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8.

Against the Sumptuary Regime: Sumptuary Prosecutions in Sixteenth- and Seventeenth-Century Padova

Luca Molà and Giorgio Riello

The 16th of April 1564 was a busy day for the *Censori* sopra le Pompe, the magistrates in charge of upholding the sumptuary laws of the City of Padova in the Republic of Venice. Two of the *Censori* stood at S. Lorenzo Bridge, just behind the University and not far from the Palazzo della Ragione, the main civic building in Padova, while a third magistrate escorted the *Podestà*, the city's chief of justice (Figure 8.1A). They were accompanied by a notary and an assistant (*precone*). The surviving documentation states that their aim was 'to see and enquire anyone passing through wearing any sort of items against the sumptuary legislation'.¹ They did not have to wait long. They stopped passers-by who they believed were in breach of the city's sumptuary rules. They stopped Giustina, wife of Doctor Antonio Musiano 'who was wearing a gold chain attached to her fan', as a certain Giovanni de Cornalibus confirmed.² Elena, wife of Bortolomeo Enselmo, was wearing instead 'earrings with pearls'

¹ Archivio di Stato di Padova, Giudici del Maleficio (hereafter ASPGM), b. 30/2, reg. 3, fol. 3r: 'causa et occasione videndi et inquirendi an aliquis transiret, qui contrafaceret in aliquo partibus captis contra immoderatos ornatus'.

² ASPGM, b. 30/2, reg. 3, fol. 3v: 'qual haveva una cadena d'oro attacada al ventagio'.

(Figure 8.1B).³ Two men, Dotto di Dotti and Marco da Corno, were also stopped as they were donning velvet trimmed cloaks with embroideries.⁴

INSERT HERE FIGURES 8.1A-B

By now the news that the Censori were patrolling the access to the city centre must have spread across Padova, explaining their transfer to another prominent location in the city. They moved to the Church of Santa Chiara where they stopped several more people. Among them was Alessandro Soncino who was wearing ‘a gold band around his cap and a pair of hose of light blue satin all striped with white ribbons’.⁵ Another man, Enselmo de Enselmis, was wearing ‘a cloak with ornament or ormezin strings, or of another type with decorations all around the garment’.⁶ Dozens more men and women were stopped by the Censori that year and hundreds more faced prosecution for disrespecting Padova’s sumptuary laws as recorded in a series of trials in the city’s archives. Our brief excursus on a day in the life of a city and its sumptuary concerns provides an entry point on how sumptuary laws came to shape people’s sartorial choices. The cases of Marco da Corno, Giustina or Elena raise a series of questions about how sumptuary laws were not just enacted but also upheld.

³ ASPGM, b. 30/2, reg. 3, fol. 4r: ‘rechini di perle alle orecchie’.

⁴ ASPGM, b. 30/2, reg. 3, fols. 5r-6v: Dotto di Dotti ‘haveva una capa con veludo a torno et rechami sopra il veludo a torno a torno’ and Marco da Corno ‘haveva una capa listada a torno a torno di veludo et sopra ditto veludo recamo de cordelline o altro’

⁵ ASPGM, b. 30/2, reg. 3, fol. 10r: ‘qual havea un cordon d’oro a torno la beretta et un paro de calzoni de raso azuro tutti designadi de cordoni over altro bianchi’.

⁶ ASPGM, b. 30/2, reg. 3, fol. 11r: ‘qual havea una capa con dopioni over cordoni de ormesino, o de altra sorte con gasi a disegno a torno a torno essa capa’.

The study of sumptuary regulation has relied on extensive published and unpublished sources. The body of legislation governing early modern expenditure on dress, banquets and ceremonies has been key to the understanding of what we might call ‘the sumptuary phenomenon’. Dozens – sometimes hundreds – of detailed laws have allowed historians to interrogate the nature of sumptuary regulation, its functions and aims, and its material and conceptual remits. Yet, a focus on legislative documentation has equally proven to be a limitation as it can only capture the prescriptive nature of the law rather than how sumptuary laws were experienced and negotiated on an everyday basis.

This chapter focuses on the city of Padova in northern Italy for which a substantial number of prosecution cases have survived. Padova was an important economic, cultural and political centre in the Veneto region, well-known for its University (founded in 1222) and as a prosperous Commune and later Signoria before becoming part of the mainland (*terraferma*) possessions of the Venetian Republic in 1405. Like many other Italian cities, Padova enacted several sumptuary laws especially in the fifteenth and sixteenth centuries with major acts issued in 1536, 1555, 1561, and 1569. Sumptuary enactments continued over the seventeenth and the first half of eighteenth centuries though less frequently and comprehensively. Unlike other cities, however, Padova’s legislators might have been rather zealous in the implementation of sumptuary regulations, at least if we consider the high number of prosecutions deposited in the Paduan archives.

Prosecutions exist for other Italian cities but they very often consist of short reports stating the names of the accused and the garments that were disputed by the authorities. This is the case for Florence considered by Giulia Calvi where between 1638 and 1640 more than 160 women and 40 men were prosecuted for infringing the sumptuary regulations of the city. Among them were rich and poor people alike (notaries and craft masters, but also simple peddlers, hatters, shoemakers, and even peasants) found in breach of the law. Men were wearing collars with white trimmings (very fashionable in the first half of the seventeenth century) longer than the measure allowed by law. Women were guilty

of wearing dresses embellished with trimmings or were at times wearing jewellery with pearls and diamonds.⁷ These Florentine prosecutions tell us about the crime committed but provide only limited insights on how people were apprehended, their reasons for wearing forbidden garments and accessories and on the actual prosecution. By contrast, the sumptuary prosecutions for the city of Padova provide a fuller picture as they include extensive summaries of each recorded prosecution, sometimes extending over several pages. They state not just the accusation but also the testimonies of third parties and the defence by the accused. Although only rarely they include explanations as to whether the accused was found guilty and asked to pay a fine, these documents unearth a complex world of practices, attitudes to the law, and the ultimate experience of the sumptuary regime.

This contribution thus aims to consider the ways in which sumptuary laws were experienced on an everyday basis. Rather than relying on an extensive body of sumptuary regulation, our chapter shows how prosecutions can be used to understand sumptuary practices. Our argument is that at least in the case of Padova – though such an argument could be extended to other Italian cities for which prosecutions are currently being studied – sumptuary laws were occasionally upheld through the action of specific magistracies.⁸ Prosecution cases show however the difficulty of bringing offenders to justice and the resistance of both magistrates and common citizens in acknowledging the law. We start with a short overview of the sumptuary laws and their enforcement in the Veneto, to be followed by an analysis of the Paduan sumptuary legislation. The main part of this chapter will be dedicated to prosecutions

⁷ Giulia Calvi, 'Leggi suntuarie e la storia sociale', in Maria Giuseppina Muzzarelli and Antonella Campanini, eds., *Disciplinare il Lusso. La legislazione suntuaria in Italia e in Europa tra Medioevo ed età moderna* (Rome: Carocci, 2003), 213-30.

⁸ Documents attesting prosecutions for breach of sumptuary laws, at different points in time, have remained for Florence, Perugia, Siena, Venice, Ferrara, Bologna, Lucca and Viterbo. Catherine Kovesi Killerby, *Sumptuary Law in Italy, 1200-1500* (Oxford: Clarendon, 2002), pp. 152-60.

especially in the period between 1560 and 1620 when Padova's wealth and prosperity was at its highest and sumptuary enactments proliferated. We consider in particular the main actors of sumptuary prosecutions (magistrates, accused parties and witnesses), the situations from which prosecutions arose, and the garments and accessories disputed.

Sumptuary Laws in the Veneto

An interest in sumptuary legislation in medieval and early modern Veneto emerged during the final decades of the nineteenth century and - in line with a trend shared by other Italian regions - continued until the 1920s. In that period scholars and local antiquarians expanded their interests beyond traditional political and military history to include various aspects of urban society, everyday life and costume, topics frequently subsumed under the broad heading of 'private life'.⁹ This first wave of research saw the publication of a large part of the sumptuary legislation issued in the main cities of the Veneto: those of Venice, Padova, Vicenza and, to a lesser extent, Treviso. These texts were accompanied by ample commentaries on the nature, structure and functions of sumptuary laws in these cities.¹⁰ From the 1920s

⁹ See, for instance: Luigi Tommaso Belgrano, *Della vita privata dei Genovesi* (Genoa: R. Istituto Sordo-Muti, 1875); Pompeo Molmenti, *La storia di Venezia nella vita privata dalle origini alla caduta della Repubblica*, 3 vols. (Trieste: Edizioni Lint, 1880); Luigi Frati, *La vita privata di Bologna dal secolo XIII al XVII con appendice di documenti inediti* (Bologna: Nicola Zanichelli, 1900).

