

# Making and breaking order via clothing

Clothing regulation, cross-dressing, and the ordering mentality  
in later medieval and early modern England

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## Abstract

Following the events which disrupted social stability in fourteenth and fifteenth-century England, individuals from a variety of social contexts demonstrated a particular necessity to see order visibly displayed in society. This thesis examines sumptuary regulations and cross-dressing side by side to demonstrate clothing's relationship to both making and breaking order. In the act of revealing this relationship, this thesis will argue that the two cases demonstrate clothing's importance in creating a visible confirmation of social order which ultimately brings to the surface an underlying collective ordering mentality that equated a sense of security with arranging everyone in society in their rightful place.

Key words: order, mentality, sumptuary regulation, cross-dressing, clothing, early modern England, medieval England.

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# I

## Introduction: Order, disorder, and clothing in medieval English society

This thesis originated from an initial interest in how medieval society responded socially and culturally to instances of large-scale disaster that threatened or disrupted social order. It has become, however, an investigation into what the particular mentality was behind the need for order in the first place. To begin such an investigation, I first needed to understand just what medieval social order was before I could begin to discuss any challenge, response, and ultimately, mentality. To clarify what I mean by these terms, when I refer to 'order' and to systems of order, I refer to various methods of organisation in which a collection of components are arranged in a particular and comprehensible way. Therefore, when I speak of order in society, I am speaking of the ways in which individuals and groups were arranged in comprehensible ways to that particular society. Medieval and early modern England had a particularly keen sense of social order and organisation and of identifying and putting everything in its place, and so the focus of this thesis is not only on how later medieval and early modern English society achieved order, but why. I have found that social ordering not only represented the organising of individuals according to their social function – it also represented a desire to put everything in society in its place because it created a sense of stability in the minds of those who subscribed to such idealistic theories. Alongside the practical element, therefore, there is also a particular mentality behind ordering. In using the term 'mentality', I am connecting my investigation to the work of the history of mentalities closely identified with the French *Annales* School. The history of mentalities takes as its focus 'the everyday attitudes of people toward everyday life', and considers the 'psychological realities underpinning human conceptions' which include basic habits of

mind, which in the process, move beyond explicitly expressed ideas.<sup>1</sup> The history of mentalities is closely associated with the cultural history developed before the *Annales* School, in which problems of culture were ‘essentially problems of world-views and their interpretation’ which were evaluated within their own social context.<sup>2</sup> The focus of this earlier study, however, was on high culture, on the idea that guiding ideals and world-views of a society came from its elites and intellectuals, and on how these ideals were propagated in a top-down process.<sup>3</sup> A history of mentalities, on the other hand, shifts from the investigation of explicitly expressed ideas of the elite as seen in the intellectual historical tradition, to a ‘history of mind’, which looks at underlying and unexpressed thought processes which shape the expression of ideas in the mind of ‘everyman’.<sup>4</sup> This thesis will first uncover an ordering mentality as found amongst the controlling elite of late medieval and early modern English society but will then move on to uncover, I argue, the same mentality found amongst a variety of social commentators. The ultimate goal is to uncover a collective ordering mentality as opposed to individual ideas. While it is beyond the scope here to attempt to extend this collective mentality to every person in later medieval and early modern English society, I will however extend my study beyond the controlling elite to this social-minded collective. To uncover and investigate this collective mentality, I have found the subject of clothing to be a valuable source.

This thesis will argue that the increase in clothing-related sumptuary regulations and the increased attention on cross-dressing in later medieval and early modern England together demonstrate clothing’s importance in creating a visible confirmation of social order, and that this ultimately uncovers an underlying collective ordering mentality that equated a sense of

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<sup>1</sup> Patrick H. Hutton, ‘The History of Mentalities: The New Map of Cultural History’, *History and Theory*, vol. 20:3, (1981), p. 237; Peter Burke, ‘Strengths and Weaknesses of Cultural History’, *Cultural History*, vol. 1:1, (2012), p. 8.

<sup>2</sup> *Ibid.*, pp. 237-38.

<sup>3</sup> *Ibid.*, pp. 237-38.

<sup>4</sup> *Ibid.*, pp. 238-39.

security with arranging everything in society in its rightful place. During this period there was an increased concern to visibly confirm ideas of social order. This desire was of particular interest to the controlling elite in a society emerging from the social-political and socio-economic disorder of the preceding fourteenth and fifteenth centuries. There is also evidence, however, that this ordering mentality existed amongst other non-elite, social-minded individuals. This is where I use a history of mentalities approach to show how a particular collective, often unexpressed, ordering mentality extended beyond a controlling elite. While these social-minded commentators do not represent all of non-elite English society, or 'everyman', they do nonetheless provide a case of individuals beyond the controlling elite that collectively shared the same mentality. The two clothing-related developments will show the importance placed on being able to confirm ideas of social order visibly to create a sense of organisation and stability at a time when the perceived improper use of clothing led to the distinctions between individuals of different degree and sex in English society becoming less comprehensible in the eyes of both groups. I argue that such an investigation ultimately uncovers motivations that go beyond functional explanations for determining why ordering was so important – the knowledge that everything was in its place was comforting and created a sense of security. Scholars who take medieval society as their focus often include a discussion of its structure based on the various functions of its elements – feudalism serves as the prime example. Order in medieval society did come about through the particular ways in which individuals and classes in society were functionally arranged, so ordering indeed achieved a very practical goal. However, ordering also achieved a sense of stability. Knowing the place of everyone (and everything) in society rendered it more comprehensible which helped to relieve a sense of disorder that came from the chaotic and unknown. Such an ordering mentality often escapes close attention from writers who discuss

ordering and social structures of this period in England. This thesis therefore seeks to contribute to closing this gap in understanding.

### *Order, disorder, and the response*

Notable medieval social historian Georges Duby touches on the existence of an ordering mentality when noting how medieval feudal society was a 'close-knit' and 'face-to-face' environment marked by a high level of personal interaction between people. Duby also characterises society as 'fragile' because it was heavily reliant on consensus between its members in order to hold it together.<sup>5</sup> Consensus indicates some sort of general harmonious agreement or concord between members of medieval society, and I argue that this consensus came in part from the collectively followed ordering systems which were perceived to structure and 'hold together' late medieval English society. Rosemary Horrox notes a medieval preference for orderliness and how it was found satisfying in itself. Medieval writing for instance illustrates a 'passion for arranging things in order and for resolving all the possible ambiguities and contradictions which might arise', as seen for instance in courtesy books, which worked out the 'minutiae of relative status' in great detail.<sup>6</sup> P. J. P. Goldberg also notes such a preference, writing that 'medieval people wanted to live in an ordered society, and that hierarchy was integral to the way they thought about order'.<sup>7</sup> The idea of, and desire for, social order was not exclusively medieval – the established order of a small elite controlling the land and the people on it was an order of life that existed before and after the Middle Ages.<sup>8</sup> There is, however, a medieval context that led to particular conceptions of what forms these ordering systems should take. The importance of order in medieval society

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<sup>5</sup> Georges Duby, *A History of Private Life*, (Cambridge, 1987), pp. 510 & 568.

<sup>6</sup> Rosemary Horrox, *Fifteenth-Century Attitudes. Perceptions of Society in Late Medieval England*, (Cambridge, 1994), p. 61.

<sup>7</sup> P. J. P. Goldberg, *Medieval England: A Social History 1250-1550*, (London, 2004), p. 3.

<sup>8</sup> Barbara Hanawalt, 'Peasant Resistance to Royal and Seigniorial Impositions', in Francis X. Newman (ed.), *Social Unrest in the Middle Ages*, (Binghamton, 1996), p. 23.

is seen in both the ordering systems which structured society as well as the attention placed on maintaining the order these systems created.

The structures and hierarchies that organised individuals and groups in medieval English society were understood by those who controlled or influenced it, such as the controlling elite, to be naturally and divinely ordained.<sup>9</sup> Regarding the particulars of these ordering systems, society was perceived as being divided into three 'estates' according to function: the Clergy, whose concern was with prayer and spiritual well-being, the knightly class, who defended the people and land, and the labourers, whose toil supported the other two orders. The idealistic nature of such a notion of order is illustrated by the ease with which the body politic analogy was also used. Writers such as John of Salisbury (d. 1180) drew on the human body as a symbol to express the hierarchy and ordering of society's parts. The logic was that like the constituent parts of a body, the parts of society each played a particular role necessary for the functioning of the whole.<sup>10</sup> The medieval fascination with ordering also went beyond society, but was also always connected to it. The notion of hierarchised society reflected the entire created universe, which was itself arranged in order of importance. Hierarchy was a mirroring of the divine order which had created and sustained the universe. Even the angels in heaven were ordered in a hierarchy, and so 'given this divine endorsement, deference to those above you was not only a desirable social courtesy, but the very essence of order'.<sup>11</sup> Gender was another important medieval ordering system, where classical medical legacy and Christian theology constituted the framework in which gender difference was represented.<sup>12</sup> Aristotle and Galen used the humoral system as a means of arguing the subordinate status of women to men from a biological and physiological standpoint. The conclusion was that women were inferior males and were relegated to a hierarchised position

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<sup>9</sup> Goldberg, *Medieval England*, p. 3.

<sup>10</sup> Maurice Keen, *English Society in the Later Middle Ages 1348-1500*, (London, 1990), p. 4. Also, see John of Salisbury, *Policraticus*, J. Dickinson (trans.), (New York: Appleton, 1927).

<sup>11</sup> Horrox, *Fifteenth-Century Attitudes*, p. 61.

<sup>12</sup> *Ibid.*, p. 114.



below them.<sup>13</sup> Both the Old and New Testaments added to this understanding. Ideas such as the female being expected to function solely as procreator, that she was responsible for the fall of all humanity, and that she threatened to corrupt the spiritual purity of males, all contributed to opinions that females were subordinate.<sup>14</sup> The underlying belief behind all of these systems was that as long as each individual remained in their divinely ordained and naturalised place, the harmony of society would not be threatened.<sup>15</sup> Overall, however, standards were not so rigidly fixed but were often confined within certain limits. Moving within one's social position was acceptable, but moving beyond it was seen as threatening to social order. Such orderings of society, even though they were idealised constructions, more or less corresponded to recognisable conditions of medieval society. Towards the end of the fifteenth century, however, this would no longer be the case. Controlling classes increasingly attempted to maintain social order as social, political, and economic changes facilitated changing configurations of society that were perceived as threatening to established systems of social order. We see the mentality behind these hierarchies of ordering at this particular stage because 'we are more aware of these hierarchies precisely at the moments that they appear to be undermined or challenged'.<sup>16</sup>

Despite the environment of violence and disorder of the fourteenth and fifteenth centuries resulting from famine, the onset of plague, revolting peasants, and the Hundred Years War, historians still acknowledge it as an 'upbeat period of increased personal wealth and self-determination'.<sup>17</sup> For a society in which the controlling elite perceived the importance of structure and hierarchy, a period in which individuals suddenly had opportunity to change their socio-economic situation was seen as potentially destabilising.

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<sup>13</sup> See Galen, *On the Usefulness of the Parts of the Body*, Margaret May (ed.), (Ithaca, 1968), and Aristotle, *Generation of Animals*, A. L. Peck (trans.), (1953).

<sup>14</sup> See Genesis II:21, Genesis III:6, Genesis III:11.

<sup>15</sup> Duby, *A History of Private Life*, p. 569.

<sup>16</sup> Goldberg, *Medieval England*, p. 5.

<sup>17</sup> Horrox, *Fifteenth-Century Attitudes*, p. 1.

Stemming from the first outbreak of the plague in England, rapid depopulation created new gaps in goods and labour markets and economic benefit for those that filled them. There was a significant redistribution of wealth, and some of those at the lower end of the economic ladder suddenly found themselves in improved positions.<sup>18</sup> In 1381, the Peasants' Revolt resulted in the lowest order of society challenging both the hierarchy of medieval England and the 'implicit status quo of an ordered social structure in which some command while others labour'.<sup>19</sup> Peasants essentially questioned the fixity of their position and whether or not the once a peasant, always a peasant logic used to justify their position actually held.<sup>20</sup> The social, economic and political changes led to a more diverse society that no longer fitted into the existing three-estate system, and while the functional hierarchic system survived, the degrees within it had multiplied.<sup>21</sup> Additionally, the late sixteenth and early seventeenth centuries were perceived as a time of gender disorder – this particular gender-related development was part of what has been labelled the 'transvestite controversy' by modern historians, when England was thought to be challenged by 'disorderly people presenting themselves in public in a gender-confusing manner'.<sup>22</sup> There were fears by the controlling elite as well as other social-minded individuals that an 'excessive desire of, or reverence for wealth' might 'disturb the fixity of the scheme' of clearly visible social distinctions, and that cross-dressing individuals would similarly disturb the fixity of clearly visible gender distinctions.<sup>23</sup> These threats led to attempts to uphold divinely sanctioned social and gender

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<sup>18</sup> Joseph Byrne, *The Black Death*, (Westport, 2004), p. 57.

<sup>19</sup> Goldberg, *Medieval England*, p. 3.

<sup>20</sup> Questions such as the famous 'when Adam delved and Eve span, who was then the gentleman?' even drew upon the same Christian framework that positioned peasants beneath the spiritual and secular authority estates in the first place.

<sup>21</sup> Keen, *English Society in the Later Middle Ages*, pp. 5-7.

<sup>22</sup> David Cressy, *Travesties and Transgressions in Tudor and Stuart England: Tales of Discord and Dissension*, (New York, 2000), p. 97. See also Linda Woodbridge, *Women and the English Renaissance: Literature and the Nature of Womanhood*, (Urbana, 1984), p. 139.

<sup>23</sup> In *Vox Clamantis*, (c. 1377-1381), in accounting for the decline of England after the Peasants' Revolt, John Gower, drawing on the constructions of social order, wrote that conflict was the product of individual sin, as people sought individual gain to the detriment to the wellbeing of society. See S. H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender*, (New York, 1995), p. 182, and Sylvia L. Thrupp, 'Social

orders by attempting to define visible distinctions between social degrees and genders more narrowly than ever. It was the perceived importance of visibly displaying order that made clothing's role vital.

### *Clothing and order*

Recent studies of clothing have begun to focus on the particular cultural meanings and interpretations associated with clothing as they can be uncovered as opposed to issues such as fashion trends and cloth manufacture. Ideological, social, and economic contexts can both explain and can be uncovered by material cultures that are bound up with notions of identity. This means that in an environment with a low level of literacy where material culture was used to articulate a range of meanings, studies of clothing can contribute to social and cultural historical investigations and to uncovering otherwise unexpressed ideas.<sup>24</sup> Clothing is functional in that it covers and protects the body, but what one wears also carries symbolic meaning. People in later medieval and early modern European society were 'read' and read others through how they behaved and what they wore. Clothing sent messages to the external world about its wearer – not only expressing unique individual physical features or chosen aesthetics, but also beliefs, sentiments, status, rank, familial affiliation, occupation, religion, and ethnicity.<sup>25</sup> Similarly, Susan Crane uses the term 'talking garments' while Rachel Schulman calls apparel a 'nonverbal announcement' and 'advertisement'.<sup>26</sup> Regardless of the

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Control in the Medieval Town', *The Journal of Economic History*, vol.1, (Dec. 1941), Supplement: The Tasks of Economic History, pp. 48-49.

