

Crime, Punishment, and Violence in The Tudors

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**A pre-print version of an essay in William Robison, ed.,
History, Fiction, and The Tudors (Palgrave Macmillan, 2016), pp. 235-47.

That *The Tudors* opens with an entirely fictional killing of a person who never existed—the assassination of Henry VIII’s supposed uncle—tempts one to focus a discussion of crime, punishment and violence in the series on the inaccuracies. But one might also see the opening sequence as an early alert from the show’s creators that they are presenting not a work of history but a fiction based only loosely on historical facts, something to be watched for what it is rather than derided for what it is not. Indeed, one should not expect to learn one’s history from a series such as this any more than one expects to pick up useful surgical techniques from a hospital drama. Yet, of course, some people do accept what they see on screen as true; cinema and television have sometimes created or perpetuated myths about the past that have had power in the present.¹ More generally, others find themselves drawn by shows like this to learn more about history as it happened. As such, I found it both surprising and encouraging how many aspects of *The Tudors* have some ring of truth. In her review of the series for *The Guardian*, historian Anne Whitelock suggested that beneath its many and manifest misrepresentations lays a “not inaccurate” presentation of Henry’s court politics.² The cautious caveat of the negative construction seems suitable here, too: despite (and sometimes precisely because of) its many

¹ Thomas Freeman, “Introduction: It’s Only a Movie,” in *Tudors and Stuarts on Film: Historical Perspectives*, ed. Susan Doran and Thomas D. Freeman (Basingstoke, 2009), 1-29, makes a strong enough case for engaging with inaccuracies in historical dramas to weaken my usual scepticism about the merits of doing so.

² Anna Whitelock, “Was Henry VIII Really an Oaf in Leather Trousers?,” <http://www.theguardian.com/theguardian/2007/oct/05/features11.g2>. Accessed 7 July 2014.

divergences from the facts, *The Tudors* offers its viewers a “not inaccurate” portrayal of crime, punishment and violence in early modern England. The ethics of presenting and viewing such violence as entertainment is another matter, though, arguably made all the more problematic by the series’ creative crossings of the lines between fact and fantasy.

I came late to *The Tudors*: I have more patience for historically-themed dramas than some of my colleagues, I think, but have exhausted my store of it for programs that use degrading violence against women simply as plot devices. The show’s promotional materials suggested it might be historical fiction of the shoddier sort, selling itself not only with sex, but also with sexualized violence. (Interest in the personal life of Henry VIII sometimes seems to stem not just from his having married six women, but also from his killing two of them.) The busty but headless women of season one’s ads suggested that the show might be appealing to something more than simple prurience, a sense strengthened by the key image advertising the second season, which eroticized the physical aggression of a man we know would kill the woman he married. The picture’s power came in part from its—and the show’s—blurring of the lines between fact and fiction: while it was an actress being groped and throttled in the image, she played a real woman who really was killed by her husband. It was this blurring that eventually drew me in, as more and more students asked whether some part or another of an episode bore any resemblance to reality. As I caught myself saying “well, actually, yes...” to some of their more incredulous reports, I became curious about just what mix of fact, fiction and fantasy they were picking up from the show. In respect to crime, violence and punishment, I found, its “not inaccurate” presentation offers a salutary dose of blood and anguish to what can easily become an unduly sanitized version of early modern English history, even while

prompting potentially useful questions about the ways in which we view such “not inaccurate” violence as entertainment.

The Tudors depicts its protagonist presiding over a brutally bloody age; he did, and it was. Yes, one easily finds fabrications, but they are often balanced by elements that are based in fact, despite seeming to some too brutal to be true. Simon Fish died of the plague rather than being burned as a heretic, for example; but yes, Thomas More did have others very like Fish reduced to ashes. We have no reason to think that Bishop Fisher’s cook Richard Roose was an assassin hired by the Boleyn family; but yes, the authorities did actually boil him to death.³ The narrative of the Pilgrimage of Grace and the suppression of its subsequent revolts takes many liberties—not least in that the duke of Norfolk, not Suffolk, took charge of the task in reality; but yes, at one point, he really did select precisely 74 people to be executed *en masse*.⁴

