

Till the state fangs catch you

James Shirley the Catholic: Why it does not matter (and why it really does)

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James Shirley c1630, engraved by Thomas Lupton

scripts, left out the question of faith altogether, but left in reference to works that queried it. Ira Clark, another respected critic, has stated his belief – both in his book *Professional Playwrights* (1992) and his new *DNB* article on Shirley – that Shirley’s Catholicism is “implausible” with “little substantive evidence” to back it up. Clark’s sceptical stance was a consequence of examining parish baptism records for Shirley’s children and state oaths concerning issues of faith which Shirley made in order to teach (in 1629 and 1662). Recently, a few others have followed Wood’s line, asserting Shirley’s Catholic faith, such as Martin Garrett in his *DNB* entry on Philip Massinger (also rumoured to have been a Catholic), Jerome de Groot, who in an essay in 2006 includes Shirley in a circle of Catholics centred on a publishing house, and Rebecca Bailey in *Staging the Old Faith* (2009).

Among the many records Sandra Burner brought together for her book was a complaint made against Shirley as minister in St Albans by a Mrs Middleton. According to the Burner transcription, the parishioner: “spake words agaynst one Mr. Sherley a minister and preacher sayinge . . . that it were better to reade prayers at home than to heare one fitter to be on a stage playe than in a pulpet and that he use not bowe in the pulpet”. Bowing in church, particularly towards the altar, could carry the whiff of Catholicism. After a comprehensive survey of the Hertfordshire records, I can, I believe, revise Burner’s transcription. What Mrs Middleton said was this: not only was it better not to attend church than to witness this minister’s dramatics “in a pulpet” but, further, that Shirley “did not become the pulpet” [my italics]. What she was trying to get across was not Shirley’s inappropriate Catholic activity in Church but his inappropriately theatrical behaviour there. Perhaps Shirley acted on the observation. Within the decade he had moved to London and its playhouses.

Witnesses regarding Shirley’s faith allegiance, then, need to be examined carefully. This also applies to another record Burner found in London’s National Archives. TNA E377/49, an Exchequer document, is a “Recusant Roll” of the Pipe Office series dated 1641–2. Recusants, as people who refused to attend the state-run Church, were fined £20 per month, and recusant rolls list fines imposed after due process of law. Anyone refusing to go to a Church of England church in this way – Puritan or Catholic – was classed as a recusant. Made of vellum – 167 membranes stitched in twos and bound at the top – TNA E377/49 is an uncommonly large roll needing a whole NA map table when extended. Its text, written on both sides of the membranes, is entirely in Latin. The roll is of crucial importance for establishing Shirley’s faith; however critics have been slow to examine its contents. This is perhaps because the Shirley reference was to be found among over 300 large pages of text and Burner’s

onwards, Wood’s version of Shirley’s life has been discredited by some, even though others found evidence which backed it up. Scholars such as Marvin Morillo and A. C. Baugh contributed their respective “Frier Shirley” research and the Hertfordshire Shirley material. Later, Georges Bas furthered Baugh’s research, and improved R. L. Armstrong’s observations on Shirley’s Committee for Compounding records (those concerned with punishing royalist supporters through the sequestration of their property). Most importantly, Aline MacKensie Taylor reopened the issue of the playwright’s Catholicism by identifying “mr Vincent Cane my loving friend”, mentioned in Shirley’s will. Born Vincent Canes, this notable writer and Franciscan also survived that great period of change, dying in 1672. Shirley left Canes £20 to use “according to a former agreement betwixt us”. After all this came Sandra Burner’s *James Shirley: A study of literary coteries and patronage in seventeenth-century England*, in 1988. This book was a product of a great deal of archival research, involving the discovery of records from English repositories. Given its focus on Catholics connected to Shirley’s life and work, it was perceived (perhaps) as a bit one-sided; yet its admirable command of documentary details merited further investigation, especially in the light of other work concerning Shirley’s faith, and of the new edition of his works.

Martin Butler’s groundbreaking *Theatre and Crisis* (1984) put Shirley’s plays in context, detecting anti-bishop, anti-Laudian and therefore pro-Puritan sentiment in *The Cardinal*, for example. An anti-Laud stance is not unimaginable from James Shirley; his long-term patron, the Queen, was known to dislike Laud. This play was licensed on November 25, 1641, and we could imagine Shirley’s intention of appealing to Puritans on the ascendant in power. Peter Beal, in his introduction to Shirley in *English Literary Manu-*

footnotes lacked a membrane number – effectively a page reference. I was looking for one reference to a “Jacobus Shirley” and on the third day of looking I saw an entry that was just as Burner had described it – except in a couple of important details.

TNA E377/49, membrane 125 recto, is prefaced by a long paragraph describing some administrative business between September 1643 and July 1646 before listing recusants, including Shirley. As Burner understood the passage, Shirley was fined thirty shillings in 1646. However, the first actual recusant entry on the page dates to July 1642. This is therefore the likelier time for Shirley’s fine, and the initial administrative paragraph prefacing the entries was presumably written into the roll retrospectively at that later date. Translated, Shirley’s fine reads: “James Shirley of the parish of St. Giles in the Fields gent xxls”. Burner interpreted the Roman numerals as thirty shillings (twenty – xx – subtracted from fifty – l – to make thirty “s”: shillings). However, in this document “xxls” actually means twenty pounds (ls), which would be correct: £20 being the monthly amount charged to recusants for their crime. James Shirley was fined for failing to go to church around the summer of 1642.

