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Introduction: mercy and the state

The 11th of April, being Wednesday, was Sir Thomas Wyatt beheaded up on the Tower Hill . . . When he was up upon the scaffold he desired each man to pray for him and with him, and said these or much-like words in effect: "Good people, I am come presently here to die, being thereunto lawfully and worthily condemned, for I have sorely offended against God and the queen's majesty, and am sorry therefore. I trust God hath forgiven and taken his mercy upon me. I beseech the queen's majesty also of forgiveness . . . And let every man beware how he taketh any thing in hand against the higher powers. Unless God be prosperable to his purpose, it will never take good effect or success, and thereof you may now learn at me. And I pray God I may be the last example in this place for that or any other like . . ." [Then] he plucked off his doublet and waistcoat unto his shirt, and kneeled down upon the straw, then laid his head down awhile, and raise on his knees again, then after a few words spoken, and his eyes lift up to heaven, he knit the handkerchief himself about his eyes, and a little holding up his hands, suddenly laid down his head, which the hangman at one stroke took from him. Then was he forthwith quartered upon the scaffold, and the next day his quarters set at divers places, and his head upon a stake upon the gallows beyond Saint James.[1]

In 1554, Sir Thomas Wyatt unsuccessfully led an armed revolt against his sovereign and paid the penalty. Bloody and bleak, this account of Wyatt's execution confirms a commonplace perception of Tudor justice. Sixteenth-century magistrates had heretics burnt, poisoners boiled, and pirates drowned. Hanging constituted the usual punishment for most other serious offenders. Yet these violent spectacles did not represent the Crown's only efforts to restore and maintain order. Wyatt's death and dismemberment, sure signs of the power of the Crown, had their counterpart in dramatic episodes of pardon, no less illustrative of royal power. Hundreds of former rebels made signs of humble repentance and received mercy. A chronicler recorded one of these ceremonies following Wyatt's failed revolt:

[1] J.G. Nichols, ed., *Chronicle of Queen Jane and of Two Years of Lady Mary*, Camden Society, vol. 48 (London, 1850), pp. 72–74.

> Other poor men, being taken in Wyatt's band, and kept a time in diverse churches and prisons without the city, kneeling all, with halters about their necks, before the queen's highness at Whitehall, her Grace mercifully pardoned, to the number of 600. Who, immediately thereupon, with great shouts, casting their halters up into the air, cried, "God save your Grace! God save your Grace."[2]

Wyatt died for his part in the uprising; those of his followers willing to offer public submission to the queen won their lives. Punishment and pardons worked together as strategies of rule.

Perceptive members of the early modern polity recognized the reciprocal relationship between mercy and terror. In his comments on the aftermath of Perkin Warbeck's 1497 rising, Sir Francis Bacon wrote that the king pardoned all, "except some few desperate persons, which he reserved to be executed, the better to set off his mercy towards the rest."[3] Bacon's narrative of the reign of Henry VII has notorious flaws as a piece of historical scholarship, but as a high-ranking official, Bacon knew a thing or two about the workings of power. The twin dramas of retribution and remission that characterized the resolution of these revolts had their more frequent echoes at the conclusion of many court sessions, when those in attendance heard both sentences of death and gifts of grace proclaimed. The operation of the law and its broader social and political effects remain partially obscured if mercy does not receive its due.

Pardons restored their recipients to the king or queen's peace and freed them from the legal punishment for their offenses. According to the standard formula in charters of pardon, by his or her "mere motion and special grace," the sovereign "pardoned, remitted, and released" offenders from the penalties they had incurred. By the sixteenth century, most pardons remained conditional upon the recipient's future good behavior, at least in theory; if the recipients afterwards bore "themselves otherwise against the peace than they ought," their pardons became invalid.[4] Some pardons included more explicit conditions, requiring the performance of a specified obligation before taking full effect. The sovereign enjoyed the power to pardon any offense to which he or she was a party, before or after conviction.[5] The ability to pardon constituted part of the royal prerogative, the set of rights that combined the privileges of the preeminent feudal lord with those necessary for

[2] J. Proctor, "The History of Wyat's Rebellion," in A.F. Pollard, ed., *Tudor Tracts, 1532–1588* (New York, 1964), p. 255.
[3] F. Bacon, *The History of the Reign of King Henry the Seventh*, ed. J. Weinberger (Ithaca, 1996), p. 163.
[4] 10 Edward III c. 2.
[5] For the early history of pardons, see N. Hurnard, *The King's Pardon for Homicide Before A.D. 1307* (Oxford, 1969). See also T. Smith, *De Republica Anglorum*, ed. M. Dewar (Cambridge, 1982), pp. 86, 125; E. Coke, *Third Part of the Institutes of the Laws of England* (London, 1670), pp. 233–40.

the executive authority of an emerging, centralized state.[6] It was in all respects an impressive power.