<sup>24</sup> Catherine Richardson, 'Introduction', in Catherine Richardson (ed.), *Clothing Culture, 1350-1650*, (Hampshire, 2004), pp. 4-6.

<sup>25</sup> M. E. Roach and Joanne Eicher, 'Introduction', in M. E. Roach and Joanne Eicher (eds.), *Dress, Adornment, and the Social Order*, (Michigan, 1965), p. 6.

<sup>26</sup> Susan Crane, *The Performance of Self*, (Pennsylvania, 2002), p. 11; Rachel Schulman, 'Sumptuary Legislation and the Fabric Construction of National Identity in Early Modern England', *Constructing the Past*, vol. 8:1, (2007), p. 75; Ulrike Ilg, 'The Cultural Significance of Costume Books in Sixteenth-Century Europe', in Catherine Richardson (ed.), *Clothing Culture, 1350-1650*, (Hampshire, 2004), p. 29.

terminology, clothing had significant meaning for communicating both individual and collective identity in medieval society.

In conveying something about its wearer, clothing could serve as a positive mark of identification, but it could also serve as a negative one – it could be used to exclude individuals and groups from society by visually communicating their marginality. Additionally, clothing could be used by individuals who deliberately wanted to disassociate themselves from society and its values.<sup>27</sup> This communicative power of clothing meant that society was comprised of individuals that, visually, could be placed into categories which grouped them with certain individuals and differentiated them from others. It is because clothing communicated so much in a medieval society structured by systems of order and hierarchies that, during this time, ‘what the gentleman wears is by no means accidental; through his apparel he partakes in a system of signification that assigns him a certain place in the social order according to his outward appearance’.<sup>28</sup> Clothing was a semiotic system and created a means through which order in society could be witnessed and confirmed visually.<sup>29</sup> From this point of clothing constituting a system, two inferences of importance to this thesis can be made. The first is that this system could be manipulated and used by authority figures trying to achieve social order. The second is that the acceptance of this system could be taken advantage of and could lead to the system itself being transgressed. Regarding the former, M. E. Roach and Joanne Eicher note how material objects such as clothing can become a ‘tangible means of gaining some control over the social situation’.<sup>30</sup> Regarding the latter,

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<sup>27</sup> Francois Piponnier and Perrine Mane, *Dress in the Middle Ages*, Caroline Beaming (trans.), (Yale, 1997), p. 176.

<sup>28</sup> Susanne Scholz, *Body Narratives: Writing the Nation and Fashioning the Subject in Early Modern England*, (London, 2000), p. 18; Schulman, ‘Sumptuary Legislation and the Fabric Construction of National Identity in Early Modern England’, p. 75.

<sup>29</sup> Kurt Lang and Gladys Land, ‘Fashion: identification and Differentiation in the Mass Society’, in Roach and Eicher (eds.), *Dress, Adornment, and the Social Order*, p. 339. Etiquette manuals informing members of particular classes and ranks on how to dress indicates the importance of learning this coded system. See Duby, *A History of Private Life*, p. 578.

<sup>30</sup> Roach and Eicher, ‘Dress and the Individual’, in Roach and Eicher (eds.), *Dress, Adornment, and the Social Order*, p. 187.

Roberta Gilchrist writes that material culture can be used to transform social structures, but, that it can also be used to ‘disrupt’ them.<sup>31</sup> This thesis will use these two ideas to frame an investigation into the relationship between clothing and social order in fifteenth to seventeenth-century England.

Firstly, the idea of a system of clothing being manipulated in order to control society is apparent in the increased amount of sumptuary regulations that were enacted in England during the fifteenth and sixteenth centuries. I argue that the way the system of recognisability clothing represented was manipulated by the controlling elite was by transforming the cultural custom of clothing distinguishing members of society into an officialised ordering system for the first time via regulation. Secondly, the idea of the system of clothing being used to disrupt social structures is apparent in the increased attention paid to acts of cross-dressing in England during the sixteenth and seventeenth centuries. In the eyes of a number of social commentators from a variety of contexts who provide sources such as religious and secular commentaries, letters, pamphlets, polemics, stage productions, poems, court records, folk tales, and sermons, cross-dressing was perceived as an act that could disrupt the visible confirmation of a gender order. It is this deliberate act of transgression that demonstrates how the system that equated how an individual looked with how they were treated in society could be taken advantage of. By investigating the developments of increased sumptuary legislation and attention on cross-dressing side by side—or, put in broader terms, the making and breaking of a visible confirmation of social order—an understanding of the importance of clothing in confirming order and creating a sense of stability in late medieval England can be gained. In demonstrating this need to *see* social order more than ever, the two developments illustrate how the controlling elite as well as a separate group of social-minded individuals needed more than just a vague correlation

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<sup>31</sup> Roberta Gilchrist, ‘Medieval Bodies in the Material World: Gender, Stigma, and the Body’, in Kay & Rubin (eds.), *Framing Medieval Bodies*, (Manchester, 1994), p. 44.

between ideal and reality in order to feel secure. It is for this reason that a study of clothing can uncover a collective ordering mentality and can also help to further understand the ‘social, cultural and aesthetic meanings embedded in systems of dress’.<sup>32</sup>

What follows in this thesis will be an investigation into the relationship between clothing and order in later medieval England in two parts. The first part will explore the desire in the later medieval period to regulate more than ever the personal clothing habits of individuals in English society and will draw on English sumptuary regulations ranging from the mid fourteenth to mid sixteenth centuries to show how clothing could make order. I will use royal proclamations as well as parliamentary legislation to argue that the previous custom of clothing reflecting status was officialised by regulation during this period, and that this was a response to the perceived disorder that came through increased social mobility. Evidence of the way clothing was used to designate difference and exclusion of othered groups such as Jews, lepers, and prostitutes will be used to argue that clothing regulation not only increased in volume but also in scope, and that the target of regulation moved from the marginal fringes of society to the middle classes of mainstream society. The second part explores the occurrence of, and attitudes towards, cross-dressing in sixteenth and seventeenth-century England, and will use a variety of sources to demonstrate that cross-dressing was an act that gained a lot of attention but at the same time was seen by some as a threatening act. Instances and critiques of cross-dressing in the real world and symbolic world (where the norms and rules of society were temporarily put aside) seen in various socially-minded writings such as social commentaries, letters, pamphlets, polemics, stage productions, poems, court records, folk tales, and sermons will be used to demonstrate what cross-dressing could achieve and what was believed to be threatened by those who cross-dressed. Instances of cross-dressing reveal that it was a topic popular in the symbolic and real worlds at this

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<sup>32</sup> Margaret Rosenthal, ‘Cultures of Clothing’, *Journal of Medieval and Early Modern Studies*, vol. 39:3, (Fall, 2009), pp. 475-76.

time that could be used to challenge established understandings of gender order, while censures it reveal that cross-dressing was perceived by some as an act that did not just challenge, but broke a visual confirmation of gender order. The two points of the manipulation and disruption of a clothing system therefore address the relationship between social order and clothing from the perspectives of clothing making and breaking order. These opposing perspectives are used together to demonstrate the importance of clothing for creating a visible confirmation of social and gender order and thus order itself, and ultimately, to uncover an underlying collective mentality that perceived the arrangement of society in a comprehensible way as creating a feeling of stability at a time when certain groups believed it was needed most.

## II

### Making order via clothing: Clothing regulation in fourteenth to sixteenth-century England

In England between 1363 and 1597, around two dozen major regulations concerning apparel were enacted in the form of either parliamentary statutes or royal proclamations – more than any time before or after this period in English history.<sup>33</sup> They regulated in significant detail what people could and could not wear according to their social rank and status, and ordered that certain styles, fabrics, and colours were to be restricted to particular social groups. This regulation of apparel was a part of a broader sumptuary regulatory endeavour which also regulated other aspects of personal conduct such as courses of meals, the number of guests at weddings, and gaming.<sup>34</sup> In contrast to sumptuary regulations found elsewhere in Europe, the English equivalents were national rather than local, and dealt mainly with food and clothing.<sup>35</sup> The existence of the clothing-related regulations in England, particularly during the fifteenth and sixteenth centuries, begs the question of whether the sudden spike in the attempted regulation of clothing can be explained in relation to the environment at the time. In response, this chapter will focus on how the attempted regulation of clothing represented a response to a perceived unstable and disorderly environment. In demonstrating that clothing was used to create a visible confirmation of social order, I argue that this reveals a particular mentality. The regulations represent a significant development in late medieval England concerning the perceived notion of clothing as a semiotic system to be utilised and manipulated by the crown and parliament who controlled English society. In demonstrating

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<sup>33</sup> Alan Hunt, *Governance of the Consuming Passions. A History of Sumptuary Law*, (Basingstoke, 1996), pp. 298.

<sup>34</sup> Frances E. Baldwin, *Sumptuary Legislation and Personal Regulation in England*, (Baltimore, 1926), p. i.

<sup>35</sup> *Ibid.*, p. ii.



that the fifteenth and sixteenth-century English sumptuary regulations represented an officialising of an existing but until then unofficial customary ordering of society, two arguments will be made. The first is that while regulating clothing as a means of achieving a visible confirmation of social order had been attempted previously in medieval England, in the fifteenth and sixteenth centuries, this attempt increased significantly during the Tudor period in particular. The precedent of using regulation to visually order society was set in previous centuries when marginal groups such as Jews, prostitutes, lepers, and heretics were, through clothing, identified and positioned relative to others in society which served to visually confirm their imposed marginal status. The increased sumptuary regulation of the following centuries however represents a dramatic increase in this endeavour to regulate clothing. The second argument relates to the subjects of this increasing regulation. What the sumptuary regulations also show is a widening of those subject to an officialised ordering via clothing. Regulations that previously had targeted the peripheries of society soon began to target its core. Where clothing laws for Jews, prostitutes and lepers had served to visibly confirm their position on the fringes of society and exclude them from 'normal' society, fifteenth and sixteenth-century clothing regulations served to visibly order the core of society in an attempt to include and organise it within a changing hierarchy. This development represents the difference between defining the fringes of society to protect and differentiate the norm, and redefining and confirming the norm itself. Ultimately, what the increased volume and scope of clothing regulation illustrates is the increased attempt to render a larger than ever group of the constituent elements of society readable by using clothing. In doing so, the controlling elite responded to a disorderly society and attempted to reinstate order by manipulating the pre-existing custom of clothing communicating status by making this custom law. In this attempt, there is an underlying collective ordering mentality that equated the arranging individuals in society in a comprehensible way with a sense of stability. Before

looking at the fifteenth and sixteenth-century sumptuary regulations, however, it is important first to look at the way clothing, regulation and social order came together in the preceding centuries to get an idea of just how this relationship would change.

*From the regulation of the periphery to the regulation of the core*

Prior to the period of increased sumptuary regulation in the fifteenth and sixteenth centuries, anxieties had existed over not being able to identify certain members of society from their appearance. From the early thirteenth century, marginal groups in medieval society were the cause of such anxieties and were the focus of the subsequent regulatory attempts. Various clothing-related regulations sought to make the identities of these marginal groups which included Jews, prostitutes, lepers and heretics, known to members of mainstream society in order to prevent, for example, 'any accidental mixing of the groups'.<sup>36</sup> One of the first major regulatory attempts was included in the Fourth Lateran Council of 1215, in which *Canon 68* declared that Jews and Saracens must be distinguished from Christians by a difference of dress:

In some provinces a difference in dress distinguishes the Jews or Saracens from the Christians, but in certain others such a confusion has grown up that they cannot be distinguished by any difference. Thus it happens at times that through error Christians have relations with the women of Jews or Saracens, and Jews and Saracens with Christian women. [...] we decree that such Jews and Saracens of both sexes in every Christian province and at all times shall be marked off in the eyes of the public from other peoples through the character of their dress.<sup>37</sup>

Other declarations in other parts of Europe such as at the Council of Toulouse (1229) similarly declared that reformed heretics were to identify themselves by wearing

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<sup>36</sup> Allison D. Fizzard, 'Shoes, Boots, Leggings, and Cloaks: The Augustinian Canons and Dress in Later Medieval England', *Journal of British Studies*, vol. 46:2, (April, 2007), p. 247.

<sup>37</sup> *Twelfth Ecumenical Council: Lateran IV 1215*, The Internet Modern History Source Book hosted by Fordham University, USA, <<http://www.fordham.edu/halsall/basis/lateran4.asp>>, viewed 24 July 2012.

distinguishing badges and markers. The so-called 'badge of infamy' was soon applied to other marginal groups, extending beyond heretics to include lepers and prostitutes, while the use of striped clothing was used on other outcasts such as hangmen, cripples, vagabonds, and witches.<sup>38</sup> In England in 1345, Edward III added to earlier decrees the stipulation that prostitutes had to wear a badge of distinction, and in 1351, an edict was issued stating that 'lewd women were adopting the dress of good and noble dames' and were ordered to not wear any vestment trimmed with silk or any other rich material, but to wear 'a hood of striped cloth and plain vestments'.<sup>39</sup> Throughout the thirteenth century, a number attempts were made to dress lepers in distinctive clothing such as fastened capes or long garments, while in France in 1368, it was declared that lepers' clothing be uniform and that they should always 'carry a signal which will make them instantly recognisable'.<sup>40</sup> The relationship between clothing, communicating identity, and regulation during the thirteenth and fourteenth centuries in England resembles the relationship between clothing, identity, and sumptuary regulation in the fifteenth and sixteenth with one difference. Like the later sumptuary regulations, the goal of twelfth and thirteenth-century clothing regulation was to make known the 'true nature of individuals when they entered the public sphere'.<sup>41</sup> This facilitated the ability to place various groups within society hierarchically and shows the existence of a mentality of wanting to arrange individuals to create a sense of stability even during these centuries. What makes them different to the regulations of following centuries, however, is that they targeted only marginal groups. By communicating the marginal status of various

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<sup>38</sup> Jeffrey Richards, *Sex, Dissidence, and Damnation: Minority Groups in the Middle Ages*, (London, 1991), p. 11; Commenting on the use of the stripe as a mark to identify social outcasts, Michael Pastoureau writes that it shows up the best and emphasises the wearer's marginal status most strongly, indicating the emphasis on using clothing's visual power as an explicit communicator of where such marginalised groups sat in the social hierarchy. See Michel Pastoureau, *The Devil's Cloth: A History of Stripes and Striped Fabric*, Jody Gladding (trans.), (New York, 2001), pp. 13-14.

