

Sumptuary Legislation and the Fabric Construction of National Identity in Early Modern England

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Introduction

As England transitioned from a medieval mode of government and society to an early modern nation, the state and its citizens confronted challenges to traditional culture. The old feudal system's hold over society was lessening to a certain degree, allowing for greater mobility within the social hierarchy. Members of the gentry aspired to higher status, or at the very least, the appearance of such status. This emulation was fueled by the emergence of a middle class of wealthy, but untitled, people attempting to better their own social position. David Kuchta writes, "With the rise of a new gentry, the dissolution of medieval estates and monasteries, the continued growth of enclosures and rural industries, and the increasing wealth of an urban merchant class, new elites created great confusion and general disorder by threatening the cultural superiority of an older aristocracy."¹ Thus a train of imitation was formed, placing pressure on each subsequent class to distinguish themselves from upstarts.

One of the most important means through which rising classes displayed their claims to higher status was outward appearance, especially clothing. Expensive and luxurious apparel signified social position, visibly declaring both the reality and the aspiration of rank. The threat of changes to the prevailing social hierarchy prompted responses from the nobility and the monarchy in the attempt to regulate displays of false status. Parliament, with the encouragement of the crown, passed sumptuary legislation restricting cloths and styles available to the various social classes based upon economic income. In his work *Governance*

¹ David Kuchta, *The Three-Piece Suit and Modern Masculinity: England, 1550-1850* (Berkeley: University of California Press, 2002), 17.

of the *Consuming Passion: A History of Sumptuary Law*, Alan Hunt examined this aspect of legislative history: “The distinctive form of English sumptuary legislation, the construction of a hierarchical set of dress codes, was ushered in by ‘A Statute Concerning Diet and Apparel’ in 1363. Over the next two hundred years there followed seven further hierarchic dress codes.”² The statutes issued by Parliament were augmented by royal proclamations as the monarchs, particularly Elizabeth, utilized consumption as well as regulation of material goods to enforce social control.

These laws and royal policies, along with contemporary literature, were concerned not only with social imposters, but also with the threat of foreign influence in the form of fashion and fabric. Outward appearances were essential for identification and classification of individuals, and citizens’ use of clothing was often couched in nationalistic terms. Roze Hentschell states, “Wearing foreign clothes disrupted the way of knowing one’s country of origin and, perhaps more upsetting, where one’s loyalty lay.”³ To wear foreign fashions was to be susceptible to foreign vices and influence and to be potentially treasonous. English national identity thus was conceptualized in terms of consumption and in contrast to other nationalities.

An atmosphere of shifting social markers led to reactive actions from the monarchy and the nobility who wished to retain all semblances of power in the social sphere. At the same time, increased contact with other countries led to cultural imports of fashion and manners which threatened the English national identity. The goal of this paper is to examine how the semiotics and regulation of clothing related to social order and identity in early

² Alan Hunt, *Governance of the Consuming Passions: A History of Sumptuary Law* (New York: St. Martin’s Press, 1996), 303.

³ Roze Hentschell, “Treasonous Textiles: Foreign Cloth and the Construction of Englishness,” *Journal of Medieval and Early Modern Studies* 32.3 (Fall 2002): 544.

modern England, culminating with a focus on English nationality as constructed by responses to foreign fashions.

Semiotics of Clothing and Social Mobility

Clothing in early modern England served as a signifier of social class, a means to display wealth and status. In this role, however, clothing also became an extravagance to be regulated; as the social strata evolved, the gentry and emerging middle class imitated their betters. This mimicry caused the nobility and the monarchy to attempt to cement their supremacy through exhibitions of sumptuous spending and clothing as well as through restrictive legislation. Susanne Scholz writes that “what the gentleman wears is by no means accidental; through his apparel, he partakes in a system of signification that assigns to him a certain place in the social order according to his outward appearance.”⁴ Clothing and other visible consumption such as food were deliberate displays intended to advertise a person’s rank within society. Apparel served as a nonverbal announcement of status, compiling both the fashion of the garments and the luxurious fabrics used in their construction into a system of outward signs, or semiotics, recognizable to an early modern English society.

