

From Putrescence to Post-Mortem:
Aesthetic Transformations in Victorian Burial Reform

by

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ABSTRACT:

During the last-half of the nineteenth-century, an entire regulatory and administrative apparatus developed throughout Britain to regulate burial grounds and corpses, and navigate the medico-administrative challenge presented by the legality of cremation. The dominant thesis in “deathway” scholarship claims that these transformations in burial management and towards the adoption of cremation are traceable to an over-arching sanitary discourse, which revealed the “intolerability” of urban churchyard burial. I offer a counter-thesis by instead engaging with the aesthetic dimension of reformist discourse and the cultural transformations in Victorian culture relating to death. I suggest that the pursuit of a shifting ideal of the corpse oriented the way emerging knowledges and institutions considered it as an object of regulation.

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INTRODUCTION

Let us see what the process by burial is. So far as I dare! for could I paint in its true colours the ghastly picture of that which happens to the mortal remains of the dearest we have lost, the page would be too deeply stained for publication. I forbear, therefore, to trace the steps of the process which begins so soon and so painfully to manifest itself after that brief hour has passed, when 'she lay beautiful in death.' Such loveliness as that I agree it might be treason to destroy, could its existence be perpetuated, and did not Nature so ruthlessly and so rapidly blight her own handy-work, in furtherance of her own grand purpose...¹

The corpse is no longer seen, much less seen as beautiful. In the quote above, an excerpt from an article featured in an 1874 issue of *The Contemporary Review*, the corpse is visible and beautiful, as delicate as a cut flower. This image – 'she lay beautiful in death' – provided its author, Victorian cremation reformer Sir Henry Thompson (1820-1904), with a rhetorical structure from which to acknowledge the elegance and dignity of the beloved corpse, while also noting that this state is not eternal and is susceptible to corruption. He writes of the image of the body, before it surrenders itself to the natural processes of decay and putrefaction, as a moment of striking beauty. In this passage, I am struck by Thompson's coupling of beauty and death, which aligns the deathway of cremation with an aesthetic, rather than merely a rational, utilitarian ideal. By evoking a particular image of death – that of a beautiful female body which had been saved from age but stolen too soon from life – he offers the late-Victorian reader an image of the corpse that need not be relinquished by adopting the practice of cremation, Thompson's proposed alternative to burial. Interested in sparing the body the cruelty of Nature, in terms of the “ghastliness” of decay, Thompson appealed, throughout his tenure as founder and president of the Cremation Society of England, to the notion that cremation served the sympathies, sentimentality and health of a modern Britain better than burial, the standard mode of body disposal at the time.

1 Sir Henry Thompson. (1873) The Treatment of the Body After Death. *The Contemporary Review* Dec 1, 1873: 319 p. 326.

Burial practice had undergone considerable aestheticization among the Victorian upper class. During the earlier 1839-1853 burial reform period, and into the 1860s and 1870s, burial was scrutinized according to a particular standard that was tasked with diminishing the perceptibility of the physical corpse, and became incorporated into the regulatory apparatus. The previous paradigm of burial in the Georgian period reflected only tacit interest in the management of death by the state, leaving the administration of burials to parochial institutions, more interested in overseeing the rituals of death and interment than managing death as the subject of biopolitical governance. In practice, this meant that prior to the burial reforms of the 1850s and 1860s, burial grounds were unplanned, unregulated, and sited within populous metropolitan areas. Death itself was, for the most part, a mysterious and sometimes contagious force that evaded articulation by the medico-legal, scientific and sanitary discourses that would eventually develop to capture it. The development of these knowledges, guided by a romanticism that held death as redemptive, beautiful, and natural, produced the conditions which allowed burial, and later cremation, to be imagined as, and transformed into, an expression of Victorian culture.

By phrasing the transformation of death in this way, my project is at odds with the pervasive “intolerability thesis” (Hamlin, 1988/89, p. 58) of Victorian burial reform scholarship, which has understood the aesthetic, administrative and regulatory transformation of death in the period as accountable to the burial conditions of the time, following the reformist discourse that indicated that urban churchyards were self-evidently foul, filthy, unsanitary and, in short, intolerable. By privileging an account of the emergence of the legislation and regulation of deathways drawn from “professional discourses”, this thesis uncritically reproduces the representation of the state of burials deployed by reformers. While not taking

issue with the significance of professional discourses to the reform of burials, I aim to explain the ideals and values that these discourses supported, and examine the way Victorians understood the limitations of these discourses, even as they employed them. In my three chapters, I examine the way dominant professional discourses were oriented to support the Victorian bourgeois cultural imagination of death, in its inclinations toward romanticism, naturalism, respectability, sentimentality, and upper class sensibilities. Moving chronologically, I take account of the way: (1) the bourgeois Victorian imagination problematized the state of burial grounds through the popularization of the commercial garden cemetery *before* these scientific and sanitary ideas took hold to assess the state of burials; (2) the aesthetic criteria of scent was appropriated as a tool for determining the “health” of burial grounds during and following the burial reform period; and (3) Victorian anxieties around the knowability and certainty of death that were triggered by possibility of the disappearance of the corpse within the cremation paradigm.

My interventions into the burial reform narrative not only seek to enrich the taken for granted and marginalized aspects of Victorian death culture, but together they emphasize the role the Victorian aesthetic imagination of death played in its development as a biopolitical field. On the one level, I argue that this mingling of Victorian aestheticization with the authority of emergent medical, scientific, and other professional disciplines produced the means by which the working class’ burial practices were demonstrated to be archaic, unsentimental, and unsightly, and even dangerous to life. On another, I make the case that the cultural interest in death has not faded, as some contemporaries claim, but rather that death has been rendered less disorderly and offensive by its appropriation into a medico-legal space, made possible by the Victorian imagination that was intent on death’s aestheticization.

Following the cue of French thanatological historian Michel Vovelle, I explore the Victorian history of “the sentiment of death” for the illumination it lends to the history of deathway mentalities. (1990, p. 64-65)

1.2 *Literature Review*

My research is predominantly situated in a body of literature that engages with the reform of the system of body disposal in the Victorian period, though there are aspects of my project that could not have been considered within this field alone. As David Cannadine claims in 1981, “puddles of ignorance” (p. 241) surround the history of death, grief and mourning in modern Britain. More than a decade later, Jalland, author of *Death in the Victorian Family*, indicates that “we are still some way from providing a more comprehensive social history of death, grief, and mourning in Victorian and Edwardian Britain.” (1996, p. 7) Deathway reform research is but a sliver of the entire terrain of “death, grief, and mourning”, and is differentiated from the study of “death, dying and bereavement” by its focus on the legislative developments pertaining to regulation of burial and cremation practice in Britain from 1800-1900, over an interest in the dying process. Taking deathway reform as the central body of literature for my project, I examine the development and representation of burial and cremation during two reform periods in relation to the Victorian cultural reception of death. My treatment of deathway reform draws from research pertaining to the mid-Victorian burial “crisis” of the late-1830s and the reforms that ensued to meet this outcry, as well as the mobilization by the Cremation Society in the late-Victorian period for the introduction of the practice of cremation. While I take the legislative and regulative dimension as a central fixture to deathway reform literature, various points of focus, such as economics, civic

culture, demography, science, medicine, and discourse studies, are employed to situate the growth of the legal apparatus around death.

While thanatological historian Michel Vovelle believes that there is a fissure between “civic practices” and what he terms, “the experience of death” that is, “the whole system of gestures and rites which accompany the passage from final illness to death, the grave and the next world ...” (1990, p. 66-67), I join the two. Deathway reform literature is attuned to the legal and regulatory developments around body disposal as well as the way state apparatuses contributed to the reform of the practices around death. The claimed barrier between civic and private practices denies the relationship between reformist activity and the culture it emerges in concert with. The particular orientation of my research also distinguishes the study of death from what Vovelle names “physical death,” (p. 65) which operates on the level of the demographic dynamics of a society, nevertheless taking account of the impacts of demographic change as registered on a cultural level. (p. 68)

Research within the field of Victorian deathway reform has tended to focus on one of the two main waves: the first being the period punctuated by the 1839-52 metropolitan burial “crisis”, and the second being the 1880s cremation movement. Generally speaking, burial reform scholarship has tended to centre either on the legal reform of urban burial grounds ideals through the deployment of professional discourses that coalesced around the concern for public health (Hotz, 2001; Hotz, 2009; Hurren and King, 2005; Rugg, 2013; Morley, 1971) or on the increased interest in burial from secular interests, such as the state, from a regulatory and management standpoint, (Wiggins, 1991) as well as private entrepreneurs, from an economic or aesthetic standpoint (Curl, 1972; Herman, 2010). Burial reform literature is generally critical of the deployment of nascent professional discourses that lent

reformers the motivation and authority to pursue reform the practices of the poor. The theme of improvement, vocalized in most detail by Elizabeth Hotz (2001; 2009), organizes the upper class critique of the state of urban churchyard. She, like other burial scholars (Rugg, 2013; Herman, 2010; Hotz 2009; Wiggins, 1991), presents the sanitary condition of the urban working class churchyards as deplorable, while making the case that their inevitable reform constrained working class burial practice, following the “intolerability thesis”. My intervention into burial reform scholarship seeks to treat the account of burial grounds provided by reformist texts differently, by examining the over-arching aesthetic interests that the emerging sanitary discourse supported.

Cremation scholarship, on the other hand, is concerned mainly with the strategies employed by a privileged group of entrepreneurs and philanthropists, formally organized as the Cremation Society, to install cremation as an alternative to burial. (Curl, 1972; Jupp, 2006; Morley, 1971; Parsons, 2005, but also Kazmier (2002) and White (2009)²) Curl (1972) invokes the influence of antiquity on the Victorian imagination, drawing continuity with the classical architectural designs of sepulchral monuments and urns and the late-Victorian desire to pursue cremation as an ideal mode of body disposal. Morley (1971), an equally early contributor to the study of deathway reform, however, maintained that the use of scientific reasoning in cremation debates between the Cremation Society and their

2 While Parsons and Rugg certainly provide a foundational understanding of the movement, White (2002) and Kazmier (2009) pursue an analysis of the cremationists's strategies further, locating them within a liberal-legal (White) and imperial (Kazmier) framework. Kazmier (2009) argues that a new British colonial identity was attached to the modern practice of cremation, noting that Britain was the most active in disseminating cremation domestically and abroad, and deploying cremation as a hallmark of the empire. White (2002), who is also interested in explaining the aspiration towards a modern, British attitude, does so by tracing the legal tactics taken by supporters of the movement to ensure its eventual success. White, in taking up the Crookenden Burial case of 1882, argues that the cautious, behind-the-scenes activity of the Cremation Society in legal cases provided for the great progress of the movement, preserving the Society's respectability at a time when the public was highly resistant to the notion of cremation. White's micro-investigation weaves a rich account of a foundation legal case to the eventual legalization of cremation.

opposition, Phillip Holland in particular, indicated the desire that superstition and religion be removed from civic debate, in favour of “rational” debate. The framing of cremation as a “sanitary” alternative is a particular fascination of the later wave cremation scholars, Jupp (2006) and Parsons (2005), who identify cremation as the brainchild of the medical men who sought a rational, sanitary, and utilitarian way to dispose of the body. From a tacit reference to the history of burial reform, Jupp and Parsons, in particular, situate cremation reform within a narrative of progress, one which strove towards a form of body disposal that was less injurious to public health and safety than burial. Their implicit narrative follows that the cremation movement was inspired by visionary men of science, first and foremost, who looked to antiquity for inspiration to fulfil their desire for a more sanitary version of body disposal.

These two periods of interest, burial reform and cremation reform, are explored as a continuous whole by Hotz (2009), Bronfen (1992), and Wiggins (1991). Hotz's project in her book *Literary Remains: Representations of death and burial in Victorian England* (2009), is organized by references to works of popular literature by authors such as Charles Dickens, Elizabeth Gaskell, and Bram Stoker to establish its periodization. This strategy, while providing a model to explore representations of death and burial in the various epochs that their fictions stood to 'represent', ignores the transformations that made it possible for death to appear differently in Dickens' work than Stoker's. Elizabeth Bronfen (1992) engages in a similar analysis of the development of the scientific discourses and regulatory developments around death by blending Victorian accounts of female embodiment together. Her approach has been critiqued by eminent Victorian historian Ruth Richardson³ (1897; 2006), who

3 Richardson (1897; 2006) is notable for her comprehensive history of resurrectionist (ie. graverobbing for the purposes of procuring bodies for anatomical study) activity in Britain, which led to the passage of the 1832

believes Bronfen's work presents the “culture of the Victorians as a monolithic bourgeois entity.” (2006, p. 3) Of the scholars who engage with both reform periods, only Deborah Wiggins (1991), who draws a legal-economic history of reformist activity, renders the emergence of cremation as traceable to the legislative scheme that developed in the wake of burial reform. Wiggins (1991), however, is insulated from the regard for cultural context of the corpse – affirming both the “intolerability thesis” of burial scholarship, and the “narrative of progress” of the cremation scholarship – by her focus on the market-based solutions that influenced the de-centralization of burial administration, and the gradual privatization of body disposal facilities.

Though I speak directly to deathway reform scholarship, two secondary bodies of research, (1) Victorian sanitary history and (2) Victorian sensuo-spatial history, inform my project. Victorian sanitary history involves the development of science and medicine as disciplines that became integrated into growing state biopolitical apparatuses, in the name of public health, sanitation, and social progress. These historians, namely George K. Behlmer (2003), Leslie Clarkson (1975), Graeme Davidson (1983) Mary Douglas (1997), Felix Driver (1988), Christopher Hamlin (1985; 2005), and Erland Marald (2002), situate Victorian science in relationship to theology, humanism, romanticism, and transformations of modernity, such as industrialization, urbanization, and its iteration of social stratification. I

Anatomy Act. Her research, along with the research of other historians in a similar vein, engage with class as a discourse that held the key to the differentiation between the essential criminality of bodysnatchers (lay-people who dug up bodies) and the anatomists (amateur scientists who used these bodies for anatomical study) they worked for. Her research is highly invested in industrialization, demography, folk practice, and the discourses that revolved around upper and working class treatment of the body. Her research is deepened by the work of Burney (1999), Hurren (2004; 2008), Mighall 1999, Hackenberg, 2009, and Scandura, 2009) who each engage with the resurrectionism as practice that involved a specific understanding of (the cultural implications of) death, the medicalization of the discourse of and regulation around death and the corpse, and the classist implications of early death regulation. Though generally mentioned, however excluded from the thrust of burial reform and cremation reform scholarship, the history of the *Anatomy Act* has not been treated as having much in common with it.

am particularly interested in the way they account for how Victorians understood the body in relation to its products, namely “filth” and corpses.

Though Hamlin, in 1985, made the case that filth was essentially compatible with sewage, in 2005, he broke new ground by suggesting, unlike his colleagues, that the late-Victorian corpse was an iteration of “self-as-filth,” as it had been described in cremation debate. Unlike other filth-centric sanitary historians who ignore cremation, or even burial reform, as attempts to interact with “filth”, Hamlin suggests that scientific discourse was mobilized in each case, towards sewers, for example, or burial grounds, to include its facilities as part of the natural cycle of reintegration. Where I disagree with Hamlin's “self-as-filth” thesis is in his understatement of the sentimental regard held of the body. His thesis analogizes the burial ground with the sewer, a boundary that had previously prevented the discussion of filth-related theories in their relation to burial and cremation reform. I pursue this connection with filth and the corpse in my work, albeit with a greater emphasis on the cultural regard for the corpse in order to avoid Hamlin's essentialist conclusion.

In pursuit of the difference between burial grounds and sewers, urban churchyards and suburban garden cemeteries, filth in the city and country, mass graves and burial plots, I refer to Victorian sensuo-spatial history. This body of research brings together interventions into the aesthetic and spatial dynamics of Victorian burial and cremation activity from critical geography studies, garden history, art and architectural history. The growth of the “necropolis” in the Victorian period is brought out in its urban-geographical dimension by Catherine Arnold (2007) and Johnathan Conlin (2013), who survey the siting and planning of cemetery space preceding, and in the wake of, burial reform. The popularization of the bourgeois garden cemetery, which accounts for this early 1820s and 1830s development, is

explored in depth in its suburban iteration by Richard Etlin (1984) (in a Parisian context), Melanie Louise Simo (1988), and Sarah Tarlow (2002). These historians trace the emergence of cemeteries, rather than the reform of burial practice, as an offshoot of the bourgeois garden design, which emphasized the aestheticization of natural and suburban landscapes for consumption by the upper class. Other architectural and garden historians (Elliot, 1986; Legate, 2000) have contributed to my research on the popularization of the garden cemetery by providing a historical context for the reintroduction of natural space into modern and urban life as they suggest the relationship between the suburban garden and the popularization of the garden cemetery. Garden historian N.B. Penny (1974) joins the discourses of romanticism and naturalism to account for the popularization of the commercial garden cemetery with the bourgeois interest in establishing a sanitary environment within which the dead could be pacified and mourned without fear of the harm of the living. Although garden cemetery scholarship offers a rich micro-history, it confines itself to the study of upper class practices, and often takes for granted the classism latent in the Victorian naturalistic imagination. Nevertheless, its insight on the pursuit of beauty with the Victorian experience of death is invaluable.

1.3 Theoretical Framework

I situate the shifting “sentiment of death” (Vovelle, 1990, p. 65) as central to an understanding of the regulatory and legal developments around death in the Victorian period. The theoretical approach is poised to follow, along Foucauldian lines, an approach that emphasizes the development of biopower, the particular regime of power which takes life as its domain. The emergence of the biopolitical paradigm is explored through my exploration

of burial and cremation reform, which tracks the discursive shifts in aesthetic, scientific, sanitary, and medico-legal discourses along with particular regulatory and administrative institutions that developed to constitute the corpse and regulate the burial ground. Replacing the old disciplinary regime, invested in the organization of (dead) bodies in their spatial distribution and individuality, a biopolitical regime steadily developed to take account of not only the fact of death, but the impacts of death on the population. In this sense, my project emphasizes the endemic aspect of death that became accessible through the deployment of a biopolitical understanding of population.

My treatment of the Victorian reform of death articulates the way particular products of death were taken to be the objects of power, beginning with the spatial organization of the burial ground, the sensory dynamics of the burial ground, and finally, the inscription of the dead body as the corpse as the site of biopolitical concern. At the outset of the Victorian period the corpse was not taken as the subject of knowledge. As the biopolitical apparatus developed, albeit with clashes and contestation between the old regime and the new, the by-products of the corpse (gas, odour, and putrefaction) were incorporated into fields of knowledge, and eventually coalesced to produce the corpse, drawing these objects and finally a subject into a regime of power interested of the health of the population. By the end of the period, I reveal that although a vast technology had developed to understand death's bearing upon the population, death remained beyond the comprehension of the Victorian biopolitical regime.

In Foucault's writings, he refers to shift in dynamics between two regimes of power, one

of which formed in the seventeenth and eighteenth century to capture the anatomo-politics of the body (*discipline*) and the other, had begun to develop during the end of the eighteenth century, which focuses on the species body (*biopolitics of the population*). (1990, p. 139) The earlier disciplinary power sought the individualization of the subject through the manner in which its mechanisms distributed bodies, (i.e. in their separation, alignment, serialization and surveillance). (2003: 242) Foucault writes that its dynamics reflected a concern for holding “sovereignty over death” on the level of “man as body.” (2003, p. 242; 249) In contrast to this anatomical and individualizing model of the body, the new biopolitical subject emerged as a biological and specified being – a species body. This treatment of the body, underpinning my analysis of the shifting understanding of the dead body, understood its functioning as more than a machine, as the previous model had, but rather as a “body imbued with the mechanisms of life and serving as the basis of the biological processes: propagation, births and morality, the level of health, life expectancy and longevity, with all the conditions that can cause these to vary.” (1990, p. 138) This formulation of the body directed “a power bent on generating the forces, making them grow, and ordering them, rather than one dedicated to impeding them,” (1990, p. 136) and in so doing established a regime of power that ensured “the regularization of life”. (2003, p. 249)

The concerns of these regimes of power, “the regularization of life” and the “sovereignty over death”, each addressed themselves to the characteristic right of sovereignty, the right to decide life and death. Each regime of power, however, exercised this right over life according to its organization of the body. For disciplinary power, the right was

to take life, or let live. (2003, p. 241) At the point of execution, the sovereign power was most visible. In the new regime of power, the right to make live and let die, meant that the “power of the sword” was no longer concerned with exercising the threat of death, but rather that its power was concerned with the level of life. To the extent that it was concerned with death, *biopolitics* encompasses the power of exclusion, but beyond this, the dead remained shrouded in mystery.

Foucault’s discussion of the disciplinary and biopolitical relationship to death has two points of significance that are crucial to my current project. First, the transition to biopolitical regime of power made the “massification” of the body possible, generating an understanding of both epidemics and endemics, where the previous “specifying” power was incapable. Given the biopolitical concern for “the body, health, modes of subsistence and habitation, living conditions, the whole space of existence” (1990, p. 144), its political technologies were able to remove the randomness from death (punctuated by the concern toward epidemics), and instead focus upon a more persistent and regular form of death that would diminish the vitality of the population. (2003, p. 245) The struggle against endemics gestures towards the permanence of death in the biopolitical regime, but in a more regular and accountable fashion than before.

Second, Foucault acknowledges the mystery of death that is held by both regimes of power by marking death as a threshold or boundary. Whereas the disciplinary regime held the threat of death as the ultimate exercise of its power, marking the point where it bequeaths the subject to another sovereign, the biopolitical regime ignores death for the reason that it is

beyond its domain, that of the domain of life. According to Foucault, in the disciplinary regime, “the menace of death” (1990, p. 147) is a spectacular power and worthy of ritualization for its relationship to sovereign power. (2003, p. 247) Foucault writes that, as the biopolitical regime of power proliferates, “the great public ritualization of death gradually began to disappear.” (2003, p. 247) This is apparently accountable to the life-orientedness of biopower. Because death is not amenable to the improvement of life it “has become something to be hidden away.” (2003, p. 247) “Power no longer recognises death,” (2003 p. 248) and turns away from it. Though Foucault’s framework on the subject of the cultural practice of death is unsatisfying on its own, his dual concern with the “mystery” and endemic-centric “certainty of death” gestures towards aspects of death which, while beyond the boundaries of knowledge, are accountable to my inquiry into Victorian cultural discourse.

1.4 Methodology

I adopt an interdisciplinary approach to my research that takes into account the historical content of the project, with an emphasis on culture, law, and aesthetics, in order to draw out the discursive formalizations that were activated by the aestheticization of the dead body and death practices in the Victorian period. Aside from my reference to legislation (and some litigation), I use three main types of primary texts, reformist literature, scientific and medical texts, and popular literature, together to generate the general representation of burial and cremation practices and the effects of these practices on the living, the environment, and the corpse itself. Moving chronologically, my three chapters refer to distinct periods in the

Victorian era. Each chapter emphasizes a specific object of reform, marking the transition between the modes of thinking around death. In each, I emphasize the relationship of the object to the aesthetic and sentimental expectations held of the reform that endeavoured to transform it. In this sense, my chapters relate to each other in that they are concerned with the development of the biopolitics of death alongside these sentiments and aesthetics, organized roughly along the lines of themes of romanticism, naturalism, superstition, respectability, sentimentality, and redemption.

My core primary sources throughout my project are the work of J.C. Loudon, G.A. Walker, Edwin Chadwick, and Sir Henry Thompson. These figures are each reformers, albeit in different senses of the word, and each published extensively, in pamphlets, reports, books, government documents, magazines and articles. Chadwick is the only true “reformer”, authoring reform recommendations in the capacity of Chief Sanitary Inspector for England and Wales. Loudon, Walker, and Thompson, advocates of reform, or “reformists”, were members of the professional upper class, held claim to practical scientific and medical knowledge, and wrote with a mind toward the moral and aesthetic “improvement” that they felt reform could accomplish within their respective epochs. Loudon’s work appears as the earliest of the group, beginning in the 1820s to the conclusion of his posthumous book, *On the Laying Out, Planting, and Managing of Cemeteries; and on the Improvement of Churchyards* in 1843. I consider his work a precursor to Walker’s *Gatherings from Graveyards* (1839), which would inspire Edwin Chadwick’s *Report on the Sanitary Condition of the Labouring Population of Great Britain: A Supplementary Report on the*

Practice of Internment in Towns (1843). Sir Henry Thompson's career, however distinct from his predecessors, presents argument for reform in much the same manner as Walker, who constructs a case for reform on the basis of evidence drawn from newspaper reports, medical reports, and other sources accessible to the upper class.

These figures contributed heavily to the discursive terrain of reform in each of their respective fields, and have been recognized by historians as doing so. My methodology involves a re-reading of their texts to draw out two main features relating to the relationship between aesthetics and the biopolitical scientization of life. I re-read G.A. Walker's *Gatherings from Grave-yards (1939)*, *Burial-Ground Incendiarism: The Last Fire at the Bone-House at Spa-Fields Golgotha (1846)*, *On the Past and Present of Intramural Burying Places with Practical Suggestion for the Establishment of National Extramural Cemeteries (1852)*, Edwin Chadwick's *Report on the Sanitary Conditions of the Labouring Population of Great Britain: A Supplementary Report on the Practice of Internment in Towns (1843)* and Sir Henry Thompson's *Cremation: The Treatment of the Body After Death (1884)*, *Modern Cremation: Its History and Practice (1891)*, with respect to their references to beauty, especially that which depended on a reference to nature, or natural processes of reintegration. This reading is made in contrast to the treatment given by historians such as Hotz, Rugg, Morley, Arnold, Hamlin, Jupp, Parsons and others, who refer to texts for their relationship to scientific, medical, and sanitary discourses. My re-reading emphasizes the way these discourses were animated by spurious reasoning in support of the beauty ideal, in recognition of the moral-aesthetic background which supplied the impetus for seeking the authority of

science in this context.

