of happiness.

In Russell's world a man could act relatively freely on behalf of what he conceived to be his best interests. The gains of good decisions were largely his to reap. Errors in judgment were likely to be dramatically and swiftly brought to his attention. There were no licenses to be obtained, no regulations to comply with, no Environmental Impact Statement to file, no OSHA inspectors to appraise the risks and dangers of the trade, no Workers' Compensation for on-the-job injuries, and certainly no comprehensive medical and life insurance policies provided by his employer, the Charles River Fishing and Trading Company. Further, there were few records to be kept and no taxes to be paid. One wonders if the Rocky Mountain fur trade could be accomplished under today's regulatory regime.

Of course, Russell was an exceptional man in his own day. Most people did not head west; most did not willingly assume the risks of a fur trapper.

But Russell was not unique either—a spirit of daring, adventure, and risk acceptance was abroad in the land in America in the mid-nineteenth century. Here is another vignette of the trip west, of people out on the road in the pursuit of happiness—the Charlestown (Virginia) Mining Company, on the way to California in 1849. Some members of this company wrote of their Fourth of July in the following words:

Wednesday, July 4th

This is the glorious Fourth. The first dawn was ushered in by a noise from our six pounder, which reverberated, echoed & reechoed from hillock to hill, until the very earth itself seemed to tremble

in fear at such strange noises. We determined to remain upon the banks of Green River to spend the Fourth. (134)

* * *

We rested all that day engaged in cooking, sewing, and washing. Tom Moore, from Harper's Ferry, Virginia, was selected as orator of the day. He stood on a large stump and had an Indian pole in his left hand to steady himself with. He had his right one free to make gestures with. Being the Fourth of July, our quartermaster issued whisky rations. Some had more or less, and some didn't have any. Those are the ones that didn't drink. We hadn't had our little cannon out of the wagon since we started, and we concluded that we would take it out that day and chain it to the stump. Moore felt pretty good, feeling the effects of his whisky, and everytime that he would say anything patriotic would touch the little cannon off, and the echo would bellow up and down the valley. The Indians, when they heard that cannon, would not come anywhere near us. (134-135)

Not mentioned in these particular journals was that this Fourth of July saw the convening of court to try a company member for murder. Not mentioned either on this holiday occasion were some of the risks they had already faced on the road. On June 20, for example, on their crossing of the North Platte River in eastern Wyoming:

Wednesday, June 20th

A very cold & unpleasant morning. Roads good & our course was along Platte. In about 5 miles we reached Deer Creek, a small stream of clear, good water. Crossed & went down to the [Platte] River, where we found several hundred wagons, which were to be crossed there. Our Captain determined on crossing at this point. We lashed our two sheet iron bodies together, & after unloading our wagons, commenced crossing the river with our luggage &c. It took us until after night, several times our boat washing below the landing. A young man named Drenner, from St. Clairsville, Ohio, in attempting to swim a mule over the river, was thrown off & drowned. Seven men have been drowned in attempting to cross the river in the last week. One wagon went on a raft several miles before it could be stopped. Caught some fine fresh fish today. Several hundred wagons here, busy at work crossing day & night.

[Distance, 7 miles. (111)

Similar illustrations could be taken from the records of other nineteenth-century adven-

turers, from tales of the cowboy and the cattle baron testing their skills against the droughts and the blizzards of the high plains of Wyoming and Montana; of the miner trying to follow down a promising lead into the side of a mountain; of the sodbuster eking out a living on a lonely homestead on land better suited to sheep grazing; of the entrepreneur, whether bringing irrigation water across the Front Range to the farmers' fields, running a wagon line across the prairies from Leavenworth to Denver, or speculating in town sites and dreaming of the Caspers and Bozemans of the days to come. What Floyd B. Streeter, in his now classic *Prairie Trails and Cattle towns*, said of the wagoners could be said about most of these people: "The rougher and more dangerous the road the better it seemed to suit them" (p. 10).

These were free men and women, I think. But they were not atomistic individualists isolated from the society-at-large. The fur trapper was the representative of great private firms engaged in tough international competition for the trade, a competition which brought the Rocky Mountain country to the attention of the western world. The trapper's lines of communication stretched back over the plains to St. Louis, his capital came from the east, his markets were in Europe. He was the representative of the expectant capitalist on the march. Mining operations quickly turned from the lone prospector to the organized corporation once the rich veins and easily panned creeks were exhausted. The famous Swan Land and Cattle Company outside of Laramie was a British corporation. Horace Greeley wrote of the wagon freightline firm of Russell, Majors, and Waddell, in 1857: "... Such acres of wagons! such pyramids of extra axle trees! such herds of

oxen! such regiments of drivers and other employees! No one who does not see can realize how vast a business this is, nor how immense are its outlays as well as its income. I presume this great firm has at this hour two millions of dollars invested in stock, mainly oxen, lumber and wagons. (They last employed six thousand teamsters, and worked forty-five thousand oxen)."

