(1) The Oppian law, 215 b.c., provided that no woman should possess more than half an ounce of gold, or wear a dress of different colours, or ride in a carriage in the city or within a mile of it except on occasions of public religious ceremonies. This law, which had been partly dictated by the financial necessities of the conflict with Hannibal, was repealed twenty years later, against the advice of Cato. Livy (xxxiv. 1-8) gives an interesting account of the com­motion excited by the proposal of the repeal, and of the exertions of the Roman women against the law, which almost amounted to a female *émeute.* (2) The Orchian law, 187 b.c., limited the number of guests at entertainments. An attempt being made to repeal this law, Cato offered strong opposition and delivered a speech on the subject, of which some fragments have been preserved. (3) The Fannian law, 161 b.c., limited the sums to be spent on enter­tainments; it provided amongst other things that no fowl should be served but a single hen, and that not fattened. (4) The Didian law, 143 b.c., extended to the whole of Italy the provisions of the Fannian law, and made the guests as well as the givers of entertain­ments at which the law was violated liable to the penalties. After a considerable interval, Sulla anew directed legislation against the luxury of the table and also limited the cost of funerals and of sepulchral monuments. We are told that he violated his own law as to funerals when burying his wife Metella, and also his law on entertainments when seeking to forget his grief for her loss in extravagant drinking and feasting (Plut. *Sull.* 35). Julius Caesar, in the capacity of *praefectus moribus,* after the African War re­enacted some of the sumptuary laws which had fallen into neglect; Cicero implies *(Ep. ad Att.* xiii. 7) that in Caesar’s absence his legis­lation of this kind was not attended to. Suetonius tells us that Caesar had officers stationed in the market-places to seize such provisions as were forbidden by law, and sent lictors and soldiers to feasts to remove all illegal eatables *(Jul.* 43). Augustus fixed anew the expense to be incurred in entertainments on ordinary and festal days. Tiberius also sought to check inordinate expense on banquets, and a decree of the senate was passed in his reign forbid­ding the use of gold vases except in sacred rites, and prohibiting the wearing of silk garments by men. But it appears from Tacitus *(Ann.* iii. 5, where a speech is put into his mouth very much in the spirit of Horace's “ Quid leges sine moribus vanae proficiunt? ”) that he looked more to the improvement of manners than to direct legislative action for the restriction of luxury. Suetonius mentions some regulations made by Nero, and we hear of further legislation of this kind by Hadrian and later emperors. In the time of Tertullian the sumptuary laws appear to have been things of the past *(Apol.* c. vi.).

In modern times the first important sumptuary legislation was: in Italy that of Frederick II.; in Aragon that of James I., in 1234; in France that of Philip IV.; in England that of Edward II. and Edward III. In 1294 Philip IV. made provisions as to the dress and the table expenditure of the several orders of men in his kingdom. Charles V. of France forbade the use of long-pointed shoes, a fashion against which popes and councils had protested in vain. Under later kings the use of gold and silver embroidery, silk stuffs and fine linen wares was restricted —at first moral and afterwards economic motives being put forward, the latter especially from the rise of the mercantile theory. In England we hear much from the writers of the 14th century of the extravagance of dress at that period. They remark both on the great splendour and expensiveness of the apparel of the higher orders and on the fantastic and deforming fashions adopted by persons of all ranks. The parliament held at Westminster in 1363 made laws (37 Edw. III. c. 8-14) to restrain this undue expenditure and to regulate the dress of the several classes of the people. These statutes were repealed in the following year, but similar ones were passed again in the same reign. They seem, however, to have had little effect, for in the reign of Richard II. the same excesses prevailed, apparently in a still greater degree. Another statute was passed in the year 1463 (3 Edw. IV. c. 5) for the regulation of the dress of persons of all ranks. In this it was stated that “ the commons of the realm, as well men as women, wear excessive and inordi­nate apparel to the great displeasure of God, the enriching of strange realms, and the destruction of this realm.” An act of 1444 had previously regulated the clothing, when it formed part of the wages, of servants employed in husbandry: a bailiff or overseer was to have an allowance of 5s. a year for his clothing, a hind or principal servant 4s., and an ordinary servant 3s. 4d.— sums equivalent respectively to 50s., 40s. and 33s. 4d. of our money (Henry). Already in the reign of Edward II. a proclama­tion had been issued against the “ outrageous and excessive multitude of meats and dishes which the great men of the king­dom had used, and still used, in their castles,” as well as “ per­sons of inferior rank imitating their example, beyond what their stations required and their circumstances could afford ”; and the rule was laid down that the great men should have but two courses of flesh meat served up to their tables, and on fish days two courses of fish, each course consisting of but two kinds. In 1336 Edward III. attempted also to legislate against luxurious living, and in 1363, at the same time when costumes were regulated, it was enacted that the servants of gentlemen, merchants and artificers should have only one meal of flesh or fish in the day, and that their other food should consist of milk, butter and cheese. Similar acts to those above mentioned were passed in Scotland also. In 1433 *(temp.* James I.), by an act of a parliament which sat at Perth, the manner of living of all orders in Scotland was prescribed, and in particular the use of pies and baked meats, which had been only lately introduced into the country, was forbidden to all under the rank of baron. In 1457 *(lemp.* James II.) an act was passed against “ sumptuous cleithing.” A Scottish sumptuary law of 1621 was the last of the kind in Great Britain.

