

# PURSUIT OF HAPPINESS: PROPERTY IN THE CONSTITUTION<sup>1</sup>

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## I. INTRODUCTION

Framers of the United States Constitution relied on the Declaration of Independence in 1776. They drew ideas and reframed knowledge. This Article examines a parallel between the documents. It analyzes the use of “property” and “happiness” in phrases that are similar. The Article covers language in *Meyer v. Nebraska*.<sup>4</sup> After parsing through the dissent, the Article explains federal examination of property in Yankeetown, Florida. The town was depicted in Elvis Presley’s film, *Follow That Dream*.<sup>5</sup> Rounding out cinematographic support for

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<sup>1</sup> U.S. Congress, Floor Calendars, Congress (2024), <https://www.congress.gov/calendars-and-schedules>. A calendar, for example, is a physical object as well as a mental path.

<sup>2</sup> To the intelligent minister

<sup>3</sup> Coast Guard planner

<sup>4</sup> *Meyer v. Nebraska*, 262 U.S. 390 (1923).

<sup>5</sup> Elvis Presley, *Follow that Dream* (1962).

the importance of discussing property, especially as it correlates to the discussion of happiness, the Article brings out Judy Garland's *The Harvey Girls*.<sup>6</sup> The Article concludes that while the founders were specific, they had in mind a correlation that implies further interest.

## II. FOUNDERS' PATH

The Constitution's framers, American founders, planned the document to be congruent with the Declaration of Independence. The defeated monarchy was chastised while American law was asserted. The Declaration of Independence says the following:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men,

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<sup>6</sup> Eui-Jee Hah, Peter Schmutz, Alexandre N. Tuch, Doris Agotai, Martin Wiedmer, & Klaus Opwis, *Cinematographic Techniques in Architectural Animations and Their Effects on Viewers' Judgment*, 2 INTERNATIONAL JOURNAL OF DESIGN 29 (2008).

deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.<sup>7</sup>

This was said in 1776.<sup>8</sup>

The United States Constitution says:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.<sup>9</sup>

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<sup>7</sup> The U.S. National Archives and Records Administration, "Declaration of Independence: A Transcription," Founding Documents, <https://www.archives.gov/founding-docs/declaration-transcript>.

<sup>8</sup> *Id.*

<sup>9</sup> The U.S. National Archives and Records Administration, "The Constitution: Amendments 11-27," Amendment XIV, Section 1,

This was said in 1866.<sup>10</sup> These pillars have supplied distinct potential for American desires and deeds.

The famous cases under *Meyer v. Nebraska* use language that states that the documents support the same people.<sup>11</sup> In that case students and teachers were supported while the military and its aims received some support as well. German language was cancelled in response to aggression, but the parents of good students were able to teach them the language through schools. The documents came together in this case through dicta.

The United States Supreme Court mixed evaluative strategies by looking a law, philosophy, and policy, for example, to make a solution benefiting all involved. The “Ordinance of 1787, 'Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.'”<sup>12</sup> It weighed the attempts by the people

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Founding Documents, <https://www.archives.gov/founding-docs/amendments-11-27>.

<sup>10</sup> *Id.*

<sup>11</sup> *Meyer v. Nebraska*, 262 U.S. 390 (1923).

<sup>12</sup> *Meyer v. Nebraska*, 262 U.S. 390, 400 (1923).

of Nebraska to remove and include various opportunities in consideration of the hostile climate.

The Court brought property in its discussion with liberty.

The problem for our determination is whether the statute as construed and applied unreasonably infringes the liberty guaranteed to the plaintiff in error by the Fourteenth Amendment:

'No state ... shall deprive any person of life, liberty or property without due process of law.'

...Without doubt, it denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, establish a home and bring up children, to worship God according to the dictates of his own conscience, and generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men.<sup>13</sup> *Meyer v. Nebraska*, 262 U.S. 390, 399 (1923).

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<sup>13</sup> *Meyer*, 262 U.S. 390, 399 (1923). U.S. CONST. AMEND. XIV.

Like the case of government-backed group thinking discussed throughout this Article, the other characteristics of American culture show how the phrases are used. They inject benefits and withdraw parity.

