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13 Sartorial Sorting in the Colonial Caribbean and North America

*Robert S. DuPlessis**

Sumptuary legislation is most frequently envisaged as state-sponsored restriction on expense and ostentation in dress as materialised in rich fabrics, costly ornamentation and exaggerated styles. Statutes of this type existed in seventeenth- and eighteenth-century British, French and Dutch North American and West Indian colonies, but they were few in number. Yet ‘rules of conduct or procedure established by custom, agreement or authority’ aimed at ‘regulating or limiting personal behavior’, notably sartorial expression—to quote more expansive definitions of ‘law’ and ‘sumptuary’—were ubiquitous in those settlements.¹ Promulgated by religious and secular institutions, entailing unwritten and written ordinances, and as likely to involve provision as consumption of attire, collectively they addressed many groups within the varied colonial populations, and some engaged nearby indigenous societies.

In the colonies, as in the European metropolises, sumptuary measures presumed that perceptible sartorial distinctions expressed and helped constitute a social order. But whereas European laws mainly focused on gender, class, wealth and profession as the salient criteria of difference, New World enactments more often fixated on legal status and race. Metropolitan regulations challenged what authorities perceived as immoderate and immoral demand on the part of at least formally free people. The same concerns animated some North American and Caribbean regulations. But other laws applied to the substantial and increasing numbers of the populace in permanent and temporary bondage, individuals who only exceptionally pursued sartorial excess (or allegedly did so). Legally and economically hobbled against exercising choice about what they wore, such men and women were most likely to experience sumptuary intervention in the form of mandates about supply. For most slaves and indentured servants, for most of the time, the right to dress meant a claim to some modicum of clothing the satisfaction

* Thanks to Chris Densmore, Curator of the Friends Historical Library, Swarthmore College, for help in locating illustrations of Quaker dress.

¹ *The American Heritage College Dictionary*, 3rd ed. (Boston: Houghton Mifflin, 1993), ss.vv.

of which was granted not to them but to those who possessed them. So often, however, was that claim fulfilled inadequately or not at all that laws were deemed necessary not to restrict slave and servant dress, but simply to ensure they received even rudimentary attire.

‘Excesse in Apparrell’: Legislating Acceptable Dress

In continental North America, the sole instances of European-style sumptuary laws appeared early – only a few years, in fact, after the foundation of the Massachusetts Bay (est. 1630) and Connecticut (est. 1636) colonies. Like metropolitan acts, the ordinances issued by these colonies’ assemblies (known as ‘General Courts’) were justified by a combination of moral, religious and financial reasons; concentrated on pricey and showy adornments and accessories; and, in their final and most complete iterations, were particularly concerned to maintain a proper correspondence between social standing and sartorial performance.

Decrying ‘greate, ... & unnecessary expences’, ‘the nourishing of pride & exhausting of mens estates’, and ‘evill example to others’, initial Massachusetts Bay ‘Orders’ of 1634, 1636 and 1639 attributed these scourges both to unspecified ‘newe & immodest fashions’ and to ‘the ordinarie [frequent] weareing’ of a list of items including gold, silver, silk and bone ‘laces, girdles, hatbands &c’; wide and slashed sleeves and breeches; cutwork, other needlework and embroidered caps, sashes and ‘rayles’ (scarves or shawls); ruffs; beaver hats; even long hair. Established markers of class, wealth, pomp and (often) royalism in England, in Puritan New England these styles and accoutrements were summarily dismissed as ‘superfluties tending to little use or benefit’, condemned as ‘uncomely, or preiudiciall to the common good’, and banned. No particular group of offending consumers was identified: indeed, the 1639 law put on notice ‘all ... of what quality or estate soever they may bee’. But the orders did bar everyone (while singling out tailors) from making garments with sleeves short enough to bare the arm or (though only if for women) more than half an ell wide. They also forbade adding lace or points to any attire – unless (a faint echo of European sumptuary laws that sought to protect or promote local economic interests, as noted in the introduction to this volume) the item was to be taken out of Massachusetts Bay. The civil authorities did not appoint special sumptuary officials, instead summoning clergy and congregants to enforce their decrees in order to repress ‘disorders in apparrell’ and ‘attaine a generall reformation’.²

² Nathaniel B. Shurtleff (ed.), *Records of the Governor and Company of the Massachusetts Bay in New England*, 5 vols. in 6 (Boston: W. White, 1853–1854), i: 126, 163, 274–275. All quotations here and subsequently are *sic*.

Vain hopes, it seems, since when nearby Connecticut – a direct offshoot of Massachusetts Bay – enacted an attempt at a sumptuary ordinance in 1641, the text conceded that a previous (lost) edict ‘conserneing the restraint of excesse in apparrell’ had been flouted, and (perhaps tacitly acknowledging the failure of ecclesiastical discipline) vested enforcement of the new directive solely with town constables.³ Whether reflecting a similar despair at controlling, much less remaking, sartorial habits or (what seems less likely in light of 1639 laments about ‘excessive wearing’ of unacceptable apparel) a conviction that it had successfully done so, in November 1644, without warning or explanation, the General Court of Massachusetts Bay repealed ‘all former orders made about apparrell and lace’.⁴ Whatever its cause, the hands-off mood proved evanescent. In 1651, the colony returned to the sumptuary lists with its most comprehensive law; moreover, following Connecticut’s lead – its brief 1641 order had warned residents that their dress must not ‘exceede their condition and ranks’ – Massachusetts Bay now focused on attire’s social signification.

To be sure, neither colony wholly abandoned religious/moral justifications for combatting what magistrates deemed extravagant dress. Even in the later seventeenth century, each defined itself as professing the Gospel in a ‘wilderness condition’, wherein showy attire dishonoured God while corrupting settlers.⁵ Yet it can hardly be coincidental that in the 1650s to 1670s, a period of often painful economic adjustment, confusing social change and political tensions, both Massachusetts Bay and Connecticut decreed sumptuary laws that condemned ‘excesse in apparriell’ for disrupting hierarchies of wealth, status and authority and endorsed ‘sober and moderate’ dress.⁶ The enactments did not broaden the definition of censured sartorial behaviour beyond showy accessories

³ J. Hammond Trumbull and Charles J. Hoadly (eds.), *The Public Records of the Colony of Connecticut*, 15 vols. (Hartford: Brown & Parsons et al., 1850–1890), i: 64.

⁴ Shurtleff (ed.), *Records of the Governor and Company of the Massachusetts Bay*, ii: 84.

⁵ *Ibid.*, iv, pt. 2: 41 (1662); Trumbull and Hoadly (eds.), *The Public Records of the Colony of Connecticut*, ii: 283 (1676).

⁶ Except as noted, all quotations from Shurtleff (ed.), *Records of the Governor and Company of the Massachusetts Bay*, iii: 243–244 (1651), 261 (1652 insertion of an omitted phrase), repeated in iv, pt. 2: 61–62; Trumbull and Hoadly (eds.), *The Public Records of the Colony of Connecticut*, ii: 283 (1676), which copied much of the language and all of the tone and focus of the 1651 and 1662 Massachusetts Bay ordinances; OED, s.v. For contemporary conditions, see Jackson Turner Main, *Society and Economy in Colonial Connecticut* (Princeton: Princeton University Press, 1985); and Marsha L. Hamilton, *Social and Economic Networks in Early Massachusetts. Atlantic Connections* (University Park, PA: Penn State University Press, 2009).

and adornments, nor denounce additional items save 'great bootes'. But magistrates now avowed, at length and repeatedly, their 'utter detestation and dislike' when persons 'of meane condition' had the impudence to 'take upon them the garbe of gentlemen'. It was 'intollerable', Massachusetts Bay officials intoned, that such individuals should dare to bedeck themselves in items 'allowable to persons of greater estates, or more liberall education'. It was a punishable offence, their Connecticut counterparts added, for individuals to 'make or ware or buy any apparell exceeding the quality and condition of their persons and estates or that is apparently beyond the necessary end of apparell for covering or comeliness [propriety or decency]'. According to the anxious authorities, clothing's function of embodying and sustaining the correct social structure was being eroded.