Pardons permeated Tudor political culture. In 1485, Henry VII began his reign by offering his forgiveness to all those "disloyal subjects" who had fought for Richard III at Bosworth; in 1603, at the end of the Tudor period, James VI of Scotland freed felons from the prisons he passed on the journey to claim his new crown. The four intervening monarchs each celebrated their coronations with lavish displays of mercy. Elizabeth ended all but the first of her parliaments with the gift of a general pardon as a token of her gratitude for the taxes granted her. Mary commemorated Good Fridays with acts of mercy and gave pardons as New Year gifts. In 1538, a pardon saved Anne George from execution for burglary: like thousands more convicted of theft, murder, and other offenses, she begged for and received the clemency of her sovereign. These pardons, first and foremost, preserved the lives of scores of people. They were also public performances that both articulated and constructed authority. The Tudor monarchs used pardons to exact deference from subjects of all social ranks: nobles and commoners alike sued for mercy. They displayed mercy to petty offenders facing fines and to felons fearing death, to rebellious subjects and to those newly subjugated. They did so partly to bolster perceptions of their legitimacy and to foster habits of obedience, but also to ease the extension of their power. In these respects, mercy became a tool of state formation.

Mercy was considered an essential part of sovereignty, both a necessary and legitimate adjunct to justice. While particular pardons on occasion prompted criticism, the power to pardon remained an unquestioned component of the royal prerogative throughout the sixteenth century. A pardon had no intrinsic meaning: its significance depended on its proper presentation. The supplicant had to show humility, repentance, and above all, submission; the grant had to appear a benevolent gift, an act of grace. At least two actors participated in every performance of pardon: the monarch and the guilty party. Both benefited, although in different and unequal ways. The monarch asserted royal power with an eye to reinforcing royal authority; the recipient escaped the penalty for his or her offense. The audience, too, was essential to the drama. People could demand acts of mercy, and their public acclamation of such acts – even if at odds with their private beliefs – remained integral components of the performance. Like executions, pardons communicated messages about royal authority, but public expectations of mercy and justice also shaped the exercise of that authority.

[6] W.S. Holdsworth, "The Prerogative in the Sixteenth Century," *Columbia Law Review* 21 (1921): 554–71. For the traditional view of the prerogative, see W. Staunforde, *An Exposicion of the King's Prerogative* (London, 1568), but for the more developed picture, see Smith, *De Republica Anglorum*, p. 85ff.

While the role of mercy in the exaction of deference and obedience has received little attention from Tudor historians, studies of law and governance in the seventeenth and eighteenth centuries have paid it greater heed. Douglas Hay studied the royal pardon for felony in his seminal essay, "Property, Authority and the Criminal Law."[7] Together with the other contributions to *Albion's Fatal Tree*, this article galvanized interest in a "new legal history" that moved from teleological explorations of the inefficiencies of past legal systems to seek a broader understanding of their social importance and functions in their own time and place. Influenced by the political atmosphere and concerns of the 1960s and 1970s, this Marxist work signalled a departure from Whiggish narratives of unending humanitarian progress in legal reform. Hay noted that eighteenth-century England developed an increasingly bloody criminal code that resulted in many trials and yet, paradoxically, witnessed relatively few executions. The ruling elite, he suggested, was consciously flexible in its use of terror. It displayed a willingness to forgo punishment when necessary to maintain a popular belief in justice. For the people to obey a law that entrenched elite power, they had to see it as fair. Thus, those in power pardoned some to strengthen a system founded upon unequal property relations. Inseparable from terror, mercy spared only those that the elite chose to spare. The use of discretion, exemplified by the judiciary's recommendations for mercy, served to strengthen the bonds of obedience and deference. Pardons also constituted part of the "currency of patronage" and "tissue of paternalism." Intercession consolidated the powers of the ruling elite. Discretion, Hay argued, played an important role in the "ruling class conspiracy" to legitimize a structure of authority premised on the protection of property.