<sup>39</sup> Quoted in Richards, *Sex, Dissidence, and Damnation*, p. 121.

<sup>40</sup> Piponnier and Mane, *Dress in the Middle Ages*, p. 136; and Richards, *Sex, Dissidence, and Damnation*, pp. 127 & 154. See also Carole Rawcliffe, *Leprosy in Medieval England*, (Woodbridge, 2006), p. 265.

<sup>41</sup> Sharon Farmer, 'The Beggar's Body: Intersections of Gender and Social Status in High Medieval Paris', in Sharon Farmer and Barbara H. Rosenwein (eds.), *Monks & Nuns, Saints & Outcasts: Religion in Medieval Society*, (Ithaca, 2000), p. 162.

groups, clothing was used to exclude and segregate in order to protect the rest of ‘normal’ society from the various moral, health, and spiritual threats they embodied. Such perceptions of these groups as threats were the result of the general environment of the thirteenth and fourteenth centuries in England and the sense of disorder they created as mentioned in the previous chapter. The combination of war, famine, depopulation, disease, and death created an ‘era of doubt, fear, and uncertainty’ leading initially to a strong reaction against society’s minority groups, where Jews, other so-called heretics, prostitutes, lepers and vagabonds were all labelled as social threats and a danger to the established social order.<sup>42</sup> Segregating dissident groups visually, which regulating their clothing helped to do, reflected the desire to segregate them as a means of preventing them from ‘contaminating’ the order of Christian society. It represents the collective ordering mentality amongst the controlling elite of dealing with social threat and disorder by putting everything in its place – seemingly the same mentality this thesis is investigating. What changes from this occurrence to what develops in the fifteenth and sixteenth centuries regarding clothing, regulation and social order, is the increase in the amount and scope of clothing regulation enacted. It is a development that is part of the larger trend in Tudor England of the increased amount of regulation concerning the daily lives of people in an attempt to restore a society perceived to be in disarray as structures and hierarchies were challenged and changed.

Certain regulatory measures were taken by Tudor government as a response to the destabilising events, the goal of which was to re-establish and maintain the previous structures of English society that were threatened by increased social mobility.<sup>43</sup> The response by the controlling elite to the sense of disorder came in the form of increased legislation – legal responses such as ordinances and statutes regarding wages, labour and the economy were among the most significant parts of the wider government policy of restoring

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<sup>42</sup> Emphasising the dangers that these groups posed helped establish them as scapegoats for the disorderly state of society at the time. See Richards, *Sex, Dissidence, and Damnation*, pp. 18-19 & 115.

<sup>43</sup> Joyce Youings, *Sixteenth-Century England*, (London, 1984), p. 218.

order.<sup>44</sup> The *Ordinance of Labourers 1349*, which fixed prices and wages, was put into place in order to protect the interests of the upper classes and employers against 'any and all attempts on the part of the rest of the population to exploit the favourable opportunities which the new shortage of labour opened for them', and so to preserve the existing and threatened social hierarchy, and was soon reinforced by the *Statute of Labourers* in 1351.<sup>45</sup> Those responsible for writing and enacting the laws demonstrate a desire to essentially freeze society to pre-plague conditions and maintain the previous economic status quo in an attempt to stabilise social structures in flux. This project of using legal means to restore a perceived failing social order was a significant development because the increase in government regulation was indicative of growing royal power and authority.<sup>46</sup> For the first time, new laws and policies which regulated English society began to substantially address people's daily lives and personal habits as a means of maintaining its ordered organisation. It is during this period that the sumptuary regulations increase, but which no longer attempt to freeze society as previous regulations did, but instead, to make sure the differences in rank in a now significantly more fluid society were visible. What their existence also shows is the perceived importance of a visible confirmation of social order – the idea that by regulating clothing one could see and therefore create social order. It is during this period that the way in which clothing is combined with regulation and used to create order increases in volume and in scope. Clothing-related regulation would begin to regulate the majority of society as opposed to just its marginal fringes. We see a shift in perception from the need to protect the norms of society by visually identifying and excluding social threats to the need to define society as a whole. The issue was no longer just the inability to identify marginal social threats, but was the inability to identify the gradations within society's core. The shift is a considerable

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<sup>44</sup> Goldberg, *Medieval England*, pp. 255-56.

<sup>45</sup> Keen, *English Society in the Later Middle Ages*, p. 39.

<sup>46</sup> The Crown at this time began to use the law more than ever before to control society directly, as opposed to controlling it indirectly through the feudal system. See Byrne, *The Black Death*, p. 65.

development that illustrates the particular sense of disorder that existed, how it was responded to, and how sumptuary regulation attempted to make a visible order via clothing.

### *Fifteenth and sixteenth-century sumptuary regulation*

The intended purposes of the clothing-related sumptuary regulations in fifteenth and sixteenth-century England have been given much attention by scholars, and it is evident by the regulations themselves as well as by recent scholarship that the regulations had a number of purposes. The structure of each enacted regulation usually followed the same pattern, with each statute or proclamation beginning with an introductory statement which contained an explanation as to its purpose and the particular circumstances behind it. Although the explanations do not tell the entire story in regards to the ordering mentality behind the regulations, these reasons still provide a significant amount of insight. The purposes given are usually one of four concerns: moral, economic, national, and the concern with recognisability. Firstly, the laws were concerned with the checking of practices that were regarded as morally damaging to society and the middle class in particular, as the extravagant and luxurious consumption of clothing amongst this group was seen as fundamentally wrong. The focus on this moral danger of excessive apparel is seen in the first major sumptuary regulation of the fourteenth century, a 1363 statute, which opened with the charge of 'the outrageous and excessive apparel of divers people'.<sup>47</sup> A 1463 statute stated this issue more clearly in noting that 'as well as Men as Women have worn and daily do wear excessive and inordinate Array to the great displeasure of God', with a 1483 statute complaining that this 'restraint of excessive apparel' was still not being obeyed.<sup>48</sup> A 1533 statute referred to the 'inordynate excesse' of apparel as contributing to the 'undoing of many inexpert and light

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<sup>47</sup> 37 Edward III, 1363, Great Britain, *Statutes of the Realm*, vol. i, p. 378.

<sup>48</sup> 3 Edward IV, 1463, *Statutes of the Realm*, vol. ii, p. 399; 22 Edward IV, *Statutes of the Realm*, 1483, vol. ii, p. 468.

persones inclined to pride mother of all vices'.<sup>49</sup> Proclamations from 1559 and 1574 both repeated the 'excessive and inordinate' charge.<sup>50</sup> The moral danger of excessive apparel was associated with pride, one of the worst of the deadly sins. Religious discourse connected the sin of pride and the material aspects of human life such as clothing to deviations in public external appearance and ultimately to God's punishment, and meant that the obsession with appearance was a danger to moral and spiritual wellbeing.<sup>51</sup> Another issue that also made apparel and appearance a matter of theological significance was the belief that, as we have seen in the previous chapter, the visible world was a reflection of, and honoured, the divine world and its hierarchy. Civil society was a reflection of a 'spiritual polity and its ghostly powers', and so sumptuary regulation was thus in part an attempt to control the symbolism that clothing communicated to make visible the spiritual world.<sup>52</sup> Even in moral justifications for clothing-related sumptuary regulations, there was a collective mentality of visibly confirming some type of order and structure to create a sense of order itself.

Secondly, national industry and identity were at stake when people, in consuming and adorning themselves in foreign clothes, neglected English alternatives. The first mention of such concerns comes from the 1463 statute which warns that excessive apparel has been to the 'impoverishment to this realm of England and the enriching of other strange realms and countries'.<sup>53</sup> In 1483 a provision was made for the first time that 'no man under the Estate of a lord, wear any manner of woollen cloth made out of this realm of England, Ireland, Wales, and Calais'.<sup>54</sup> This provision was repeated with the addition of an explanation of the concern in a 1574 proclamation that stated that 'the excess of apparel and the superfluity of

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<sup>49</sup> 24 Henry VIII, ch. xiii, 1533, *Statutes of the Realm*, vol. iii, p. 430.

<sup>50</sup> 1 Elizabeth I, 1559, *Tudor Royal Proclamations*, Paul L. Hughes and James F. Larkin (eds.), vol. ii, p. 136; 16 Elizabeth I, 1574, *Tudor Royal Proclamations*, vol. ii, p. 381.

<sup>51</sup> Gerhard Jaritz, 'Ira Dei, Material Culture, and Behaviour in the Late Middle Ages: Evidence from German-speaking Regions', *Essays in Medieval Studies*, vol. 18, (2001), pp. 53-55.

<sup>52</sup> Peter Goodrich, 'Signs Taken for Wonders: Community, Identity, and A History of Sumptuary Law', *Law and Social Inquiry*, vol. 23:3, (Summer, 1998), pp. 711-12.

<sup>53</sup> 3 Edward IV, 1463, *Statutes of the Realm*, vol. ii, p. 399.

<sup>54</sup> 22 Edward IV, 1483, *Statutes of the Realm*, vol. ii, p. 468.

unnecessary foreign wares thereto belonging to now of late years is grown by sufferance to such an extremity that the manifest decay of the whole realm generally is like to follow'.<sup>55</sup> A proclamation in 1588 referred to the similar issues, illustrating that it was still a concern.<sup>56</sup> Clothing was not only a visible sign of social hierarchy, but also of nationality – it was essential to an early modern nation struggling to define its own identity and fashion, and so when foreign fashions found their way into England, it led to the confusion of the English national identity even further. Englishmen aped and compiled fashions from Europe, 'demeaning themselves through unworthy imitation', and the conception of the Englishman as a combination of foreign fashions became a popular one for the time.<sup>57</sup> There was also a concern about national industry, as regulations served to promote the consumption of domestic wares for the benefit of English industry. At least in terms of fostering English identity, even within the discourse of national interests, the ordering mentality that clothing should allow people to distinguish differences in status (English and non-English) continues, allowing them to be arranged accordingly within a hierarchy that meant a more stable society.

Thirdly, there were economic-related reasons for sumptuary regulations. If people continued to spend their money on clothing, they would find it difficult to support the realm when it was in need of financial support. The 1364 statute referred to the excessive spending on apparel as leading to the 'destruction and impoverishment of all the land'.<sup>58</sup> One century later, and the:

restraint of excessive apparel of the people of his said realm were made and ordained, and that for the non-due execution of the same statutes, his said realm was fallen into great misery and poverty, and like to fall into more greater unless the better remedy be provided.<sup>59</sup>

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<sup>55</sup> 16 Elizabeth I, 1574, *Tudor Royal Proclamations*, vol. ii, p. 381.

<sup>56</sup> 30 Elizabeth I, 1588, *Tudor Royal Proclamations*, vol. iii, p. 3.

<sup>57</sup> Schulman, 'Sumptuary Legislation and the Fabric Construction of National Identity in Early Modern England', p. 81. See also Roze Hentschell, 'Treasonous Textiles: Foreign Cloth and the Construction of Englishness', *Journal of Medieval and Early Modern Studies*, vol. 32:3, (Fall, 2002).

<sup>58</sup> 37 Edward III, 1363, *Statutes of the Realm*, vol. i, p. 378.

<sup>59</sup> 22 Edward IV, 1483, *Statutes of the Realm*, vol. ii, p. 468.



The statute of 1510 mentioned the further consequences of such impoverishment in noting how it has ‘provoked many of them to robbe and to doo extorcion and other unlawful deeds to maintain thereby their costly array’.<sup>60</sup> This consequence is repeated in the next two statutes of 1514 and 1515, and again in 1532.<sup>61</sup> A 1574 proclamation stated that an excess of apparel had led to:

the wasting and undoing of a great number of gentleman, otherwise serviceable, and others [...] run into such debts and shifts as they cannot live out of danger of laws without attempting of unlawful acts, whereby they are not any ways serviceable to their country as otherwise they might be.<sup>62</sup>

It is, however, the fourth concern of social recognisability and the desire to preserve the visibility of class distinctions in society which is of most interest to this thesis. The other concerns provide considerable insight, but it is apparent that the regulations are focused most on the issue of distinguishing between the different degrees of society. The regulations consistently dealt with setting the limits on expenditure and display of clothing according to degree, which reveal a concern with the officialising of a once customary visible ordering of society. It is the importance of maintaining class distinctions in society that comes to dominate the reasoning behind the repeated enacting of regulations. This motivation I argue is indicative of a collective ordering mentality amongst the controlling elite that equated visibly replicating and confirming ideals of social order with achieving social order itself, and illustrates the belief that arranging members of society in a comprehensible way created a sense of stability. In turning again to the introductory statements of the regulations, this motivation becomes clear. The first reason listed for the enacting of the 1363 statute was for ‘the outrageous and excessive apparel of divers people, against their estate and degree’, indicating the long held custom that each estate and degree was expected to appear a certain

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<sup>60</sup> 1 Henry VIII, ch. xiv, 1510, *Statutes of the Realm*, vol. iii, p. 8.

<sup>61</sup> 24 Henry VIII, ch. xiii, 1532, *Statutes of the Realm*, vol. iii, p. 430.

<sup>62</sup> 16 Elizabeth I, 1574, *Tudor Royal Proclamations*, vol. ii, p. 381.

way.<sup>63</sup> The 1463 statute again repeated this brief explanation, ordering people to dress ‘only according to their degrees’.<sup>64</sup> It is not until almost a century later that we begin to see a clear reference to the importance of a visual order in society, when the 1532 statute declared that the excess in apparel had led to ‘the subvercion of good and politike ordre in knowlege and distinccion of people according to their estates preemyences dignities and degrees’.<sup>65</sup> A 1562 proclamation stated that the reason for the need to be ‘apparelled according to the ancient order of the court’ is so there ‘may be a difference of estates known by their apparel’ as well as a ‘certainty of all degrees’.<sup>66</sup> In 1566, a statute noted the ‘disorder and confusion of the degrees of all estates’ taking place.<sup>67</sup> It is in a 1580 statute, however, that we see the issue of not being able to recognise the different elements in society explained in detail:

And whereas it is appointed by the statutes of this realm what every person shall or may wear in their apparel, according to the several rates of their livings in lands or fees over and above all charges and in some cases of goods, foras much as the lack of the true and common understanding of every man’s estate and living, in sort before expressed, hath been (as it seemeth) heretofore some principal cause of the true execution of the said statutes, and that it doth manifestly appear that the same cause will also in time to come work the like effect, for that there is no convenient means to make the estates of men’s livings and values, in such sort as is expressed in the several statutes, to be commonly known to such persons as ought to have special care of the execution of the laws and orders now prescribed: Her majesty (being desirous for the great benefit of all her highness’ subjects to have these orders more duly executed than they have been and finding that it is very hard for any man’s state of living and value to be truly understood by other persons).<sup>68</sup>

In a 1588 statute, a passing reference is once again made to the excess in apparel leading to a ‘confusion of degrees of all estates, amongst whom diversity of apparel hath been always a

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<sup>63</sup> 37 Edward III, 1363, *Statutes of the Realm*, vol. i, p. 378.

