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## Race, Clothing and Identity: Sumptuary Laws in Colonial Spanish America

Rebecca Earle

### The Scandalous Excesses

On holidays and other festive occasions, Andean peoples in the Spanish Viceroyalty of Peru liked to dress up. According to sixteenth-century documents, wealthy Amerindians in Lima, Quito and other colonial cities enjoyed wearing a combination of European and Andean garments, sometimes made of silk and other expensive, imported fabrics. Their sartorial exuberance annoyed local Spaniards, who issued repeated orders prohibiting Amerindians from wearing a range of garments containing silk, velvet, Holland cloth, lace and other embellishments. The indigenous elite did not accept these prohibitions without protest. In 1593, members of the Amerindian community in Quito wrote to Emperor Philip II to complain that ‘as conquered people it sometimes happens that officials and other people undress them and take their clothing, saying that they can wear only cotton, which causes them much trouble and vexation’.<sup>1</sup> The monarch agreed that Amerindians should be al-

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<sup>1</sup> Fernando Montesinos, *Anales del Perú*, c. 1652, ed. Víctor Mautua, 2 vols. (Madrid, 1906), 2:16, 95-6; and R.C. a la Audiencia de Quito remitiendole lo que piden los indios de aquella provincia, de que no se les impida el traer vestidos como los españoles, 22 Nov. 1593, *Colección de documentos para la historia de la formación social de Hispanoamérica, 1493-1810*, ed. Richard Konezke, 3 vols. (Madrid: Consejo Superior de Investigaciones Científicas, 1962), 2 pt.1: 11 (quote). See also Juan Sempere y Guarinos, *Historia del luxo, y de las leyes suntuarias de España*, 2 vols. (Madrid, 1788), 2: 42. Indigenous participation in Andean festivals is dis-

lowed to wear what they pleased, as long as it did not violate existing legislation regulating excessive dress. He therefore instructed colonial administrators to prevent these seizures and ensure that ‘the Indians are not vexed’.

A few decades later, in 1628, Philip II’s grandson Philip IV ordered that ‘no Indian may wear clothing made of [imported] fabric, own a sword, dagger, lance, arquebus or gun, nor ride on horseback with saddle and reins, on pain of the loss of the garment, weapon, saddle, reins and horse’.<sup>2</sup> This ordinance, which applied specifically to two provinces in southern Mexico, was one of a number of regulations aimed at restricting the adoption of certain Spanish practices by Amerindians. A century later, officials in Peru expressed dismay at the ineffectiveness of legislation aimed at ‘moderating the scandalous excesses in the clothing worn by blacks, mulattoes, Indians and mestizos of both sexes’, which they believed caused ‘frequent robberies committed to maintain such costly garb’.<sup>3</sup> Similar rulings, which sought, in sometimes contradictory fashion, to regulate the clothing

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cussed in Carolyn Dean, *Inka Bodies and the Body of Christ: Corpus Christi in Colonial Cuzco, Peru* (Durham: Duke University Press, 1999); David Cahill, ‘The Inca and Inca Symbolism in Popular Festive Culture: The Religious Processions of Seventeenth-Century Cuzco’, in *Hapsburg Peru: Images, Imagination and Memory*, eds. Peter Bradley and David Cahill (Liverpool: University of Liverpool Press, 2000): 87-144; and Karine Perissat, ‘Los Incas representados (Lima–siglo XVIII): ¿Supervivencia o renacimiento?’, *Revista de Indias* 60:220 (2000): 623-649.

<sup>2</sup> Ordenanzas para el bueno gobierno de los indios en las Provincias de Soconusco y Verapaz, 29 Sept. 1628, *Colección de documentos*, ed. Konetzke, 2 pt. 1: 321.

<sup>3</sup> R.C. aprobando un bando del Virrey del Perú para moderar el exceso en los trajes que vestían los negros, mulatos, indios y mestizos, 7 Sept. 1725, *Colección de documentos*, ed. Konetzke, 3, pt. 1: 187.

worn by 'blacks, mulattoes, Indians and mestizos' in Spain's new world colonies, were issued repeatedly from the sixteenth century until the end of colonial rule in the early nineteenth century.

Legislation aimed at controlling sartorial display was a common feature of the medieval and early modern world, as the contributions to this volume demonstrate. So too was hand-wringing about the social disorder provoked by excessive or overly-luxurious costume, whether worn by elites or subalterns. Less familiar perhaps is the explicit association between clothing and race that lies at the heart of the examples cited above. This chapter explores the close connections between sumptuary laws and embodied identity in colonial Spanish America. What a person wore materially shaped their status as a Spaniard, Amerindian or any of the other 'castes' or 'conditions' into which colonial society was divided. Since colonial governance was predicated on these divisions, the history of sumptuary laws in Spanish America is inevitably entangled with colonial regulation of caste or race. The chapter first reviews current understandings of Spanish American racial or caste categories, which demonstrate the dynamic relationship between clothing and caste. It concludes by situating the persistent efforts to regulate dress within the broader ambitions of Spanish imperial governance, which were both wide-reaching and fundamentally contradictory.

Scholarship on sumptuary legislation in Europe has long noted the efforts made by officials to regulate the dress of different social classes and genders. Beyond the distinctive badges imposed on Jews in medieval England, the use of dress to demarcate ethnic divisions has received less attention. A growing body of research on early modern Europe and the Islamic world however demonstrates the persistent efforts by Jewish, Muslim and Christian legislators alike to prescribe the sorts of garments permitted to members of dif-

ferent religious groups.<sup>4</sup>

This work greatly extends our knowledge of the use of clothing to police the frontiers between purity and pollution, and between different religions. Medieval and early modern theologians and legal experts from all three religious traditions devoted serious at-

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<sup>4</sup> Cecil Roth, 'Sumptuary Laws of the Community of Carpentras', *Jewish Quarterly Review* 18:4 (1928): 357-83; John Edwards, ed. and trans., *The Jews in Western Europe, 1400-1600* (Manchester: Manchester University Press, 1994), 88-92; José Damián González Arce, *Apariencia y poder. La legislación suntuaria castellana en los siglos XIII y XV* (Jaén: Universidad de Jaén, 1998), 170-7; Yedida Kalfon Stillman, *Arab Dress. A Short History from the Dawn of Islam to Modern Times*, ed. Norman Stillman (Leiden: Brill, 2000), 23-5, 39-40, 83-4, 101-19; Magda Teter, *Jews and Heretics in Catholic Poland: A Beleaguered Church in the Post-Reformation Era*, (Cambridge: Cambridge University Press, 2006), 71-9; Maria Filomena Lopes de Barros, *Tempos e espaços de mouros. A minoria muçulmana no reino português (séculos XII a XV)* (Braga: Fundação Calouste Gulbenkian, 2007), 182-98; Milka Levy-Rubin, *Non-Muslims in the Early Islamic Empire: From Surrender to Coexistence* (Cambridge: Cambridge University Press, 2011); Anver Emon, *Religious Pluralism and Islamic Law: Dhimmis and Others in the Empire of Law* (Oxford: Oxford University Press, 2012), 131-6; and John Tolan, 'The First Imposition of a Badge on European Jews: The English Royal Mandate of 1218', in *The Character of Christian-Muslim Encounter*, eds. Douglas Pratt, Jon Hoover, John Davies, John Chesworth (Leiden: Brill, 2015): 145-66; as well as the unpublished conference papers delivered at the Université de Nantes, 5-6 June 2014 by Camilla Adang ('Legal Texts on Wearing Clothing Belonging to, Manufactured, or Sold by non-Muslims'); and Nadezda Koryakina ('Les vêtements de chrétiens portés par des juifs pour se protéger'); for details see the website of the RELMIN project ['Le Status Légal des Minorités Religieuses dans l'Espace Euro-Méditerranéen (V-XV siècle)']: <http://www.cn-telma.fr/relmin/index/>.