¹⁰ On Venice, see: Cesare Foucard, *Lo statuto inedito delle nozze veneziane, emanato nel 1299* (Venice: Nozze Marcello-Zon, 1853); Emilio Motta, 'Leggi suntuarie del 1476', *Archivio Veneto* n.s., 36 (1888), 244-46; M. Margaret Newett, 'The sumptuary laws of Venice in the fourteenth and fifteenth century', in T.F. Tout and J. Tait (eds.), *Historical Essays First Published in 1902 in Commemoration of the Jubilee of the Owens College Manchester* (Manchester: Longmans, Green, and Co., 1907), 245-77; Giuseppe Giomo, 'Il lusso:

onwards, however, interest in the history of luxury consumption declined both for the Veneto and for Italy more widely. With the exception of two essays dedicated to the city of Verona's sumptuary laws,¹¹ it was only at the end of the 1980s that interest in this field resurfaced, inspired by the growth of research in early modern consumption especially among Anglo-Saxon scholars.¹²

leggi moderatrici – pietre e perle false', *Nuovo Archivio Veneto*, n.s. 16 (1908), 103-14; Giulio Bistort, *Il Magistrato alle Pompe nella Repubblica di Venezia. Studio storico* (Venice: R. Deputazione Veneta di Storia Patria, 1912; reprinted in Bologna: Forni Editore, 1969). On Vicenza, see: *Legge suntuaria vicentina tratta dal libro Provisioni esistente nell'archivio di Torre* (Vicenza: Tipografia Paroni, 1882); Domenico Bortolan, *Il lusso e le leggi suntuarie a Vicenza nel secolo XVI* (Vicenza: Tipografia Paroni, 1891). On Padova, see: Antonio Bonardi, *Il lusso d'altri tempi in Padova. Studio storico con documenti inediti* (Padova: R. Deputazione Veneta di Storia Patria, 1910). On Treviso, see: Federico Stefani, *Legge suntuaria circa il vestire degli uomini e delle donne ordinata intorno all'anno 1432 dalla città di Treviso* (Venezia: Nozze Galvagna, 1880); and Leone G. Pelissier, 'Notes et documents d'histoire d'Italie. Loi sumptuaire de Trévis en 1507', *Nuovo Archivio Veneto* 14 (1897), 52-7.

¹¹ Luigi Simeoni, 'Statuto suntuario a Verona nel XIV secolo', *Studi Storici Veronesi*, 2 (1949-50), 235; Angelo Magnano, 'Documenti per una storia delle leggi suntuarie veronesi', *Atti e Memorie dell'Accademia di Agricoltura, Scienze e Lettere di Verona*, 6th series, 22 (1970-71), 247-401.

¹² Stella Mary Newton, *The Dress of the Venetians 1495-1525* (Aldershot: Scolar Press, 1988); Piergiovanni Mometto, "'Vizi privati, pubbliche virtù". Aspetti e problemi della questione del lusso nella Repubblica di Venezia (secolo XVI)', in Luigi Berlinguer and Floriana Colao (eds.), *Crimine, giustizia e società veneta in età moderna*, (Milan: Guiffré, 1989), 237-71; Federica Ambrosini, 'Cerimonie, feste, lusso', in Alberto Tenenti and Ugo Tucci (eds.), *Storia di Venezia dalle origini alla caduta della Serenissima, V. Il Rinascimento: società ed economia* (Rome: Fondazione Treccani, 1996), 441-520; Patricia Fortini Brown, 'Behind the

This analysis into the sumptuary laws of the Veneto alerts us that Padova was an important but not unique city in the territories of the Republic of Venice. Between 1299 and 1600 Venetian councils produced well over a hundred decrees, some of them rather long and detailed. From the fifteenth century onwards, Padova's sumptuary laws were informed by the legislation issued in Venice. This is not surprising, considering that Venice was one of the largest cities (with a population ranging between 100,000 to 170,000 in the period under consideration) and probably one of the most important markets for luxury goods and conspicuous consumption in Europe. Other cities of the Veneto, such as Verona (c. 50,000 inhabitants in the sixteenth century), Padova (40,000), Vicenza (30,000) and Treviso (20,000), all had autonomous but fragmentary sumptuary legislations before the end of the fourteenth century. In Padova a first law on weddings issued in 1277 was followed by a second one on funerals - decreed by its lord Francesco Novello da Carrara – as late as 1398.¹³ The number of laws, however, grew everywhere in the region after the early fifteenth century, as a response to the increase of luxury consumption.

The early fifteenth century coincided also with the expansion of Venice on the mainland. Sumptuary laws were thus restructured and re-issued by the various cities of the Veneto and eventually updated on a regular basis every 25 to 30 years. A look at the statutes shows that between the mid fifteenth and the end of the sixteenth century, sumptuary laws were reissued on at least five occasions - in 1456-60, 1502-7, 1533-36, 1559-62 and 1590-95 - suggesting that each generation was keen to update sumptuary legislation to keep it in line with the times. This chronology explains why the laws of

Walls: The Material Culture of Venetian Elites', in John Martin and Dennis Romano (eds.), *Venice Reconsidered. The History and Civilization of an Italian City-State, 1297-1797* (Baltimore and London: Johns Hopkins University Press, 2000), 295-338; Luca Molà, 'Leggi suntuarie in Veneto', in Muzzarelli and Campanini (eds.), *Disciplinare il lusso*, 47-57.

¹³ Bonardi, *Il lusso di altri tempi*, 9-11.

the different cities of the Veneto informed each other and in turn were informed by the Venetian legislation. For instance the sumptuary laws of 1488 and 1504 for Padova refer explicitly to laws recently enacted in Venice, as do other decrees issued afterward.¹⁴ This is not surprising as any sumptuary decision by the civic councils of the cities of the Terraferma had to be taken in the presence of the representative of Venice and had to be later ratified by the Republic's Senate. This was no rubberstamping exercise: in 1459 a new law was proposed in Padova by the *Deputati ad utilia* (the Podestà's advisors) and approved by the city Council. However, the Senate in Venice refused to ratify the law. The bone of contention was the fact that the new Padova law allowed two silk garments to the wives, daughters and daughters-in-law of noblemen, knights, doctors and merchants, but only one silk garments to women belonging to artisans' families. Eventually a new version was approved by the

¹⁴ Bonardi, *Il lusso d'altri tempi*, 161-62, decree of 16 June 1504: 'La natura et condition del sexo femineo, pien de vanità per l'ocio, cason de molti mali, et la poca prudentia de chi mal misura i fati soi e le dannose spese in nove foze et superflui ornati, conduse questa povera città de Padoa a gran miseria [...] E questo intervien che niun vuol apparer inferiore del compagno; e molti sono astreti a far più de quello porta le sue conditioni; e a tal partito la città se impie de povertà. E le cosse vano de mal in pezo: et questo tollerato inconveniente cesseria chi metesse qualche regola, la qual non se partendo dal honesto havesse a refrenar li immoderati et dannosi appetiti, come novamente ha fato la Illustrissima Signoria nostra, la qual ha troncato queste dannose superfluità, stranie foze et excessive spese cun insoliti portamenti d'habiti [...] Onde imitando lo sapientissimo esempio de coloro soto al cui governo et protectione se vive, che da ferma speranza de esser exaudite le preghiere et sancte provision fatte per ben de questa soa fidelissima città, la qual gie diè esser cara'. The reference here is to the sumptuary law issued by the Venetian Senate on 3 January 1504; Archivio di Stato di Venezia, Senato, Terra, reg. 14, fols. 196v-197r.

Senate in Venice in 1460 but only after ‘all women [in Padova] whether married or not and of whatever status and condition’ were allowed two silk garments each.¹⁵

The period between 1530 and 1570 is particularly rich of sumptuary enactments and prosecutions. The revived economic position of the city led many to question the new riches of its inhabitants. This explains why in 1536 the City Council passed a sumptuary law specifically targeting the dress and luxury of men, in contrast to previous laws that had legislated only on the dress of women. This law applied to every man and forbade any garment with zibeline linings, or with slashes, strings, embroideries, gold or silver fringes. Silk could be used on sleeves and to cover buttons but not more than four *braccia* could be used. Men could not wear hose of gold or silver cloth, velvet, satin or damasks (included their linings). Gold and silver ornaments were generally not allowed with the exception of rings. Silk shirts or shirts with gold and silver threads were also forbidden. Simple berets of velvets were instead allowed for men. The 1561 law equally forbade men of whatever station all ornaments in gold, silver, pearls, jewellery and enamels to be worn not just on their person but also as paraments for their horses and mules (in this case with the exception of cavaliers according to their grade). No slashing, embroidery, pleating and embossing in gold and silver were allowed. A maximum length of silk cloth was established for coats, doublets and capes as well as for hose (that could only have simple taffeta and ormesin linings). The law also establishes that the tailors, designers, embroiders have to pay a high fine if found guilty of having supplied forbidden items.¹⁶

Similar regulations are to be found in the sumptuary laws issued in the same year 1561 in Bologna and in Venice in 1562, addressed to both men and women. The main concern of the legislators, like in Padua, was that all apparel and accessories (including bonnets, hats, coifs, gloves, belts etc.)

