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## restraint, *n.*

**Pronunciation:** Brit. /rɪ'streɪnt/, U.S. /rə'streɪnt/

, /rɪ'streɪnt/

**Forms:** IME **restrancte**, IME **restreyngt**, IME-16 **restraynt**, IME-16 **restraynte**, IME-16 **restreint**, IME-16 **restreinte**, IME-16 **restreynt**, IME-16 **restreynte**, IME- **restraint**, 15 **restraincte**, 15 **restreinct**, 15 **restrent**, 15-16 **restrainct**, 15-16 **restrainte**; also *Scottish* pre-17 **restrante**, pre-17 **restreaint**, pre-17 **restreant**, pre-17 **restreincte**, pre-17 **ristraint**, pre-17 17 **restrent**.

**Frequency (in current use):**

**Origin:** A borrowing from French. **Etymons:** French *restreinte*, *restrainte*.

**Etymology:** < Anglo-Norman *restreinte*, *restreint* and Middle French *restrainte*, *restraincte* (French †*restrainte*, †*restraincte*) act of binding, constricting (1240 in Old French in medical use), restraining order (1306), restriction, limitation (14th cent.) < *restraintre* RESTRAIN *v.*<sup>1</sup>

### 1.

†**a.** An ordinance or injunction which imposes a restriction; such a prohibition itself. *Obsolete.*

- 1439-40 *Rolls of Parl.: Henry VI* (Electronic ed.) Parl. Nov. 1439 §57. m. 2 Ther was maad a restreint that noon schulde passe out of this land.
- 1464 in *Manners & Househ. Expenses Eng.* (1841) 187 Any restraynt or ordenaunce made to the contrary nat wythstandyng.
- 1483 *Rolls of Parl.: Edward IV* (Electronic ed.) Parl. Jan. 1483 §27. m. 2 A restreint was made, that certein thynges of silkewerk..shuld not be brought into this reame redy wrought.
- 1526 W. BONDE *Pylgrimage of Perfection* III. sig. PPPiiii The seuenth commaundement..& the last of the .x. in maner also doubleth the restraynt of theft.
- 1594 H. PLAT *Diuerse Sorts of Soyle* 55 in *Jewell House* To force the sopeboilers (after they had procured a generall restrainte) to growe to composition with them.
- 1610 B. RICH *New Descr. Ireland* 62 There is a generall restraint to all Inne-keepers, Tauerners..to shut vp their doores, & not..to serue either Wine, Beere, or Ale.
- 1648 in J. Stuart *Extracts Presbytery Bk. Strathbogie* (1843) 87 Concerning restraint of kirk buriallis.
- 1713 in A. Morgan *Univ. Edinb. Charters* (1937) 169 Considering that former professors was not under the forsaid restrent..they..take off and rescind the former restrent.
- 1786 T. JEFFERSON *Let.* 8 Feb. in *Papers* (1993) IX. 265 I gave out a few copies only, and to confidential persons, writing in every copy a restraint against it's publication.

**b.** An embargo, *esp.* one prohibiting a ship or its cargo from leaving a port. In later use more fully ***restraint of princes***.