In order to prevent such blatant disregard of rank-appropriate sartorial performance – in order to ensure that colonists would dress so as not to 'exceed their ranckes and abillitie in the costlynes or fashion of theire apparrill in any respect' – donning items repeated from the 1630s lists was forbidden to anyone with an estate valued at less than £150 (Connecticut) or £200 (Massachusetts Bay).⁷ The strictures did, however, exempt public officials and their immediate families, military officers and soldiers in active service, those privileged by 'education & imploymments ... above the ordjinary degree', and individuals 'whose estates have bineene considerable, though now decayed'. Clergy were not, however, mentioned as deserving to be maintained within the sartorial elite. Interestingly, gender continued to play a minor role in the sumptuary imaginary of authorities in these colonies – both 'men and weomen' were arraigned and the dress of both was to be regulated – while class, or at least wealth and socio-cultural capital, became of primary importance.

In 1675, Massachusetts Bay leaders noted ruefully the 'neglect of due execution' of their 'wholesome lawes ... for restreyning excesse in apparrell', not to mention the popularity of 'vajne, new, strainge fashions' ('naked breasts and armes' and 'superstitious ribbons both on hajre & apparrell').⁸ But as they and their Connecticut colleagues well knew, resistance to sumptuary edicts had existed for as long as they had been promulgated, no matter whether the authorities appealed to religious dictates, to financial prudence, or to a hypothesised social

⁷ A 1662 Massachusetts 'adition' extended the constraints to children and servants and to tailors who fashioned their apparel. Shurtleff (ed.), *Records of the Governor and Company of the Massachusetts Bay*, iv pt. 2: 41–44.

⁸ *Ibid.*, v: 59–60.

order. Perhaps in response, but seeking to realise at least a monetary benefit from their ordinances, both colonies introduced a graduated schedule of fines that had the potential, at least, to turn the colonial sumptuary laws into a luxury tax system that would provide revenue, on the model of some European states (as discussed in Maria Muzzarelli's Chapter 6 and Matthew Romaniello's Chapter 9 in this volume). But even that project seems to have been half-hearted: in Massachusetts Bay county courts were allowed to impose fines 'at their discretion'.⁹

The General Courts cast their regulations as means of stemming the advance of fashion as a criterion governing dress behaviour throughout their colonies. Yet their specific ordinances actually accepted a modicum of sartorial novelty, if grudgingly, tacitly and only for a select few, while seeking to prevent its adoption by groups whose fashionable dressing would confound what officials took to be a desirable socio-sartorial order. By identifying attire that defined social difference, and trying to restrict its consumption, the Courts created a right to dress freely for a sartorially privileged elite and a right of permissible dress defined by limits and exclusions for the majority. From all evidence, however, these distinctions mattered little in practice; 'poore & rich' adopted 'strainge fashions', and officials' 'excesse' became the norm. It is not surprising, therefore, that no other North American mainland colony of Britain, France or the Netherlands ventured such laws against free settlers, and indeed only one passed a general sumptuary measure directed at any group of settlers whatsoever. That exception was a 1735 South Carolina law.¹⁰ Like the earlier New England statutes, it was animated by concerns about men and women who 'wear clothes much above the[ir] condition'. But that condition was slavery, and those who dressed 'above' it were accused not of pride or immorality but of using 'sinister and evil methods' to obtain their improper garb. Whereas the Massachusetts and Connecticut measures emerged from within the free-settler communities at which their rules were directed, moreover, the South Carolina sumptuary regulation was one element of an increasingly comprehensive body of slave law in a colony where the number of men and women in bondage

⁹ Ibid., v: 60.

¹⁰ 'An Act for the better ordering and governing Negroes and other slaves', 29 March 1735, in David James McCord (ed.), *The Statutes at Large of South Carolina*, 8 vols. (Columbia: A. S. Johnston, 1840), vii: 396, Art. XXXVI. The act was renewed in 1740 in the wake of the fearsome Stono Rebellion, and again in 1783 after the disruptive revolutionary years; see 'An Act for the better Ordering and Governing Negroes and other Slaves in this Province', 10 May 1740, [Art.] XL, in John Faucheraud Grimké, *The Public Laws of the State of South-Carolina* (Philadelphia: W. Aitken & Son, 1790), 173–174. The 1783 renewal is in Ibid., 175.

had risen dramatically as rice and indigo cultivation expanded.¹¹ In addition, that single article commanded much broader restrictions than all the New England acts combined, as it forbade every slave 'to have or wear any sort of apparel whatsoever' made up from fabrics 'finer, other, or of greater value than' any of ten enumerated varieties of cheap linens, woollens and cottons.

Significantly, the South Carolina measure did not outlaw all costly or modish attire or ornaments from slave bodies. On the contrary, its strictures specifically exempted 'livery-men and boys' – that is, slaves whose costumes publicly displayed their owners' wealth and station.¹² For the great majority of the enslaved, however, the law decreed that their clothing was to be made only of inexpensive, generally unfashionable textiles, no matter whether supplied by masters or by the slaves' own labour.¹³ Adding injury to insult, the act 'authorised, empowered and required' any free person to confiscate any and all offending attire from the enslaved 'for their own use, benefit and behoof', irrespective of 'any law, usage or custom to the contrary'. The rubric did not seek to establish distinctive slave dress, and apart from Negro cloth, inventories show none of the fabrics was racially coded or worn only by slaves.¹⁴ But while revealing that whites considered cloth a transparent marker of status, the law clearly intended to brand slaves as worthy only of the most basic garb unless serving as components of their masters' public self-presentation.

The remaining colonial sumptuary laws redolent of metropolitan precedents were promulgated in the Caribbean as plantation agriculture and labour developed rapidly during the economic boom after the Seven Years' War.¹⁵ The initial ones targeted specific aspects of the

¹¹ See Peter Coclanis, *The Shadow of a Dream. Economic Life and Death in the South Carolina Low Country 1670–1920* (New York: Oxford University Press, 1989); Peter Wood, *Black Majority. Negroes in Colonial South Carolina from 1670 through the Stono Rebellion* (New York: Knopf, 1974); Jack P. Greene, Rosemary Brana-Shute and Randy J. Sparks (eds.), *Money, Trade, and Power. The Evolution of Colonial South Carolina's Plantation Society* (Columbia: University of South Carolina Press, 2001).

¹² On slave livery, see also Linda Baumgarten, *What Clothes Reveal: The Language of Clothing in Colonial and Federal America* (New Haven: Yale University Press, 2002), 128–132, and figs. 37, 182–186.

¹³ On slave modes of earning money for clothing, and the apparel they purchased, see Robert S. DuPlessis, *The Material Atlantic. Clothing, Commerce, and Colonization in the Atlantic World, 1650–1800* (Cambridge: Cambridge University Press, 2016), 75–77, 135–137, 151–159. South Carolina's permitted fabrics were Negro cloth (also known as plains or kendal cottons), duffel, coarse kersey and Scots plaid woollens; oznabrig (ozenbrig), blue, check and coarse garlix linens; calico and checked cottons (the latter actually a linen-cotton blend). To guarantee that slaves would only wear cheap cloth, check, plaid, garlix and calico could cost no more than 10 shillings a yard.

¹⁴ See *ibid.*, 137–140.