<sup>64</sup> 3 Edward IV, 1463, *Statutes of the Realm*, vol. ii, p. 399.

<sup>65</sup> 24 Henry VIII, ch. xiii, 1532, *Statutes of the Realm*, vol. iii, p. 430.

<sup>66</sup> 4 Elizabeth I, 1562, *Tudor Royal Proclamations*, vol. ii, p. 191.

<sup>67</sup> 8 Elizabeth I, 1566, *Tudor Royal Proclamations*, vol. ii, p. 278.

<sup>68</sup> 22 Elizabeth I, 1580, *Tudor Royal Proclamations*, vol. ii, p. 456.

special and laudable mark'.<sup>69</sup> That the later regulations of the sixteenth century increasingly make reference to the desire to distinguish between the different degrees in society illustrates how the earlier focus on curbing luxury or protection of English national interests and identity began to give way to the increasingly desperate attempt to visually define society and visibly confirm its long standing orders of organisation that were now threatened. The ability of clothing to play a strong role in defining society in an official capacity emerged when law makers' concerns shifted to according each individual a rightful place in society.<sup>70</sup> Although various sumptuary regulations in stating their purpose make clear references to the issue of regulating an official visible social order into place, the actual provisions in the regulations illustrate this desire more clearly and demonstrate an ordering mentality amongst the controlling elite of creating stability in society by making it comprehensible via clothing.

To get an idea of this level of detail that the regulations went into in terms of defining what each degree of society was and was not allowed to wear, it is worthwhile to give an example while at the same time also noting how the regulations changed over time in responding to the perception of social disorder. Taking the 1363 statute as our example,<sup>71</sup> despite the fact that it is the earliest in this period of sumptuary regulations, the statute still contains a significant amount of detail regarding the distinctions to be made between degrees within the middle class of English society. The statute first addresses grooms and servants of lords, where it is ordered that the cost of the cloth for their vesture or hosing 'shall not exceed two marks, and that they wear no cloth of higher price, of their buying nor otherwise, not nothing of gold nor of silver embroidered, aimeled, nor of silk, nor nothing pertaining to the said things; and their wives, daughters, and children'. Next to be addressed are handicraftsmen and yeomen, who are ordered not to 'take nor wear cloth of an higher price for their vesture or hosing, than within forty shillings the whole cloth, nor cloth of silk nor of

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<sup>69</sup> 30 Elizabeth I, 1588, *Tudor Royal Proclamations*, vol. iii, p. 3.

<sup>70</sup> Piponnier and Mane, *Dress in the Middle Ages*, p. 155.

<sup>71</sup> 37 Edward III, 1363, *Statutes of the Realm*, vol. i, p. 380.

silver, nor girdle ring, garter, nor no such other things of gold nor of silver, nor no manner of apparel embroidered, aimed nor of silk'. Next, esquires and those under the estate of a knight, which have no land nor rent to the value of an hundred pounds by year, who may not have clothing 'of an higher price, than within the price of four marks and a half the whole cloth' and also cannot wear no cloth of gold, silk, or silver. Esquires who have rent or land to the value of two hundred pounds may wear clothing valued higher in price and also may wear silk and silver. Merchants, citizens and handicraftsmen who have goods to the value of five hundred pounds are permitted to 'wear in the manner as the esquires' with an income of one hundred pounds a year, while those with an income of one thousand pounds a year may dress in the manner of esquires with an income of two hundred pounds a year. Knights who have land or rent of two hundred marks value may not wear 'cloth of gold, nor mantle, nor gown furred with miniver, nor no apparel broidered of stone, but only for their heads'. Knights who have incomes of four hundred marks may wear 'at their pleasure, except ermins and letuses [patterned white furs] and apparel of pearls and stone but only for their heads'. The clergy are addressed, where it is stated that for those whose estate requires them to wear fur, shall be allowed to do so, while other clerks who have lands of the same value as a knight, shall wear the same as them, while others who have lands to the same value as an esquire will likewise wear the same. The last group to be addressed are the labourers – ploughmen, carters, oxherders, cowherders, shepherds, and other 'keepers of beasts, threshers of corn' and all manner of people that have not forty shillings of goods, nor of chattels, who are ordered not to take nor wear 'no manner of cloth but blanket and wool of twelve pence and shall wear the girdles of linen according to their estate. The level of detail in the statute illustrates a concern with each level of rank and status in society, and it is clear that the purpose is not just to set limits on spending on apparel and to curb luxury, but to also emphasise the appropriateness of

dress for each group and to make their status visible.<sup>72</sup> The spike in the enacting of sumptuary regulations, beginning in 1363, illustrates that the method of appearance-based ordering had moved from an existing but unofficial social custom towards a more officialised system that was also moving from the fringes of English society to its core. The way the details in the regulations changed and increased in subsequent statutes and proclamations illustrates a consistent desire on behalf of those in parliament to keep redefining the degrees in society visibly as they changed, and a collective ordering mentality amongst the controlling elite that saw ordering as creating stability.

As Sponsler has noted, the changes between the 1363, 1463 and 1483 statutes in particular illustrate the effects of the events of the fourteenth and fifteenth centuries.<sup>73</sup> What they also demonstrate, however, is the subsequent attempts by the crown and parliament to repeatedly impose social order via clothing, and a mentality of visibly arranging society to maintain social stability. The changes between the statutes demonstrate the desire to ‘narrate’ a particular view of the social order which defined and controlled society according to the ideal of social organisation, hierarchy, and order of those who authored the laws.<sup>74</sup> The 1363 statute presented the different ranks within fourteenth century English society by grouping them into seven degrees: (1) servants, (2) handicraftsmen and yeomen, (3) esquires and gentlemen, (4) merchants and citizens, (5) knights, (6) clergy, and (7) ploughmen and other labourers, each with their own prescribed limits on clothing as we have seen earlier. This presents a harmonious social structure that is also fairly small in scope and variety – and is essentially a society that is under control in terms of being clear and definable.<sup>75</sup> The 1363 statute focused in particular on the middle classes of society as opposed to the lower class or the nobility where there is seemingly no interest in differentiating between the various

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<sup>72</sup> Claire Sponsler, ‘Narrating the Social Order: Medieval Clothing Laws’, *Clio*, vol. 23:10, (1992), p. 275.

<sup>73</sup> *Ibid.*, p. 272.

<sup>74</sup> *Ibid.*, p. 272.

<sup>75</sup> *Ibid.*, p. 276.

degrees beyond merchant, yeoman or esquire. This is because it was the middle classes that were expanding and becoming harder to define and order within current idealised structuring systems and thus needed the attention. By 1463, when a new statute was enacted, the list had grown significantly to include: (1) knights under the estate of a lord, (2) bachelor knights, (3) persons under the estate of a lord, (4) esquires and gentlemen or anyone under the degree of a knight, except the sons of lords and their wives, and the daughters of lords, esquires of the King's Body and their wives, (5) esquires and gentlemen except the menial squires, sergeants, officers of the King's House, yeomen of the King's Chamber, and the unmarried daughter of persons having one hundred pounds except for the Steward, Chamberlain, Treasurer, and Comptroller of the King's Chamber, and Knight for his Body and their wives, (6) mayors of London past, present or future, (7) aldermen or recorders of London, and mayors, sheriffs, aldermen and bailiffs of other towns, and barons of the Five Ports, (8) anyone with less than forty pounds per year except menial esquires, sergeants, officers of the King's House, Yeomen of the Crown, Yeomen of the King's Chamber, (9) anyone with less than forty shillings per year, (10) yeomen or anyone under the same degree, (11) knights under the estate of a lord, esquire, or gentlemen, or any other person, (12) servants of husbandry, common labourers and servants or any artificer dwelling outside of a city or borough, (13) with exemptions including: anyone performing divine service, justices, masters of the rolls, chancery, and exchequer, scholars at universities, henchmen, heralds, sword-bearers to mayors, messengers, minstrels, players in interludes, or anyone wearing military array.<sup>76</sup> The specific limits in terms of what could and could not be worn were once again carefully laid out for each of these defined groups (the particular details of which are of less importance here than the motivation behind laying them out). What the statute reflects is that as a result of the socio-economic changes of the thirteenth and fourteenth centuries and the

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<sup>76</sup> 3 Edward IV, 1463, *Statutes of the Realm*, vol. ii, p. 399; Sponsler, 'Narrating the Social Order', p. 277.

opportunities they created, the middle class had expanded and had become harder to define and control according to previous ordering frameworks. The increasing detail of the statute as well as the number of exceptions listed illustrates that law makers and the Crown found it harder to fit a changing and expanding society into a neatly defined order as they were once able to do. As a result of being caught up in trying to identify every one of the degrees of social standing, the statute is unable to present a clear, orderly, and stable version of society, with the statute itself rhetorically appearing just as disordered and unnecessarily complex as the society it was trying to define.<sup>77</sup> The 1483 statute presented another contrast to both the 1363 and 1463 statutes, with a social hierarchy more simple and ordered in appearance than twenty years before. It once again moves down the hierarchy, setting clothing limits for each group with the groups as defined in the statute being: (1) The King, Queen, King's mother, children, brother, and sisters, and moving down through (2) anyone of the estate of duke or above, (3) anyone of the estate of lord or above, (4) anyone of the degree of knight or above, (5) yeomen of the crown and other men under the degree of an esquire or gentlemen, (6) any man under the estate of lord, (7) servants of husbandry and common labourers, and servants to artificers outside of any city or borough, (8) nor their wives, nor their servants and labourers.<sup>78</sup> The social hierarchy appears much more controlled and orderly than the one twenty years before, however this is only achieved by reducing the previously expanded and lengthy middle classes to the category of 'all those under the estate of lord who are of higher status than rural workers'. Only after this careful editing is the statute perceived to be able to achieve an ordered hierarchy. It illustrates a fascination with visible order which is not just apparent in the attempt to impose order via clothing, but in the ideal order as inscribed rhetorically.<sup>79</sup> The laws, in appearing ordered in their own structure, also then rhetorically communicated the ideal of the ordered society they were trying to achieve as a means of

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<sup>77</sup> Sponsler, 'Narrating the Social Order', p. 278.

<sup>78</sup> 22 Edward IV, 1483, *Statutes of the Realm*, vol. ii, p. 468.

<sup>79</sup> Sponsler, 'Narrating the Social Order', p. 280.

creating stability, and further illustrates the mentality that associated the appearance of order with a sense of order.

Sumptuary regulations in the sixteenth century continue to show a more complex and hierarchical society than in earlier regulations as well as the continuing mentality of creating social stability by ordering visually. The 1510 statute continued to concentrate on the middle class with no mention of those below and also maintained the detailed hierarchy of the previous century. It did, however, contain provisions for the peerage for the first time, with royal family, dukes, earls, and barons all separated from each other with limits on fabrics and colour of clothing. Knights of the garter are once again distinguished from knights bachelor, and amongst the gentry esquires continue to be distinguished from gentlemen.<sup>80</sup> The two statutes of 1533 repeated these categories, with the second additionally differentiating between courtiers of different ranks.<sup>81</sup> The 1533 statute made clothing distinctions for the royal family, dukes, marquesses, earls, viscounts, barons and knights, while those ranking between knights and workers were divided into and defined by their income brackets. The usual exceptions were made for the clergy, judges, sergeants, mayors, recorders, sheriffs, and other public officers.<sup>82</sup> 1558 marked the beginning of the reign of Elizabeth as well as the busiest period of clothing regulation. Four proclamations made in 1562 also demonstrated an increasingly aggressive attempt to actively enforce the following of provisions to have individuals and groups dress according to their degree so as to make society more easily orderable. Whereas in the previous regulations, mention would often be made to the 'non due execution' of the laws, in 1562, officers were for the first time appointed to 'apprehend and commit to ward' any person in the court who was dressed incorrectly according to the previous regulation of 1554, where they would face punishment for their offence and have

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<sup>80</sup> 1 Henry VIII, ch. xiv, 1510, *Statutes of the Realm*, vol. iii, p. 8.

<sup>81</sup> 7 Henry VIII, ch. vi, 1515, *Statutes of the Realm*, vol. iii, p. 179.

<sup>82</sup> 24 Henry VIII, ch. xiii, 1532, *Statutes of the Realm*, vol. iii, p. 430; N. B. Harte, 'State control of dress and social change in pre-industrial England', in D.C. Coleman and A.H. John, (eds.), *Trade, Government and Economy in Pre-Industrial England* (London, 1976), p. 137.



‘thoroughly paid and satisfied the penalty of the said statute’. This order was to be observed not just in London and its outer suburbs, but in ‘all cities, towns, and villages throughout the realm’.<sup>83</sup> A proclamation in 1566 restated certain provisions from the 1533 and 1554 regulations, adding only minor provisions. Additionally, the 1566 proclamation notably did not continue the system of local enforcement seen in the previous regulation, nor would any subsequent regulations after it.<sup>84</sup> The attempt to set up a system of internal surveillance amounted to little as people continued to overstep their appointed bounds – fashion, writes Hooper, proved to be stronger than law.<sup>85</sup> A 1574 proclamation saw for the first time separate sections for men and women, with viscountesses, baronesses, ladies and gentlewomen of the Privy Chamber being mentioned by title, whereas all those below them in the hierarchy were referred to for instance as ‘the wives’ of those ‘who may dispend one hundred pounds a year’, as regulations had previously done.<sup>86</sup> The section for women’s apparel goes in to more detail than previous regulations regarding the particulars of women’s clothing and what women of certain degrees were permitted to wear. Similar proclamations followed in 1580 and 1588 with minor adjustments, and the separate sections for men and women were once again combined. The final sumptuary regulation of the Tudor period came in the form of a 1596 proclamation which went into significant detail for both men and women, regulating the wearing of cloth, patterns, colours, styles of clothing, as well as caps, garters, boothose, stockings, swords, daggers, shoes, and harnesses and trappings for horses for all degrees of men and women.<sup>87</sup> This final clothing-related regulation of the Tudor period would also spell the end of the busiest period of sumptuary regulation in England. As Hooper writes, soon after Elizabeth’s death, ‘the first Parliament called by the new king, James I passed an act

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<sup>83</sup> 4 Elizabeth I, 1562, *Tudor Royal Proclamations*, vol. ii, pp. 187-88.

<sup>84</sup> 8 Elizabeth I, 1566, *Tudor Royal Proclamations*, vol. ii, p. 278; Harte, ‘State control of dress and social change in pre-industrial England’, p. 146.

<sup>85</sup> Wilfrid Hooper, ‘The Tudor Sumptuary Laws’, *The English Historical Review*, vol. 30:119, (1915), p. 444.

<sup>86</sup> 16 Elizabeth I, 1574, *Tudor Royal Proclamations*, vol. ii, pp. 381-86.