In Japan sumptuary laws have been passed with a frequency and minuteness of scope such as has no parallel in the history of the western world. At the beginning of the nth century we find an Imperial edict regulating the size of a house and even imposing restrictions as to the materials of which it is to be built. But it was during the Tokugawa period that sumptuary laws and regulations were passed in the most bewildering profusion; every detail of a man’s life was regulated down to the least particular—from the wearing of a beard or the dressing of the hair down to the cost of his wife’s hairpins or the price of his child’s doll.@@1

A. Ferguson and others have pointed oat that “ luxury ” is a term of relative import and that all luxuries do not deserve to be dis­couraged. Roscher has called attention to the fact that the nature of the prevalent luxury changes with the stage of social develop­ment. He endeavours to show that there are three periods in the history of luxury'—one in which it is coarse and profuse; a second in which it aims mainly at comfort and elegance; and a third, proper to periods of decadence, in which it is ∣>erverted to vicious and unnatural ends. The second of these began, in modern times, with the emergence of the Western nations from the medieval period, and in the ancient communities at epochs of similar transi­tion. Roscher holds, that the sumptuary legislation which regularly appears at the opening of this stage was then useful as promoting the reformation of habits. He remarks that the contemporary formation of strong, governments, disposed from the consciousness of their strength to interfere with the lives of their subjects, tended to encourage, such legislation, as did also the jealousy felt by the hitherto dominant ranks of the rising wealth of the citizen classes, who are apt to imitate the conduct of their superiors. It is certainly desirable that habits of wasteful expenditure and frequent and wanton changes of fashion should be discouraged. But such action belongs more properly to the spiritual than to the temporal power. In ancient, especially Roman, life, when there was a confusion of the two powers in the state system, sumptuary legislation was more natural than in the modern world, in which those powers have been in. general really, though imperfectly, separated. Political econo­mists are practically unanimous in their reprobation of the policy of legislative compulsion in these matters. In a well-known passage Adam Smith protests against the “ impertinence and presumption of kings and ministers in pretending to watch over the economy of private people and to restrain their expense, being themselves always and without any exception the greatest spendthrifts in the society.” Yet he does not seem to have been averse from all attempts to influ­ence through taxation the expenditure of the humbler classes. The modern taxes on carriages, coats of arms, male servants, playing cards, &c., ought perhaps not to be regarded as resting on the principle of sumptuary laws, but only as means of proportioning taxation to the capacity of bearing the burden.

The *loci classici* on Roman sumptuary laws are Gellius, *Nodes atticae,* ii. 24, and. Macrobius, *Saturn,* iii. 17. For Great Britain see Henry of Huntingdon, *Historia Anglorum* (“ Rolls Series,” ed. T. Arnold, 1879); W. Cunningham, *Growth of English Industry and*

@@@1 See Captain F. Brinkley's *Japan, its History, Arts and Litera­ture* (1904), i. 138, 205, 140-144, ii. 98, 99, iv. 157-162; *Trans, of the Asiatic Soc. of Japan,* vol. xix., " Notes on Land Tenure and Local Institutions in Old Japan,” ed. by Professor J.H. Wigmore; vol. xx., “ Materials for the Study of Private Law in Old Japan,” by Professor Wigmore.