¹⁵ Trevor Burnard and John Garrigus, *The Plantation Machine. Atlantic Capitalism in French Saint-Domingue and British Jamaica* (Philadelphia: University of Pennsylvania Press,

dress of enslaved men and women in Dutch Surinam, beginning with a 1760 prohibition on slaves wearing hats in public; in 1769, shoes and stockings lengthened the list of forbidden garb. Eight years later most gold finery and jewellery were also banned, though gold earrings and small gold clasps on necklaces and bracelets were expressly permitted.¹⁶ Elements of ever more comprehensive acts policing the enslaved, these proscriptions aimed at making clear and formalising the demarcation of slaves from the colony's growing population of free people of colour by putting a statutory imprimatur on widely acknowledged, if erratically implemented, status-based sartorial distinctions.¹⁷

More ambitious in scope and racial rather than status-based in inspiration and orientation were French Caribbean sumptuary laws regarding *gens de couleur*, politically and socially liminal but economically and militarily significant individuals of mixed ancestry as well as formerly enslaved men and women who had earned or been granted freedom.¹⁸ Not isolated enactments, the statutes formed part of a larger campaign to signal, stigmatise, separate and subordinate the largest, wealthiest and most rapidly expanding group of free people of colour in the New World colonies according to racialised notions of public behaviour and sartorial presentation that whites considered appropriate.¹⁹ The offensive restricted carrying of weapons, forbade use of 'white' surnames, blocked access to professions and complicated inheritance, among many other vexations. It gathered force from the 1760s with the arrival of a wave of new settlers and officials from Europe influenced by the teachings of

2016); Trevor Burnard, *Planters, Merchants, and Slaves. Plantation Societies in British America, 1650–1820* (Chicago: University of Chicago Press, 2015).

¹⁶ Jacob Adriaan Schiltkamp and Jacobus Thomas de Smidt (eds.), *West Indisch Plakaatboek: Plakaten, Ordonnantien en Andere Wetten, Uitgevaardigd in Suriname, 1667–1816*, 2 vols. (Amsterdam: S. Emmering, 1973), i: 690 (no. 574); ii: 820 (no. 701); ii: 927 (no. 778).

¹⁷ That particulars of dress were used to differentiate the two groups is indicated by a 1799 Surinam decree (reissued 1804) that forbade all slaves (save those under government orders) and free people of colour ('unless they wear shoes and stockings') to appear in public at night; *Plakaten, Ordonnantien en Andere Wetten, Uitgevaardigd in Suriname*, ii: 1190 (no. 935), 1230 (no. 968). For lack of hats, shoes and stockings as marks of enslavement, see DuPlessis, *The Material Atlantic*, 131.

¹⁸ See Stewart R. King, *Blue Coat or Powdered Wig: Free People of Color in Pre-revolutionary Saint Domingue* (Athens: University of Georgia Press, 2001); John Garrigus, *Before Haiti: Race and Citizenship in French Saint-Domingue* (New York: Palgrave Macmillan, 2006).

¹⁹ The fact that 'no substantial community of free people of colour existed in British America in the eighteenth century', as Trevor Burnard has shown (and contrasts to Saint-Domingue, 'where free coloureds made up nearly half of the free population ... and where they were both wealthy and politically assertive'), likely explains the lack of such enactments in British colonies; see Burnard, *Planters, Merchants, and Slaves*, 153–154, 172–173.

pseudoscientific Enlightenment racism, by the well-developed metropolitan discourse about *luxe*, and by the competition offered by free people of colour in the French West Indies.²⁰ An initial sumptuary ordinance seems to have been promulgated in Martinique, but it is an apparently similar 1779 ruling in Saint-Domingue that has survived.²¹

The long peroration that began the *règlement* disclosed the issues at stake. Denouncing the ‘extreme *luxe* in wearing apparel and adornments in which free people of colour, unsophisticated and freed people of both genders, indulge’, it announced that such *luxe*, which ‘astonished’ officials and the general public, had to be restrained. The text went on to outline a view of the principles that should inform free people of colour’s deportment, including but not limited to the sartorial: ‘simplicity’, ‘propriety’, ‘respect, the essential adjunct of their status’, and ‘modesty, which many of them seem to have forgotten’; it also chastised merchants for violating ‘the superior interest of *moeurs*’ (‘morality’ but also ‘habits’ or ‘customs’) by pursuing mercenary self-interest, apparently by selling free people of colour inappropriate apparel rather than goods ‘for use in moderation’. By way of conclusion, the directive defined free people of colour’s ‘excess or near-excess’: dressing so as to resemble whites; flaunting ‘magnificent and costly finery’; and ‘arrogance that can accompany such dress and scandal that always does’. Leaving the racial inflection aside, the complaints differed little in substance from those directed against New Englanders ‘of meane condition’ a century earlier – striking evidence of how widely sociocultural change, unsettling to those in power, motivated sumptuary legislation.

The regulation mandated three remedies, listed in an order that wittingly or not underlined the preoccupations concerning comportment and racial ordering that animated at least officialdom’s – and, in the act’s telling, all whites’ – apprehensions about the sartorial habits of free people of colour. The first enjoined all *gens de couleur* to accord ‘the

²⁰ For the laws, see Louis-Élie Moreau de Saint-Méry, *Loix et Constitutions des Colonies Françaises de l’Amérique Sous le Vent*, 6 vols. (Paris: Chez l’Auteur et al., 1784–90), vols. iv and v; for the broader context of discrimination, Garrigus, *Before Haiti*. In the eighteenth century, *luxe* meant ‘excessive sumptuousness [*somptuosité excessive*] in dress, furnishings, food, etc.’ – not coincidentally the targets of sumptuary laws. See *Dictionnaires d’autrefois*: <http://artflsrv02.uchicago.edu/cgi-bin/dicos/pubdico1look.pl?strippedhw=luxe> [last accessed 6 January 2018].

²¹ A 1778 letter advises the *Procureur-Général* (Attorney-General) of the *Conseil Supérieur* of Cap François, Saint-Domingue, to petition the *Administrateurs* of the colony (royal officials as distinct from the colonials on the *Conseils Supérieurs*) for an ordinance ‘to repress the *luxe* that prevails among slaves [*Negres*] and free mulattos of both genders’ like the one passed in Martinique (Moreau de Saint-Méry, *Loix et Constitutions*, v: 823), of which no copy appears to exist. The 1779 Saint-Domingue act, which does not mention slaves, was indeed issued by the *Administrateurs*.

greatest respect ... to each and every white person', threatening severe punishment including enslavement for violations. The next forbade free people of colour to 'feign in their garments, coiffures [at the time signifying both headgear and hairstyling], attire, or finery a reprehensible assimilation' of their mode of dressing to that of whites, then commanded them 'to maintain the signs that have served until today to denote the distinctive character of their attire and coiffures'. The order closed by prohibiting free people of colour from wearing 'externally visible objects of *luxe* incompatible with the plainness of their status and origins'.²²

The act was at once sweeping, focused and vague. Borrowing a common observation about West Indian free colonist dress—that it was extravagant and ostentatious, tailored from luxurious fabrics and covered with showy ornamentation—the law criminalised such apparel when chosen by *gens de couleur*, while implicitly valorising it as part of white Antillean identity.²³ So while the regulation trumpeted precepts of moral dressing and associated them with general propriety, it applied them discriminatorily to racialised groups within the free population, in violation of articles 57 and 59 of the so-called 'Code Noir' of 1685 by which all free settlers were to enjoy the same rights and privileges.²⁴ By so doing, the 1779 ordinance instituted race as the governing sumptuary criterion, rather than wealth and traditional rank (as in New England), status (as in South Carolina and Surinam), or gender and occupation (as in many other sumptuary acts).²⁵ The decree also left the operable definition and quotidian application of the rules of dress and decorum wholly up to whites: with no statutory specification of what constituted permitted and forbidden attire, white perceptions would determine what was excess and what simplicity, what was decency and what immodesty, just as they would decide what conduct by free people of colour embodied respect and what arrogance. *Gens de couleur* were responsible for maintaining a proper distance from whites, but whites got to interpret – and reinterpret when and as often as they pleased – that distance's expanse and when and how free people of colour trespassed its borders.