tention to whether outsiders should be obliged to wear distinctive clothing, or prohibited from adopting the region's usual dress. They pondered the moral and corporeal consequences of wearing clothing associated with other faiths. Concerns over impurity for instance prompted jurists from several Islamic legal schools to ban the wearing of undergarments previously owned by Jews or Christians. Jewish laws dating back to Leviticus, in turn, had long condemned fabrics containing both wool and linen, or other mixed fibres, as defilements. Christian, Jewish and Islamic scholars also explored the circumstances under which it was permissible to deviate from such stipulations. The close connections between clothing and embodied religious identity were matters of particular concern. In medieval and early modern Europe and the Islamic world wearing the wrong clothing thus constituted not simply a violation of legal norms. It might also alter the wearer's body, rendering it impure. In sum, research into the early modern regulation of clothing in the Old World has begun to explore how and why dress was able to modify the corporeal condition of the person it swathed.

In colonial Latin America, in contrast, scholars have long recognised clothing's ability to alter embodied identity. As the anthropologist Joanne Rappaport put it, in the colonial Indies 'clothing had a 'transnaturing power' that did not just reflect identity, but helped constitute it'.<sup>5</sup> The next section explores this transnaturing power, which helps explain why sumptuary legislation from the early modern Hispanic world was so often concerned with issues of race, as the opening vignettes intimate.

### **Performing Race in Colonial Spanish America**

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<sup>5</sup> Joanne Rappaport, *The Disappearing Mestizo. Configuring Difference in the Colonial New Kingdom of Granada* (Durham: Duke University Press, 2014), 52 (quote)-55.

Scholarship on the meaning and origins of race as a cultural category is vast. Nonetheless, it is possible to identify a sea change in how scholars approach the concept. For decades the scholarly consensus was that medieval and early modern ideas about difference were fundamentally distinct from later ideas about race. Early modern distinctions between, say, Christians and Muslims were not considered examples of racial thinking, but rather reflections of cultural prejudices. Because an individual could in theory adopt a different faith, hostility towards those of different religions was said to reflect a more flexible, ‘cultural’ model of differentiation not based on permanent, embodied attributes. Only systems of difference based on supposedly inflexible, physical characteristics were to be considered ‘racial’. As the historian Kathleen Wilson explained, race in this sense was understood to concern ‘fixed, inherent difference, articulated through and signified primarily by physical appearance and the “science of surfaces”’.<sup>6</sup> Race, in this perspective, was a creation of the late eighteenth century that reached its zenith in the long nineteenth century, and its nadir in Auschwitz.

A more recent body of research has questioned this firm distinction between ‘cultural’ and ‘racial’ models of difference. A rich and varied scholarship now suggests either that early modern ‘cultural’ distinctions were not as flexible as they might appear—that the ability of individuals to move from one category to another was far more limited than had been recognised—or that the very distinction between cultural/religious and ‘physical’ explanations for difference is unhelpful. After all, as the anthropologist Peter Wade has observed, the widespread belief that culture is itself innate and inherited undermines any divi-

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<sup>6</sup> George Fredrickson, *Racism: A Short History* (Princeton: Princeton University Press, 2002), 5-13; Kathleen Wilson, *The Island Race: Englishness, Empire and Gender in the Eighteenth Century* (London, 2003), 11-15 (quote at 15); and Benjamin Isaac, *The Invention of Racism in Classical Antiquity* (Princeton: Princeton University Press, 2004), 1-51.

sion between systems of difference based on culture and those based on the physical body.<sup>7</sup> From the perspective of such research, medieval sumptuary legislation limiting the right of non-Muslims to wear garments previously owned by Muslims, or requiring Jews to wear distinctive clothing, qualifies as racial. Yet other scholars parse the vocabulary employed to discuss different sorts of divisions between different populations, and prefer to use terms such as ‘caste’ to refer to earlier models, thus preserving ‘race’ to refer only to the post-Enlightenment manifestations of human categorisation.<sup>8</sup>

Scholarship on the Hispanic world has played an important role in these debates in part because of the evident centrality of ‘caste’ or ‘race’ to the structuring of these early modern societies.<sup>9</sup> Colonial Spanish America was organised along explicitly ethnic lines;

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<sup>7</sup> Peter Wade, ‘Afterword: Race and Nation in Latin America: An Anthropological View’, in *Race and Nation in Modern Latin America*, eds. Nancy Appelbaum, Anne Macpherson and Karin Alejandra Roseblatt (Chapel Hill: University of North Carolina Press, 2003): 263-82.

<sup>8</sup> See for instance *Journal of Medieval and Early Modern Studies* 31:1 (2001): special issue on ‘Race and Ethnicity in the Middle Ages’; Mary Floyd-Wilson, *English Ethnicity and Race in Early Modern Drama* (Cambridge: Cambridge University Press, 2003); Isaac, *The Invention of Racism in Classical Antiquity*; Margaret Greer, Walter Mignolo and Maureen Quilligan, eds., *Rereading the Black Legend: The Discourses of Religious and Racial Difference in the Renaissance Empires* (Chicago: University of Chicago Press, 2007); and Miriam Eliav-Feldon, Benjamin Isaac, and Joseph Ziegler, eds., *The Origins of Racism in the West* (Cambridge: Cambridge University Press, 2009).

