‘The living and the dead.’ Burial Reform Discourse in Victorian England (c. 1830-1880)

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Nineteenth century England saw significant religious, social and political transformations such as urbanization, population growth and secularization. The population’s health became a public issue in its own right. Yet it took a while for the government to implement certain public health policies, some of which raised controversies such as the burial reform issue from the 1840s onwards and well until the 1880s. From the 1830s onwards, a voluminous amount of texts were published dealing with sanitation and parliamentary health and hygiene reports. These texts dealt with the condition of metropolitan graveyards. For in London, graveyards were too small and overcrowded—there was simply not enough space to accommodate the increasing population of the dead. They urgently needed to be reformed, all the more since their deadly miasmas threatened the whole population of London. From 1842 onwards, several burial bills were drafted but it is not until 1852 that the government would finally pass the first Burial Act that reformed metropolitan graveyards—a long process that would only be completed with the Osborn Morgan Act 1880. Throughout the period, the burial question included issues, debates and controversies stemming from the medical, religious and private authorities. However, it has to be noticed that the first Burial Acts, like the one in 1852, only reformed metropolitan graveyards and did not deal with graveyards in Ireland, Scotland and Wales. Moreover, most of the primary materials/sources only concerned the condition of the metropolitan graveyards and the issues of burial for Dissenters in English rural areas. Due to the nature of the primary materials/sources and the nature of the subject itself, the study of burial reform is therefore limited to Victorian England.1

Historiography

The idea of focalizing one’s attention on the issue of death within a specific period and

1 The Burial Act 1852 (15 & 16 Vict c 85) ; The Burial Laws Amendment Act 1880 (43 & 44 Vict c 41)
This thesis is named after a common expression used at the period in the burial literature and funeral rites.
culture regarding nineteenth-century burial grounds was first pioneered by the British James Stevens Curl in 1972. He was the first historian to draw considerable attention not so much on burial customs but on the burial space per se, i.e. Victorian cemeteries, arguing for the preservation of these past sites of burial. Following his initiative, Chris Brooks published *Mortal Remains: the History and Present State of the Victorian and Edwardian Cemetery* (1989), providing a very detailed and compelling analysis of the historical and social role of burial grounds in the 19th and the cultural necessity to preserve them. Between 2008 and 2011, an ESRC project entitled ‘Death and community in rural settlements: changing burial culture in small towns and villages, c. 1850-2007’ has examined burial changes in rural settlements (Leicestershire, Rutland and North Yorkshire) and the impact of religious beliefs and politics in burial. The project also aimed at exploring the impact of national burial legislation in these rural settlements but mainly in the second half of the nineteenth century. Stemming from her PhD thesis on ‘The emergence of cemetery companies in Britain, 1819 and 1853’, Julie Rugg has devoted more recent historical research on local burial history. She has recently published *Churchyard and Cemetery: Tradition and Modernity in Rural North Yorkshire* (2013), which reviews the burial history of central North Yorkshire throughout the nineteenth-century but with a specific focus on the passage of the 1853 Metropolitan Interment Act onwards.\(^2\)

In their PhD on the burial question, Deborah Wiggins and Tara White-Kee have mainly sketched the history of the passage of the different Burial Acts. They also devoted a complete study on the impact of cholera and other epidemics on burial reform. Before the London medic and epidemiologist John Snow discovered in 1855 that cholera was transmitted by water, it was believed that the disease was transmitted by the air, or via miasms. Those who had died of cholera were buried in cholera pits in order to prevent the spread of the disease within the vicinity of the living. Both historians have shown that the impact of cholera, although a terrifying disease, only had a little impact on burial reform.\(^3\)

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Project

Although the narrative of modern burial legislation, prohibiting inner-city burial in certain types of grounds, has been established, the powerful discourses around burial remain comparatively little explored. In other words, it is worth wondering how these discourses worked: what rhetorical modes and strategies were used? What language was used? By whom? Why? In what context? What was the impact of these discourses in delaying or prompting Parliamentary decision-making? What did they reveal about the period under study? To what extent did these discourses take after the rhetoric of large-scale movement? (Chartism etc.) Whilst the catch rhetoric of sanitary reformers mingled with the sensitive language of the various religious groups, these discourses of burial reform also reconciled narratives of pollution with rhetorics of cleanliness and moral purity. How far did sanitary reformers and religious groups invoke rationalistic discourses based on social, political, theological ideas and how far did they use rhetorical strategies designed to stir up emotions? What sensory registers did they evoke? What importance was given to smell and sight and how far did they employ literary tropes of the rural, Gothic graveyard when discussing a contemporary urban environment? 4

This project therefore aims at highlighting the complexity of these discourses and how, in their modes of expression, they recast the relationship between the living and the dead—as well as between the individual and the State—between the 1830s and 1880s. Whilst burial grounds became a public platform on which to assert expert medical opinion and on which to legitimate public authority, the thesis will show how these discourses were an important site for the elaboration of these diverse discourses. Through them medical, religious and private communities asserted their beliefs and constructed their identities. Through them again, definitions of legitimacy and authority were (re-)shaped whilst notions of nationhood and the social body were articulated. Grounded in public health concerns, themselves embedded in social, economic political and cultural issues, burial reform discourse definitely disclosed the overarching themes that permeated the period, especially the beginnings of the public health movement.

