

‘The inordinate excess in apparel’: Sumptuary Legislation in Tudor England

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Abstract

The purpose of this paper is to explore the nature of sumptuary legislation in sixteenth century England. It argues that the aims of sumptuary legislation were threefold: that legislators sought to maintain the stability of the common weal through social regulation, moral regulation through the moralization of luxury goods, and to regulate England’s economy, by prohibiting foreign trade in luxury goods, in order to stimulate the home economy and the burgeoning wool and stocking trade.

Sumptuary legislation can be seen in English statutory legislation from the mid-fourteenth century onwards. Under the Tudors, especially during the reign of Elizabeth I, there was increased parliamentary activity concerning what contemporaries saw as “the inordinate excess in apparel.”¹ While sumptuary legislation covers a broad spectrum of material goods, both durable and semi-durable, the parameters of this paper will be concerned with the control of fashionable dress and textiles, and what came to be known as *Acts of Apparel* throughout the sixteenth century. I argue that the aim of sumptuary legislation was threefold; that legislators sought to maintain the stability of the common weal through social regulation, moral regulation through the moralization of luxury goods, and to regulate England’s economy, by prohibiting foreign trade in luxury goods, in order to stimulate England’s home economy and the burgeoning wool and stocking trade.

Sumptuary legislation can be defined as a set of regulations, passed down by legislators through statutory law and parliamentary proclamations, that sought to regulate society by dictating what contemporaries could own or wear based on their position within society. Francis Baldwin argues, “these regulations can be classified as sumptuary in the sense that they governed the amount and direction of individual expenditures.”² Sumptuary legislation can be seen in law books as early as Classical Greece, and Alan Hunt suggests that these laws provide key evidence for funeral regulation and the control of women.³ It is interesting to note the place of women within early sumptuary legislation, because when considering early modern England’s experience with sumptuary law, women are conspicuously absent, a point that will be discussed later in this paper. Hunt’s analysis of early sumptuary legislation has led him to discover that after the crisis created by the Punic wars, a series of three wars fought between Carthage and Rome between 264 B.C.E and 146 B.C.E., the restrictions placed on women limited them to wearing gold ornaments of no more than half an ounce of gold, prohibited them from wearing multicolored robes, and forbade them from riding in chariots

¹ *Tudor Royal Proclamations* (3 vols), edited by P.L. Hughes and J.F. Larkin (New Haven: Yale University Press, 1969).

² Frances Elizabeth Baldwin, *Sumptuary Law and Personal Regulation in England* (Baltimore: John Hopkins University Press, 1926), 9.

³ Alan Hunt, *Governance of the Consuming Passions* (New York: St. Martin’s Press, 1996), 18.

within the city.⁴ Like later sumptuary laws, the purpose of Roman sumptuary legislation was designed to restrain extravagance and excessive luxury. This preoccupation with luxury can perhaps be seen as a result of reforms undertaken by both Julius Caesar and Augustus. Augustinian reforms became increasingly concerned with moral and familial aspects of Roman life.⁵ This was later echoed in feudal and medieval sumptuary legislation, for example, in Italy.⁶

The precedent for legislators passing sumptuary legislation in early modern England can be seen in Renaissance and early modern Italy. The governments of the Italian city-states had been passing what were known as *legge suntuarie* as early as the thirteenth century, and continued well into the eighteenth century.⁷ These laws were passed during a period of great prosperity in Italy, and “were all concerned with various manifestations of excess, and in particular, with excess in the consumption of luxury goods.”⁸ The earliest Italian sumptuary enactment was passed in Genoa in 1157, and it sought to regulate the use of sable furs used in hems costing over forty *soldi*.⁹ Little research has been done in terms of Italian sumptuary law, as is the case with English sumptuary law. Killerby suggests that this is due to the three categories that studies have generally fallen under. First, transcription, in which primary documents were transcribed in the nineteenth and twentieth centuries; second, an examination of the laws to explain them so they may be used as source materials to describe details of the private lives and customs of Italians of the period; thirdly, general studies with brief introductions, with a focus on one of three Italian towns, those being Milan, Florence, and Venice.¹⁰ Drawing on examples set down by medieval and early modern Italian governments, English contemporaries enacted their own versions of sumptuary law and the *Acts of Apparel*.