If Hay's work manifested a definite political sympathy and perspective on the legal system, so too did those of the scholars who responded. John Langbein promptly attacked Hay's thesis and its Marxist approach. He refused to

[7] D. Hay, "Property, Authority and the Criminal Law," in Hay et al., eds., *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (New York, 1975), pp. 17–64. While many proponents of the "new legal history" have identified *Albion's Fatal Tree* as a formative influence, many have also moved firmly away from its overtly Marxist tendencies. This has prompted one of the contributors to complain that the work, in fact, marked the "culmination of a historiography that had considered crime within a broader framework of social history." P. Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* (London, 1991), p. xix.

What follows is a highly selective account of the relevant historiography, highlighting those works that have been especially helpful in formulating this study's questions and approaches. For more comprehensive reviews of the field, see J.A. Sharpe, *Crime in Early Modern England, 1550–1750*, 2nd edn (London, 1999); J. Innes and J. Styles, "The Crime Wave: Recent Writing on Crime and Criminal Justice in Eighteenth-Century England," in A. Wilson, ed., *Rethinking Social History* (Manchester, 1993), pp. 201–65; C. Herrup, "Crime, Law and Society: A Review Article," *Comparative Studies in Society and History* 27 (1985): 159–70.

see thieves as class warriors – a term that Hay had avoided – and suggested that the enforcement of the criminal law was relatively unimportant to social relations. Langbein maintained, somewhat naively, that nothing more than compassion motivated the judges who recommended people for pardon. Langbein did raise the important point that the accusers who brought offenders to court, and many of the jurors who tried them, came from the lower to middling social orders.[8] E.P. Thompson had also argued that laborers participated in the law, using it for their own purposes and to resist exploitative social practices, but for Langbein, the participation of the lower orders meant quite clearly that Hay had erred.[9] Peter King pursued this observation and the motivations for granting mercy at greater length in his responses to Hay's essay.[10] King believed that the law was important to social interactions and studied the processes of prosecution, sentencing, and pardoning to answer three questions: Who used the eighteenth-century criminal law? Who exercised discretionary powers? On what principles were decisions made? He found that people from the middling ranks regularly made important choices about the use and relevance of the law; people of poorer ranks were also involved, although less frequently. Widely shared ideas of justice, King concluded, shaped decisions about sentences and pardons. Requests written by aristocratic figures achieved only marginally more success than those written by lower status neighbours and friends of the prisoners. A systematic study of issues mentioned in judges' reports and in petitions for pardon showed that the individual's youth, good character, and potential for reform provided the most common justifications for clemency. King concluded that the law was a "multi-use right" and its operation depended heavily on the decisions made by laboring and middling men.[11] This need not imply that all had equal access to the courts, or that discretionary uses of the law failed to serve the ruling elite, but to see the law largely as a tool of economic domination obscures the system's broader social utility and meaning.

[8] J. Langbein, "*Albion's* Fatal Flaws," *Past and Present* 98 (1983): 96–120. See also P. Linebaugh, "(Marxist) Social History and (Conservative) Legal History: A Reply to Professor Langbein," *New York University Law Review* 60 (1985): 212–43.

[9] For Thompson, see "The Crime of Anonymity," in Hay et al., eds., *Albion's Fatal Tree*, pp. 255–308 and especially *Whigs and Hunters* (London, 1975).

[10] P. King, "Decision-Makers and Decision-Making in the English Criminal Law, 1750–1800," *Historical Journal* 27 (1984): 25–58. Using this article to summarize King's arguments may seem unfair, as he has softened their edges in his recent monograph, *Crime, Justice, and Discretion in England, 1740–1820* (Oxford, 2000). He acknowledges, for example, that the law was "predicated in part on the need to protect the propertied from the predations of the poor," discusses the inadequacies of the term "multi-use right," and allows for a greater range of interests in the granting of pardons than he had previously. Since it was this article that shaped much of the intervening historiography, however, it is still used here.

[11] King borrowed this label from J. Brewer and J. Styles, eds., *An Ungovernable People: The English and their Law in the Seventeenth and Eighteenth Centuries* (London, 1980), p. 20.