Alongside the glaring distortions sometimes appear small, strange details drawn from life. Yes, for example, one of Henry’s first gifts to Catherine Howard really was the rather unromantic (and perhaps foreboding) grant of property forfeited to the crown upon a murder, stripped from the killers’ family and taken by the king to dole out as he pleased—in this case, to a woman he wanted to woo.⁵ As Thomas More’s wife noted earlier in the series, when men were found guilty of felony or treason, their families lost not just a loved one and provider, but also all their goods.⁶ The forfeiture of criminals’ property was thought to act as a disincentive to

³ Episode 2.01; K.J. Kesselring, “A Draft of the 1531 ‘Acte for Poysoning’,” *English Historical Review* 116 (2001): 894-99.

⁴ Episode 3.02; The National Archives, Public Record Office [hereafter TNA], SP 1/116, fol.108. [See J.S. Brewer, J. Gairdner, and R.H. Brodie, eds., *Letters and papers...of the reign of Henry VIII* (21 vols., London, 1862-1910, 1929-32), XII, i, no. 498.]

⁵ Episode 3.08; *Letters and papers...of the reign of Henry VIII*, XV, no. 613 (12).

⁶ Episode 2.05; for the historical context, see K.J. Kesselring, “Felony Forfeiture and the Profits of Crime in Early Modern England,” *The Historical Journal* 53.2 (2010): 271-88 and “Coverture

disobedience, and hope of its mitigation presumably helped explain the tone of some of those strikingly submissive scaffold speeches—another element that seems implausible to some but turns out to be based in truth.⁷

Cumulatively, the series ably conveys something of the violence of Henry’s reign. Mid-twentieth-century historians, thinking perhaps of the violent regimes of their own day, sought to refute earlier characterizations of a “Tudor despotism” by showing that executions (usually) proceeded according to known laws.⁸ They came to emphasize consent rather than coercion. More recently, perhaps cognizant of our own acquiescence and collaboration in systems of governance and commerce that rely on violence of another sort, historians have explored the ways in which power was negotiated, diffused and based on broad participation.⁹ Henry VIII did indeed recognize the constraining force of law, and had to put many decisions before groups of his more powerful subjects gathered in courts, convocations and parliaments. Any sentence of death required the concurrence of jurors or members of parliament. The king had no professional police force or salaried bureaucracy, as such, and thus relied upon the cooperation of active “agents” – people who did not simply do as they were told but operated according to their own

and Criminal Forfeitures,” in *Women, Transgression and Discipline in Early Modern Britain*, ed. Richard Hillman and Pauline Ruberry-Blanc (Farnham, 2014), 191-212.

⁷ See L.B. Smith, “English Treason Trials and Confessions in the Sixteenth Century,” *Journal of the History of Ideas* 15 (1954): 471-98 and J.A. Sharpe, “Last Dying Speeches: Religion, Ideology and Public Execution in Seventeenth-Century England,” *Past & Present* 107 (1984): 144-67.

⁸ See in particular works by G.R. Elton, e.g., *The Tudor Revolution in Government* (Cambridge, 1953).

⁹ See, for example, key works on the early modern state: M.J. Braddick, *State Formation in Early Modern England, c. 1550-1700* (Cambridge, 2000) and Steve Hindle, *The State and Social Change in Early Modern England, c. 1550-1640* (Basingstoke, 2000). For a recent restoration of violence to the heart of our understanding of early modern governance, see Ethan Shagan, *The Rule of Moderation: Violence, Religion and the Politics of Restraint in Early Modern England* (Cambridge, 2011).

ideas and interests, as they were able. And yet none of this should blind us to the fear and force that lay behind it all. Just because many people agreed that the violence was just or useful does not make it any less violent.