In the less-overtly reformist texts of J.C. Loudon, the aesthetic of pleasure gardens are garden cemeteries the central theme of discussion. I read *On the Laying Out, Planting, and Managing of Cemeteries; and on the Improvement of Churchyards* (1843) as well as *The Suburban Gardener, and Villa Companion* (1838), contributions to *The Gardener's Magazine* (1829; 1832; 1834) as well as selected articles⁴ for the continuity they suggest between the Victorian aestheticization of natural space and the development of burial grounds.⁵ His writings on the appearance of garden cemeteries, are supplemented by other texts, such as George Collison's *Cemetery Internment* (1841), John Hogg's *London As It Is* (1837) Thomas Miller's *Picturesque Sketches of London: Past and Present* (1852), and are contrasted with the descriptions of old metropolitan churchyards found within other reformist texts such as John Strang's *Necropolis Glasguensis: With Observations on Ancient and Modern Tombs of Sepulchre* (1831) and Frederick Engels' *The Condition of the Working-Class in England* (1845), which I have included to represent a more holistic recounting of the problem of burials. Rather than accept the discourse generated among physicians and sanitarians, these other sources supply alternative representations of the burial problem.

To familiarize myself with scientific, medical, and medico-legal discourse, I consulted medical and scientific texts that were identified by either the primary or secondary source as

4 See *The gardener's magazine* selections (1829; 1832; 1833;1834) and "Reply to Kata Phusin [John Ruskin]" In (December 1838) *Arch. Mag.*

5 While these sources have largely been taken from the dominant contributors to burial reform scholarship, garden historians have introduced J.D. Sedding's *Garden Craft Old and New* (1891) and well as *William Robinson's God's Acre Beautiful or Cemeteries of the Future* (1880) as contemporaries of J.C. Loudon. Both of these figures participate in a cremation reform paradigm, rather than a burial reform paradigm, a distinction that has been underemphasized in the previous scholarship.

being particularly focused on burial reform. My interest in the sensory has also narrowed the reach of my research pool. For example, I do not pursue the discourse of degeneracy, though it is invoked by Hotz (2009), Bronfen (1992), and others⁶, nor do I attempt to engage with the claims of these discourses, as they were deployed by Victorians, on the basis of their truth-claims. My interest in the primary materials that engage with burial as a scientific, medical, or forensic issue such as Joseph Taylor's *The Danger of Premature Internment* (1816), William A. Guy and David Ferrier's *Principles of Forensic Medicine* (1875), and selections regarding cremation from the *British Medical Journal*, is in the sense that they attempt to translate observations, experiments, and the observations of other physicians and medical professionals into authoritative resources for legislators and reformers to the ends of cremation reform. For this reason, the rhetorical content, coloured by the way these materials have been interpreted by cremation activists, is more central to my project than assessing whether these materials were recognized as being faithful to the broader Victorian scientific community. The inevitable dislocations between the claims of the various authors are, in my research, reconciled by the way they were employed as consistent with reformist rhetoric.

As for fictional literature, though the project features popular fiction sparingly, the path of my research had been heavily indebted to the contributions of scholars who work upon Bram Stoker's *Dracula*. These scholars identify the themes in the novel that emerged in my project, albeit in ways that better reflect the periodization of my respective chapters. While I

6 Such as, Kathleen L. Spencer. (1992) Purity and Danger: Dracula, the Urban Gothic, and the Late Victorian Degeneracy Crisis. *ELH* 59.1, p. 197-225; Daniel Pick. (1988) 'Terrors of the Night': Dracula and 'Degeneration' in the Late Nineteenth Century." *Critical Quarterly* 30, p. 71-88. Other reasons for discarding degeneracy as a direction of focus include the late-Victorian periodization of its articulation as a scientific theory.

had initially read *Dracula* with an interest towards its representation of the (un)dead as signifying a version of the corpse that had been robbed of the dynamics of decay and putrescence, the reading that I have settled on identifies the legal and forensic-scientific developments that had developed in the Victorian *fin de siècle* in the wake of the cremation paradigm. With respect to *Dracula*, while I believe there remains a further level to interpret the relationship between burial reform and *Dracula*, I have chosen to read the textual cues to the period narrowly, and in line with the formal legal structure that its heroes endeavour to navigate during their pursuit of Count Dracula. The other literary sources that I use in my project are employed more in the sense of relating the cultural impressions and expectations that Victorians held of the state of burials (pre- and post-reform), the physical processes of disintegration and reintegration involved in burial or cremation, and the representation of death and dying in the Victorian period. I use the penny-dreadful fiction John Reynolds' *The Mysteries of London* (1842) and Ben Kingsley's novel *Yeast: A Problem* (1850) for their reference to social issues impacting Victorian London in particular. I also include selections from popular fiction, such as Victor Hugo's *Les Misérables* (1862), Emily Brontë's *Wuthering Heights* (1847), Charles Dickens' *The Old Curiosity Shop* (1841), and selections from Letitia Landon's poetry, for their representations of death, urban working class churchyards, and scientific processes of reintegration. I also include selections from William Wordsworth's body of work, namely his appeal to a classical and romantic vision of burial grounds, *Essay Upon Epitaphs* (1810).

These sources together build a context for the thinking precluding, involved in, and

reacting to, the legislative reform of burials and the inclusion of cremation as a method of body disposal. My use of legislation serves as a scaffolding to explore the aims and effects of the legal regulation of burial and cremation. Each issue addressed by legislation, I have found, is accountable to complimentary yet separate domains of legislation. My reference to legislation begins in the pre-reform period with the first attempts by a modern Britain to take account of deaths through state institutions rather than parochial ones through the *Parochial Registers Act of 1812*, and expand the territory allotted for burials in cities *Burial Grounds Act of 1816*. Early interventions into the subject of burials by the *The Anatomy Act of 1832* and the *Nuisance Removal Act of 1849* that precede the comprehensive reforms of the 1850s, are taken as reaction to specific issues triggered by the state of burial grounds, rather than part of the legislative framework that undertook to create institutions by which burials could be managed.

My main discussion of legislation revolves around the implementation of the *Burial Acts*, first, the *1850 Metropolitan Internments Act (Burial Act of 1850)*, and then remodelled by the subsequent *Burial Acts of 1852 and 1853*, as well as the establishment of the institutions that these Acts relied on, such as the Board of Health, the Burials Office and local, vesterial Burial Boards. Though I acknowledge that the 1853 *Burial Act* was not the last of the *Burial Act* reforms of the 1850s, the small legislative changes that occurred between 1854 and 1871 due to subsequent *Burial Acts* are accounted for in my scope of research, but not explicitly discussed in my work.

The legislation that the cremation paradigm relied on for its basis was concurrent to the

development of burial reform and its legislative development. The challenge of accounting for the distinct streams of legislative developments addressed to burial and to cremation offers some explanation for the dislocations between the two waves of reform, as represented within deathway scholarship. There are several pieces of legislative developments significant to the cremation paradigm: the system of record-keeping and certification of death that was provided by the General Register's Office (GRO), established by the *The Births and Deaths Registration Act of 1837* to collect the data generated by the requirements of the *1836 Medical Witnesses Act*, and the *Attendance and Remuneration of Medical Witness at Coroner's Inquests Act of 1836* and the *1837 Coroner's Expense Act*, which developed the profession of coroners out of the post-mortem activities conducted by General Practitioners to satisfy the requirements of the *1837 Births and Deaths Registration Act*. Additionally, by the 1840s, the *Non-Parochial Registers Act of 1840* had shifted the role of the GRO from aggregating the data supplied by parochial institutions, to collecting it themselves. By describing these legislative shifts, I draw together an account of administrative apparatus that emerged around death, which, not only allowed cremation to be a possibility within the existing scheme, but also makes the case for the biopolitical implications of the new apparatus.

1.5 Chapter Breakdown

In each chapter, I will engage with a particular aesthetic transformation with the Victorian period that impacted the way body disposal was conceptualized by reform advocates and reformers. In my first chapter, I explore the pre-burial reform aestheticization of the garden

cemetery of the 1830s and 1840s. In the chapter, I trace the way garden cemetery began as a luxury commercial cemetery, and was adopted, notably by garden architect J.C. Loudon, as an aspirational model for the reform of burial grounds. This chapter introduces the theme of romantic naturalism, which situates the significance the Victorian upper class attached to pastoral, garden elements, and “charm” as a reaction to metropolitan life. In gardens, I argue that Victorians pursued the veneration of nature, while also adopting a contrived aesthetic that prescribed a spatial distribution of garden elements, or bodies, allowing the upper class to imagine a graveyard setting unlike the “close and crowded” urban churchyard. In this early aestheticization of burial through the promotion of “gardenesque” principles an interest in producing a sanitary and orderly outcome is implied, yet these outcomes are taken benefits garnered from the pursuit of the garden as an art. In this chapter, the moral and sentimental response to the burial ground is taken as the main element of reform, but one that nonetheless suggests the development of disciplinary knowledges around burial.

My next chapter follows from this by marking the way “scent” articulated the subjective evaluation of burials through an appeal to the professed objectivity of scientific and medical discourses. In this chapter, I discuss “scent” as an aesthetic sense that was empowered by scientific knowledge as a means to assess the state of burials, and demonstrate how burial grounds contaminated the population's health. Referencing Chadwick and Walker's reformist texts, I gesture to the way the Victorian commitment to an aesthetic of romantic naturalism oriented a scientific discourse of scent that imagined, in a broad sense, that the city would be more in line with nature without the contamination by “the great

masses”, and in a more specific sense, that the corpse itself could be reformed so as not to stink. I argue that while the identification of “dangerous emanations” allowed reformers to make the case that the corpse was not pathologically “filthy,” this framework for understanding the threat of the burial system attracted a discourse compatible with a more general moral reproach of the poor.

The third and final chapter reflects the legislative and affective context of the cremation reforms of the late Victorian period. By tracing the historical development of the early and mid-Victorian “Good Death” into the late Victorian “dying of death” I make the case that Victorians found themselves less certain of the actuality of death, in contrast to “liminal death” death states. I note the way the legal apparatus around death, which called for the certification of death at the first instance for sanitary reasons, stimulated the anxiety around whether death could adequately be accounted for, especially in the context of cremation. To make the case that practice of cremation cohered with the legislative scheme in place, cremationists campaigned for the certification of the facts of death in every case, thereby deepening the authority and presence of medical and forensic knowledges in the legal apparatus around death. In contrast to previous instances of the regulation of death, dying, and body disposal, the new medico-legal apparatus demanded that the corpse itself be inscribed with knowledge creating a textual representation of the corpse that would survive after the body's disposal.

CHAPTER 1

Death in the Garden:

The Victorian commercial garden cemetery and the aestheticization of (re)integration

*When death is in our thoughts, nothing can make amends for the want of the soothing influences of nature, and for the absence of those types of renovation and decay which the fields and woods offer to the notice of the serious and contemplative mind.*⁷

A history of burial reform in England, with an emphasis on its aesthetic development and change, is very much indebted to the ideals of burial landscape that emerged as part of the Victorian garden cemetery. These spaces, conceptualized as offshoots of landscaped gardens, were seen by Victorians of the 1820s and 1830s as a marriage of enlightened sensibilities and the simple virtues of nature, and reflect the sensibilities of the wealthy Victorians who opted to be buried there. (Penny, 1974: 62) Garden cemeteries were not only physically separated from the city but were conceived as spaces that suggested the possibilities for the aesthetic elevation of death, inspiring the metropolitan populace to live their lives in line with a specific romantic ideal of reintegration. Garden cemetery designers and advocates, most prominently garden architect J.C. Loudon, were inspired by the popularity of pleasure gardens, and endeavoured to present incorporate this version of nature into burial practice by aestheticizing the burial landscape. It was only later in the reform advocacy period of the 1840s, and in the reform period of the 1850s, that this bourgeois ideal was translated into norms of burial ground design.

In this chapter, I identify the garden cemetery as oriented around an aesthetic ideal that would later be translated to be a standard of management. I take the emergence of garden cemetery as an attempt by Victorian social reformers to navigate the inevitable encounter with nature *via* death within the modern life to reproduce an ideal of society. By starting with the garden cemetery's ethos, I am interested in the way the garden cemetery engaged with the issue of humanity's place in nature, given the engagement between Victorian civilization and natural

⁷ Wordsworth, as quoted in Edwin Chadwick (1843) *Supplementary Report on the Results of a Special Inquiry into the Practice of Interment in Towns*, p. 143.

elements within the cemetery to produce its harmonious and timeless appearance. By invoking garden design principles, garden cemetery advocates and designers asked how culture could blend with nature to produce a beautiful environment capable of elevating the sentiments of “man”, to remove him from the filth and poverty of the city.

For my project, the deployment of the garden aesthetic in burial grounds bears exploring not only because it suggests an alternative to the dominant “intolerability” thesis that has suggested that burial reform was undertaken purely as a necessity, but also because it provides an account of the aesthetic ideals that were present in Victorian society going into the reform period. While at the outset the garden cemetery was exclusively for the veneration of the wealthy dead, I am interested in the way J.C Loudon and burial reformer Edwin Chadwick suggest the inclusion the poor and their corpses into the bourgeois environment. They believed that garden cemetery space would afford harmony between the classes, where the underclass would observe and adopt upper class practices, and their moral sentiments would be softened and improved by their contact with nature. The popularization of the garden cemetery aesthetic allowed Victorians to imagine modern burial spaces in a new light, as neat, orderly, sanitary, dignified, and beautiful spaces indebted to their garden-like design and organic elements.

Throughout this chapter I trace the popularization of the commercial garden cemetery in the early-to-mid Victorian period by highlighting how the ethos of romantic naturalism became entwined with the reformist interest in the management of the corpse, burial, and burial spaces. I begin by introducing the emerging early-Victorian interest in proper (and pauper) burial, challenging the historiographical assumption that burial “overcrowding” was the self-evident, or only, impetus for burial reform. Second, I link the emergence of the commercial garden cemetery to the early-Victorian Wordsworthian romanticism, which celebrated liberal-humanistic

civilization's desire for the natural world, framing death as the threshold of reintegration. Third, I explore J.C. Loudon's writings on the aesthetic ideals of the garden cemetery, and his quasi-scientific thinking on humanity's place in the natural world. Fourth, I situate Loudon's term "gardenesque" as a specific iteration of the belief that a garden aesthetic could have socially transformative impacts, as directed towards the case of burials. Fifth and finally, I situate Loudon's idealization of the garden cemetery aesthetic within the reformist discourse of Edwin Chadwick, who suggests the importance of burial ground aesthetics to the overall efficacy of the burial reform project. In this last section I mark Loudon's garden cemetery aesthetic ideal as influential to the burial reform, made particularly effective by his claim that its aesthetics were universally affective and inspiring.

Section I: *The problem of pauper burial and the "overcrowding" fallacy*

The general historiographical account of the state of Victorian burial grounds suggests that in the 1810s to the end of the 1840s, urban graveyards were in a state of disarray. They were pestilential, grassless plots situated in the middle of communities where the ground oozed with black goo, and was visibly bursting with decaying human remains. This account is tied with what Christopher Hamlin has identified as the "intolerability thesis," which follows that these conditions had become so transparently dire as to provoke reform. (1988, p. 58) While Hamlin claims the embedded "narrative of progress" has guided misleading assumptions within deathway scholarship, I take his assertion further by examining the discourses that affirmed the burial "overcrowding" problem within the Victorian period. While an explosion in England's urban population during the early nineteenth-century heavily taxed the capacity of existing burial

grounds, my research suggests that this alone was not enough to encourage state intervention. Rather, the idea that burial grounds and practices could be taken as the object of reform did not gain currency until the garden cemetery's aesthetics had been articulated.

At the outset of the Victorian period, matters relating to the administration of death had been the charge of religious institutions. Local parish churches would receive and bury the dead and tend to the churchyard where skeletal remains of the dead were routinely unearthed to make room for new interments. Parish churches collected burial fees and kept records of interments, though no uniform standard existed between them. (Wiggins, 1991, p. 14-17) Churchyards themselves were unplanned, and mass burials were common among working-class parishes. Before the late-1840s⁸, the only legislation enacted towards the management of burials in the Victorian period were the *Parochial Registers Act of 1812*, which provided that record-keeping of burials be compulsory, and the *Burial Grounds Act of 1816*, allowed for the appropriation of land where cemeteries were found to be too small. (Wiggins, 1991, p. 14-16)

These two initial *Acts* indicate concern over the lack of record-keeping and that burial sites were an inadequate size to suit the urban population. Though record-keeping could potentially indicate the number of corpses interred at the burial site, the exact location of the corpse and specific area of the graveyard they had been interred were not recorded. The 1812 *Act* required only that the number of bodies interred be recorded. These provisional measures seem to be set in response to a sharply growing population and an alarming death rate. The population of London more than doubled between 1801 and 1851, and the mortality rate rose with it. (Hotz, 2001, p. 21) Within the city, the mortality rate was forty per cent higher than the rest of the country, heavily taxing urban graveyards. (Morley, 1971, p. 7) “In London, in 1830, the average

⁸ Burial reform commenced with the *Nuisance Removal Act of 1849*, which vested in the Board of Health control over the burial of London.

age at death was estimated at forty-four years for gentry, professional persons, and their families; at twenty-five years for tradesmen, clerks, and their families; and at twenty-two for labourers and their families.” (Morley, 1971, p. 7) Although these two *Acts* gesture to persistent issues in the management of burial, such as the unreliability of record keeping and the desire for more burial space, legislative solutions with respect to burials would not be seriously contemplated until the 1840s and 1850s.

During the early Victorian period, while London did not intervene into the management of the dead, other continental cities such as Paris and Munich treated burial reform as a subject of public intervention.⁹ Of greater concern to the British were the presence of grave-robbers and bodysnatchers in their burial grounds, and to some extent, the high cost of secure burial. (Richardson, 1987, p. 22-53) Ruth Richardson, in her groundbreaking 1987 research into Victorian society, indicates that the sensational activities of resurrectionists and their alliance with those who managed graveyards provoked the ire of the press and the public, such that legislators felt motivated to address the issue. (Richardson, 1987, p. 22-29) Elizabeth Hurren, who follows Richardson's direction, suggests that “body-snatching” provoked reform, not only because it involved the criminal, greedy, and opportunistic activity of particular actors (Richardson, 1987, p.272), but that activity was indiscriminate and equally distressing to both wealthy and poor families. (Hurren, 2004, p.70) The passage of *The Anatomy Act of 1832*, while nonetheless concerned with the graveyards of the wealthy and poor alike, was enacted to protect the upper class corpse by encouraging the sale of poor’s corpse as alternative sources of cadavers, in the hopes of discouraging black market trade of stolen corpses. (Richardson, 2005,

9 For notes of the development of burial management and cemeteries in Paris, France see Tarlow, 221-225; Curl, 276. See also Denton, Etlin, Kselman, Aries, for more detailed accounts of the development of Paris' burial management. See Arnold, 124-125 for a Loudon's praise of Munich's burial grounds as featured in the *Morning Advertiser*.

p. 163; Hurren, 2004, p. 70) Richardson's and Hurren's research indicates that the issue of “overcrowding” in graveyards was not included in the discussion of burial management in the pre-*Anatomy Act* period, as has been claimed by scholars central to the study of burial reform, such as Curl (1972), Herman (2010), Hotz (2001; 2009), Joyce (2002), Morley (1971), and Wiggins (1991).

In the pre-burial reform paradigm, the state of graveyards differed vastly between poorer and wealthier parishes and communities. Regardless of class, Victorian Britons also shared a concern that burials were unaffordable. Before the reforms of the 1840s, the cost of burial appear to have been so inflated that it was unaffordable for paupers, (Herman, 2010, p. 312; Hurren & King, 2005, p. 329-330; Lacquer, 1983, p. 113-116) and exorbitant funeral costs were incurred

by the wealthy. While a culture of respectability discouraged public discussion of burial costs, in favour of providing the deceased “what was customary” regardless of cost, editorial cartoons and satires expressed disdain for the practices of the undertaker. (Jalland, p. 195) Wiggins hypothesizes that the cost of burials in parochially-



run graveyards was as high as it was because the salaries of ministers depended on burial fees. (1991, p. 40-41) Other scholars attribute the high cost of burials to their lack of regulation. (Hurren & King, 2005) (Fig. 1: “The Starved-Out Undertakers.” From *Early pencillings from Punch* (chiefly political). London: Bradbury and Evans, 1850) Leech, John (1817-1864), author.)

Though these issues of insecure burial and affordability plagued the Victorians, the use of graveyards to the point of “overcrowding” was an issue of working class graveyards. Graveyards, which were often cast as “dreary,” unpleasant spaces in wealthy neighbourhoods, were in poor neighbourhoods registered as pollutants. In 1839, the publication of G.A. Walker's *Gatherings from Graveyards* successfully registered the issue of burial reform by invoking science to work upon the state of “the so-called burying places.” (1839, p. 6) His work reached an audience of legislators, philanthropists, hygienists, physicians, and other members of the upper classes who shared his feelings on the contaminating influence of these graveyards. While Walker believed that science was suited to carry out a philanthropic project to restore the respect for “Christian burial”, Walker took issue with the greed, ignorance, and caprice he alleged of undertakers who have rendered these grounds the insatiable receptacles for “devouring fresh victims.” (1839, p. 6) For Walker, as summarized in his later *Burial Ground Incendiarism: The Last First at the Bone-House at Spa-Fields Golgotha* (1846), London graveyards were

... Reservoirs of pestilence ... under the management (generally) of persons whose principal object it is (utterly regardless of previous warnings and predicted consequences) to make EVERY INCH OF GROUND A SOURCE OF PERPETUAL GAIN. (Walker, 1846: 9; emphasis in original)

In Walker's writings on burial grounds, I notice that articulation of the “overcrowding” issue is drawn from a particular problematization of the type of people who would make a business of burials, and is shared by other commentators of the period, such as George Collison (1840) and Thomas Miller (1852). Sanitary reformer Edwin Chadwick, apparently inspired by this particular formulation, wrote his *Sanitary Report* with a flourish that suggested that the corruption of these individuals exacerbated the sense of foreboding in the graveyard. (Chadwick, 1843, p. 143-145) The dimension of the state of graveyards, as expressed by Walker, and other members of the Victorian upper class, identified these members of the working class as responsible for creating

conditions that were contrary to moral and physical life. (1839, p. 230) Sanitary problems were drawn from criticisms of lazy gravediggers who dug graves too shallow, greedy undertakers who extorted money from the bereaved and stole from the deceased, and the establishment's overall shoddy record-keeping which often made it impossible to locate a body for the purposes of re-interment or resolving charges of foul play. (Walker, 1839, p. 115; Miller, 1852, p. 273)

With this account alone, the charge of “overcrowding” is bound up in a narrative that accused gravediggers and others involved in burial as complicit with evil. Other sources, however, create the sense that the working class also had some awareness of the impact of graveyard conditions on the health of the community. In John Reynolds' popular penny-dreadful, *The Mysteries of London* (1842), he describes the position of the poor gravedigger whose income depends on the premature disinterment of corpses to make way for fresh corpses in a working class burial ground. Here, Reynolds describes the graveyard conditions:

This cemetery was only partly enclosed by houses; on the remaining sides there was a low wall.

The soil was damp; and a nauseous odour, emanating from it, impregnated the air. When the sun lay for several days upon the place, even in the depth of winter, – and invariably throughout the summer, – the stench was so intolerable that not a dwelling in the neighbourhood was seen with a window open. Nevertheless, that sickly, fetid odour penetrated into every house, and every room, and every inhabited nook or corner, in that vicinity; and the clothes of the poor inmates smelt, and their food tasted, of the damp grave!

The cemetery was crowded with the remains of mortality. The proprietors of the ground had only one aim in view – namely, to crowd the greatest possible quantity of corpses into the smallest space. But even this economy of room did not prevent the place from being so filled with the dead, that in a given quantity of the soil it was difficult to say whether earth or decayed human remains pre-dominated. Still the cemetery was kept open for interments; and when there was no room for a newcomer, some recently-buried tenant of a grave was exhumed to afford the required space. (p. 323-324)

The passage is primarily concerned with the disturbing concentration of corpses in the burial

space. It is also concerned with its impact on inhabitants of the surrounding neighbourhood, a quality shared with the following passage from Frederick Engels' *The Condition of the Working-Class in England* (1845):

As in life, so in death. The poor are dumped into the earth like infected cattle. The pauper burial-ground of St. Brides, London, is a bare morass, in use as a cemetery since the time of Charles II., and filled with heaps of bones; every Wednesday the paupers are thrown into a ditch fourteen feet deep ... the ditch is loosely covered in, to be reopened the next Wednesday, and filled with corpses as long as one more can be forced in. The putrefaction thus engendered contaminates the whole neighbourhood. (p. 137-38)

While both accounts communicate the sense of the inadequacy of burial grounds, neither articulates the gravedigger or the poor community as the architects of these conditions.

In the *1842 Select Committee on Burials*, (Jordan, 1987, p. 87-89) gravediggers reported the utility of using what referred to “the mass interment system,” “pauper burial,” and “pit burial” to inter several corpses together and conserve burial space. The interest by gravediggers to interfere with as few corpses as possible, given burial conditions, was at odds with the upper class abhorrence of such a practice on sanitary and sentimental grounds. (Miller, 1852, p. 269) In the *Sanitary Report*, Chadwick writes that when corpses are buried in a mass “the putrid gases are not thoroughly absorbed by soil lying over the bodies”. (1843, p. 138) In *Gatherings from Graveyards* (1839) Walker describes the concentration of corpses in relation to their harm to the living: burial mounds containing “piles of bodies” that rise above the windows of school chapels, vaults beneath churches that reek with the dead, and churchyards where coffins awaiting interment are piled atop one another, releasing a smell more offensive than in subterranean vaults. (p. 179, 182, 184-186)

By 1842 Parliament declared that “The evils of interments in towns and populous places have grown to such a height that no time ought to be lost by the legislature in applying a

remedy.” (“Report from the Select Committee on Improvement of the Health of Towns, Together with the Minutes of Evidence, Appendix, and Index. Effect of Interment of Bodies in Towns.” p. 352) Chief Sanitary Officer, Edwin Chadwick, was tasked to provide draw up his *Sanitary Report*, which would set out recommendations to respond to the state of burials, in both the material and managerial problems it posed. In this report, Chadwick reported that burial grounds in London parishes accommodated anywhere from 30 to 3,000 bodies per acre,¹⁰ and that number of interments per year was three times as high as was acceptable for the burial space in London as a whole. (Chadwick, 1843, p. 273-279)

Section II: *The Emergence of the Commercial Garden Cemetery*

While reformist activity waited until the late 1840s, private entrepreneurs had begun the business of transforming burial practices of the upper class by the 1830s. In this pre-reform paradigm, the (garden) cemetery emerged as the modern iteration of burial grounds. Its aesthetic emphasized harmony as a virtue evoked classical antiquity through the sepulchral monuments that celebrated the deceased's accomplishments. Taking the helm of aesthetic reform, entrepreneurs sought to emphasize the individuality of monument through consumer choice but more importantly, sought to transform the graveyard space itself so that families and friends would be drawn to frequent the monument of their loved one and mourn in a soothing garden environment.