However, the emergence of the gentry in England complicated the established medieval social order. During this period, “the ‘governing class,’ while not abandoning its traditional basis in land-ownership and inheritance, undoubtedly altered in composition and character.”⁵ The ruling elite expanded somewhat to include the newly ennobled, and the House of Commons provided the opportunity for members of the gentry and wealthy merchants to gain a degree of political power. To communicate their aspirations, the rising

⁴ Susanne Scholz, *Body Narratives: Writing the Nation and Fashioning the Subject in Early Modern England* (New York: St. Martin’s Press, 2000), 18.

⁵ Anna Bryson, “*From Courtesy to Civility: Changing Codes of Conduct in Early Modern England*” (Oxford: Clarendon Press, 1998), 23.

social groups copied the fashions of the elite in their desire to acquire the same status; Grant McCracken notes that “the tastes of subordinate parties were always dictated by those of superordinate parties.”⁶ Increased mobility and wealth in the early modern period required either a reworking of society’s hierarchy to accommodate the new social distinctions or an attempt at entrenchment of the elite’s traditional supremacy. Anna Bryson asserts, “We must look hard at the ways in which the rulers of English society managed to find or forge new cultural forms, self-images, and codes of conduct which preserved their identity and upheld their legitimacy in a changing world.”⁷ Apparel was one of the most important signifiers used in the fashioning of social identity.

Clothing was also an accessible way to imitate social betters and to visibly proclaim social aspiration. Kuchta, writing about what he labels the “old sartorial regime” in England, states, “By purchasing the fine apparel of their superiors, then, wealthy upstarts were threatening the semiotic stability between fabric and rank, between material signifier and social signified.”⁸ As the upper middle classes and the gentry increased their wealth, they desired social advancement to match their monetary status. Sixteenth-century satirical writer Robert Greene identified this trend, describing the practice of dressing beyond social rank as “the abuses that Pride has bred in Englande.”⁹ With inferior classes imitating their betters, the established elite as well as moralists and social commentators like Greene worried about intrusions upon traditional power bases. Scholz contends, “Rapid social change enabled groups and individuals that had previously been excluded from social and political agency to

⁶ Grant McCracken, *Culture and Consumption: New Approaches to the Symbolic Character of Consumer Goods and Activities* (Bloomington, IN: Indiana University Press, 1988), 15.

⁷ *Ibid.*, 24.

⁸ Kuchta, 21.

⁹ Robert Greene, *A quip for an upstart courtier: or, A quaint dispute between velvet breeches and cloth-breeches* (London: John Wolfe, 1592), 1. Page numbers for this source correspond to the online html version available through Early English Books Online.

enter the field of social action, which generated tremendous anxieties about perceived hierarchies in Tudor England.”¹⁰ While the nobility could not prevent the start of social change, they protested the presumptions of the rising classes to luxuries (including extravagant clothing) previously limited to the elite.

Tudor monarchs, upstarts themselves, wished to maintain the supremacy of the crown in practice and in outward appearance. Kuchta observes, “In their response to the presumed loss of an obvious social hierarchy, social commentators called for the maintenance of a sartorial order whereby consumption would make the social order perfectly conspicuous, thereby reasserting monarchical power.”¹¹ Elizabeth exhibited her superiority to all of her subjects through the example of her extensive wardrobe while encouraging imitative sumptuous displays of wealth. McCracken provides two reasons for an increase in consumption under Elizabeth: “Elizabeth I used expenditure as an instrument of government,” which then sparked a “social competition that took place among the Elizabethan nobility.”¹² The elite competed amongst themselves for royal favor and to ensure their family status for the next generation, prompting lavish spending on property and other signifiers of high rank and wealth. Expensive clothing maintained the image of a family in contrast to their social inferiors. McCracken also states, “In point of fact, the Elizabethan nobleman had no choice but to risk his fortune and spend like a sailor home on leave.”¹³ To stay ahead of and distinguish themselves from social climbers, the elite utilized the most visible sign of status: increasingly sumptuous clothing.