The product of many years of research, John Beattie's *Crime and the Courts in England, 1660–1800* explored the use of discretion at all levels of the legal system: prosecutorial decisions, jury verdicts, judicial sentences, and royal pardons. Beattie combined a detailed study of crime and criminality with an analysis of administration and punishment, noting that all became deeply intertwined in practice. While Beattie downplayed the overtly Marxist interpretation of discretion as an instrument of class oppression, he agreed with Hay that the pardon had both political and judicial aspects: it enhanced the terror of the law while legitimizing its use by emphasizing the humanity of the king. Executions were meant as examples; the discretionary decisions of many participants ensured the selection of the most appropriate examples, and kept executions at levels broadly acceptable to the public.[12] Implicated in this discretionary use of hangings was a growth of punishments secondary to death. Imprisonment and the transportation of convicts to the colonies allowed the courts and king to deal with those felons not thought to merit death without simply releasing them into the community. For Beattie, this penal experimentation represented the most significant development in the period under study. His work corrected the older chronology of penal innovation: the transition from capital punishment to imprisonment began much earlier than the late eighteenth- and early nineteenth-century "age of reform."[13] Enlightenment theorists and the Industrial Revolution no longer worked as the primary engines of change. Instead, altered sensibilities and changed definitions of justice and criminality affected ideas of appropriate punishments. Throughout the period, the enforcement of the criminal law legitimized and protected social and political arrangements while serving the interests and needs of many. Punishment and pardons maintained a particular form of social order, while also opening spaces for agency and participation.

The "new legal history" is no longer new. Its sensitivity to historically contingent definitions of the due ends of justice and its focus on the social

[12] J.M. Beattie, *Crime and the Courts in England 1660–1800* (Princeton, 1986). His thoughts on eighteenth-century pardons are developed in his articles and more recent monograph: "The Royal Pardon and Criminal Procedure in Early Modern England," *Journal of the Canadian Historical Association* (1987): 9–22; "The Cabinet and the Management of Death at Tyburn after the Revolution of 1688–1689," in L.G. Schwoerer, ed., *The Revolution of 1688–1689: Changing Perspectives* (Cambridge, 1992), pp. 218–33; and *Policing and Punishment in London, 1660–1750* (Oxford, 2001). See also his "London Crime and the Making of the 'Bloody Code,' 1689–1718," in L. Davison et al., eds., *Stilling the Grumbling Hive: The Response to Social and Economic Problems in England, 1689–1750* (Stroud, 1992), pp. 49–76.

[13] Beattie's works referred to in n. 12 and P. Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression* (Cambridge, 1984), both contradicted the historical periodization on which M. Foucault relied in *Discipline and Punish: The Birth of the Prison*, trans. A. Sheridan (Harmondsworth, 1979).

importance of the law have informed numerous studies, of times and places other than eighteenth-century England. Questions about discretion and participation have remained central. The focus, however, has turned to jurors and decision-makers in local communities. Cynthia Herrup's influential study of early seventeenth-century Sussex court records offers a notable case in point. Herrup found that juries rarely punished weak offenders with hanging and reserved this ultimate price for those who had deliberately adopted misbehavior as a way of life. This did not represent a failure of the legal system. Rather, she argued that it reflected the values inherent in a broadly participatory system with widely diffused decision-making authority. Flexible responses to disorder ensured that a common definition of peace and order prevailed.[14]

Even in studies, such as Herrup's, that depict the law primarily as an agent of community consensus rather than as a tool of state authority, the links between legal processes and social relations of power remain key. Thus, the historiography of crime and punishment increasingly, if not always explicitly, ties itself to the study of the state and political culture. M.J. Braddick and Steve Hindle draw upon and contribute to this social history of the law in their recent works on early modern state formation. Both see the law as a key juncture between the interests of social and political historians. Both identify the sixteenth century as a time of significant development of state forms. They point to the rapid "increase in governance," the growing "social depth" of participation in regulatory mechanisms, and the role of social categories such as class, gender, and age in giving distinct form to the political power embodied in the early modern state. Hindle, in particular, seeks to reconcile the contrasting views which have characterized many social histories of the law: he argues that we cannot reduce the law's function either to one of maintaining elite authority or to one of enacting cosy communal norms. He suggests that viewing the matter from the perspective of the state lets us accept that both functions existed in dynamic tension: "the process of state formation necessitated the renegotiation of institutional and communal interests at every stage of law enforcement: the reconciliation of 'two concepts of order' was continuous."[15]

[14] C. Herrup, *The Common Peace: Participation and the Criminal Law in Seventeenth-Century England* (Cambridge, 1987).