Wordsworth's 1810 *Essay Upon Epitaphs* (1974) is often credited with promoting a romantic vision of burial that soothed the Victorian disenchantment with urban with by emphasizing qualities of classical society alongside the veneration of a naturalistic environment.

¹⁰ According to the burial standards set in the 1850s reforms, G.A. Walker calculated that 136 bodies/per acre could be accepted annually, in contrast to the 426 bodies/acre that *were* accepted annually. (1851, p. 4)

He writes of the deep intimacy instilled by the epitaph as not only the marker of sacred space, but an indication of “the general language of humanity.” (1810, p. 35) Basil Willey in his book, *The Eighteenth-Century Background* (1961) attributes this to the notion that nature was bound up to a principle of right order and reason, which had a parallel in human reason. Wordsworth, especially in *Essay Upon Epitaphs* portrays the burial ground as demarcating a threshold space where death and life, individuality and universality, civilization and nature are intimate with one another. The union of these opposites, for Wordsworth, is established by the gravestone, and the epitaph inscribed upon it is a guide through which death becomes reconcilable to the living.

A Grave is a tranquillizing object: resignation in course of time springs up from it as naturally as the wild flowers, besprinkling the turf with which it may be covered, or gathering round the monument by which it is defended. ... [By reflecting at the Grave of their kin,] the Survivors bind themselves to a sedate sorrow, and employ the intervention of the imagination in order that the reason may speak her own language earlier than she would otherwise have been enabled to do. This shadowy interposition also harmoniously unites the two worlds of the Living and the Dead by their appropriate affections. (p. 60)

Here Wordsworth envisions the grave as a singular mark of human morality nestled in a pastoral version of nature punctuated by grass and wild flowers. In contrast to the “busy, noisy, unclean and almost grassless” English churchyard, Wordsworth's scenes of antiquity's places of the dead were verdant and in blossom, “endeared by the benignity of that nature with which it was in unison.” (p. 54)

In a letter to Lady Beaumont, Wordsworth saw his work as the infusing thought and feeling into the beauty already present in nature. (Wordsworth, 1887, p. 9.) Here he had much in common with other romantic naturalists: nature itself would refine the imagination and “the passions of the heart” by presenting objects and landscapes that brought truth from the appearance of “completeness and harmony”. (Simo, 1988, p. 40) This view of nature is highly reverent of humanized agricultural landscapes, which emphasized the way in which nature could

be refined and made more productive by the human reason celebrated by romanticism. (Simo, 1988, p. 40; Cracuin, 2003, p. 226; Willey, 1961, p. 6) Literary scholar Nicolas Roe argues, for this reason, that Wordsworth's poetry was set “to demonstrate the inseparability of politics, nature, science, and the imagination,” framing the Victorians' enchantment with nature as utopian social and political intervention. (1988, p. 3) While the Victorian imagination believed nature to be chaotic in man's absence, civilization's alienation from nature was thought to be the root of discord, war, and revolution. (Roe, 1988, p. 3) As aptly described by historical geographer Felix Driver,

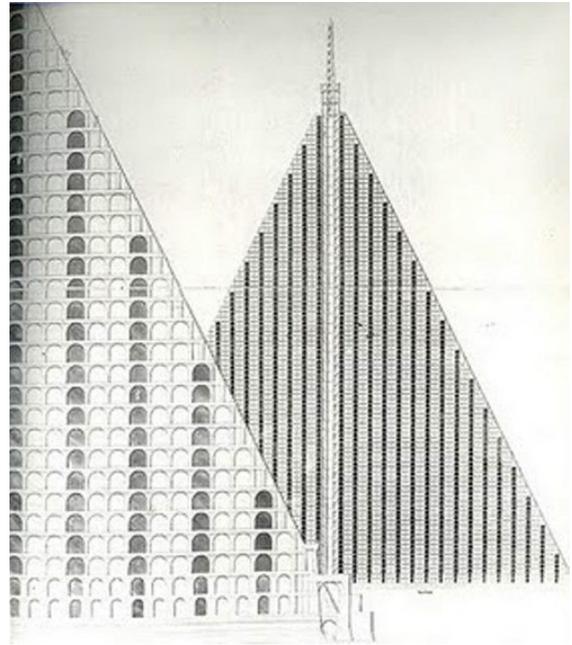
“The state of nature” was such that disharmony would proliferate without a careful gardener's hand, but there was also the notion, especially potent with regard to the cemetery, that without the influence of nature, the life cycle would malfunction. This, however, located man's corollary as directed towards “improvement,” which may direct nature to the ideal contained in its many possibilities, which is located by many historians as hallmark of Victorian philanthropy. (1988, p. 267)

For the Victorians, the pursuit of “improvement” was man's calling to realize the potential of the natural environment, and his place within it. Raymond Williams observes that the romantic veneration of nature was a reactionary position against modernity. (2006, p. 79)

Disenchantment with city life and its perceived “overcrowding” and “filthiness” was intimately tied to the de-emphasis of decadence in suburban estates and the romantic fascination with nature. While amenities such as public parks were not envisioned as a matter for metropolitan administration until 1837 (Simo, 1988, p. 236), private entrepreneurial interest in establishing enclosed parks, as well as suburban estates with vast landscapes, seemed to follow from this reverence of nature. (Garson, 2007, p. 174-176) Famous estate “improver” Humphery Rempton recorded the trend towards more pastoral estate design by the end of his career, in his 1816 collection, *Fragments*, suggesting that the upper class had begun to shy away from

lavishness and, in its absence, tend toward “charm”. (Garson, 2007, p. 173) Such was also the case in upper class city dwellings, such as those in Hampstead Heath, Highgate, and Marlyebone, which included enclosures of vast garden space for the enjoyment by their residents. (Simo, 1988: 230) The most ambitious of these projects, Regent's Park's enclosed terrace houses, was described by historian John Summerson, as a “private garden city for the metropolis.” (Summerson, 1949, p. 175.) The appropriation of land in 1832 for London's first garden cemetery, Kensal Green, joined this trend, expanding the burial market to accommodate the want of naturalistic charm and classic beauty with respect to burial.¹¹

Kensal Green Cemetery was provided for by the *Incorporation of Kensal Green Act of 1832*. It was not only the first of its kind in England (conceptually speaking), but also had the distinction of being the first of London's private stock company cemeteries. (Wiggins, 1991, p. 46-7) The project took G.F. Carden, pioneer of the enterprise, roughly a decade to bolster enough support for the project.¹² (Conlin, 2013, p. 228) Kensal Green's quaint garden style, siting, and the perseverance of its investors won out against other possible burial options that were being proposed around the same time.¹³ (Fig. 2: Thomas Willson's proposed “Pyramid of Death”, 1829.) Unlike other



¹¹ *The Incorporation of Kensal Green Act of 1832*.

¹² In his second attempt to relaunch the project in 1830, he was able to convince a committee (that included Andrew Spottiswoode MP, the sculptor and inventor Robert William Sievier, the banker John Dean Paul of Rodburgh, Augustus Charles Pugin, Viscount Milton, and landscape architect Thomas Willson) that Kensal Green could be for London what Père LaChaise was for Paris. (Conlin, 2013, p. 227-288)

¹³ However strong the pull of naturalist aesthetics had been among the Victorians, the garden cemetery was not the only design option, nor was the notion of a garden cemetery an instant success. In 1829, architect Thomas Willson proposed the opposite: a 94-storey “Pyramid of Death” to be built on Primrose Hill, in North London. As garden historian N.B. Penny comments, the product would have been a “nightmarish combination of

proposed projects, the cemetery evoked tenderness, peace, and tranquility, drawn from the etymological root in the Greek “Cœmeterion,” meaning “the idea of a bed of slumber.” (Loudon, 1843, p. 11)

Other investors were inspired by Père Lachaise cemetery's garden-like appearance. (Arnold, 2007, p. 84; Worpole, 2003, p. 137) Designed by architect Théodore Broginart, and established in 1804, the cemetery emulated English garden designs and was laid out like Central Paris, with “all avenues and boulevards rotating like spokes from a wheel from a series of significant architectural features...”. (Arnold, 2007, p. 84) “Père Lachaise was the largest of the new cemeteries founded in Paris in the late eighteenth century” and attracted the most praise from British and American visitors, moreso than any other Parisian cemetery.” (Tarlow, 2002, p. 222-23) While Lachaise was criticized by some British commentators as too dramatic, crowded, and urban-feeling, its British counterpart was described as more modest and spacious in appearance, including however, similar natural fixtures, such as trees, shrubs, and flowers, and most importantly, a plan for the allotment of burial plots. (Tarlow, 2002, p. 222) As one visitor to Kensal Green described it,

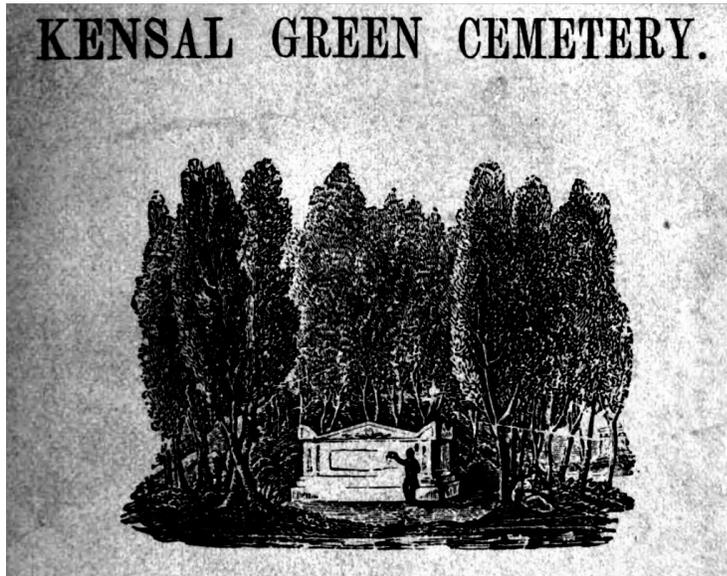
The Cemetery, or new Burial Ground ... is surrounded by a lofty wall, with occasional apertures, secured by iron railing. This area is laid out in the style of Pere la Chaise near Paris: it has gravelled roads, and is planted with forest-trees and evergreens; in its parterres blooms for a season the gay flower, fit emblem of the transitory life of man, harmonizing with the more costly memorials of his brief existence. The site is one of extreme beauty... . (*The Mirror of Literature, Amusement and Instruction*, 18 April 1838; quoted in Tarlow, p. 221)

Here, the display of wealth in the form of monument was humbled by a garden aesthetic,

egomaniacal Neo-Classicism and dehumanized Utilitarian efficiency”. (Penny, p. 62) It is notable that this plan never left the drawing board: however, Thomas Willson continued his efforts to reform burial as a member of the Board of the General Cemetery Company, responsible for the establishment of Kensal Green Cemetery (Arnold, p. 87) Another failed project was architect Francis Goodwin's 1830 plan for a 150-acre Neo-Classical burial ground, directly inspired by Lachaise, proposed to be situated, similarly to the Pyramid, on Primrose Hill, aimed at 'the prevention of the danger and inconvenience of burying the dead within the metropolis'. (Curl, p. 197) The project, too, was discarded, due to a lack of investment, and Goodwin's deteriorating health and eventual death in 1835.

supporting “tenderness” amongst “the soothing influence of nature” (Loudon, 1843, p. 8).

George Collison, author of *Cemetery Interment* (1840), wrote the cemetery designer's sense of



taste was visible from the fact that Kensal Green was both “beautiful and well-ordered.” (157; 161, emphasis in original) (Fig. 3: Detail from the cover of “*The Illustrated Guide to Kensal Green Cemetery.*” 1837.)

Garden historian Sarah Tarlow notes that the cemetery reflected Victorian

Britain's Anglican and Protestant values of simplicity and nature, whose expression of feeling was distinguished by ostentatious Catholicism. (Tarlow, 2002, p. 224)

Though some landscape historians disagree as to whether British garden cemeteries have more in common with the style of French cemeteries, such as Lachaise, or British private parks and gardens of the eighteenth century (Tarlow, 2002, p. 222-223; Taigel and Williamson, 1993, p. 128-132), I take the incorporation of the garden style into the cemetery landscape itself as significant. Although Kensal Green faded from popularity in the Edwardian period against the other “magnificent seven” cemeteries established between 1832-1841 (Meller, p. 1981), the presence of this initial “garden” cemetery inspired commentators such as magazine editor and garden designer J.C. Loudon to develop principles for further garden cemeteries, championing them as an attainable *beau idéal*. John Strang, in *Necropolis Glasguensis* (1831), described the impact of Lachaise cemetery as follows:

Who, that has ever visited the romantic Cemetery of Père la Chaise, would not wish that there were, in this our native land, some more attractive spot dedicated

to the reception of the dead, than those vast fields of rude stones and ruder hillocks ... Within the extensive and delightfully variegated enclosure alluded to, situated on Mount Louis, it is perhaps unnecessary to state that all the disagreeable sensations which are here coupled with a churchyard as dispelled by the beauty of the garden, the variety of its walks, by the romantic nature of its situation, ... In place of the clumsy mound or large white stone that so generally covers the ashes of our countrymen is to be found a little flower-garden surrounded by cedar, spruce, cypress, and yew trees, round which the rose and the honeysuckles are seen entwining ... the eye meets at every turn with some pensive or kneeling figure weeping over the remains of a relative, or worshipping his God at the tomb of excellence and virtue. (*quoted in Loudon, Gardener's Magazine* iii, iii 1843, p. 101)

In this passage, as in others, Loudon affirms that piety follows from naturalistic scenery. For Loudon, the moral improvement of society, and most especially “its great masses,” came from the beautification of its most common denominator: the reality of death and practice of burial attending it. (Loudon, 1843, p. 8) “The grave should be surrounded by every thing that might inspire tenderness and veneration for the dead, or that might win the living to virtue. It is the place, not of disgust and dismay, but of sorrow and meditation.” (1843: 8) Loudon and his followers believed that, like Père Lachaise, “Our cemeteries ... should bear a solemn and soothing character, equally remote from fanatical gloom and conceited affectation.” (Picton, in *Arch. Mag.* iv. p. 430; quoted by Loudon, 1843, p. 9)

While Kensal Green offered both luxurious and common burial options, (Collison, 1840, p. 155) the imagination of Kensal Green, in the eyes of social reformers and visitors, was captured by its more luxurious areas. As one visitor to Kensal Green exclaimed, “What an escape ... from the choked charnel house to that verdant wide expanse, studded with white tomes of infinite shapes, and stone marked graves covered with flowers of every brilliant dye!” (Morley, 1971, p. 42) Poorer sections were relegated to more damp, remote, and unfavourable areas of the grounds. (Collison, 1840, p. 156-158) Corpses of the poor were segregated from the wealthy, and permitted only to be buried on non-consecrated ground, fearing that “improper intrusions should

be committed by the poor dead within the consecrated circle.” (Collison, 1840, p. 156) Despite the “inclusion” of the “abodes of the Turks, Jews, Infidels, Heretics, and “unbaptized folk” as well as the poor, the distribution of space favoured upper class consumer. This fact provides evidence against the claim by Wiggins, Hotz, and others¹⁴ that Kensal Green was not established in response to a burial overcrowding crisis. Kensal Green's significance lay in the way its spatial arrangements of the cemetery would inspire Loudon's advocacy for this aesthetic to take on philanthropic ends.

Section III: *J.C. Loudon: Gardener, Romantic, and Tastemaker*

J.C. Loudon's garden stylistics, what he termed “the gardenesque” (1832, p. 701) framed the aesthetic evaluation of what would constitute an orderly manner of interment within the garden cemetery. By doing so, the gardenesque aesthetic provided for the incorporation of the poor into bourgeois burial space, inspiring Edwin Chadwick to advocate for the moral benefits of graveyards aesthetics in his *Sanitary Report*. The weight of these recommendations, I argue, is deepened by following Loudon's argument: that the exposure of rich and poor alike to the 'gardenesque' would encourage them to recognize the harmony possible in nature and lead a more contemplative and virtuous life as a result. (1843, p. 11) Loudon's writings encouraged a specific aesthetic and philanthropic regard for properly run garden cemeteries, and provide expression to the rhetorical link among Victorian reformers between aesthetics, morality, and the sanitary conditions of burial.

14 “For in 1832, in response to market forces, Kensal Green Cemetery was founded on the outskirts of London ... it was begun as an answer to the condition of the city's graveyards.” (Wiggins, p. 46-47) “Moreover, in 1832, to meet market demands, Kensal Green Cemetery was opened on the outskirts of London. Begun as an answer to the condition of the city's graveyards, the cemetery was the first of many private enterprise cemeteries formed in the 1830s and 1840s.” (Hotz, 2009, p. 14)

The most influential commendation of Kensal Green came from J.C. Loudon. His gardening and precision inspired a profound change in London's physical landscape, bolstered by his network of influence and his receptiveness to theories of art, design, gardening, and natural science. As Arnold offers,

Writing *The Literary Journal* about the gloomy nature of London's garden squares, he suggested planting plane trees, sycamores and almonds, ... At a stroke of the pen, Loudon changed the city's appearance for ever – London without its spring blossom and distinctive plane trees is unimaginable. (2007, p. 87-88)

Loudon's praise of Kensal Green carried weight among professional gardeners and landscape architects. (Penny, p. 73) Contemporary scholars, Curl (1972, p. 224), Hotz (2001, p. 34), and Herman (2010, p. 308) locate Loudon's influence on other garden cemeteries, such as Little Ilford (1859) and Brookwood Cemetery (1850)¹⁵, and Elliott (1986, p. 94) traces Loudon's influence even into the creation of St. Marylebone Cemetery (1854) in North London. While their research suggests that Loudon made a profound impact on the history of the garden cemetery development, I argue that they have not sufficiently made the case that burial reform had been involved in the aesthetic and spacial transformations among burial grounds that he had proposed. My interest in Loudon lies in the way his garden design ideals drew from the celebration of romantic naturalism in Victorian thinking around garden design. His ideas express a desire to activate the potential of the garden cemetery such that the wealthy and the poor alike could assume a particular harmonious sensibility in relation to their place in the world.

While much of Loudon's writing on the garden cemetery is condensed in his posthumous work, *On the Laying Out... (1843)*, throughout his life, Loudon's work provided direction to the garden cemetery designers who employed his general principles of design, utility, and economy in the practice of gardening, as published in his journal *Gardener's Magazine* and his other

¹⁵ The vast, semi-rural cemeteries built at Brookwood and Little Ilford, for example, can be seen as incorporating much of Loudon's philosophy, designs and techniques (see Curl, 1993, p. 244).

works.¹⁶ Garden historian Melanie Louise Simo makes the case the Loudon was directly inspired by a Wordsworthian sensibility, premised on the belief that man could gain spiritual inspiration from landscape to use his reason to pursue the improvement of his character and society's. (1988, p. 36-40) Unlike Wordsworth, Loudon drew heavily upon technical knowledge, invoking "universal principles" of design which promoted a neat organization of garden space, free from clutter or excess. (1843, p. 1) His advocacy reflected his romantic sensibility towards nature, but also a civic-mindedness that is visible in his advocacy for public gardens to be made available for recreation in all towns and cities. (Simo, 1988, p. 234-236) His writings coalesce around the desire for an accessible and socially transformative garden landscape where nature could be directed in such a fashion as to heal the city even as it attended to its dead.

In burial grounds, Loudon saw the potential to realize his most valued qualities of the garden landscape, "solitude and retirement," (Simo, 1988, p. 41) values which Loudon perceived were lost in the metropolis and in the present state of burial grounds. Loudon's affinity with gardencraft shaped his belief that nature's providence was steeped in its contradiction, the necessity of decay, rot, and disorder alongside growth, renewal, and harmony. His garden principles reflected on a belief in man's intervention into nature, along the lines of scientific and theological discourses of naturalism that were gaining traction at the time. (Hamlin, 2005, p. 5, 21; Hamlin, 1985, p. 383) His writings about the garden are influenced by an agricultural theory of decay, which emphasized the idea of the 'round of nature', viewing the putrefaction of organic matter as a process that contributed to the renewal of the earth and that every stage of life held the possibility of 'utility'. (Hamlin, 1985, p. 383) Following this, Loudon's gardens supported the reintegration of the body from 'the life cycle,' yet imagined an instance where this could be

16 See Simo (1988) for an account of the link between J.C. Loudon, *An Encyclopaedia of Cottage, Farm and Villa Architecture and Furniture*, London: Longman, 1833. & J.C. Loudon, *The Suburban Gardener, and Villa Companion*. New York: Garland Pub., 1838. with his later interest in burial ground landscaping

carried out without sacrificing aesthetic. He held that the reintegration of the body was best accomplished by interring a single body per plot to support the “mingling of the body with the soil”. (Loudon, 1843, p. 2) Against Kensal Green and other burial ground models, he levelled criticisms against their inattention to surface drainage, the overall safety of catacombs, overcrowded grounds, and tomb foundations to make the case for the superiority of his ideal garden cemetery landscape. (Penny, 1974, p. 74)

In writing about Kensal Green, Loudon appeared to be encouraged by the new direction of cemetery design and yet perturbed by the fact its management was carried out by private cemetery companies who were largely indifferent to the sanitary and social impacts of their practices. (Penny, 1974, p. 74) The use of catacombs and the common interment system are evidence, for Loudon, of the concessions to taste and aesthetic made in the name of profit. (Penny, 1974, p. 73) While in later work, he adopted a scientized argument against “modes of burial which prevent the body from mixing with the soil,” in earlier work, his argument turned on more affective rhetoric:

What is this disgusting boxing of dead bodies, as if to bid defiance to the law of nature? Surely it is a pleasanter idea, when looking on the statue of Dr. Johnson in St. Paul's, to think of his remains being covered by the green turf in the open grounds of a cemetery or churchyard than to think of them lying in black earth, saturated in putrescent moisture, under the damp paved floor of a crypt or cathedral. (Morley, 1971, p. 46; *quoting Loudon*)

It concerned him that the outskirts and unsightly underground of the cemetery were to be used for systems of burial that not only undermined the monumentalization of the dead, but did so to the detriment of the ideal burial landscape.

Mass interment, according to Loudon, compromised the ideal burial system in two ways: first, by concentrating corpses together, such that the sustainable ecology of the landscape would be compromised and second, by conflicting with the goal of monumentalization.

No part of a cemetery ought to be exclusively devoted to common graves, because, as a number of coffins are placed in each grave, there would in this part of the cemetery be accumulated such a mass of putrescent matter as would contaminate the air of the whole, and render the locality insalubrious for very many years. ... As it [mass interment] destroys the distinctive feature of a graveyard, it cannot be considered in just taste, and ought, therefore, as we think, not to be adopted. Technically, the appearance of the turf mound over the grave is the expression of purpose or use, and this expression is essential to every work of art. (1843, p. 41)

In Loudon's view, the ideal garden cemetery aesthetic required an identical raised dirt mound for each grave. The ability to define a grave in some way, be it with a headstone, turf with flowers, or a simple dirt mound, was considered a standard of dignity for Loudon and other upper-class Victorians, and motivated Loudon to advocate for the digging of identical plots for each interment. (1843, p. 41) In his posthumous work, Loudon organized this desire is attendant to the main object of burial grounds: “the disposal of the remains of the dead in such a manner as that their decomposition ... shall not prove injurious to the living, either by affecting their health, or shocking their feelings, opinions or prejudices”. (1843, p. 1-2)

To Loudon's mind, the only method of burial that would accomplish this object is the “interment [of the corpse] in a wooden coffin in the free soil, in a grave 5 or 6 feet deep, rendered secure from being violated, in which no body has been deposited before, or is contemplated to be deposited thereafter.” (1843, p. 2) Loudon's *beau ideal*, in addition to proposing that other modes of interment or disposal inadequate to earthen burial, specifies the use of wooden coffins, over lead or stone ones, and insists on “inhumation”, over a burial practice called for the exhumation of bones after the “organic matter” had rotted away. Loudon's ideal scheme followed that “in a burial-ground properly arranged and managed, a coffin, after it is once interred, should never again be exposed to view, or a human bone be disturbed.” (1843, p. 2) This feature of the ideal garden cemetery called for the strict separation and allotment of

burial plots, such that there would be no fear that gravediggers would accidentally excavate a grave. (Arnold, 2007, p. 91) In a standard cemetery, Loudon calculated that a maximum of 1,361 graves per acre¹⁷ was ideal. (Arnold, 2007, p. 91) If these conditions were realized, Loudon was confident that the garden cemetery could be frequented with the same sense of pleasure as any garden. (Hotz, 2001, p. 29)

Section IV: *The Gardenesque, Elevating Interment to the Status of Art*

In 1832, Loudon coined the term “gardenesque” to describe the configuration of things that grew so that “none touched another object and that each displayed its character to the optimum” (Morris, 2004, p. 101), the hallmark of his aesthetic. Loudon asserts that the “gardenesque” could be achieved by an optimal distribution of natural elements throughout a given space, yielding a harmony that would ensure that each element would be complimentary to the next so that the gardener could attend to each plant or element individually. Besides his pragmatic motivations for organizing the garden this way, Loudon forwarded a belief in the particular moral benefits of contrived natural space. This is nestled within Loudon's romanticism, as well as within the utopic ideas underlying the reformist interest in the working class. Loudon held that by witnessing a “gardenesque” distribution of flora and fauna, or even burial plots within garden space, the observer would be influenced morally and intellectually towards improvement. I emphasize that the idea of social improvement, often presented through a top-down classist reform discourse, may also be noticed in the gardenesque's participation in the “cultivation of the self” through high culture. When seen in this light, Loudon's “gardenesque” engages with the idea of the moral reform of the wealthy and poor alike through their interaction with garden

¹⁷ Chadwick reports that in the two-acre suburban burial ground of St. George Hanover square interments had been at a rate of about 1,000 corpses per year had been the “subject of complaints.” (1843, p. 98)

cemetery space. The gardenesque ideal provides a model for burial that was not only cohesive with upper class sensibilities around spatial organization, but also provides why this model was particularly worthy of universalization.