¹⁵ ‘mulier sive nupta sive non, cuicumque status et conditionis existat’. Bonardi, *Il lusso d'altri tempi*, 23-31, here p. 23. See also Archivio di Stato di Venezia, Senato, Terra, reg. 4, fols. 143v-144v, 20 May 1460.

¹⁶ See Bonardi, *Il lusso d'altri tempi*, 51-2, 170-80 (153 law), and 195-203 (1561 law).

should be plain (*schietti*), without embroidery, enamel, gold and silver thread, or perfumed with musk and amber. Venetians declared that fabrics employed in dressing should be woven in a single colour, and prohibited the use of patterned cloth (*a opere*) or with a new design (*invenzione*). Taffeta, ormesin and satin were generally allowed, while even simple velvet clothing was limited in number. All these laws expressed a particular concern for very expensive velvet with piles of different heights (*velluto altobasso*), and in Padua the 1561 decree specified punctiliously the many forbidden variations of velvet cloth, showing incidentally the incessant evolution of this type of highly fashionable fabric during the sixteenth century and the difficulties in controlling new fashions.¹⁷

Whilst the Venetian sumptuary legislation in the 1560s and 1570s gave one year of immunity to all foreigners who established themselves in the city, those of Bologna and Padua exempted from the restrictions all foreign students attending their famous universities as they were of major importance for the local economy.¹⁸ Their attire would have contrasted starkly with that of the young members of

¹⁷ Such velvets included ‘veluti figurati, stampati, alti bassi, veluti rizzi, pelosi, franzati, stochati, disfilati, faldati o puntizzati, parte tessuti et parte non, parte di veluto parte di raso, et ogni altra foza nova’. Bonardi, *Il lusso d'altri tempi*, 197; Bistort, *Il Magistrato alle Pompe*, 373-414; Maria Giuseppina Muzzarelli (ed.), *La legislazione suntuaria, secoli XIII-XVI. Emilia-Romagna* (Rome: Ministero per i Beni e le Attività Culturali, Direzione Generale per gli Archivi, 2002), 203-09.

¹⁸ In Bologna the law of 1561 stated that: ‘Non intendando compresi nella presente provisione li scolari forestieri, né gli altri forestieri che al presente sono o verranno in questa città, quali si tolleranno et tolleraranno in quelli habiti che a loro piacerà’ [‘The present law does not include foreign students, or other foreigners that at present or in the future will come to this city, whom are and will be allowed the clothes that they best please’]. In Muzzarelli (ed.), *La legislazione suntuaria*, 207. In Padua a sumptuary law of 1575 specified: ‘Che li forestieri che staranno in questa città per tre anni con la sua famegia siano sottoposti a questa parte, eccettuando li scolari forestieri et li dottori leggenti forestieri’ [‘That foreigners

the Paduan nobility, had the latter strictly followed the dictates of the law. This, however, was unlikely to have happened considering the political and social evolution of Padua in the sixteenth century, where a restricted number of patrician families acquired growing power until they were finally able to monopolize civic offices by the early seventeenth century. The Paduan nobility detached itself from trade and productive activities and aimed at living as *rentiers* out of their estates in the countryside. A new mentality saw all mechanical works as degrading, and families went to great length to demonstrate their ancient noble descent. The concepts of civility and honour became prevalent among this group, as did the necessity of dressing in a manner that could demonstrate their superior status, causing continuous tensions with a body of sumptuary laws aimed at limiting conspicuous consumption for all social groups.¹⁹

Enforcing the Law

Historians have long argued that sumptuary laws remained ‘dead letter’ and were not often enforced. This assessment seems to be confirmed by the frequent reiteration of laws. Interpretations as to why enforcement was unsuccessful differ between those historians who consider it an impossible task due to the complexity of controlling people’s consumer choices, and those instead who point to a distinctive lack of intention on the part of legislators for enforcing laws that were obviously unpopular both among the elite and the lower ranks of society.

who have lived with their families in this city for three years be subjected to the sumptuary law, except foreign students and foreign professors’]. Bonardi, *Il lusso d'altri tempi*, 92, and 219.

¹⁹ The social and political evolution of Padua in the early modern period has been surprisingly little researched. The best overview for the growing divide among social groups remains Angelo Ventura, *Nobiltà e popolo nella società veneta del Quattrocento e Cinquecento* (Milan: Unicopli, 1993), 189-251.

Catherine Kovesi observes that archival sources might suggest that enforcement was far from uncommon though it might not have been systematic. First, the laws themselves included references towards their implementations that appeared early in Italy (Figure 8.2). Far from being ineffective or simply moralising legal acts, Kovesi argues that sumptuary laws were applied and had an impact on people's lives.²⁰ Their importance can be seen in the fact that they were often published (as it is the case of Padova) and read publicly as new sumptuary laws were enacted.

Second, the laws relied on specific bodies enforcing the rules that they contained. This was often done through existing magistracies and notaries. In thirteenth- and early fourteenth-century Bologna and Siena, for instance, it was the Podestà of the Comune who was entrusted with supervising the compliance with sumptuary regulations.²¹ Later on the officials in charge of the actual application of the law were especially appointed as in the case of the *ufficiali dell donne* (officials on women), an office established in Florence in 1333.²² Separate magistracies were established in other cities such as the short-lived official position of the *donnaio* in Siena in the 1320s. One has to admit, however, that the 'professionalisation' of sumptuary enforcement was a rather late and partial phenomenon. In the case of Venice, for instance, the separate institution of the Magistrato alle Pompe (Sumptuary Magistrate) was established only in 1514 whereas in Vicenza the office of the Censori was first created in 1536.²³

Finally, sumptuary laws established a series of precise penalties, the most common of which were fines, the confiscation of the forbidden goods, and the taxation of exempted items. The latter –

²⁰ Kovesi Killerby, *Sumptuary Law in Italy*, ch. 7.

²¹ Muzzarelli (ed.), *La legislazione suntuaria*, 5, 50-73; Maria Assunta Ceppari Ridolfi, 'Un caso toscano: Siena', in Muzzarelli and Campanini (eds.), *Disciplinare il lusso*, 60-1.

²² Carole Collier Frick, *Dressing Renaissance Florence: Families, Fortunes and Fine Clothing* (Baltimore: Johns Hopkins University Press, 2004), 183.

²³ Bistort, *Il Magistrato alle Pompe*, Mometto, "Vizi privati", 260-61.

often referred to as ‘vesti bollate’ (sealed garment) granted exemptions to existing garments from a new law by paying a certain amount of money and registering the specific items.²⁴ This has been seen as a quasi-tax.²⁵ Confiscation was also not uncommon as the item was used as proof in an eventual prosecution and could be used for charitable ends. Fines were the most common measure in enforcing sumptuary laws.²⁶ Such fines were paid both by consumers/wearers and producers. Rarer were forms of prosecution that included the excommunication of those proved guilty and, in the case of men, their exclusion from public office for specific periods.²⁷ Corporal punishment and imprisonment were seldom used though - as the case of Venice shows - could be used in special circumstances.²⁸

INSERT HERE FIGURE 8.2

²⁴ A list of all garments allowed as ‘vesti bollate’ for the city of Bologna was compiled in 1401 and has been edited by Maria Giuseppina Muzzarelli (ed.), *Belle vesti, dure leggi: In hoc libro continentur et descripte sunt omnes et singules vestes* (Bologna: Costa editore, 2003).

²⁵ This was the case of the 1415 Florentine statutes that established that on payment of 50 florins to the city’s exchequer, a lady could wear any prohibited attire, embroidery or jewellery for a year. Jane Bridgeman, “‘Pagare le pompe’: Why Quattrocento Sumptuary Laws did not Work”, in Letizia Panizza (ed.), *Women in Italian Renaissance Culture and Society* (Oxford: European Humanities Research Center, 2000), 219-20.

²⁶ On Fines and denunciations see: Maria Giuseppina Muzzarelli, ‘Il corpo spogliato. Multe, scomuniche e strategemmi per il rispetto delle leggi suntuarie’, *Micrologus*, 15 (2007), 399-423.

²⁷ Maria Giuseppina Muzzarelli, ‘Reconciling the Privilege of a Few with the Common Good: Sumptuary Laws in Medieval and Early Modern Europe’, *Journal of Medieval and Early Modern Studies*, 39/3 (2009), 609-10.

²⁸ Kovesi Killerby, *Sumptuary Law in Italy*, ch. 7.

The enforcement of sumptuary laws in Padova was established in the very text of the laws through the indication of specific penalties and by minutely regulating the remit of action of the sumptuary magistracy (Magistrato alle Pompe). Padova is an important case not just because of the unique survival of prosecution cases, but also because the city followed the pattern of sumptuary enactment of other Italian cities. As we have already seen, the first regulations forbidding large wedding banquets was enacted as early as 1277. A century later, in 1398, further laws were enacted to regulate expenditure on baptisms and funerals.²⁹ Padova therefore was not an early implementer of sumptuary laws but followed the examples of larger and more politically influential cities such as Florence and Bologna. It was only in the second half of the fifteenth century, after being conquered by the Venetian Republic, that Padova started enacting comprehensive sumptuary laws. Two major laws were produced in 1440 and 1460. Between 1440 and 1684 around twenty laws were enacted altogether. Following the political and economic crisis of the first two decades of the sixteenth century, from the 1530s to the end of the sixteenth century the city was particularly active in enacting detailed laws in 1536, 1555, 1561, and 1569. Such laws, often thirty to forty pages long, were comprehensive in their coverage as we have seen for the case the 1536 and 1561 laws. These were also the periods in which the bulk of persecution took place.