Terry Anderson and P. J. Hill in their article "The Not So Wild Wild West" (*The Journal of Libertarian Studies*, Vol. III, No. 1) show how self-designed systems of law and order characterized western settlements as well. Americans in those days were willing to take the burdens of organizing their lives on their own shoulders and they established a number of creative formal and informal institutions to help manage social problems.

Solving Problems of Marketing and Supply

The rendezvous system of the fur trade solved problems of marketing and supply as well as providing what only can be called a helluva good time. Settlers claim clubs enforced informal rights to particular tracts of land and aided members in getting around the inefficient restrictions of Federal land law. Stockmen's associations grew up to deal with problems of allocating the open range, organizing roundups, running the livestock market, establishing brands, and policing ownership rights.

Justice as well as economic efficiency, and equity, was a concern of these informal systems. Here is one of my favorite descriptions of justice in action from an account of a wagon train to California in 1852:

At about 11 A.M. we passed the camp where on Saturday, July 3, some emigrants hung a man for murder. We did not learn the names. The company chose a judge to preside over the trial, and a sheriff, who empaneled a jury of twelve men, who heard all the evidence, after which the judge charged the jury. The jury retired a short distance from camp, under the charge of the sheriff chosen by the company for the emergency, for their deliberation. In about twenty minutes they returned and informed the court that they had decided on a verdict. The foreman then handed their written



verdict to the court, which read as follows: "We, the jury, do find the defendant guilty of murder in the first degree, as charged." Signed by all the jurors. The court immediately passed sentence on the defendant, to be hanged by the neck until dead, dead, dead, and may God have mercy on your soul. The company ran two wagons together, elevating the tongues in the shape of a letter "A," tying them together. On this improvised gallows the defendant was hung until life was pronounced extinct. Near by two graves were dug, one for the murdered man, the other for the murderer. Their burial being completed, the company started on their way. (170-171)

All this was done in just a few hours. Sometimes a hat would be passed among the wagons to provide a grubstake for the widows before the trains moved on.

The Charlestown Mining Company even had a constitution to guide their enterprise over the trail and on into the mining country. It provided for strong, even military, rule in time of crisis and set down rules for such diverse matters as the disbursement of funds, maintenance of moral standards, the admission and expulsion of company members, and the dissolution of the company—all in 22 articles.

Mining companies developed elaborate rules for allocating claims, settling disputes, establishing water rights, regulating mining activity, and electing officers to enforce the agreement. These rules were often so effective that they provided the basis for state mining codes.

On Their Own

Like most Americans these western pioneers were not averse to Federal aid when they could get it on their own terms—free grants of land, protection from the Indians, tariffs on sugar and beef imports, subsidies for transportation. But even so, their more typical view could be described as: Leave Us Alone. They accepted the risks of the pursuit of happiness and also the challenges of leading lives of free and, generally, responsible individuals capable of devising institutions to meet the needs of new environments without resort to central control and authority.

Only by the turn of the century, frustrated by the inability to acquire Federal land in econom-

ically efficient-sized tracts, and sharing to a degree in the largely unwarranted fears of the Progressives about monopolies, speculators, and the exhaustion of resources, did some westerners turn to the federal government for further aid—particularly in dealing with questions which continue to be of special concern to westerners.

It would be an exaggeration to claim that the western spirit of individualism and adventure, so characteristic of nineteenth-century Americans, no longer lives today. Despite burdensome regulations, over bearing bureaucracies, and high marginal tax rates, the willingness of Americans to dare greatly in the Pursuit of Happiness on their own terms seems alive and well, at least in certain parts of the nation.

The high tech industries of the computer revolution and the wonderful creations of the personal service and retail industries attest to the genius of the American entrepreneurial efforts. American scientists still garner a disproportionate share of Nobel Prizes. American agriculture, often to its own embarrassment, remains the productive envy of the world. The fields of both high culture and mass entertainment are growth industries that leave the lives of few Americans untouched by their creativity and it is hard to imagine another place in the world where more interesting creative achievements can be found. Scholarly researchers diligently labor in a huge variety of fields publishing their findings in a bewildering array of journals. At the newsstands the racks are laden with magazines to suit every conceivable taste and interest, a great material demonstration of freedom of the press.