Loudon's interest in the “gardenesque” is intimately informed by his position on whether garden design held the status of art, given that nature was both gardener's material as well as inspiration. (Simo, 1988, p. 170) Morris writes that Loudon's gardenesque-art theory was participated in the revival of mid-eighteenth-century Neo-Platonic philosophy, which excluded the mere “picturesque” from the category of “fine art,” and, following this, relegated most garden design as a means to provide a decorative quality to life, but not enrich it. (Morris, 2004, p. 116) Loudon, against the notion that the artist is bound to preserve of things in their “state of nature,” developed his project of garden design, drawing in large part on Sir Joshua Reynolds's *Seven Discourses on Art (1842)*. (Simo, 1988, p. 170) He adopted the stance that natural elements should be arranged in such a way as to display an intentionally contrived and artistic character, so as to bring forth a “higher beauty” that reflected a marriage of nature and culture. (Simo, 1988, p. 170) William Elliot, reiterating Loudon's “gardenesque” for the Australian gardener, writes:

Landscape gardening should be distinctly regarded as a work of art; its objects are – comfort, convenience, use, and even luxury...; a main object being to bring together and cultivate the most beautiful, useful, or novel vegetable productions ... Therefore, a garden must differ, in all material qualities, from anything existing in a state of nature ... a garden must differ in all material qualities from anything existing in a natural condition, for though nature may be imitated in a few things, it should never be closely copied so as to deceive and prevent a recognition of art. (Elliott, *Australasian Gardening*, pp. 10-11, quoted in Morris, 2004, p. 119)

The more well-crafted the garden, park, or landscape, the more it was capable of instilling better moral conduct, and the will to live a better life. (Loudon, 1832, p. 701)

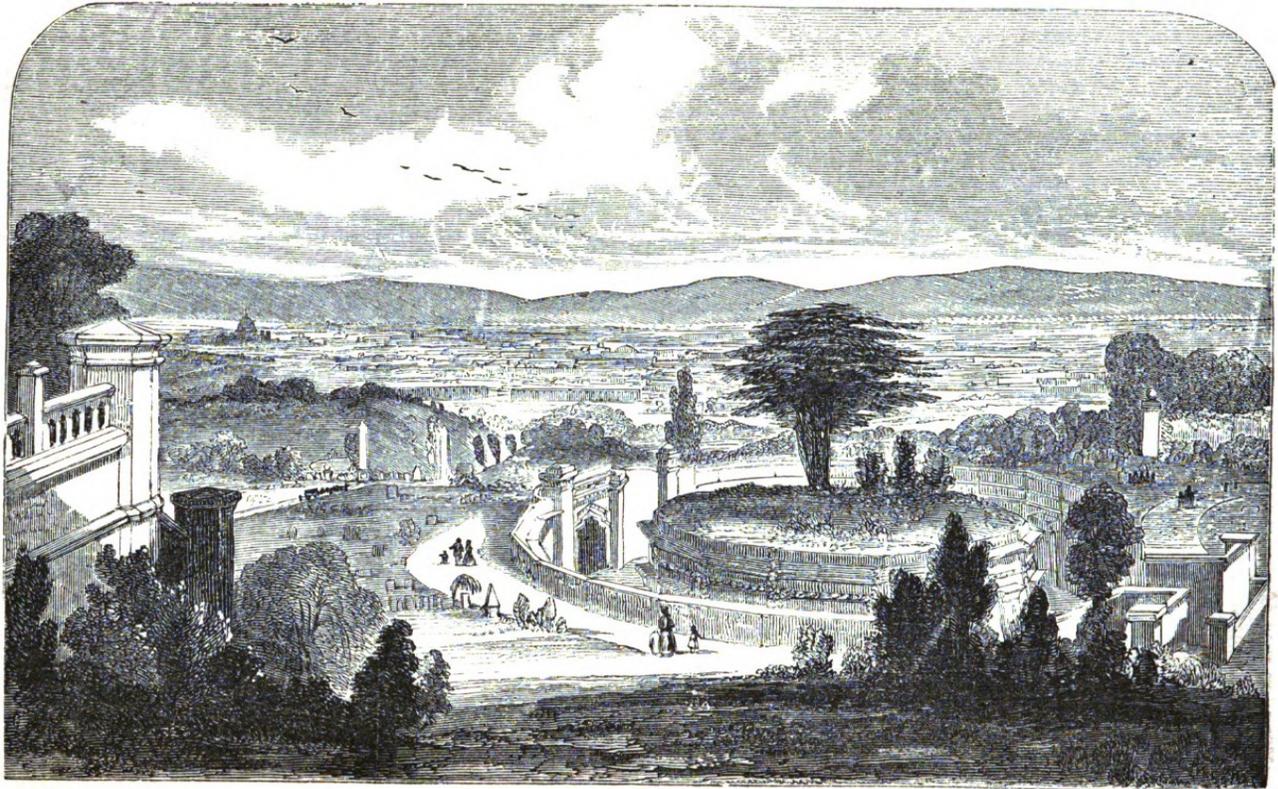


Fig 4: Highgate Cemetery in Thomas Miller's Picturesque Sketches of London (1852)

The gardenesque approach was initially articulated by Loudon as a way to display the individual beauty of elements of the garden, and in doing so, achieve a standard of beauty that was inaccessible in nature itself and by “picturesque” imitation. The gardenesque, writes Loudon, is “calculated for displaying the individual beauty of trees” (1838, p. 42) and maintaining each. In *The Villa Gardener*, he expresses that, “In the planting, thinning, and pruning, in order to produce a gardenesque effect, the beauty of every individual tree or shrub, as a single object, is to be taken into consideration, as well as the beauty of the mass...” (1838, p. 39) The gardenesque, when applied to the garden cemetery, was addressed to the individuality of monument, so that their “individual perfections ... are fully developed in consequence of the isolated manner...” (1838, p. 40)

The foremost objective, “the disposal of the dead”, that Loudon had articulated in *On the Laying Out...* led almost seamlessly into the second, and last, objective: that a cemetery ought to strive for “the improvement of the moral sentiments and general taste of all classes, and more especially the great masses of society.” (1843, p. 1) Loudon proposed that well-ordered cemeteries ought to present graves as “double beds with green paths between” to produce an orderly appearance, easing access and identification of the grave and removing the need for elaborate mapping. (Loudon 1843 p. 22; Fig. 5: “Fig. 3”, “Fig. 4” and “Fig. 5” from J.C. Loudon's *On The Laying Out...(1843)*) While Loudon recognized that cultivation was largely a product of bourgeois education he believed that any visitor, such as a country labourer, could recognize the ‘difference between slovenliness and neatness, between taste and no taste’ as they

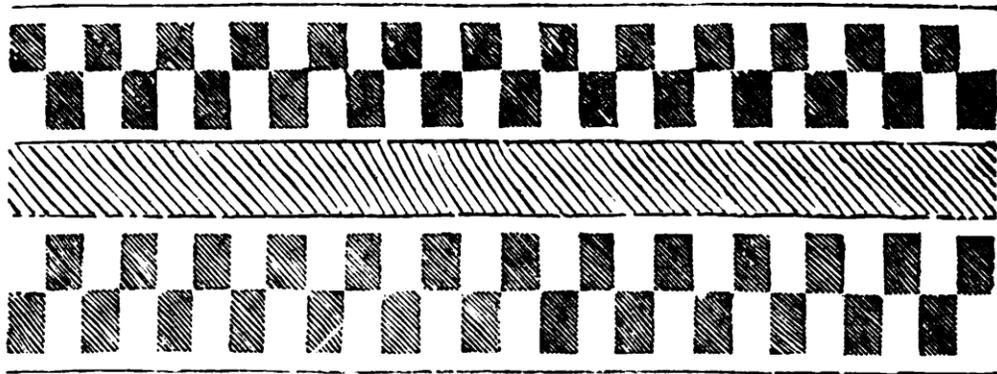


Fig. 3. A Cemetery Walk with a Double Border on each Side, arranged with Beds for Shrubs or Flowers, alternating with Spaces for Graves having Tombs.

walked through cemetery gardens. (Loudon, 1843 p. 74) For the Victorian moral reform movement, Schmiechen (1988, p. 305) noticed the cemetery provided the ideal opportunity to promote new moral-aesthetic habits and customs. Loudon’s egalitarian conception of the garden cemetery envisioned that its intimacy would link members of various classes to one another and produce the internalization of a universally accepted social code; replacing the notion that garden cemetery was a luxury for enjoyment only by the upper class. (Schmiechen, 1988, p. 305)

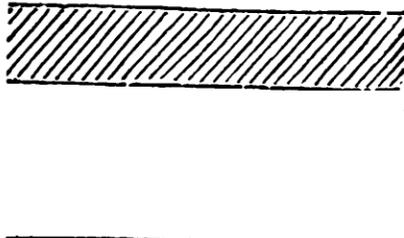


Fig. 4. *A Cemetery Road or Walk with Double Beds on the Borders, alternating with Spaces of double the usual Size, intended for Graves having large Monuments.*

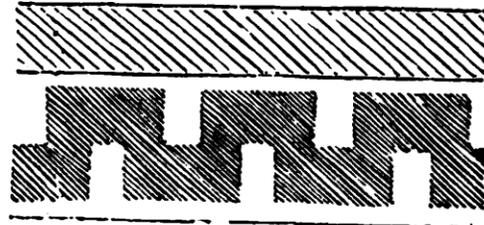


Fig. 5. *Double Borders with Masses of Shrubs, and Spaces for single Graves at regular Distances.*

Loudon presented public parks, botanical gardens and cemeteries as common recreational institutions and held them to have a pedagogical dimension, where they were capable of instilling a sense of civic virtue among its patrons. (Legate, 2000, p. 90) *In On the Laying-Out...* he details that:

...a general cemetery in the neighbourhood of a town, properly designed, laid out, ornamented with tombs, planted with trees, shrubs, and herbaceous plants, all named, and the whole properly kept, might become a school of instruction in architecture, sculpture, landscape gardening, arboriculture, botany, and in those important parts of general gardening, neatness, order, and high keeping. (1843, p. 12-13)

His progression through the 'instructional' materials, though briefly touching on a literal replication of garden craft, is immediately conflated with general virtues of “neatness, order, and high keeping”, direct especially in this context which envisions the cemeteries as accessible to “the great masses”. In doing so, Loudon follows an earlier sentiment by John Strang, author of *Necropolis Glasgueneis* (1831) who writes:

A garden cemetery and monumental decoration are not only beneficial to public morals, to improvement of manners, but are likewise calculated to extend virtuous and generous feelings.... A garden cemetery gives a token of a nation's progress in civilization and in arts, which are its result. (1834, p. 93.)

Both Loudon and Strang assert not only that the visitor to the garden cemetery is directed to act

in a fashion that is more compliant with the demands of the space, but that his or her inner life is also touched through the influence of high culture. This tendency in Loudon's writing, as observed by Hotz, engenders “a taste for neatness and habits of cleanliness, the bedrock of Victorian moral life”. (2009, p. 32)

Loudon viewed the garden as capable of encouraging an inspirational moral response from its particular iteration of high culture. (Morris, 2004, p. 116) Loudon reflects his aristocratic sensibilities when he remarks that ‘human happiness and prosperity ... is founded on individual cultivation,’ (1829, p. 692) betraying his belief in the philanthropic, benevolent paternalistic nature of his work. Though Loudon recognizes that the working class visitor may not be aware of the subtleties of culture, the difference between order and disorder reflected in the “gardenesque” is, he believes, appreciable by all. (1843, p.8) For him, the garden space is “calculated to improve the morals and the taste, and by their botanical riches to cultivate the intellect.” (1843, p.13) As historical records, Loudon supposes the churchyard to have been “the country labourer's only library.... With the progress of education and refinement, this part of the uses of the churchyards is not superseded, but only extended and improved.” (1843, p. 13) Embedded in Loudon's rhetoric was the idea that the veneration of death would elevate a mourner's emotions to a transformative moment, inspiring “tender sorrow” from the individual's consideration of the dead's “peaceful repose.” (Loudon, 1843, p. 11)

For Loudon, death's universality indicated the possibility for the garden cemetery's potential to be frequented by a class that was otherwise unable to participate in culturally enriching leisure activity. (1843, p. 12-13) In line with this assumption, Loudon believed the cemetery to be an exceptional space for actually enhancing “the moral sentiments and general tastes” (1843, p. 1-2) of the poor. Even as the cemetery carried out its primary function of

disposing of the dead, it could also, like the garden, nurture a 'well-regulated mind.' (1843, p. 8-9) In a well-executed cemetery, "the grave should be surrounded by every thing that might inspire tenderness and veneration for the dead, or that might win the living to virtue. It is the place, not of disgust and dismay, but of sorrow and mediation." (Loudon, 1843, p. 8)¹⁸ Burial reform advocate, G.A. Walker, in common to Loudon's expression of the gardenesque, argued that the spatial configurations of burial grounds contributed "the moral and social elevation or depression of all sorts and conditions of mankind in the mass. Let circumstances be favorable, virtue and happiness will prevail, — let them be adverse, — vice and misery will abound." (Walker, 1939, p. 254).

Section V: *Reform, Aesthetics and Working Class Desire*

Thus far, I had made the case that the garden cemetery rose to popularity through its appeal to upper class sensibilities, and had contrasted this with varying accounts of the state of burial grounds that this model stood to replace. In this last section, I would like to highlight that Loudon's iteration of the garden cemetery made the case for the "inclusion" of the poor, on aesthetic and philanthropic grounds, and how Chadwick adopted this theme of the "inclusion" of the poor by an apparent universal desire for interment. While I acknowledge that Loudon's ideal was not realized in its entirety nor entirely adopted by Chadwick, his garden stylistics and ethos encouraged reformers to envision the spatial configurations would compel an harmonious relationship between classes as an object of reform. With this approach, I hope to re-situate the sanitary and disciplinary narrative present in burial reform scholarship, in Herman and Hotz in

¹⁸ A particular example with respect to the garden cemetery was Loudon's insistence against the inclusion of weeping willows, contrary to John Ruskin's suggestion, on the grounds that trees and associations with water and dampness were inappropriate for the image of a properly drained cemetery. (Loudon, *Reply to Kata Phusin*, 1838, p. 624.) The idea was to discourage associations of "dreariness" from the cemetery.

particular, within an approach that instead emphasizes the aesthetic thrust of reform.

In burial reform scholarship, the influence of J.C. Loudon has been cited as an inspiration for Edwin Chadwick, who made reference to his expertise in the *Sanitary Report*, the definitive parliamentary document on burial reform in the period. In the *Sanitary Report*, Chadwick provides accounts of unsanitary working class burial practices, always returning to the notion “that environmental conditions determine the subjectivity of those who inhabit them.” (1843, p. 17) In my reading of this text, I responded to the similarity between Loudon's aesthetic recommendations and Chadwick's interest in the burial ground “environment”, particularly in the suggestion that the poor be included into bourgeois cemeteries. Loudon's suggested that even the least educated could be moved to appreciate the garden cemetery.

All of them [the paupers, the country labourer, and the tourist], therefore, may have their taste for neatness and order improved, or their habits of slovenliness confirmed, by the weekly impressions made on them while passing through the churchyard to the church; and, while their habits of life are thus improved or deteriorated, their hearts are softened and ameliorated, or hardened and diseased, by viewing the graves or monuments of their friends and relations neatly kept or utterly neglected, and reflecting that they also must soon take their place among them and be neglected in their turn. The intellectual and moral influence which churchyards are calculated to have on the rural population will not, we think, be disputed. (74-75)

Sharing this sentiment, Chadwick, in passages throughout the *Sanitary Report*, appeals to a desire apparently latent in the working class. Where Loudon is interested in staggering the poor among the wealthy to achieve the desired “aesthetic and moral dimensions” in the configuration of burial space, (1843, p. 41) Chadwick repositions Loudon's interest in configuring the poor among the wealthy, as a congratulatory gesture to “the meritorious dead of every class” who were worthy of being individually monumentalized in death and brought together in the same burial ground. (1843, p. 143-147) Where Loudon imagined the classes to be brought into harmony by a central landscape aesthetic, Chadwick operated from the presumption that any

pauper, having “led a life of dissipation” and “saved nothing for other objects, have yet reserved a small hoard to provide interment in a mode agreeable to their feelings,” (1843, p. 56-57) sharing the same desire of the wealthy for interment within the garden cemetery. Chadwick's interest in the aesthetic of the garden cemeteries speaks foremost to a universal desire for favourable conditions of burial, and then to the way this environment may lead to poor to discard their “savage brutality and carelessness toward life.” (1843, p. 43)

This aspect to Chadwick's *Sanitary Report*, the affective and aesthetic interest in the reform of burial grounds is somewhat contrary to the historiographical account drawn of his work by burial reform scholars Hotz, Herman, and others. These scholars highlight the spitefulness Chadwick seemed to hold toward the working class that had been bound up in sanitary discourse. For Hotz in particular, Chadwick's reformist impulse is traceable to a bourgeois “compulsion to order and control a reality,” (2001, p. 32) leading him to “represent the working-class corpse not as a site of dignity but as a source of disease to be expunged from society.” (2009, p. 15) Hotz, however, acknowledges that Chadwick's position fluctuates between the “debasement and idealization,” (Hotz, 2009, p. 17) especially when Chadwick approaches the role of domesticity in working and middle class burial practice. Similarly, Herman, who focuses on the deployment of the “one body, one grave” ideal¹⁹ at Brockwood cemetery (1853-1903), believes that the working class presence in the burial ground was met with “contradictory and equivocal attitudes” in response to their simultaneous “inclusion and exclusion”. (2010, p. 305-

19 Herman, argues that “burial reformers’ insistence on ‘one grave, one body’ brought orderliness through individualization, separating the deceased from their community, suppressing the political gatherings triggered by working-class funerals and limiting sympathy for paupers, whose communal burial in pit graves had been censured.” (2010, p. 306) However, her research is couched in the assumption that the “one grave, one body” approach to burial was an enforced *practice*, rather than an *ideal*. While both Loudon and Chadwick's vocalize the “one grave, one body” ideal, the use of common graves continued into the late-Victorian period, as my research in the next chapter demonstrates. Herman's case study, Brockwood cemetery, reflects the subscription to the “one grave, one body ideal” by the London Necropolis Company, the group of philanthropist-entrepreneurs responsible for the cemetery. She, however, commits the fallacy of assuming that Brockwood had been the rule, rather than the exception.

306) Whether on the level of discourse or practice, I believe that the classist impacts of burial aesthetics have not yet been properly reined in among burial reform scholarship, in large part due to the emphasis on the “sanitary evil” of working class practice.

My interest in Chadwick is in the way he seems to have internalized a similar aesthetic to Loudon's interest in the potential of “gardenesque” cemetery stylistics in seeking to combat the “moral evils” of the churchyard that have been rendered banal by working class life. (1843, p. 44) In contrast, Chadwick seems to view the upper classes as having succeeded, to some extent, in their pursuit of a refined morality by insulating themselves from the presence of death and cruelty in spaces such as garden cemetery landscape. (1843, p. 44-45)

With the upper classes, a corpse excites feelings of awe and respect; with the lower orders, in these districts, it is often treated with as little ceremony as the carcase [sic] in a butchers shop . . . when the respect for the dead, that is, for the human form in its most awful stage, is gone, the whole mass of social sympathies must be weakened – perhaps blighted or destroyed? At any rate, it removes that wholesome fear of death which is the last hold upon a hardened conscience. They have gazed upon it so perpetually; they have grown so intimate with its terrors, that they no longer dread it. (1843, p. 45-46)

Chadwick's interest in the garden cemetery appears to be in its ability to disseminate these upper class sensibilities among the poor. Like, Loudon and other reform advocates, Chadwick envisioned the moral transformation of the poor through the same naturalistic beauty that removed the “disagreeable sensations” associated with death from the upper class. (Loudon, 1843, p. 9) For Chadwick as well, “Careful visible arrangements, of an agreeable nature, raise corresponding mental images and associations which diminish the terrors incident to the aspect of death.” Sepulchral structures can also contribute to civic culture if these monuments and grounds are made available for public consumption. “Individuals who have purchased portions of decorated cemeteries for their own interment in the metropolis, make a practice of visiting them for the sake, doubtless, of those solemn but tranquil thoughts which the place inspires as

personally connected with themselves.” (1843, p. 144)

Even given the interest in monumentalization, both Loudon and Chadwick shared a preference towards modest displays of wealth. (Loudon, 1843, p. 9; Chadwick, 1843, p. 143-44) This trend, according to historian Pat Jalland, was common to the Victorians of latter-half of the period. (Jalland, 1996, p. 194) “Let us be careful, however,” Loudon warns his reader, “in our anxiety to escape from gloom and horror, not to run into the opposite extreme or meretricious gaudiness... . Far-fetched conceits, or tortured allegories, jar upon the feelings of every well-regulated mind, and excite ideas the very opposite to those of sympathy and tenderness.” (1843, p. 9) This carefulness is reflected by Chadwick, who believed that such “places of public burial demand the highest order of art in laying out the sites, and decorating them with trees and architectural structures of a solemn and elevating character.” (p. 145-147) Yet, he also includes the comments of the Rev. William Stone to the Select Committee on Burials as reflecting an important insight on the curation of burial space, that “the places where such a [between rich and poor] distinction is less strongly marked,” he finds a lesser degree of invidiousness from the poor. (1843, p. 83) As Jalland's research indicates, British funeral practice declined in its spectacle throughout the mid-to-late Victorian period, reflecting a move away from what Chadwick had indicated as “a failure of solemnity”. (1996, p. 199)

For the working class, Chadwick prescribed, like Loudon, modest single interment plots marked with an earthen mound at minimum, but situated within a larger garden cemetery. In the *Sanitary Report*, he indulges in the description of an ideal scene he happened upon during a visit to Lachaise cemetery, where a poor labourer, with his children, kneels before the grave of his beloved wife. (1843, p. 145) Chadwick finishes this passage by lamenting that, in his homeland, there is not even a “dry gravel path for the humble and pious mourner.” (1843, p. 145) In so

doing, he underscores his interest in stimulating the appropriate mourning attitude through the construction of space. (1843, p. 145) Like Victorian commentator Thomas Miller, who imagine the actualized garden cemetery as a spaces “where it would be possible to walk through a land littered with living affections, and strewn over with tokens of existing love,” (1852, p. 273) Chadwick also appears interested in fostering more tender sympathies among the working class to cohere with the demands of the bourgeois burial space.

Conclusion

The emergence of a “gardenesque” burial ideal opened reformers to the possibilities that space could shape sympathies, both in their public and private expression. Through the efforts of its advocates, the garden cemetery represented a modern alternative to replace the charnel house and the churchyard, one which engendered scientific, romantic, and civic ideals. While my argument coheres with previous research that acknowledges the individualizing effect of bourgeois morality on the working class of British society with respect to death, in this chapter I explored the ways in which the configurations of space, and the figuring of the corpse within it responded to aesthetic inclinations, rather than the arbitrary, or spiteful, calculation of individual reformists. The interest in sensibility, taste, and art oriented a concern towards “improvement,” in terms of morals and sanitation, in a significant way, echoed by the later period. In my next chapter, I will assess the deployment of a rhetoric of scent that worked to popularize the scientific discourse that worked in coherence with the aesthetic thesis featured in this chapter. While my aesthetic thesis in this chapter was oriented towards the moral and emotional impactfulness of landscape design, the next chapter will be directed to olfactory response to graves that indicated death, disease, putrescence, and poverty.

CHAPTER 2

“With Bated Breath”:

Death, odour, and space to breathe in the Victorian necropolis

Such being the nature of the emanation from human remains in a state of decomposition, or in a state of corruption, the obtainment of any definite or proximate evidence of the extent of the operation of those emanations on the health of the population nevertheless appears to be hopeless in crowded districts. ... The sense of smell in the majority of inhabitants seems to be destroyed ... Occasionally, however, some medical witnesses, who have been accustomed to the smell of the dissecting-room, detect the smell of human remains from the graveyards ... they can detect what is called the "dead man's smell," when no one else can, and can distinguish it from the miasma of the sewers. (Chadwick, 1843 p. 23-24)

Going into the mid-Victorian period, graveyards, once regarded as inevitably dreary, unpleasant, and even pestilential places, were developing as garden spaces among the upper class. As discussed in my previous chapter, the naturalistic burial landscape provided an outlet for Victorians to express the sentimental attachment for their dead. The new garden cemetery burial model reflected the potential to reflect a modern sensibility towards burial in a suburban landscape setting. Meanwhile, the urban churchyards of the poor were still enduring heavy use. "We, with all our boasted improvements," laments Thomas Miller, author of *Picturesque Sketches of London*, "are in the present day thrusting the dead together in countless thousands, in the very heart of our close and over-crowded cities – there the living have scarcely room enough to breathe..." (1851, p. 269) While garden cemeteries encouraged the notion that burial grounds were amenable to beautification, the majority of burial grounds in London remained as disorderly, filthy, and crowded as before. In response, G.A. Walker published his *Gathering from Graveyards* (1839) to make the case against the use of these urban spaces, arguing that the sheer concentration of corpses would produce putrescent gases that would circulate disease, poison, and general contaminants into the city's atmosphere. This anxiety about the lack of room to breathe was a crucial rhetorical tool to express the problem of burial grounds, because it

suggested that the boundless contamination of the city that could be accomplished by the poor's dead. The garden cemetery was applauded for its open, airy, naturalistic scenery through this discourse, noted for its ability to transform the interred corpse into an inoffensive object. By the late 1830s, the spatial arrangements of corpses and the proximity of graveyards to the living suggested that the dead would be presented in setting that evoked harmony and balance, harkening to the potential to manage the city's corpses.

Seeking to define the problem of burials, those involved in the burial reform period of 1839-1853 drew heavily from the scientific theory of the time, which lent support to the idea that the old graveyards were sources of airborne pollution and disease. The romantic naturalism that had guided the desire for the garden cemetery was situated in the general sanitary theories of the period, evoking the notion of a natural cycle of reintegration. Importantly, these theories claimed that odour was a quality of a malfunctioning system. Conversely, within proper conditions the smell of human remains could be rendered undetectable and their threat ameliorated. While the problem of burial grounds shared in a discourse that problematized the "corrupted atmosphere" of the filthy and overcrowded living conditions of London's poor, burial grounds represented a space responsible for the generation of particularly noxious air. When Victorian burial reformer Edwin Chadwick claimed that "the offensive smells are true warnings of sanitary evils to the population," (1843, p. 16) his diagnosis is also bound up in a desire to expunge the working class from the metropolis. As graveyards developed as the object of regulation towards the latter half of the Victorian periods, their odourlessness was normalized, and the regulatory apparatus that developed grew to rely on olfactory assessments as the definitive modes in which to gauge the sanitary threat a graveyard posed to the city.