Of course, if one's definition of "violence" includes a notion of illegitimacy, of force wrongly applied, then we must also recognize that a good many acts of physical harm and coercion were not deemed violent at the time—something the show also conveys. Men could legitimately physically correct and control their wives and other dependants to ensure disciplined households; courts could legitimately impose sentences of death and mutilation in pursuit of a well-disciplined realm. People certainly disputed the legitimacy of particular instances, but generally accepted the use of force to ensure order and obedience.¹⁰

Even more so than violence, "crime" is a relative concept—a notion to which the series nods, at least implicitly. James Sharpe's definition is useful: simply, "crime is behaviour which is regarded as illegal and which, if detected, would lead to prosecution in a court of law or summarily before an accredited agent of law enforcement."¹¹ Some behaviors which were considered the most heinous of crimes in the past are no longer crimes today; some things that are crimes today were nothing of the sort in days gone by. The list of actions deemed criminal in early modern England lengthened significantly in the reign of Henry VIII. The early modern English divided their crimes into three broad categories of increasing severity: misdemeanours, felonies and treasons. The latter two categories of offences had death as their sanction. Henry's parliaments passed eleven statutes that expanded the scope of treason and fifteen that made new felonies, along with dozens more that created lesser offences to be punished with imprisonment,

¹⁰ See Susan Amussen, "Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England," *Journal of British Studies* 34 (1995): 1-34.

¹¹ J.A. Sharpe, *Crime in Early Modern England, 1550-1750* (London, 1999), 6.

corporal punishment or fines.¹² Along with witchcraft, “buggery” also became an offence punishable with death. Priests who took wives upon the mistaken belief that the Reformation brought with it freedom to marry, as it did elsewhere in Europe, risked death in the wake of Henry’s Act of Six Articles. And the list goes on. This growth in the scope and severity of the criminal law constituted part of the “increase in governance” that marked the sixteenth century in general, and Henry’s reign in particular.

As the scope and severity of the law increased, so too did the need for flexibility and discretion. Justice and mercy existed in tandem, even if for the most pragmatic of reasons: having too many of the poor and pitiable hanging from gallows at the end of a court session might weaken the intended lessons of law. Sanctuary had long afforded some offenders safety: people might flee to any church and there, upon confession of their crimes, obtain permission to leave the country or, if they fled to one of a select group of permanent sanctuaries, spend their days within its borders, immune from arrest.¹³ Sanctuary had a long history, but fell victim to Henry’s attacks on the church and its privileges, not least to his closure of the monasteries. Royal mercy—pardons from the king himself—replaced it. Tudor monarchs issued pardons to individuals upon petitions for clemency and to groups, too, in spectacles carefully calibrated to advertise the king’s godlike mercy.¹⁴ As the Henry of *The Tudors* does in one episode, so did the real king on several occasions, offering forgiveness to those who humbled themselves by appearing with halters about their necks in dramatic acts of contrition and submission. The series

¹² K.J. Kesselring, *Mercy and Authority in the Tudor State* (Cambridge, 2003), 37-8.

¹³ For sanctuary’s history, see Karl Shoemaker, *Sanctuary and Crime in the Middle Ages, 400-1500* (New York, 2011).

¹⁴ Kesselring, *Mercy and Authority*, passim.

might exaggerate for effect the capriciousness and degree of the king's discretion, but discretion he had.

So, too, does the series somewhat caricature the significance of status and hierarchy in the era, but this might offer a salutary reminder to those—professional historians included—who sometimes assume that societies which recognize the rule of law also endorse the equality of all before that law. Early modern justice was emphatically not indifferent to status, nor was it intended to be. The law's privileging of status emerged not from a simple failure of justice, a disjunction between rhetoric and reality, but from a different notion of how and to whom justice applied than what prevails today. Only equals required equal treatment. Rights varied according to one's position in society.¹⁵ Free and unfree constituted fundamental categorical distinctions, as did birth within or outside the king's dominions. Sex and marital status distinguished some from others. Differences depending on estate mattered, too. Clergy, nobility and commons belonged to distinct orders. Whether by birth or by sacrament, nobles and clerics differed from commoners and received fundamentally different treatment at law.¹⁶

The privileges of clerics came under sustained attack in the reign of Henry VIII, however, a development that receives some mention in the series. Under Henry, the clergy became subject to the same courts and to the same laws that applied to others, losing many of the incidents of their status as a distinct order. "Benefit of clergy" had ensured that clerics not be tried in the

¹⁵ See, for example, Edward Powell, "Law and Justice," in *Fifteenth Century Attitudes: Perceptions of Society in Late Medieval England*, ed. Rosemary Horrox (Cambridge, 1994), 31 and G.R. Evans, *Law and Theology in the Middle Ages* (London, 2002), 85-119.