Hunt identified England’s experience with sumptuary legislation as differing from that of Italy and other locales in continental Europe, in that its main concentration was in state legislation, where as most of continental Europe’s sumptuary laws took the form of local ordinances passed by towns.¹¹ Unlike legislation that was sporadically passed in the preceding two centuries in England, sixteenth-century legislators both actively and vigorously pursued sumptuary legislation.¹² While sumptuary legislation was passed in 1510, 1514, 1515, 1533, 1553, and two more in the later half of the sixteenth century, the reign of Elizabeth I saw no less than nine *Acts of Apparel* enter into parliamentary proclamations.¹³ One explanation as to why Elizabethan politicians sought to regulate dress through proclamations was the increasingly rocky relationship between the crown and the commons and Elizabeth’s desire to consolidate her power.¹⁴ Because of this, acts concerning apparel were passed directly down from the monarch or through the Privy Council.¹⁵ Many of the

⁴ Ibid., 20.

⁵ Ibid., 21.

⁶ Ibid., 22.

⁷ Catherin Kovesi Killerby, *Sumptuary Law in Italy 1200-1500* (Oxford: Clarendon Press, 2002), 2-3.

⁸ Ibid., 2.

⁹ Ibid., 24.

¹⁰ Ibid., 3-4.

¹¹ Hunt, *Governance of the Consuming Passions*, 302.

¹² Ibid., 298.

¹³ For a list of parliamentary proclamations under Elizabeth I see *Tudor Royal Proclamations Volumes II & III*, edited by P.L. Hughes and J.F. Larkin.

¹⁴ Hunt, *Governance of the Consuming Passions*, 312.

¹⁵ Ibid., 313.

proclamations passed by Elizabeth and her legislators reference provisions passed in sumptuary legislation of 1533, from 24 Henry VIII, and from 1553, from 1 & 2 Philip and Mary. For example, rather than providing any new provisions to any existing legislation, a proclamation from 1562 reiterates the proclamations from 24 Henry VIII and 1 & 2 Philip and Mary. This proclamation reinforces the hierarchical nature of dress, in that none other than the King and his family could wear cloth of purple silk or gold tissue. Likewise the proclamation of Philip and Mary stipulates who could specifically wear silk, however rather than clothing, it specifically targets hats and bonnets.¹⁶

The proclamations throughout Elizabeth's reign continue to reiterate the hierarchical nature of legislation passed under the earlier Tudors. For example one of the statutes frequently invoked was under Henry VIII. In 1533, *An Acte for Reformacyon of Excesse in Apparayle* distinguishes between the various social ranks, and what they could wear. None but the King and the royal family were allowed to wear purple silk, or cloth made of gold tissue, however, Dukes and Marquises were allowed to "use in their Dublettes and Slevelandes Cootes, Clothe of Gold of Tissue and in none other their garments."¹⁷ These prohibitions can be seen in a proclamation passed in 1588, that states "and that no man under the estate of an earl shall wear any clothe of gold, or silver, or tinsel, satin, or any other silk of cloth mixed or embroidered with gold or silver, except viscounts and barons to wear in their doublets or sleeveless coats cloth of gold, silver, or tinsel."¹⁸ As English sumptuary legislation moved throughout the sixteenth century, new issues began to surface in legislation. The maintenance of the social order continued to play an important role in legislation however, sumptuary laws became tinged with references to both moral and economic ideologies, as contemporaries became increasingly concerned with what they saw as the decay of the realm. Therefore, English sumptuary legislation is integral to an evaluation of sixteenth century socio-economic life.

One of the most interesting components of sumptuary legislation and the *Acts of Apparel* are the ways in which contemporaries sought to enforce them. A common interpretation of sumptuary legislation is that it was an exercise in futility, and that these laws ultimately failed because they were too difficult to enforce. Enforcement records of sumptuary legislation are almost non-existent, and as far as literature on sumptuary legislation is concerned, there were no actual prosecutions for the infringement of these laws. Frances Baldwin states:

Surely, if the statutes of apparel had been executed as the legislators intended them to be, some of the cases arising under them would have been appealed to the higher courts, and some reports of them would have been preserved. And yet no such reports can be found.¹⁹

Hunt offers a potential hypothesis being that sumptuary offences are typically summary offences.²⁰ A summary offence is an offence that was typically tried in the lower courts, and dealt with by officials of crown in the parish, rather than in the higher courts. Hunt further

¹⁶ Hughes and Larkin (eds.), *Tudor Royal Proclamations Volume II The Later Tudors 1553-1587*, (Westminster, 7 May 1562, 4 Elizabeth I), 202.