Amateur and professional sportsmen continue to reach new heights of personal achievement, and an ever-increasing proportion of Americans include some athletic activity in the regular course of their lives. One of the activities of particular interest to me, that of mountaineering, seems to represent well some of the old virtues. In terms of physical conditioning, technical skills, mental discipline, and personal daring, American climbers continue to push forward the frontiers of possibility. This is an activity which especially requires its own society of free and responsible individuals where one must necessarily take charge of one's own

life in an endeavor which, like the exploits of Osborne Russell, seems to most people to be foolhardy indeed.

Many of these developments are what one would expect from a successful and prosperous country in which the people still remain remarkably free to pursue their own interests. It is a good and pious act on the Fourth of July to remember how free and fortunate as a nation we are.

But I also sense another force at work in the land, less fortunate, less encouraging for the long run survival of Liberty. Some of our wealth increasingly seems to be used in an effort to develop an impossible sort of dream based on the belief that happiness is a static condition of security, that risks are somehow unfair, or at least now unacceptable, and that the costs of living should be widely shared through the mechanisms of political compulsion.

Once happiness becomes not a quality to be pursued and earned with one's talents and opportunities at some cost and with certain trade-offs, but rather is seen as a condition of security, there is a great temptation to use political means to assure that security through a transfer of wealth. Further, the temptation grows to blame others when things go wrong and the desired security proves to be elusive. Such a social order will become not one of free and responsible individuals living in relative harmony with each other but instead a society characterized by irresponsibility and the fostering of contentious behavior.

The desire for security in and of itself is not unreasonable. We might differ where the line of reasonableness lies, but as long as each individual decides for himself what measure of security to purchase with his own resources, no problem exists. So it is not surprising that in a relatively rich country more security, just like more amenities, more luxuries, and more leisure, might be a desirable good. Therefore we find more resources devoted to good health, to insurance of various kinds, to contracts spelling out responsibilities for the reduction in occupational hazards, to safer mechanical equipment, to better warning and protection systems. But what is troubling is that as a nation we have gone beyond a reasonable purchase of reduced

risk based on an individual's own evaluation of the costs and benefits of greater security. In certain circles these days, critics of U.S. foreign policy have claimed, rightly I think, that absolute security *vis à vis* other nations is not possible. But neither is absolute security from the dangers of life itself. After nine years of residence in what he called a "wild, inhospitable region," Osborne Russell moved on to the settlements in Oregon where he was nearly killed in a construction accident. As he wrote: expecting now to live "in comparative security free from the harassing intrigues of Dames Fortunes Eldest daughter but I found it was all a delusion for danger is not always greatest when most apparent. . . ." (126) Precisely so—and, I would add, apparent dangers are not always the most serious ones.

I have used up most of my available time commemorating the heroes of past ages—and by implication urging us on to embrace in our own lives their spirit of adventure. So now only a few minutes remain to develop this thought on the current misguided quest for security. But just look at recent headlines: the national campaign to raise the drinking age; compulsory seat belt laws; flood relief for farmers and emergency crop loan programs; new warnings on cigarette packages; compulsory cost-of-living pension demands; truck drivers shooting each other over rises in fuel prices; reduced speed limits on interstate highways; compulsory insurance taxes; unreasonable testing standards imposed on drug companies; the national cancer scare; the regulation of workplace conditions without regard to costs, risks, or contractual arrangements. One could go on. Your list would probably be different. And some of these examples, I confess, are more personal piques than matters of great national concern.

But just to push this point a bit further—and without making any judgments on the underlying difficult moral questions—here are a few more examples of what seems to be a growing interest on the part of many to avoid bearing the costs of their own interests and decisions: using abortion as a form of birth control; turning to the State for retirement programs for the elderly and child care for the young; petitioning the International Trade Commission for relief from foreign competition; passing the social cost of



A nineteenth-century Independence Day celebration.

burning high-sulphur coal on to the nation at large; using public funds to promote recreation, aesthetic, and intellectual amenities for the few who enjoy them at the expense of many. Each of these examples illustrates a failure of people to take charge of their own lives—each reveals people acting, in effect, like children instead of adults, by denying the reality of cause and effect or by failing to act responsibly. Each violates the historic principles of the American version of the pursuit of happiness.

If the cost of all risk is going to be borne socially instead of individually and if society grows more “risk averse,” if no one is truly accountable for his acts, and if, as it is said in *Alice in Wonderland*, “All have won the race, and all must have prizes,” then the next step must be an increasing social regulation of behavior itself in an effort to control the costs of individual activity—the prohibition of tobacco, the requirement of seat belts and air bags, compulsory communal physical exercise, the political regulation of numbers of births, the rearing of children by the collectivity in order to save them from irresponsible parents, compulsory insurance participation of all sorts, child-safe medicine bottles, flame retardant sleepwear regulations, land use planning. Some of these examples are already in effect, others merely dreams in the mind’s eye of “progressive” reformers. Hardly a day passes without the discovery of a problem somewhere and the decla-

ration in high dudgeon at the existing situations, “There Ought To Be A Law!”