¹⁶ See, for example, Georges Duby, *The Three Orders: Feudal Society Imagined* (Chicago, 1980); Jeffrey Dunton, ed., *Orders and Hierarchies in Late Medieval and Renaissance Europe* (Toronto, 1999); and Bernard Jussen, ed., *Ordering Medieval Society: Perspectives on Intellectual and Practical Modes of Shaping Social Relations* (Philadelphia, 2001), trans. Pamela Selwyn.

king's courts; clerics lost that privilege, and the so-called "benefit of clergy" instead became a legal fiction supervised by the king's justices and open to any man who could satisfy a reading test, allowing him to exchange the death penalty for a lighter punishment of branding, forfeiture of property and perhaps some time in gaol upon conviction for one of a shrinking list of offences.¹⁷

The legal privileges of the second great estate continued, though, with the greater nobility—the peers—retaining legal immunities and privileges they received by right of birth. They were free from arrest for everything save treason, felony and breaches of the peace. They could not be imprisoned for debt or outlawed or asked to depose on oath. Significantly, too, for offences punishable with death, lords were free from the common law criminal courts, tried instead by their fellows in the court of the Lord High Steward or in the House of Lords, a privilege first given statutory backing in 1442 and entrenched over the following two centuries.¹⁸ The series gives its viewers two notable instances of such special trials, those of the duke of Buckingham at the beginning and the earl of Surrey near the end. Both depictions simplify and speculate, but convey something of the significance attached to trials of the nobly born and the political risks the king took in prosecuting such individuals.

The inaccuracies in such historical dramas are often not "errors," as such: they are choices made for some hoped for effect. On occasion, that choice may itself harken more effectively to a truth than attempting a more factually accurate depiction might have done. The execution scenes sometimes seem wrong, for example, in being relatively empty and quiet, more

¹⁷ On benefit of clergy see, for example, J.G. Bellamy, *The Criminal Trial in Later Medieval England* (Toronto, 1998), 143-7 and Kesselring, *Mercy and Authority*, 46-55.

¹⁸ See M.L. Bush, *The English Aristocracy: A Comparative Synthesis* (Manchester, 1984), esp. 18, 20-28 and Colin Rhys Lovell, "The Trial of Peers in Great Britain," *American Historical Review* 55 (1949): 69-81.

akin to nineteenth-century gaol-yard hangings, when in fact authorities staged such executions as spectacles for public consumption. Often rowdy, raucous affairs, executions were meant as examples and often served as entertainment. Large crowds came to watch. The show's creators use such crowds to good effect in some such execution scenes, but in others opt for lonelier spaces not because they "got it wrong," but because they sought to evoke a particular sense in a different sort of audience, one comprised of modern television viewers rather than sixteenth-century men and women gathered before a scaffold. As director Ciaran Donnelly noted in the production notes for season four, the sheer number of executions that needed to be shown in the series caused concern that simple repetition would dull the effect. Inventiveness seemed necessary.¹⁹ And in the depictions of Simon Fish's (fictional) burning and that of John Lambert, for example, the relative emptiness of the scenes is perhaps more effective than a more accurate shot of crowds might have been in conveying a sense that burning a man to death for a matter of religious belief had become almost routine.