The penetration of schools by the Court yielded a satisfying result for all involved after it was discovered that the justices found additional benefits through the matter. This belief resonates today. The Court believes that “liberty” is defined by the “pursuit of happiness;” though “denotes” “generally” that the constitutional right echoes the Declaration of Independence phrase, in a list which is disjunctive with “property.”<sup>14</sup> Because the Declaration of Independence uses “pursuit of happiness” where the bill of rights and Equal Protection Amendment use “property,” “pursuit of happiness” can be defined as “property.”<sup>15</sup> While this novel research points it out the concrete reflection of their talks brings another level to the analysis presented here because it is

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<sup>14</sup> *Id.*

<sup>15</sup> Meyer, 262 U.S. 390, 399 (1923); DECLARATION OF INDEPENDENCE (1776); U.S. CONST. AMEND. XIV.

evidence that in any matter where property and happiness are in a similar circumstance one idea could accompany the other.

In *Cruzan v. Director, Missouri Department of Health*, the Court backed Missouri when the government said that one statement by a friend was not enough at that stage to support a parent's decision to end life support keeping their adult daughter alive.<sup>16</sup> The Court used the entire phrase, not just the term "liberty," including the term "property" to discuss why a right to die and live, a matter of how happy one would be, in some senses, to plan and to be vegetative, as it ruled that the Fourteenth Amendment's protected liberty interest, not a Fifth Amendment substantive due process right would guide. It said in note seven that although the famous right that came to mean that people could sequester and do as they wish in their homes, thus be gay, was

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<sup>16</sup> *Cruzan v. Director, Missouri Dep't of Health*, 497 U.S. 261 (1990).  
*In re Quinlan*, 70 N.J. 10, 355 A. 2d 647, cert. denied sub nom.,  
*Garger v. New Jersey*, 429 U.S. 922 (1976).

not at issue, like the right protecting one from fraud and oral wills, it was a hard right, property right.<sup>17</sup>

The *Meyer* dissent neatly summarized emotional tangents to ground the analyzes and therefore limit hybrids.<sup>18</sup> Adopting the dissent of Justice Oliver Wendell Holmes to argue for the association of “property” and “happiness” to strengthen protections makes it so that “[w]e all agree...that it is desirable that all the citizens of the United States should” “therefore” work to see “that the end aimed at by the” association “is a lawful and proper one. The only question is whether the means” of acquiring property “deprive...the liberty secured to them by the Fourteenth Amendment.”<sup>19</sup> The argument ends with a record of congruence. Expecting that future lawyers would see the relationships they discussed

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<sup>17</sup> “Although many state courts have held that a right to refuse treatment is encompassed by a generalized constitutional right of privacy, we have never so held. We believe this issue is more properly analyzed in terms of a Fourteenth Amendment liberty interest. See *Bowers v. Hardwick*, 478 U.S. 186, 194, 195 (1986).” *Cruzan*, 497 U.S. 261 (1990), at n. 7.

<sup>18</sup> *Meyer*, 262 U.S. 390 (1923) (dissent). *Pohl v. State*, 102 Ohio St. 474, 132 N. E. 20 (1921). See *id.* citing Sections 7762-1, 7762-2 and 7762-3, General Code.

<sup>19</sup> *Bartels v. State of Iowa*, 262 U.S. 404, 412 (1923) (see *Meyer*, 262 U.S. 390 (1923) (dissent)).



the justices strolled through profound motives for constitutional interpretation transforming a normally veiled train of thought into a well-cited basis for decisions.

### III. PROPERTY RECORDING

The constitutional aim to echo the founders' ideas is applied in the real world by the United States Coast Guard. This Section describes an example of how property and happiness come together for some Americans. Coast Guard property in Yankeetown, Florida is maintained, protected, and guarded. Yankeetown, a place known for the portrayal by Elvis Presley of a natural area repurposed in a fight against the government by citizens that transformed a wild embankment into a beachfront area for poor travelers, has kept its charm.<sup>20</sup>

The property under direction has maintained treated and enduring materials that help the area, a characteristic seclusion that fosters government

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<sup>20</sup> Elvis Presley, *Follow that Dream* (1962).

oversight, and facilities reacting to weather and global variations in a manner consistent with the principles of engineering and ecology. The Coast Guard maintains the style of oversight throughout the country in locations sharing the wild beauty of Yankeetown, like the beaches of South Florida and the Florida Keys, and those better known for industries inviting travelers, like Charleston, South Carolina. The organization satisfies the constitutional comparison by involving boarding, a matter rooted in property, with the maintenance of land, a matter rooted in property and the happiness of those working on land that connect with grasses and other land creatures sharing their emotional presence.