[15] S. Hindle, *The State and Social Change in Early Modern England, c. 1550–1640* (London, 2000), p. 120, and M.J. Braddick, *State Formation in Early Modern England, c. 1550–1700* (Cambridge, 2000). The "two concepts of order" comes from K. Wrightson, "Two Concepts of Order: Justices, Constables, and Jurymen in Seventeenth-Century England," in Brewer and Styles, eds., *An Ungovernable People*, pp. 21–46; the "increase in governance" was first from A. Fletcher, *Reform in the Provinces: The Government of Stuart England* (New Haven, 1986). For more on the relationship between legal processes and state formation, see A. Harding, *Medieval Law and the Foundations of the State* (Oxford, 2002).

Returning to the original substance of the debate – pardons and royal discretion – but now with the benefit of intervening contributions might help us move further beyond the sterile and false dichotomy of control and consent. Certainly, looking at royal acts of mercy in the sixteenth century, a crucial period of turbulent change, will shed light on a traditionally "dark period" in the social history of the law and will add to our understanding of the processes of state formation. Recent works have shown beyond question that the people of early modern England actively negotiated with and made demands of those in power, often holding them to their own legitimizing claims.[16] The participation of individuals from many social ranks in the systems of law and governance shaped the abilities of the state. Now the question is how far and in what ways? What was the relationship between negotiation and the bloody, often brutal realities of life in Tudor England? Returning to the subjects first raised by Hay may help clarify the nature and limits of participation and its role in state formation. Moving the discussion to the sixteenth century means changing the material and cultural terms of reference, and necessitates a brief survey of the generally accepted features of Tudor state formation.

Sixteenth-century England retained a primarily agrarian base. Roughly 90 percent of the population lived in the countryside. Poor harvests routinely troubled this rural world, and serious food shortages occurred in the 1550s and late 1590s. While the plague did not ravage England with anything approaching the ferocity of the fourteenth-century Black Death, it and other contagions remained tragic, recurring realities. Yet, despite the periodic crises created by dearth and disease, the overwhelming demographic reality of sixteenth-century England was a massive and sudden rise in population. Famine and plague had reduced the population of England and Wales to a low of roughly 2 million souls by 1450. From 1525, however, the population numbers exploded, rising from 2.25 million inhabitants to 3 million in 1551. After a short reversal in the 1550s, over 4 million people inhabited the realm by 1601. London offers a particularly dramatic case in point: it had perhaps 60,000 residents in 1525, but by 1601 this number had risen to 215,000.[17]

[16] See, for instance, the essays in M.J. Braddick and J. Walter, eds., *Negotiating Power in Early Modern Society* (Cambridge, 2001); P. Griffiths, A. Fox, and S. Hindle, eds., *The Experience of Authority in Early Modern England* (London, 1996); and T. Harris, ed., *The Politics of the Excluded, c. 1500–1850* (Basingstoke, 2001).

[17] This and what follows is intended only as a brief introduction. Those wishing for a lengthier introduction are encouraged to consult J. Guy, *Tudor England* (Oxford, 1988), esp. pp. 30–52. For more detail, see especially E.A. Wrigley and R.S. Schofield, *The Population History of England* (London, 1981); P. Slack, *The Impact of Plague in Tudor and Stuart England* (London, 1983); Joan Thirsk, ed., *The Agrarian History of England and Wales, 8 vols.* (Cambridge, 1967), vol. IV: *1500–1640*.