- 1449 *Rolls of Parl.: Henry VI* (Electronic ed.) Parl. Feb. 1449 §19. m. 6 By diverse restreintes of merchandise in Calais..the custumes and subsidies..passe not yerely .xij. .m.
- 1480 CAXTON *Chron. Eng.* ccxlviii. 317 This same yere was a restraynt of the wullys of Caleys made by the Soudyours.
- a1585 in *Eng. Hist. Rev.* (1914) **29** 517 This porte sawes when we have a Restrainte betwene Spaine and us.
- 1601 in D. Masson *Reg. Privy Council Scotl.* (1884) 1st Ser. VI. 269 [The Act of] restraint of the woll [to be approved in Parliament].
- 1622 G. DE MALYNES *Consuetudo* I. xxv. 150 Arrest, Restraints and Detainements of Kings and Princes.
- 1705 R. BEVERLEY *Hist. Virginia* I. iii. 66 The heavy restraints and burdens laid upon their trade by act of Parliament in England.
- 1751 W. BEAWES *Lex Mercatoria Rediviva* 244 (*heading*) Of Embargoes, or Restraint of Princes.
- 1769 *Molloy's De Jure Marit.* (ed. 9) II. II. vii. §7. 50 A Policy against Restraint of Princes, will not extend to Practices against the Laws of Countries.
- 1827 G. F. JONES *Treat. Law conc. Liabilities Rights Common Carriers* II. iii. 124 The restraint of princes has caused a temporary interruption of the voyage.
- 1848 J. ARNOULD *Law Marine Insurance* II. III. i. 788 When the further prosecution of the voyage is rendered hopeless..by blockade,..and the voyage is accordingly wholly abandoned, that is a loss, by restraint of princes, within the policy.
- 1910 *Encycl. Brit.* I. 304/2 The list of excepted perils..usually included perils of the seas, robbers and pirates, restraint of princes and rulers, [etc.].
- 1977 *Times* 25 May 12/1 A clause in a charterparty excluding liability for failure to ship a cargo of oil owing to restraint of princes.
- 2007 K. NOUSSIA *Princ. Indemnity in Marine Insurance Contracts* iii. 103 It was held that the order of the Iraqi government was a restraint of princes.

## 2.

**a.** The action or an act of restraining, checking, or stopping something. Frequently with *of*.

Recorded earliest in *without restraint* at Phrases 1.

- 1443 in H. Nicolas *Proc. & Ordinances Privy Council* (1835) V. 300 (*MED*) All suche assignementes..may be content as gode shall growe wherof withoute restraint or delay.
- ▶ a1470 MALORY *Morte Darthur* (Winch. Coll.) 780 Than he made a restraynte of his angir.
- a1513 R. FABYAN *New Cronycles Eng. & Fraunce* (1516) I. clxxxix. f. cxiii<sup>v</sup> In conclucyon a restreynt of warre was graunted.
- 1561 *X Commaundementes of Loue* in *Chaucer's Wks.* f. cccxlij<sup>v</sup>/1 There let your pitie spred withoute restreinte.

- 1561 J. HOLLYBUSH tr. H. Brunschwig *Most Excellent Homish Apothecarye* f. 31<sup>v</sup> Somtyme happeneth a restraynt in the small guttes.
- 1577 B. GOOGE tr. C. Heresbach *Foure Bks. Husbandry* IV. f. 190<sup>v</sup> The roote and the water thereof..is good against the..restraint of womens purgacions.
- 1617 F. MORYSON *Itinerary* I. 240 The restraint of the money, not to be payed but vpon a testimony brought vnder our hands, was a good caution.
- 1671 T. GUMBLE *Life Gen. Monck* 12 The great reason of God's restraint of his Blessing upon many of these worthy Endeavours.
- 1755 JOHNSON *Dict. Eng. Lang.* *Incontinently*, unchastely; without restraint of the appetites.
- 1843 *Phrenol. Jrnl.* 16 330 The laws..must be directed to the restraint of vice.
- 1878 W. DE W. ABNEY *Treat. Photogr.* (1881) 68 1 to 2 drops of this solution suffices to give sufficient restraint.
- 1922 J. RIVIERE tr. S. Freud *Introd. Lect. Psycho-anal.* xiii. 175 The *castration complex*, the reaction..to that restraint of early infantile sexual activity which is ascribed to the father.
- 1991 *Highways & Transportation* Sept. 35/2 The IHIE Symposium is..for technicians concerned with..traffic calming and restraint.
- 2003 W. ABELSHAUSER et al. *German Industry & Global Enterprise* (2004) vii. 520 American courts saw joint ventures by rivals as a restraint of competition on principle.

†b. The action or a means of restraining a natural force or agent, as a flood, etc. *Obsolete.*

- 1607 G. MARKHAM tr. P. Desportes *Rodomonths Infernall* cxxxi. sig. D5<sup>v</sup> And foaming like a stormy beaten flood, Belcht riuers forth, that no restraint withstood.
- 1649 BP. J. TAYLOR *Great Exemplar* III. 46 A current of wholesome waters breaking from its restraint, runs out in a succession of waters, and every preceding draught draws out the next.
- 1695 W. KENNETT *Parochial Antiq.* Gloss. *Sera*, a Lock or restraint of water on a river.