Finally, some laws and policies prove that the Court's role in bringing happiness and property together could meet the needs of people, using film for example, to correlate their ideas with possibilities. Legislation on-point shows that the Coast Guard, guarding the coast, must board in or

around Coast Guard facilities<sup>21</sup> Courts are involved in this Article because they can examine and weigh, like the above cases, each side. This is unlike the movie because the movie shows people wanting to destroy the area and the government intervening weakly and for personal gain.<sup>22</sup> The government, through the Coast Guard orders liberty.

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<sup>21</sup> 14 U.S. Code § 2946, Coast Guard Housing Fund, directs the activity, and Deputy Commandant for Mission Support, <https://www.dcms.uscg.mil/Portals/10/DOL/...> COAST GUARD HOUSING MANUAL, COMDTINST M11101.13G (Jun. 2, 2017) — Under authority of Title 14 U.S.C. §475(a) and Title 14 U.S.C. §670, details rules.

<sup>22</sup> Elvis Presley, *Follow that Dream* (1962).

IV. JUDY GARLAND, *THE HARVEY GIRLS*  
(1946).<sup>23</sup>

*The Harvey Girls* is a film starring the memorable Judy Garland.<sup>24</sup> She plays a mail order bride. On her way to meet her distant suitor, she falls in with a crew of wild women. They are waitresses travelling toward an entertainment establishment. Explaining herself, she says "the Constitution guarantees happiness....It's up to me to do the pursuing."<sup>25</sup> The character's humorous situation is that she is surrounded in transit<sup>26</sup> by a group of women known to bring things to seated people. She was involved in a line of work, the mail, when she became like a parcel and was sent-for by her interested awaiting date. The prospective bride says that constitutionally she is pursuing happiness by

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<sup>23</sup> Judy Garland, *The Harvey Girls* (1946).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> See Gordon Oliver, "Kaiser Shipyards," Oregon Encyclopedia, Oregon Historical Society, [https://www.oregonencyclopedia.org/articles/kaiser\\_shipyards/](https://www.oregonencyclopedia.org/articles/kaiser_shipyards/); Michael Graham Balfour, "William II, Emperor of Germany," BRITANNICA, <https://www.britannica.com/biography/William-II-emperor-of-Germany>.

shipping-off toward her potential mate. Alas, she is persuaded and exposed to harried and conflicted crowds evading her original purpose and meeting a less stable male.

In the end, a person following the film might find that the young woman cited the Constitution to say that in declaring her independence she evaded objectification, or worse and life on the shelf. If she is replicated by her fans, Judy Garland's portrayal of this character could lead them to do the opposite or something the Court might see as a rooted or just exercise. The person might pursue happiness by arranging to marry, accounting not under the right to privacy for marriage and housing, but under the same terms discussed *supra* for a right to own and use property a certain way and with selected individuals. The film's audience is stirred by the young girl's reliance on the law to form her dream, yet taken through various scenarios that eliminate the possibility that they are constitutional.<sup>27</sup> Therefore, the fictional work shows that although she brings

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<sup>27</sup> Judy Garland, *The Harvey Girls* (1946).

together the concepts, she is relying on past notions, in need of firming practices, to stay close to the vision driving her needs across America.

## V. CONCLUSION

In conclusion, the Coast Guard's approach in Yankeetown is a good example of property management skills overlapping with happiness that makes a comparison between the Declaration of Independence and the Fourteenth Amendment of the Constitution a good subject for legal analyses. The presence of fictional dissent in the area as well as the amount of attention paid to the issues raised shows that although the two things are realistically unrelated they speak, in a way, to the same saving forces. Like the constitutional terms, the compared positions are strengthened and leave room for more work able to improve the situations of those investigating the terms, the films and other angles discussed here.