If from a chronological point of view, the Paduan sumptuary laws are unremarkable, the same cannot be said about their structure. Throughout the period considered they are ‘generic’ rather than ‘selective’ laws. This means that unlike sumptuary laws in France and in several other Italian cities such as Perugia and Bologna, the Paduan sumptuary laws did not distinguish between people of different social and economic standing but forbade or allowed garments, foods and accessories to the entire

²⁹ Antonio Bonardi, *Il lusso di altri tempi in Padova: studio storico e documenti inediti* (Venice: Tipografia Libreria Emiliana, 1909), 9 and 11.

population without social distinction.³⁰ Like Venetian laws by which they were inspired, the sumptuary laws of Padova were not conceived as a way to distinguish the rising bourgeoisie from the nobility as both groups were equally prosecuted.³¹ This did not mean that sumptuary laws in Padova ignored social hierarchy or sartorial competition. Bonardi, writing in the early twentieth century, observed that especially in the sixteenth century the Paduan bourgeoisie was getting richer while the nobility was declining. He therefore proposed the argument that sumptuary laws were a tool on the part of the nobility to impose ‘equality’ with other rich citizens. If the nobility could not outdo the rising bourgeoisie, sumptuary laws prevented the bourgeoisie outdoing the nobility.³²

Bonardi might have had a point if we consider another peculiarity of the sumptuary laws of Padova: they were less concerned with quantities (number of dresses for instance) and paid instead more attention to the quality of the textiles used, the types of garments and the value of jewellery worn. The use of silk, trimmings, necklaces, and other accessories and jewellery was at the core of both sumptuary regulations and prosecutions. A further specificity of the sumptuary laws of Padova is that over time they moved from the regulation of dress and accessories, to paying increasing attention to

³⁰ Bonardi, *Il lusso di altri tempi*, 17.

³¹ This principle was applied to Venice already in the so-called ‘prima serrata’ of the Maggior Consiglio in the late thirteenth century that divided Venetian society into three groups: nobles, citizens and populous. Eventually this hierarchy was extended to other cities of the Veneto. By the 1460s the sumptuary laws of Venice and the other cities of the Veneto do not distinguish between social or professional groups applying the laws to all inhabitants. See Frederic C. Lane, ‘The Enlargement of the Great Council of Venice’, in J.G. Rowe e W.H. Stockdale (eds.), *Florilegium Historiale: Essays Presented to Wallace K. Ferguson* (Toronto: University of Toronto Press, 1971), 237-74; Stanley Chojnacki, ‘Social Identity in Renaissance Venice: The Second Serrata’, *Renaissance Studies*, 8/4 (1994), 341-58.

³² Bonardi, *Il lusso di altri tempi*, 19.

the use of carriages, to banquets and foods, the dress of prostitutes and indeed nuns, the dress of servants and their public visibility, and the regulation of seamstresses and tailors.

Over time, the laws also came to articulate the legal processes that supported them. Fines were established for those who did not respect the laws with amounts that increased in the course of the fifteenth and sixteenth centuries. In 1488, for instance, anyone found in breach of sumptuary regulation was fined 200 lire and had the items confiscated. Half a century later, in 1536, fines were raised to the substantial sum of 50 ducats.³³ At the heart of any prosecution was the *Magistrato alle Pompe*, a body formed of five *Censori* who were selected from the notables of Padova. They were salaried positions that were given in addition between a quarter and a third of the value of fines. They were at times helped by the *Capitani* and soldiers who were not paid for their services, though their expenses were reimbursed.

As we have seen, it was not uncommon for the *Censori* to initiate a legal case simply by stopping suspects during one of their occasional patrols in the streets of Padova. If instead a denunciation was sent to the magistrates, the *Censors* had the right to summon the person accused. Denunciations could be made in person or in writing to the office of the *Censore*. In both cases, the identity of the denouncer was kept secret in all following legal proceedings. An example is the anonymous denunciation of 1623 (Figure 8.3): ‘Signora Girolima Conte: coloured sleeves, long pearl neckless; Countess Emilia S. Bonifazia: coloured sleeves with flowers, gold and pearls and a long neckless’ that the denouncer saw in the house of the Cavalier Capo di Vaca in St. Stefano, citing also a list of testimonies and asking the prosecutor to devolve the fine to beggars.³⁴

³³ Bonardi, *Il lusso di altri tempi*, 37 and 52.

³⁴ ASPGM, 30/5, 7 January 1623, loose sheet inserted in the register: ‘Le S.e Girolima Conte manege de colore cadena de perle loga; contessa Emilia S. Bonifazia manege de color fiori e oro con perle cadena longa; zerie descalsa trenta perle cadena longa a magia; vinstisie di questo in case Cavalier Capo di Vaca

INSERT HERE FIGURE 8.3

It was not uncommon for denouncers to place messages like this in a small box (*cassetta*) in front of the Palazzo del Capitano, the office of the authority of the Republic of Venice. When an accusation was received, the Censori had no more than two weeks to summon the party and initiate the prosecution (otherwise the Censors themselves were liable to be fined 25 lire). The trial itself was at the heart of the prosecution procedure. The accused or one of his/her representatives could call for witnesses testifying on their behalf while the Censori called in witnesses for the prosecution. A verdict was reached through the use of a ballot box. The entire procedure had to last less than a month. If the Censori were too slow, they could be fined 100 lire.

In cases in which the accused was found guilty, he/she had to pay the fine to the ufficio of the Censore (part of the tax office). This sum was divided between the accuser, the Censore and charities. If the guilty party did not pay, it was the task of the Censori once again to inform the Capitano within a month to avoid a fine of 25 lire. The laws established also a process of appeal chaired by the Rettori of the city who, if in disagreement, could ask the help of the Camerlengo (the city's fiscal authority). The appeal process had to be completed in less than two months. In the meanwhile, the guilty party has to deposit a sum equivalent to the fine with the Monte di Pietà (civic or religious pawnbrokers). It was also established that the Rettori did not have the right to overturn the decision of the Censori but could send the case back to the Censori to be reconsidered.³⁵

e in S. Stefano. te(stimoni) Antonio Frizimelega, Marssilio Papafava, Frances(co) Relogi Galeazo Checo Leoni, Lorenzo Bingioli. Pena mendicanti?.

³⁵ Bonardi, *Il lusso di altri tempi*, 82-3.

The Lives of Sumptuary Laws

This complex system of enforcement was more than mere fiction, as in the course of the sixteenth and seventeenth centuries it led to hundreds of prosecutions. The rest of this chapter considers sumptuary laws in practice by focusing on prosecutions in the period 1560-1620. Our concern is not to prove the effectiveness of the law.³⁶ It is evident that, as in the case of Florence and other cities for which we have evidence, prosecutions cluster in the years following the enactment of new laws or the reiteration of existing ones, with long periods in which there were no prosecutions at all. The law is here interpreted instead as a socio-cultural phenomenon in which the motivation of both legislators and citizens and the avoidance strategies and resistance of the latter are seen as part of the everyday practices surrounding conspicuous consumption, great the challenging of established social hierarchies and the administration of the law. We concentrate here on sartorial consumption and focus in particular on three main issues. First we wish to discuss the spatial nature of enforcement in a city like Padova that was large but was not a metropolis of the size of Rome, Paris or London. Second, we consider the ways in which sumptuary laws were negotiated and even opposed in their implementation and highlight the role played by witnesses. And finally we conclude by considering which consumer goods were of concern for the laws and discuss in detail an intriguing case of a new type of consumer product.

The Space of Sumptuary Laws

³⁶ This has been a common approach to sumptuary prosecutions, though Hunt admits that ‘The relationship between effectiveness and enforcement is complex’. Hunt, *Governance of the Consuming Passions*, 328.

We already encountered the Censori surveilling the streets of Padova. The magistrati alle pompe's authority was manifested – and one might say was visually and physically confirmed – in the space of early modern streets and city squares. Yet this does not mean that the process of what we might call 'sumptuary application' was anything straightforward. The Censori faced several problems, among which was whether their authority would be challenged.