¹⁷ *Statutes of the Realm*, Vol. 3, 1509-1545, (24 Henry VIII c. 13), (Burlington, Ontario: Tanner Ritchie Publishing & The University of St. Andrews, 2007), 430.

¹⁸ Hughes and Larkin (eds.), *Tudor Royal Proclamations Volume III The Later Tudors 1588-1603*, (Star Chamber, 13 February 1588, 30 Elizabeth I), 3.

¹⁹ Baldwin, *Sumptuary Law and Personal Regulation in England*, 117-118.

²⁰ Hunt, *Governance of the Consuming Passions*, 326.

states that “sumptuary laws are much like other laws in that enforcement is the exception rather than the rule.”²¹ However, when analyzing both sumptuary acts in legislation and in proclamations, it becomes apparent that there was a contemporary preoccupation with the enforcement of sumptuary legislation. Throughout legislation, this preoccupation with enforcement becomes apparent as statutes make provisions for the enforcement of these laws. The statute of 1533 states:

...he so offending shall forfait the same appareill and other the premises so by him used or worne upon his persone hors mule or other beaste, wherewith so ever it be garnished embrowdred doubled or myxed, or the value therof and also iij s. iij d. in the name of a fyne for every daye that he shall so weare the same contrary to the tenour and purpose of this Acte;... the one halffe of the which fafature and fyne shalbe to the Kinges Highnesse and th ther half to hym or them that will sue for the same in fourme and within the tyme limited.²²

From this lengthy provision we can see the various ways in which the state sought to enforce sumptuary laws. Firstly, the guilty party would have to forfeit the offending garment, and they would then be fined three shillings four pence for every day that they had worn the offending garment. Secondly, any man could then sue for the ownership of the offending garment in which half of the profits would go to the King, with the other half being kept by the suing party. An examination of sumptuary statutes and apparel acts reveal that the most common form of punishment for the transgression of sumptuary legislation was forfeiture of the offending item and a fine, and during the Tudor period the enforcement of the sumptuary acts were charged to the localities. These state appointed agents were charged with the surveillance, apprehension and prosecution of offenders.²³ In the same statute from 1533, Justices of the Peace were given the authority to punish offenders.²⁴ Justices of the Peace were given increased power and jurisdiction by the state in order to properly prosecute offenders. By doing so, the Tudor state sought to further extend its own control into the localities of early modern England. Hunt has suggested that the lack of actual prosecutions by the Justices of the Peace and other officials was because their other public duties were far more important, and because they often lacked sufficient assistance, which meant that prosecutions were few and far between.²⁵ Despite the lack of prosecutions for sumptuary offenses, the language used in proclamations and statutes shows a real concern with regulation, not only of the hierarchical social structure, but also with the maintaining contemporary moral integrity and with extending state power further within the localities.

Between 1500 and 1600, the use of clothing to indicate status and power reached its peak.²⁶ Clothing and fashion during the sixteenth century carried symbolic meaning that was intrinsically linked to the various ways in which contemporaries interacted with each other and their environments. Thus, sumptuary legislation at the outset was concerned with the state regulation of dress. Susan Vincent argues that “apparel simultaneously defined the

²¹ *Ibid.*, 325.

²² *Statutes of the Realm*, Vol. 3, 1509-1545, (24 Henry VIII c. 13), 430.

²³ Hunt, *Governance of the Consuming Passions*, 330.

²⁴ *Statutes of the Realm*, Vol. 3, 1509-1545, (24 Henry VIII c. 13), 432.

²⁵ Hunt, *Governance of the Consuming Passions*, 331.