3. (a) Self-control; moderation; cf. SELF-RESTRAINT *n.* (b) Coolness or distance of manner; constraint; (also) an instance of this.

- 1509 tr. A. de la Sale *Fyftene Ioyes of Maryage* (de Worde) (new ed.) v. sig. F.j Peraduenture she shall her dresse and paynt And haue so lytell vertue and restraynt That she in suche vnthryfty wyfe shall preue.
- a1616 SHAKESPEARE *All's Well that ends Well* (1623) v. iii. 216 She knew her distance, and did angle for mee, Madding my eagernesse with her restraint .
- 1638 H. KILLIGREW *Conspiracy* I. i. sig. C3 By my restraint youle Onely gaine unto your selfe the markes of Jealousie and malice.
- 1749 J. CLELAND *Mem. Woman of Pleasure* I. 166 I lost all restraint, and yielding to the force of the emotion, gave down..those effusions of pleasure.
- 1791 G. MORRIS in J. Sparks *Life G. Morris* (1832) I. 357 I find that there is much restraint and etiquette here.

- 1819 SHELLEY *Cenci* I. i. 5 One thing, I pray you, recollect henceforth, And so we shall converse with less restraint.
- 1877 'RITA' *Vivienne* I. ii. 25 We are reconciled again, but there is a restraint between us now.
- 1929 L. D. BELL *Public Speaker's Dict.* 13 A love of display and a lack of taste and restraint.
- 1968 M. JONES *Survivor* i. 22 She had dressed with restraint in a 'useful' black dress.
- 2004 *Gramophone* Aug. 26/3 She seemed so emotional and so had none of the restraint that one associates with British people.

#### 4. *gen.*

**a.** A restraining force or influence; a means of restraining a person from a course of action, or of keeping a person under control.

- 1523 J. SKELTON *Goodly Garlande of Laurell* sig. Dii/1 What though my penne, wax faynt & hath smale lust to paint yet shall there no restraynt Cause me to cese Amonge this prese For to encrease yowre goodly name.
- 1565 in J. Strype *Ann. Reformation* (1709) I. xlvii. 476 To have some greater Restraint put upon the Lady Lenox and some harder Sequestration than she now hath.
- a1605 (c1422) T. HOCCLEVE *Dialogus* (Durh.: Stowe) l. 207 in *Minor Poems* (1892) I. 117 In latyn have I sene a small tretis..a bettar restreynte know I none fro vice.
- 1680 W. TEMPLE *Ess. Orig. & Nature Govt.* in *Wks.* (1720) I. 97 All Government is a Restraint upon Liberty.
- 1765 W. BLACKSTONE *Comm. Laws Eng.* I. 144 Where the laws of our country have laid them under necessary restraints.
- 1785 W. COWPER *Task* VI. 49 He could now endure,..And feel a parent's presence no restraint.
- 1844 C. THIRLWALL *Hist. Greece* VIII. lxvi. 427 The insolence of Charops now began to break through every restraint.
- 1890 *Spectator* 11 Jan. Subjected to the strong restraints of officers in a Queen's ship at sea.
- 1924 *Amer. Mercury* Nov. 261/2 The vast majority of mankind would at once begin to thieve and murder..if the restraints of law and authority were removed.
- 1985 P. ROAZEN *Helene Deutsch* II. xiii. 232 Cultural restraints, which bind us all and set limits on what we can accomplish, also make possible a measure of civility.
- 2004 H. KENNEDY *Just Law* (2005) v. 121 Rights are indispensable because they act as a restraint on the state.

**b.** As a mass noun: restraining force or influence.

*moral restraint*: see the first element.

- 1567 *Triall of Treasure* sig. Ciii<sup>v</sup> So sharpe is this snaffell called restrainte, That it maketh me sweate.
- 1611 *Bible* (King James) Lev. xxiii. 36 It is a solemne assembly [*margin.* day of restraint].
- 1667 MILTON *Paradise Lost* III. 87 Now Through all restraint broke loose he wings his way.