The Censori were not necessarily able to stop everyone passing in the streets of Padova. Several accusations against people on board of coaches and carriages that could not be stopped are recorded. On the 16 April 1564, Donna Daula, wife of Count Borse San Bonifacio, for instance, was seen wearing 'a string of pearls round her neck and another long string of pearls' while on board of a carriage.³⁷ Paola Borromea, wife of Francesco Borromeo, was also seen passing through in a carriage decorated in gold (against the laws), and was wearing forbidden earrings.³⁸ In these but also other cases in which the offenders were actually apprehended, the forbidden items had to be deposited within days to avoid large fines. Visits on the part of the magistrates could follow to private residences as in the case of Elena, wife of Bortolomeo Enselmo who we already encountered earlier wearing pearl earrings. Three weeks after the episode, the magistracy's clerk went to see Elena at her home and a written document was later submitted by one of the lady's representatives to the magistracy. Similarly, anonymous denunciation would be followed by the magistrates' visits to private homes.

These cases alert us that the implementation of sumptuary laws happened in communities where people knew each other personally. An anonymous denunciation might have not remained such for long thus raising questions about who might be one's enemy and who might be one's friend. To walk around town wearing items forbidden by the law was a risk as neighbours, friends and other fellow

³⁷ ASPGM, b. 30/2, reg. 3, fol. 8v: 'qual havea un fillo de perle strette al collo, et una filza de perle longhe'.

³⁸ ASPGM, b. 30/2, reg. 3, fol. 8r: 'et era sopra un cochio dorado torno a torno'.

citizens could think it worth reporting it to the authorities. This was the case for Cassandra, wife of Alessandro da Lion, accused of wearing forbidden bracelets while walking with her servants near her home. On the 27 May 1562 a certain Giulio Vigonza testified:

one day last week – I cannot remember if it was Thursday or Friday – I was in the company of monsignor Francho, messer Beneto de Dotori, messer Riccardo Trevisan and messer Raffaele Novellino and we were doing some exercise walking along the [city] walls between S. Benedetto and S. Lunardo. And so we reached a lady [walking] with two servants, and I asked who she was as I did not know her, and I was told [by the companions] that she is the wife of messer Alexandro Leono, sister of messer Jacopo Brunello. And so passing through, one of our group – I cannot remember whom – said: “it is not right, she is in breach of the law”, or something similar. And so I turned and looked at the lady, and I thought that she was hiding her hands so that they could not be seen. And she swiftly entered a door through the back of the walls. And our group thought that she had bracelets or chain bracelets, but I did not see them. I cannot remember who said so: “do not hide them”, or similar words, but it was one of our group.³⁹

³⁹ ASPGM, b. 30/2, reg. 2, fol. 105v, 27 May 1562: “Io non scio questo altro se non che ritrovandami un giorno de la settimana passada, et non vi saperei dir certo se fosse la zobia o venere, in compagnia del reverendo monsignor Francho, eccellente messer Beneto de Dotori, l’excellente messer Ricardo Trivisan, messer Raphaelo Novellino, et caminavamo in atto de exercitio drieto alle mure che vano dal ponte de S. Benedetto a quelle de S. Lunardo. Et così fra via agiongemo una gentildonna con due massare, la quale non cognoscendo io, dimandai chi era, et mi fu ditto questa è la moglie de messer Alexandro Leono sorella de messer Jacopo Brunello. Et così passando noi inanci uno de la compagnia, qual non saperia ben dir chi fosse, disse: non le valle, io ho ben veduto quello che passa la parte; over simile parole. E alhora mi voltai e vidi questa gentildonna, che a mio giudicio paria che ne ascondesse le mani, a fine che non li fosseno vedute. Et entrò subito in una porta che è lì drieto a queste mure. E

Other members of Vigonza's party testified that Cassandra 'was in breach of the sumptuary laws as she was wearing bracelets'. We have here a small vignette of the dangers of sumptuary infractions, in this case brought against a woman walking in a relatively safe place far away from the city's main squares. Cassandra must have panicked in being challenged by these four men and their servants. One of these servants testified that 'I saw that she took off something from her arms, and put these things in her pocket. But what these were I cannot say, as I was behind my master, and I could not see [...] I heard the gentlemen saying [...] that she had bracelets on her hands'⁴⁰ There is clearly a gendered dimension to this story as one reads the increasingly flourished deposition by the six men. While some of them had hardly seen her, others had greeted her. Raffaello Novellino, a member of the group, claimed to have heard one of his companions saying "Madam, you are infringing the sumptuary law, as you wear

mi parse intender nella compagnia che ella havesse li manilli over maglie, ma io però non li vidi ... Io non saperia ben dir chi fosse quello dicesse: non li valle a scondere, o simil parole, ma fu uno de la compagnia".

⁴⁰ ASPGM, b. 30/2, reg. 2, fol. 106r, 27 May 1562: "Ser Leandro q. Dominici de villa Bogioni, servitor ex.s doctor dominus Iulii de Vigoncea [...] respondit: Io andando dredo al mio parron, se ben mi ricordo zobia passada verso sera, driedo le mure vechie del ponte de S.Benetto, agiongessimo una gentildona [...] io non conosco la gentildona, et visi solum che essa si tolse via non so che cosa dai brazzi, et se messe presto in la gagioffa. Ma che de cosa fosse io non scio, perchè io era dredo a mio parron, et non possè così vedere [...] Io sentii a rasonare a essi gentilhomini [...] che ditta gentildonna havea li manilli alle mani".

bracelets on your hands” [...] though I did not look at her hands but I look at her face, and I heard one of the group saying “do not hide the bracelets””.⁴¹

The case of Cassandra points to the murkiness of spatial remit within the law. It is well known that sumptuary officers had no access to churches as they were considered to be outside the jurisdiction of temporal law.⁴² More difficult was to evaluate whether sumptuary laws could be enforced solely in public spaces or even what a public space might be considered to be. The Censori, for instance, could enter into private residences and check that sumptuary laws concerning banquets were upheld.⁴³ On the 5 June 1561, Giulia, wife of Roberto de Conti was seen on the balcony of her sister-in-law Alessandra Pigia and in Alessandra’s house during a party. Giulia was accused of wearing a white dress with gold trimmings for summer and some gold and pearls, all of which were prohibited. It is unknown how the accusation reached the magistracy, but the Censori sent an officer to seize the said dress.⁴⁴ Giulia did

⁴¹ ASPGM, b. 30/2, reg. 2, fol. 106v, 30 May 1562: “Madona, voi passati la parte, che haveti manilli alle mani? [...] Io non li hebi fantasia alle mani, ma la guardai in el viso; e sentire a dir similmente da uno de la compagnia: “Non vale a sconder li manilli”, o simili parole”.

⁴² Collier Frick, *Dressing Renaissance Florence*, 183.

⁴³ The documentation for Padua report several such cases. For other cities see Maria Giuseppina Muzzarelli, “Ponere una certa regola et modestia”: il canone del consentito e del proibito nei banchetti cittadini fra Medioevo et Età moderna’, in *“Per una severa maestra”: dono a Daniela Romagnoli* (Fidenza: Unisa, 2014), 124.

⁴⁴ ASPGM, b. 30/2, reg. 2, fol. 66r, June 1561: ‘Imperò hano deliberato essi Magnifici Signori [Censori] che sia processo contra di essa donna Iulia et inquirido, aciò ritrovata colpevole sia punita iuxta la forma de le parte, aciò la pena sua sia exempio ad altri. Et mandorno a Bortholamio di Zanin comandador che andar debia alla casa de ditta d. Iulia a dimandar la prefatta ruba bianca qual havea indosso nelli lochi sopradetti’.

not oppose the seizing, though a week later, on the 14 June, her husband appeared in front of the Magistrates claiming to be acting on behalf of his wife. He argued that the prosecution was unfair: the items were clearly forbidden by the law, but Giulia had not worn them in public and that ‘in one own house it must be licit to wear whatever one wants’. Rebuked for the fact that Giulia was not in her own house, he argued that she was in the house of her father-in-law that could be reached from Giulia’s house through a connecting door and not the public street. Yet, the meaning of public was not necessarily about public spaces. The Censors objected that Giulia was seen wearing the forbidden items at a party (*fieret tripudium publicum*) that was not necessarily private but attended by a variety of people. The response was that this was not a public festivity but a ‘private gathering with six or seven married ladies who went to the house of d. Paolo [Giulia’s father-in-law] so as to see the procession of Corpus Christi’.⁴⁵

The spatial remit of the law was challenged in other ways. Only rarely were the laws were upheld outside the city perimeter. Yet exceptions were made, especially if they related to Paduan citizens. This is the case for four noble ladies who on the 10 September 1589 were seen wearing dresses trimmed in gold and silver as well as gold necklaces, jewellery and other forbidden items at the Zocco Fair in a small village ten miles from Padova.⁴⁶ Some of the accused parties claimed that although citizens, they were coming from ‘abroad’ (another city) where they had been unknowingly wearing forbidden items. In the 1560s a tailor called Francesco defended himself saying that ‘the legal action against me, poor Francesco the tailor, has been caused by hate... Your excellencies surely know that messer Francisco

⁴⁵ ASPGM, b. 30/2, reg. 2, fol. 66v, 14 June 1561: ‘In domibus propriis quibus debet esse licitum portare quicquid volunt’; ‘Hac non esse verum, cum tripudium esset satis privatum, cum sex aut septem matronis tantum, quae eo die accesserunt ad domum ipsius d. Pauli pro videnda processione Corporis d. nostri Iehsus Christi huius civitatis’.