<sup>9</sup> James Sweet, ‘The Iberian Roots of American Racist Thought’, *William and Mary Quarterly* 54:1 (1997): 143-66; Jorge Cañizares Esguerra, ‘New Worlds, New Stars: Patriotic Astrology and the Invention of Indian and Creole Bodies in Colonial Spanish America, 1600-

innumerable laws regulated whether Spaniards could reside in indigenous villages, whether Amerindians were subject to the Inquisition, whether mulattoes could attend university, and many other matters of greater or lesser moment. Generally speaking, Peninsular Spaniards—those born in Europe—were accorded most privileges, while those with any degree of African ancestry were subject to the most constraints. Caste categories were thus deeply imbricated in the structures of colonial power. For this reason the Spanish administration expended considerable effort in recording the caste of individual members of the colonial population.<sup>10</sup> Therefore, in theory, it should be possible to determine someone's caste sta-

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1650', *American Historical Review* 104:1 (1999): 33-68; Jorge Cañizares Esguerra, *Nature, Empire, and Nation: Explorations of the History of Science in the Iberian World* (Stanford: Stanford University Press, 2006); María Elena Martínez, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Stanford: Stanford University Press, 2008); Jorge Cañizares Esguerra, 'Demons, Stars and the Imagination: the Early Modern Body in the Tropics', *The Origins of Racism in the West*, eds. Eliav-Feldon et al.: 313-25; Ruth Hill, 'Entering and Exiting Blackness: A Color Controversy in Eighteenth-Century Spain', *Journal of Spanish Cultural Studies* 10:1 (2009): 43-58; Max S. Hering Torres, María Elena Martínez and David Nirenberg, eds., *Race and Blood in the Iberian World* (Vienna: LIT Verlag, 2012); Rebecca Earle, *The Body of the Conquistador: Food, Race and the Colonial Experience in Spanish America, 1492-1700* (Cambridge: Cambridge University Press, 2012); and Kimberly Anne Coles, Ralph Bauer, Zita Nunes and Carla L. Peterson, eds., *The Cultural Politics of Blood, 1500-1900* (London: Palgrave Macmillan, 2015).

<sup>10</sup> The state began recording peoples' ethnic status haphazardly from the earliest days of the conquest, and systematically from the mid-sixteenth century, after the Council of Trent made it obligatory to maintain records of baptisms, marriages and similar life events. Parish records were often organised by caste, so that separate books of baptisms, marriages

tus simply by locating any document in which they were mentioned.

In reality, the situation was not so straightforward. These bureaucratic records were neither harmonious nor internally consistent. Different officials at times classified the same population in different ways.<sup>11</sup> Moreover, records are replete with examples of what the historian Robert McCaa called ‘racial drift’. One study from late eighteenth-century Chile found that over a twelve year period nearly half the male heads of household in Valparaiso were ascribed different caste statuses in different official documents.<sup>12</sup> Sometimes changes were noted explicitly, as when individuals claimed that their birth had mistakenly been rec-

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and deaths were commonly used for Spaniards, Indians and the ‘castes’—a portmanteau term that referred to people of mixed ethnicity. Tribute rolls ostensibly listed all indigenous men, who were required to pay the special head tax—the ‘Indian tribute’—levied on them, and colonial officials periodically carried out population censuses, which likewise classified people as Spaniards, enslaved or a variety of other categories. In addition, judicial records usually stated an individual’s ‘caste’, ‘condition’ or ‘quality’.

<sup>11</sup> See for example Robert Jackson, *Race, and Status: Indians in Colonial Spanish America* (Albuquerque: University of New Mexico Press, 1999), 106-9.

<sup>12</sup> Robert McCaa, Stuart Schwartz and Arturo Grubessich, ‘Race and Class in Colonial Latin America: A Critique’, *Comparative Studies in Society and History* 21:3 (1979), 422. See also Patricia Seed, ‘Social Dimensions of Race: Mexico City, 1753’, *Hispanic American Historical Review* 62:4 (1982), 592-600; Robert McCaa, ‘Calidad, Clase, and Marriage in Colonial Mexico: The Case of Parral, 1788-90’, *Hispanic American Historical Review* 64:3 (1984), 479-80, 497-99; Martin Minchom, *The People of Quito: 1690-1810: Change and Unrest in the Underclass* (Boulder: Westview Press, 1994), 174; and Karen Graubart, ‘The Creolization of the New World: Local Forms of Identification in Urban Colonial Peru, 1560–1640’, *Hispanic American Historical Review* 89:3 (2009), 476.

orded in the wrong register, but sometimes people silently moved (or were moved) from one classification to another. The historian Ann Twinam for instance describes a family which in a mere five years arranged to have baptismal records altered such that the hitherto plebeian mother retrospectively acquired an honorific title, the father was reclassified from mulatto to Spaniard, and three of their four children also appeared as Spaniards, despite the fact that both parents had earlier been classified as mixed race.<sup>13</sup> Scholars continue to debate the degree of agency that individuals exercised in these transformations, but it is evident that as an individual made their way through life it was possible for their caste status to change.

This was particularly the case for women. For example, although marriage records often omitted the bride's caste altogether, the historian Elizabeth Anne Kuznesof has observed that,

when the ethnicity of the bride was recorded it was not uncommon for [it] to differ from that of her birth record. In other words, the ethnicity of the bride was often excluded from the marriage record, and when it was included, the priest often recorded her as being of the same ethnic background as the groom.<sup>14</sup>

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<sup>13</sup> Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Stanford: Stanford University Press, 2015), 140-1. Or see Magali Carrera, *Imagining Identity in New Spain: Race, Lineage, and the Colonial Body in Portraiture and Casta Paintings* (Austin: University of Texas Press, 2003), 1-21.

<sup>14</sup> Seed, 'Social Dimensions of Race: Mexico City', 592-600; Elizabeth Anne Kuznesof, 'Ethnic and Gender Influences on "Spanish" Creole Society in Colonial Spanish America', *Colonial Latin American Review* 4:1 (1995), 163 (quote); Laura Lewis, *Hall of Mirrors: Power, Witchcraft, and Caste in Colonial Mexico* (Durham: Duke University Press, 2003), 33, 76; and David Wheat, 'Nharas and Morenas Horras: A Luso-African Model for the Social History of

This practice of adjusting the bride's status to match her husband's makes it difficult to interpret the racial endogamy that, according to such records, characterises marriage in the Indies. More profoundly, it indicates the flexibility of caste categories.

Caste categories, in other words, were inherently relational, reflecting the hierarchies and relationships that shaped the colonial world, as the anthropologist Laura Lewis has demonstrated. They were thus simultaneously statements about ancestry and about reputation.<sup>15</sup> In legal disputes witnesses might be asked whether the defendant was 'held and reputed' to be white, not whether they *were* white. In reply witnesses might affirm that they considered an individual to be Spanish because they had 'heard it said' that they were. Equally, witnesses might insist that an individual was agreed to belong to a caste category that appeared to contradict their reputed ancestry.<sup>16</sup> Caste identity was therefore the result of a complex, intersectional interplay between ancestry, appearance, reputation, lifestyle and social standing, none of which had much meaning when taken in isolation.

Caste might best be viewed as a reflection of overall habitus. The importance of clothing in creating this flexible yet embodied identity can be seen clearly in a court case from 1759 New Granada. When asked to describe a certain Clara Reina, one witness responded that 'from her appearance she didn't seem to him to be a mulata and because she

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the Spanish Caribbean, c. 1570-1640', *Journal of Early Modern History* 14:1-2 (2010), 147-8.