- 1726 BP. J. BUTLER *15 Serm.* iii. 51 Neither is Restraint by any means peculiar to one Course of Life.
- 1751 JOHNSON *Rambler* No. 151. ¶9 To the happiness of our first years nothing more seems necessary than freedom from restraint.
- 1820 SHELLEY *Edipus Tyrannus* I. 74 Moral restraint I see has no effect.
- 1849 MACAULAY *Hist. Eng.* I. ii. 179 Still less restraint was imposed by the government.
- 1904 H. ADAMS *Mont-Saint-Michel & Chartres* xiii. 262 The individual rebelled against restraint; society wanted to do what it pleased.
- 1990 A. STEVENS *On Jung* iii. 33 Complexes can exercise great restraint on our ability to live our lives as freely as we might wish.

## 5.

**a.** Deprivation or restriction of a person's liberty; confinement, imprisonment. Frequently *under restraint*.

- a1547 EARL OF SURREY *Poems* (1964) 26 Thus I alone..In pryson pyne with bondage and restraynt.
- a1616 SHAKESPEARE *King John* (1623) IV. ii. 52 Th' infranchisement of Arthur, whose restraint Doth moue the murmuring lips of discontent [etc.] .
- 1643 *Brief Narr. Late Treacherous Designe* 3 M. Waller, M. Tompkins, M. Challenor, M. Hazell, and other persons, principall Actors in the same, now under restraint.
- 1663 S. BUTLER *Hudibras: First Pt.* I. iii. 240 'Tis not Restraint or Liberty That makes men prisoners or free.
- 1701 D. DEFOE *True-born Englishman* ii. 39 Restraint from Ill is Freedom to the Wise.
- 1766 J. FORDYCE *Serm. Young Women* II. xi. 193 Perpetual restraint is perpetual wretchedness.
- 1846 R. C. TRENCH *Notes Miracles* Introd. ii. 17 Continually we behold in the world around us lower laws held in restraint by higher.
- 1857 J. RUSKIN *Two Paths* v. 244 You will find..that it is his Restraint which is honourable to man, not his Liberty.
- 1930 W. S. CHURCHILL *My Early Life* xx. 273 If you have never been under restraint before and never known what it was to be a captive, you feel a sense of constant humiliation in being confined to a narrow space.
- 1990 C. CUSSLER *Dragon* (1991) ii. 28 Captain thinks Mr. Yamada has suffered nervous breakdown and has ordered him placed under restraint in his quarters.

**b.** A means of restricting the movement of the body or part of the body; a restraining device.

*head, passive restraint:* see the first element.

- 1650 BP. J. TAYLOR *Funerall Serm. Countesse of Carbery* 17 The soul..is in the body *tanquam in alienâ demo*, as in a prison, in fetters and restraints.

- 1683 H. HAMMOND *Paraphr. & Annot. 10 first Chapters Prov.* (vii. 22), in *Paraphr. & Annot. Psalms* (ed. 2) 446 This is thought to signifie a fetter, or some other punitive restreint belonging to the feet, which our English renders the Stocks.
- 1775 W. PERRY *Royal Standard Eng. Dict.* 377/2 *Tether*,...a restraint for horses at pasture.
- 1841 in *Westm. Rev.* (1842) Apr. 168/2 In the course of the year several patients have been admitted in restraints.
- 1890 *N.Y. Med. Jrnl.* 18 Oct. 448/1 The use of mechanical restraints, such as straps, ropes, chains, hand-cuffs, etc.
- 1958 *Times* 2 Dec. 6/1 He was trapped in the cockpit by his leg restraint.
- 1988 T. HARRIS *Silence of Lambs* (1991) 9 Lecter is never outside his cell without wearing full restraints and a mouthpiece.
- 1999 *Guardian* 21 Oct. I. 8/8 Prison officers denied he was held in a neckhold, an unlawful restraint.

**c.** The action or an act of restraining someone (esp. a violent criminal or mentally ill person) using such means; the state of being so restrained.