⁴⁶ Bonardi, *Il lusso di altri tempi*, 104.

Buzacharini came to see me to have a suit made similar to that that I made for messer Zorzi Contarini. I told him that I did not want to make it as he would have breached the sumptuary laws. And he told me that I could produce it for him as he did not want to wear it in his territory [Padova] but in Rome where he had to go and that he would not wear it in Padova as it would have been against the law.⁴⁷ A similar excuse was made by Marco da Corno who we encountered wearing a velvet clock decorated with trimmings and was told that he had to deposit the item at the Sumptuary Office within three days otherwise he would have been fined 25 lire. His excuse was that ‘This clothing is the same as that I wore before I returned to Padova. And I was not aware of any laws. And if I had known of the sumptuary laws, I would have not worn it, but I am happy to oblige as a good son of this city’.⁴⁸ As in the case of Venice, admonitions must have been more common than prosecutions.⁴⁹

Witnesses and Disputations

⁴⁷ ASPGM, b. 30/4, reg. 2, without date and folio numbers, around 1563: ‘la querella instituita [...] contra di me povero Francesco sartore è stata ingiustamente instituita et per solo odio et non altramente. Le magnificentie vostre sapiano che già mesi sei vene a trovarmi messer Francesco Buzacharino, qual mi pregò volesse farli uno habito della sorte che haveva fato al magnifico messer Zorzi Contarini. Io li resposi che non lo voleva far perché saria stato condannato. Lui mi dise che lo dovesse far sopra de lui perché non lo voleva portar in questa città né suo territorio, ma lo voleva portar a Roma ove haveva d’andar, e che in Padova non l’harìa portato perché saria stato condannato.’

⁴⁸ ASPGM, b. 30/2, reg. 3, fol. 6v, 16 April 1562: ‘Questi abiti sono quelli medemi quali haveva avanti venisse a ripatriar a Padoa. Et non sapea de parte alcuna. Et quando io havesse saputo della parte delle pompe, io non l’haveria portato, ma de contro io son contento ad obedir come figliolo di questa città’.

⁴⁹ For Venice, see Hunt, *Governance of the Consuming Passions*, 350.

When on the 16 April 1562 the Censori of Padova stopped a certain Alessandro Soncino in front of the church of Santa Chiara, they claimed that he was wearing ‘a gold band around his cap and hose of all striped with bands where not white’.⁵⁰ This was confirmed by a witness, though a second one, Lionello di Marco Crivellari, said that ‘I have seen and I still see, of the said Alessandro, that he wears hose all trimmed in white, though I cannot say what they are made of if I cannot see closer, and he wears around his cap a gold band’.⁵¹ Clearly the testimony was recorded on the spot, though the Crivellari raised doubts in the attempt to extricate himself from such an embarrassing situation. Passers-by were asked to act as witnesses to corroborate the Censori’s accusations but they showed little willingness to testify against their neighbours and other citizens. This was the case of a certain Bernardino de Zuffis who on the 26 April 1565 was asked by the Censori to act as a witness. In the words of De Zuffis: ‘on Tuesday night, I was near the church of S. Agata. Piero da Lion et Annibal Buzacharin [the Censors] asked me to look at the ladies who accompanied the Rettresse inside the church, [to ascertain] if they were wearing things forbidden by the sumptuary laws. I said that my eyesight is not good, though I saw the esteemed Chiara Zacha, spouse of messer Bortholo Zacho, who was wearing a belt with gold buttons’ though he could not say if she was wearing corals.⁵²

⁵⁰ ASPGM, b. 30/2, reg. 3, fol. 10r, 16 April 1562: ‘qual havea un cordon d’oro a torno la beretta et un paro de calzoni de raso tutti designadi de cordoni over altro bianchi?’

⁵¹ ASPGM, b. 30/2, reg. 3, fol. 10r: ‘Io ho visto et vedo tuttavia, mostrando ditto d. Alessandro, qual ha un paro de calzoni lavoradi tutti de bianco, ma però non vi saperia dir di che fosseno se non li andasse apresso, et quello che ha atorno alla beretta è un cordon d’oro’.

⁵² ASPGM, b. 30/2, reg. 3, fol. 16v, 26-27 April 1565: ‘Marti di sera, ritrovandomi in la giesia de S. Agatha apresso li mag.ci messer Pico da Lion et Annibal Buzacharin doctori [the Provveditori], fui advertido da essi che dovesse guardar quelle gentildonne che acompagnano le Cl.me Rettresse li in la giesia, se havevano cosa a torno che fosse proibito per le parte de le pompe. Alli quali io dissi che io

Witnesses were key to any prosecution, though their reluctance to come forward or support the magistracy's accusations is evident in a context of close social relations in which people knew each other personally. This is compounded by the fact that most accused belonged to the city's social elite and were therefore well-known citizens, sometimes with important public offices. Notwithstanding occasional public patrols, even the Censori might not have been keen on the task for which they were appointed. A certain Antonio dall'Aquila said that during the Fair of the S. Anthony (early June) of 1565 he was walking in the company of Giulio di Pegna around 10 o'clock. In front of them were Cavalier Giacomo Zabarella and the Provveditore Piero da Lion 'and walking through the fair the said Cavalier [Zabarella] said to the said Piero Lion "You Sumptuary Officers see only small and trivial things, and do not want to see the important ones". And he [Lion] excused himself and said that it was not his task to seek people out, but that his office and job was to pursue people who had been sued. The Cavalier replied that this was an excuse and that his Excellency [Lion] saw many at the Fair who did not follow the law, and that it was his duty to discharge his office, and many other words. And I believe that they were having a laugh, as they often do together'.⁵³

It appears that the Censori were not always applying the letter of the law but preferred to act only in those cases when someone was putting forward an accusation. Indeed, they might have been

non havea tropo bona vista, pur vidi alla mag.ca madonna Chiara Zacha, consorte del ma.co messer Bortholo Zacho, la qual havea una cerna de botoni d'oro'.

⁵³ ASPGM, b. 30/2, reg. 3, fol. 35r-v, 11 July 1565: 'Et andando per la Fiera il ditto magnifico Cavalier disse verso ditto d. Piero Lion: Voi Signori sopra le Pompe vedeti se non bagatelle et minucie, et non volete veder le cose importante. Et lui excusandosi diceva non esser suo officio de andar vedendo, ma che era suo officio et carigo di espedir questi quali fosseno quereladi, replicando il Cavalier che era una scusa, et V.Ecc. ha visto molti in Fiera che passeno le parti, et havete rispetto a far l'officio vostro, et molte altre parole. Et credo che burlasseno insieme come spesse volte soleno far'.

themselves victims of anonymous accusations as can be observed in one received in 1562: 'I denounce to you Magnificent Sumptuary Officers that Signora Isabella, spouse of the Magnificent Matio Buzacarini, himself a Sumptuary officer – giving very bad example to all other women in this city – has made such an affront as to wear all sorts of dress and ornament against the sumptuary laws that were recently re-enacted'. The accuser explains that on the 17 March Signora Isabella was seen 'while waiting in her coach in St. Stephen's Square the Honourable Capitanio ... wearing gold bracelets or ornaments around her arms that are prohibited by your Law. Moreover, this year she wore zibeline cuffs and gold necklaces and fastenings and clothing with parts that are embroidered and decorated'. (Figure 8.4)⁵⁴ There was clearly a sense of unease on the part of the Censori and Provveditori to targets acquaintances, friends and even members of their own families.

INSERT HERE FIGURE 8.4

Sumptuary laws could also be challenged and at times even made a mockery of. On the 23 March 1587, for instance, an anonymous denunciation was found in the sumptuary box saying that

⁵⁴ ASPGM, b. 30/4, May 1562 (n.d.): 'Denuncio io a voi magnifici signori sopra le pompe qualmente la signora Isabella consorte del magnifico messer Matio Buzacharini, ancora lui signore supra dicte pompe, dando malissimo exempio a tute le altre done di questa città, ha hauto ardire di portare diverse sorte de habiti et di adornamenti contra le legi et parte vostre nuovamente prese et confirmate [...] et questo in diversi tempi e lochi, ma ultimamente ali 17 mazo 1562, il dì delle pentecoste, in chochio sul sagrà de San Stefano quando se aspettava il Cl.mo Capitanio haveva la sodeta signora Isabella magie d'oro over come volgiamo dir manili attorno li brazzi, adornamento proibito dalla vostra parte. Oltra del tuto questo anno ha portato il zebellino ancora dinsvoltato nelle mani et cadene d'oro sì al colo come cinte et liste de intalgio over recamo alle veste et altro'.

