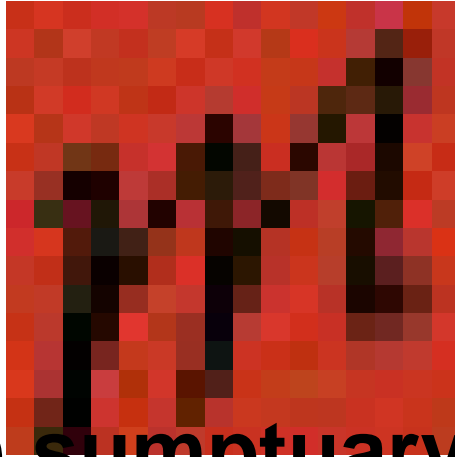


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## VII.4 On sumptuary laws in monarchies

- The Spirit of Law - Book VII. Consequences of the different principles of the three governments with respect to sumptuary laws, to luxury, and to the condition of women -

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## VII.4 On sumptuary laws in monarchies

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"The Suiones, a Germanic nation, give honor to wealth," says Tacitus, "for which reason they live under the government of one man alone." [1] What that means is that luxury is singularly proper to monarchies, and that in them there should be no sumptuary laws.

As wealth is, by the constitution of monarchies, unequally shared, there must necessarily be luxury. If the rich there do not spend much, the poor will die of hunger. The rich must even spend in proportion to the inequality of fortunes ; and luxury, as we have said, must increase proportionately. Private wealth has increased only because it has taken the physical necessities away from a portion of the citizens, which must therefore be returned to them.

Thus, in order for the monarchical state to sustain itself, luxury must go incrementally from the laborer to the artisan, to the merchant, to the nobles, to the magistrates, to the great lords, to the principal financiers, to the princes ; otherwise all would be lost.

In the Roman senate, composed of grave magistrates, juriconsults and men imbued with the thought of the earliest times, the correction of the morals and luxury of women was proposed under Augustus. It is curious to see in Dio [2] the skill with which he eluded the importunate demands of those senators. But he was founding a monarchy, and dissolving a republic.

Under Tiberius, the ædiles proposed in the senate the re-establishment of the former sumptuary laws. [3] The prince, who had some understanding, objected : "The state could not subsist," he said, "in the present state of things. How could Rome live ? How could the provinces live ? We had some frugality when we were citizens of a single city ; today we consume the riches of the entire world ; masters and slaves work for us." He was quite aware that there must be no more sumptuary laws.

When under the same emperor it was proposed in the senate that governors be forbidden to take their wives into the provinces because of the dissoluteness they brought there, this was rejected. They said that "the examples of rusticity of the ancients had been changed into a more agreeable way of living." [4] They realized that different ways were called for.

Luxury is thus necessary in monarchical states ; it is even more so in despotic states. In the former, it is a use that is made of what freedom people possess ; in the latter it is an abuse they make of the advantages of their servitude, when a slave chosen by his master to tyrannize his other slaves, uncertain for the morrow of each day's fortune, has no other felicity than to satisfy his pride and the desires and delights of each day.

All this leads to an observation : republics end in luxury, monarchies in poverty. [5]

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[1] *De moribus Germanorum*.

[2] Dio Cassius, book LIV.

[3] Tacitus, *Annals*, book III.

[4] *Multa duritiei veterum melius et loetius mutata* (Tacitus, *Annals*, book III).

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[5] *Opulentia paritura mox egestatem* ['Opulence soon foments poverty'] (Florus, book III).