<sup>87</sup> 39 Elizabeth I, 1597, *Tudor Royal Proclamations*, vol. iii, pp. 174-79.

which in one short paragraph undid all the work of the preceding centuries'.<sup>88</sup> After the act, no further statutes of apparel were enacted, although attempts were made, leading Hunt to note that the motivation to enact regulations which marked distinctions of rank continued past 1604.<sup>89</sup>

That clothing was one of the most regulated aspects during the mid-fifteenth to the beginning of the sixteenth century, itself a period of increased regulation of people's daily lives, shows that it was a key tool in the eyes of Parliament and the Crown in attempts to stabilise an English society perceived to be in disorder. The visible confirmation of order was essential to a sense of order itself – society was believed to be in disorder because visible distinctions of degree had become blurred, and regulating the distinctions back in to place was seen as the solution. The attempt was made to regulate the consumption and display of clothing for a number of purposes. Those that enacted the regulations were responding to perceived issues of morality, economy, and national interests, all of which are referred to in the regulations. However, the overwhelming purpose was an attempt to make official a system whereby clothing communicated one's social degree. This is evidenced not only by the references made to the desire by the controlling elite to have people dress according to their degree, but also by the sheer amount of detail that the regulations contain. As they developed and evolved, the regulations carefully defined the middle class of society and what they could and could not wear, appointing them with a visible marker of their status. What makes the existence of the clothing regulations in this period notable as a development, as this chapter has argued, was the fact that what also increased was the scope of the regulations. The shift from focusing on the margins of society to focusing on its core is evidence of the perception that a new type of social threat existed and called for a bigger response. The social threat and sense of disorder came in the form of an urbanising society that could no longer be

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<sup>88</sup> Baldwin, *Sumptuary Legislation and Personal Regulation in England*, p. 315.

<sup>89</sup> Hunt, *Governance of the Consuming Passions*, p. 323.

structured according to the idealised ordering principals of the preceding centuries. As the gradations in the middle classes in particular expanded as a result of socio-economic and socio-political developments, the visual confirmation of distinctions within the believed to be divinely ordained and immutable hierarchy became blurred, making it difficult to recognise the idealised but still somewhat realistic notion of order in the appearance of society's members. It was because this trend was often concentrated in cities that the expanding middle classes in the 'urbanising world of strangers' were the focus of the majority of clothing regulations – their aim was to carefully and systematically maintain the distinctions between those degrees which had become blurred.<sup>90</sup> It was a way of regulating society that differed to the regulations of the preceding centuries, which had a goal of freezing society and social mobility to preserve the status quo. Sumptuary regulations made no attempt to freeze society. Instead they sought to make sure the differences in rank and status were as visible as ever. What the regulations reveal is a collective ordering mentality that saw the arranging of elements of society in a particular way as creating stability. The regulations attempted to clearly distinguish the gradations in society because that would create the ability to order them. The visible confirmation of order thus was integral to order itself, and it was clothing's ability to visibly confirm order that was manipulated to achieve it. Even if the regulations failed in their attempts, and even if they represented nothing more than an ideal of how the controlling elite desired society to be ordered, they nonetheless reveal an underlying collective ordering mentality. If the motivations behind the sumptuary regulations were not merely economic, nationalistic, or moral, but also to achieve social recognisability, they indicate a mentality which placed a great deal of importance on order in, and of, late medieval society, and of a visible confirmation of this order. Sumptuary regulations,

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<sup>90</sup> Hunt notes that sumptuary regulations existed before the growth of cities. However, the changing social structures that came during the fifteenth and sixteenth centuries and the fact that this more complex social hierarchy was found and concentrated more in cities meant that they became the focus of the regulations that attempted to make people more easily identifiable. See Hunt, *Governance of the Consuming Passions*, pp. 177-78.

however, only partially reveal this mentality. In order to gain a clearer understanding of the relationship between clothing and order, we must look at it from the opposite perspective. Regarding this other perspective, Hunt states that the single most important cause for the abandonment of clothing-related sumptuary regulation was the ‘inescapable unreliability of appareatial ordering’.<sup>91</sup> Similarly, McCracken writes that the enactment of the first sumptuary regulation essentially ‘declared status forgery illegal’.<sup>92</sup> That ordering based on appearance could be unreliable—that it could even be subject to forgery—reveals another perspective to the relationship between clothing and social order. Together, McCracken and Hunt make the point that clothing could not only be used to create order, but that it could also be used to break it. Clothing, as a system, could be manipulated by those in power, as this chapter has demonstrated, but it could also be taken advantage of. Just as we can gain a sense of the importance of social order when it is most threatened, we can likewise gain a sense of the importance of a visible confirmation of this order when it is similarly threatened. It is to this opposing perspective – to the subject of clothing being used to take advantage of its communicative power that we now turn, and to the act of cross-dressing in particular, as an instance when the medieval system of recognisability failed.

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<sup>91</sup> Hunt, *Governance of the Consuming Passions*, p. 137.

<sup>92</sup> Grant McCracken, *Culture and Consumption: New Approaches to the Symbolic Character of Consumer Goods and Activities*, (Bloomington, 1988), p. 33.

### III

#### Breaking order via clothing: Acts and critiques of cross-dressing in sixteenth and seventeenth-century England

Having spent the previous chapter arguing for the increase in volume and scope of English sumptuary regulations in fifteenth and sixteenth centuries, that this reflected clothing as a system susceptible to manipulation, and ultimately, by noting how the visible confirmation of order in society was important to order itself illustrates a collective ordering mentality, I will now further reveal this mentality through looking at a second development. This chapter turns to the instances of, and attitudes towards, cross-dressing—the wearing of clothing usually reserved for the opposite sex as based on the clothing norms of that society—in sixteenth and seventeenth-century England. I will draw upon a variety of sources to demonstrate how cross-dressing and the perceived threat of cross-dressing reveals particular anxieties relating to a visible order that arose when the system of recognisability that clothing constituted broke down or was deliberately transgressed. I will focus on demonstrating that the fascination and concern with cross-dressing intensified during the sixteenth and seventeenth centuries, and, like the growth of sumptuary regulations, the concern over ideas of sex (biological sex, not behaviour or sexuality), hierarchy and order also reflected a concern with people not appearing as they actually were, and the need for them to do so to ensure a sense of order. The late sixteenth to early seventeenth-century period includes a development referred to by scholars as the ‘transvestite controversy’, when England was said to be challenged by ‘disorderly people presenting themselves in public in a gender-confusing manner’.<sup>93</sup> I will demonstrate how the attitudes and anxieties address the same seemingly inseparable

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<sup>93</sup> David Cressy, *Travesties and Transgressions in Tudor and Stuart England*, p. 97. See also Linda Woodbridge, *Women and the English Renaissance*, p. 139.

relationship between clothing, a visible confirmation of order, and a sense of social order itself as seen in the previous chapter. Sources ranging from social commentaries, letters, pamphlets, polemics, stage productions, poems, court records, folk tales, and sermons will be used to sketch the attitudes of various social commentators of English society towards cross-dressing. The overwhelming attitude is similar to the one within the sumptuary regulations: that cross-dressing disrupted a visual confirmation of order and therefore order itself.<sup>94</sup> As a system of social organisation, gender was inseparable from biological sex and was thus believed to be as divinely ordained and naturalised as one's social rank and status, which meant that it was just as important to maintain. But gender in this period was also performative – it was 'behaviour and not intrinsic nature that made one man or woman' and meant that gender roles had to be constantly reinforced via differences in 'dress, mannerisms, sexual position and activities, social pastimes, occupations, family roles, and legal rights'.<sup>95</sup> Cross-dressing blurred this reinforcement and thus was problematic.

I begin the chapter with examples of social commentators who echo the attitudes that emerge from the sumptuary regulations to establish the point that the ordering mentality went beyond those within the controlling elite. I then move on to discuss instances of cross-dressing and the reactions these instances prompted by these same writers as well a number of other social-minded writers that, collectively, existed outside of the controlling elite. This is where I use a history of mentalities approach to show how a particular unexpressed but evident collective ordering mentality extended beyond the controlling elite to this group of socially-minded commentators. Whilst these non-elite individuals, collectively, do not

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<sup>94</sup> Scholars have often used sumptuary regulations in conjunction with some of the sources I will be drawing upon in this chapter because they provide a valuable confirmation of the concerns and attitudes seen within the regulations. I have chosen to separate them however because while they confirm these attitudes they also extend them by moving into new territory to the issue of cross-dressing. It is because cross-dressing is not mentioned specifically in sumptuary regulations, and because there is a wide range of sources dealing with cross-dressing specifically that I have treated it as the second significant development this thesis will address.

<sup>95</sup> Ruth Mazo Karras and David Lorenzo Boyd, "'*Ut cum muliere*' A Male Transvestite Prostitute in Fourteenth-Century London', in Louise Fradenburg and Carla Freccero, (eds.), *Premodern Sexualities*, (New York, 1996), p. 109.

represent the whole remainder of English society, they are an instance of those beyond the controlling elite sharing a very similar mentality. First, I discuss instances where cross-dressing was for the most part permitted, namely, on the stage and during carnivals and festivals. These instances of creative performative events I refer to as the 'symbolic' world as a means of differentiating them from the 'real' world. Despite their symbolic nature, however, these performances were occasions when real world issues could be addressed and challenged. The increased amount of plays involving cross-dressing during the sixteenth and seventeenth centuries in England, as well as the reactions they prompted, show that cross-dressing was a real concern, as clothing, even if only in the symbolic world, was powerful enough to make statements about gender boundaries in a strong patriarchal society as well as transgress that order for practical reasons. Second, I then turn to cross-dressing in the real world, where we continue to see cases of, and reactions to, individuals who transgressed an established visible gender order. Like on the stage, individuals cross-dressed not only to make statements, but also to disguise their identity for certain practical ends. The act of disguising presents a new perspective here as it shows that if a system of recognisability did indeed exist—as clothing customs (unofficial) and sumptuary regulations (official) both confirm—then this system could be taken advantage of. The issue of disguise is addressed to an extent in the sumptuary regulations, where they demonstrate that people sometimes used clothing to commit status forgery. However, cases of people disguising themselves in the clothing of the opposite sex in the real world as well as the reactions these instances prompted are much more common and demonstrate the perceived disorder that arose when forgery and disguise were successful. Cross-dressing therefore did not just violate theoretical ideas of order; it also allowed individuals to fool a society that subscribed to the system of identifying individuals via their appearance and allowed them to deliberately move beyond their idealised and perceived to be immutable position. Ultimately, cross-dressing, and the

attitudes towards it help to further reveal a collective ordering mentality that placed so much importance on ordering to create a feeling of stability, because cross-dressing broke the system of recognisability that this order was based on.

### *Social commentators and the concern with clothing*

The moral, national, and economic issues concerning clothing that formed part of the motivation behind the fifteenth and sixteenth-century sumptuary regulations are supported by similar attitudes in other sources from those who were separate from the controlling royal and parliamentary elite. In 1583, the puritan pamphleteer Philip Stubbes published his *Anatomie of Abuses*. Among other topics it critiqued individuals in England who concerned themselves too much with the fashions of the day, and with the confusion caused by the excessive or wrongful wearing of apparel.<sup>96</sup> Concerning the way individuals had been abusing clothing, Stubbes noted how it reflected a ‘puffed up’ pride, blurred recognisability, and turned ‘chaste Christians’ into ‘monsters’.<sup>97</sup> Poet George Gascoigne’s satire *The Steele Glas* from 1576 similarly focused on excess and vanity, noting how clothing ‘provoked a filthy pride; And snares which leade a man to hel’.<sup>98</sup> As before, clothing is understood to reflect the proper Christian individual because it indicated one’s pride being kept in check, but it also signified that one was indeed Christian. National identity was also an issue which appeared outside of sumptuary regulations. In *The Seven Deadly Sins of London* from 1606, dramatist and pamphleteer Thomas Dekker wrote about how the wearing of apparel from various other nations threatened Englishness and noted how ‘we mock every nation for keeping one fashion, yet steal patches from every one of them [...] and we are not laughing stocks to

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<sup>96</sup> Philip Stubbes, *The Anatomie of Abuses in England*, (London, 1877-79).

<sup>97</sup> *Ibid.*, pp. 28-29.

<sup>98</sup> George Gascoigne, *The Steele Glas* (1576), quoted in Hentschell, ‘Moralizing Apparel in Early Modern London’, pp. 576-77.



them'.<sup>99</sup> Stubbes noted how no other country is as susceptible to the changing fashions or were 'so curious in new fangles' as England who so often borrowed fashions from others.<sup>100</sup> For Stubbes, foreign fashions were acceptable as long as they were kept out of England.<sup>101</sup> In author and pamphleteer Robert Greene's popular 1592 satiric pamphlet *A Quip for an Upstart Courtier, or a Quaint Dispute Between Velvet Breeches and Cloth Breeches*, two pairs of anthropomorphised breeches argue over who has more of a right to represent English values, with the velvet breeches representing the imported foreign fabrics and the cloth breeches representing the virtues of English industry and identity.<sup>102</sup> The attire associated with foreign textiles undoes English morals, while English cloth breeches are portrayed as what 'our great grandfathers wore', connecting English apparel with a long-standing tradition in England.<sup>103</sup> Needless to say, the cloth breeches win the dispute. As seen in the sumptuary regulations, the wearing of foreign apparel was detrimental to local industry and also meant that one's national identity could not be read easily.

Of most interest to us, however, is that attention is also given by a variety of sources to the desire for recognisability of individuals according to their clothing. Stubbes for instance lamented how the confusion and disorder had resulted from the excesses of apparel in English society, making it impossible to 'know who is noble, who is worshipfull, who is a gentleman, who is not'.<sup>104</sup> Greene wrote that 'the farmer was content his son should hold the plough as he had done: now those dunghill drudges wax so proud that they will presume to wear on their feet what Kings have worn on their heads', in a comment that demonstrates a

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<sup>99</sup> Thomas Dekker, *The Seven Deadly Sins of London* (1606), (London, 1879), pp. 36-37.

<sup>100</sup> Stubbes, *Anatomie of Abuses*, p. 29.

<sup>101</sup> Stubbes writes: 'but for the Englishman, their curiosity and excess has meant that they have 'impoverish[ed] themselves in buying and [foreign] trifling merchandises, more pleasant than necessary, and enrich them, who rather laugh at us'. *Anatomie of Abuses*, pp. 29-31.

<sup>102</sup> Robert Greene, *A Quip for an Upstart Courtier, or a Quaint Dispute Between Velvet Breeches and Cloth Breeches*, (London, 1592). Quoted in Hentschell, 'Treasonous Textiles', p. 561.

<sup>103</sup> Hentschell, 'Treasonous Textiles', p. 561.