¹⁰ Scholz, 4.

¹¹ Kuchta, 19.

¹² McCracken, 11-12.

¹³ *Ibid.*, 12.

Excess of Apparel and Sumptuary Legislation

Minister John Williams lamented the prevalence of luxurious apparel, or “soft rayments,” preaching about the use of such clothing: “Nor is this a vanitie onely, to be thus derided, but a *sinne* (in the highest degree) to bee lamented and deplored.”¹⁴ In order to control what was termed the “excess of apparel” during the reign of the Tudors, monarchs passed sumptuary laws and proclamations regulating the clothing and fabrics available to each social class. The goal of the sumptuary legislation was to enforce an all-encompassing social hierarchy by reserving certain cloths and decorations for the nobility only, thus making it evident who belonged to which social class. According to McCracken, “By the simple expedient of an act of Parliament, England declared status forgery illegal and created the disincentive of trial and punishment.”¹⁵ The acts had the most influence in the context of social standing, as they specified permissible materials based upon a gradient of income level and title. Such regulations were a way to keep citizens, particularly the upstart classes, in their places quite visibly. Because sumptuary laws prohibited specific fabrics to certain income levels, Frances Baldwin concludes that “even people who were barely comfortably off must have attempted, on occasion, to vie in magnificence of dress with the nobility. . . . Such a prohibition would hardly have been necessary if some members of the lower middle class had not been inclined to extravagance in dress.”¹⁶ Clothing and fabric were not beyond the control of the government: “[t]he supercharged symbolism of the monarch’s court, hospitality, and clothing became the opportunity for political instruction and persuasion.”¹⁷ Leading by

¹⁴ John Williams, *A Sermon of Apparell Preached before the Kings Majestie and the Prince his Highnesse at Theobalds, the 22. of February, 1619* (London: Robert Barker and John Bill, 1620), 18. Page numbers correspond to the pdf version of the microfilm text accessed through Early English Books Online.

¹⁵ McCracken., 33.

¹⁶ Frances Elizabeth Baldwin, *Sumptuary Legislation and Personal Regulation in England* (Baltimore: The Johns Hopkins Press, 1926), 144.

¹⁷ McCracken, 11.

example, Elizabeth displayed her enormous wealth and power through her wardrobe, which served to remind her subjects of their subordination, both in power and in apparel.

The sumptuary legislation is quite specific, outlining exactly which fabrics were permitted for each social class and in what types of clothing. For example, Elizabeth's 1562 proclamation asserted, "None shall wear in his apparel any silk of the color purple, cloth of gold tissue, but only the King, Queen . . . except dukes and marquises who may wear in doublets and sleeveless coats cloth of gold of tissue not exceeding £5 the yard, and purple in mantles of the Garter."¹⁸ The language of exclusion reflects the common conceptions of social hierarchy in early modern England. The most lavish accoutrements were reserved for the royal family, including the traditional imperial colors of purple and gold, although certain levels of nobility were allowed to sparingly use those colors. Expressing the desire to halt the use of apparel as a tool for untoward social imitation, writer William Prynne called for a law regulating apparel, not only in the playhouse, but also throughout society "which would well befit our Nation, our times, which Proteus-like are always changing shape and fashion, and like the Moone, appeare from day to day in different formes."¹⁹

In 1363, an early sumptuary law delineated social status based on knighthood and income. The rank was a decidedly medieval classification, but utilizing monetary income was a modern concept.²⁰ Both categories persisted in subsequent statutes, which built upon the standard established in 1363 and then again in 1463. Henry VIII passed formative statutes through Parliament restricting costly apparel to the elite with offenders "upon payne to forfeit

¹⁸ Elizabeth I, "Briefing Statutes of Apparel [Privy Council]," 7 May 1562, in *Tudor Royal Proclamations: The Later Tudors (1553-1587)*, eds. Paul L. Hughes and James F. Larkin (New Haven: Yale University Press, 1969), 2: 202.