²² Moreau de Saint-Méry, *Loix et Constitutions*, v: 855–856.

²³ For examples and more discussion of the trope, see DuPlessis, *The Material Atlantic*, 164–165. At least with whites, the charge was not always misplaced: in 1762 the Superior Council of Port-au-Prince, Saint-Domingue, had to order attorneys and bailiffs to wear in court only black rather than the 'indecent' and undignified brightly coloured clothing they favoured; Moreau de Saint-Méry, *Loix et Constitutions*, iv: 508–509.

²⁴ *Édit du Roi, Touchant la Police des Isles de l'Amérique Française* (Paris: n.p., 1687). The articles never mention race or colour, only 'affranchis' and 'personnes nées libres'.

²⁵ Besides many of the essays in this collection, see, for example, a 1786 'Proclamation of good government' (*Bando de buen gobierno*) by the incoming Spanish governor of Louisiana that included a provision directed solely at the hair and headgear styles of women of colour. See Charles Gayarré, *History of Louisiana. The Spanish Domination* (New York: Redfield, 1854), 178–179.

Judging by contemporary ordinances about uniforms for separate grenadier companies for *gens de couleur* and whites, officialdom intended sartorial differences between the two groups to be subtle but visible: for example, yellow cuffs (*paremens*) and epaulets for free men of colour, white for whites; white and yellow feathers in free coloured drummers' hats, white in whites'.²⁶ Both the subtlety and the visibility were the point. Marks of distinction, after all, are prized precisely because they are at once fine and likely to be noticed. Even more, the sumptuary law was exquisitely calculated to keep free people of colour off balance, subject to white whims and thus perpetually vulnerable to challenge whenever in public. In contrast to other sumptuary ordinances, the 1779 law's lack of any exceptions sharply narrowed the sartorial space that *gens de couleur* occupied, while the coercive power granted to whites was measurably increased by its inclusiveness: no item of the dress of free people of colour, just as no group of such people, was exempt from surveillance. Any and all aspects of their wardrobes were liable, the law announced, to fall under strictures of a *luxé* illicit because found on the bodies of *gens de couleur*, who thereby illegitimately bridged an undefined – but definable – to and by whites – racial divide.

From all evidence, the sumptuary laws enacted against slaves and free people of colour had little influence on dress practices. All the fabrics deemed acceptable for slave clothing in South Carolina's ordinance were either already being worn by slaves, or were never found on their bodies.²⁷ Yet whatever that measure's sartorial intention, its main effect was to remind whites about the material signs of subordination, the tangible renderings of the social order of slavery. For their part, Saint-Domingue probate inventories indicate that free people of colour dressed the same as whites of their wealth level, occupation or gender; if anything, their outfits were more restrained, like those worn by the free mulatto planter and his wife depicted by Antonio Brunias in 1780 (Figure 13.1).²⁸ There, too, vestiary issues seem to have been of secondary concern to officials. Rather, the 1779 act was mainly notable for articulating a white vision of sartorially performed distinctive racial behaviour and for adding to the growing arsenal that increased white legal authority in the face of the economic and at least perceived cultural power of *gens de couleur*. The dress display of free people of colour apparently annoyed white Caribbean settlers because it indicated that their own hegemony was

²⁶ Moreau de Saint-Méry, *Loix et Constitutions*, v: 860–862. All wore blue woollen coats with stiff collar, white buttons and crosswise pocket, lined with off-white linen, along with white linen waistcoat and breeches.

²⁷ DuPlessis, *The Material Atlantic*, 138. Negro cloth was far and away the predominant textile in which the South Carolina enslaved were dressed, ozenbrig linen a distant second.

²⁸ *Ibid.*, 190–194.

Figure 13.1 *Planter and his Wife, with a Servant*, by Agostino Brunias, c. 1780. Yale Center for British Art, Paul Mellon Collection, New Haven, Connecticut, B1981.25.81.

The well-to-do *gens de couleur* couple in the foreground of this West Indian scene dress soberly but well in fine fabrics, fashionable shoes and hats, and adornments befitting their position. The woman who accompanies them wears a domestic servant's version of the hegemonic slave costume.

insecure. Restrictions on *gens de couleur* attire were a synecdoche for restrictions on the group's position within the broader colonial social ecology in which *luxé* was permissible self-presentation if exhibited by whites, but a scandalous arrogance if displayed by free people of colour.

A 1785 enactment in the Dutch Caribbean island colony of St. Eustatius is instructive about the racial motives and stigmatising intent of late eighteenth century Antillean measures. It also represents something of a *reductio ad absurdum* of colonial sumptuary laws. After railing about the 'increasing insolence and licentiousness' of free people of colour, and the 'bad treatment' that they meted out to whites, all free people of colour were ordered – 'men as well as women' – to wear a red ribbon on the breast 'as a token of their freedom', while slaves were firmly forbidden to wear 'such a distinguished red ribbon of freedom'.²⁹ That a scrap of trim, or its absence, would represent both race and status was testimony at once to the perceived power and to the substantive triviality of sumptuary law.

'Plain Apparell': Codifying Normative Dress

Though conventional sumptuary laws were few in number in the British, Dutch and French New World, a plethora of regulations formal and informal, official and customary, powerfully shaped and in some instances closely determined how denizens of these colonies, and some of their aboriginal neighbours, dressed themselves. The most far-reaching and most successful rules governing attire issued from within small, homogeneous religious communities, constrained only their members (but all of them), were essentially unwritten, and rested solely on the groups' own internal coercive procedures.

Most comprehensive were dress regulations among the Amish and Mennonites, closely related Anabaptist sects that immigrated to rural Pennsylvania starting in the late seventeenth century.³⁰ Virtual non-state

²⁹ Jacob Adriaan Schiltkamp and Jacobus Thomas de Smidt (eds.), *West Indisch Plakaatboek: Publikaties en Andere Wetten Betrekkende hebbende op St. Maarten St. Eustatius Saba, 1648/1681–1816* (Amsterdam: S. Emmering, 1979), 327 (no. 69). A similar act passed on St. Maarten in 1808 specified that men had to wear the ribbon on the left breast, women on the right, 'in such a way that everyone in public can see it'. *Ibid.*, 210–211 (doc. 245).

³⁰ See Donald B. Kraybill, Karen Johnson-Weiner and Steven Nolt, *The Amish* (Baltimore: Johns Hopkins University Press, 2013), 33–34, 103–105, 125–130; Donald B. Kraybill, *The Riddle of Amish Culture*, rev. ed. (Baltimore: Johns Hopkins University Press, 2001), 45–46, 54–70, 112–115, 303–305; Melvin Gingerich, *Mennonite Attire Through Four Centuries* (Breinigsville, PA: Pennsylvania German Society, 1970). The complex and intertwined history of the two groups, formed by mutual excommunication in the late seventeenth century and frequent cooperation ever since, is well told in John Hostetler, *Amish Society*, 4th ed. (Baltimore: Johns Hopkins University Press, 1993).

sumptuary laws, the rules were at once more sweeping and more specific than any others in the colonies, covering nearly all aspects of clothing, head- and foot-gear and hairstyles. Central to each community's *Ordnung*, an orally transmitted code of conduct that governed daily life,³¹ dictates about proper dress were considered essential to maintaining separation from 'worldliness', those material goods, styles of deportment, and individually determined attitudes that to Amish and Mennonites represented the immoral antithesis of plainness, modesty and adherence to communal norms that they valued. Not considered scripturally based, nor typically justified by reference to Biblical passages, dress rules changed over time, if slowly, and varied – if slightly – among the individual autonomous congregations; they also differentiated by gender, age, marital and baptismal status and context (e.g. whether garb was worn in public or private, or whether the wearer was in a position of authority).