This population increase after a long period of stagnation has been called the "one great fact" of the sixteenth century, and with good reason. It had dramatic repercussions. Increased demand for resources led to inflation and unemployment. One index of grain prices stood at 114 for the 1480s; 154 for the 1520s; and 560 for the years between 1600 and 1609. Dramatic indeed, and compounded by a decline in real wages triggered by an over-supply of labor. According to one estimate, the purchasing power of an agrarian worker in southern England in 1596–97 had dropped to 29 percent of what it had been a hundred years earlier.[18] Vagrancy and unemployment rose. Groups of rootless poor wandered the countryside. Finding firm numbers is difficult, but the complaints of contemporaries leave no doubt about the unprecedented dimension of the problems. For some, able to capitalize on land hunger and cheap labor, or to enclose lands for more profitable uses, the age offered prosperity and increased material comfort. For most, living standards declined dramatically.[19]

The social problems and fears generated by these economic realities prompted the dramatic "increase in governance" discussed by so many historians and elaborated here in Chapter Two. Worried by the challenges to established notions of social and political order attendant upon unemployment and poverty, the governors of early modern England acted. The Elizabethan poor laws, a consolidation of earlier piece-meal efforts, are the best known of these responses. The efforts to criminalize and police the "undeserving poor" and to sustain and restrain the rest formed part of a larger body of regulative experiments. Although they produced nothing comparable to the levels of government supervision in the modern era, the Tudors accelerated the process of greater state control, increasing the scope and functions of governance. More and more laws regulated the economy, labor relations, and manufacture. More and more behaviors came under the purview of the courts.

So, too, did religious reformation call forth greater state activity. Henry VIII's break with Rome placed the monarch at the head of both Church and State. It gave the Crown new material resources and new claims to power. However, the disorder and dissent that followed the religious alterations of the period also necessitated attempts to enforce conformity. The ambitious Protestantism promoted in Edward VI's reign, the return to Catholicism in Mary's, and the cautious Protestant settlement in Elizabeth's each generated their own problems. Religious difference, it was feared,

[18] P.J. Bowden, ed., *Economic Change: Wages, Profits and Rents, 1500–1750* (Cambridge, 1990), p. 167.

[19] There were, of course, great regional and yearly variations. For more details, see the works cited in n. 17 and K. Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven, 2000).

broke the bonds of deference between children and parents, commoners and lords, subjects and Crown. It drew divine displeasure; it stoked subversion. Thus, the parliaments of Henry VIII and each of his children passed statutes regulating belief and practice. Increasing numbers of royal visitors, or inspectors, policed the paraphernalia of local churches, the suitability of clerics, and in Elizabeth's years, the numbers of those who failed to attend services.[20]

In addition to broadening the scope of the law, the Tudors sought to ensure the enforcement of these new laws and to improve the effectiveness of the royal courts. Each amended the court system in some way. Boroughs and counties had their own regular peace sessions to try petty offenses; some of the more serious matters awaited the quarter sessions. In these, the range of local officials – bailiffs, constables, and the ubiquitous justices of the peace – bore the burden of keeping order. The king's justices rode out through the realm on the assize circuits, generally twice a year, to hear the civil and criminal pleas of the Crown. The same justices also heard cases brought before the central courts in Westminster. Although sixteenth-century England has seen few social studies of the law in action, due to the lack of gaol delivery and assize records upon which such studies rely, legal historians have done much to chart the growing concern for centralization and enforcement under the Tudors. Among a host of procedural alterations, a few stand out. The commissions for the trial of treasons, previously given to the assize justices only in exceptional circumstances, became a regular part of their powers from the 1530s onwards.[21] John Langbein has demonstrated the growth of Crown officers' prosecutorial functions. The Crown had traditionally relied upon victims or presentment juries to launch court cases; having no police force, it had few means of bringing charges itself. All the Tudors encouraged informers to initiate cases, but, due to accepted restrictions, not for matters punishable with death. The more significant development came when laws passed under Mary formalized a trend that allowed justices of the peace to gather evidence and initiate prosecutions. These newly empowered officials guarded the interests of the Crown.[22] J.S. Cockburn has shown that Elizabeth and her Privy Council more carefully monitored their lists of JPs and regularly called numbers of them in for rousing speeches and instructions from the Chancellor in Star Chamber. They also pushed (with only gradual success)

[20] For a survey of the religious turmoils, see C. Haigh, *English Reformations* (Oxford, 1993). For the early enforcement initiatives, see G.R. Elton, *Policy and Police: The Enforcement of the Reformation in the Age of Thomas Cromwell* (Cambridge, 1972).
[21] A.S. Bevan, "The Henrician Assizes and the Enforcement of the Reformation," in R. Eales and D. Sullivan, eds., *The Political Context of Law* (London, 1987), pp. 61–76.
[22] J. Langbein, *Prosecuting Crime in the Renaissance* (Cambridge, Mass., 1974).