²⁶ *Ibid.*, 307.

difference between certain groups and conferred the distinctions of status.”²⁷ Therefore, certain fabrics, and the amounts in which they could be worn were used as social markers.²⁸ Increasingly, richer textiles were made available to the English through trade networks. Fashion became increasingly ostentatious as techniques such as slashing, and large starched ruffs became incorporated into the clothing of the elites and the nouveau riches. Because clothing had the power to confer social status and acted as an identifier of rank, contemporaries became increasingly concerned when certain aspects of clothing, such the use of certain textiles, that the elites had always considered their prerogative, were adopted by those of a lesser status. Thus, proclamations and statutes sought to regulate what was considered proper for contemporaries to wear based on their position in society. For example, a statute of 1510 delineates at what ranks it was acceptable to wear purple silk, cloth of gold tissue, velvets, furs, satin, and damask. Likewise, the same statute discusses what types of garments were allowed to contain the previously mentioned textiles. For example, it was unacceptable to for any man under the degree of Knight of the garter, to wear any crimson or blue velvet in his coat or gown.²⁹

One of the primary goals of English sumptuary legislation was first and foremost to regulate the social orders. Drawing on the examples of sumptuary legislation in the statute books from 1363, and 1463, legislators sought to differentiate social structure through dress codes.³⁰ While early sumptuary legislation is concerned with maintaining the social hierarchy, and more importantly, in controlling the nobility, as England moved into the sixteenth century, provisions began to include a broader range of social categories, for example, university graduates.³¹ Throughout the sixteenth century, contemporaries had become increasingly concerned with what many parliamentary proclamations termed “the confusion of all degrees of all estates....”³² From passages such as this, it is apparent that contemporaries who transgressed traditional social boundaries by dressing above their station were cause for concern in some quarters. Thus, as Hunt has stated, “English apparel legislation opened with a hierarchical dress code that, in principle, applied to the whole population.”³³ While it is easy to assume that this meant that those of the lower orders were striving to emulate their betters, much of the literature concerning the social order and sumptuary legislation has proven otherwise; instead, legislators focused on what contemporaries termed “the meaner sort,” meaning those who were newly wealthy and who did not have a noble lineage, thus adding to the growing social group known as the middling sorts.³⁴ While the great chain of being was the dominant social theory of the sixteenth century, a certain degree of social mobility was in fact attainable, thus causing concern as social boundaries became blurred.³⁵ N.B Harte has commented on the increasingly socially mobile society. He states, “the number of links on the chain of society was growing and

²⁷ Susan Vincent, *Dressing the Elite: Clothes in Early Modern England I* (New York: Berg, 2004), 124.

²⁸ Maria Hayward, *Rich Apparel: Clothing and the Law in Henry VIII's England* (Burlington, VT: Ashgate, 2009), xv.

²⁹ *Statutes of the Realm*, Vol. 3, 1509-1545, (1 Henry VIII c. 14), (Burlington, Ontario: Tanner Ritchie Publishing & The University of St. Andrews, 2007), 8.

³⁰ Hunt, *Governance of the Consuming Passions*, 303.

³¹ *Ibid.*, 309-310.

³² Hughes and Larkin (eds.), *Tudor Royal Proclamations Volume III The Later Tudors 1588-1603*, (Star Chamber, 13 Feb 1588, 30 Elizabeth I), 3.

³³ Hunt, *Governance of the Consuming Passions*, 304.

³⁴ *Ibid.*, 315.

³⁵ Hayward, *Rich Apparel: Clothes and the Law in Henry VIII's England*, 44.

mobility between them was increasing.”³⁶ As a result, legislators struggled to counteract the blurring of social lines through legislation, because of this perceived threat to their place on the great chain of being.