<sup>104</sup> Stubbes writes: But now there is such a confuse mingle mangle of apparel in England [...] So that it is very hard to know who is noble, who is worshipfull, who is a gentleman, who is not [...] There is a great confusion, and a general disorder, God be merciful unto us! *Anatomie of Abuses*, p. 33.

desire to return to the days when people were content with their social position, which were also the days when this position was reflected in what each person wore.<sup>105</sup> These extracts echo what we have already seen in the sumptuary regulations – the intention here is to illustrate that a similar ordering mentality was held by more than just the controlling elite. The attitude extended to a collective of social-minded commentators who reference the same moral, economic, and national concerns as well as the concern that the degree and rank of individuals in society needed to be clear and known to everyone, and that clothing could achieve such an end. It reflected the perceived problem that came from an increase in social mobility of the middle class which led to a crisis of recognisability where individuals could not be visually ordered within the social structure. Unlike the sumptuary regulations, however, these sources as well as a host of others from other social commentators reference cross-dressing as another crisis in later medieval / early modern England to do with the improper use of clothing. Cross-dressing had indeed existed as a point of contention prior to the sixteenth and seventeenth-centuries, with Hotchkiss noting cross-dressing women in particular such as various saints, Joan of Arc, wives who had lost status, and the story of ‘Pope Joan’ who disguised herself as a man and rose through the clerical ranks.<sup>106</sup> For women, cross-dressing could exist either as an act that disguised the wearer, enabling them to circumvent certain impediments to social prestige and achieve male socio-political status, or could exist for more practical goal of personal fulfilment where it would otherwise be denied. Cross-dressing is perhaps the most radical form of disguise because it not only contravenes societal rules, allowing for social mobility, but also because it contravenes biological fact.<sup>107</sup> In other words, it allows an individual to transgress social and natural orders. When concluding that ‘perhaps social perception more than the body itself determines gender

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<sup>105</sup> Greene, *A Quip for an Upstart Courtier*, quoted in David Kuchta, *The Three-Piece Suit and Modern Masculinity: England, 1550-1850*, (London, 2002), pp. 17-18.

<sup>106</sup> Valerie Hotchkiss, *Clothes Make the Man: Female Cross Dressing in Medieval Europe*, (New York, 1996).

<sup>107</sup> *Ibid.*, p. 11.

identity', Hotchkiss also illustrates the importance of being able to visibly confirm an individual's gender identity which in turn enabled them to be placed within a gender order.<sup>108</sup> Furthermore, if an individual was able to disguise themselves successfully, they could take advantage of a system in which individual identity was equated with how one appeared. These concerns of performative and pragmatic transgressions of visible confirmations of a gender order are revealed in the so-called transvestite controversy of the sixteenth and seventeenth-centuries, when instances of cross-dressing increased both in the symbolic and real worlds.

### *Cross-dressing in the symbolic world*

As I mentioned earlier, I use the 'symbolic' world to differentiate from the real world in which the usual norms and rules did not apply. In particular here, the symbolic world refers to carnivals and festivals as well as to the theatre, the focus in this section. Regarding the former, Normington notes instances when cross-dressing appeared in earlier medieval rituals and ceremonies in England.<sup>109</sup> These occasions permitted a release from accepted order when the visibility of a gender hierarchised order could be temporarily upset.<sup>110</sup> Other carnivals and forms of popular entertainment were often inspired by the 'world turned upside down' theme, where, as Piponnier and Mane note, 'power was replaced by anti-power', and 'all that was held sacred was then profaned'.<sup>111</sup> These events which overturned the normal order of society in a controlled environment actually reaffirmed the norms rather than threaten them, because they illustrated just how important they were to maintain. It is on the stage, however, that

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<sup>108</sup> *Ibid.*, p. 126.

<sup>109</sup> For instance, Castleon's Oak Apple Day, when men dressed as women and drove carts through the town, Pennies on Old Year's Night, when men once again donned women's clothing and would visit and tidy houses in preparation for the new year, and the act of mumming, when men dressed as women and went from house to house during the Christmas season. See Katie Normington, *Gender and Medieval Drama*, (Woodbridge, 2004), p. 58; Vern L. Bullough and Bonnie Bullough, *Cross Dressing, Sex, and Gender*, (Philadelphia, 1993), p. 75.

<sup>110</sup> Normington, *Gender and Medieval Drama*, p. 58.

<sup>111</sup> Piponnier and Mane, *Dress in the Middle Ages*, p. 142.

acceptable cross-dressing appears most often. The English theatre in particular came under scrutiny for allowing cross-dressing and using it as a source of entertainment during the sixteenth and seventeenth centuries, which was necessary, as women were prohibited from taking the stage, meaning men had to take their place playing the role of female characters.<sup>112</sup> Performances involving cross-dressing pointed not only to rank corruption, but to the ‘distance between appearances and reality’.<sup>113</sup> References were often made to those who hid their true characters, and in the case of cross-dressing, their true bodies, behind cosmetics and clothing. Disguise for whatever purpose was often satirised and treated as a source of humour, but also ‘significant stress [was] placed on clothing and accessories and their power to determine, in the eye of the beholder, the personality, occupation, rank, and sex of the wearer’.<sup>114</sup> Although, as seen with sumptuary regulations, in Elizabethan England:

...the most highly charged misrepresentations were those of class [...] On the stage, however, the egregious misrepresentations were those of gender, the playing of women by boys, and within the drama the playing of boys by women.<sup>115</sup>

Cross-dressing on the stage, adds Stephen Orgel, was in fact as naturalized at the time as the violation of visible distinctions of class in the real world.<sup>116</sup> It is for this reason that cross-dressing on the sixteenth and seventeenth-century stage is a valuable site for investigating the possibility of transgressing a sex-gender system via clothing.<sup>117</sup> Naturalized or not, acts of cross-dressing on the stage and the attitudes of those who found it reprehensible reveal in

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<sup>112</sup> There were countries beside England that proscribed women from the public stage – the Netherlands and areas of Protestant Germany, for instance. In these cases it was the theatre itself that was seen as dangerous, so there was not as much distinction between men and women in that regard, making England’s situation anomalous. See Stephen Orgel, *Impersonations*, (Cambridge, 1996), p. 2.

<sup>113</sup> A. L. Beier & Roger Finlay (eds.), *London 1500-1700: The Making of the Metropolis*, (London, 1986), p. 91.

<sup>114</sup> *Ibid.*, pp. 91-92

<sup>115</sup> Orgel, *Impersonations*, p. 102.

<sup>116</sup> *Ibid.*, pp. 102-03.

<sup>117</sup> Jean. E Howard, ‘Cross-Dressing, the Theater, and Gender Struggle in Early Modern England’, in *Crossing the Stage: Controversies on Cross-Dressing*, Lesley Ferris (ed.), (London, 1993), p. 19.

their reasoning a collective mentality that indicates a firm desire to maintain a visible confirmation of a gender order, because it created a feeling of stability and order itself.

One concern with cross-dressing on the stage was to do with the necessity of male actors wearing women's apparel. The particular concern that was shown was that audience members would be incited towards homoerotic tendencies by the cross dressing actor. In academic and clergyman John Rainolds' 1599 polemic *Th'Overthrow of Stage Playes*, he wrote 'what sparkles of lust to that vice the putting of women's attire on men may kindle in unclean affections, as Nero showed in Sporus, Heliogabalus in himself'.<sup>118</sup> Others voice similar concerns, with Stubbes writing that cross dressing actors incited male spectators to take their dangerous thoughts home with them and play the 'sodomite, or worse', while puritan lawyer and author William Prynne wrote in his anti-theatrical critique *Histriomastix* that those incited by the act even 'solicit [the actors] by words, by letters, even actually to abuse them' such was their attraction.<sup>119</sup> The concerns relate to the danger of males becoming effeminized as a result of their attractions.<sup>120</sup> The concerns also demonstrate, however, at least in the eyes of Rainolds, Stubbes, and Prynne, that clothing could be a powerful agent that could lead to disorder when used incorrectly. A response to these critiques of the stage came from playwright and author Thomas Heywood's 1612 *Apology for Actors*, who wrote 'To see our youths attired in the habit of women, who knows not what their intents be? Who cannot distinguish them by their names, assuredly, knowing they are but to represent such a Lady, at such a time appoynted'.<sup>121</sup> Even though a he argued that audience members could not be incited, as they knew they were watching men, Heywood also made the point that audiences reacted to 'the person of any bold English man presented [...] as if the Personator

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<sup>118</sup> John Rainolds, *Th'Overthrow of Stage Playes*, (Middleberg, 1599), p. 11.

<sup>119</sup> Stubbes, *Anatomie of Abuses*, p. 139; William Prynne, *Histriomastix: The Player's Scourge, or Actor's Tragedy*, (New York, 1974), pp. 211-12.

<sup>120</sup> Orgel, *Impersonations*, p. 30.

<sup>121</sup> Thomas Heywood, *Apology for Actors* (1612), quoted in Orgel, *Impersonations*, pp. 31-32.

were the man Personated'.<sup>122</sup> In citing instances where contemporaries referred to the male cross-dressing actors as women instead of men in reviews for instance, Orgel writes that the mere 'mention of female attire genders the boy female' and as such, that on the stage, gender is determined by garments, and not sexuality. What allowed boys to be substituted for women in the theatre 'was not anything about the genital nature of boys and women, but precisely the costume, and more particularly, cultural assumptions about costume'.<sup>123</sup> If clothing had the ability to override gender in the eyes of audiences, it demonstrates how important the visual aspect was for gauging someone's identity in this period, while also illustrating how these 'cultural assumptions'—that 'costume is the real thing' and that 'clothes make the woman, clothes make the man'—led to what I refer to earlier as a system of recognisability that could be manipulated.<sup>124</sup>

There were also concerns over the fact that characters in plays cross-dressed, which demonstrates that the act was not just a practical issue for actors, but an issue which was addressed and commented on within society. While criticisms of cross-dressing actors focused on men, criticisms of cross-dressing characters focused on women. The plays featuring cross-dressed female characters encouraged women both to use clothing symbolically in order to challenge sartorial markers of gender boundaries, and for the more pragmatic goal of securing greater social liberties. Shapiro in this respect writes that 'covert cross-gender disguise undermined the moral basis of society, overt cross-dressing disrupted its stable hierarchical form', illustrating how important visibly marking out these gender boundaries was and why what occurred on the stage was of such concern.<sup>125</sup> Regarding female characters who used male clothing for 'confrontational statements', in a play titled *Fair Maid of the West*, for instance, Bess Bridges used male clothing and took up arms and

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<sup>122</sup> *Ibid.*, p. 32.

<sup>123</sup> Orgel, *Impersonations*, pp. 31-34 & 103-04.

<sup>124</sup> *Ibid.*, p. 104.

<sup>125</sup> Michael Shapiro, *Gender in Play on the Shakespearean Stage. Boy Heroines and Female Pages*, (Ann Arbor, 1994), p. 23.

armour.<sup>126</sup> The most famous of the English cross-dressing stage characters was Moll Cutpurse from Dekker and Middleton's *The Roaring Girl* (1611), who was based on Mary Frith, a real person who was often seen on the London streets. Cutpurse, like Mary Frith, dressed as a man while making no attempt to deceive or hide the fact that she was cross-dressing. Female characters also dressed in male clothing as a form of disguise and strategy. In Middleton's *Your Five Gallants* (1607), several prostitutes disguised themselves as pages so they could accompany their lovers to court. In Webster's *The White Devil* (1612), a sister was disguised again as a page in order to escape from her confinement for being a prostitute. Another prostitute once again disguises herself as a page in Dekker and Middleton's *The Honest Whore* (1604) in order to gain access to the home of the man with whom she is in love.<sup>127</sup> Despite occurring on the stage, the cross-dressing characters show that the act could potentially allow women to gain access to places they otherwise would be denied, a feat which was only achieved by wearing men's clothing. They are cases of individuals taking advantage of a system in which clothing was equated with identity and the rights and access that came with such identification.

Practical cross-dressing in the theatre triggered a strong response, as seen in Prynne's *Histriomastix* in which he paid significant attention to apparel and cross-dressing in particular. Prynne's attack did not just represent puritan hostility towards the theatre – it also demonstrated concerns about the blurring of gender status distinctions.<sup>128</sup> Prynne's attitude towards cross-dressing on the stage reveals what he thought was threatened by it and reveals an ordering mentality that shows a fascination with visible ordering. Prynne begins by citing Deuteronomy, stating that 'Players putting on of womens apparel, gesture, speech, and manners to act a Play, be a putting on of women's apparel, and so an abomination to the Lord

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<sup>126</sup> *Ibid.*, p. 26.

<sup>127</sup> *Ibid.*, p. 26.

<sup>128</sup> Bullough and Bullough, *Cross Dressing, Sex, and Gender*, p. 78.

our God'.<sup>129</sup> He continues his line of thinking that equates cross-dressing as an act against a divine and natural order:

For why being a man, wilt thou not seem to be that which thou art borne? Why dost thou take unto they self a different form? Why dost thou feine thyself a woman, or thou woman theyselfe to be a man? Nature hath clothed every sex with its owne garments. Finally, there is a diversity, a different colour, motion, pace, an unequall strength, a different voice in a man and in a woman.<sup>130</sup>

In using apparel to feign the appearance of the opposite sex, cross-dressing blurred the distinctions between the sexes, and therefore, as Prynne continues, cross-dressing male actors and cross-dressing female characters:

confound this good order,[...] and transgress their limits, he, in falling down to the humility of the woman; she in rising up against the man, by her apparel and shape [...]and as the verdict of human nature condemns men degenerating into women; so from the very selfsame grounds, it deeply censures the aspiring of women above the limits of their female sex, & their metamorphosis into the shapes of men, either in haire or apparel.<sup>131</sup>

The particular social and gender arrangement in medieval and early modern England in which women were subordinate to men could be threatened by cross-dressing precisely because the visible confirmation this order—the clear, visible distinction between man and woman—could be blurred, as Prynne himself makes clear:

This putting on of womans raiment is a mere abuse of it. The end why God ordained apparel at the first was only to cover nakedness, to fence the body against cold, winde, rain and other annoyances, to put men in mind of their penury, their mortality, their spiritual clothing from heaven and the like, and to distinguish one sex, one nation, one dignity, office, calling, profession from another [...] so it perverts one principal use of garments, to differentiate men from women.<sup>132</sup>

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<sup>129</sup> Deuteronomy 22:5 states that 'The apparel of the man shall not be put upon the woman, neither shall a man be arrayed in a womans garment; because every one who shall doe these things, is an abomination to the Lord thy God'. Quoted in Prynne, *Histriomastix*, p. 191.

<sup>130</sup> Prynne, *Histriomastix*, pp. 191-92.

<sup>131</sup> *Ibid.*, pp. 196 & 200.

<sup>132</sup> *Ibid.*, p. 207.