Whatever the choices made in portraying individual deaths, cumulatively they convey something of the visual force and frequency of Henrician executions. Hanging was by far the most common form of capital punishment, used for the bulk of felonies and prized for its supposedly exemplary, deterrent effect. These hangings were not the relatively quick affairs of the late nineteenth and early twentieth centuries: the standard drop and long drop developed only in 1866 and 1872, respectively, meaning that earlier instances were typically slow strangulations that could take half an hour or more to kill a person. For high treason—defined as offences that violated one's loyalty to the king—men faced being dragged through the streets, briefly hanged, then disembowelled and divided into quarters, though a beheading with block and axe was

¹⁹ <http://www.thetudorswiki.com/page/CREATORS+of+The+Tudors>, accessed 14 July 2014.

typically substituted for noble-born offenders. Heretics were indeed burnt at the stake. So, too, were women who killed their husbands, which the law defined not just as murder but more seriously as an act of “petty treason,” a deed that violated the bonds of obedience and loyalty one owed one’s immediate lord and master. (The judges at Queen Anne’s trial sentenced her to *either* burning *or* beheading, already unusual in its imprecision, and made more unusual when the king decided to employ a continental executioner, trained in using a sword rather than an axe.²⁰) Notably, though, women convicted of witchcraft in England were not burnt at the stake, as they were in legend and in Scotland; when witchcraft was first made a capital crime in England, in 1542, it was made a felony to be punished with hanging, like most any other crime of its class.

While the English prided themselves on not having some of the more imaginative and gruesome forms of execution used on the continent, they did make exceptions for what they saw as exceptional crimes. Briefly after 1531, those who used poison to kill risked death by boiling, as happened to Bishop Fisher’s cook Richard Roose and at least one woman in these years.²¹ Some punishments evoked parallels with the crimes committed: Alice Wolfe and her husband John, for example, were sentenced to be tied to a stake at the Thames’s low tide, left there to drown as the waters rose, having killed foreign merchants while ferrying them cross the river.²² The authorities killed yet other offenders by gibbeting or hanging in chains, as shown in the horrifying depiction of Robert Aske’s execution in the series, or after first severing some offending body part.

²⁰ Nadia Bishai, “‘Which things had not before been seen’: The Rituals and Rhetoric of the Execution of Anne Boleyn,” in *The Rituals and Rhetoric of Queenship*, ed. Liz Oakley-Brown and Louise Wilkinson (Dublin, 2009), 171-85.

²¹ See Kesselring, “A Draft of the 1531 ‘Acte for Poysoning,” 894-99.

²² See *ibid.*, 895 n.6.

Death came for many offences, in many varieties, and in many places. In and around London itself, the Tower offered the main site of execution for elite or exceptional offenders, either on full public view just outside the walls or somewhat more privately inside. The Smithfield market area, Wapping Docks and Tyburn field served as favored sites, but almost any church yard or open space that accommodated a crowd hosted executions, too. Charing Cross, Cheapside, St. Paul's Churchyard, Westminster's Tothill and Old Palace Yard all saw executions in these years. After a set of riots in 1517, people were hanged at each of London's city gates, with special gallows set up at such places as Aldgate, Bishopsgate, Gracechurch Street, and Leadenhall Street.²³ As the series ably intimates, many people witnessed the power of the king's law to take life.

Exactly how many people died as traitors, felons and heretics in Henry's reign we cannot know. Extrapolating from pockets of surviving court records, Philip Jenkins has estimated that anywhere from 600 to 1,200 people a year suffered judicial executions in early modern England.²⁴ The archives that allow us even these imprecise estimates come mostly from the reigns of Elizabeth and her successors, though; relatively few court records survive from Henry's reign that provide the all-important indications of whether or not sentences were actually carried out. One frequently sees cited online and in older historical accounts claims that Henrician authorities executed some 72,000 (or 70,000) thieves and vagabonds. This number is at once shocking and also not completely out of line with our extrapolations from Elizabethan and early Stuart records. It is also, however, grounded on nothing more than the hearsay report of

²³ See Kesselring, *Mercy and Authority*, 157-9 and contemporary Edward Hall's account, in H. Ellis, ed. *Hall's Chronicle* (London, 1809), 587-90. For the full range of corporal punishments, also visible and violent, see too J.A. Sharpe, *Judicial Punishment in England* (London, 1990).