Throughout literature concerning sumptuary legislation, scholars like Baldwin, Hunt, and Hayward comment on the role of women. What is interesting in English sumptuary statutes is that women are conspicuously absent from them until 1574. One hypothesis for this, offered by both Vincent and Hayward, is that because of the strictly patriarchal society, women were seen as being under the protection and direction of their fathers and husbands, and because of their role within the private sphere, they were not considered as viable threats to the social order. Therefore, any transgressions in regards to clothing fell under the jurisdiction of their male head of household.³⁷ However, Hayward argues that this changed in 1574, as Elizabeth I became increasingly conscious of her own expensive tastes in clothing and luxury items, and sought to regulate and nullify any potential competition.³⁸ Echoing the legislation of her father except adding a new gender aspect, no woman “shall wear any cloth of gold, tissue, nor fur of sables” with the exception of duchesses, marquises, and countesses. The proclamation continues in the ranking of women who could be seen at court, including “gentlewomen attendant upon duchesses, marquises, countesses.” Likewise, a variety of textiles and articles of clothing are listed. For example, “silk, or cloth embroidered with gold or silver or pearl”, and luxury items like “enameled chains, buttons, aglets, borders.”³⁹ From this data, clothing worn by women and their status within society became entrenched in sumptuary legislation. Along with the introduction of women into the statute books, the consumption of luxury items and textiles that were being consumed and possessed by those not of the rank of the landed elites, began to raise concerns about the morality of contemporaries and the moral stability of the realm.

When considering how early modern English legislators sought to regulate the morality of the realm, it is important to consider the moralization of luxury goods during this period. Hunt argued that “luxury came to be conceived as both cause and symptom of an evil that was both personal and social.”⁴⁰ Luxury was linked to the sin of pride, and several of the preambles of sumptuary statutes and royal proclamations include this sin as “pride moder of all vices.”⁴¹ Furthermore, there are distinct differences between Catholic and Protestant ideologies on the theory of luxury. Catholicism condemns luxury on the basis that luxury was a sin of personal pride, whereas Protestantism was more concerned with the immorality and societal decay that luxury ushered in.⁴² Therefore, the Protestant ideals of luxury as the harbinger of immorality and societal decay can be seen in England after 1530 with the Reformations and subsequent dissolution of the monasteries. This Protestant focus was taken a step further by Puritans who viewed luxury as wasteful and uncharitable, as contemporaries spent money on luxury goods rather than providing for charitable works.⁴³

³⁶ N.B. Harte, “State Control of Dress and Social Change in Pre-Industrial England,” in *Trade, Government and Economy in Pre-Industrial England: Essays Presented to F. J. Fisher*, edited by D.C. Coleman and A.H. John (London, England: Weidenfeld & Nicolson, 1976), 140.

³⁷ Hayward, *Rich Apparel: Clothes and the Law in Henry VIII's England*, 45.

³⁸ *Ibid.*, 21.

³⁹ *Tudor Royal Proclamations Volume II The Later Tudors 1553-1587*, (Greenwich, 15 June 1574, 16 Elizabeth I), 386-386.

⁴⁰ Hunt, *Governance of the Consuming Passions*, 79.

⁴¹ *Statutes of the Realm*. Vol. 3, 1509-1545, (24 Henry VIII c. 13), 430.

⁴² Hunt, *Governance of the Consuming Passions*, 81.

⁴³ *Ibid.*, 82.

Likewise, luxury was linked to crime, in that contemporaries believed that individuals who overspent on luxury goods would be forced into a life of crime to support their habit. Again, we see these sentiments in the statute of 1510 which states:

FORASMUCHE as the greate and costly array and apparel used wythin this Realme contrary to good Statutes therof made hathe bee the Occasion of grete impoverishing of divers of the Kings Subjects and provoked meny of them to robbe and to doo extorcion and other unlawfull Dedes to mayntayne therby ther costeley arraye.⁴⁴

Not only did legislators and those belonging to the upper echelons of society believe that overspending on luxury goods could lead to crime and disorder, but a second fear was that overspending could lead to impoverishment that would then lead to the decay of society, and therefore the realm of England. An Elizabethan proclamation in 1574 speaks extensively to what was viewed as:

...the wasting and undoing of a great number of young gentlemen, otherwise serviceable, and others seeking by show of apparel to be esteemed as gentlemen, who, allured by the vain show of those things, do not only consume themselves, their goods, and land which their parents have left unto them, but also run into such debts and shifts as they cannot live out the danger of laws without attempting of unlawful acts, whereby they are not any way serviceable to their country as otherwise they might be.⁴⁵