In calling cross-dressing an abuse, Prynne reveals that there was a proper way to use clothing. It not only identified an individual but allowed them to be put in their corresponding gender, national, moral, and occupational position within society. That this identification was important demonstrates the mentality of wanting order and being able to put everything in its place by making sure individuals visibly confirmed systems of order. Clothing was powerful in this way because it existed within a culture that placed a great deal of importance on a visible confirmation of identity and of order. Disguise was therefore dangerous because it not only transgressed this system, but it allowed individuals, in this case, women, to achieve things that they normally could not, which further threatened social order. Occurrences of cross-dressing in the symbolic world show that it was a popular topic and a threatening act during the sixteenth and seventeenth-centuries in particular. That deliberate disguise was a popular act during carnival and on the stage shows a belief that placed importance on what clothing could communicate or what it could conceal. What it also shows is that this belief was found not only amongst the controlling elite behind sumptuary regulations, but also amongst a group of social-minded commentators such as, in this case, those that wrote and acted in plays. Cross-dressing actors provoked strong reactions. But so did cross-dressing characters that were performing real world concerns. These instances of cross-dressing may have occurred in a space that was not part of the real world. However, as Clark and Sponsler note, there was a strong relationship between the two, as the theatre was 'the site of intense and ideological negotiations involving the testing and contesting of conventional social roles and cultural categories such as race, class, and gender' which although contained to 'spaces of licensed misrule', always threatened to spill over into the real world.<sup>133</sup> Although it is only the collective attitude of three men, Rainolds', Stubbes' and Prynne's belief that cross-dressing on

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<sup>133</sup> Robert L. A. Clark and Claire Sponsler, 'Queer Play: The Cultural Work of Cross-dressing in Medieval Drama', *New Literary History*, vol. 28:2, (Spring, 1997), pp. 319-36. Similarly, Shapiro writes that the theatre was 'a licensed zone in which subversive views could not only be advanced or tested, but also satirised or contained'. See Shapiro, *Gender in Play on the Shakespearean Stage*, p. 41.

the stage could render audiences effeminate who would then go back to their homes and commit sinful acts, demonstrates that a wider group of contemporaries may also have seen this danger as a social concern. If what happened on the stage could provoke a fear that what happened there could spill into the real world, when cross-dressing actually did occur in the real world, it led to an even bigger concern and backlash.

### *Cross-dressing in the real world*

Even though there was a level of acceptable of cross-dressing in the symbolic world, there were serious concerns when it happened in the real world as official court records that documented various cases in England in the sixteenth and seventeenth centuries show. These cases as well as the responses they inspired reflect a collective mentality that was concerned with wanting a visible confirmation of gender order. Like the characters on the stage, individuals in society cross-dressed for practical purposes as well as to make symbolic statements about ideas regarding gender boundaries.<sup>134</sup> Some of the cases make no mention of why the individual cross-dressed, such as Dorothy Clayton, a prostitute, who in 1575 ‘contrary to all honesty and womanhood commonly [went] about the city apparelled in men’s attire’ and was committed to Bridewell, and Catherine Bank, who in 1612, was charged by the ecclesiastical court ‘for coming in man’s apparel into the church’.<sup>135</sup> However, in 1569, a case appears of John Goodman and his wife ‘Johan’ who were convicted when Johan ‘first disguised and apparelled in all things like a souldier and in a souldiers garments with wepons

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<sup>134</sup> Mark Benbow and Alasdair D. K. Hawkyard, ‘Legal Records of Cross Dressing’, appended to Shapiro, *Gender in Play on the Shakespearean Stage*, pp. 225-34.

<sup>135</sup> William H. Hale (ed.), *A Series of Precedents and Proceedings in Criminal Causes extending from the year 1475 to 1640; extracted from the Act-Books of the Ecclesiastical Courts of the Diocese of London*, quoted in Cressy, *Travesties and Transgressions in Tudor and Stuart England*, pp. 110-11.

accordingly and so went abroade and shewed her self in divers parts of this City as lackey' in order to accompany her husband to war.<sup>136</sup> In 1575, Magdalyn Gawyn was charged:

for goinge and puttinge hir self into mans apparel—she being the age of xxii yeres or thereabouts [...] sayeth that she was in service with one Goodwife Oliver in the saide town of Thama, an Inne Keeper, where she dwelled two yeres.<sup>137</sup>

The number of cases involving men is smaller. In 1599, for example, John Watkins was cited 'for going about the street in woman's apparel, being the parish clerk at that time', who explained in his defence that 'at a marriage in merriment he did disguise himself in his wife's apparel to make some mirth to the company'.<sup>138</sup> In 1607, Matthew Lancaster, wore 'woman's apparel like a spinster' during a Maytide procession and also used the merriment defence, while Christopher William was cited 'for bearing rushes to the church or chapel disguised in women's apparel'.<sup>139</sup> In one of the more interesting cases of cross-dressing as disguise, a 1633 ecclesiastical court report tells the story of servant Thomas Salmon who was caught cross-dressed as a midwife in the birth room. A midwife, Francis Fletcher:

being further interrogated whether Thomas Salmon her servant did come to the labour of the said Rymel's wife, or presently after she the said Rymel's wife was delivered, disguised in woman's apparel, she confesseth he did come into her chamber some six hours after she had been delivered, but by virtue of her oath she sayeth at his first coming she knew him not, but afterwards, she discovering by her daughter-in-law her clothes which the said Thomas Salmon had on, she made him to depart the room, and was no way privy to his coming or to his disguise.<sup>140</sup>

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<sup>136</sup> Shapiro, *Gender in Play on the Shakespearean Stage*, pp. 226-27.

<sup>137</sup> 'Bridewell Court Minutes', quoted in Shapiro, *Gender in Play on the Shakespearean Stage*, pp. 227-28. Additionally, Orgel notes two instances when disguise led to a 'means of escaping the restrictions of court or patriarchy'. Robert Dudley who disguised his cousin / mistress as his male page, and Lady Arabella Stuart, cousin of James I, who disguised herself as a man in order to escape imprisonment and a forced marriage after she had married William Seymour instead of a husband arranged for her, going against the King's injunction. See Orgel, *Impersonations*, pp. 113-15.

<sup>138</sup> Arthur Husey (ed.), 'Visitations of the Archdeacon of Canterbury', *Archaeologia Cantiana*, 27 (1904), quoted in Cressy, *Travesties and Transgressions in Tudor and Stuart England*, p. 113.

<sup>139</sup> Cressy, *Travesties and Transgressions in Tudor and Stuart England*, p. 113.

<sup>140</sup> Quoted in Cressy, *Travesties and Transgressions in Tudor and Stuart England*, pp. 92-93.

Cressy, who investigates the record, argues that the Thomas Salmon's transgression was less to do with the confusion or abomination of cross-dressing and more to do with the 'intrusion of inappropriate behaviour into privileged space' – by dressing as a midwife Thomas was able to enter a place where he did not belong.<sup>141</sup> In a society in which appearance was so important, however, these two aspects are hard to separate. Cressy states that the 'issue was where he was, not what he wore;' however Salmon successfully entered the birth room *because* of what he wore. The threat to order that cross-dressing embodied was not just related to threats to ideas and theories of order – status forgery meant individuals could achieve very real transgressions of order in society, in this case, gaining access to a space only permitted to females. Whether it is true or not that Salmon's cross-dressing was neither a sign of moral and cultural distress, 'subversive abomination' nor 'eroticized transgression' is questionable, but what the case does illustrate without a doubt is what could be achieved when people disguised their true identity and took advantage of a system in which clothing was equated with identity. Cross-dressing existed 'not just as a romantic fiction, but as a real anti-patriarchal strategy'.<sup>142</sup> It symbolically and literally challenged an idealised gender order by challenging and distorting it visually. By using cross-dressing as disguise, individuals could take advantage of a system of recognisability, allowing them to achieve very real goals.

Just as they did on the stage, instances of cross-dressing in the real world attracted attention from a variety of commentators, from which we get a sense of exactly what was perceived to have been threatened. So significant was the concern with cross-dressing in sixteenth and seventeenth-century England that the issue warranted the attention of King James I, as letter-writer John Chamberlain reported to a friend in 1620:

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<sup>141</sup> Cressy notes that the act was an 'affront to the traditions of child-birth [as the birth room was a privileged female domain], discourtesy to the mother and her friends, demeaning to her husband and family, and discredit to the profession of midwifery'. See *Travesties and Transgressions in Tudor and Stuart England*, pp. 93, 113-14.

<sup>142</sup> Orgel, *Impersonations*, p. 113.

Yesterday the Bishop of London called together all his Clergy about this town, and told them he had express commandment from the King to will them to inveigh vehemently and bitterly in their sermons against the insolency of our women, and their wearing of broad-brimmed hats, pointed doublets, their hair cut short or shorn, and some of them stilletos or poniards, [...] the truth is the world is very far out of order.<sup>143</sup>

Sermons such as one by clergyman and political advisor to James I, John Williams, were already doing so. In his *Sermon of Apparel*, preached and published between 1619 and 1620, Williams cited the immutable distinction between the sexes as the order that was being broken by cross-dressing, likewise referring to the breakdown of visible distinctions between the sexes as ‘monstrous’, writing ‘In a word, [God] had divided male and female, but the devil hath joined them, that *mulier Formosa* [beautiful woman], is now become *mulier monstrosa superne* [exceedingly monstrous woman], half man half woman’.<sup>144</sup> Clergyman William Harrison had started even earlier and had gone into significantly more detail in his 1577 *Description of England*, where he wrote about how the excesses of women's apparel had meant that he himself could not discern man from woman, writing:

I have met with some of these trulls [prostitutes] in London so disguised that it hath passed my skill to discern whether they were men or women. Thus it is now come to pass that women become men and men trans-formed into monsters.<sup>145</sup>

In the secular world, commentators responded with equal alarm. In the epilogue to the 1576 satire *The Steele Glas*, Gascoigne satirically asked ‘What should these? They be not men: for why? they have no beard; They be no boyes, which wear such side long gowns; What be they? women? masking in mens weedes?; [...] They be so sure even *Wo to Men in dede*’.<sup>146</sup>

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<sup>143</sup> Quoted in Woodbridge, *Women and the English Renaissance*, p. 143.

<sup>144</sup> John Williams, *Sermon of Apparel: Preached before the Kings Maiestie, and the Prince His Highnesse at Theobalds, the 22 of February, 1619*, N. J. Norwood (ed.), (Amsterdam, 1979), pp. 6-7.

<sup>145</sup> William Harrison, *A Description of England*, (London, 1577), p. 110.

<sup>146</sup> George Gascoigne, *The Steele Glas* (1576), (Westminster, 1895), pp. 82-83.

The continued concern with the breakdown of visible distinctions is evident into the seventeenth century as seen in poet and author Richard Niccols' 1615 poem *The Furies*:

T'is strange to see a Mermaide, you will say,  
Yet not so strange, as that I saw today,  
One part of that which 'boue the waters rise,  
Is woman, th' other fish, or fishers lies.  
One part of this was man or I mistooke...  
The head is mans, I judge by hat and haire,  
And by the band and doublet it doth weare,  
The bodie should be mans, what doth it need?  
Had it a codpiece, 'twere a man indeed.<sup>147</sup>

The collective attitude is that there was a sense of disorder because there was no longer a visible confirmation of the idealised notion of a gender order. More serious tones were also taken regarding cross-dressing in English society. Stubbes' *Anatomie of Abuses*, one of the first to show concern towards excess in apparel, included cross-dressing as an abuse, as we have already seen, that had the power to turn men effeminate:

How stronge men were in tymes past, how long they lyved, and how helthfull they weare before such Nicenes, and vayne pamperinge curiositie was invented, [...] But now, through our fond toyes and nice inventions, we have brought ourselves into such pusillanimitie and effeminat condition, as we may seeme rather nice dames and yonge gyrles than puissant agents or manlie men, as our Forefathers have bene.<sup>148</sup>

In accusing males of acting contrary to the accepted behavioural norms for males, Stubbes compares sixteenth-century England to a time when men were 'manlie' because they appeared so. Women, as Shapiro notes, drew stronger attention and were seen as more of a

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<sup>147</sup> Richard Niccols, *The Furies* (1614), quoted in Woodbridge, *Women and the English Renaissance*, p. 141.

<sup>148</sup> Stubbes, *Anatomie of Abuses*, p. 56.

threat, as the perception was that they were attempting to change sex, and to an extent, were succeeding.<sup>149</sup> Stubbes touches on this perceived danger when he writes:

Though this be a kinde of attire appropriate onely to man, yet they blush not to wear it, and if they could as well change their sex, and put on the kinde of man, as they can wear apparel assigned only to man. I think they would as verily become men indeed, as now they degenerate from godly, sober women in wearing this wanton lewd kind of attire, proper only to man.<sup>150</sup>

That women could lose their feminine characteristics (godliness and soberness) by wearing the apparel assigned only to man and that a man could effeminize himself by dressing and acting like a woman speaks to the way in which appearance was meant to reflect one's sex, and therefore why cross-dressing was so problematic. It shows how important visual communication was in order for individuals to be read and placed within, in this case, a gender order:

Our apparell was given to us a a signe distinctive to discerne betwixt sexe and sexe; and therefore, one to weare the apparell of another sexe, is to participate with the same, and to adulterate the veritie of his owne kinde. Wherefore, these women may not improperly bee called *herrnaphrodzti*, that is, Monsters of both kindes, halfe women, halfe men.<sup>151</sup>

Apparel was seen as a system given to us divinely and was used to distinguish and to arrange elements into a hierarchical structure, the breaking of which turned an individual into neither man nor woman, but instead, a hermaphrodite. Cross-dressers became impossible to fit in to any existing ideas of order and so they became like anything else that failed to fit into an existing order: monsters. The issue of treating the individual as they appeared is a theme that opens the pair of anonymously written pamphlets *Hic Mulier, or the Man-Woeman* and *Haec Vir, or the Woeman Man* both written in 1620. *Hic Mulier* is narrated from a single

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<sup>149</sup> Shapiro, *Gender in Play on the Shakespearean Stage*, p. 116.

<sup>150</sup> Stubbes, *Anatomie of Abuses*, pp. 73-74.