As Donald Kraybill has pointed out, every *Ordnung* was both 'proscriptive' and 'prescriptive'. On the one hand, all forbade revealing apparel, rich materials and bodily ornamentation (jewellery, makeup, tattoos), and they rejected many recent styles and articles that emerged during the eighteenth century, such as long hair, moustaches, bright colours (notably yellow) and (among Amish) printed and patterned textiles.³² On the other, *Ordnungen* ordained distinctive hair arrangements (parted in the middle among women, combed with bangs for men), solid colours, particular types of hats and caps, uncut beards, and in general an aura of simplicity and practicality. While dressing more sparsely by excluding items suggestive of luxury, ornateness, newfangledness or worldly styles, eighteenth-century Amish and Mennonites were otherwise garbed much like their rural neighbours; over time, moreover, many sect members incorporated things like buttons on shirts and newer fabrics. Thus an *Ordnung* was not so much a blanket rejection of fashion or of sartorial change as a refusal to adopt quickly fashions created externally to the community that might blur, if not wholly efface, the boundaries between the sect and the surrounding society.

The Anabaptist sumptuary codes proved remarkably successful (and continue to function well today) not just because they are rooted in, nourish, and represent the groups' proud separatist and pietistic identities; they both unify the sects and visibly and legibly set them apart from other religions. The rules also work because they are comprehensive, consistent and widely understood. While unyielding in their

³¹ *Ordnung* is best translated as 'code of discipline'. Still unwritten, *Ordnungen* remain widely understood and followed in the flourishing sectarian communities.

³² Mennonites allowed patterns, checks and plaids in some garments.

requirements for certain items (such as women's caps and aprons, men's hats and beards) and styles (coverage of most of the body, single colours) that symbolise core values of simplicity and humility – and denote as well their sectarian identity – they are adapted to the specific needs of particular subgroups and open to innovations that do not threaten the core values.

Dress stipulations among Quakers (the Society of Friends), the sect of the Pennsylvania colony's founder William Penn, likewise emphasised simplicity and criticised excess.³³ An admonition issued following a 1698 Philadelphia-area Yearly Meeting, for instance, commended 'plain apparel' that excluded 'gaudy or flowered stuffs or silks', pleats and multi-hued coat linings, 'over Long Scarfs' on women and elaborate hair arrangements.³⁴ Later Meetings narrowed and more explicitly gendered their sumptuary concern by offering 'tender advice' to 'younger women' not to display 'pride and superfluity' by parting their hair, or by donning caps 'pinched' around the face, 'pleated and leaded sleeves', attire that was 'bare backt & brested', 'gay stomachers' and hoop petticoats.³⁵

In contrast to Amish and Mennonites, however, eighteenth-century Friends did not translate 'plainness' into a distinctive costume intended to exhibit separatism or a sartorial opposition to worldliness.³⁶ No *Ordnung*-like regulations pertained across meetings, and while congregations might counsel Quakers as to what constituted inappropriate garb, the definition of proper plainness was left to the individual.³⁷ As a result, Friends' dress might legitimately incorporate the rich fabrics evident in numerous inventories and portraits such as Charles Willson Peale's 1772 likeness of Hannah Lambert Cadwalader, wife of a prominent Philadelphia physician (Figure 13.2). Again, Quaker plainness might be manifest in the undyed, barely tailored clothes and uncured leather shoes worn by the

³³ Amelia Gummere, *The Quaker: A Study in Costume* (Philadelphia: Ferris & Leach, 1901). For restatement and elaboration, see Deborah Kraak, 'Variations on Quaker Dress in Eighteenth-Century Philadelphia', *Costume* 34/1 (2000): 51–63.

³⁴ Friends Historical Library, Swarthmore College, Swarthmore, PA, USA, Darby Monthly Meeting, Miscellaneous Papers, Box 1, Advices 1698–1776 and undated, 21 [July] 1698. A Yearly Meeting is a regional organization of monthly meetings, the local congregations to which individual members belong, that makes decisions on matters of general import. All quotations are *sic*.

³⁵ *Ibid.*, 1714 and 1739.

³⁶ I follow Robert Ross's definition: 'costume' is 'dress which is donned in order to demonstrate, unambiguously, a specific identity'. See Robert Ross, *Clothing: A Global History* (Cambridge: Polity Press, 2008), 6. As shown below, a costume can be imposed as well as chosen.

³⁷ For background, see David Shi, 'Early American Simplicity: The Quaker Ethic', in Daniel Doherty and Amitai Etzioni, eds., *Voluntary Simplicity: Responding to Consumer Culture* (Lanham, MD: Rowman & Littlefield, 2003), 101–110.

Figure 13.2 *Portrait of Hannah Lambert Cadwalader* (1712–1788), by Charles Willson Peale, c. 1771. Philadelphia Museum of Art, purchased for the Cadwalader Collection with funds contributed by the Mabel Pew Myrin Trust and the gift of an anonymous donor, 1983-90-2.

Mrs Cadwalader's expensive but muted silk dress, plain silk cap, simple linen cuffs and demure shawl encapsulate perfectly the Quaker elite's desire that their attire combine simplicity and style without ostentation or ornament.

antislavery activist and itinerant preacher John Woolman (1720–1772), depicted in Figure 13.3.³⁸ Yet because Woolman's attire did – as he intended – excite a great deal of comment, it actually ran counter to the dominant Quaker sartorial ideal, which was to avoid bringing notice to one's garb by either ostentation or inordinate simplicity, for both extremes meant undue attention was being paid to external matters rather than one's inner light. More typically, Deborah Kraak has shown, Friends in colonial North America apparelled in 'the conventional dress of the day, shorn of its excesses'.³⁹ More than Amish and Mennonites, Quakers accepted reigning fashions; and, like formal sumptuary laws, their dress rules emphasised not overall attire and style but details and selective omissions: for example, both Cadwalader and Woolman eschewed ornamentation on their bodies and their garments alike.

Religiously sanctioned dress rules did not necessarily gain traction, however. Bishops in late seventeenth-century New France learned this when seeking to outlaw styles that to them egregiously and sinfully defied a venerable European postulate that dress should cover virtually the entire body, and which to boot combined this 'nakedness' with '*luxe*' to beget 'immodesty'.⁴⁰ Between 1682 and 1697 the bishops repeatedly inveighed against 'the *luxe* and vanity of girls and women' who wore 'indecent' clothing – notably arms, shoulders, throats and heads 'scandalously naked' or at best covered with 'transparent linen' – not to mention curled hair, 'costly and dazzling fabrics ... much above their station or means' and profusions of ribbons and laces. Denying access to sacraments, repeated clerical admonitions, vain appeals to the colony's governor to take action: nothing yielded any results, Bishop Jean de Saint-Vallier ruefully acknowledged; little wonder that none of his eighteenth-century successors nor any secular official saw fit to resume his crusade.⁴¹ As in the Caribbean, so in New France probate inventories

³⁸ See Geoffrey Plank, 'The First Person in Antislavery Literature: John Woolman, His Clothes and His Journal', *Slavery & Abolition* 30/1 (2009): 67–91. Though best known for his abolitionism, Woolman sought much broader reforms tending to simplicity and humility, intending his dress 'to teach by example'. *Ibid.*, 70. See also John Woolman, *The Journal of John Woolman. With an introduction by John G. Whittier* (Boston: J. R. Osgood, 1872), 179–183, 269–270; Michael Meranze, 'Materializing Conscience. Embodiment, Speech, and the Experience of Sympathetic Identification', *Early American Literature* 37/1 (2002): 71–88; Shi, 'Early American Simplicity', 113–132.

³⁹ Kraak, 'Variations on 'Plainness'', 52.

⁴⁰ For more on that postulate, see DuPlessis, *The Material Atlantic*, 30–32.