Following a line of inquiry that assumes that the sentimental interest in the deceased

attracted considerations of the corpse that other filth was not bound, I focus on the way in which sanitary reformers pursued the odourlessness of the graveyard as an indicator of the harmoniousness and successfulness of city life. By ordering and removing the graveyard from the city, reformers such as G.A. Walker and Edwin Chadwick sought to remove the stench of “the great masses” from the city. Unlike other forms in which the poor impacted the city, the evils of the poor's overcrowded graveyards were framed as being without boundaries, permeating the air itself. The scientific discourse of the time claimed that air was a finite resource in a closed system, and the inspiration and corruption of the air by the working class would gradually corrupt the city's entire atmosphere. The effects of working class graveyards were not only attributed to the communities proximate to them, but, following the logic of sanitary theories, the general health of the city, both in a physical and moral sense, was at stake as well. In contrast to the previous chapter's emphasis on the physical organization and garden-like presentation of a given burial ground, this chapter engages with scent as a sensory and aesthetic criterion that differentiated the impacts of the urban churchyard from the suburban garden cemetery for Victorian burial reformers.

In my first section, I create an account of the connection sought by Victorian scientists and sanitary reformers between successful human habitation and the natural environment, as demonstrating an interest in filth's reintegration into the natural world. My next section follows this by locating the graveyard as microcosmic of Victorian environmental and sanitary reform thinking and activity, that directed reform against the “emanations of the dead” generated in poor neighbourhoods. Third, I pose G.A. Walker's mid-Victorian reformist pamphlet, *Burial Grounds Incendiarity: The Last Fire at the Bone-House in the Spa-Fields Golgotha* (1846) as an instance demonstrating the coupling of scent and morality, and the failure of science to respond to the

moral-aesthetic challenge posed by 'incendiarism'. Fourth, I assess the legislative and regulatory outcomes of reform activity, and present scent as persistent in the burial ideal, and an olfactory mode of appraisal as an accepted assessment tool for Burial Inspectors.

Section I: *The Place of Filth*

Sanitation scholarship, as represented by the research of Hamlin (2005; 1985), as well as Douglas (1997), Marald (2002), and Davison (1983), confirms a Victorian fascination with dirt, filth, decay, and sewage. These scholars trouble the assumption that Victorians related to filth solely through abjection, and suggest that Victorian attitudes towards filth were sometimes amicable, when noticed to be an integral part of the natural life cycle. Marxist cultural historian Raymond Williams situates this fixation within the critical question of whether nature included man. (2006, p. 74) "As a species," he writes, "we grew in confidence in our desire and capacity to intervene" (2006, p. 75) with the consequence that nature and civilization were conceptualized as separate. (2006, p. 83) Victorians, at once, "the improvers of nature", and "its lovers or admirers," the sanitary problem of cities, filth as the product of human industry, troubled the theological foundations of progress, that man was meant to work upon nature to achieve his ends. (2006, p. 77-83)

Sensitive to these concerns embedded in Victorian scientific and sanitary discourses, Hamlin (2005) argues that a notion of "good and intimate filth" emerged as a construct for Victorians to reconcile the polluting influence civilization had upon the natural world by introducing the notion that "filth" was integral to natural life. The use of metaphor and religious analogy in scientific exegesis in the period emphasized reintegration with the earth, though the outcome of this imagination produced ambivalent reactions. (Hamlin, 2005, p. 3) On the one

hand, successful reintegration avoided producing “wastefulness” from the accumulation of filth, which followed that stagnant filth represented “truancy” from the natural order. (2005, p. 5) On the other hand, the imagination of the close relationship with filth sometimes provoked uncomfortable associations amongst the Victorians of cannibalism *vis à vis* “the priest's mutton.” (2005, p. 4) In Hamlin's research, though he indicates that although the Victorian socio-scientific enquiry had been concerned with the notion “good and intimate filth,” he describes “filth consciousness” in Victorian society in the language of controversy. (2005, p. 17-18)

The Victorian interest in “self as filth” included language of circulation, or the reference to the cycle as part of a “whole” under God, each of which gestured towards the desire to reconcile filth's importance with its unpleasant presence. In “Providence and Putrefaction: Victorian Sanitarians and the Natural Theology of Health and Disease” Hamlin quotes a passage describing the Thames from “novelist-clergyman-historian-social reformer” Charles Kingsley's 1850 novel, *Yeast: A Problem*, preoccupied by the theme of the “sin of waste”:

There it runs ... hurrying to the sea vast stores of wealthy, elaborated by Nature's chemistry into the ready materials for food; which proclaim, too, by their own foul smell God's will that should be buried out of sight in the fruitful, all-regenerating grave of earth there it runs; turning them all into the seeds of pestilence, filth, and drunkenness. (Hamlin, 1985, p. 403)

Filth, while held to be enormous in potential, was believed to be not only unsightly and foul in smell, but produce social harm and pestilence, if in the wrong the place. In Nature, Victorians imagined filth as being properly managed in a harmonious cycle, where in cities, society failed to replicate this balance, especially among the “close and stagnant” neighbourhoods of the working class. (Hamlin, 1985, p. 388)

Sanitation scholarship takes up an undifferentiated stance on human waste (in the form of dust, fecal matter, sewage, medical waste, corpses etc.) as “filth”. Erland Marald simply defines

filth as something either contributing to the natural life cycle, or kept from it. (2002, p. 66-67)

Similarly, anthropologist Mary Douglas argues that filth may be defined either “as something that falls outside the given order, or is situated in the wrong place.” (1966, p. 77) In both formulations, filth is a simply by-product of life to be managed and circulated back into the environment. In its proper place, the potentially unpleasant substance could nourish life, rather than corrupt it in its stagnation. Though it was understood that nature did not itself demonstrate perfect harmony, providence, or beauty, it suggested the potential of filth be incorporated into more attractive forms of life, and that human innovation could work to bring it about. (Hamlin, 1985, p. 401-403)

A “romantic naturalist” image of filth oriented much of the thinking around filth's place in the city during the Victorian period. In *Les Miserables*, Victor Hugo writes of the valuable potential of cesspools and sewers, drawing them as equatable to grass, flowers, herbs, oxen, and a person's blood, health, and life. (1862, p. 84) Having been a student of chemist Justis von Liebig, Hugo praised “the transformation of matter from one beautiful and useful occupation to the next, or, in more technical (and more evocative) terms, the putrefaction, decomposition, or decay of organic matter and its subsequent reconstitution in a new form.” (Hamlin, 1985, p. 381) These general transformations of sewage were helped by irrigation through fields, some of which would transform into putrid vapour through contact with air. (Marald, 1966, p. 70) While nothing could instantly eradicate sewage, general sanitary theories followed that filth itself could be gradually reintegrated into the earth, carried by water, and diffused by air, if in the right place and in the right concentration. It followed that processes involving the breakdown of organic matter were generally harmless in small quantities, especially when introduced to an environment that could absorb or diffuse the toxicity of the decaying substance. (Marald, 1966,

The Victorian city, however, complicated the optimal context for the reintegration of filth, and its resultant natural harmony. The accumulation of filth in the form of clogged sewers, polluted water, and refuse in the streets indicated obstructions and malfunctions in the city's ideal functioning. (See Davison, 1983) "Stagnant water and putrefied organic matter were hindrances in the system." (Marald, 1966, p. 70-71) (Fig. 6: "A Drop of London Water" in *Punch*, 1850.) As



A DROP OF LONDON WATER.

Hamlin summarizes, the goal for sewage treatment technology was to "remove ALL refuse matter ... and utilize it so as to 'make it pay'." (Hamlin, 1895, p. 383) Marald believes this translated into the desire to create a harmonious and self-sustaining London metropolis which could improve itself in order to function in concert with the laws of nature. (1966, p. 66) It was common among sanitary reformers to describe cities as forests and swamps,

unideal, yet "natural 'places of darkness and concealment' for the fermentation of moral disease." (Driver, 1988, p. 281)

At this time, naturalistic and biological metaphors were used to describe the "definite organic relationship between the incidence of disease and the physical structure of the city," (Driver, 1988, p. 278) making allusion to the city as a mechanical system, such as the human body or other organisms. (Marald, 1966, p. 71) In his analysis of the discourse that advocated for

particular urban sewage treatment systems, Hamlin makes the case for “the cosmic importance of adopting a particular sewage system.” (1985, p. 410) In the two following quotes I offer both Walker and Hogg as providing compatible accounts of London in relation to its broader natural atmosphere:

Although London is but a small speck in the vast aerial ocean above and around it, and although it occupies but a few feet of vertical elevation in an atmosphere which is said to rise many miles, yet it is found practically that flowing through its sinuous streets, and pent up in the countless little cells where its myriads toil like clusters of coral-insects at the bottom of the sea, the air, by constant inspiration...is polluted and deteriorated faster than it can be purified. (Walker, 1839, p. 203-204)

Vapours of animal and vegetable matter mingle with it [the atmosphere] mechanically, and the presence or absence of these give character to the salubrity of places. The air on elevated situations is most free from these impurities, but the close atmosphere of cities and towns is most of all contaminated by them. (Hogg, 1985 [1837] p. 183)

In each account, the Victorian city is represented as “sinuous,” “close,” and “pent up in countless cells” leading to an incongruity between its rate of purification and its contamination. Their commentary indicates that the system could be improved with more space and fewer “inspirations” by fewer bodies, appearing interested in reaching an equilibrium between an organism's usefulness and the breath it takes up. Each indicates a belief that the sheer mass of people living in a given area, exacerbated by the presence of the dead, contributes to a 'poisonous accumulation' within the air itself.

The poisonousness of the atmosphere is what some sanitary reform scholars have attributed to miasmatic theory. (Driver, 1988, p. 278-279) This theory held that a poisonous invisible atmospheric substance was collectively generated by living and dead animals in close proximity to one another and could spread disease through the air when it travelled as a mass. John Pringle's late-eighteenth century theory of typhus is an example of this, where he argues

that the “corruption of the air, pent up and deprived of its elastic parts by the respiration of the multitude” (*Pringle quoted in Bancroft, 1821, p. 111*) allowed the disease to fester. “It followed that the state of the air was a vital condition in the health of populations, and that ventilation was the most important means of preventing the spread of such diseases.” (Driver, 1988 p. 280) Contrary to the assumption of much of burial scholarship, “miasma” theory had fallen out of fashion by the mid-nineteenth century, though its vestiges were preserved by the allusion to 'proper ventilation' (Cracuin, 2003, p. 277).²⁰ Sanitarians, such as Walker and Chadwick, sought the proof of the harm of foul air through the senses and by conjecture, rather than employing scientific method.

Theories of contagion, infection and the causes of epidemics, popular during the Victorian period, communicated the general notion that impurity generally corrupted purity. For Von Liebig, a zymotic theory of disease explained why the dead were more susceptible to rot, why decomposition began more decomposition, why heat and moisture accelerated this process, and how shared 'air' or physical contact was seen to transmit disease from corrupted organic matter to matter which was pure.

In dead matter (devoid of vital force), a physical disturbance such as contact with oxygen or with already rotting matter, could induce an organic molecule to begin, in effect, to shake itself apart. In putrefaction, the first stage of this process, the large molecule broke apart into smaller organic molecules. There were then slowly oxidized into the [toxic] inorganic compounds that plants assimilated. (Hamlin, 1985 p. 385)

Even given the benefits of such a process to the natural life cycle, this susceptibility of life to breakdown by “unstable matter” explained the threat of proximity with the dead in a rhetorically

20 My de-emphasis of the role of the miasmatic hypothesis in the sanitary reform in burials is a reflection of the fact that the persuasiveness of scientific discourse was appeared more important to burial reform than the accuracy of the theory itself. It is also significant that miasmatic theory held that roaming clouds of poisonous gases were generated, whereas the general reference to sanitary theory by burial reformers recalled a steady diffusion of poison throughout the entire city atmosphere.

powerful fashion. (Hamlin, 1985, p. 388) It explained that the “dead's emanations” were harmful in that the living were breathing, naturally receptive and susceptible, and how it was that “dead matter” would undergo such dramatic and hurried processes of breakdown so shortly after life had been extinguished. It also explained that proximity was also somehow determinative of outcome, and reflected that the use of space may be sufficient to divert or at the very least delay the spread of disease until the process of putrefaction²¹ was completed. With this theory, space was located as the most effective variable to alter in order to divert or even harness the power of the natural world, or, among burial reformers, keep its least pleasant expression from detection. The city's atmosphere required ventilation to replenish itself, while filth required space to become purified.

If “bad ventilation” in combination with filth was responsible for a greater loss of life than from any war, (Chadwick, 1843, p. 9) it's opposite – spaciousness, cleanliness, and economy – would be the vanguard of life. Contrived expressions of natural beauty, such as a garden or garden cemetery, would celebrate man's discovery and refinement of nature's laws in the same way a city could be turned to represent humanity's replication of nature if it found its proper expression. To conquer the ill effect of putrefaction on society, its foul emanations, ideally, would be diverted, dispersed, and rendered harmless. As Chadwick writes in his report “On the Sanitary and Economical Advantages of Smooth and Impermeable Surfaces”, “the time will come when a local administration is tested by the smell of the place and the look of the people inhabiting it.” (1871, p. 501)

For reformers, the accumulation of filth, general uncleanness or the incidence of

21 “While modern usage recognizes “putrefaction” as one species of decomposition, Victorian writers made no constituent distinction among these terms. In general they all refer to phenomena of decomposition which were repulsive to the senses and were thought to be dangerous to health. (Hamlin, 1987, p. 381, fn. 2)

epidemic or pestilential disease, not only pointed to the stagnant character of society, but were indicators of the improper functioning of the city according to natural laws. To “grow like those with whom we daily blend” within the mid-Victorian city, writes Victorian poet, Letitia Landon, in her poem “The Factory,” is “to grow to resemble the (living) dead and the labouring classes, and makes of many an English home / One long and living tomb.” (Craciun, 2003, p. 233) Her poem reflects an idea among the upper class which explains that to resemble the working class, or the dead, would be to become them. In another poem, Landon remarks that the arrangement and visibility of the dead is connected with the unpleasantness and unnaturalness of the surrounding atmosphere.²² If the likeness of the living to the dead or wealthy to the poor, as expressed by Landon, was seen to transgress Victorian categorical boundaries as some scholars have suggested, shared air was the sure conduit for corruption. The sheer number of dead in the metropolis, and the ratio of those from poor communities relative to the wealthy, seemed to force this conflation of the poor with the dead. The poor in their subsistence practices also appeared to be more intimate with the dead and with filth generally. Accounts in this vein describe working class death practices, the professions of the working class that put them in contact with sewage, river dredgings, vermin, and the dead. If we follow that the proximity of these groups to one another threatened the “natural” strata and threatened to deteriorate these divisions, then the poor's proximity to filth, from the perspective of the wealthy, would open the system of human society to an assimilating wave of decay. For burial reformers Walker and Chadwick, it called for the need of the corpses “to be removed as far as possible from the living, the 'pestiferous exhalations of the dead.’” (Walker, 1839, p. vii)

22 “Here, [in the urban graveyard] all is harsh and artificial: the palpable weight of human care seems upon the thick atmosphere. The very dead are crowded together, and crushed beneath the weight of those weary-looking stones” (Letitia Landon, quoted in Craciun, 2003, p. 225).



Fig. 7: "Father Thames Introducing His Offspring to the Fair City of London." *Punch*, 1858.

Section II: *Sharing the Air of the Dead*

General burial reform accounts from the Victorian era indicate that “urban churchyards at the beginning of the nineteenth century were evil-smelling places, the soil covered in noxious black slime and the ground so frequently broken that trees and lawns could not be established.” (Tarlow, 2002, p. 225) Such a rendering, however evocative, seems to assert that graveyards ought to have the appearance of unbroken ground, appear beneficent to the plant life found in the garden, and be absent of reek or odour. This assumption is deeply-seated within burial reform scholarship and reflects unwillingness by both mid-Victorian reformers and the contemporary

scholars who study them to concede the graveyard to be a place of filth. What is particularly challenging is the task of encompassing the way in which burial reformers such as G.A. Walker could charge that “burial-places are ... a national evil: the harbingers if not the originators of pestilence; the cause, direct or indirect, of inhumanity, immorality, and irreligion,” (1839, p. ii) while simultaneously imagining an alternative where the reverse could be possible. The previous section's account of the Victorian understanding of natural systems and the place of filth in nature and the city is joined in this section with a discussion of its specific deployment within the context of the graveyard. In this section, I make the case that the governmental evaluation of the inadequacy of a given graveyard is traceable to the perceptibility of smelly air, rather than the presence of corpses.

The writings of prolific burial reformer advocates G.A. Walker (1839; 1840; 1846), Edwin Chadwick (1843; 1871), and offerings by garden cemetery advocate J.C. Loudon (1843), all evoke interest in the “dangerous exhalations” of the dead, impacting reform both in terms of the articulation of the problem, and the way reform solutions were developed around it. This is seen by these figures' shared insistence that interred bodies be segregated from one another, bolstered by theories of sanitation and contamination that insisted that death ought not betray its stench in a healthy environment. Bolstered by scientific reasoning, scent was adopted as an indicator of the danger of the corpse's emanating vapours, providing reformers with a tool with which to appraise the threat of the crowded urban graveyard. As early as 1726 in England, with the publication of Thomas Lewis' campaigning volume, *Churches no Charnel Houses*, burial was suspected to be “injurious to the health of the living, giving rise to polluted air which is a danger even outside the churchyard, but much more so in the closed space of the church itself.” (1726, p. 64-5) In this text, Lewis argued, like his contemporaries, against the practice of interring the

Though some scientific theories indicated that scent during the processes of putrefaction was simply a part of its pathological process, such as had been reflected by Von Liebig's work, this view was not held among British sanitary reformers, such as Edwin Chadwick, G.A. Walker, J.C. Loudon and Thomas Southwood Smith, who were concerned with the “toxic or asphyxiating concentrations” of these gases that were produced by decay. (Hamlin, 1985, p. 383) Because of the immense danger and trepidation associated with studying decay and the effects of the gases, much of the assessments of the corpse's dangerousness were unspecific and based on vague reference to scientific theory. The work produced by Dr. Fourcoy during the Paris disinterments of 1782 and 1783, for these reasons, had been drawn from as a staple of 1840s burial reform literature, cited in the work of Chadwick, Loudon, and Walker. Fourcoy writes, as cited in G.A. Walker's *Gatherings from Graveyards*:

In vain we endeavoured to induce the grave-diggers to procure any of this elastic fluid. They uniformly refused, declaring that it was only by an unlucky accident they interfered with dead bodies in that dangerous state. The horrible odour and the poisonous activity of this fluid announce to us that if it is mingled, as there is no reason to doubt, with hydrogenous and azotic gas holding sulphur and phosphorus in solution, ordinary and known products of putrefaction, it may contain also another deleterious vapour, whose nature has hitherto escaped philosophical research, while its terrible action upon life is too strikingly evinced. ... These Paris grave-diggers know that the greatest danger to them arises from the disengagement of this vapour from the abdomen of carcasses in a state of incipient putrefaction. (Walker, 1839, p. 86)

In this passage, scent is used to identify general areas of decay, and transformations of the corpse that were considered particularly dangerous, especially if they were suddenly released. The trepidation of the lay-person grave-digger is translated by Fourcoy into a scientific language, giving name to gases presumed to be present on the basis of their smell. Later in *Gatherings from Graveyards*, Walker returns to Fourcoy's testimony to establish the horrors and risks of a

common, mismanaged graveyard:

The grave diggers informed him that the putrid process disengages elastic fluid, which inflates the abdomen, and at length bursts it, – that this event instantly causes vertigo faintness, and nausea, in such persons as unfortunately are within a certain distance of the spot where it happens; when the object of its action is nearer, asphyxia, and death frequently occur. (Walker, 1939, p. 124-125)

Here, a cursory description of anatomy is used to empower ideas about the source and potency of the corpse's exhalations, and its impact on those proximate to it, based on testimonial evidence. Such deployment of scientific phraseology and evidences by reform advocates were able to persuasively draw the graveyard's impacts on the individual by reference to the air. Vague metrics of nearness and distance, accumulation and dissipation, held that that the corpse's threat was immeasurable and uniquely a matter of its gases.

Especially interested in the impacts of these gases, it is significant that early reformers were expressly not interested in achieving the speedy reintegration of the corpse; they were more interested in reintegration being carried out *properly*. (Chadwick, 1843, p. 127) Their theories follow that the speedy annihilation of the corpse would release poisonous gases all at once. The gradual release of this gas marked the body's reintegration as proceeding at a reasonable and measured pace, which would not offend the senses or cause imbalance to nature. Burial reformers endeavoured to bring about conditions where the corpse did not stink by advocating for particular conditions to be brought about in the graveyard environment. While conditions that would speed disintegration such as damp, warm, and swamp-like conditions were criticized from an aesthetic point of view and through specious scientific reasoning, sandy, dry, and relatively loose soil were supported by that scientific reasoning aimed at decreasing the perceptibility of scent:

The manner in which the soil operates is this: having been recently moved and the parts separated, the interstices are necessarily filled with atmospheric air; and as the gases are generated in the coffin they expand, rise into the soil, and displace the atmospheric air, or mix with it. In this way this poisonous gas, instead of rising into the air itself, only forces out of the soil a portion of atmospheric air equal in bulk to what was generated in the coffin. When the layer of 6 ft. of soil over the coffin is not next the surface, but perhaps many feet beneath it, the mephitic air may still be assumed as driven into the soil immediately above the coffin, so that in whatever position the layer of 6 ft. may be relatively to the ground's surface, it may always be assumed, for all practical purposes, to contain the greater part of the mephitic gases which escape from the coffin. (Loudon, 1843, p. 401)

As can be seen in this passage, the optimal depth of burial was set by the belief that soil was apt to regulate the release of gases from the coffin. The close proximity of corpses to one another was also seen as a factor that aggravated the production of gas, as were the practices of interring corpses in mausolea, crypts, or stone caskets. Burial reformers of this time criticized these modes of interment for encouraging the build-up of gases through uneven processes of putrefaction. Conditions of excessive heat, moisture, or incompatible plant matter were also accused of enhancing the corpse's stench, and thus its potential for danger. (Loudon, 1843b; Chadwick, 1843; Walker, 1839; Walker, 1846)

At the time, it seemed that the accepted knowledge was that soil could absorb the dead's potential hazardousness. Edwin Chadwick made the claim in "On the Utilization of Town Sewage" that dry soil was able to neutralize sewage by referencing the fact that a knife smelling of onions could be deodorized on being thrust into it. (Marald, 1966, p. 57) In the interest of sanitation, Chadwick claimed that the best type of soil to use was a "dry, sandy soil":

Clayey soils ... are liable to the inconvenience of becoming deeply fissure in hot weather and then allowing the escape of the emanations which have been retained in a highly concentrated state. ... moor earth, and bog, are unfavourable to decomposition; sandy, marly, and calcareous soils are favourable to it. (1843, p. 127)

Poorly balanced soils were thought by reformers to contribute to the sanitary, but also aesthetic

problems, associated with poor drainage. Measures relating to soil were attempts by reformers to make the case that garden-like conditions could mitigate the possibility that the corpse be detected by passers-by, and make the case on sanitary grounds that the graveyard should not produce “the indefinite terrors of dissolution, the revolting image of festering heaps” among its visitors. (1843, p. 142) Not only did this “festering” contribute to a grim scene, but the smell that resulted warned of sanitary threat.

Self-evident to Chadwick, a “watery grave” was considered a horrible fate and was the consequence of interment of “poorly drained cemeteries.” (1843, p. 142) In water, he writes, “the solid tissues [of the body] become converted into adipocire, a fatty spermaceti-like subsistence, not very prone to decomposition ...” (1843, p. 30). By condemning the practice of carrying out interment in damp conditions on quasi-scientific grounds, his aesthetic presumptions guided the extent of his scientific inquiry. His concern in establishing the sanitary necessity of maintaining “properly-drained soil”, I argue, appears to be an attempt to alleviate the moral impacts of frequenting a damp and dreary graveyard. Chadwick, quoting the testimony of Rev. John Blackburn, writes:

I have no facts to communicate relating to the physical effects produced by the present crowded state of the old grave-yards, but I am sure the moral sensibilities of many delicate minds must sicken to witness the heaped soil, saturated and blackened with human remains and fragments of the dead, exposed to the rude insults of ignorant and brutal spectators. Immediately connected with this, allow me to mention that some spots that have been chose by both episcopalians and dissenters, are wet and clayey, to that the splash of water is heard from the graves, and as the coffins descend, producing a shudder in every mourner. (1843, p. 134)

While Chadwick affirms the relevance of the Rev. Blackburn's concern, he follows that “where there is *nothing visible* to raise such painful association, a feeling of dislike is manifested to the “common” burial grounds in crowded districts, or to their “dreariness” in the districts which are less frequented.” (1843, p. 142) By removing the dynamic of sight, he alludes to features of

dampness and crowdedness, which he believes leaves the living, especially the mourner, “open to the atmospheric poison” of the graveyard. (Chadwick, 1843 p. 288; see also 253)

While Chadwick's main concern in the *Report on the Sanitary Condition of the Labouring Population of Great Britain (1843)* was the assessment of the condition of burial-grounds, he also examines the neighbourhoods where these burial grounds are situated, drawing an analogy to the condition of the living and the dead. He describes conditions of poor ventilation that are damp, crowded, and foul smelling. (1843, p. 257) Similar to Chadwick, Walker also devotes some time in *Gatherings from Graveyards*, to describe the living conditions of the residents who live in proximity with a graveyard, or several. Drawing together this dynamic of foul air, Walker claimed that

The living here [in Clement's Lane, in proximity to four burying grounds] breathe on all sides an atmosphere impregnated with the odour of the dead. The inhabitants of this narrow thoroughfare are very unhealthy ... Typhus fever in its aggravated form has attacked by far the majority of residents, and death has made among them the most destructive ravages. ... the yards of those houses are frequently seen reeking with fluid, which diffuses the most offensive smell. (Walker, 1839, p. 149-152)

In Walker's text, he hypothesized that either *direct* proximity to the emanations of expired corpse, or a *general* proximity to a burial ground, may be enough to provoke ill health among the living. In either case, it is the quasi-scientific invocation of smell that empowers this theory, and empowering a belief in the necessity of the “ventilation” of the graveyard, and of the neighbouring community.