- 1829 in *Proc. Lincoln Asylum* (1847) 22 The Governors have particularly directed their views to the subject of Coercion and Restraints.
- 1859 G. ROBINSON *On Prevention & Treatm. Mental Disorders* III. iii. 217 The employment of physical restraint in the treatment of mental disorders, is...a relic of barbarism.
- 1915 *Survey* 3 Apr. 29 The abolition of mechanical restraint and the establishment of after-care for patients.
- 1961 D. TROUTON & H. J. EYSENCK in H. J. Eysenck *Handbk. Abnormal Psychol.* xvii. 682 Excited or aggressive psychotics...can thus be subjected to chemical rather than physical restraint.
- 2006 T. NEUMAN in D. L. Ross & T. C. Chan *Sudden Deaths in Police Custody* iv. 43 A number of deaths have certainly occurred in individuals who have been placed in restraint positions.

## 6. Restriction, limitation. Also: an instance of this.

*pay, wage restraint*: see the first element.

- 1566 R. HORNE *Answeare M. J. Fekenham* f. 11<sup>v</sup> Ye haue restreigned the proufe for your contentation...and your cause...nothyng holpen by this your poore shift of restreynt.
- 1593 R. HOOKER *Of Lawes Eccl. Politie* III. xi. 156 The positie lawes which Moses gaue, they were giuen for the greatest parte with restraint to the land of Iury.
- 1597 R. HOOKER *Of Lawes Eccl. Politie* v. lxxi. 196 This restraint of Easter to a certaine number of dayes.
- a1626 L. ANDREWES *Patterne Catechisticall Doctr.* (1630) i. 131 The rules of interpretation,...are two: 1 Extension, for the bredth of the Commandement. 2. Limitation or restraint, for the narrownesse.

- 1656 EARL OF MONMOUTH tr. T. Boccacini *Polit. Touch-stone* (1674) 281 The Lord High Chancellor of the Court sent to the Count the Patent..with a restraint..that he should not by any means presume to stir out of dores.
- 1746 J. WESLEY *Princ. Methodist farther Explain'd* 33 Before those Words which you suppose to imply such a Restraint—were those spoken without any Restraint or Limitation at all.
- ?1795 W. WINTERBOTHAM *Hist. View Amer. U.S.* II. 194 This restraint of the American commerce to one port, not only affects its domestic state, but limits its foreign operations.
- 1825 J. S. MILL in *Westm. Rev.* Apr. 286 To what extent restraints upon the freedom of the press can be considered as warranted .
- 1899 L. A. STIMSON *Pract. Treat. Fractures & Dislocations* xxix. 402 A traumatic dislocation consists in the forcible overcoming of the normal restraints upon the motion of the joint.
- 1944 L. MUMFORD *Condition of Man* viii. 268 By removing restraints on trade a multitude of individual efforts would..create a larger quantity of wealth.
- 1992 *New Republic* 30 Nov. 6/1 International markets will reward evidence of genuine commitment to deficit restraint with lower interest rates.
- 2002 *Police Rev.* 2 Aug. 14/2 We have progressively loosened the restraints on the sale and consumption of alcohol.

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## PHRASES

**P1. without restraint:** freely, copiously; without restriction.

- 1443 [see sense 2a].
- 1556 J. STANDISH *Triall Supremacy* sig. A.iii<sup>v</sup> To mayntayne and defende errors, & Herysies wythoute restraynt.
- 1595 SPENSER *Epithalamion* in *Amoretti & Epithalamion* xiv. sig. H2<sup>v</sup> Poure out the wine without restraint or stay.
- 1607 E. TOPSELL *Hist. Foure-footed Beastes* 62 Let them come together without restraint.
- 1667 MILTON *Paradise Lost* IX. 791 Greedily she ingorg'd without restraint .
- 1713 F. BRAGGE *Undissembled & Persevering Relig.* xiii. 417 Conscience is then generally at Liberty and Acts without Restraint.
- 1791 A. RADCLIFFE *Romance of Forest* I. ii. 53 Her tears flowed silently and fast. That she might indulge them without restraint, she went to a window.
- 1849 MACAULAY *Hist. Eng.* I. i. 89 The government was able..to fine, imprison, pillory and mutilate without restraint.
- 1957 A. C. CLARKE *Deep Range* iii. 33 He felt he could talk freely and without restraint.
- 1993 *Washington Post National Weekly* 12 Apr. 27/2 Russia's Central Bank..has been lending without restraint to all comers.