But as Osborne Russell said, the effort to escape all danger is a delusion which leads more to the loss of Liberty than to real personal security. We know that free societies have been rare throughout history; we know that Liberty can be eroded by incremental changes on the margin of action; we know too that the unfree society is the truly dangerous society, where productivity is limited, human misery high, and progress nil. Seeking security, rather than pursuing happiness; treating citizens like children, not adults; failing to protect the institutions which support Liberty and responsibility—these are dangers worth worrying about; these are dangers we know how to handle if we have the political will to do so.

Evelyn Waugh has an outrageous story entitled “Love Among the Ruins”—not, I fear, one of his better works—about a socialist Britain where everything is provided for and where all risks are socially managed. Life is secure, risks are minimal, but life is not happy. People are, literally, bored to death. But the State-managed economy is so inefficient that it cannot keep up with the demand for the services of the Public Euthanasia Centers and Crematoria by people seeking escape from the socialist Utopia. In Waugh’s exaggerated satire we see a possible vision of the future to come.

On this occasion of the Anniversary of National Independence it is worth reminding ourselves once again that for the founding fathers the great historic division of the social order was not the rich and the poor, the black and the white, the educated and the ignorant, the lucky or the misfortunate, nor the healthy and the miserable, but rather the responsible and the irresponsible or, otherwise, the freeman and the slave. They stood then for Liberty. We should ask ourselves: Do we still stand solidly with them today? □

Note: Quotations in the text are from the following sources: Osborne Russell, *Journal of a Trapper* (Lincoln: University of Nebraska Press, 1955). *Trail to California: The Overland Journal of Vincent Geiger and Wakeman Bryarly*, ed. by David M. Potter (New Haven: Yale University Press, 1945), Floyd B. Streeter, *Prairie Trails and Cattleowns* (New York: Devin Adair Company, 1963), Herbert P. Eaton, *The Overland Trail to California in 1852* (New York: G. P. Putnam’s Sons, 1974).

Lessons in Liberty: The Dutch Republic, 1579-1750

by Robert A. Peterson

The Dutch must be understood as they really are," wrote Daniel Defoe, "the Middle Persons in Trade, the Factors and Brokers of Europe . . . they buy again to sell again, take in to send out, and the greatest part of their vast commerce consists in being supplied from all parts of the world that they may supply all the world again."¹ What Defoe was describing was perhaps the freest society in Europe, the Dutch Republic. While Puritans and Cavaliers were still fighting each other in England—the nation we think of most as laying the foundation for freedom in the modern world—Holland served as a haven for refugees from both sides.

The modern world provides us with hundreds of examples of what happens when a nation adopts the philosophy and practices of socialism. Certainly we can learn from bad examples—about what not to do—but we can learn equally well from good examples. Unfortunately, such positive "role models" are few and far between. History does provide us with some, however,—Hong Kong comes to mind, as do nineteenth-century Britain and America. The Dutch Republic is one example that has been often overlooked.

Newly freed from Spanish oppression, the Dutch built one of the world's great civilizations. In art, it was the age of Hals, Rembrandt,

Vermeer, and deHooch. Of this period historian Peter Gay has written, "Never in history has one country—and so small a country!—produced so many painters of such high caliber in such short time."² In science and philosophy, it was the age of Huygens and van Leeuwenhoek, and of Descartes and Spinoza. Finally, in commerce, it was the golden age of Dutch influence, as Dutch ships plied the oceans and explored the Tasman Sea and Barents Straits. By 1625, The Netherlands was engaged in more shipping than all other countries of the world combined. Yet, unlike many other nations, her prosperity was not built on military adventurism or expropriation from others, but on an underlying philosophy of freedom.

The prosperity and freedom that the Dutch enjoyed in the sixteenth and seventeenth centuries were largely the result of the interplay of various ideas which came together at the right time. First, through their constant struggle with the sea, the Dutch had developed into one of Europe's most disciplined and hard-working peoples. Second, the Dutch had recently experienced the tyranny of government intervention under the Spanish—and they found out that they didn't like it. After an epic struggle for freedom, the Dutch weren't about to allow their new rulers to govern with the same heavy hand. In Holland, old priests became new regents writ small. Third, there was the influence of Calvinism. Like most of Northern Europe, Holland had been deeply touched by the

Mr. Peterson is headmaster of The Pilgrim Academy in Egg Harbor City, New Jersey. His articles have appeared in a variety of publications, including National Review and Human Events.