By over spending on luxury goods and expensive clothing, “young gentlemen” brought about a loss of their reputation, but also the ruin of their families and this could potentially lead to the eventual decay of the realm. Therefore, the statutes sought to regulate what contemporaries were allowed to own and wear based on their level of income. Hunt has stated, “Increasingly it came to be acknowledged that status was a function of the source and level of income rather than of rank.”⁴⁶ Statues and proclamations denote at what income level the wearing of a certain textile was acceptable, if one lacked the necessary social status. Throughout the Acts of Apparel and statutory legislation, provisions are made for those within a specified income bracket. For example, in a statute of 1563 titled *An Acte against such as shall sell anny Ware for Appareill without ready Moneye*, states that sellers of foreign apparel may not sell to anyone who does not have at least three thousand pounds per annum, nor could they sell the good if they did not receive the full payment.⁴⁷ This signifies the government’s increasing concern with those who were living beyond their means, at a time of economic uncertainty. Throughout the sixteenth century, England faced a series of economic crises, such as inflation, the debasement of currency, and consecutive years of drought, which lead to a crisis in the agrarian sector. This resulted in more people relying on the state for support, for example, in the form of poor relief within parishes.

As a result of the increased moralizing associated with luxury items, and contemporary overspending, sumptuary legislation also began to include ideas concerning economic

⁴⁴ *Statutes of the Realm*, Vol. 3, 1509-1545, (1 Henry VIII c. 14), 8.

⁴⁵ *Tudor Royal Proclamations Volume II The Later Tudors 1553-1587*, (Greenwich, 15. June 1574, 16 Elizabeth I), 530.

⁴⁶ Hunt, *Governance of the Consuming Passions*, 296.

⁴⁷ *Statutes of the Realm*, Vol. 4.1, 1547-1585, (5 Elizabeth I c. 5-7), 428.

regulations. Hunt stated that sumptuary law in England “emerged in a period in which there was already an established tradition of economic intervention; the regulation of the quality of production and the associated basic terms of trade such as weights and measures already existed.”⁴⁸ This “tradition of economic intervention,” can be seen in a royal parliamentary proclamation from 13 February 1588, that states “The Queen’s Majesty hath considered into what extremities a great number of her subjects are fallen by the inordinate excess in apparel, contrary both to the good laws of the realm and to her majesty’s former admonitions by her proclamations...to the impoverishing of the realm by daily bringing into the same of superfluity of foreign and unnecessary commodities not able to be answered with the natural merchandise of the realm...”⁴⁹ This statement illustrates the concerns of contemporary legislators over what was seen to be an excess of the importation of foreign goods. As a result, parliamentary proclamations and statutory legislation became tinged with elements of economic regulation. Baldwin has argued that one of the driving factors behind sixteenth-century English sumptuary legislation was to regulate the economy of early modern England.⁵⁰ The economic atmosphere of sixteenth-century England was far from stable.

Throughout the sixteenth century, England experienced a crisis in its agrarian sector, with consecutive years of harvest failure in the middle of the century, which served to drive up the cost of available goods.⁵¹ Coupled with the agricultural crisis, inflation became a serious problem for early modern English contemporaries. The rising cost of living and the price of goods in the sixteenth-century meant that even contemporaries who were employed were at the mercy of inflation.⁵² During the 1540s, England also experienced the debasement of its currency. The result was that the silver content of England’s coinage was reduced by more than two thirds between 1543 and 1551.⁵³ As the prices of goods rose steadily through the sixteenth century, inflation meant that monies received as payment were worth less at the market, which in turn decreased purchasing power. Therefore, contemporaries were able to purchase less for more money. What this meant was that their ability to purchase the goods needed to sustain themselves and their families decreased, and many had to turn to their parishes for support, placing increased pressures on the parish. This, in turn, created resentment towards those who could not maintain themselves and their families. This resentment was further exacerbated as contemporaries began to view the importation of luxury goods as detrimental to England’s economy. To wear foreign items was perceived as being un-English⁵⁴, and the craze for foreign made luxury items was seen as being detrimental to the stability of the realm through a loss of bullion.⁵⁵ Likewise the moral concern that men and women were beggaring themselves in the pursuit of luxury goods crept into contemporary economic debates, as it was seen that by placing limits on what foreign goods were imported, some would be less inclined to overspend.⁵⁶ Because of the perceived threat of foreign luxury goods, legislators began to look within the realm to

⁴⁸ Ibid., 298.