## P2.

**restraint of trade** *n.* *Law* interference with free-market conditions; action aimed at or resulting in this.

- 1622 E. MISSELDEN *Free Trade* iii. 54 Some thinke that the reducing of trade into Order and Gouernment, is a kind of Monopolizing and restraint of trade.
- 1695 *Reasons Humbly offered for Export Woollen Manufactures to Germany* (single sheet) There can be no Restraint of Trade, or Want of Buyers, by passing the Bill now depending.
- 1753 J. HANWAY *Hist. Acct. Brit. Trade Caspian Sea* I. I. viii. 56 The company's charter does not warrant them in such a prohibition or restraint of trade.
- 1783 J. SCOTT *Two Lett. Right Honourable Edmund Burke* 54 The Ruin of the Revenues, either by the Freedom or the Restraint of Trade.
- 1821 C. BARTON *Elements Conveyancing* (ed. 2) IV. III. I. i. 59 An agreement for restraint of trade.
- 1890 *Statutes at Large U.S.A.* XXVI. 209 Every contract..in restraint of trade or commerce..is hereby declared to be illegal.
- 1933 *Sutton & Shannon on Contracts* xi. 164 A contract in restraint of trade is not contrary to public policy.
- 1973 *N.Y. Law Jrnal.* 31 Aug. 1/5 The two-count indictment charged conspiracy in restraint of trade in violation of the Sherman Antitrust Act.
- 2001 *FourFourTwo* Sept. 46/4 He decided to challenge the Spanish federation's decision in court for restraint of trade.

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## COMPOUNDS

**C1.** General *attributive* (in sense 5).

**restraint jacket** *n.*

- 1853 *Daily News* 14 Sept. 5/6 Did the words 'punishment jacket' which occur so frequently in the books strike you as being something more than a mere restraint jacket?
- 1897 'E. L. PRESCOTT' *Scarlet & Steel* xxxviii Restraint jacket. Made of No. 3 sail canvas, doubled and quilted with Dutch twine in squares of about four inches.
- 1998 D. G. STEIN in L. B. Goldstein *Restorative Neurology* i. 28 By creating special restraint jackets for the rats, Shallert and Jones were able to restrict the use of affected or normal limbs.

**restraint room** *n.*

- 1834 in R. G. Hill *Total Abolition Personal Restraint* (1839) 89 The wristlocks..should be..made so as to be locked by one key throughout, of which a duplicate should be hung up in each restraint room.
- 1950 *Charleston (W. Virginia) Gaz.* 5 May 36/3 Numerous violent patients, confined to restraint rooms, become sane in ten minutes.

2005 T. YARBOROUGH *Surviving Twice* viii. 192 The older man was in restraints. Hieu came to the door of the restraint room and tried to talk to him.

## C2.

**restraint order** *n.* *Law = restraining order n.* (a) at RESTRAINING  
*adj.* Special uses; *spec.* an order prohibiting a party from disposing of specified assets.

1883 *Daily Nebraska State Jrnl.* 5 Oct. 7/3 Judge Wakeley ordered a temporary restraint order, returnable Saturday morning.

1977 *Stanford Law Rev.* **29** 505 A newspaper was held in contempt for disobeying a temporary restraining order... According to that case, only reversal of a prior restraint order on appeal *before* the order was disobeyed would justify the disobedience in most cases.

1983 *Bankruptcy Reporter (U.S.)* (Lexis) **30** 481 The Second Circuit reversed the restraint order because the Bankruptcy Court's exclusive jurisdiction over the bankrupt debtor and its property did not extend to 'a solvent independent subsidiary of the debtor'.

2003 P. ALLDRIDGE *Money Laundering Law* vii. 156 The court may then make a restraint order, which prohibits any specified person from dealing with any realisable property held by him.

**restraint summons** *n.* *rare* (apparently) a court summons by which a person's freedom of action is restricted.

1910 *Daily Chron.* 11 Mar. 5/3 The restraint summons was served on the town clerk..yesterday forenoon.

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