<sup>15</sup> Lewis, *Hall of Mirrors*; Rappaport, *The Disappearing Mestizo*; and Rebecca Earle, 'The Pleasures of Taxonomy: Casta Painting, Classification, and Colonialism', *William and Mary Quarterly* 73:3 (2016): 427-66.

<sup>16</sup> See for instance Verónica Undurraga Schüler, 'Españoles oscuros y mulatos blancos: Identidades múltiples y disfraces del color en el ocaso de la colonia chilena. 1778-1820', *Historias de racismo y discriminación en Chile*, eds. Rafael Gaune and Martín Lara (Santiago: Editorial Uqbar, 2010), 356, 359; and Twinam, *Purchasing Whiteness*, 62.

wore a certain type of skirt and a little shawl he didn't think she was white but rather a mestiza'.<sup>17</sup> Likewise, simply wearing certain characteristic garments such as the indigenous *huipil* or smock shown in figure 12.1 might be sufficient to establish an individual as Amerindian. These garments determined how the wearer was perceived, and therefore who they were.<sup>18</sup>

### INSERT FIGURE 12.1 HERE

Because of clothing's importance in creating caste, early modern Spanish Americans were very attuned to nuances of dress. 'Even Indians, black people and lowly persons wear silks and striped clothing', noted the Augustinian friar Antonio de la Calancha in his seventeenth-century description of Lima. He added that prohibitions had little effect; as a result artisans were constantly endeavouring to pass themselves off as noble by dressing in velvets and fashionable black capes.<sup>19</sup> 'The lowest class of Spaniards are very ambitious of distinguishing themselves from [mestizos], either by the colour or fashion of the clothes',

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<sup>17</sup> Jaime Jaramillo Uribe, *Ensayos sobre historia social colombiana* (Bogotá: Universidad Nacional de Colombia, 1969), 195, 211 (quote).

<sup>18</sup> Rappaport, *The Disappearing Mestizo*, 52-55. For illuminating discussion of the relationship between clothing, perceived appearance, and identity see also Valentin Groebner, *Who Are You? Identification, Deception, and Surveillance in Early Modern Europe* (New York: Zone Books, 2007); and Nancy E. van Deusen, 'Seeing *Indios* in Sixteenth-Century Castile', *William and Mary Quarterly* 69:2 (2012): 205-34.

<sup>19</sup> Antonio de la Calancha, *Corónica moralizada del orden de San Agustín en el Perú* (Barcelona, 1638), 67.

observed the eighteenth-century Spanish travellers Jorge Juan and Antonio de Ulloa.<sup>20</sup> The colonial archive is full of complaints about individuals who changed their clothing or living habits, and thereby ‘became’ a different race. As one priest lamented in late seventeenth-century Mexico City, when an Amerindian put on a cloak, shoes and stockings, and grew his hair, he quickly became a mestizo, ‘and in a few days a Spaniard, free of tribute’.<sup>21</sup>

### Sumptuary Laws and Conquered Peoples

Clothing’s powerful ability to transform an individual’s caste explains why sumptuary laws in Spanish America so often sought to regulate the dress of different castes. To be sure, this legislation also addressed other social divisions. As in Europe, in the Americas sumptuary laws frequently stressed the importance of preserving social distinctions. Legislation aimed at the ‘common people who without having sufficient wealth wish to dress like the wealthy’ was issued regularly until the end of the eighteenth century.<sup>22</sup> Regulations also

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<sup>20</sup> Jorge Juan and Antonio de Ulloa, *A Voyage to South America*, trans. John Adams (1806; repr. New York: Knopf, 1964), 137 (quote); and Rebecca Earle, ‘“Two Pairs of Pink Satin Shoes!!”: Clothing, Race and Identity in the Americas, 17<sup>th</sup>-19<sup>th</sup> Centuries’, *History Workshop Journal* 52 (2001): 175-95.

<sup>21</sup> José de la Barrera, Santa María de la Redonda 1 July 1692, ‘Sobre los inconvenientes de vivir los indios en el centro de la ciudad’, *Boletín del Archivo General de la Nación* 9:1 (1938), 20.

<sup>22</sup> The quotation is from a 1648 appeal by the Audiencia of Chile: Cecelia Salinas, *Las chilenas de la colonia: virtud sumisa, amor rebelde* (Santiago: LOM Ediciones, 1994), 114. Or see the legislation from 29 Dec. 1679, 9 Oct. 1684, 26 Nov. 1691 and 10 February 1716 in *Colección de Documentos*, ed. Konetzke, 2 pt. 2: 693-4; 3 pt. 1: 124-34.

stipulated what accoutrements different categories of official could display at religious services and other public functions, so as to ensure the visibility of hierarchical differences in rank. Individual officials who deviated from the required dress code faced a stiff reprimand, perhaps from the monarch himself. Clothing was moreover included in the laws governing commerce and travel to the Indies. The importation of clothing from China was repeatedly prohibited on the grounds that the trade encouraged smuggling, and the number of garments individual travellers and sailors were permitted to take in their luggage was limited, again to discourage the evasion of customs duties. The first Spanish American sumptuary law (or at least the first I have located), issued in 1509, banned ‘all persons of whatever position, status, or condition’ from sporting a wide range of fabrics and decorations in the name of preventing wasteful expense.<sup>23</sup> In this regard colonial regulations reflected the well-established themes of European sumptuary legislation.

At the same time, this corpus of legislation also aimed specifically at preventing unsanctioned caste reclassification via dress. Such caste-inflected legislation persisted throughout the colonial era precisely because the cultural and legal structures that viewed caste as an embodied condition themselves persisted. Restrictions on the garments and accoutrements permitted to specific castes were issued from the 1550s, when free and enslaved people of colour were banned by local ordinances in Lima from wearing silk, jewels and other adornments. Very similar legislation deploring the ‘scandalous excesses’ of the

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<sup>23</sup> On the dress of officials see for instance *Colección de Documentos*, ed. Konetzke, 2 pt. 2: 625-6 (for a reprimand), vol. 3:1, 235, vol. 3:2, 573; and Alejandro Cañeque, *The King's Living Image: The Culture and Politics of Viceregal Power in Colonial Mexico* (New York: Routledge, 2004). The *Recopilación de leyes de los reynos de las Indias* (Madrid, 1791), vol. 1 reproduces many of the regulations governing the importation of ‘ropa de China’ and the like. The 1509 pragmatic is reproduced in *Colección de Documentos*, ed. Konetzke, 1: 23-25.

city's mestizos and other castes was issued nearly two centuries later.<sup>24</sup> Dozens of laws banning Amerindians, mulattoes, mestizos and other non-whites from carrying swords or similar weapons were issued repeatedly from the 1530s to the end of the seventeenth century.<sup>25</sup> Legislation specifically regulating the dress of non-Spanish women was also common. Black and mulatto women in seventeenth-century Mexico were for instance prohibited to wear 'any gold, silver, or pearl jewellery, nor any Castilian garments, nor silk shawls, nor gold or silver passamanterie'. These regulations were reiterated in subsequent century; similar legislation was also issued for Peru.<sup>26</sup> Although such laws sometimes exempted the

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<sup>24</sup> R.C. aprobando un bando del Virrey del Perú para moderar el exceso en los trajes que vestían los negros, mulatos, indios y mestizos, 7 Sept. 1725, *Colección de documentos*, ed. Konetzke, 3 pt. 1: 187; Tamara Walker, *Exquisite Slaves: Race, Clothing and Status in Colonial Lima* (Cambridge: Cambridge University Press, 2017); and chapter by Wunder in this volume.