<sup>151</sup> *Ibid.*, p. 74.

viewpoint and consists of an attack on those women who dress in a masculine way. The author laments that ‘since the days of Adam women were never so Masculine [...] for without redress they were, are, and will be still most Masculine, most mankind, and most monstrous’.<sup>152</sup> It is soon made clear that apparel has played the biggest part in creating the masculine woman. After accusing them of ‘cast[ing] off the ornaments of your sexes to put on the garments of shame’,<sup>153</sup> the author reminds the transgressing women:

... how your Maker made for our first Parents coats -- not one coat, but a coat for the man and a coat for the woman, coats of several fashions, several forms, and for several uses -- the man's coat fit for his labor, the woman's fit for her modesty. And will you lose the model left by this great Workmaster of Heaven?<sup>154</sup>

Like Stubbes noted earlier, the difference in dress is seen as divinely ordained and naturalised, having been left by the Workmaster of Heaven, and the point is repeated that men and women are meant to live up to an expectation that their clothing should distinguish one from the other in terms of appearance and social identity (the working man, the modest woman). In a passage that appears somewhat ambiguous, the author anticipated the argument that would be made by masculine women against such censures:

But now methinks I hear the witty offending great Ones reply in excuse of their deformities: What, is there no difference among women? No distinction of places, no respect of Honors, nor no regard of blood or alliance? [...] Shall we be all coheirs of one honor, one estate, and one habit? Oh Men, you are then too tyrannous and not only injure Nature but also break the Laws and customs of the wisest Princes. Are not Bishops known by their Miters, Princes by their Crowns, Judges by their Robes, and Knights by their spurs? But poor Women have nothing, how great soever they be, to divide themselves from the enticing shows or moving Images which do furnish most shops in the City.<sup>155</sup>

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<sup>152</sup> *Hic Mulier; or, The Man-Woman*, 1620, sig. A3.

<sup>153</sup> *Ibid.*, sig. A3.

<sup>154</sup> *Ibid.*, sig. B2.

<sup>155</sup> *Ibid.*, sig. B3.



The argument that is put into the mouths of the offending women by the author is that they believe that they are justified in their choice of masculine apparel as it helps to maintain social distinctions between women in the same way as it does for men (Princes, Bishops, Judges, Knights). In a line of thinking reminiscent of the sumptuary regulations, the desire is that ‘everyone may be known by the true badge of their blood or Fortune’. The author answers this justification by women in his own voice however by referring to it as ‘an anger passing near akin to envy’, and the priority is placed on maintaining a visible distinction between the sexes.<sup>156</sup> The response, *Haec Vir*, appeared soon after as a defence of those women accused of transgressing a gender order. *Haec Vir* takes the form of a debate between *Hic Mulier* and *Haec Vir*, and opens with a scene where the mannish woman and womanish man mistake each other for the opposite sex:

*Haec Vir*: Most redoubted and worthy Sir (for less than a Knight I cannot take you), you are most happily given unto mine embrace.

*Hic Mulier*: Is she mad or doth she mock me? Most rare and excellent Lady, I am the servant of your virtues and desire to be employed in your service.

*Haec Vir*: Pity of patience, what doth he behold in me, to take me for a woman? Valiant and magnanimous Sir, I shall desire to build the Tower of my Fortune upon no stronger foundation than the benefit of your grace and favor.

[...]

*Haec Vir*: You make me rich beyond expression. But fair Knight, the truth is I am a Man and desire but the obligation of your friendship.

*Hic Mulier*: It is ready to be sealed and delivered to your use. Yet I would have you understand I am a Woman.

*Haec Vir*: Are you a Woman?

*Hic Mulier*: Are you a Man? O Juno Lucina, help me!

*Haec Vir*: Yes, I am.<sup>157</sup>

After an exchange where *Haec Vir* censures *Hic Mulier* for her transgression, *Hic Mulier* defends herself by arguing that she is exercising her free will, and is not forsaking creation,

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<sup>156</sup> *Ibid.*, sig. C.

<sup>157</sup> *Haec Vir; or, The Womanish Man*, 1620, sig. A3.

but is exercising her right, in being created, to live free.<sup>158</sup> After *Haec Vir* responds with the importance of maintaining the custom that men and women be distinguished by their clothing, *Hic Mulier* responds by posing the question ‘Are we then bound to be the Flatterers of Time or the dependents on Custom?’, adding, ‘for than custom, nothing is more absurd, nothing more foolish’, citing several instances of customs which are now outdated and no longer followed.<sup>159</sup> *Hic Mulier* continues to gain the upper hand in the debate by arguing that women cannot wear their own feminine clothing since it has been appropriated by *Haec Vir*, asking ‘what could we poor weak women do less (being far too weak by force to fetch back those spoils you have unjustly taken from us), than to gather up those garments you have proudly cast away and therewith to clothe both our bodies and our minds?’<sup>160</sup> This point is seemingly enough to convince *Haec Vir*, who concedes and proposes that they both revert back to their normal behaviour, and ‘change our attires, as we have changed our minds, and with our attires, our names. I will no more be Haec Vir, but Hic Vir; nor you Hic Mulier, but Haec Mulier’. They agree to send their ‘deformity’ to hell, and become ‘true men and true women’ in appearance once again.<sup>161</sup> What began as a defence of the right for women to dress in a masculine way appears set up in order to point out the disorder that comes from both men and women dressing against their sex, ending with both parties deciding to return to a system where appearance reflects the true sex of the wearer. The sense of confusion and disorder is averted by the man and woman dressing according to their prescribed appearances, meaning that in the future, they can identify each other clearly. What the anonymous author desires is a gender order which can only arise from visually confirming it. The attitude is that clothing needs to confirm the differences between male and female that

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<sup>158</sup> *Ibid.*, sig. A3-B.

<sup>159</sup> *Ibid.*, sig. B2.

<sup>160</sup> *Ibid.*, sig. C2.

<sup>161</sup> *Ibid.*, sig. C2.

constitutes the gender order, and illustrates an inherent ordering mentality as a source for a sense of stability.

By using cross-dressing in sixteenth and seventeenth-century England, this chapter has further revealed a rarely explicitly expressed but underlying collective mentality of needing to be able to visibly identify individuals and arrange them within a specific ordering hierarchy as a means of creating a stable, organised society. Instances of cross-dressing in both the symbolic and real worlds demonstrate that it was of particular concern to some social commentators at a time when gender boundaries and their visible confirmation were unstable. When actors and characters on the stage cross-dressed, they addressed the way in which clothing could either heighten the wearer's sexual identity or disguise it.<sup>162</sup> Reactions against cross-dressing in the symbolic and real worlds are found in a number of sources written from different perspectives, but all of which constitute a social-minded collective which is distinct from the controlling elite we have looked at in the previous chapter. What the attitudes found in the secular and religious sources which include sermons, social descriptions and commentaries, satires, poems, and anonymously written pamphlets circulated throughout society reveal is a similar underlying collective ordering mentality. Some of these sources confirm the particular concerns we have seen in the sumptuary regulations, illustrating that the desire for a visible confirmation of order was felt by more than just a controlling elite associated with the controlling elite. However, in addressing the new concern of cross-dressing—which the sumptuary regulations do not—these attitudes additionally reveal that dressing in the apparel of the opposite sex threatened an established gender order because it threatened the visible confirmation of it. The practical necessity of actors cross-dressing threatened order by inciting male audiences to become effeminate according to writers such as Rainoldes, Stubbes and Prynne who perceived that clothing had

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<sup>162</sup> Cressy, *Travesties and Transgressions in Tudor and Stuart England*, p. 103.

the power to override sex and gender. Cross-dressing characters appearing within performances themselves demonstrated that cross-dressing was not just a symbolic challenge to gender boundaries, but could also be a means of actually strategically transgressing them. Men and women, by disguising themselves in the apparel of the opposite sex, could achieve things not ordinarily possible to their respective sex – in certain stage performances, cross-dressing could allow women to serve in the male domain of the military or escape with a lover and avoid an arranged marriage. However, cross-dressing on the stage was not only just symbolic. The stage, a place of escape and entertainment, was also a venue where very real issues could be performed and commented on. Cross-dressing was also an issue in the real world, and it inspired even more concern over the danger that the visible distinctions between men and women had become blurred to the extent that they could not be told apart and could no longer be visibly placed into an existing gender order. Like on the stage, cross-dressing could be used as a form of disguise that could allow women to accompany their male partners to war, or, as the case of Thomas Salmon shows, could allow men to access privileged female spaces such as the birth-room. Whether the act was a symbolic commentary or an act of disguise, whether it happened on stage or in the real world, cross-dressing demonstrates that clothing could challenge a gender order that was idealistically perceived by various intellectual and creative writers to be immutable by breaking the correlation between an individual's biological sexual identity and how it was represented visually. Cross-dressing was an act that broke a gender order because it broke its visible confirmation. It was therefore an important development in sixteenth and seventeenth-century England because it emphasised 'that gender differences were more flexible than they appeared', which went against a belief that dress was a semiotic system that was supposed to maintain social order, not render it more flexible.<sup>163</sup> When men became women and women became men via

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<sup>163</sup> Bullough and Bullough, *Cross Dressing, Sex, and Gender*, pp. 74 & 78.

clothing it meant that a desired immutable and clear gender order became dangerously flexible, making it impossible for at least some social-minded writers to place everyone in the naturalised order that was so important to their own sense of stability. Cross-dressing further uncovers a collective mentality that equated a visible confirmation of social order with order itself, which then created a sense of stability, because this visible confirmation was exactly what was broken by the act. Furthermore, this chapter has extended the existence of this collective way of thinking beyond the controlling elite to include a new group of individuals who shared the same underlying mentality.

## Conclusion

### Clothing, the visibility of social order, and the ordering mentality

This thesis has used an investigation of later medieval and early modern English understandings and uses of clothing to uncover a collective ordering mentality of wanting to organise individuals and groups in society into what were seen as their rightful place as informed by various idealistic ordering systems. Clothing's communicative power allowed these orders to be displayed and confirmed within society, illustrating that clothing was perceived to have a strong relationship to the display of order and with the creation of a sense of stability that this ordering brought. This ordering mentality, I have argued, can be seen specifically amongst members the controlling elite and amongst social-minded commentators in a variety of social contexts within English society, and it suggests that the ability not just to theorise social order, but to see it displayed throughout society by its members was a key part of feeling secure. This desire for security and clarity was particularly important in late medieval and early modern English society when certain individuals felt that the perceived divine and naturalised ordering principles had been threatened by various socio-cultural and socio-political developments which fostered social mobility and challenged gender boundaries. This disorder came not only from the structures in society being altered, but also from the erasing of visible distinctions between social degrees and between genders, two important naturalised idealised ordering systems. It is this explicitly expressed concern with maintaining a visible confirmation of order that provides a point of entry into uncovering an underlying ordering mentality. The desire for a visible confirmation of order demonstrates the broader mentality of wanting order itself. To make this two-step argument, I have drawn on contemporary scholarship on clothing's ability to visually communicate social and gender

identity to demonstrate this desire for wanting and needing a visible display of order. From these investigations I have then revealed an inherent ordering mentality. In finding this mentality, I have drawn on the work of the history of mentalities which seeks to uncover underlying attitudes and thought processes of individuals towards everyday life in the context of their own socio-cultural context. Unlike an intellectual historical approach, what I have searched for, and found, are ideas buried beneath the surface and not often recorded explicitly within the sources. By looking at the relationship between clothing and the making and breaking of the visibility of order—*notions which are* explicitly expressed in the sources—I have been able to uncover something less visible but equally, if not more, significant. I have found this ordering mentality in the two developments over the fifteenth to seventeenth-century period in England of the increase in clothing-related sumptuary regulations, and the increased attention and criticism given to the act of cross-dressing.

The increase in sumptuary regulations demonstrates that the semiotic system of clothing could be manipulated and used to make order. Medieval custom had long held that the various degrees and ranks in society should be immediately recognisable via appearance and behaviour. Additionally, during the thirteenth and fourteenth centuries, we even see previous laws regulating the wearing of clothing. However, this regulation focused on marginal groups in English medieval society such as prostitutes, Jews, and lepers. What developed in the fifteenth and sixteenth centuries was an increase in both the volume and scope of clothing regulation to include for the first time the middle class of mainstream society. The middle class was the focus because it was this part of English society that, as a result of socio-economic and socio-political developments, was expanding and changing in form beyond any current idealised systems of social order. What the attitudes of the controlling elite show is that they believed that the lack of clear visible distinctions between the various social degrees contributed to a sense of social disorder. The attempt to correct this

disorder saw clothing's once customary semiotic system being manipulated to become an officialised system of recognisability. The hope was that social order would be seen once again. It is from this relationship between clothing and the visibility of order that the underlying ordering mentality emerges.

However, acts and criticisms of cross-dressing demonstrate that the semiotic system of clothing could also be transgressed and used in such a way that allowed orders and hierarchies believed to be immutable to become malleable. Clothing could, and was, used to break order, a fact evidenced by the so-called transvestite controversy in England from the late sixteenth to early-seventeenth centuries when men and women dressed in a gender-confusing manner. In both the symbolic and real world, acts of cross-dressing threatened an established gender order by making—or more accurately, displaying—challenges regarding notions of the fixity of gender boundaries by blurring the ability to tell who was male and female solely from their outward appearance. Cross-dressing also threatened much more than notions. It was a form of disguise, and could allow men and women to access privileges not available to their respective sex, demonstrating that individuals could take advantage of a system that equated outward appearance with sexual and broader social identity and the privileges or access that came with it. These threats encouraged strong responses from a collection of social-minded authors who reveal that what was perceived to be threatened by cross-dressing was a visible distinction between the sexes that helped confirm a naturalised gender order. Once again, it is from the relationship between clothing and the visibility of order from which an underlying ordering mentality emerges. In making this argument, I have extended the collective ordering mentality beyond the controlling elite of English society. These conclusions from the two cases studies additionally reveal the specific set of social, cultural, and aesthetic meanings embedded in systems of dress as they were understood and stated by a variety of individuals during this period in England.



These two developments approach the relationship between clothing and the visibility of order from opposing perspectives. The chapter on sumptuary regulation focuses on making order, used parliamentary laws and royal proclamations, revealed notions of order in their idealised form, focused on status clarification and mobility, and focused on the controlling elite in the fifteenth and sixteenth-century. The chapter on cross-dressing, on the other hand, focused on breaking order, used a variety of social commentaries, revealed how notions of order played out in reality, focused on status forgery and gender mobility, and focused on religious and secular social-minded commentators in the sixteenth and seventeenth-century. Both developments are concerned with the belief that individuals and groups were not appearing as they should, and together demonstrate a reliance on a system of order based on reading people via their outward appearance. They show that at least a small collective in late medieval and early modern English society needed more than just a vague correlation between ideal and reality in order to feel secure. In their minds a sense of order came from being able to see it. This attitude reveals that for some, there was a comfort and security in knowing that everything which had its proper place was carefully organised and placed there. That this was believed by a number of individuals in two different parts of society, I argue, reveals a collective mentality not explicitly alluded to often, but which nonetheless can be shown to exist. What began as a question of how medieval society responded to events which threatened or disrupted social order has led to the discovery of a mentality that shows a fondness for order and organisation in late medieval and early modern England. While I initially thought I had drifted from this initial query, in actual fact, one of the responses to the destabilising events of the fourteenth and fifteenth centuries was the attempt to order society more than ever, because if everything was in its right place, then the disorderly world could become comprehensible and controllable once again. The extent to which this mentality and others for that matter can be extended to other parts of society and can be found in other

sources is an interesting question that warrants further investigation. Such an investigation could uncover very important underlying thought processes and attitudes that are as revealing, if not more so, than any explicitly stated idea.

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