In *Gatherings from Graveyards*, Walker indicates his account of the entire dynamic of reintegration, from the decomposition of the body, to its effect on the impressionable living, and the improper environment for reintegration, contrasted with a quasi-scientific rendering of nature:

The burial-ground is the most decided place of maleficent influence. To the necessary degradation of the air by the living, is wantonly and unnecessarily added, by the decomposition of the dead, whose gaseous products in the open country would be directly neutralized by mixing immediately with the surrounding atmosphere ... which in a city lie accumulating and lurking at the base of the walls which confine them, rise slowly into the upper air, or rather disperse themselves horizontally into the streets, alleys, houses, and finally into the lungs of the people. In the city there is no living laboratory of vegetable organism to convert the poison of the dead into the healthy tissues of life, but it floats about freely, and becomes to animal life, when combined with it, the cause of disease, decrepitude, and death. (Walker, 1839, p. 205)

Only a bit further in his account, Walker summarizes this process. He writes that, “the thousands of dead bodies in London, which become mixed with the air, and are breathed by the people, incorporated with their blood, and thus the very putrefactions of the dead become parts of the living.” (1839 p. 207) However imprecise the account, Walker demonstrates a foremost interest in establishing the sinister intimacy between the living, and the improperly interred and exposed dead, who aggravate the “common” city atmosphere.

Even while medical sciences in the period had tended to regard the corpse as “a smoking dung-hill, with a vapour emanating from every part of it,” (Grant, quoted in Winslow, 1943, “The Conquest of Epidemic Disease”) it is significant that neither Walker nor Chadwick rendered the corpse as such. Only as among a collective, and only where “ventilation” was inadequate, did the corpse's decomposition become associated with a foul and poisonous gas. (Walker, 1846, p. 5) Importantly, it was not the corpse, but the particular conditions of the working class and their burial practices that produced a crisis of inadequate ventilation, as confirmed by a reference to lingering smells. This framing of the burial problem not only had implications for the burial practices of the working class, whose practices were feared to impact the entire city atmosphere, but also the upper class, who were able to articulate “dreariness” as a sanitary problem.



A COURT FOR KING CHOLERA.

Fig. 8: "A Court for King Cholera." Punch, 1852.

For reformers such as Chadwick and Walker, the issue of ventilation was a way of articulating the harmonious aesthetics Victorians held of the ideal natural system. "Crowdedness", grassless ground, stagnant water, and especially odour, rather than the corpse itself, were articulations of "filth" with respect to burial grounds. This formulation, while criticizing the working class as the source of a boundless pestilential air, also presented reformers with a framework with which to support the aesthetics of emergent upper class garden cemeteries

on sanitary grounds.²³ In contrast to the state of urban graveyards, garden cemeteries were planned, operated in open, verdant settings, sited in areas with dry soil, and generally provided for the burial of a single body in a given grave. (Loudon, 1843, p. 1832) In these conditions, which were conceived by a moral sensibility involved in the proper veneration of the dead, the proper natural and sanitary conditions for decomposition were argued to have been produced. With the association having been drawn, the sanitary approach to burial reform encouraged the refinement and dissemination of upper class standards of burial.

Section III: *The Olfactory and Moral Senses of G.A. Walker*

In his earlier work, *Gatherings from Graveyards*, Walker indicated that in the graveyard “some sites were so saturated with interments that gravediggers were simply displacing previous interments in order to make room, compacting the bodies and burning coffin wood to release further space.” (Rugg, p. 332) In a later pamphlet, *Burial-Ground Incendiarism: The Last Fire at the Bone-House in the Spa-Fields Golgotha* (1846), hereafter referred to as *Burial-Ground Incendiarism*, Walker provides a further investigation of this phenomena. Following a story by *The Times* that reported that grave-diggers and their managers had resorted to the burning of the bits of exhumed corpses and the coffin wood that contained them, he wrote of the practice of burning the remains the dead before they had sufficiently decayed. While this pamphlet did not translate into any recommendations on the manner of internment, unlike the earlier work, this

23 “It is conceived that the escapes of large quantities of deleterious gasses by the fissuring of the ground would be in a very great degree prevented by turfing over the surface ... At the Abney Park Cemetery, where the most successful attention is paid to the vegetation, this is done; in some districts of towns it marks the impurity of the common atmosphere that even grass will not thrive; and that flowers and shrubs which live on the river side, or in space open to the breeze, become weakly and die rapidly in the enclosed spaces in the crowded districts. ... The influence, therefore, of a full variety of flowers and a rich vegetation, so necessary for the actual purification of the atmosphere, as all as to remove associations of impurity, and refresh and soothe the mind, can only be obtained at a distance from most towns.” (Chadwick, 1843 p. 132)

pamphlet was intended to supply damning evidence that town burial grounds be closed. My goal for this section is to reread Walker's *Burial-Ground Incendiarism* as a text of burial reform that was particularly organized around the immoral conduct of gravediggers and their managers, and the reformist fascination with scent and air. Presenting an account of the cruelty of graveyards workers and the stench of the graveyard, Walker viewed the cremation-like activities at the Spa-Fields Golgotha as exemplary of the moral and atmospheric degradation found in the urban graveyard. While on the one hand, I am interested in the reformist reproach of foul scent and immoral conduct as a motivation for the closure of metropolitan burial grounds in the 1850s, my foremost interest in this text is the way blatant moral outrage superseded the interest in finding a scientific proof for the harm of 'incendiarism', yet the way the references to scent in themselves to be a form of proof.

There have been only tacit mentions of the *Burial-Ground Incendiarism* pamphlet among burial reform scholars and those who have located it merely as further evidence of the sickening state of burial management. (Penny, 1974, p. 66; Blount, 1963, p. 371) The obscurity of *Burial Ground Incendiarism*, relative to Walker's other offerings, is supplied by the fact that by its date of publication Edwin Chadwick had already published his *Report on the Sanitary Condition of the Labouring Population of Great Britain: A Supplementary Report on the Results of a Special Inquiry into The Practice of Internment in Towns* (1843), a document which inspired a legislative and regulatory sea-change throughout Great Britain.²⁴ Contemporary burial reform scholarship has tended to place emphasis on the concrete legislative impacts of reform itself, and as such, Walker's work has been included in the scope of research only in as far as his work served as

²⁴ Historian Sarah Tarlow identifies *Gatherings* as such an influential text that she marks its publication as the beginning of the burial reform period. (Tarlow, 2002, p. 228) Hotz, in particular, believes that Walker's comprehensive representation of the problem of graveyards, through his use of rudimentary statistics on the poor districts of London and his insistence that national legislators mobilize to solve the problem, inspired the thrust of Chadwick's reforms. (Hotz, 2009, p. 13)

Chadwick's inspiration. (Tarlow, 2002, p. 225)

The pamphlet, *Burial Ground Incendiarism* (1846) returns to a passage from *Gatherings from Graveyards* where Walker suggests that illicit incendiary activities were conducted by the poor, when they used discarded coffin wood to heat their homes. (1839, p. 10) On reading the 1846 pamphlet, there is a noticeable change in tone from his earlier work. He calls upon his reader to be incensed, as he is, against those who “whilst serving their own personal ends, degrade religion, and inflict the most serious and frequently irreparable injury on individuals and the empire at large.” (1846, p. 1) In the first pages, Walker recounts the burning of bodies at midnight, the exchanges between aghast women and the grave-yard's “midnight prowler” employees, and the heroic and single-handed intervention of the “engine keeper” (fireman) who had forced his way into the “bone-house” with a crow-bar, on the advice of residents who intended to stop a raging fire, for fear that someone would be injured. (1846, p. 9-13)

A sense of drama is carried throughout the piece, sustained by accounts offered by residents nearby to the burial-ground, and Walker's own assessment of the “scarcely human” constitution of the ground's workers and the stench emanating from the bone-house in particular. (Walker, 1846, p. 18, 19, 22, 23) By raising this case, Walker seeks to deepen the push for the reform of burials, not just in the metropolis, but this time in towns, such that those interred beneath their soil may not be at the mercy of intimidating, cruel, and impious men. (1846, p. 1) In his concluding statements, he offers not only an attack on the character of these men, but posits that their actions have led to an environment that is unbearable to the senses.

Our successors will learn that in the centre of the metropolis, under the very nose, eyes, and within hearing of great numbers of those who represent a huge, complex, and cumbrous legal machinery, sights, sounds, and *smells*, testify to the truth of my statement, and offer irrefragable proofs of the necessity that exists for the enactment of more stringent measures, since it appears that public opinion has

yet failed to shame the superstitious, the mercenary, and the unprincipled.
(Walker, 1846, p. 40; my emphasis)

The entire strata of figures involved in the management of the dead are among the incorrigible type, according to Walker. (1846, p. 9) Grave-diggers, who call out to women to utter threats of their mutilation in death, are like their managers who decline appeals to law, reason, or the intrinsic dignity of the corpse. (1846, p. 9)

Fig. 9: An engraving entitled “The Idle Prentice at Play in the Church Yard during Divine Service” from William Hogarth’s Industry and Idleness (1747) depicting gravediggers at play.



The “head man” in this ground, Smith, an hereditary grave-digger, has committed the most fearful and unheard-of atrocities on the bodies of the death. The long hair of the women has been cut off and sold to the hair-dressers; “rails” (teeth) have been taken from every corpse affording them of sufficient quality to stimulate his cupidity; while the materials in which the bodies of the dead had been clothed by the hand of affection have been, in the hundreds of instance, torn off by this

midnight prowler. (Walker, 1846, p. 30; parenthesis in original)

The work is replete with such passages, with Walker continuously naming the grave diggers and their managers as greedy and cruel, and almost singularly motivated as such.

Yet, while Walker describes the dramatic tableaux and includes the personal testimonies of the activities at Spa-Fields, his attention always returns to the physical environment, most persistently, its smell. He writes, “The inhabitants of Exmouth Street, Fletcher Row, Vineyard Gardens, and Northhampton Row, in the immediate neighbourhood, have frequently complained of “a tremendous stench” of *a peculiar kind*, which they say proceeds from the burning of human remains and coffins.” (Walker, 1846, p. 14) He situates the testimony of nearby working-class residents with his evaluations of scent as a physician, as they testify to the deplorable conditions that the gravediggers have been complicit in producing. (1846, p. 14, 15, 18, 19, 26) The “peculiar kind” of smell that these laypeople describe surpasses the offensive, but tolerable, everyday smells of the neighbourhood. The following passage evidences Walker's strategy with particular clarity:

A lady who lived in the house abutting on the grave-yard stated that she was obliged to leave from the intolerable smell proceeding from the bone-house; they burnt the bones at night, and sometimes they began to burn at eleven o'clock at night, and continued at it all night: the smell was shocking. (Walker, 1946 p. 19)

While Walker acknowledges that earlier reformist texts had already “demonstrated that bodies have been placed in spaces utterly inadequate to contain them,” (1846, p. 4) the burning of corpse and the scent it produces seem to reflect the continued systemic problem of working class burial grounds in particular.

Walker's visceral language towards the deed of incendiarism couples the immoral and wanton actions of the gravediggers with the scent of the graveyard. The scent of the place is of especial importance because it evidences the acts of moral evil that may not be detectable from

the appearance of the graveyard alone. Walker, like Chadwick, is aware of the visual cues that indicate the obvious mismanagement and overcrowdedness of burial grounds.²⁵ Yet, the dynamic of scent reveals whether or not the means employed to mitigate such a situation were adequate in more subtle instances. (Chadwick, 1843, p. 142) Unlike visual observation, olfactory assessments could reveal the use of the mass interment system, as well as conditions such as inadequate drainage, the quality of soil, and the improper depth and distribution of burial, without the disruption of the corpse in the process. The smell of “incendiary” activity also references facets of the working class graveyard that may not be obvious to the visual senses: “dangerous emanations”, the integration of cremains into topsoil, the pell-mell destruction of corpses before inhumation was appropriate. However the impossibility of measuring the ground's emanations, the presence of scent would reveal suspect burial practice. (1846, p. 5)

Consistent with his writings in *Gatherings from Graveyards*, Walker observes that the air's corruption may be detected by one's sense of smell, believing that these emanations lessen the quality of life of all who inspire them. He offers that this is most dramatically the case in warm and moist conditions. (1846, p. 33) The impact of the corpse's putrescence can be exacerbated by their containment and their eventual explosive release, though incremental poisoning was argued to be no less a danger. (1846, p. 5) In *Burial Ground Incendiarism*, Walker calculates that:

About 12-13ths of every body must dissipate, and either mix with the earth, or pass off in gaseous form. Hence the corruption of the atmosphere in London can frequently be detected by the sense of smell. This I would term, connected as it is with our subject, – *a specific deterioration*, – a corruption which must enter into the lungs and *corrupt the blood of the living*. ... Disease in its many and varied forms, proceeds from causes within or without the body. A man takes air into his lungs, on the average twenty times in a minute, or, in other words, he inspires the atmosphere twenty-eight thousand eight hundred times in twenty-four hours.

25 “The experience of the wisest men, of all ages, has gone far to prove that the mental and moral qualities of a people materially depend on their physical organization. (Walker, 1846 p. 3)

(Walker, 1846, p. 26-27; emphasis in original)

The formula insinuates an alarming relationship between corpse, air, and the living, suggesting that the intake of fouled, stinking, corpse-infused air is subtly and incrementally injurious to the impressionable living. As Hotz observes of Chadwick's *Report*, these reformers believed the proximity to the corpse leads to ill health, as well as impiety and disrespect. (Hotz, 2009, p. 20) Walker's interest in the actions taking place in at Spa-Fields is involved with tracking the “immoral consequences and injurious results” (1846, p. 5) of improperly carried-out and disrupted interments, as conducted by the opportunistic and sinister.

According to Walker, by far the most provocative and shocking conduct at the Spa-Fields Golgotha is the burning of discarded flesh and coffin wood, and I believe that this fixation reveals the heart of Walker's argument. By invoking the dynamic of ‘incendiarism’, Walker seeks to demonstrate that this crematory mode of disposal is immoral, because it is complicit with the impiety and greed of graveyard workers, managers, and owners. The respect for the inhumed corpse and interment's “natural agencies cannot keep pace with the cupidity of some grave-yard managers.” (1846, p. 25) For Walker, such a mode of incendiarism is a mark of greed that exploits the common air where there is no longer any space in the ground to contain the emanations of the corpses the Golgotha accepts. The graveyard managers and their employees who pursued incendiarism to alleviate overcrowding and replenish the soil, are at odds with the Walker's romantic natural aesthetic which expects that corpses not be seen, smelled, or disturbed in while “nature” takes its course.

Walker asserts that this outrage is shared by pious working class people, and offends in a way that the other evils of burial, the common interment system, a “watery grave”, the extortion of money from the bereaved, etc., had not. Walker includes *The Times'* account of the working

class reprisal against the conduct of the graveyard men:

In the bone-house he saw as many coffin boards as three men could carry and a great deal of pitch which was fastened to the chimney, which one of the men their said resulted from the burning of pitched coffins. The smell was horrible, and seemed as if from burnt bones or flesh. An immense crowd assembled on that occasion, who were ready to tear down the whole place. (1846, p. 19)

The entire scene that Walker draws is filled with imagery detailing the banality with which grave-diggers treated the bodies entrusted to them, the cries of concerned people, and the repeated reference to smell. (1846, p. 18-19) Walker's suggests that moral outrage, like the response to a particularly foul smell, is visceral.

During this account, Walker presents no scientific evidence of the effects of smoke-borne 'exhalations' from this mode of disposal. The outrage seems beyond need to take the strategy of incendiarism on its merits. It is possible that, to have met the issue of incendiarism in a scientific or rational debate would have been to concede that the practice was in some way admissible. Walker offers, quite tacitly, that the presence of fire may heat the earth and increase the rate in which the dead's emanations are released into it. (1846, p. 26) He does not specify, however, where these corpses would be, proximate to the fire, for these emanations to be released, or if the quality of smoke is commensurable to that of emanations. This lack of clarity suggests that Walker is uninterested in the actual chemical processes involved with cremation, but lets it open to the reader to assess its harm to the metropolitan atmosphere. I argue that Walker's claim to scientific knowledge in his reformist literature is rendered particularly tenuous by his refusal to engage with "incendiarism". What is significant to my reading is that Walker even as references to scent recall a scientific discourse; he draws a sensory relationship to morality. Though scent, even the layperson is capable of recognizing a context where nature has put into disharmony and is stifled from its agency by the immoral and impious actions of the graveyard workers.

William Robinson, in *God's Acre Beautiful, or The Cemeteries of the Future* (1880), cites the fact that this illicit incendiarism had continued into the late Victorian period, but only with respect to common, rather than privately-managed, graves.²⁶ In this book, he advocates for cremation as an alternative deathway practice, and argues that the de-emphasis on burial could encourage a more pleasing cemetery aesthetic. Rather than Walker's formulation, who draws an account of the disorderly, impious, and immoral conduct of burning scraps of tissue, limbs, and other strata that makes up "incendiarism", Robinson's version of it reflects the late-Victorian regulatory framework. Walker's paradigm reflects a period in which incendiarism was an accepted practice for all graveyards, yet the crowdedness of graveyards forced the burning of fleshy, only partly decomposed remains within working class burial grounds. Robinson's, on the hand, reflected the late Victorian upper class desire for interment in perpetuity, and a regulatory apparatus that ordered burial grounds in such a way as to ameliorate the harm of corpses, and prepare a used grave for re-use. In either case, it appears that incendiarism fell short of the naturalistic bourgeois ideals of both periods, and was reserved as a management technique to support the re-use of burial space.

Section IV: *Olfactory Law and Regulation*

Three reform figures, Loudon, Chadwick, and Walker, whose texts I have taken as representative of the 1839-1852 burial reform paradigm, each express a concern for creating a particular environment to secure the optimal manner of decomposition, in line with the belief that foul scent was a crucial aesthetic factor to consider with respect to the graveyard. Both aesthetic and

26 "You should go in there of a night, sometimes, Sir, and see them burning bones and the coffins. You see, they dig up the 'commons' every twelve years (of course they dare not interfere with the 'privates'), and what they find left of them they burn." (p. 85)

scientific discourses suggested that the most optimal conditions for burial were that of open rural or suburban spaces, with planned layouts, natural elements, and space between each burial plot. (Loudon, 1943, p. 1843) These views were incorporated into the mandate of the new regulatory apparatus that had come about through 1850s and 1860s legislation, starting with the *1850 Metropolitan Internments Act*, which was replaced soon after by the *Burial Acts of 1852 and 1853*, and other subsequent *Burial Acts*.

These 1852 and 1853 *Acts*, indebted to the efforts of burial reform advocates and to the earlier passage of the 1850 *Act*, provided the means by which metropolitan burial grounds and unsuitable burial grounds in other parts of Britain could be closed by the Home Secretary, on the grounds that the scent or appearance of the place betrayed a threat to public health. They also discouraged the idea that existing metropolitan burial sites could one day be resuscitated and reopened, due to the saturation of the number of existing bodies within them. While the *1849 Nuisance Removal Act* empowered the Board of Health to investigate the state of burial grounds, the *Burial Acts* enabled a whole stratum for the management of burial within a growing techno-administrative state to maintain and plan for burial grounds, in concert with newly established autonomous local Burial Boards. (Joyce, 2002, p. 97)

Few burial reform scholars have attempted to trace the aftermath of this new administrative apparatus, and those who have, namely Wiggins and Rugg, have tended to examine the economic and political interests involved in the 1850 *Act's* experiment of centralization, in contrast to the latter *Act* that opted for a decentralized system of burial regulation. Wiggins' research indicates that the replacement of the 1850s *Metropolitan Internments Act* by alternate legislation was motivated by a preference towards the local

administration of graveyards over a centralized solution.²⁷ Rugg's work, which also touches on the 1850s reforms, is less comprehensive and focuses on the discouragement of the common interment system and the negotiation of standards to allow for the purchase of family plots within the new sanitary scheme. Both Rugg and Wiggins seem to acknowledge that the decentralized solution complicate the ambition to measure the efficacy of burial reform discourse through reference to legislation alone. For example, even as Rugg is confident that Chadwick's chief interest had been in the "one body, one grave rule"²⁸, she is only able to cite Earlham Cemetery at Norwich and a cemetery in Malton North Yorkshire as having made specific regulations according to this rule. Yet, both Rugg's and Wiggins' position treats the 'sanitary position' as articulated in reform discourse as self-evident and inevitable. (Rugg, 2013, p. 343; Wiggins, 1991, p. 4-5)

My alternative approach, pursued through a framework of scent, is concerned with the way the newly established regulatory apparatus of the mid-1850s navigated the task of ensuring the adequate management of private, public, and parochial burial grounds. In this section, I look at the way local Burial Boards' regulations, as well as the Board of Health's Burial Inspectors' recommendations to the Home Secretary, took up the task of managing burial grounds by pursuing ideal olfactory aesthetics. I argue that the norms that were suggested by burial reform advocates, Walker and Chadwick, were effectuated by the enforcement of burial regulations by

27 From Wiggins' account, it appears that Chadwick's interest in centralization was not shared by many others, especially since the *Act* would give considerable powers to a single board, and hampered the possibility of free-market solutions to the burial problem. The bill was objected to by the city's undertakers, who were concerned for their livelihood, and members of Parliament who represented the Metropolis, and desired local control over burial grounds, as well as those that were against the provision that extended burial fees to the clergy "in perpetuity" even after parish burial grounds were closed. Given the immense cost implicated in the appropriation of burial grounds and the allotment of funds for the clergy, the *Act's* complete implementation was halted by prevarication from the Treasury that had been uncertain of the Board's ability to achieve the required monopoly of the funeral business, the *Act* did succeed, however, in obtaining land for a new national cemetery, and allow for the expansion of Kensal Green. (Wiggins, 1991, p. 111)

28 Chadwick's *Sanitary Report*: "when only one body is deposited in a grave, the decomposition proceeds regularly, – the emanations are more diluted and less noxious than when the mass of remains is greater." (1843, p. 127)

inspectors who employed olfactory techniques to detect where burial conditions were unsatisfactory. In my analysis, I highlight that the inspectors were empowered to employ a nascent form of expertise, literally tasked to “sniff out” sanitary issues. This affective and sensory mode of detection, while in the name of sanitary science, is more aptly aligned with the aesthetic expectations Victorians had come to hold of graveyards, disrupting the historiographical assumption that reform was solely directed towards sanitary outcomes.

The *1852 and 1853 Burial Acts* provided for a workable and comprehensive scheme of burial, to replace a centralized system of burials introduced by the earlier *1850 Burial Act*. Importantly, the centralized system of the *1850 Act* empowered the Board of Health to investigate the state of burials and recommend to the Home Secretary to close offending graveyards, prohibit further interments in urban churchyards, as well as stipulated that the Board of Health provide for funerals in cemeteries at fixed charges. (Wiggins, 1991, p. 199) As a result of the *1850 Act*, 163 consecrated and 50 unconsecrated grounds²⁹ were closed on the basis of evidence that had been collected throughout the course of Chadwick's *Sanitary Report*. The 1850 scheme, thorough highly effective at closing burial grounds, was replaced by the 1852 and 1853 legislative scheme which included the Board of Health as an overseeing body, and encouraged the local administration of burials (Wiggins, 1991, p. 83-110). The *1852 and 1853 Burial Acts* seeded the Board of Health's responsibilities in large part to the Burial Boards that had been formed by local vestries, who would report to the Burials Office within the Home Office. (Rugg, 2013, p. 333) At its outset, the Burials Office was itself a small body run by the Chief Inspector, who managed the group of sanitary engineers that had been employed under Chadwick at the General Board of Health. (Rugg, 2013, p. 333)

29 In 1854, the *1852 and 1853 Burial Acts* allowed for the closure of a further 26 consecrated and 14 unconsecrated sites.

In line with the *1852 and 1853 Burial Acts*, it fell upon the Chief Inspector to visit any proposed new burial sites and establish their suitability for interment, as well as assess a churchyard that was considered a nuisance, and make recommendations as to its closure by Order in Council. As Joyce writes, “there was a shift from the legislator to the administrator and the bureaucrat, the new science of the social receiving its most characteristic expression in the form of the techno-administrative state that began to emerge at this time...”. (Joyce, 2002, p. 97) Rather than managing burial grounds centrally, in the name of public, the administrative apparatus of the latter *Burial Acts* was set up to ensure that local bodies would enforce their own regulations, with only occasional intervention from the Burial Office administrators. One early activity of the Chief Inspector, at the time Dr. John Sutherland, was to compile a document to circulate to newly formed Burial Boards to direct the principles in which regulations for the cemetery may be made. (Rugg, 2013, p. 334) His regulations, as cited in Rugg, were organized accordingly:

Regulations 1–16 dealt with the laying out of the cemetery, in terms of its location, soil conditions, the amount of land needed and its basic infrastructure including pathways and roads; regulations 17–27 dealt with the grave itself; regulations 28–40 dealt principally with matters relating to the funeral such as conveyance of the body to the cemetery, monument design and the finishing of the grave once it had been dug; and regulations 41–54 gave guidance on the construction of reception houses or mortuaries. Sutherland had borrowed some of his examples and scientific evidence from Chadwick’s earlier report, including the worked example of how to establish the amount of cemetery space a particular settlement might need. (Rugg, 2013, p. 334 citing ‘Instructions’ in Cunningham Glen, op. Cit., 150-52)

Sutherland’s document provides a model for the regulations implemented within parishes, whose Burial Boards were empowered to maintain burial grounds according to their own designs, and set the costs of funerals and burial to their own standards. Additionally, all new burial grounds, as set by the regulations from the Home Secretary, were instructed to ensure that drainage, burial

depth, burial layout, the standard allotment of space, and tenure of interment, fell within acceptable standards.