⁴¹ For the bishops' memoranda, ordinances and pleas, see Henri Têtu and Charles-Octave Gagnon (eds.), *Mandements, Lettres Pastorales et Circulaires des Évêques de Québec*, 9 vols. (Québec: A. Côté et Cie., 1887–98), i: 106–108, 172–173, 185–186, 268–270 and 365–366.

Figure 13.3 *John Woolman*, by anonymous artist. Courtesy of the Friends Historical Library, Swarthmore College, Swarthmore, Pennsylvania.

Woolman's costume eschewed dyed fabrics and 'changeable modes of dress', which he deemed prideful as well as dependent on oppressive slave labour; at the same time, he worried that his style of dress 'savored of an affected singularity' opposed to true humility.

attest that the complaints reflected the anxieties of those who voiced them rather than any sartorial reality.⁴² Singling out one segment of the population rather than encompassing the whole community, imperious rather than consensual, wholly negative with no hint of flexibility, the bishops' declarations were little more than echoes of a position not only passé in the metropole from which colonists took their fashion cues but disregarded in colonists' own sartorial performances. The failure of the

⁴² For New France dress, see DuPlessis, *The Material Atlantic*, 215–220.

Quebec proposals likewise parallels the fate of the New England laws that in many regards they resembled.

Besides faith-based directives, a broad range of clothing rules policed the right to dress in early modern European empires. Though not devised as sumptuary regulations, legislated provisioning codes for indentured servants and slaves had the largest effect on the dress of the largest number of people in British, Dutch and French American colonies, notably in the greater Caribbean zone that included the northern coast of South America and lowcountry South Carolina as well as the Antilles. Justified variously by the need to preserve public order, promote propriety and protect property, these regulations established minimum rather than maximum clothing rations for those in bondage. Nevertheless, they became de facto sartorial standards for the legally subordinate and the unfree, the normative costume of temporary and permanent subservience.

Masters were expected to supply indentured servants 'the attire necessary for dressing according to the custom of the country', and in the late seventeenth century several British Caribbean colonies – perhaps to attract such migrants at a time when the supply was diminishing – enacted laws to enforce the expectation.⁴³ The acts also articulated what that custom entailed in garments to be distributed annually. Likely because of metropolitan assumptions about suitable dress, the apparel was to be sufficient to ensure total corporeal coverage. Men were to receive three or four pairs of white ozenbrig or blue linen breeches, canvas or leather ('English') shoes and linen or cotton stockings, along with the same number of blue or white shirts, two jackets (a woollen coat was substituted in Jamaica), up to four hats or caps and, in Jamaica, neckcloths. Jamaica also specified female servants' dress: four each of calico hoods, close-fitting caps ('coiffes'), blue or white ozenbrig chemises ('smocks') and

⁴³ David W. Galenson, 'The Rise and Fall of Indentured Servitude in the Americas: An Economic Analysis', *Journal of Economic History* 44/1 (1984): 1–26, at 8. The quotation is from Moreau de Saint-Méry, *Loix et Constitutions*, i: 638 (1700). As a 1703 Barbados law acknowledged, once 'the Act ascertaining such custom' lapsed, 'many Masters ... dealt with them according to their laws and pleasures' – that is, outfitted servants badly if at all; *Acts Passed in the Island of Barbados From 1643, to 1762, Inclusive* (London: Richard Hall, 1764), 157. North and South Carolina laws called for 'competent' clothing; see Nicholas Trott, *The Laws of the Province of South-Carolina* (Charles-Town: Lewis Timothy, 1736), reprinted in John D. Cushing (ed.), *The Colony Laws of North America* (Wilmington, DE: M. Glazier, 1977–1978), xv: 315; *A Collection of all the Public Acts of Assembly of the Province of North-Carolina: Now in Force and Use* (Newbern: James Davis, 1751), reprinted in Cushing (ed.), *The Colony Laws of North America*, xiii: 161. See also Abbot Emerson Smith, *White Servitude and Convict Labor in America 1607–1776* (Chapel Hill: University of North Carolina Press, 1947), 237; Burnard, *Planters, Merchants, and Slaves*, 34–35, 71–75.

petticoats, ozenbrig or cotton stockings and shoes, and a woollen jacket ('gound' or 'westcoate').⁴⁴

One contemporary noted that masters granted indentured servants 'noe more [apparel] then the lawes of the island [Jamaica] forces 'em to'.⁴⁵ His observation seems accurate. In the few surviving runaway advertisements from the period, none of the fugitives was noted as well dressed, even though it is likely that such listings would have mentioned striking attire to facilitate recognition, and a 1735 visitor to Jamaica similarly portrayed indentured servant dress as plain and comprising the same few items cited in the ordinances.⁴⁶ Thus the legislatively sanctioned costume of social subordination among white settlers also – perhaps unintentionally but certainly effectively – defined the upper bounds of indentured servant attire.⁴⁷

The enslaved comprised far and away the greatest number of men and women included in statutory apparel provisioning.⁴⁸ Though most plantation colonies decreed that slaves be granted 'sufficient' clothing, only the leading Antillean sugar islands described what that term signified: two linen suits (jacket-like chemises – essentially tunics extending below the waist – and breeches or skirts) in French possessions, 'Jackets and Drawers [short trousers]' for men, 'Jackets and Petticoats or Frocks

⁴⁴ *Acts Passed in the Island of Barbados*, 157 (the text added that the outfit defined therein 'shall be taken and held to be the custom of the Country for the future allowance'); John Taylor, *Jamaica in 1687. The Taylor Manuscript at the National Library of Jamaica*, ed. David Buisseret (Kingston: University of the West Indies Press, 2008), 287–288; Smith, *White Servitude and Convict Labor*, 237. At least one of the most items was to be distributed quarterly.

⁴⁵ Taylor, *Jamaica in 1687*, 267 *sic* (quotation); see also Edward Long, *The History of Jamaica*, 3 vols. (London: T. Lowndes, 1774), ii: 291.

⁴⁶ *Weekly Jamaica Courant*, 30 July 1718, 5 August 1718, 11 February 1719, ? 1721, 20 June 1722, 22 March 1726, ? 1730, 24 June 1730; Charles Leslie, *A New and Exact Account of Jamaica* (Edinburgh: A. Kincaid, 1739), 35–36. In all colonies, the laws fell short of requiring the number of garments that Richard Ligon, a one-time Barbadian sugar planter, recommended in the 1650s; see Hilary Beckles, *White Servitude and Black Slavery in Barbados, 1627–1715* (Knoxville: University of Tennessee Press, 1989), 97.

⁴⁷ For a 1758 Virginia court decision that ordered a master to clothe a neglected servant in a barebones version of the costume outlined here, see Smith, *White Servitude and Convict Labor*, 246.

⁴⁸ For more detailed discussion of the topics of this and the next paragraph, see DuPlessis, *The Material Atlantic*, 130–135. For examples of early nineteenth-century legislation, see John Lunan, *An Abstract of the Laws of Jamaica Relating to Slaves* (Jamaica: Office of the Saint Jago de la Vega Gazette, 1819), 106 (1816); J. Th. de Smidt, T. van der Lee and H.J.M. van Dapperen (eds.), *Plakaatboek Guyana (Guyana Ordinance Book), 1670–1816* (The Hague: Huygens Institute for the History of the Netherlands, 2014), 19 October 1778, [Art. 13]; 1 October 1784, [Art.] 18; 2 October 1810; http://resources.huygens.knaw.nl/retroboeken/guyana/#page=0&accessor=search_in_text&view=homePane [last accessed 6 January 2018].