Francesco, son of Zuan Piero Paganello ‘wears against the law “a jacket of silver cloth”’.⁵⁵ Several witnesses were called all of whom confirmed that Francesco had indeed the previous day been wearing this jacket inside the Palazzo del Capitano. He had been warned by dottor Barbo “that said jacket was against the sumptuary laws, and that he would have been punished. But he [Francesco] responded that he thanks God he had enough to pay”. He was heard laughing at the accusation and say that ‘he had ways to wear the jacket, and also to pay for it more than other people’.⁵⁶

The Material Culture of Sumptuary Laws

In reading the sumptuary prosecutions against the inhabitants of Padova, one is struck by the recurrent appearance of specific garments and accessories. Venetian legislators – like their counterparts in other parts of Europe – established the number of silk garments a lady could own. Yet, one can observe a progressive ‘inflation’ as the number of dresses allowed increased over time. In 1460, for instance, Paduan ladies could only legitimately own two silk garments. Yet in 1535 Venetian ladies could own six such garments, the ladies of Verona five in 1548, and the ladies of Treviso in 1559 could own four silk

⁵⁵ ASPGM, reg. 30/3, reg. 4, fols. 73r, 23 March 1587: ‘Denuntia inventa in cassella [...] “Messer Francesco fiolo de messer Zuan Piero Paganello: Denontia ha hauto ardimento contra la forma delle pompe de questa magnifica città, portar un giupone di tela d’argento”’. S

⁵⁶ ASPGM, reg. 30/3, reg. 4, fol. 74r, 23 March 1587: ‘il signor dottor Barbo gli disse che esso zipon era contra le parte delle pompe, et chel seria condenato. Qual respose che haveva per gratia di Dio de pagar essa condanason, et [...] disse che haveva il modo di portar tal zipon, et ancho di pagar più de qualche d’uno d’altro.’

garments, in 1602 were allowed ten. They could also own a two garments of each fabric including velvet, satin, damask, tabi and ormezin.⁵⁷

Legislators were all too aware of the vagaries of fashion and new laws often updated the old to include the latest products and fashions. This is particularly evident in the case of accessories and decorative items. In the 1530s sumptuary laws detailed new *stratagli*, fringes and trimmings whilst in the 1590s they concentrated on new strings, ribbons and others silk accessories. Sumptuary laws are the mirror of a changing consumer culture. It is not by chance that in 1593 a new guild of trimming-makers (*passamaneri*) was established in Venice. By the first decade of the seventeenth century the production of trimmings in Padova used 26,000 pounds of silk per year and as much as 70,000 in Verona where more than 1,400 looms were used in this expanding sector.⁵⁸

The portrait of Pantasilea Dotto Capodilista, by the Paduan artist Chiara Varotari now at the Museo di Arte Medievale e Moderna in Padova provides an important record of what sumptuary laws were fighting against (Figure 8.5). Perhaps because it is a rare example of a woman artist's production, Varotari's portrait pays great attention to the subject's clothing and jewellery. Here we see Pantasilea - a member of one of the most prestigious noble families in the Republic of Venice - adorned in a variety of items that were forbidden by the Paduan sumptuary laws. This portrait was painted at a time when

⁵⁷ Si veda la conferma veneziana delle delibere prese nei Consigli di Padova, Verona e Treviso in: Archivio di Stato di Venezia, *Senato, Terra*, reg. 4, fols. 143v-144v, 20 May 1460; *ivi*, reg. 28, fol. 176r, 29 July 1535; *ivi*, reg. 36, fols. 98v-105r, 6 April 1549; *ivi*, reg. 42, fols. 145r-149r, 16 March 1560; *ivi*, reg. 72, fols. 213r-217v, 20 Dec. 1602.

⁵⁸ See Luca Molà, *The Silk Industry of Renaissance Venice* (Baltimore and London: Johns Hopkins University Press, 2000), 306-7; Id., 'Le donne nell'industria serica veneziana del Rinascimento', in Luca Molà, Reinhold C. Mueller and Claudio Zanier (eds.), *La seta in Italia dal Medioevo al Seicento. Dal baco al drappo* (Venice: Marsilio, 2000), 423-59.

the fortunes of Padua – and the entire Italian peninsula – were once again under strain. A sumptuary law enacted by the Consiglio of the city in May 1619 claimed that the conspicuous expenditure on women’s dress was leading ‘to the total misery and annihilation of the most important families of this poor city’.⁵⁹ More than any other previous law, it came to impose restrictions on women’s dress:

First. To be prohibited to all women outside their home and around the city to dress in any other colour than black, except for wives in the first year of their marriage.

2°. That any person whatever is prohibited to wear gold or silver cloth, either woven, inserted over embroideries or drawn with gold, [and is prohibited to wear] silk and any other type of cloth that has gold on any part of the person.

3°. That none one is allowed to wear more than one of string around one’s neck or a gold chain, but only when the chain and the pearls are not worn at the same time. They are allowed gold buttons up to a maximum number of 40, a gold belt that should not hang, bracelets and jewels good or fake with the exception of earrings, that can have some pearls, and rings that can have jewels.⁶⁰

⁵⁹ ‘sarà la total desolazione et estermínio della maggior parte delle famiglie di questa povera città’. In *consilio mag. cae civitatis Paduae de anno domini 1619 indictione secunda die martis XI maii*. Cit. in Bonardi, *Il lusso d’altri tempi*, 235.

⁶⁰ Primo. Sia prohibito a tutte le donne il vestir di altro colore fuori di casa per la città, che di negro, eccettuate le spose per il primo anno.

2°. Che ad ogni sorte di persone sia che esser si voglia sia prohibito li drappi d’oro e di argento sia tessuto, o postovi sopra li rechami e disegnati d’oro, di seta et di qualunque altra sorte et sopra ogni altra cosa con oro sia che parte si voglia della persona.

3°. Che non possino portar più di un fillo di perle strette al collo overo una catena d’oro, purchè non portino la catena et le perle nell’istesso tempo. Li sii anco permesso una bottonadura d’oro al numero

The laws continued by stating that women were not allowed to wear fur, or have pinked or slashed clothes. They were also not allowed to have more than one servant with them or travel in coaches with gold decorations or with silk or velvet upholstery.

By contrast we see here Pantasilea wearing not one but two strings of large pearls, and another neckless made of three strings of smaller pearls. She is also wearing a gold chain with pearls around her neck and one without pearls around her waist. Clearly in defiance of sumptuary laws, she is not dressed in black, but in a rather elaborate silk dress with gold and silver background and decorations, as well as several gold ribbons. She is also wearing an elaborate headdress (repeatedly forbidden by the Paduan laws if worth more than 5 ducats), an extravagant collar, and embroidered cuffs. She also holds an elaborately embroidered handkerchief. Perhaps the only items that are not directly against the sumptuary laws are her rings (with jewels) and her bracelets (*manilli*) forbidden in previous laws but apparently allowed by the 1619 sumptuary laws.

Visual evidence allows us to question the effectiveness of the law but also provides material expression to what was perceived as desirable attire for a lady of the elite. Over the centuries the Censori paid a great deal of attention to gold jewellery as a final case show us. On the 7 May 1619, exactly a year after the new sumptuary laws were enacted, messer Alvise Gagliardi, husband of Lucietta, appeared in front of the Censori of Padova saying that ‘he intends to prove that the necklace that his wife wore the last day of Easter in the house of Antonio Frizimelega was a necklace of glass made yellow with saffron’.⁶¹ He objected to the accusation that his wife wore an expensive and forbidden gold necklace.

di 40, una centa d’oro che non penda, li manili et orechini, ma il tutto senza sogie buone et false eccettuato alli orecchini, che possino haverli qualche perla et nelli anelli le sue zoglie.’ In Bonardi, *Il lusso d’altri tempi*, 235-36.

⁶¹ ASPGM, b. 30/5, trial n. 10, folios not numbered, 7 May 1620: ‘Dice et esser la verità provar intende che la catena che haveva la signora sua consorte al colo l’ultima festa di Pasqua in casa del molto Ill.mo

In the same deposition, he also denied other accusations, and in particular that his wife's gloves were forbidden by the sumptuary regulations, that she had gold hairpins, and that the necklace that she wore on the day of Santa Croce (3 May) in the church of S. Agostino was made of gold with zephyrs.

Messer Alvise was defending his wife's honour in a sumptuary proceeding in which she played only a minor part as at no point did she appear in front of the magistrates. Alvise's wife was not even stopped in the street by the Censori but was the victim – so her husband argued – of false accusations. This legal proceeding was initiated by an anonymous message: 'on Tuesday 5 April 1620, the sumptuary box (*cassetta delle pompe*) at the Palazzo [del Capitano] was opened and a denunciation was found inside: "the wife of Alvise Gagliardo, who lives near the Embankment, has taken the liberty of wearing a gold or gold-plated necklace ... and also a gold [unreadable] with pearls on her neck, and embroidered pinked gloves with gold bands and gold pendants and hair-pins made of gold or silver that is gold-plated"⁶².

The denouncer did not explain where and when Alvise's wife had made show of such forbidden items. The Censori however had to take action as it appeared that Lucietta's necklace had not passed unnoticed. Several witnesses were called in to testify whether Lucietta had indeed worn a forbidden piece of jewellery. Antonio Marzelani, a citizen of Padua living in the contrada of Savonarola, said that

signor Antonio Frizimelega era catena di vero fatta zalla con il zafrano', adding that 'et è quella apunto che sarà mostrata alli testimonii, et che hora si presenta' (and it is this that is shown to the witnesses, as here presented).