Within this new scheme, Burial Inspectors, responding to complaints regarding the state of burial grounds, collected their findings as reports to the Home Secretary that would assess the conditions of the soil, the costs of different modes and classes of burial, and the degree to which a given graveyard met the standards of “public decency.” In an 1856 report, Inspector Holland and Chief Inspector Dr. Sutherland detailed the state of four metropolitan graveyards, and reported their findings according the manner the open graves appeared. They were distressed to find, in these graveyards, open graves with coffins stacked upon one another, with no soil between them. (“Cemeteries.”, 1856, p. 2, 3, 5) Though the offences were visually obvious, the Inspectors appeared sympathetic the graveyard owners, who may not have been fully aware of the practices by their gravediggers and the extent to which their practice could be dangerous to the population. (“Cemeteries.”, 1856, p. 5) With some flourish, the report provides that though an Inspector frequented the offending Old Yard Place graveyard on a cold, fresh, windy day, on a “calm, warm day, I should expect to find a very oppressive odour, for the quantity of putrid gas given off by such a mass of corruption must be far greater than the soil can absorb or decompose.” (“Cemeteries.”, 1856, p. 3) The reporting Inspector expresses worry for the 200 mourners and spectators who are oblivious to “the foul emanations arising from the putrefaction beneath their feet.” (“Cemeteries.”, 1856, p. 3)

Through Burial Inspectors' primary role was to assess the state of particular burial grounds according to concerns of standing water, delayed burial, the distribution of soil between corpses, and the like, they also occasionally submitted testimony to the Secretary for the purpose of suggesting legislative improvements. An 1857 report of this kind was submitted to Parliament

with an interest in responding to the olfactory problem that the mass interment system posed to the public. While single plot interment was regarded as an acceptable practice, the burial of two or more bodies in the same plot posed a problem to Inspectors. It was believed that this system contributed a disproportionate amount of “putrid gases” to the burial ground as a whole. Unlike single-corpse interment, mass interment frustrated the principles of orderliness that had been established by regulations, such as the setting of burial plot size, the calculation of bodies per acre, the length of time that was set for decomposition before exhumation. At the outset of the 1850s legislative period, the common interment system was highly criticized, yet it was not legislated against, likely due to its low cost to both graveyard manager and the caretaker of the deceased, and its economical use of land. Nevertheless, the regulations of the 1850s reflected an effort to act upon the presumption that the concentration of bodies in a single plot, or too close together, would exacerbate the smell of decomposition.

In the 1857 report, the Inspectors render these gases as somehow harmful, posing the fact of scent, or the imagination of chemical processes as a proof of this harm. One Inspector submits that “putrid gases penetrate the soil to some distance,” such that even corpses buried individually expire from being buried and contaminated with the “carbonic acid and putrid gas” already in the soil. (“Burials.”, 1857, p. 5) He cites the fact that a candle would not remain lit within the grave as evidence that grave was filled with gas that was toxic to life. (“Cemeteries.”, 1856, p. 8) With such conditions, the Inspector warns, a lack of ventilation in such a pit could mean sudden death for the gravediggers. With such a treacherous environment, Inspectors worry that even if the soil atop these graves is packed down to that “no offensive odour is perceptible... by preventing the access of air, there will be a production of putrid gas greater than so limited an amount of soil can absorb.” (“Cemeteries.”, 1856, p. 8) Particularly in “clayey soils”, the Inspectors worry that

when the soil dries and cracks, these fissures will shoot the poisonous air upwards, without allowing the soil to purify the rising air at all. (“Cemeteries.”, 1856 p. 8) The Inspector's notes consistently reference back to the scent of these gases, and the relationship of the foul gases to the purifying influence of nature.

This 1857 document calls for an end to the mass interment system, according to the difficulty of regulating the practice to achieve the intended aesthetic and sanitary ideal. The Inspectors share an anxiety towards the inability to monitor the mode of interment of bodies once they are buried. As one Burial Inspector notices, he “could not make an inquiry [into the state of burials] without exciting unpleasant burial.” (Great Britain, 1856 p. 10) For the graveyard manager, such as William Austin of the London Necropolis Company³⁰ the mass interment system poses a threat to the competitiveness of his company. Where other less expensive graveyards opted for the continuance of the practice of mass interment to provide the working class with an affordable option, the London Necropolis Company was uncompromising in its cemetery's aesthetic. Another burial ground operator, this one representing a working class burial ground, told an Inspector that the money he received from “the guardians of the West Ham Union”, according to a contract, was not sufficient to bury the paupers under their employ according to the “one body, one grave” rule. Repeatedly, the term “customary” is to capture managers' deference to pit burial, while the Inspectors maintain the “objectionable nature of this practice.” (“Burials.”, 1857, p. 7) The single interment system was most actively defended by private interests who regarded this system as potentially more profitable, straightforward, and less likely to inspire complaint from their patrons and from Burial Inspectors.

Conclusion

30 Created in 1852 according to *The London Necropolis & National Mausoleum Act*.

Having taken account of the sustained reference to scent in reformist literature, this chapter has made the case that scent was used as the foundational criteria to confirm the success of an appropriate burial aesthetic. By drawing upon science and a broad sanitary discourse of 'ventilation', I have explored the context of 1840s and 1840s burial reform discourse, where the working class were taken as a mass that complicated the natural process of disintegration. In contrast to the working class' "filthy" existence, Victorian bourgeois culture drew their ideal of the environment from scientific theories that cast the natural world as a place of balance and beauty, made possible by the constant circulation of air, and the transformation of matter into the natural cycle. Such an impression of nature supported the Victorian bourgeois burial ground model, the garden cemetery, while casting the poor's methods of disposal, or their burial conditions as a perversion of the natural order accomplished by the sinister and opportunistic.

Where initially, Walker in *Gatherings from Graveyards* (1839) had deployed scientific reasoning to make the case that foul smelling air contained threat of contagion, rousing government action. During the period where the burial problem had begun to dissipate, a similar inference to air guided Inspectors when they made inquiries upon the state of metropolitan burial grounds. Throughout this 1839-1860 period, the threat of corruption was in some way detectable through the senses, and proved revealing of the concern Victorian society held towards the moral life of the city. For Walker in particular, but also others, olfactory modes of detection revealed immoral conduct such as idleness, greed, caprice, and in some cases, even violent evil. Unlike the poor, the upper class had developed an understanding of natural processes that could bring about, but also demanded, beautiful, garden-like, and odourless spaces for the dead, to discourage the association of bodies from filth. In this chapter, I have made the case that Victorian reformers, by responding to their view of the natural world, discovered in sanitary

theory a means to support their inclinations to particular burial standards on moral and aesthetic grounds. The deployment of scent organized under a scientific discourse allowed the bourgeois commentator, and then regulator, to invoke the authority of science even as they communicated a classist aesthetic discourse.

CHAPTER 3

Inscribing the “Liminally Dead”:

Cremation, the Corpse and the regulation of body disposal in the
Victorian *fin de siècle*

Do that which is done in all good work of every kind – follow Nature's indication, and do the work she does, but do it better and more rapidly. ... In the human body she sometimes throes off a diseased portion in order to save life ... the surgeon ... follows her lead and improves on it.... The naturally slow and disagreeable process of decomposition which we have made by one mode of treatment infinitely more slow and not less repulsive, we can by another mode of treatment greatly shorten and accomplish without offence to the living. (Thompson, 1873 p. 325)

In Bram Stoker's late-Victorian novel, *Dracula* (1889), the administrative, legal, and forensic apparatuses around death that existed between 1874 and 1905 are integral to the plot. Literary scholar, El Messiri writes, "The first crime in the novel (and perhaps the primal crime of a novel like *Dracula*) is the forgery of a death certificate," (1994, p. 109) whereby the band of Heroes attempt to allay suspicion that the deaths of the Westerns, Lucy and her mother, are traceable to the presence of Count Dracula. At Van Helsing's discovery of a piece of evidence, an account from Lucy of the supernatural intervention that may have threatened her life, he tells Seward of his plans to prevent formal inquest by invoking their authority as doctors:

I came to speak about the certificate of death. If we do not act properly and wisely, there may be an inquest, and that paper would have to be produced. I am in hopes that we need have no inquest, for if we had it would surely kill poor Lucy. If nothing else did, I know, and you know, and the other doctor who attended her knows, that Mrs. Westerna has disease of the heart, and we can certify that she died of it. Let us fill up the certificate at once, and I shall take it myself to the registrar and on to the undertaker. (Stoker, 1889, p. 158)

Bram Stoker describes in *Dracula*, the official process by which Mrs. Westerna's death may be accounted for by their medical authority, and to the satisfaction of the law, in the attempt to stop an inquiry into the cause of her actual death, and thereby prevent the law from taking an interest in their plot to stake and kill Count Dracula.

Further in the novel, this theme of evidence developed more thoroughly. When the Band of Heroes conspire to kill Count Dracula, it is significant that Van Helsing believed the body

would auto-cremate in the event of Dracula's staking. Where the Band of Heroes is wary of the potential for the law to punish them for their actions, they appear comforted in the knowledge that Dracula's supernatural body would leave no trace.

We have already arranged what to do in case we get the box open. If the Count is there, Van Helsing and Seward will cut off his head at once and drive a stake through his heart. Morris and Godalming and I shall prevent interference, even if we have to use the arms which we shall have ready. The Professor says that if we can so treat the Count's body, it will soon after fall into dust. In such case there would be no evidence against us, in case any suspicion of murder were aroused. But even if it were not, we should stand or fall by our act, and perhaps some day this very script may be evidence to come between some of us and a rope. (Stoker, 1889 p. 346)

In both instances, however, the Band of Heroes fears that textual evidence, rather than corporeality, has the potential to incriminate them in some way. In the case of Mrs. Westerna's death, they express the worry that *if* an inquest is performed, the law will compel the adventurers to turn over the letter that Lucy had written, revealing the supernatural context, or even the cause, of death. In the case of Dracula's death, the adventurers have the benefit of his auto-cremation, but share the trepidation from the first passage, that the textual evidence alone will be enough to reveal their crimes.

Dracula scholars, El Messiri (1994, p. 109-110), Jennifer Wicke (1992, p. 467-93, and Christine Ferguson (2004, p. 229-249) have noted the strategy of erasure (i.e. of Count Dracula, the monstrous Other, textual omission) in Stoker's use of language and narrative technique, and each make the case that the struggle through textuality within the novel is the key to the relationship between modernity and the supernatural. This theme of textuality fits within my interest in the specific configuration of the legal apparatus within the late Victorian period. In my chapter, I identify a tension in the law, between the actual corpse (capable of being misconstrued by medical science and effectively obliterated) and the corpse that has been inscribed by medico-

legal knowledges. What *Dracula* makes clear is that what is at stake for the law is not the status of dead themselves, but the implications of its truth on the living.

Cremation was introduced as an alternative to burial towards the latter part of the Victorian period. By its advocates, the process was regarded as potentially less costly, and more sanitary, aesthetically pleasing, and efficient in its use of space than burial. While these alleged benefits of cremation may have factored into the acceptance of the viability of the practice for cremation's advocates, the cremation movement, represented by the Cremation Society of Great Britain, was challenged by the question of its practicability, especially with respect to the treatment of the corpse by forensic and legal knowledges. Those hesitant to adopt cremation, those who did not morally object to the practice, as well as those who did, raised the concern that the new practice would enable “foul play” or “premature” cremation and allow it to go forever undiscovered once the corpse was destroyed.

In 1884, after a judge declared the practice of cremation legal, the *British Medical Journal* reported:

The greatest objection to the *adoption* of cremation lies in the fact that it might undoubtedly render the detection of murders more difficult. ... If cremation is to be practiced in this country, it should be regulated by law, so as to secure the due observance of public decency, and *safety from irregular or premature destruction of the corpse*, and to give security from prosecution to those who properly conduct rites which are now seen to be not illegal. (“Cremation.”, 1884, p. 571-2.)

The awkward phrasing speaks both to the facts of the case, *R. v. Price* (1884) 15 Cox. C.C. 389, as well as the controversy around it. The passage indicates an ambivalent relationship between cremation and apparatuses of forensic medicine and law that at the time had not developed to produce knowledge of the corpse that would survive after the corpse had been cremated. The adoption of cremation rested on the ability to ensure that cremation did not take the life of the presumed dead, or destroy crucial evidence, when in the process of destroying the body.

While my research indicates that much of the Cremation Society's activities focused on overcoming the objection of foul play and the ambiguity of death that the apparatuses of death could not account for, the transformation of knowledge has not been taken seriously by cremation scholarship. Rather than treating the question of “foul play” as a sincere preoccupation of cremation's critics and skeptics, cremation scholars either ignore the issue entirely, or represent the issue as a disingenuous and sensational objection that stood against progress. (Curl; Jupp; Parsons; Morley; Wiggins) Taking issue with this view, I believe that this element of the cremation movement relates intimately to developing relationship between the medical regulation of the body and the reception of this process by the Victorian public. I argue that the issue of “foul play” communicated question of cremation's practicability in a medico-legal dimension, and made a strong case for the development of a fledgling medico-legal apparatus into yet uncertain territory, i.e. the finding of the actuality of death and the inscription of the corpse as a medico-legal object that would survive the disposal of the physical remains. Though the fact of death, determined by forensic medicine, is today taken for granted, Victorian science was puzzled by the ambiguity of the threshold between apparent and actual death. By attempting to address the potential of “foul play”, cremationists effectively sought to empower the growing medical knowledges at the time with authority, deepening the scope of medico-legal domain, and providing assurance of the safety of the range of body disposal options.

Borrowing George K. Behlmer's concept of “liminal death,” which gives expression to the late-Victorian notion of the “in-between” space between living and death, I explore the ambiguity and mystery of death for the Victorians. I take this “liminal death” threshold to demarcate the site of the intensification of medico-legal knowledge, “the corpse”. By defining the object of the “liminally dead” corpse, Behlmer has provided a way to access the anxiety of

the ambiguity of death from Victorian cultural, medical, and legal standpoints that are not captured by other models that would otherwise tend to describe a Victorian anxiety towards crime, death, or dying painfully. While I believe that all these other concerns have a part to play in the cremation paradigm, this organizing concept of “liminal death” strikes at a concern more relevant to the development of the corpse as an object of regulation, namely, the use of medico-legal knowledge as the determinant of life or death. Using liminal death in this way, I explore the linkage between medico-legal issues of “foul play,” death certification, postmortem examination, and premature burial/disposal which surrounded cremation movement, situating the movement within an aesthetic of “endless sleep” model of dying and death that featured throughout the Victorian period. First, I provide an overview of the developments in the forensic and legal apparatus around death leading into the cremation reform period. Second, I account for the dynamic of “liminal death” by making the case that the “Good Death” aesthetic of the early and mid-Victorian encouraged the representation of death as a “peaceful repose,” (i.e. the “dying of death”) which in this later period stimulated the Victorian anxiety of premature interment. In my third section, I provide the culmination of these two aspects of Victorian death culture as they featured in the cremation movement. Accounting for the reproach of “foul play” as a popular issue within the move toward the establishment of a formal medico-legal apparatus to verify death, I present the cremation movement as advocates for a biopolitical understanding of the corpse to replace the reliance on the presence of the physical corpse.

Section I: *Between Death and Burial: Statistics, Sanitation, and Forensics*

Thompson writes that between the legislative reform of the Burial Act of 1852 & 1853 and the

outset of the cremation reform period “some five-and-twenty years have now elapsed...” (1873, p. 556) During the former period, “Acts of Parliament were passed prohibiting intramural interment. The poisonous abominations were removed, vaults were hermetically sealed, and the dead were carried miles away ... (Thompson, 1884, p. 556) Since the 1850s, no major reform of burials were conducted. In the post-burial reform period, burials were carried out according to sanitary standards, though some sanitarians of the 1870s and 1880s, “earth to earth” burial advocates³¹, labelled as such by their contrast to the cremationists, expressed an interest that the system of burials could be further refined to pacify the corpse's threat and complete reintegration more speedily. (Hamlin, 2005, p. 15-22) While the sanitary threat of the corpse on the occasion of its disinterment featured prominently in Thompson's rhetoric and the sanitary discourse around burials, the management and administration of burial and burial practice was not a particularly pressing issue to cremationists.

Instead, cremationists focused on the post-mortem processes associated with the management of the corpse in the space in between death and burial. In the burial reform period, reformer Edwin Chadwick (1843) and reformist G.A. Walker (1839) addressed the post-mortem treatment of the dead only in as far as the corpse posed a sanitary threat. At the time of their writing, they balanced the concern that interments were not occurring within a reasonable period of time from the point of death with the acknowledgement that proof of the actuality of death remained elusive, especially among laypersons. To better explain situate the resurgence of the interest in the “actuality of death” I engage with the development of the administrative apparatus around death that emerged throughout the late-Victorian period in the cremation reform

³¹ Among them was Francis Seymour Haden who maintained that the use of wicker caskets, or even linen sheaths, provided the best vessels by which to preserve the dignity of the deceased, while also providing a sanitary, cost-efficient, and speedy means of burial, imploring the upper class to discard the vanity of maintaining a grave in perpetuity. (1875, p. 23-25, 31)

paradigm. The late-Victorian period reflects a culmination of the development of knowledge-producing apparatuses of law and forensic medicine around the body, throughout the Victorian period.

The common practice among the upper classes as well as the working class was to keep the body in the home in anticipation of, and following death. The working class were criticized for allowing children to play near the dead, drinking with the dead, and keeping the dead within their crowded homes, while the practices of the upper class were criticized to a less degree. (Chadwick, 1843, p. 42-45) In 1875, Seymour Haden described a typical postmortem scene:

The body that should have been laid in the ground three days ago still lies up staid, a sheet drawn over the face to protect it from the flies, and the windows slightly open to relieve the upper part of the house of the sickening aura that has begun to pervade it. ... Then, when from its condition the body can no longer be allowed to remain exposed, and when, in reason, its interment should be effected, comes instead the stereotyped announcement that the “closure of the coffin can be no longer delayed,” and then three, or even four more, miserable, fretful, useless days follow. ...you saw them [the deceased] when summoned to look upon them for the last time before they were 'screwed down,” but as they were a week before – beautiful with the peculiar beauty that distinguishes the recently dead, ... the time has come when custom has decreed that you may be released and the dead put to its rest. And what a rest! ... we cannot thus outrage a Divine ordinance with impunity; that wherever it may please us to bury our dead properly – and nothing is easier – Earth will be found competent to do her own work ... (Haden, 1875, p. 14-15)

Scholars Rugg (2005; 2013) and Hurren and King (2005) reveal that, in working class communities, the practice of keeping the body in the home served both an interest in monitoring the deceased for signs of life and allowing the bereaved to come up with resources to conduct proper funeral and burial rites. Instead of employing the services of a medical man, as was the case in upper class homes in the mid-Victorian period, a local woman would conduct the “laying out” of the working class corpse, draining the orifices and plugging them so as to prevent leakage in order to slow decomposition and prepare it for burial. (Richardson, 2006, p. 151-

153)³² Walker in *Gatherings from Graveyards* (1839) writes that a crucial aspect of the “laying out” of the corpse was to remove the bedclothes of the corpse and expose the body to the cold to “extinguish any spark of life that may remain.” (p. 191-192) Rather than seeking a doctor to revive the person, the folk practice seemed to reflect an interest in making the passage into death more complete.

Amidst the variation between and among the practices working and the upper classes in the early and mid-Victorian period, which varied on the subject of how the dying process and the preparation for burial proceeded, it appears that the law had no interest in regulating this space. Before 1874 there was no standardized system for the certification and the verification of the facts of death until an amendment to the *Births and Deaths Registration Act* made the medical certification of death compulsory. Not only did the 1874 legislation newly indicate that a medical history had to be submitted to the Registrar to corroborate the fact of death, it also set that the registration of death must be sought within five days of apparent death. Although it did not require that a coroner examine the body each case, or that the cause of death be determined, the legal fact of death was sufficient for burial. The concern towards “premature interment” in this post-1874 period was for this reason a particular preoccupation, not only for physicians and scientists who sought the true symptoms of death, but for those who felt that this apparatus would potentially condemn the living to the grave, or allow murders to go undiscovered.

Before 1874 the legislative scheme that held together “death certification” was bare-bones. The initial legislation for some system of death certification was the 1812 *Parochial Registers Act*, which established a standardized system of parish record-keeping. (Green and

32 Among the working class, the practice of “laying out” the dead, a form of community-based funerary preparations would prepare the body for death. A local “handy woman” was “involved washing and dressing the body, straightening its limbs, making sure the eyes and mouth were closed, often by the use of coins on the eyelids and a chin-strap to hold up the jaw. The dead would usually be dressed in white, in night-clothes, underclothes, or in a purpose-made shroud.” (Richardson, 2006, p. 152)

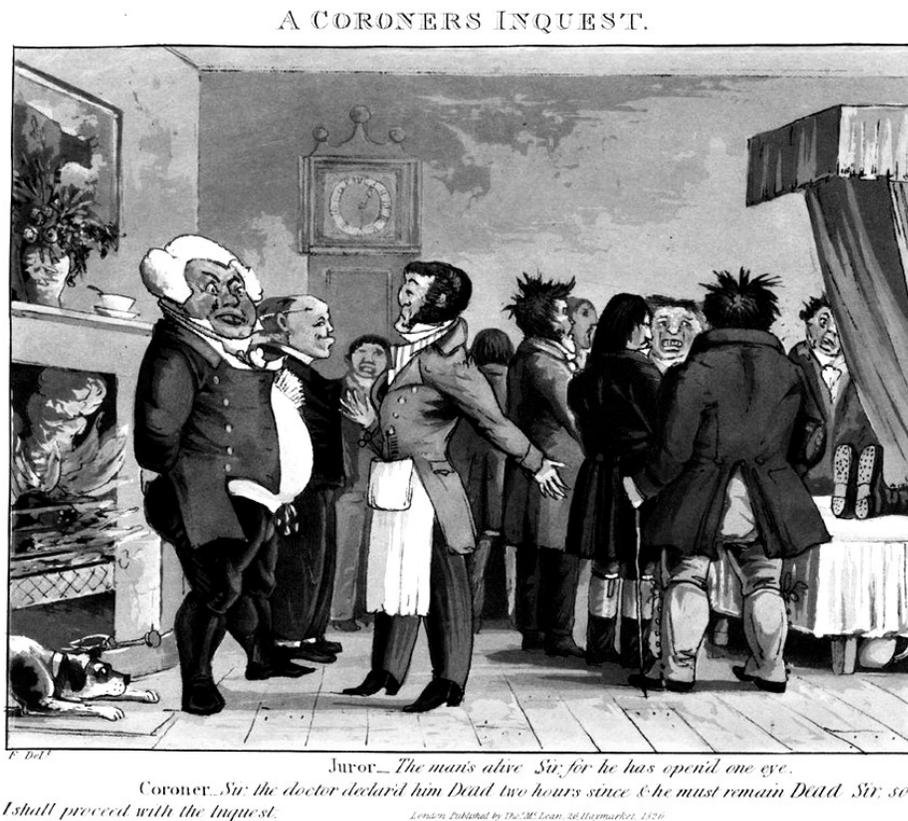
Green, 2006, p. 160) In the latter-half of the 1830s this system was modified to facilitate the creation of a centralized apparatus for the collection of vital statistics in Great Britain. In 1836 the *Births and Deaths Registration Act* was passed to facilitate the collection of vital statistics from parishes, and was followed soon after by *The Births and Deaths Registration Act of 1837*, which established the General Register Office (GRO) to collect these statistics and establish a legal proof of death as part of its responsibilities.³³ (Parsons, 2005, p. 15) In the post-burial reform period, to accommodate the secularization of burial grounds by the *Non-Parochial Registers Act of 1840*, *The Births and Deaths Registration Act* was amended in 1858 and called for a standardized system of registration for all births, deaths, marriages, baptisms, and burials, shifting the burden for the collection of these vital statistics was entirely on the Register's Office rather than parochial officials. This shift alleviated the responsibility of record-keeping from both private- and parochially-run cemeteries, while the burden of producing the documentation of the legal certainty of death was placed on the state, and the burden of death registration was put on the executor of the deceased's will.

Concurrent with the development of the system of death registration, the role of the coroner and the role of the medical profession in a post-mortem context also developed. (Ward, 1994, p. 28, 39) *The 1836 Medical Witnesses Act* empowered General Practitioners to submit evidence from their post-mortem findings with the *1836 Medical Witnesses Act*, while the coroner's role became formalized by the *Attendance and Remuneration of Medical Witness at Coroner's Inquests Act of 1836* and the *1837 Coroner's Expense Act*. (Ward, 1994, p. 28, 39)

³³ The role of the General Register's Office (GRO), too, held only a vague connection to the system of burials. Officially, the GRO was under no mandate to ensure "disposal," only to establish whether death and disposal had taken place, a notion made explicit in *R. v. Price*. As legal historian Stephen White observes, the *Birth and Death Registration Acts* were "never intended to, and do not, curtail the methods of dealing with a dead body otherwise lawful at common law." (White, 2000 p. 154) This enabled the compatibility between the apparatuses of certification, examination and inquest with the practice of cremation, but was equally applicable to burials as well.

Collectively, these *Acts* established a payment system to Coroners, enabled the GRO to authorize a physician to perform a post-mortem examination to determine the cause of death, and allowed the medical professional to submit legal evidence related to their post-mortem findings. (Ward, 1994, p. 28)

Fig. 10: The cartoon depicts "A Coroners Inquest" where the young coroner, dressed in an apron, attempts to persuade the juror to let him proceed with an "inquest", though the juror believes the corpse "open'd one eye." (London: The McLean, 1826).



In a document entitled "Suggested Improvements in the Coroner's Inquest," Registrar General William Farr reports that the success of the system of death certification, and occasion inquests, would be measured not in "the number of crimes detected ... [but] the number of crimes

prevented,” (1856, p. 206) and asked that the coroner's office be operated by professionals skilled in “medical jurisprudence.” (p. 205) According to police historian Thurmond Smith, at this period, the coroner's inquest was considered to be little more than a duplicate of the magistrate's proceedings and rarely amounted to an investigation by police. (1985: p. 61) While the coroner's role, throughout the mid-Victorian period, as advised by the Register General, was conducted in the “interest of improving public health by the collection of scientific and medical knowledge” (Ward, 1994 p. 64-69), some of the coroner's *de facto* responsibilities grew to encompass forensic investigation to aid police investigation.

These transformations in legislation and administration, culminating with the 1874 *Births and Deaths Registration Act*, reflect the growth of the state apparatus around death. By the mid-1830s the state had assumed the responsibility over the collection of statistical evidence, and steadily began to refine the level of detail and certainty that could be generated from them. On its face, the forensic-medical apparatus had developed to the extent that it satisfied the state's requirement of providing certification of death, it was not able to produce this fact with absolute certainty, but presumably provided at least a greater degree of certainty than this without medical training. By the 1830s the upper class had already begun to invoke the medical profession by hiring a general practitioner or a coroner to inspect the body for signs of death instead of judging the fact of death themselves. Jalland notes that in some instances, if the medical man deemed death to be imminent, the death certificate would be procured before actual death in the interest of decreasing the length of time which the body was kept in the home. (1996, p. 34) The notion that medical science could predict, or less ambitiously, certify death to the extent that it was compatible with the aims of the law, invited the presence of forensic medicine within the law, which developed to require the certification of death in every case.