⁴⁹ Hughes and Larkin (eds.), *Tudor Royal Proclamations Volume III The Later Tudors 1588-1603*, (Star Chamber, 13 Feb 1588, 30 Elizabeth I), 3.

⁵⁰ Baldwin, *Sumptuary Legislation and Personal Regulation in England*, 10.

⁵¹ Pound, *Poverty and Vagrancy in Tudor England*, 15.

⁵² Ibid., 11.

⁵³ Ibid., 12.

⁵⁴ Roze Hentschell, *The Culture of Cloth in Early Modern England: Textual Constructions of a National Identity* (Burlington, VT: Ashgate, 2008), 104.

⁵⁵ Joan Thirsk, *Economic Policy and Projects* (Oxford: Oxford University Press, 1978), 16.

⁵⁶ Vincent, *Dressing the Elite: Clothing in Early Modern England*, 120.

produce the same luxury items with English raw materials, like English wool, rather than spending English bullion elsewhere, on goods coming from France and the Low Countries. Not only would these proposed projects keep English money within England, and encourage contemporaries to purchase goods within the home market, but England would be able to export her English made products to continental Europe, as well as to the colonial new world, thus increasing the wealth of England.⁵⁷ Legislators therefore turned to industries already available within England, and legislative projects were undertaken with vigor. Thus, as a result of this protectionist mentality, the English wool and stocking trade became prominent both within England and internationally as legislators and politicians promoted their revival.

Contemporary interest in the protection of the local economy is apparent in legislation passed as early as 1510, in a statute titled *An Act Agaynst Wearing of Costly Apparell*. Clauses within this act specifically target the prohibition of wearing foreign wools and furs, which Wilfred Hopper suggests, illustrates the economically protective nature of English sumptuary legislation.⁵⁸ The statute of 1510 states, “And that no Mane under the Degree of a Lorde or a Knyght of the Garter were any Wollen Clothe made oute of this Realme of Englonde Irelande Wales Cailes or the Marches of the same or Berwyk upon payne to forfayte the seid Clothe and for using of the same to forfayte x pounde.”⁵⁹ These economic considerations were echoed in the middle of the sixteenth century when inflation became of increasing concern. Inflation also served to drive up the price of foreign goods, and quite often raw materials, such as wool, that had been produced in England, and exported to foreign countries, were imported back into England in the form of luxury goods.⁶⁰ Another result of inflation in the 1540’s was the decay of many English towns, such as Norwich, a centre for the manufacture of worsted.⁶¹ At the beginning of the sixteenth century, the worsteds made within England were considered to be of poor quality.⁶² Therefore, a central theme of the projects was to rehabilitate the English wool trade, producing better quality wools, and to reinvigorate decayed English towns. Another subsidiary goal of the projects was expand English exports in order to pay for larger imports.⁶³

Aiding legislator’s desire to establish a home grown wool industry, that produced higher quality wools, was the influx of skilled French and Dutch foreigners into England, who brought with them the knowledge and techniques with which to improve this burgeoning industry.⁶⁴ The new English wool industry, which fell under the banner of “New Draperies,” was the stimulus for the rise of the stocking industry later in the sixteenth century. The early sixteenth century saw stockings come to the forefront of the fashion industry, and by the middle of the century, England was importing stockings of silk from urban centers in Spain, France and Italy, all of which were also centers of fashion.⁶⁵ By the 1560s the popularity of

⁵⁷ Thirsk, *Economic Policy and Projects*, 134.

⁵⁸ Wilfred Hooper, “The Tudor Sumptuary Laws”, *The English Historical Review*, Vol. 30, No. 119 (Jul., 1915), 433.

⁵⁹ *Statutes of the Realm*, Vol. 3, 1509-1545, (1 Henry VIII c. 14), 8.

⁶⁰ Thirsk, *Economic Policy and Projects*, 31.

⁶¹ *Ibid.*, 35.

⁶² *Ibid.*, 35.

⁶³ *Ibid.*, 35-36.

⁶⁴ *Ibid.*, 44.