For indeed the burial question was grounded in public health concerns. Although texts had been published on the condition of the graveyards throughout the 18th century, the state of the metropolitan burial grounds was actually no better expressed than in G.A. Walker’s *Gatherings from Grave-Yards*, published in 1839. His repulsive and disgusting account revealed that ‘British burial grounds had become a site of national crisis’ needing the interference of the State to remove burial grounds from the vicinity of the living. Drawing from a method of rational fact-gathering combined with emotionally charged descriptions, Walker’s rhetorical modes sought to disseminate knowledge of the appalling burial conditions and to organize public opinion in support of legislative action for improved public health. In turn, these modes highlighted the major social and political shifts occurring at the time, associated with the rising *middle-class* as well as Evangelicalism and Utilitarianism.⁵

Stemming from Walker’s ground-breaking work, the practices of interment in towns were further investigated by Parliamentary commissions. The three reports published in 1840, 1842, 1843 gave overwhelming evidence on the insanitary conditions of graveyards and underlined the urgent need for reform. Whilst MacKinnon drafted in 1842 a bill to reform metropolitan graveyards and had thus offered a solution to the insanitary conditions of the London graveyards, the bill was refused in 1845 by the Home Secretary, Sir James Graham—partly because he was not still fully convinced that graveyards were a major public health hazard and partly because he did not want to aggravate the interests of Dissenters in burial matters.

For indeed, burial reform was plighted by the question of vested interests that impinged on Parliamentary decision-making. From the 1840s onwards, burial reform became the site of controversies, opposition and conflict between the socio-religious communities especially from the part of Dissenters. Since the 17th century, the Dissenters had progressively imposed themselves in society with a significant power on political decision-making. According to the

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⁵ LEWIS, Thomas. *Seasonable considerations on the indecent and dangerous custom of burying in churches and church-yards: with remarkable observations, historical and philosophical, proving that the custom is not only contrary to the practice of the antients, but fatal, in case of infection: humbly offer’d to the consideration of our superiours.* London: Printed by S.P. for A. Bettesworth ... and sold by Jacob Silver..., 1721; WALKER, George Alfred. *Gatherings from Graveyards: Particularly those of London; with a Concise History of the Modes of Interment Among Different Nations from the Earliest Periods; and a Detail of the Dangerous and Fatal Results Produced by the Unwise & Revolting Custom of Inhuming the Dead in the Midst of the Living.* London: Longman, 1839; HOGLUND, Sarah. “Hidden Agendas: The Secret to Early Nineteenth-Century British Burial Reform”, in Pionke, Albert D. and Tischler Millstein, Denise (eds.), *Victorian Secrecy: Economies of Knowledge and Concealment*. Ashgate: Aldershot and Burlington, 2010, pp.15-28.
1851 Religious Census, they drew in their ranks more than half of the English population. Dissenting by definition from the Church of England’s principles, by the 1840s most Dissenters refused to subscribe to the Anglican burial traditions in churchyards surrounding parish churches (under ecclesiastical control). Anglican churchyards had thus become the locus of sectarian tensions in which burial disputes arose. Opposition from the part of Dissenters was even stronger as, in some cases, they met with exclusion and/or religious segregation in burial matters. These practices raised sectarian tensions and controversies between local communities, especially in rural areas where the Anglican churchyard was usually the only graveyard available. These controversies became fiercer from the 18th century until the 1840s—more concerned with sanitary aspect—and were constant well until the 1860s, at a time when burial reform definitely took a sectarian line.

The 1860s saw the introduction in Parliament of an important number of burial bills to secure burial rights and guarantee a lawful access to the churchyard for Nonconformists. But with the abolition of the church-rate in 1868, Nonconformists were considered as having no legal basis to secure entry in the churchyard since they no longer paid for the upkeep of the church and its churchyard. But the Dissenters, who had obtained the recognition of some of their rights in 1828 and 1871, fought for their burial rights fiercer than ever. The 1860s and 1880s corresponded to the period where burial reform debate reached a peak in regard to dissent mobilization. As such, the period was marked by the production of a lot of discourses within which the monopoly and legitimacy of the Church of England over burial and burial practices were questioned and challenged. The burial rights of the Dissenters would not be granted before the 1880s with the passage of the Burial Act 1880 (the Morgan Osborne Act).