¹⁹ William Prynne, *Histiomastix* (London: Printed by E.A. and W.I. for Michael Sparke, 1633), Reprint, ed. Arthur Freeman (New York: Garland Publishing, 1974), 218.

²⁰ Hunt, 304.

the seid Apparell . . . and for usysing the same to forfaite xx pounde.”²¹ Subsequent sumptuary laws replaced previous ones to accommodate new fabrics and changing social distinctions, but all of the acts reinforced the crown’s supreme control and the elites’ precedence over all others in sartorial social signifiers.

Alan Hunt asserts that the real goal of sumptuary legislation “was to provide symbolic affirmation of a sense of social recognizability; furthermore, this sense of the knowability and familiarity was shared, albeit differentially, by subordinate social groups.”²² The very structure of the statutes and proclamations reinforced the legal definitions of rank in England. Both title and income determined the types of fabric citizens were allowed to wear, and as the social hierarchy shifted to include emerging professions and ranks, acts governing consumption were rewritten to accommodate such changes. “Sumptuary laws thus were aimed not at ending social mobility, but at ending illegitimate social emulation. By constantly remapping the social order and selectively legitimating new wealth, the crown attempted to maintain control of social and cultural change.”²³ Baldwin also addresses the issue of social emulation: “The sumptuary laws themselves say little or nothing about this angle of the question, though many of their provisions were obviously intended to prevent the common people from imitating the dress of their betters.”²⁴ The two main social goals of the sumptuary laws were to prevent false advertising, so to speak, and to impose a hierarchy of clothing based upon status between classes and within the elite.

English Identity

²¹ “An Act against wearing of costly Apparrell,” 1510, *Statutes of the Realm*, 1 Hen. 8, c. 14. Original spelling.

²² Hunt, 132.

²³ Kuchta, 34.

²⁴ Baldwin, 196.

Prynne, moralizing against the theater, described the purpose of clothing: “[W]hy God ordained apparel at the first, was onely to cover nakedness, to fence the body against cold, winde, raine, and other annoyances: to put men in minde of their penury, their mortality, their spirituall clothing from Heaven, and the like; and to distinguish one Sex, one Nation, one dignity, office, calling, profession from another.”²⁵ This idea of clothing as a signifier of national identity applies to early modern England as it struggled to define its own fashion. Anna Bryson contends: “For the foreigner in a strange culture, it is never enough simply to observe what is or is not done in any situation. He or she must learn how the rules are related to a framework of social meanings.”²⁶ Clothing was the most important visible sign of social hierarchy as well as nationality. In early modern England, the amalgamation of foreign fashions confused the national identity.

In *The Merchant of Venice*, a play concerned with nationalities and ethnicities, even Shakespeare caricatured the typical noble Englishman: “How oddly he is suited! I think he bought his doublet in Italy, his round hose in France, his bonnet in Germany, and his behavior everywhere.”²⁷ Englishmen compiled fashions from the continent, demeaning in the eyes of writers and satirists themselves through unworthy imitation. This conception of an Englishman as a conglomeration of foreign fashions is repeated throughout early modern literature. Playwright Thomas Dekker wished for the past when the English were not concerned with foreign fashions. He referenced Adam, who was bare of any influence of fashion, in contrast to the current Englishman who only wore foreign clothes: “There was then neither the Spanish slop nor . . . the Switzer’s blistered cod-piece nor the Danish sleeve

²⁵ Prynne, 207.

²⁶ Bryson, 6.

²⁷ William Shakespeare, *The Merchant of Venice*, in *The Complete Works of Shakespeare*, ed. David Bevington (New York: Pearson Longman, 2004), 1.2.71-74.

sagging down like a Welsh wallet, the Italian's close strosser nor the French standing collar."²⁸ Dekker also lamented the way in which young gallants behaved inappropriately as they attempted to portray themselves as men of rank above their real station by adopting fashions from the continent. Addressing such an imposter, Dekker wrote: "[Y]ou shall find most of your fashion-mongers planted in your room. . . . Ride thither upon your Galloway nag or your Spanish jennet a swift ambling pace in your hose and doublet, gilt rapier and poniard bestowed in their places and your French lackey carrying your cloak and running before you."²⁹ Foreignness was associated with the improper behavior of Englishmen overstepping their social bounds.