⁶⁵ Joan Thirsk, “The Fantastical Folly of Fashion: the English Stocking Knitting Industry, 1500-1700.” In *Textile History and Economic History: Essays in Honour of Miss Julia de Lacy Mann*, edited by K.G. Ponting & N.B. Harte (Manchester: Manchester University Press, 1973), 52-54.

stockings had reached new heights as a result of the improved manufacturing of wool and the influx of foreign knitting techniques into early modern England.⁶⁶ Prior to the 1560s, the stocking knitting industry in England sold predominantly on a local scale. However, by the 1590s, England's stocking knitting industry had grown to immense proportions with exports of woolen stockings being sent to European urban centers such as France, Holland, and Germany.⁶⁷ Stockings began to be made from a variety of fibers and colors. Closely related to the rise of the stocking industry, strides were made in the dying process of woolen fabrics. Not only did the stocking industry improve England's exports, but it simultaneously provided work and cash to both men and women, who could then purchase goods at the market, putting cash back into England's coffers.⁶⁸ As a result of improved techniques, knitting schools were founded in larger towns as early as the 1590s.⁶⁹ What had started out as an attempt to encourage contemporaries to "buy English," turned into a successful business scheme, resulting in a diverse industry, capable of exporting goods all over continental Europe. While sumptuary legislation did not initially set out to regulate the economic atmosphere of the sixteenth century, the stocking industry can be seen as a byproduct of the legislation, and thus aiding in creating new, lucrative industries within early modern England.

Scholars agree that by 1604 sumptuary legislation was on its way out of the statute books.⁷⁰ N.B. Harte states that sumptuary legislation was "repealed in 1604 for political and constitutional reasons rather than because of any opposition to the principle of state control of dress."⁷¹ Hayward offers the view that because of pressure felt by the professional classes, and because of his lower born favorites, James I abandoned sumptuary legislation.⁷² An act passed by parliament in 1604 repealed the statutes that had been key to sumptuary legislation under Elizabeth; the act passed in 1533, and the act of 1553, and Baldwin attributes this to the decline in the medieval spirit.⁷³ In the end scholars agree that while contemporaries still actively pursued the latest fashions, with the same pace as in the previous century, and at the same time, still wished to maintain social distinctions through dress, sumptuary legislation was abandoned because it was too difficult to enforce, and lacked the respect of popular opinion.⁷⁴

While the aim of sumptuary legislation was the state regulation of dress, sumptuary legislation in the sixteenth century served to encompass the broader, over-arching goals of legislators. Social instability and the maintenance of the common weal was perhaps the most superficial of these goals. Strongly connected to the drive for social stability were the regulation of morals and the moralization of luxury. As Protestantism became further entrenched in early modern English society, notions concerning luxury as a detriment to society became a focus of debate, as it was perceived that many contemporaries were living outside their means to the decay of the realm. Furthermore, as England moved through the sixteenth century, sumptuary legislation and parliamentary proclamations became

⁶⁶ Thirsk, *Economic Policy and Projects*, 44.

⁶⁷ *Ibid.*, 45.

⁶⁸ Thirsk, "Fantastical Folly of Fashion: the English Stocking Knitting Industry, 1500-1700", 61.

⁶⁹ Thirsk, *Economic Policy and Projects*, 66.

⁷⁰ See Baldwin, *Sumptuary Legislation and Personal Regulation in England*, 249; Freudenberger, "Fashion, Sumptuary Laws, and Business", 37; and Hunt, *Governance of the Consuming Passions: a History of Sumptuary Law*, 321.

⁷¹ Harte, "State Control of Dress and Social Change", 148.

⁷² Hayward, *Rich Apparel: Clothes and the Law in Henry VIII's England*, 25.

⁷³ Baldwin, *Sumptuary Law and Personal Regulation in England*, 249-250.

⁷⁴ *Ibid.*, 275.

increasingly protectionist in nature, in that they sought to regulate the importation of luxury goods from foreign countries, and by encouraging contemporaries to “buy English.” As a result, England’s wool trade enjoyed an economic revival and England became a major exporter of knitted stockings, among other goods. While many scholars have viewed sumptuary legislation as an exercise in futility, in that its ultimate demise was the contemporary inability to enforce the statutes, and contemporary disregard for the statutes. What is important to take away from sumptuary legislation and the *Acts of Apparel* are the deeper contemporary ideologies behind sumptuary laws that illustrate the very real concerns and broader over-arching themes behind the maintenance of the social order, moral regulation and economic protectionism.

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