[one-piece gowns]' for women in British.⁴⁹ These allotments lacked shoes, stockings, headgear and coats, never mind any sort of ornamentation or accessories. Even where statute required garments to be given out, moreover, slaves were just as likely to receive only lengths of cloth, and the French Code Noir explicitly permitted masters to substitute four ells of linen for the two suits. Elsewhere, slave dress could be more minimal. According to John Gabriel Stedman, a soldier in and writer on late eighteenth-century Surinam, in that Dutch colony 'the slaves are kept nearly naked', by which he meant clothed only below the waist with a loincloth or skirt.⁵⁰ And when enslaved men and women did get the full provision mandated by law – and much testimony indicates that many did not – the quantity was insufficient not only to keep recipients clothed for an entire year, as more than one observer lamented, but also to afford the type of bodily coverage considered a *sine qua non* for free settlers – and even for indentured servants.

The laws did create – or at least formalised – a model costume (the female iteration of which can be seen on the woman on the extreme left of Figure 13.1), remarkably similar over time and space. As contemporary texts, images, and inventories demonstrate, this costume discernibly differentiated slaves from all free people, including indentured servants, whose clothing provision – 'pore' though it was judged at the time – included a much greater variety of types of garments, as well as many more of them.⁵¹ A degree of 'nakedness' (more accurately, incomplete corporeal concealment) that would have been deemed scandalous for the free was accepted, indeed enjoined, for the enslaved.⁵² For all that, however, the acts did not prevent some notable self-dressing initiatives by slaves who used earnings from selling crops grown on provision grounds, craft goods such as pottery or small wooden implements that

⁴⁹ *Édit du Roi, Touchant la Police des Isles de l'Amérique Française*, Art. XXV; *Laws of Jamaica* 1716, 227 (modelled on an earlier Barbados act). The French requirement was reiterated in 1784 using slightly different terms; Moreau de Saint-Méry, *Loix et Constitutions*, vi: 658.

⁵⁰ John Gabriel Stedman, *Narrative, Of a Five Years' Expedition; Against the Revolted Negroes of Surinam ...*, 2 vols. (London: J. Johnson & J. Edwards, 1796), ii: 273; cf. i: 15, 19; ii: 62, 280–282. Stedman's was not a solitary testimony; see DuPlessis, *The Material Atlantic*, 133–135, and de Smidt, van der Lee and van Dapperen (eds.), *Plakaatboek Guyana*, 2 October 1810; http://resources.huygens.knaw.nl/retroboeken/guyana/#page=0&accessor=search_in_text&view=homePane [last accessed 6 January 2018], where the authorities denounce planters for leaving 'many slaves ... naked and unprovided for ...'.

⁵¹ Quotation from Taylor, *Jamaica in 1687*, 267.

⁵² The deeply racist John Taylor justified the disparity: slaves 'deserve noe better [than 'only ... an arscloth or linen peticoat'], since they differ only from brute beast only by their shape and speech'. *Ibid.*, 268.

they had fashioned, or dry goods furnished by their masters.⁵³ From all depictions, verbal and visual, such garb also obeyed sumptuary rules – if de facto ones internal to slave communities – that dictated colours and materials, garments and styles, accessories and adornments. As such, they delineated an identifiable slave fancy-dress sartorial profile, which often involved items like shoes, stockings and hats that transgressed the usual attire boundaries between slave and free that provisioning-rule costumes obeyed.

Even non-settlers did not lie beyond the reach of sumptuary regulations: the Native inhabitants of the Americas came to dress at the intersection of indigenous and settler codes.⁵⁴ Pre-contact rules in the aboriginal New World were wide-ranging. Tattooing, for instance, was typically limited to men and among them often to those who were going to war, had achieved notable feats, and/or held positions of authority, though in some places high-status Amerindian women were also corporally decorated. Distinctive hairstyles characterised groups by gender, age, marital status and other criteria. Particular garment colours and decorations were allotted by rank and office, and singular forms of otherwise similar garments characterised members of certain bands, tribes and nations.

Many of these norms of sartorial conduct persisted into the colonial era. But contact with settlers introduced novel materials, goods and fashions along with unfamiliar attiring codes. In contrast to Native dress conventions, in which adequate corporeal covering included not just (or not even) apparel but a wide range of accoutrements worn over as well as directly on the physical body, colonists' rules defined even partial absence of garments as 'nakedness' evincing a 'savagery' to be eradicated.⁵⁵ Some Indians encountered new items and ideas as slaves, being garbed like others of their status according to the formal regulations and informal practices outlined above. Free Natives were likewise affected. Intercultural voyagers and emissaries were ceremonially, sometimes elaborately and

⁵³ DuPlessis, *The Material Atlantic*, 151–159.

⁵⁴ The next three paragraphs draw on *Ibid.*, 24–27, 48–50, 87–120 and Plates 1, 5, 6.

⁵⁵ So hegemonic was the equation of partial undress with nakedness and savagery that contemporaries deployed it to condemn all types of apprelling that offended them. See, e.g. the comments by the Anglican circuit rider Charles Woodmason on the settlers to whom he preached in the Carolina borderlands in 1768: the men and women who wore no footwear, headgear, or jackets struck him as 'so rude in their Manners as the Common Savages, and hardly a degree removed from them. Their Dresses almost as loose [and] as Naked as the Indians, and differing in Nothing save Complexion'. Charles Woodmason, *The Carolina Backcountry on the Eve of the Revolution. The Journal and Other Writings of Charles Woodmason, Anglican Itinerant*, ed. Richard J. Hooker (Chapel Hill: University of North Carolina Press, 1953), 56.

usually differentially reclothed (at least for public occasions or the painting of portraits) to demonstrate the ‘civilising’ behavioural potential of sumptuary conventions as well as their ability to project honour and rank as Europeans understood them. Missionaries often enforced new costumes, and some Indian converts took on religiously determined dress of their own volition, in both instances impelled by the time-honoured sumptuary purpose of sartorially expressing identification with a desired model.

Equally rule-driven were the gifts of clothing repeatedly offered Natives by colonial officials pursuing strategic objectives. Top headmen like the Mohawk sachem and important British ally ‘King Hendrick’ (Hendrick Peters Theyanoguin, 1692–1755) received complete suits (coat, jacket, breeches) typically of scarlet or royal blue woollen cloth, dazzling white ruffled linen shirts, satin waistcoats, hats decorated with lace or gold braid, European-style shoes and stockings, neckcloths, garters, buckles, silk handkerchiefs, decorative ribbons and gleaming buttons (Figure 13.4).⁵⁶ Men of lower but still significant rank got coats and breechclouts instead of suits, plain shirts, unadorned hats, boots without stockings; ordinary warriors had to be content with simple breechclouts, shirts, hats and boots. These were hardly outfits that Indians wore very much – perhaps only in the presence of the officials who had bestowed them. But along with imported garments, fabrics and styles acquired in other ways, the gifts acquainted Native communities with new means of expressing the social order, thereby contributing to the emergence of unwritten syncretic indigenous dress codes.

Colonial Sumptuary Projects: Status, Race and Sartorial Sorting

Sumptuary regulations appeared in the French, Dutch and British Americas from the early days of settlement to the end of the colonial era, but as elsewhere they were not monolithic. While all policed dress in pursuit of other objectives, those objectives varied over time and space, as did the contents of the measures that embodied them, the authorities that ordained them, the populations they targeted and their effectiveness. In their unctuous moralism, their obsession with details and dazzle, and particularly their growing anxiety to make clothing conform to social

⁵⁶ For Theyanoguin, see Eric Hinderaker, *The Two Hendricks: Unraveling a Mohawk Mystery* (Cambridge, MA: Harvard University Press, 2010); Timothy J. Shannon, ‘Dressing for Success on the Mohawk Frontier: Hendrick, William Johnson, and the Indian Fashion’, *William and Mary Quarterly*, 3rd ser. 53/1 (1996): 13–42.

Figure 13.4 *The Brave Old Hendrick the Great Sachem or Chief of the Mohawk Indians*, by anonymous artist, 1740? Courtesy of the John Carter Brown Library at Brown University.