<sup>25</sup> Josephe and Francisco Mugaburu, *Chronicle of Colonial Lima. The Diary of Josephe and Francisco Mugaburu, 1640-1697*, trans. Robert Miller (Norman: University of Oklahoma Press, 1975), 32, 59, 82-3, 124, 217; Juan Francisco de Montemayor de Cuenca, *Recopilación sumaria de algunos mandamientos y ordenanzas del gobierno de esta Nueva España* (Mexico City, 1787), 74; and *Colección de Documentos*, ed. Konetzke, 1: 167-8, 292-3, 420, 479, 580; 2 pt. 1: 183-2, 317, 321; 2 pt. 2: 417, 427-8, 514-4.

<sup>26</sup> Mugaburu and Mugaburu, *Chronicle of Colonial Lima*, 32, 59, 82-3, 124, 217; R.C. aprobando un bando del Virrey del Peru, *Colección de Documentos*, ed. Konetzke, 3 pt. 1: 187; Ordenanza y Auto, 14 April 1612, Juan Francisco de Montemayor de Cuenca, *Recopilación sumaria de algunos mandamientos y ordenanzas del gobierno de esta Nueva España* (Mexico City, 1787), 74 (quote); R.C. al presidente de la Audiencia de Guadalajara sobre que observe las ordenes y leyes que prohiben traer armas los indios, mestizos, negros y mulatos, Madrid, 30

indigenous nobility from conforming to these restrictions, native elites in any event regularly petitioned for permission to wear Spanish clothes, carry swords and engage in other displays of respectability.<sup>27</sup>

The eighteenth-century painting shown in figure 12.2 depicts the modest dress such rulings directed Afro-Mexicans to adopt. The woman, likely enslaved, wears a simple laced bodice and locally-produced shawl that contrasts with the imported fabric of the elegant banyan worn by the Spanish man. The eighteenth-century Spanish slave code for Santo Domingo similarly prohibited both the enslaved and free people of colour from wearing ‘pearls, emeralds, and other precious stones’, and, equally significantly, banned them from wearing the Spanish mantilla in place of the African head-cloth.<sup>28</sup>

### INSERT FIGURE 12.2 HERE

Some of these laws explicitly reflected the reality that marriage materially altered a woman’s caste. For instance, in sixteenth-century Mexico, black women were barred from

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December 1692; and Pragmática contra el abuso de trajes y otros gastos superfluos, Madrid, 10 February 1716; *Colección de Documentos*, ed. Konetzke, 3, pt. 1: 27, 124-34, respectively. Walker, *Exquisite Slaves*, provides a clear analysis of the Peruvian legislation.

<sup>27</sup> See for instance *Colección de Documentos*, ed. Konetzke, 1: 580; 2 pt. 2: 757; and Yanna Yannakakis, *The Art of Being In-between: Native Intermediaries, Indian Identity, and Local Rule in Colonial Oaxaca* (Durham: Duke University Press, 2008), 36.

<sup>28</sup> Extracto del Código Negro Carolino, Santo Domingo, 14 March 1785, *Colección de Documentos*, ed. Konetzke, 3 pt. 2: 562. See also Médéric-Louis-Élie Moreau de Saint-Méry, *Description topographique, physique, civile, politique et historique de la partie française de l’isle Saint-Domingue* (1797; repr. Paris: Société de l’Histoire des Colonies Françaises, 1958) 93.

wearing gold, pearls, silk or other luxurious goods, unless they were married to a Spaniard—precisely the circumstances that were likely to result in a readjustment of their ‘quality’ to better match that of their husband, as noted earlier. They were similarly prohibited from wearing indigenous garb unless married to an Amerindian. Most Amerindian women were at the same time banned from adopting Spanish dress. ‘Castas’, or mixed-race women, were not to dress as Amerindians unless married to indigenous men. This mattered to the colonial state because once dressed in indigenous garb, these women would more easily become indigenous themselves, and that would entitle them to certain legal protections. The correct classification of such ‘mestizas dressed as Indians’ flummoxed colonial courts.<sup>29</sup>

Other legislation conversely spelled out that racially-inflected sartorial restrictions applied even to women married to Spaniards, in vain attempts to halt the transformative potential of such marriages.<sup>30</sup> These regulations were accompanied by multiple ordinances stipulating who was permitted to wear garments made of silk, prohibiting inadequate or indecent dress, and regulating the spread of particular fashions such as the identity-concealing (and figure-hugging) clothing of ‘tapadas’, or veiled women. The latter was described as particularly worrisome because it permitted women to display their feminine curves while hiding their caste from admirers. Indecent garments of this sort were blamed for a range of disorders, including the devastating earthquake-tsunami that flattened Lima

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<sup>29</sup> Berta Ares Queija, ‘Mestizos en hábito de indios: ¿estrategias transgresoras o identidades difusas?’, *Passar as fronteiras. Il coloquio internacional sobre mediadores culturais, séculos XV a XVIII*, eds. Rui Manuel Loureiro and Serge Gruzinski (Lagos: Centro de Estudos Gil Eanes, 1999): 133-46; and Rappaport, *The Disappearing Mestizo*, 52-55.

