

Primary Sources

On Fashion and Sumptuary Law in New Spain

Introduction

Below is a series of texts and images from New Spain giving a sense of the changing fashions of the sixteenth and seventeenth centuries, as well as responses by governmental officials to those trends.

As you read, consider the following questions:

- How did colonialism shape fashion differently in New Spain than in China?
- What factors led the Spanish government to approach the regulation of fashion differently in New Spain than in China?
- How did the politics shaping the production of silk that we learned about in Lesson 2 shape the regulation of fashion that we are learning about in Lesson 3?
- Did casta paintings reinforce or undermine the social hierarchies of New Spain through their representations of fashion?

An Englishman Visits New Spain

*Thomas Gage (c.1603–1656) was an English Dominican friar. As a Catholic, he had been trained first as a Jesuit priest in Spain, where he also left the Jesuit order for the Dominicans. In 1625, he began global travels as a missionary that took him to New Spain, where he lived until 1637, when he returned to Spain and then to England, where he converted to Protestantism. In 1648, he published a book describing his life experiences titled *The English-American His Travails by Sea and Land*. In this short excerpt, he described the fashions of Mexico City.*

*Transcribed by Xiaolin Duan from Thomas Gage, *Thomas Gage's Travels in the New World* (Norman: University of Oklahoma Press, 1985), 68–69.*

“Both men and women are excessive in their apparel, using more silks than stuffs and cloth. . . A hatband and rose made of diamonds in a gentleman’s hat is common, and a hat-band of pearls is ordinary in a tradesman...

A blackamoor* or tawny[†] young maid and slave will make hard shift,[‡] but she will be in fashion with her neck-chain and bracelets of pearls, and her ear-bobs of some considerable jewels ... The attire of this baser sort of people of blackamoors and mulattoes ... is so light, and their carriage so enticing, that many Spaniards even of the better sort (who are too prone to venery[§]) disdain their wives for them...”

* A seventeenth-century English term for a person of African descent, today recognized as racist and offensive.

[†] In the seventeenth century, English people used this term to refer to people with brown skin color. In this case, it is used to distinguish people with a very dark skin tone from those with a lighter brown one, probably because they were mulattos, or people of mixed ancestry.

[‡] That is, they will work hard, but not early much money.

[§] A term for sexual indulgence.

An Englishman Visits China

Roger Woodes (c.1679–1732) was a sea captain, pirate, and slave trader from England. By 1711, he had gained fame in England for capturing Spanish ships in the Pacific Ocean. During these exploits, he and his crew circumnavigated the globe. The year after his returned, he wrote account of his travels, titled A Cruising Voyage Round the World (1712). In this excerpt from the book, Woodes describes the trans-Pacific silk trade.

Transcribed by Xiaolin Duan from Roger Woodes, A Cruising Voyage Round the World, 1712, First to the South-seas, thence to the East-Indies, and homeward by the Cape of Good Hope, begun in 1708, and finished in 1711 (London: A Bell and B. Lintot, 1712), 334–44.

“Abundance of raw silk is brought from China, and of late years worked up into rich brocades equal to any made in Europe...The Spaniards here [in Chile] are very profuse in their clothing and equipage,* and affect to wear the most costly things that can be purchased; so that those who trade hither with such commodities as they want, may be sure to have the greatest share of their wealth...Though they have abundance of mulberry-trees, they breed no silkworms, for that the Ladies, who are extravagant in their apparel, impoverish the country by purchasing the richest silks, tho’ they might easily have enough of their own?

Equipment, usually meaning carriages, horses and accompanying adornments.”

* Equipment, usually meaning carriages, horses and accompanying adornments.

A Spanish Royal Proclamation on Indigenous Clothing Regulations, 1593

Apparently, indigenous people – called “Indians” here -- in the province of Quito in the Viceroyalty of Peru had written a petition to colonial officials about what clothing they were permitted to wear. In 1593, King Philip II of Spain sent this response.

Transcribed by Xiaolin Duan from Dana Leibsohn and Barbara Mundy, ed., *Vistas: Visual Culture in Spanish America, 1520–1820*, 2015, accessed at <http://vistas-visual-culture.net> (last accessed 21 January 2022).

“A royal command, sent to the High Court of Quito, remitting to you the request made by Indians* of that province, which is that they not be impeded from wearing clothes like the Spaniards.

From the King: To the President and members of my High Court who live in the city of San Francisco de Quito, in the Province of Peru. On behalf of the caciques[†] and Indians of this province, I have had an account, that, in imitation of the Spanish nation, they desire to follow their customs and *policía*[‡] and adorn themselves according to their means, principally by dressing themselves for feast days and other holidays in shirts, mantles, anacos,[§] and liquidas [llicllas]^{||} of silk. And as they are a subservient people, it happens at times that constables and other people strip them and take their clothes, saying that they are not allowed to wear anything but cotton. In this, they have received much harm and vexation. They have petitioned me that in consideration of this, it be ordered that it would be permitted that they be able to wear the abovementioned, but not to excede [sic] the laws pertaining to dress. And having been seen by those on my Royal Council of the Indies, in agreement with them, I have held it well to remit [the decision] to you. As I have done so hereby. I remit it to you, [members of the *audiencia*] so that you should see it [the account] and according to the state of the land, you should decree that what you most agree upon, in such a manner that the Indians are not harmed. And thus you shall carry it out. Dated in El Pardo, November 22, 1593. I, the king. At the command of the king, Juan de Ibarra, designated by the Council.”**

* A term that the Spanish used for the indigenous people of the Americas as a whole. Today most scholars avoid the term not only because the indigenous peoples of the Americas did not come from India, but also because it treats a diverse array of peoples as if they were all the same. However, some indigenous people still use the term to describe themselves.