Signalling its subject's intermediary status between Native and colonial cultures, Hendrick Peters Theyanoguin's portrait features a tomahawk-style hatchet in his right hand, wampum belt in his left hand and facial tattoos suitable for a Mohawk leader, together with costly apparel that recognises and rewards his role as an important British ally.

condition, the ordinances issued in New England (and urged in New France) represented the last gasp of European-style statist enactments. Belated as well as futile, unsurprisingly they lacked direct descendants.

The failure of those and many of the other regulations that emerged elsewhere in colonial North America and the Caribbean did not discredit the sumptuary project. The conviction that dress revealed and helped constitute ways of thinking and behaving as measured by a standard meaningful to those who promulgated the rules was as widely disseminated as it was firmly held. To ban wearing specific vestments, fabrics or styles was to repress dispositions and demeanour deemed wrong for ethical, religious, communitarian, economic and/or social reasons, just as to mandate other materials, attire and modes was to promote attitudes and comportment conforming to the desired norm. Among sectarian Protestants, such self-consciousness about dress and what it should and should not express enabled the creation of highly characteristic fashions. But the sects' engagement with and exploitation of clothing's denotations did not lead them to embrace novel precepts and conduct such as strategic sartorial choice, personal self-expression, or ceaselessly vogueish innovation, as early modern Europeans purportedly did.⁵⁷ Rather than prompting a discourse – much less a practice – of the individualistic modern self, sumptuary regulation among Amish, Mennonites and Quakers reflected and reinforced group conformity and uniformity.

In colonies with substantial and growing numbers of slaves and free people of colour, leaders likewise found sumptuary rules appealing for their perceived capacity to correct presumptively problematic behaviour that attire exposed. Yet the deportment that such regulations sought to promote involved not social cohesion rooted in shared values and expressed in similar costume but social segregation based on status and racial discrimination and materialised in sartorial repression. Though as indicated in Chapter 10 by Francisco Bethencourt and Chapter 12 by Rebecca Earle in this volume, comparable measures had a venerable history in Spanish and Portuguese colonies,⁵⁸ South Carolina's law forbidding slaves to wear expensive fabrics was unprecedented in the non-Iberian Americas; that it was not more widely copied indicates both the hegemony of the standard provisioning outfit and the efficacy of the quotidian violence inflicted on the enslaved.⁵⁹

⁵⁷ Martha Howell, *Commerce before Capitalism in Europe, 1300–1600* (New York: Cambridge University Press, 2010), 258–260.

⁵⁸ See also DuPlessis, *The Material Atlantic*, 155–156, 193, 207.

⁵⁹ For the violence, often extreme, to which slaves were routinely subjected, and its effectiveness, see Burnard, *Planters, Merchants, and Slaves*.

While sharing the sumptuary belief about the disclosive nature of dress and the attendant confidence in the disciplining potential of apparel restrictions, post-1760 Caribbean ordinances directed against free people of colour added a new twist (though again one also found in Iberian America). Whereas earlier North American statutes associated appropriate or improper comportment as sartorially performed with either social status (notably gender, occupation and wealth) or legal status (free and unfree), the late eighteenth-century Antillean acts yoked them to race. In the new formulation, intolerable conduct as displayed in dress was part of an inadmissible denial of profound and irreconcilable differences between two races. In particular, while during the earlier eighteenth century *luxe* had been reinterpreted as a permissible – even desirable – component of consumption rather than morally dangerous and economically harmful prodigality,⁶⁰ colonial elites sought to confine its deployment to whites, to make it a marker of white privilege rather than of common human behaviour. Thus despite abundant contemporary commentary disparaging Caribbean whites for their pretentiously lavish dress and mindless adherence to unsuitable metropolitan fashions, no enactments ever sought to place any restrictions on them. In sharp contrast stood statutes criminalising the *luxe* of *gens de couleur* that, the ordinances acknowledged, took exactly the same vestimentary form as white *luxe*.

That, in fact, was the rub. To the colonial authorities, the issue was not that free people of colour were trying to assume a white identity but that they were taking on a signal of whiteness by appropriating white sartorial behaviour. The authorities were mistaken: probate inventories show that free people of colour deployed dress not to identify *with* whites but to identify *as* planters or merchants, overseers or artisans, affluent or less well-off members of the free colonial community. That is, they attired according to long-established codes of social sorting rather than in violation of a novel racial order. Whites saw it differently: now that *luxe* had been moralised and made respectable it could serve (along with reserved names, professions, titles and much else) as an emblem of innate racial dissimilarity, indeed of racial superiority. Hence whites viewed *luxe* among *gens de couleur* as a form of disrespect because it did not affirm the colonial social hierarchy that they were labouring to redraw along parameters of race and instantiate most visibly in distinctive dress exclusions. Like sectarian North American Christians, white West

⁶⁰ See Maxine Berg and Elizabeth Eger (eds.), *Luxury in the Eighteenth Century: Debates, Desires and Delectable Goods* (Basingstoke: Palgrave Macmillan, 2003); DuPlessis, *The Material Atlantic*, 155–156.

Indians reflected on the meanings of dress, but unlike the faith-based communities white Antilleans embraced an individual right to dress – for themselves. Racialised others, no matter what their wealth, occupation or legal status, had only a right to *be* dressed, and as we have seen whites also intended to define the substance of that right.

Sumptuary regulations of every stripe survived longer in the colonies of France, Holland and Britain than in the metropolises. Their persistence was not – apart from the early and soon abandoned New England efforts – rooted in a wish to sustain some version of a European-model social structure or customary dress.⁶¹ Rather, they remained in favour because many settlers continued to believe that rules incorporating controls on dress could, by virtue of the correspondence thought to obtain between attire and attitude, serve new objectives in the new colonial societies.⁶² In fact, some did – as long as they pertained to costumes in sharply delimited homogeneous groups that enforced the strictures themselves instead of relying on state power. Less formal codes, manifested in undertakings such as provisioning subordinates, gifting allies and demarcating converts, also had noticeable if weaker results. Yet supply shortcomings that often required dress recipients to self-attire, together with the continued vitality of prior existing codes and practices among indigenous people, the enslaved and the indentured, meant that their actual apparel was a hybrid of the imposed and the chosen. The resulting syncretic fashions expressed, more than any sumptuary code, the sartorial novelty of the colonial Americas.

⁶¹ Mercantilist concerns to protect and/or develop national textile industries by forbidding the wearing of apparel made of foreign fabrics are, along with hopes of maintaining the established social hierarchy, often cited as motivating early modern sumptuary law; see Daniel Roche, *The Culture of Clothing. Dress and Fashion in the 'Ancien Régime'* (Cambridge: Cambridge University Press, 1994), esp. 28, 39–40, 49–50. In 1733 the French crown explicitly forbade the import of foreign cottons into its American colonies, affirming a prohibition that in metropolitan France dated back to 1686 (Moreau de Saint-Méry, *Loix et Constitutions*, iii: 360–361; cf. *Ibid.*, ii: 560, Art. XII), but the decree was entirely ignored, and no other similar law was promulgated in the other colonies under consideration here.

⁶² Though mainly directed toward political rather than social goals (the repeal of Coercive Acts), the boycott of imported British fabrics by the Continental Association of rebellious mainland North American British colonies starting on 1 December 1774 had a quasi-sumptuary aspect (as did renewed calls for exclusion of British textiles after the Revolution), for non-importation sought also to direct consumption toward woollens and linens of colonial manufacture, lauded as 'patriotic' and 'republican', and away from 'extravagant' textiles such as silks, while also discouraging 'frivolous' sartorial display. See Michael Zakim, *Ready-made Democracy: A History of Men's Dress in the American Republic, 1760–1860* (Chicago: University of Chicago Press, 2003), 11–31; Lawrence A. Peskin, *Manufacturing Revolution. The Intellectual Origins of Early American Industry* (Baltimore: Johns Hopkins University Press, 2003), 47–48.