²⁴ Philip Jenkins, "From Gallows to Prison? The Execution Rate in Early Modern England," *Criminal Justice History* 7 (1986): 52.

a visitor to England, which was then included (in slightly altered form) in an Elizabethan chronicle and thence passed on to posterity.²⁵

Trying to find somewhat stronger sources of evidence, we might turn to the chronicle of Henry's reign left by the royal herald Charles Wriothesley. Though he noted only the executions of high profile or unusual offenders, he mentioned specifically the deaths of 234 individuals (along with "diverse others," unspecified), with some 29 of those people beheaded, 118 hanged and quartered, 43 simply hanged, 43 burnt and one boiled.²⁶ The letters Christopher Jenney sent to Thomas Cromwell give us some sense of executions for regular crimes, in another urban centre. Jenney was a travelling judge, sent out on the twice-yearly circuit courts that emptied the gaols throughout the country. In one letter reporting on a court day in York in March 1535, he noted that 76 prisoners had been tried, with 18 convicted, though one and possibly two of the condemned had escaped execution thanks to their clerical status and a pardon.²⁷ His report of the August 1535 court date mentioned 42 prisoners, of whom 6 went to their deaths. (In that letter, he noted too his stop at Hull, where he tried a 20 year old "boy" for "meddling carnally with a cow": both the young man and the cow were killed, the latter burned in the place where the deed had been done.)²⁸ In a third letter, reporting a court session in April 1538, he noted that he had tried at York 80 prisoners, with 18 executed, but had not bothered to travel to Durham as he had

²⁵ William Harrison's "Description of England," included in Raphael Holinshed's *Chronicles of England, Scotland and Ireland* (London, 1587), vol. 1, p. 314 seems to be the most commonly cited source for this number, but as Harrison notes, he acquired it only "by report" passed on by one Gerolamo Cardano, a visiting Italian scholar, who in turn heard the number from the "Bishop of Lexovia" (possibly Lisieux, in France). See Thorsten Sellin's tracing of the story in "Two Myths in the History of Capital Punishment," *Journal of Criminal Law and Criminology* 50 (1959-60): 114-7.

²⁶ *A Chronicle of England...by Charles Wriothesley*, ed. William Douglas Hamilton (Camden Society, 1875), *passim*.

²⁷ TNA, SP 1/91, f. 144.

²⁸ TNA, SP 1/95, f. 33.

word that the city had no prisoners in its gaol at the moment.²⁹ We might choose to be impressed by either or both facts that only about twenty percent of those charged with capital offences suffered death, or that the small city of York witnessed a minimum of 40 executions resulting from these three court days alone.

In at least a general sense, then, the series' depictions of crime, punishment and violence accord with what we know or have good reason to think to be true of the era's realities. What of its frequent scenes of torture, though? "Torture," properly speaking, refers to torments used to gather information to investigate and prosecute crimes, not to the destructive or degrading punishments imposed thereafter. It was a routine part of criminal procedure in continental Europe, but had no place in English common law. Even so, English authorities did use it over the sixteenth century, at least on occasion. We know of 81 cases over the years from 1540 to 1640, with the bulk in Elizabeth's reign, thanks to warrants for its use in surviving privy council registers. Both Edward Seymour, earl of Hertford and Charles Brandon, duke of Suffolk received authorization from these warrants to torture suspected offenders, for example.³⁰ Those registers only began to be kept in 1540, though, so we do not know much about torture's use in earlier years, save through stray mentions in (or inferences from the steadily weakening signatures on) other documents left from the period. *The Tudors'* depictions of torture, then, seem broadly plausible, but also bring us up against the limits of our ability to know for sure what really happened—in more ways than one.

The case of Anne Askew, depicted in the program's penultimate episode, brings many of these threads together.³¹ Yes, she was racked; we know this from her own account. Yes, she had

²⁹ TNA, SP 1/242, f. 10.

³⁰ John Langbein, *Torture and the Law of Proof* (Chicago, 1976), esp. 73-82, 94-5.