† A term used to describe local indigenous leaders.

‡ This Spanish word translates to more than just the modern English “polices” or “laws” but to an ordered way of life in a broader sense.

§ A kind of skirt worn by women in this region.

|| A kind of dress worn by women in this region.

** The Palace of El Pardo was a secondary residence of the Spanish king in the countryside outside Madrid.

Suspension of a 1623 Sumptuary Law

A variety of laws regulating clothing – called sumptuary laws – were ordered by the Spanish king, including in 1564, 1565, 1584, 1594, 1600, 1602, 1611, and 1623. Only a few weeks after the 1623 law was issued, upon the arrival of Prince Charles – the heir to the throne in England who was negotiating a potential marriage with the Spanish princess Maria Anna – the government suspended the order with the following proclamation. Later sumptuary laws would be issued again in 1657, 1674, and 1691.

Transcribed by Xiaolin Duan from Saúl Martínez Bermejo, “Beyond Luxury: Sumptuary Legislation in 17th-Century Castile,” in *Making, Using and Resisting the Law in European History*, edited by Günther Lottes, Eero Medijainen, Jón Viðar Sigurðsson (Pisa: Plus-Pisa University Press, 2008), 107–08.

“Our lord the King orders that, notwithstanding the laws and acts of these realms and those recently promulgated regarding dress, because of the joy at the arrival at this court of the Prince of Wales,* the execution of them be suspended, and that the use of gold, silver, and silk in textiles, ornaments, and the embroidery of clothes, both of men and women, and also in festive liveries,† coverings, and generally in every piece of clothing be permitted. Likewise, women may wear laced ends and trimmings in collars, cuffs, and cloaks; merchants might freely sell and buy the said items, even if they do not conform to the law; and silversmiths, embroiderers, and haberdashers‡ may exercise their trades freely and without limitation as they used to do. ... All this is to apply to this court city and for the present. It is ordered that it be publicly proclaimed to make it known to everyone.”

* This is Charles, the prince of Wales, son of King James I of England. Two years later, he became King Charles I of England.

† Special uniforms worn by officials or servants to the royal government worn for festivals or ritual occasions.

‡ Sellers of buttons, ribbons, silks, and other clothing accoutrements.

Eighteenth-Century Casta Painting

"Casta" is a Spanish word meaning "race," "kind," or "lineage". It was a term used in 18th-century Latin America to refer to a hierarchy of ethnicity. Early modern Spanish people had detailed racial categorizations for people of Native American, Spanish, and African heritage, but also for people from a variety of different mixed backgrounds. For instance, a castizo – here in the top row and second column – was the child of one Spanish and one mestizo, who in term was the child of one Spanish, one Native American parent. Many elites commissioned paintings to visually represent such distinctions. These paintings usually depicted a child and two parents, with the racial mixtures and associated terminology. Sometimes the parents are undertaking some sort of work that conveys their occupations.

Las castas. Anonymous, 18th century, oil on canvas, 148×104 cm, Museo Nacional del Virreinato, Tepotzotlán, Mexico. Accessed via Wikimedia Commons.



Francisco Clapera's Casta Painting

Francisco Clapera (1746–1810) was a Spanish painter who lived for a long time in New Spain. This image includes ten of the total sixteen images, which Clapera produced about 1775. It is the only known casta painting to have been produced by an artist who was born in Spain, rather than a person of Spanish ancestry born in Spain's American colonies.

Francisco Clapera, set of sixteen casta paintings, c. 1775, 51.1 x 39.6 cm. Denver Art Museum. Access at <https://smarthistory.org/seeing-america-2/francisco-clapera-set-sixteen-casta-paintings-c-1775/>



A Spaniard and a Mulatta, and a Morisca

Art historians usually attribute this painting to José de Ibarra (1688–1756), one of the most well-known painters of New Spain, mostly known for portraits of colonial elites and religious paintings. In this work from around 1730, he portrayed a Spanish man, a woman of mixed African and European descent called a mulatta – and a girl who was a so-called morisca, a term in the Spanish American colonies that referred to the child of a Spaniard and a mulatta. Thus, the girl appears to have been the child of the two adults in the painting.

De español y de mulata, morisca. ca. 1730, Attributed to José de Ibarra, oil on canvas, 64 9/16 × 35 13/16 in (164 × 91 cm). Accessed at <https://www.metmuseum.org/art/collection/search/719284>