Corpus

Methodologically, the thesis will use research findings drawn from local, regional and national newspapers articles, all of them at variance in their political and religious affinities. These newspapers are either Anglican, such as The Christian Observer, The Christian Remembrancer, or Dissenting newspapers, such as The British Magazine, The Congregational Magazine, The Baptist Magazine, The Evangelical Magazine, The Christian

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7 The Burial Laws Amendment Act 1880 (43 & 44 Vict c 41)
Reformer or Unitarian Magazine, The Monthly Repository, The Patriot. More general newspapers will also be used, such as The Times or The Morning Herald and Parliamentary newspapers such as The Mirror of Parliament; as well as, medical journals, such as The Lancet. Their use in variety was intended to provide evidence of the different discourses elaborated on the burial question. Most of the archives were digitalised and can be found online in The British Newspaper Archive. Some newspapers have not been digitalised, such as The Patriot, whose archives are held at the Congregational Library (Dr. William’s Library) in London.

Sanitary and parliamentary reports on the health of towns and the condition of graveyards will be used throughout the thesis. G.A. Walker’s papers are available at the Wellcome Library in London. The burial and cemetery bills, Acts and amendments as well as the debates in the Parliament will be analysed in details. Finally, another set of materials will gather the registers and minutes of the Protestant Dissenting Deputies’ meetings, as well as the burial cases that fell in their hands and the legal actions taken against the Anglican clerics when refusing to bury a Dissenter in the parish churchyard. All these materials are available at the London Metropolitan Archives. By combining the disputes reported in the press and the burial cases that fell into the hands of the Protestant Dissenting Deputies, we will be able to draw quantitative tables on the nature and causes of these disputes. What with a discursive approach to burial reform and the use of quantitative research methods, the thesis will also

8 [http://www.britishnewspaperarchive.co.uk/](http://www.britishnewspaperarchive.co.uk/)
10 Closed stores EPB / B (Shelfmark: 63417/B), EPB / B (Shelfmark: 63417/B) et EPB / P (Shelfmark: 52599/P).
12 A Sketch of the History and Proceedings of the Deputies Appointed to Protect the Civil Rights of the Protestant Dissenters: to Which is Annexed a Summary of the Laws Affecting Protestant Dissenters. London: Printed for Samuel Burton, 1813; Minute Book of a Committee called “the United Committee appointed to consider the Grievances under which Dissenters now labour, with a view to their Redress” (1832-1835) (London Metropolitan Archives); Minute Book of a Committee called “the United Committee appointed to consider the Grievances under which Dissenters now labour, with a view to their Redress” (1836-1838) (London Metropolitan Archives); Report of the United Committee Appointed to Consider the Grievances Under which Dissenters Now Labour, with a View to Their Redress, to a Meeting Held at the City of London Tavern on the 8th of May, 1834, Consisting of the United Committee and Deputies from Various Parts of the Country. London: R. Fauntleroy, 1834.
13 CLC/181/MS03083 (1732-1909)
rely on georeferencing softwares with scanned maps of the period. The aim is to geographically isolate these burial disputes and be able to determine their context of apparition, and to see how often they took place over a certain period of time. The other aim is to georeference on scanned maps of the period all the burials of London mentioned in the reports (42 in Walker’s and 255 in Chadwick’s).14

Finally, the primary materials also include private letters exchanged between the different actors, such as those of the Congregationalist James Edwards, who presided the Committee for Opposing the Bill for “The Improvement of Health in Towns, with the MP William Alexander MacKinnon, who was the first to introduce a Burial Bill in 1842 to reform graveyards;15 or the letters exchanged between Edwin Chadwick and the Home Secretary Sir James Graham, who rejected several times the different reform bills on graveyards. They corresponded a lot on the issue of the nationalisation of churchyards and cemeteries. These letters, as well as the other papers of Edwin Chadwick on the burial question, are available at the Chadwick Papers, UCL, London.16 Sir James Graham’s papers are available at the Bodleian Library, Oxford.17 By studying the press, parliamentary sources and letters, we will be able to establish a database including all the actors of the debate and their social background, their club, their religious and political views, the political party they belong to, their professions, the commissions and sessions they attend etc. For in trying to understand the sociabilities and relations that these actors sustain, we will gain insight into the interactions and networks that implemented the policy making in regard to burial reform.

Relying on historical sources both rich and varied, the discursive study of burial reform provides a thread to discuss the history of nineteenth century England and allows us to explore a complex and little-known aspect of British History.

14 Google Maps or QGIS, http://www.qgis.org/fr/site/
15 EDWARDS, James. Committee for Opposing the Bill for “The Improvement of Health in Towns”. “HEALTH OF TOWNS.” An Examination of the Report and Evidence of the Select Committee; of Mr. Mackinnon’s Bill; and of the Acts for Establishing Cemeteries Around the Metropolis. London: John Snow, 1843.
17 Microfilms of the Papers of Sir James Robert George Graham, MSS. Film 107-50 (44 shelfmarks)