³¹ Episode 4.09.

to be carried to the stake because her body was so badly broken and, yes, she was burned. In the series, Askew is shown being burnt alone, however, when in fact three others—John Lascelles, John Adams and Nicholas Belenian—died alongside her. Can the series be faulted for not including these others, or for failing to mention one of the most interesting and unusual things about Askew, that she left written accounts of her interrogations that were later published? Perhaps. But if so, we first need to recognize the limits on our ability to know all the details of the real burning against which we want judge the show. Two Protestant reformers, John Bale and John Foxe, later published reports of Askew's death that we use as our main sources of evidence, but their accounts differ in detail from one telling to the next. Foxe's own version of the story differed from the 1563 edition of his book to the 1570 edition, with the latter adding bits about the Lieutenant of the Tower leaving the racking in some dismay (though not because the law supposedly forbade the torture of women specifically) and about the use of gunpowder at the execution (though not provided by Lady Hertford as a kindness, rather there in his account to suggest the timorousness of the councillors sent to watch the execution). The changes from one version to another reflect in part the altered preoccupations and concerns of the authors as they edited or composed, choices made for some hoped for effect. Foxe's changes, for example, seem part of his critique of the slow pace of religious reform in Elizabeth's reign, intended to use Askew's story to stiffen resolve in his own day.³²

³² Thomas S. Freeman and Sarah Elizabeth Wall, "Racking the Body, Shaping the Text: The Account of Anne Askew in Foxe's 'Book of Martyrs,'" *Renaissance Quarterly* 54 (2001): 1165-95. For Askew's own text and its publication history, see Elaine Beilin, ed., *The Examinations of Anne Askew* (Oxford, 1996). The variations between Foxe's first and second editions can easily be seen in the texts presented on www.johnfoxe.org: 1563 edition, book 3, pp. 725-34 and 1570 edition, book 8, pp. 1452-60. For the broader utility of accounts of women martyrs, see Megan Hickerson, *Making Women Martyrs in Tudor England* (Basingstoke, 2005).

Or, instead of faulting the series for its divergences from what we know (or think we know) to have been true, we can accept that the series did not set out to be historically accurate, but simply to entertain. If we view it as entertainment, though, the ethics of presenting or watching so much violence, some of it sexualized, might give one pause. Given the creative license already used throughout the program, and evidence for the influence of media depictions of violence against women on viewers' attitudes, one might wish that the creative license had been used a bit more liberally and responsibly.³³ The semi-fictional nature of much of the show's narrative perhaps makes it easier to watch its graphic scenes of violence, allowing viewers to forget that they are watching re-enactments of pains inflicted on real bodies. That they are somewhat fictionalized accounts, however, elides the few good reasons to view violence, such as bearing witness and attempting to understand in order to amend. The ethical issues involved in using accounts of other people's suffering to one's own ends are shared by historians, though, so perhaps in raising such issues in so graphic a format *The Tudors* does us a service. At least, too, while the violence sometimes seems gratuitous it is not glorified; the series presents torture as a flawed means of attempting to learn the truth that also diminishes those inflicting the pain, for example. We see signs here of present-minded concerns, perhaps. As many of the show's viewers live in societies that continue to condone capital punishment or torture in hidden chambers, if *The Tudors'* portrayals of crime, punishment and violence prompt

³³ Notably, one study which argues that the strength or subordination of the female characters shapes the effects of portrayals of violence used an episode of *The Tudors* as an example of a show with sexual violence and passive female characters, to contrast not just with nonsexual/nonviolent shows but also with programs with sexual violence but stronger female characters. See Christopher J. Ferguson, "Positive Female Role-Models Eliminate Negative Effects of Sexually Violent Media," *Journal of Communication* 62 (2012): 888-99. The study indicated that shows in *The Tudors'* category did more than those in either of the other two to increase the anxiety of female viewers and the negative attitudes of male viewers toward women.

reflection on such issues today, then perhaps a bit of ahistoricism is not all a bad thing. The show's "not inaccurate" depictions of violence, crime and punishment might well prompt us to rethink the histories we write and those which we create.