<sup>30</sup> Walker, *Exquisite Slaves* discusses both such laws and their persistent failure to modify behaviour.

in the mid-eighteenth century.<sup>31</sup>

Sumptuary legislation, in short, was premised on the inter-connections between caste, morality, gender and status. Writers, priests and officials in both Spain and the Indies worried throughout the early modern era that, left unregulated, fashion would ‘induce moral laxity and social disorder’, as Marta Vicente has noted. Low-cut bodices, snug veils, and tempting fabrics assailed the virtue of women and the resolve of men. Vicente recounts the plight of a young servant in Barcelona who exchanged sexual favours for a length of calico, and the anxiety of Mexican viceroys that the colony’s ladies would succumb to similar temptations. To be sure, some philosophers (and merchants) embraced new ideas suggesting that private vices might support public benefits, but colonial hierarchies were premised on the assumption that honour, reputation and caste were, if not interchangeable, at least closely correlated. The transformative potential of a change of costume obscured the divi-

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<sup>31</sup> Consulta del Consejo de las Indias sobre una representación del . . . Fr. Mariano de Junqueras Madrid, 25 Aug. 1789, *Colección de Documentos*, ed. Konetzke, 3, pt. 2: 660-6; Gonzalo Aguirre Beltrán, ‘The Integration of the Negro into the National Society of Mexico’, *Race and Class in Latin America*, ed. Magnus Mörner (New York: Columbia University Press, 1970), 24; Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660-1720* (Madison: University of Wisconsin Press, 1994), 16; Pilar Gonzalbo Aizpuru, ‘De la penuria y el lujo en la Nueva España, siglos XVI-XVIII’, *Revista de Indias* 65:206 (1996): 49-75; Julia Tuñón Pablos, *Women in Mexico. A Past Unveiled*, trans. Alan Hynds (Austin: University of Texas Press, 1999), 26-28; Charles Walker, *Shaky Colonialism: The 1746 Earthquake-Tsunami in Lima, Peru, and its Long Aftermath* (Durham: Duke University Press, 2008); and Laura Bass and Amanda Wunder, ‘The Veiled Ladies of the Early Modern Spanish World: Seduction and Scandal in Seville, Madrid, and Lima’, *Hispanic Review* 77:1 (2009): 97-144.

sions between elites and plebeians, Spaniards and mulattas, the virtuous and the debased.<sup>32</sup>

Sumptuary legislation at times reflected the demographic contours of the local population in according particular attention to those groups whose sartorial fluidity was seen as most destabilising. Legislators in Lima for instance devoted particular care to regulating the dress of enslaved men and women, as Tamara Walker has shown. In the case of this viceregal capital, the delight colonial officials took in bedecking enslaved entourages in luxurious outfits inspired repeated prohibitions and also guaranteed their failure. The importance of fine clothing to the enslaved themselves prompted further legislative backlashes from Lima's colonial administration.<sup>33</sup> Local context certainly shaped the specific contours of sumptuary legislation in the colonial Indies. At the same time, persistent recourse to sumptuary laws across Spanish America, over the three centuries of colonial rule, by both local and imperial officials, reminds us of the need to look beyond purely contingent

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<sup>32</sup> Marta Vicente, *Clothing the Spanish Empire: Families and the Calico Trade in the Early Modern Atlantic World* (Basingstoke: Palgrave Macmillan, 2006), 68-83 (quote 69); and, on Spanish luxury debates, also see Sempere y Guarinos, *Historia del luxo*; Juan Rico, 'Criptoburgesía y cambio económico en la Ilustración española', *Cuadernos Hispanoamericanos* 408 (1984): 25-56; and Manuel Pérez-García, *'Vicarious Consumers': Trans-national Meetings between the West and East in the Mediterranean World (1730-1808)* (New York: Routledge, 2016). On honour and caste see Asunción Lavrin, ed., *Sexuality and Marriage in Colonial Latin America* (Lincoln: University of Nebraska Press, 1989); Ramón Gutiérrez, *When Jesus Came, the Corn Mothers Went Away. Marriage, Sexuality and Power in New Mexico, 1500-1846* (Stanford: Stanford University Press, 1991); and Lyman Johnson and Sonya Lipsett-Rivera, eds., *The Faces of Honor: Sex, Shame and Violence in Colonial Latin America* (Albuquerque: University of New Mexico Press, 1998).

<sup>33</sup> Walker, *Exquisite Slaves*.

or local factors when making sense of this body of legislation. Having issued its first colonial sumptuary law in the early sixteenth century, the Spanish state promulgated dozens of orders, pragmatics, cédulas and other ordinances aimed at channelling and controlling new world sartorial practices until the very end of the colonial era.<sup>34</sup> These laws reflect broader features of the colonial experience in their sustained efforts to manage and regulate the social and ethnic hierarchies that underpinned Spanish control.

The formal stipulations of colonial legislation resonated with the deeply-held convictions of many colonists. Recall the attempts by settlers in sixteenth-century Quito to impose an informal dress code on Amerindians with which this chapter opened. The ‘officials and other people’ who objected to the festive dress worn by local indigenous elites insisted that ‘as conquered people’ they should wear only cotton, and certainly never European garments.<sup>35</sup> Moralizing critics such as the Andean writer Felipe de Guaman Poma de Ayala concurred that the adoption of European dress caused unwelcome changes in indigenous mores. Guaman Poma, a Quechua-speaking writer from central Peru, was descended from local indigenous nobility, and witnessed first-hand the transformations wrought on indigenous culture by colonial settlement. In the early seventeenth century he composed a lengthy manuscript chronicle documenting human history from its earliest days to his own lifetime. He illustrated his text with hundreds of drawings, including figure 12.3 of ‘creolised Indians’, who, he complained, spent too much time frolicking, to the cost of their souls. (figure 12.3) Throughout his chronicle Guaman Poma was critical of indigenous people, and particularly women, who embraced Spanish culture with too much enthusiasm.

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<sup>34</sup> In 1805 the Consejo de Indias for instance ruled on the quantity of gold embroidery that officials in Mexico City might use to adorn their uniforms: *Colección de documentos*, ed. Konetzke, 3 pt. 2: 810-13.

<sup>35</sup> R.C. a la Audiencia de Quito, *Colección de documentos*, ed. Konetzke, 2 pt. 1: 11.

The heedless couple shown here sport hybrid costumes that combine Spanish breeches, shoes and hats with Andean tunics and jewellery. The woman's sleeves, for instance, are wholly European, while her cloak is fastened with an indigenous *tupu*, or shawl pin. Her tunic is likewise adorned with the checkerboard *tocapu* design typical of elite Incaic garments. From Guaman Poma's perspective the European elements of her costume signal her dissolute lifestyle. From the perspective of colonial settlers they would perhaps demonstrate her greater degree of civility, or alternatively might have constituted an irritating provocation of the sort that prompted settlers in late sixteenth-century Quito to confiscate the European garments worn by indigenous elites.~~In the early seventeenth century Guaman Poma composed a monumental illustrated chronicle focused on his native Peru, which included an extensive critique of the dissolute lifestyle of 'creolised Indians' who adopted Spanish cultural practices. His drawing of their reprehensible behaviour illustrates exactly the sort of hybrid dress snatched from indigenous people in Quito: 'shirts, cloaks, *amacos* [an indigenous tunic], and silken garments'.<sup>36</sup> As Guaman Poma's caption to his drawing insisted, these people 'spend their time singing and amusing themselves, rather than serving God' (figure 12.3). Guaman Poma was a sharp critic of Spanish colonialism, yet he agreed with Spanish settlers that it was pernicious for Amerindians to embrace European customs and wear European clothing.~~

### INSERT FIGURE 12.3 HERE

Belief that it was pernicious for 'conquered people' to adopt European dress was expressed repeatedly during the colonial era. Commentators suspected that such behaviour provoked 'social disruption and the disintegration of colonial hierarchies', as the historian

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<sup>36</sup> Ibid.