William Rankins, in *The English Ape*, expressly satirized this trend toward foreign fashions. He outlined the danger of foreign imitation: "[O]ur manners transformed, our estates so estranged, and our duties so disguised with the spotted imitation of other Nations, that we shal cleane forgette to temper the proffered time, with the naturall benefite of our owne common good."³⁰ According to Rankins, the good of England was ignored following adoption of foreign manners. He viewed England as superior to other countries, but Englishmen "bedecke them selves with others deformity."³¹ In *Histiomastix*, Prynne supplied examples from the Bible in his arguments against foreign influence in clothing:

God reputed the desire of a King, which in it selfe is lawfull, a heinous sinne in the Israelites, because it issued from an apish imitation of other people; that they also in this respect, might be like all other Nations: and hence, did hee threaten to visit, not onely the inferiour ranke of the Israelites; but even the Children, and Courteours of their Kings, for wearing strange Apparell, and taking up the garbes, and fashions, of those Pagans which bordered round about them. If then it bee unlawfull to imitate, not

²⁸ Thomas Dekker, *The Gull's Horn-Book*, in *Thomas Dekker: Selected Writings*, ed. E. D. Pendry (Cambridge, MA: Harvard University Press, 1968), 77.

²⁹ *Ibid.*, 93.

³⁰ William Rankins, *The English ape, the Italian imitation, the footesteppes of Fraunce* (London: Robert Robinson, 1588), 3. Page numbers correspond to the html version accessed through Early English Books Online.

³¹ *Ibid.*

only the abominations, rites, and ceremonies: but even the prayers, cares, and feare: the government, and strange Apparell, of Infidels, and Pagans, as all these Scriptures strongly evidence.³²

Thus privileging foreign clothes and manners over domestic ones was considered a sin, not only against the nation, but also against religion. Rankins also paralleled the presumptions of imitative upstarts wearing foreign apparel to Biblical examples, stating, “The first fal from heaven was through pride and ambition.”³³ Religion was one aspect of the argument against foreign influences which contributed to excesses in consumption and while it provided a framework of morality, it also threatened national identity.

Contemporary writers may assert English superiority, but Bryson argues that “the imitation and importation of Italian, Spanish and French dress, address, and demeanour was the most conspicuous symptom of the English sense of cultural inferiority and therefore the most obvious target for satirists and moralists, who saw such dependency as at best frivolous and ‘apish’ and at worst morally degenerate.”³⁴ Domestically-produced cloth, particularly wool, were lauded as superior products to foreign luxury cloth. This argument reflected economic protectionism as well as cultural objections to foreign influence: “Discourse surrounding the purchase of foreign clothes thus becomes heavily moralized, pitting national expansionism—in the subject’s acceptance of and desire for foreign goods in England—against a national protectionism—in the desire of the Crown and moralists to promote domestic wares in the interest of England.”³⁵ The cloth breeches in Robert Greene’s *A quip for an upstart courtier* symbolize all English domestic fabrics, in which Greene clearly provided a stronger argument for the cloth breeches, ensuring that the judges would choose

³² Prynne, 19.

³³ Rankins, 6.

³⁴ Bryson, 75.

³⁵ Hentschell, 548.

them over the foreign velvet breeches in a trial to determine which cloth the English should wear. The velvet breeches were introduced expressly in terms of their foreignness: “I (poore snake) am sprung from the ancient *Romans*, borne in *Italy* the mistresse of the world for chivalrie, cald into *England* from my native home (where I was famous) to honour your countrie and yong gentlemen here in *England* with my countenance.”³⁶ The velvet apparel is ultimately rejected in Greene’s moral debate. “In representing England, texts and textiles are intimately linked by their power to *materially* articulate national identity.”³⁷