A Jane and Mary Shirley are also listed in this document, unrecorded by Burner, and these could be a known daughter (Mary) and a currently unrecorded extra relative, perhaps a daughter-in-law. Or, perhaps, neither had

anything to do with the playwright. Shirley and his wife Elizabeth were certainly of St Giles in the Fields at this time; a son, Michael, was baptized there in 1641. Also in the list is William Beeston, the Cockpit-Phoenix playhouse owner, also of St Giles in the Fields. He would have known James Shirley, although it was his father Christopher, who died while Shirley was in Ireland, who was the closer associate. These other entries are dated during November 1640 and represent fines of £40 each for Mary, Jane and William.

Shirley’s recusancy record, thus located, redated and re-quantified, allows for several possible scenarios. Was Shirley a Catholic recusant or a dissenting, Protestant one? The historian Michael Questier believes that 1642 is the wrong time for dissenters to be fined as recusants. It is therefore unlikely that Shirley was convicted as a Puritan c1642. Could Shirley have been convicted of Catholicism out of malice, as someone who had both served a Catholic queen, Henrietta Maria, and had just come back from contentiously aligned Ireland? Instances of malicious accusation are certainly known in the history of recusancy. If, however, we consider Wood’s testimony and Shirley’s will, other scenarios are possible.

Returning to London from St Albans, Shirley could have been a known Catholic; someone who paid regular recusancy fines with the full knowledge of his community. As long-term playwright of her company,

Shirley acted as servant to a Queen whose Catholicism was well known. But returning from Ireland, the situation in London was very different; it is possible he got into difficulties for not adhering to church attendance laws in that very different atmosphere. Perhaps (another scenario) Shirley was, since his time in St Albans, what Alexandra Walsham terms a “church papist”: someone who attended their parish church to hear Common Prayer services and therefore fulfilled statutes, while remaining Catholic by faith and ideology. Church papists would have been subtle in their ways of behaving both legally and privately. By 1642, the rector of St Giles, the Laudian William Haywood, had been named as sympathetic towards Catholics, finding himself accused of papist behaviour. Despite having himself complained of recusancy in his parish, he ran into difficulties on this account, and this was at the same time as the revised dating of Shirley’s recusancy entry. Was Shirley, in this scenario, again accused of recusancy, found guilty, and entered into roll E377/49?

All circumstances considered, I believe James Shirley was a Catholic – at least for a time. Regardless of anything else, this seems likely because most of Wood’s biography of Shirley has been proved correct since Nason. Wood did, after all, cite Shirley’s own son as a source. It may not be a coincidence that the £20 left to Vincent Canes was the sum equivalent to one month’s fine for recusancy. James Shirley’s religion is important to an

edition of his works because of the ongoing work of interpretation. Editors may wish to know the evidence as it stands, so they can interpret his work based on that evidence if they would like to. Our responses to that information are not as important – although they should be examined. The twenty-first century (perhaps as a result of the mid-seventeenth?) has made many wary of any claims for religion, a wariness extended even, in the past, to Shakespeare. Was Shirley someone who changed his religious faith and behaviour as historical circumstance required? This “Vicar of Bray” scenario makes us laugh, despite Shirley’s cruel context of “interesting times”. He was not a *real* Catholic: he was a spiritual turncoat.

Whatever beliefs James Shirley held, he invoked, as a playwright, the laughter of audiences confronted with multi-faith bandits in the world of their time. Frapolo the bandit king continued:

Why should I clog your conscience, or
Do but obey your prince and I pronounce
You shall live grandees, till the state fangs
And when you come unto the wheel or gibbet,
Bid fico for the world! and go out martyrs.
“Martyrs” is the loaded term, both then and now. Almost emblematically, *The Sisters* was produced in the year when, I believe, James Shirley was convicted of full-blown recusancy. And when the mouth of the theatre was closed.

Stabat Mater

Consider the young girl, who for homework or recreation Was drawing a tree that rose in soaring flight from the gardens Behind the ground-floor flat. And these Were dark with buildings in the daytime; Pressed by walls of lichened brick and a grove of ash and plane.

But this was an evening of lemon September sunlight. Her mother was taking the washing down from the line. And the girl from her bedroom window, a sketchpad on her knees, Looked and looked at the ash tree, saw

It move. It shouldn’t have done that. For this was no shivering of the leaves, or a branch dipping, it stepped Forward on its own authority, Made the decision. She screamed.

Her mother, with a clothes-peg in her mouth, Looked up and saw the great tree like an animal Considering her and manoeuvring. She hurled Her body that dragged in dreamtime over the lawn, Made the back door as it came down like the sky. It had seemed to rise a shade and swivel, Then crack like thunder in two along Three garden walls of shattered masonry And rubble. From its grave, Lain where the woman had been standing, Only the seething of the leaves.

Disbelieving in retribution or providence, We recoup the moral: proof That God has a sense of theatre? Salvation through Art? But the woman and the child, Crying and shaking in each other’s arms, Come back to me, and what broke cover there Still feels like the wind of an energy not then blind.

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