Nicole von Germeten has observed.<sup>37</sup> Colonists for instance concurred that a major riot in 1692 Mexico City could be blamed in part on the lax attitude of officials who permitted Amerindians to wear Spanish capes and other European accoutrements. Dressed in such splendid garments the wearers were bold and rebellious, in the view of priests and officials.<sup>38</sup> Acculturated Amerindians, particularly those living in cities, were invariably depraved and troublesome, insisted a Guatemalan priest writing over a hundred years later. For this reason he thought it was a mistake to encourage them to adopt European dress.<sup>39</sup> Uncontrolled blurring of sartorial lines was persistently associated with all manner of social disorder. Sumptuary laws thus reflected a deep current of hostility to the embrace of the dominant European culture by subalterns.

At the same time, these efforts to police the sartorial frontiers between Amerindians and colonists flew in the face of a fundamental aim of Spanish imperial policy: the conversion of the indigenous population into a reasonable facsimile of the Spanish population. Innumerable laws and exhortations required officials and priests to do all in their power to make indigenous people more like Spaniards. In the words of one sixteenth-century official, settlers should do everything possible to ensure that Amerindians adopted ‘our cus-

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<sup>37</sup> Nicole von Germeten, *Violent Delights, Violent Ends: Sex, Race, and Honor in Colonial Cartagena de Indias* (Albuquerque: University of New Mexico Press, 2013), 149-50.

<sup>38</sup> Fray Bernabe Nuñez de Paez, Informe, Doctrina de San Pablo, 4 July 1692, Archivo General de la Nación, Mexico City, Historia, vol. 413, fols. 10, 11, 13; Cope, *The Limits of Racial Domination*, 125-60; Lewis, *Hall of Mirrors*, 27; and Cañeque, *The King's Living Image*, 227. Thanks to Frank Eissa Barroso for the material from the Archivo General de la Nación.

<sup>39</sup> Antonio Larrazabal, *Apuntamientos sobre la agricultura y comercio del Reyno de Guatemala* (Nueva Guatemala, 1811), 42-3.

toms in eating, drinking, dressing, cleanliness and personal conduct . . . and finally our language'.<sup>40</sup> Similar efforts were underway in Spain itself, where following the fifteenth-century Reconquista of the Islamic states in southern Spain, and the sixteenth century defeat of remaining pockets of resistance, the Catholic monarchy endeavoured to force Muslim converts to embrace not only Christianity but also Spanish surnames, table manners and dress. The policies advocated for both regions reflected a shared conviction that being Christian required far more than a change of faith. It also demanded the adoption of Christian culture more generally.<sup>41</sup>

As with communities of Muslim converts in Spain, many writers recommended that Amerindians should be required to wear Spanish clothing. The Spanish jurist Juan de Matienzo explained in a sixteenth-century legal treatise how this would bring multiple benefits:

Wearing Spanish clothing not only is not bad, but indeed is good for many reasons. Firstly, because [Amerindians] will thereby grow to love us and our clothes; secondly because they will thereby begin to be more like men . . . ; thirdly, being dressed as

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<sup>40</sup> Carta de Tomás López a los reyes de Bohemia, Guatemala, 9 June 1550, Archivo General de Indias, Seville, Audiencia de Guatemala, legajo 9A, N. 68, R.17, fols. 5, 9 (quote); and Carta de Tomás López Medel, 25 March 1551, Archivo General de Indias, Seville, Audiencia de Guatemala, legajo 9A, R. 18, N. 77, fol. 10. The transformative effects ascribed to European clothing, and the broader dream of Hispanising the indigenous population, are discussed in Earle, *The Body of the Conquistador*.

<sup>41</sup> José María Martín Ruíz, 'Política y moral en el siglo de oro: el memorial del Morisco Francisco Nuñez Muley', *Baetica. Estudios de Arte, Geografía e Historia* 17 (1995): 391-402; Mary Elizabeth Perry, *The Handless Maiden: Moriscos and the Politics of Religion in Early Modern Spain* (Princeton: Princeton University Press, 2005); and chapter by Wunder.

Spaniards they will be ashamed to sit together in the plaza to eat and drink and get drunk and fourthly, because the more they spend, the more silver they will extract from the earth, and that much more Spanish merchandise will be sold, which will all be to the benefit of the treasury.<sup>42</sup>

Wearing European dress would thus help Amerindians become civilised, or, as Matienzo put it, 'more like men'. It would also facilitate colonial rule, by building bonds of affection between colonisers and colonised. Colonial jurists persisted for the remainder of the colonial era in recommending that Indians should be encouraged to adopt Spanish habits 'in dressing, and in clothing and other laudable customs'.<sup>43</sup> As colonial rule was drawing to its close learned societies in the new world continued to offer prizes for essays demonstrating the benefits of Amerindians dressing in Spanish garb.<sup>44</sup> Such Indians, proclaimed numerous voices, were more intelligent, more civilised, and more Catholic than those left to their own sartorial devices.

Colonisers in short vacillated over whether their aim was to transform indigenous society, and indigenous people, into more European societies, and peoples, or whether good governance lay precisely in preventing this from occurring. The inconsistencies between the various royal orders cited at the chapter's start illustrate this vacillation. In 1593

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<sup>42</sup> Juan de Matienzo, *Gobierno del Perú*, ed. Guillermo Lohmann Villena (1567; repr. Paris and Lima: Institut Français d'Études Andines, 1967), 69-70.

<sup>43</sup> Juan de Solórzano Pereira, *Política indiana*, 2 vols. (1647; repr. Madrid, 1736), 1:30, 196-197 (quote); Bernardo Ward, *Proyecto económico, en que se proponen varias providencias, dirigidas á promover los intereses de España* (Madrid, 1787), 266; and Vicente, *Clothing the Spanish Empire*, 78-83.

<sup>44</sup> *Junta pública de la Real Sociedad Económica de Amantes de la Patria de Guatemala celebrada en 12 de Diciembre de 1796* (Nueva Guatemala, 1796), 19-20.

the Spanish crown determined that Amerindians in Quito were permitted to wear the same garments as Europeans, and were subject to the same sumptuary legislation. Less than four decades later indigenous residents of southern Mexico were subject to a sweeping range of restrictions that greatly impeded their ability to dress as Europeans. This reflects not legislative carelessness or the targeting of specific communities, but rather the fundamental uncertainties at the heart of early modern colonialism.

