

Jefferson's Usufruct Comment to Madison, Compared to Lucretius

Post by “Cassius” of June 10, 2021 at 4:48 PM

[Thomas Jefferson to James Madison, 6 September 1789:](#)

Quote

The question Whether one generation of men has a right to bind another, seems never to have been started either on this or our side of 1 the water. Yet it is a question of such consequences as not only to merit decision, but place also, among the fundamental principles of every government. The course of reflection in which we are immersed here on the elementary principles of society has presented this question to my mind; and that no such obligation can be so transmitted I think very capable of proof.—I set out on this ground, which I suppose to be self evident, ***‘that the earth belongs in usufruct to the living’***: that the dead have neither powers nor rights over it.

[Lucretius Book 3 \(Munro\), Approximately Line 970 \(see page 104\)](#)

Quote

With good reason methinks she would bring her charge, with reason rally and reproach; for old things give way and are supplanted by new without fail, and one thing must ever be replenished out of other things; and no one is delivered over to the pit and black Tartarus. Matter is needed for after generations to grow; all of which though will follow thee when they have finished their term of life; and thus it is that all these no less than thou have before this come to an end and hereafter will come to an end. Thus one thing will never cease to rise out of another, ***life is granted to none in fee-simple, to all in usufruct.***

No, [Don](#), I have not yet had time to check the Latin for usufruct!

And this reminds me [Joshua](#) , in all the public domain translations I have, I don't think I have a good version of a side by side Latin English in PDF that we can distribute freely. I've looked for many years for an older-date Loeb edition, but I cannot find one anywhere. If anyone knows how we might remedy that please let me know! The [1743 Edition which is included in our Podcast PDF](#) is in fact side by side, and may suffice for many uses, but it is printed with the older font style in which "s" appears as "f" and as a result it can be inconvenient to read.

But now that I am there, here is the 1743 translation: "*Beings never cease to rise from the ruins of one another, and life was given to none for a property, but only for use.*" Unfortunately

I can't match the Latin; will have to come back.