Writers associated social climbers with foreign fashions and influences, combining the perceived danger to English society from both the continent and English social imposters. Bryson states, “The foreign influences on behavior particularly noted were extravagant fashions in dress, elaborately ‘complimental’ forms of speech, and affected gesture, expression, and gait.”³⁸ Rankins particularly wrote about the connection between imposters and foreignness in terms of clothing and manners. While continental fashions were thought to be accompanied by sins and vices, Rankins also criticized the rising classes, who had pretensions beyond their reach. “Such is the nature of ambition, that who so borroweth the same, from a straunger, or by corrupcion of manners, permits it properly to creépe into his heart, he ransometh his life with death, and raunsacketh the liberty of his own soule, by the tyranny of his proude and ambitious thought.”³⁹ Rankins’ warnings were dramatic, but his intention represented the traditional elite’s response to increased social mobility and the fear of foreign influence on the English subject. Hentschell asserts, “It is only by clothing himself in foreign attire that the Englishman can be dressed at all, and it is the dressing in the clothes

³⁶ Greene, 4.

³⁷ Hentschell, 546.

³⁸ Bryson, 75.

³⁹ Rankins, 8.

of “strangers” that puts English national identity into crisis.”⁴⁰ She also observes that in literature, “the adoption of foreign fashions is derided for the disruption it causes to an imagined national solidarity.”⁴¹ As the Tudor monarchs centralized power and the nation transitioned from a medieval structure to an early modern state, both writers and the government sought to articulate an English national identity.

In order to create Englishness, the term was defined in contrast to other countries. By identifying the “other,” the English could represent themselves in opposition to foreign identities, although such identities were understood only in terms of exaggerated stereotypes. “Contemporary national comparisons are not entirely valueless, but there are obviously distorted by the fact that some unfamiliarity in what may still be broadly similar social habits always makes foreigners appear more ‘mannered’ than the observer himself.”⁴² In her study of manners, Bryson claims, “The implication of this nationally competitive attitude to civility is less that major gulfs, bridged only by fashion, separated codes of behavior of nationally defined European elites and more that there was sufficient common ground for judgements and counter-judgements on the civility of other nations to be made everywhere in remarkably similar terms.”⁴³ The English were not unique in their dislike of foreignness: Bryson also notes that French authors worried about Italian influence and Italians about Spanish influence. In England and throughout Europe, “[t]he implication that foreign fashions dismember the body politic was a commonplace,”⁴⁴ threatening not only English culture but national identity as well.

⁴⁰ Hentschell, 547.

⁴¹ *Ibid.*, 548.

⁴² Bryson, 78.

⁴³ *Ibid.*

⁴⁴ Ann Rosalind Jones and Peter Stallybrass, *Renaissance Clothing and the Materials of Memory* (Cambridge: Cambridge University Press, 2000), 66.

Conclusion

Roze Hentschell asserts that “clothing and the cloth from which it was made was not only associated with specific nations, but also helped to create sentiments of nationhood through the linkage of clothing with a particular country.”⁴⁵ In early modern England, foreign apparel was a perceived danger to English nationalism and also to the social hierarchy. Upstarts imitated their social betters, often wearing foreign fashions in their attempt to portray a status above their own. Established social traditions had reserved foreign luxuries for the nobility, and the sumptuary laws solidified such traditions in the legal system. Sumptuary legislation was significant more for its definitions of social rank and how clothing was delineated among the social hierarchy by the government than for any real prosecution of violations of the statutes. Hunt writes, “I think that there is little doubt that in general the enforcement rate measure in terms of official actions was low.”⁴⁶ The intention of the sumptuary laws was to maintain the appearance of a strict social hierarchy through the semiotics of clothing, a goal which became increasingly difficult to achieve as social mobility enabled changes within the status structure. In the attempt to regulate apparel, foreign influences were a key argument against the use of luxurious imported fashions. Social imposters and foreign fabrics were linked as contemporary writers articulated the dangers of both. Overall, early modern Englishmen defined English identity—as expressed through cultural mores but especially through apparel—in contrast to their perceptions of other nations, thus establishing a system of status identification based upon clothing.

⁴⁵ Hentschell, 544.

⁴⁶ Hunt, 328.