To be sure, colonial sumptuary laws reflected diverse and changing concerns. In some regions missionaries struggled to outlaw what they regarded as nudity by stipulating what clothing should be worn during religious services.<sup>45</sup> Other writers, like the jurist Juan de Matienzo, hoped that obliging Amerindians to wear European clothing would benefit Spanish commerce and industry. At times, such as after the anti-colonial Tupac Amaru Rebellion, which convulsed the Andes in the late eighteenth century, certain indigenous garments were viewed as subversive, and were accordingly prohibited on political, rather than economic or moral grounds.<sup>46</sup> The nature of the Spanish state, and its overall approach to the regulation of economic and social practices, dress included, as well as the relative availability of different commodities, also experienced significant change from the sixteenth to eighteenth centuries, as other contributions to this volume demonstrate. The forces shaping new world sumptuary legislation, in short, varied over the three centuries of colonial rule. Nonetheless uncertainty over whether colonial rule required firm divisions between colonisers and colonised, or instead ever closer integration, characterised Spanish policy throughout the early modern era. Sumptuary legislation formed part of a larger body of

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<sup>45</sup> Víctor Manuel Patiño, *Historia de la cultura material en la América Equinoccial*, vol. 4: *Vestidos, adornos y vida social* (Bogotá: Instituto Caro y Cuervo, 1990).

<sup>46</sup> Charles Walker, *Smoldering Ashes: Cuzco and the Creation of Republican Peru, 1780-1840* (Durham and London: Duke University Press, 1999), 53-4.

persistently contradictory colonial regulation because this contradiction lay at the core of early modern colonialism.

The art historian Carolyn Dean has labelled this the coloniser's quandary: 'the paradoxical need to enculturate the colonized and encourage mimesis while, at the same time, upholding and maintaining the difference that legitimizes colonization'.<sup>47</sup> Scholars such as Homi Bhabha have likewise reminded us of the discomfort caused to colonisers by too close an imitation of their ways by wily colonised people, and of the persistent efforts by colonial legislators to prohibit, contain and neutralise the destabilising effects of colonial mimicry. As Bhabha writes, 'it is as if the very emergence of the 'colonial' is dependent for its representation upon some strategic limitation or prohibition *within* the authoritative discourse itself'.<sup>48</sup> The contradictory nature of colonial recommendations regarding indigenous dress reflects well the persistent underlying tensions inherent in Europe's colonising endeavours, both in the Americas and in Europe itself.

### **Conclusions: Reprehensible Imitation and Unauthorised Transformations**

Racially-inflected sumptuary legislation was enacted, or at least advocated, in many of Eu-

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<sup>47</sup> Dean, *Inka Bodies and the Body of Christ*, 47 (quote); Carolyn Dean and Dana Leibsohn, 'Hybridity and its Discontents: Considering Visual Culture in Colonial Spanish America', *Colonial Latin American Review* 12:1 (2003): 5-35; and Earle, *The Body of the Conquistador*.

<sup>48</sup> Homi Bhabha, 'Of Mimicry and Man: The Ambivalence of Colonial Discourse', *October* 28 (1984), 127 (quote); Homi Bhabha, 'Signs Taken for Wonders: Questions of Ambivalence and Authority under a Tree outside Delhi, May 1817', *Critical Inquiry* 12:1 (1985): 144-65; and Robert Young, *Colonial Desire: Hybridity in Theory, Culture and Race* (London: Routledge, 1995).

rope's new world colonies. Settlers in eighteenth-century Brazil repeatedly asked the Portuguese crown to legislate against the perceived excesses of the clothing worn by non-whites, and the metropolis obliged—although, as Francisco Bethencourt shows in his chapter in this volume, this legislation did not go uncontested. In the French colony of Saint Domingue sumptuary legislation specifically banned free people of colour from the 'reprehensible imitation' of the clothing, jewellery and hairstyles worn by whites. Free people of colour were instead required to dress in accordance with 'the simplicity of their condition'.<sup>49</sup> Comparable legislation affecting enslaved people was issued in South Carolina and the Dutch Antilles.<sup>50</sup>

The widespread recourse to such legislation suggests a broader recognition of clothing's transformative potential, and in particular its ability to transport the wearer across the frontiers of caste. Clothing, as scholars of early modern Europe increasingly rec-

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<sup>49</sup> Silvia Hunold Lara, 'The Signs of Color: Women's Dress and Racial Relations in Salvador and Rio de Janeiro, ca. 1750-1815', *Colonial Latin American Review* 6:2 (1997): 205-24; Règlement provisoire des Administrateurs, concernant le Luxe des Gens de couleur, 9 February 1779, in Médéric-Louis-Élie Moreau de Saint-Méry, *Loix et Constitutions des Colonies Françaises de l'Amérique sous le vent*, 6 vols., (Paris, 1784-90), 5:855-856; and the chapters by Francisco Bethencourt and Robert DuPlessis in this volume. See also Nandini Chaturvedula, 'On the Precipice of Ruin: Consumption, Sumptuary Laws, and Decadence in Early Modern Portuguese India', *Journal of World History* 26:2 (2015): 355-84.

<sup>50</sup> William Wiecek, 'The Statutory Law of Slavery and Race in the Thirteen Mainland Colonies of British America', *William and Mary Quarterly* 34:2 (1977), 268; Neville Hall, *Slave Society in the Danish West Indies: St. Thomas, St. John and St. Croix*, ed. B.W. Higman (Baltimore: Johns Hopkins University Press, 1992), 116, 148-9; and the chapter by DuPlessis in this volume.

ognise, did not simply reflect identity but actively helped produce it.<sup>51</sup> Does this in turn reflect a shared understanding of the nature of caste, or race, in early modern Europe and the Atlantic world? The growing scholarship on the importance of clothing in marking out the boundaries between Jews, Christians and Muslims suggests precisely this. It was important, perhaps, to prevent bodies from wearing the wrong sorts of clothing not simply because this might mislead others, or provoke disorder, or encourage wasteful spending or incite immorality. Perhaps unauthorised sartorial crossings, in Europe as in Mexico, also activated clothing's 'transnaturing power' through its ability to change the bodies of the wearers.

This, in turn, suggests the inadequacy, or insufficiency, of distinctions between embodied conditions, on the one hand, and cultural practice on the other, between inside and outside, between bodies and clothes, when considering early modern ideas about corporeal difference, or what we might call race. Perhaps rather than disputing whether early modern models of physical difference are best labelled as racial, or by some other term, we should instead focus on the features that characterised these mutable bodies and their fluid relationships to their cultural environment. Sumptuary legislation, viewed from this perspective, helps reveal how, for many hundreds of years, the body and its garments merged smoothly into one, to the enduring consternation of legislators and officials, who sought, Canute-like, to control the disruptive potential of a change of clothes.

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<sup>51</sup> See for instance Claire Sponsler, *Drama and Resistance. Bodies, Goods, and Theatricality in Late Medieval England* (Minneapolis: University of Minnesota Press, 1997); Martha Howell, *Commerce Before Capitalism in Europe, 1300-1600* (Cambridge: Cambridge University Press, 2010), esp. 243-5; and Ulinka Rublack, *Dressing Up: Cultural Identity in Renaissance Europe* (Oxford: Oxford University Press, 2010).