⁶² ASPGM, b. 30/5, trial n. 10, folios not numbered, 5 April 1620: 'A dì marti 5 aprile 1620. Fu alla presenza delli Signori Sopracensore et Censore per me nodaro apperta la cassella delle Pompe in Palazzo nella qual fu trovata l'infrascripta denuncia: '1620. Si da in notte comme la moglie del signor Alvise Gagliardo, sta su l'Arzere, si ha fatto lecito di portar contra la parte una catena di oro overo di mesturra sopra indorata, et ancho un [unreadable] d'oro con le perle all collo, et guanti con ricamo fereti alle stringe [...] d'oro straforati con cordelle con oro, et agi da testa de oro overo di arzeno sopra dorati'.

on the third Sunday before Easter he was on his way to the church of Sant'Agostino to visit his friend Fra Desiderio when he passed in front of the house of messer Frizimelega 'and I saw a coach with two ladies who were descending and entering the house and, believing that there was a party, I followed the ladies and went upstairs to the house in the main reception room'. He remained there until the ladies left. The last of them was Lucietta, wife of Alvise Gagliardo, 'and while she descended the staircase, I noticed her hairstyle and I saw very well the hairpins made of white silver and none of them were made of gold'. He was presented with the necklace and he confirmed that it was the necklace worn by Alvise's wife: 'and I recognised it very well as I had seen before one of these yellow chains of fake gold', adding that 'I said to Alvise with surprise that such a thing [the necklace] is of fake gold and he replied to me 'I have another one that is even better' and I asked him to show it to me and he immediately went upstairs to fetch it and he showed it to me and I realised that it was made of glass painted with saffron and that it looked great'.⁶³

⁶³ ASPGM, b. 30/5, trial n. 10, folios not numbered, 7 May 1620: 'Ser Antonio Marzelani qd Paulo, habita in Padoa in contrà della Savonarolla [...] Sopra il quarto risponde: "con occasione che andavo la 3a festa di Pasqua a S. Agustino a visitare il reverendo padre fra Desiderio mio amico dell'ordine suddetto di S. Agustino. Nell'andare passai davanti la casa dell'illustre signor Frizimelega, et vi vidi una coppia di carrozze con due gentildone che smontavano et entravano in casa de esso signor Antonio, et io credendo che si facesse festa mi aviai dietro esse gentildone et andai di sopra in casa nella sala di esso signor Antonio, nella qual vi era due gentildone, et steti ivi fino che si partirono, et partendosi le lasciai andare avanti, et ne restò una in ultima che era la moglie del signor Alvise Gagiardo nominata Lucietta, alla qual mi aviai dietro giù per la scala, et mentre si veniva giù di essa scala andavo considerando quel conciero di testa et diversità delle cordelle che haveva, et li vidi li agi d'arzeno bianchi benissimo, né ve ne haveva nissuno d'oro.

Ser Zuane Galvan, son of Sebastian, another citizen of Padua, also confirmed that the necklace was the one that Alvise's wife was wearing on the last Sunday before Easter when she was at the Frizimelega and that it was made of glass and saffron, and that he himself had commissioned it in Venice. He also confirmed that the gloves shown were those worn by signora Lucietta and that the hairpins were not made of gold.⁶⁴ Another witness, Ottonello Descalzo, said that '... I have very good knowledge [of such necklaces] as I had seen it before as they were brought [to Padua] from Venice by

Sopra il quinto risponde: "la catena mostratami è quella a punto che haveva la moglie del suddetto signor Alvise in S. Agustino il giorno della Crose la matina, et la conobbi benissimo perchè altre volte, con occasione che ero sopra la porta del signor Alvise, che passò per la contrà una gentildona che haveva una di queste cadene de sida zalla finte d'oro, et io verso esso signor Alvise gli disse: 'Guardate - maravigliandomi - come quella cosa è ben finta de oro'. Lui me rispose: 'Ne ho una che è più bella et fa più mostra di quella', et io lo pregai che me la mostrasse et di subito andò di sopra et la portò giù a mostrarmela, et mi accorsi che era di vetro inzafranata et faceva bella vista, et è apunto quella che la moglie di esso signor Alvise porta ordinariamente"

⁶⁴ ASPGM, b. 30/5, trial n. 10, folios not numbered: 'La catena che mi havete mostrato ... è di vero fatta zalla con il zaffrano, et io per apunto l'ho fatta fare questa Quadragesima passata in Venecia'; 'essendo dall signor Antonio Frizimelega la 3a festa di Pasqua il doppio disinare, capitai in sala di essa casa dove erano molte gentildone in piedi, dove osservai particolarmente la signora Lucieta Gagiarda per veder se la catena soprannominata faceva bella vista, et vidi che se l'accomodava con le man, nelle quali haveva a ponto li guanti che mi havete mostrato'; 'et per curiosità osservando se questa parte delle pompe si osservava, attendendo li concieri di testa de varie gentildone, et in particolare osservai questo de questa signora Gagiarda, la qual vidi che haveva in testa varie cordelle pontade con agi d'arzeno, et osservando se alcuna di quelle cordelle avesse oro vidi che non ne havevano, et non haveva agi d'oro'.

Dr Galvan of Venice with whom I work with'.⁶⁵ Alvise Bagnago was also at the Frizimelaga and recounted that he had discussed with Ottonello Descalzo 'the topic of sumptuary regulations ... and I said that the necklace and pearls were against the regulations but I said it laughing and Ottonello too started to laugh as it was clear that it was made of glass'.⁶⁶ Several other witnesses were called in and reported that the gloves were 'ordinary', that the hairpins were of silver and not gold, that Lucietta did not have embroideries of any kind. Ser Carlo Antonio Forteza testified that the glass necklace presented by the provveditori was that worn by Lucietta and this and others were brought to Padua from Venice by his brother-in-law Galvan.

Several elements in this sumptuary proceeding are helpful to us, including the fact that the trial against Lucietta did not reach its natural conclusion and she was informally acquitted. We are told that on 9 May 1620 the Censors decided to vote on the case with the usual procedure ('those who think she is innocent, put the ball in the green container, those who think her guilty in the red'), but they never recorded the result, nor the final verdict, leaving the rest of the page blank.⁶⁷ It was probably decided

⁶⁵ ASPGM, b. 30/5, trial n. 10, folios not numbered: '... et di quella ne ho bonissima praticha perché l'havevo veduta altre volte con occasione che essendo venuto il signor Dottor Galvan da Venecia, con il quale pratico ordinariamente'.

⁶⁶ ASPGM, b. 30/5, trial n. 10, folios not numbered: '... et cominciassimo a discorer de dette cose, tra le quali fu della materia de queste parte delle Pompe, et io con l'occasione che la signora Gaiarda all'hora passò con la carrozza partendosi dalla casa delli signori Frizimelega, dissi che quella signora passava la parte perchè haveva colana e perle, et lo dissi ridendo, et perchè il signor Ottonello si misse a rider anche esso, et darmi la burla sopra la colana perchè era di vetro'.

⁶⁷ ASPGM, b. 30/5, trial n. 10, folios not numbered, 9 May 1620: 'L'andarà parte che la magnifica signora Lucietta Gaiarda sia condenata giusta la legge; a chi piace che sia condenata metti le balle nel

that Lucietta was not breaching any sumptuary laws but simply wearing a fashionable item made of glass coloured in yellow that looked like gold. This was not one of the luxuries that sumptuary laws attempted to prohibit but what today we might call a 'populuxe', a cheaper copy that although it clearly confounded people did not fall within the sumptuary remit. Clearly Messer Alvise had mobilised trustworthy witnesses for the defence. Their role was very important in any sumptuary prosecution and was often the reason why it was difficult to convict any of the accused.

Conclusion

This chapter attempts to contextualise a large and hitherto unexplored source detailing the sumptuary prosecution cases of the city of Padova in the sixteenth and early seventeenth century. We have tried in particular to provide an overview of the ways in which sumptuary laws were applied in order to understand the sumptuary application not from a prescriptive perspective, but from the point of view of those involved in prosecutions such as the accused, the accuser and witnesses. We have also discussed the conceptual, practical and space remit of sumptuary laws and the many strategies adopted by all parties involved to cope with laws that were clearly perceived as intrusive and divisive. Prosecutions show that sumptuary laws were unsystematically applied and that in most cases they did not lead to any conviction. Yet, to simply dismiss them as ineffective would be incorrect. Clearly a sumptuary regime existed and was put in practice at regular intervals. It clearly might have not achieved its aim but it was among the many tools that helped to shape public life in the early modern period.

bussollo verde, a chi non piace nel rosso. La qual parte balotada furon trovade: nel verde per la parte balle [blank], nel rosso contra la parte balle [blank]. Et cusì fu [blank]'.