Section II: *Towards an "Endless Sleep":
Changing Aesthetic and Sentimental Ideals of Victorian Death*

The Victorian ideal of death shifted through the period to reflect the gradual fading presence of the corpse in metropolitan life. A concept of the “dying of death,” popularized by Victorian social commentator Joseph Jacobs in an 1899 article for the *Contemporary Review*, was adopted to describe a relationship to death for the Victorian in which “death had lost its terrors”. (Leaney, 1989, p. 133; Behlmer, 2003, p. 206) Jennifer Leaney suggests that the cremation movement was emblematic of the “dying of death,” borne of coalescing of sanitary and high society ideals. (1989, p. 132-134) Behlmer, too, inspired by Jacobs' formulation, relates the phenomena to the sentiment of “endless sleep” that had been expressed on Thomas Huxley's tombstone in 1895 as indicative of a “general feeling”. (2003, p. 206) By the *fin de siècle*, the idea of an “endless sleep” connoted the fading of a sense of drama from death as it appeared in everyday life. (Behlmer, 2003, p. 206-207) In this section I would like to trace the decline of the dramatic death, and mark Behlmer's concept of “liminal death” as a threshold association that the aestheticization of the dying process brought to the Victorian imagination of the corpse. I draw Behlmer's “liminal death” widely, as not only marking the rhetorical association between true death and the living states that mimicked them, as he does in his article, but also a particular mode of dying and the resulting death itself.

Patricia Jalland suggests that, by the Edwardian period, “the Good Death” had been replaced by a preoccupation with physical distress, which she terms “the Edwardian fear of dying uncomfortably.” (1996, p. 52) Jalland observes that in the Victorian period the upper class aesthetic preoccupation with death was primarily the act of dying in a pious way, i.e. “The Good

Death.” In the later Victorian period, and in the Edwardian period, Jalland observes that the pursuit of the finality and peacefulness of death through a harrowing spiritual journey of death was eventually supplanted by the interest to ease the physical pain associated with the dying process. Even during the Victorian period that celebrated the “Good Death” where physicians were capable of administering painkillers, it appeared that the majority of Victorians declined treatment. Pain, 'religious ejaculation', and suffering were seen as expressions of Evangelical piety, providing a final test to a penitent.

The Victorian “Good Death” not only encompassed a rejection of the use of analgesic medicine, however. Rather, this pursuit in “Good Death” indicated a desire to accomplish an idealised scene of death, where death transpired in the home and in the presence of the family, who would crowd by the deathbed to attend to their dying kin. Sudden death, suicide, violent death, or death away from the home, were considered by the Victorians to fall short of the “Good Death”, fearing that it might compromise the ability of the soul to find redemption in the afterlife.

A Good Death meant dying peacefully in your own bed, surrounded by family and friends, with a clergyman on hand to administer the Last Rites and your children brought in to kiss you goodbye. Elaborate Victorian customs eased the transition from deathbed to the final resting-place of the grave, from natural sleep to the sleep of death. (Arnold, 2007, p. 182)

The act of dying indicated the dying person's spiritual and moral preparation for the beyond, bolstered by the robustness of family life, the



sincerity of prayer, and maintaining a particular stand of conduct during the period of one's death. (Jalland, 1996, p. 18-38) (*Fig. 11: A deathbed scene picturing a prayful and domestic-oriented death. "Death of the Prince Consort at Buckingham Palace December 14th 1861." 1861.*) The ability to speak one's "last words," and for them to be heard by your kin, was emblematic of the "Good Death."

In both non-fiction and fiction, dying was a way of preparing the soul from its release from the body, a surrender that could be either soothing, or excruciating, depending on the worthiness of the soul. In fiction, heroes and the virtuous were gracious enough to die peacefully, while the wicked, ambivalent, petty, or sinful would be portrayed as dying in pain. (Friedman, 1995, p. 74-75) Innocent youth, in no need of redemption, such as Catherine's death in *Wuthering Heights* (1847), Little Nell's death in *The Old Curiosity*, and others, experienced death as a painless process, "aestheticized as a peaceful drift". (Arnold, 2007, p. 182) Instead of enduring an agonizing death, Catherine simply "drew a sigh and stretched herself, like a child reviving, and sinking again to sleep." (Bronte, 1847, p. 146) In diaries and other confessional texts, Jalland explores the variations of the way families expressed their consciousness of death and dying. She cites accounts of the deathbed scenes recorded by family members, who envisaged the dying person as "perfectly quiet and calm and resigned," (1996, p. 28) "departing into peace." (1996, p. 29) In final moments, the dying were noted for "the calmness and prayfulness of his end," (1996, p. 30) "the expression of "ever deepening repose" (1996, p. 38) and in death were even seen to exhibit "the smile of death". (1996, p. 39)

In the late-Victorian period the notion of ideal death as an "endless sleep" emerged from the deathbed scenes of the "Good Death." Steadily, Victorians adopted a discourse of dying that envisioned an ideal passing as gradual rather than dramatic, sleep being the best vehicle for death

rather than religious expression. (Leaney, 1989, p. 128) As Sir Thompson notes in both

Cremation: The Treatment of the Body after Death (1884) and *Modern Cremation* (1889):

After Death! The last faint breath had been noted and another watched for so long, but in vain. The body lies there; pale and motionless, except only that the jaw sinks slowly but perceptibly. The pallor visibly increases, becomes more leaden in hue, and the profound tranquil sleep of Death reigns where just now were life and movement. Here, then, begins the eternal rest. (1884, p. 1; 1889, p. 45)

Similarly, in an article in the *Medical Times Gazette*, a peaceful sleep-like fading evokes a pastoral death scene to contrast a sudden death forced, perhaps, by city life:

We think that in the one case it is the very suddenness of the contrast between the expected life and the unexpected death that carried conviction, and terror, to the observed; while, in the other case, strength and vitality have been slowly ebbing away, the surroundings of busy active life have been all removed or hushed, and to the lookers-on there is not sudden or violent contrast between the quiet and repose of prostration or of the sleep of exhaustion, and the repose and stillness of the sleep of death. (*The Medical Times and Gazette*, May 29 1875 p. 582)

It is in this 1870-1900 period that death became a matter of determining “sleep”, or other states like “trance, coma, syncope, catalepsy, insensibility, suspended animation, human hibernation, and anesthesia,” (2003, p. 208) from the state that transformed the living into the dead.

The difference between life and death, as described in the above passages, and other medical texts and by medical men in the Victorian period, is slight. Cremationist Hugo Erichsen seemed to suggest that this subtly was aesthetically pleasing to the bereaved. He argues that the disposal of the body by cremation preserves the image of the beauty of the dead far better than interment. He writes that

The more I might love my dead, the less willing I should be to leave the fair form that had once held an immortal spirit to turn into putrid carrion underground, and breed a myriad of loathsome creatures out of its own rottenness. (1887 p. 194)

For the late Victorians, Behlmer argues, the sanitation of the corpse meant that the ambivalence

felt towards death was no longer directed towards the unsightly appearance of death, but became associated with its subtlety, its likeness to life. (2003, p. 208) As G.A. Walker recalls in *Gatherings from Graveyards* (1839), this beautiful scene is also cause for some anxiety if death is not properly accounted for: “The difference between the end of a weak life, and the commencement of death, is so small, and the uncertainty of the sign of the latter is so well established, that we can scarcely suppose the undertaker capable of distinguishing an apparent from a real death...” (192) In this passage, Walker alludes to the fact that the way the poor accounted for the possibility of life by burying the corpse in a “shallow grave” so as not to make their escape, in the case of life, impossible. In his text, he cites several cases of plague victims who were hastily buried by their kin (motivated by fear of contagious disease), and were later able to revive, emerge from the earth, and recover. (1939, p.192-194) In the post-burial reform paradigm, however, this safeguard against premature interment was not available, for fear of the sanitary threat of corpses.

As French travel writer M. Misson explains, the Briton's practice of keeping the body in the home allowed “the dead person an opportunity of coming to life again, if his soul has not quite left his body,” (Misson, 1719, p. 90) another safeguard against premature interment, or the threat of premature cremation. As Walker's example demonstrates, however, though this was not always exercised, because of an interest towards burying plague victims for sanitary reasons, or for an interest in disposing of the corpse before it expired. Edwin Chadwick, in his *Sanitary Report*, had been able to discover an occurrence of premature interment, albeit one that had transpired in France that had not been safeguarded against:

It is stated from Bergerac (Dorgodne), of the date of the 27th of December, 1842, that – An individual of the Commune d'Eymet, who suffered from the continued want of sleep, having consulted a medical practitioner, took on his prescription a potion which certainly caused sleep; but the patient slept always and the

prolongation of repose created great anxiety, and occasioned his being bled. The blood flowed feebly, drop by drop. Then he was declared to be dead. At the expiration of a few days, however, the potion given to the patient was remembered, and an uneasy sensation that it might have been the cause of an apparent death, caused the exhumation of the body. When the coffin was opened the horrible fact was apparent to all present that the unfortunate man had really been buried alive: he had turned round in the coffin! His distorted limbs showed that he had long struggled against death. (1843, p. 86)

Chadwick notes this instance to be proof of “the necessity of a regular verification throughout the kingdom of the fact of death.” (1843, p. 85) Though there was no set procedure to ascertain the certainty of death at this time, the verification of death by a medical officer was nevertheless a requirement for burial in the mid-Victorian period. Rev. J. G. Ouseley, in his pamphlet on "Earth to Earth Burial" (quoted in Tebb, 1905, p. 263), estimated, "that two thousand seven hundred persons at least, in England and Wales, are yearly consigned to a living death, the most horrible conceivable," and used this statistic to argue for a more rigorous method of verifying the certainty of death, over the introduction of a new method of disposal.

Especially within the late Victorian period, and in the expectation that cremation could be adopted as a practice, Victorian science attempted to address the anxiety generated by the misrecognition of death. In early Victorian medical textbooks, in lieu of the potential misrecognition, medical textbooks instructed its practitioners to “treat the Body as not to hinder it from returning to Life” (Winslow, 1748 p. 189) during post-mortem examination. In 1868, the publication of an article in a forensic science manual, entitled “Real and Apparent Death,” admits that the subject had not had the chance to be properly explored by the medical community, who generally believed “putrefaction” to be the only true indicator of “real death”. (Guy, 1871, p. 206-216) Sir Henry Thompson took the position in *Cremation: The Treatment of the Body After Death* (1884) that the inspection of the body in the expectation of cremation removed the fear of premature interment, by subjecting the body to a degree of medical examination beyond that by

law. (p. 11) Somewhat offhandedly, he remarks that

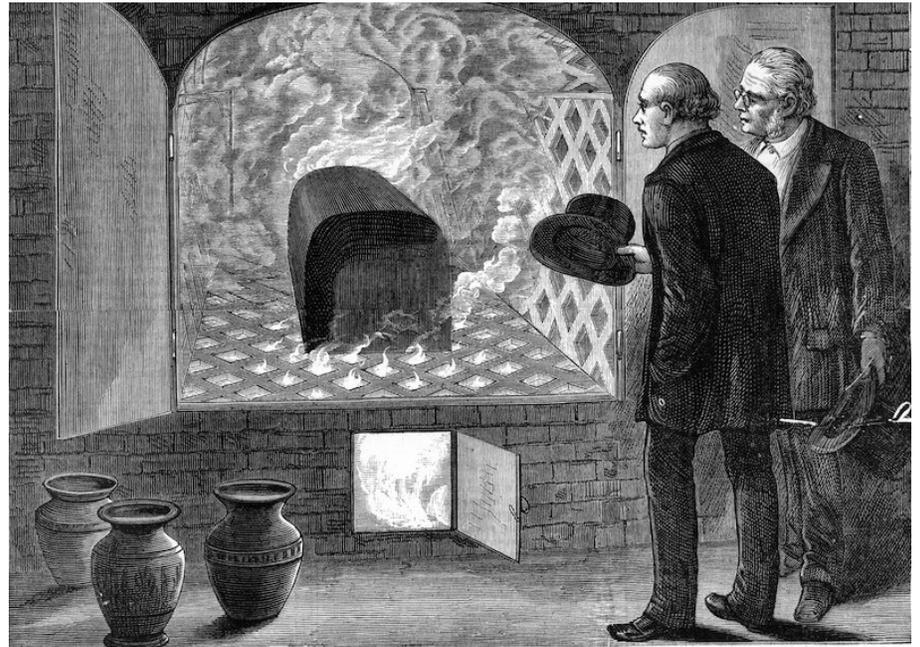
Happily, such occurrences [of premature interment] must be exceedingly rare, especially in this country, where the interval between death and burial is considerable, and the fear is almost a groundless one. Still, the conviction that such a fate is possible which cannot be altogether denied will always be a source of severe trial to some. With cremation no such catastrophe could ever occur; and the completeness of a properly conducted process would render death instantaneous and painless, if by any unhappy chance an individual so circumstanced were submitted to it. (1884, p. 11)

Despite Thompson's assurances, the concern towards of premature interment continued to trouble British society, with the formation of such societies as The London Association for the Prevention of Premature Burial (LAPPB), founded in 1896, and survived into the Edwardian period. (Behlmer, 2003, p. 207)

Where Jalland suggests that the Victorian fear of death had become a “fear of mistaken death” (1996, p. 52), I would like to organize this differently, and refer to “liminal death” as a way of understanding the associations held of death-like states with actual death, at the root of the Victorian anxiety towards premature interment, or premature cremation. For Behlmer, the use of “liminal death” creates a way to navigate the Victorians' “opulent if unstable vocabulary to designate bodily conditions that hovered between the fully animate and the irrecoverably dead.” (2003, p. 208). Whereas “mistaken death” is confined to this relationship of identification of actual death, “liminal death” may be taken to encompass the range of associations the threshold association with death produced for the Victorians. Behlmer, by his use of “liminal death” in a more direct fashion than other historians in similar fields, such as Patricia Jalland, Elizabeth Hotz and Elizabeth Bronfen, reveals the corpse's Late-Victorian iteration as encompassed by an uncanny association with the living body.

Section III: *Grave Uncertainty: The Cremation Society, Critics, and the Law*

From the outset of the cremation movement in 1874 and until 1884, the Cremation Society advocated for the progress of cremation by reporting its progress in other countries, such as Spain, Italy, Germany, and the United States, and publishing appeals to cremation on the grounds of aesthetics, sanitation, utilitarian, often contrasting its processes with that of burial.



(Fig. 12: "Thompson's Method of

Cremation" Scientific American Journal, 1874, depicting Sir Henry Thompson and inventor of the Gorini cremator, Paolo Gorini, observing a cremation taking place in Milan.) In keeping with the Cremation Society's declared mandate, to obtain and disseminate "information on the subject and for adopting the best method of performing the process, as soon as this could be determined, provided that the act was not contrary to Law," the Society promoted the results of cremation experiments in other countries, rather than conducting experiments themselves. (Cremation Society of Great Britain, 1975, quoted in Grainger, 2000, p. 56) Sir Henry Thompson, by far the most prolific advocate of cremation, was joined in his efforts by other cremationists, William Eassie, Spencer T. Wells and also, Ernest Hart, editor of *the British Medical Journal* from 1866 to 1898, and others. Hart's early *British Medical Journal* (BMJ) featured articles that reported the progress of cremation in other countries such as Spain, Germany, Italy, and United States, and reported details of the experimentation conducted in

Germany and Italy, according to the smoke, (the inoffensiveness of) the smell it produced, and the completeness of the process.³⁴

In 1884, the Cremation Society's changed the direction of its advocacy. Instead of providing reasons why cremation was a viable alternative to burial, or describing how the process of cremation worked from a scientific standpoint, the Society began to engage almost singularly with the forensic and medico-legal issues of "foul play," traceable most acutely through the various articles that the *BMJ* published on the subject of cremation. In this section, I would like to explore the history that accounts for this rhetorical shift in the Society's activities, and relate the concerns of the cremation debates in the post-1882 period to the anxiety towards the "liminally dead". Rather than continuing to appeal to public sentiment to adopt cremation as their preferred mode of disposal, which was not accomplished within the Victorian period, the cremation movement's campaign shifted to focus on the legal apparatus that took account of death, and attempted to address the criticism of foul play.

During the late-1870s and early-1880s the Cremation Society not only advocated from and debated the subject of cremation, it also attempted to bring about legislative reform by testing the legality of cremation. In the late-1870s, the Cremation Society expressed their ambition to build a crematoria in anticipation of the legality of cremation, and were met by resistance by the Church of England, whose representative, the Bishop of Rochester, refused to allow crematoria to be built on consecrated ground, effectively preventing the Society from building one at the privately-owned cemetery at New Southgate that they had first intended.

³⁴ Initially, the Cremation Society had not foreseen that the challenge of foul play as the main object of their advocacy for cremation. This is evidenced by the debates between cremationists and their challengers, as well as the trajectory of cremation evidenced by articles published in *The British Medical Journal* on the subject of cremation. The journal is of particular relevance to cremation, because its editor, Ernest Hart, had been one of the founding members of the Cremation Society and his editorship reflects a continuous interest in disseminating material that would help the progress of cremation.

(Jupp, 2006, p. 54) When the Cremation Society began building on unconsecrated ground at Woking, Sir Richard Cross, the Home Secretary, effectively prohibited the use of the crematorium. He stated that until cremation had been specifically authorized by Act of Parliament, he would either test the legality of the Society's actions in court, or obtain an Act of Parliament to prohibit their activity pending its proper regulation, if the Cremation Society did not cease construction of the crematorium. (White, 2002, p. 177) The Cremation Society, at this point, according to White, decided that they could not risk the legality of cremation at this particular moment, and ceased. With the exception of aiding Capt. Thomas Hanham by helping him build a crematorium on his estate in 1882, Society's progress appeared to be halted by public opinion, and the obstinacy of many, but not all, church and state officials.³⁵ (Kazmier, 2009, p. 559)

While the Cremation Society waited on an Act of Parliament, two cases in the 1880s came to light to impact the lawfulness of the practice of cremation, and in each the Cremation Society would lend support. The first, *Williams v. Williams (1882)*, concerned an exhumation in England (and a cremation in Italy), just barely skirted the issue of cremation formally, as the judge's statements on the legality of cremation were excluded from official record. The case concerned the application for the exhumation of the deceased's body, as required by the *Burial Act of 1857* by his sister-in-law Eliza Williams, for the purposes of transporting the corpse to a cremator in Milan. The legal issue arose from the complications associated with whether Eliza had been entitled to attend to the deceased's wishes against the wishes of his executors, and was further complicated by administrative hiccups between the Chief Inspector of Burials, the Home Office, and the authorities at both the "exhuming" and "re-interring" burial grounds. Apparently,

³⁵ According to William Robinson's *God's Acre Beautiful*, the Hanhams left specific instructions to be cremated because they worried that their family mausoleum would become waterlogged one again, and that, if buried in coffins, their bodies would contribute to a grim scene. (1880, p. 114)

the deceased expressed the desire to seek cremation, due to a concern that the family mausoleum would flood again, and his body would contribute to “a grim scene” if left uncremated. (Robinson, 1880, p. 114) In a *BMJ* article entitled "Cremation and Exhumation" (1882, p. 437), the article spoke in favour of Miss Williams' plight, sympathetic to the cause of fulfilling the wished of those who wanted to become “the silent dust.”

While the submitted testimony argued at one point that “cremation is so removed from Christian notions of decency as to be illegal” ((1882) 46 L.T. 275, p. 277), the issue of cremation was not raised in the official law report. This omission is also surprising given that Kay J.'s reticence to the practice was also expressed in the transcript of the *ex tempore* judgement.³⁶ Because the cremation did not occur in England, the question of whether cremation was legal was not at issue. The testimony of the Chief Inspector, Holland, in the case itself, however, seems to indicate that at the very least, cremation posed a justiciable nuisance to the public. (White, 2000, p. 174) Taking up the *Williams*, aka. Crookenden Burial case of 1882, White argues that the cautious, behind-the-scenes activity that had been carried out by Cremation Society in providing Williams the legal counsel she required, allowed the Society to influence the progress of cremation which preserving the Society's respectability at a time when the public was highly resistant to the notion of cremation.



³⁶ It reads “the purpose was confessedly to have the body burnt: and thereupon arises a very considerable question whether that is, or is not, a legal purpose according to the law of this country. That is a question I am not going to decide, but I do not think it advisable that a Judge should have a question of that kind raised before him without expressing his opinion upon it. My opinion is that cremation is not legal according to the law of this country.” In the official law report, which Kay J presumably edited, all the words after “That is a question I am not going to decide” are omitted.

The second case, *R. v. Price* (1884) 15 Cox. C.C. 389, engaged directly with cremation and was the case that ultimately discovered its legality, citing, however, that nuisance and foul play were relevant objections to its practicability. The case itself involved William Price's cremation of the body of his dead infant son according to druidic ritual in 1882. (*Fig. 13: Sir William Price photographed in druidic attire in 1884.*) In the years between the incident and the decision, the Cremation Society campaigned in his favour and began to address the objections that were raised by the sensational press. At Price's trial, Stephen J. found that because Price had sought to perform the ritual on an

uninhabited hilltop, he had not produced nuisance to private residents, though it was suggested that other cases may not benefit from such circumstances. Additionally, while the decision in *Williams* held that the “right to burial” stemmed from the



deceased's will, rather than the property rights of the executor, the *Price* case clarified that burial was not an intrinsic right of the deceased either.³⁷ The result of the case was that cremation was found legal. (*Fig. 14: Newspaper clipping from 1885, detailing the first cremation of Jeanette Caroline Pickersgill, 1885, following its legalization.*)

Post-1884, with the *Price* precedent in place, the Cremation Society's activity reflected confidence that the Home Secretary would not be able to disrupt cremation on *prima facie* legal

³⁷ Stephen J. reasoned that dissection of bodies under the 1832 *Anatomy Act* reflected a counter to the argument of the obligation to dispose of the body.

grounds. Yet, they acknowledged that practical objections still prevented the 'adoption' of cremation.³⁸ Subsequent to the *Price* case, an 1884 case involving the cremation of a stillborn child in a household fireplace arose, and refined the law on cremation. While it held that the practice of cremation in such an instance was not illegal, the judgement clarified that it was illegal to destroy the body if it prevented the coroner from performing an inquest.³⁹ As the *British Medical Journal* summarized the issue, "Just as ordinary burials must be conducted in such a manner as to not offend public decency, and in accordance with regulation which permit public inquiry in the case of suspected crime, so must cremation be." ("The Legality of Cremation", 1884, p. 77) To this end, cremationists accepted the challenge of "foul play" as a serious objection to cremation. As 1886 *BMJ* article mused, the concerns falling within the "medico-legal" vein were the only important obstacles to cremation, noting two instances where cremation would be turned toward a sinister purpose: the first being cremation during a trance and the second being in instances where cremation destroyed traces of poison or violence. (Pollock and Jacob, 1886, p. 1110-2) Notably, Home Department Secretary Sir William Harcourt proclaimed that the practice of cremation was "an aid to criminals," declaring poisoning by arsenic to be "one of the commonest things in the world." (Kazmier, 2009, p. 559)

In 1889, Sir Henry Thompson published *Modern Cremation* (1889), his follow-up to

38 As Sir Henry Thompson writes, "[I]n February of that year [1884] Mr. Justice Stephen delivered his well-known judgment, declaring that cremation is a legal procedure provided it be effected without nuisance to others. The council of the English society at once decided on offering facilities performing it, after carefully considering the best means of taking precautions to prevent the destruction of a body much might have met death by unfair means. The issued a paper stating "that they are aware of the chief practical objection which can be argued against the employment of cremation consists in the opportunity which it offers, apart from such precautions, for removing the traces of poison or other injury which are retained by an undestroyed body. (1889 p. 6)

39 A *BMJ* article provides the relevant details to the Stephenson case: . "At the last Leeds Assizes, Mr. Justice Hawkins had before him the case of two women, who were charged with unlawfully burning the dead body an infant *with the intent to prevent an inquest being held.*" ("The Legality of Cremation", 1884, p. 76) The facts were that the child died suddenly, the coroner ordered an inquest, but the women burned the body in the night. Though there were no allegations of foul play, the legal issue was that it was impossible to hold an inquest on the burned body. In the interest of future cases, it was decided that it was an "indictable misdemeanour at common law to prevent a coroner from holding an inquest." ("The Legality of Cremation", 1884, p. 77)

Cremation: The Treatment of the Body After Death (1884), taking up the question of cremation's relationship to foul play more seriously than he had before. In its appendix he publicized the criteria⁴⁰ that the Cremation Society set when determining whether a corpse was fit to be disposed through cremation. (Thompson, p. 1889) One of his persistent opponents, “earth-to-earth” burial advocate Francis Seymour Hayden also adapted his argument to reflect the foul play objection. Where Hayden's earlier texts (*Cremation: a Pamphlet* (1875), *Earth to Earth: A Plea for a Change of System in Our Burial of the Dead* (1875)) had focused on the sentimental and sanitary merits of burial in comparison to cremation, in his post- 1884 writings, *The Disposal of the Dead, a Plea for Legislation* (1888), *Cremation, an Incentive to Crime: a Plea for Legislation* (1895), he focused instead on the unresolved forensic and legal issues raised by cremation. Although cremation scholars, such as Jupp and Parsons, treat the “foul play” as solely a strategy, adopted by cremation's critics to prevent cremation's progress, I suggest that the shift in strategy is accountable to the gap identified in the legal apparatus around death in the wake of the *Price* case.

It was not only that there was an identified gap in the legal apparatus around death, however. Even as the law called for a higher standard of the scrutiny towards corpses awaiting cremation, there was some concern towards the fact that medical and forensic knowledges directed toward the detection of foul play had not developed to a satisfactory extent in the case of burials, either in the case of certifying the *fact* of death, or in determining the *cause* of death. Cremation's critics argued that “the impossibility of exhumation provided by the processes of cremation” (“Cremation”, 1885 p. 909) aided criminal activity, by preventing the body to be examined for evidence such as poison or wounds. Cremationists in turn made the case that “the

40 In 1884 BMJ, publicized that they made the Society's regulations available at no cost by writing to William Essie, the Cremation Society's Secretary. See "Cremation", 1884, p. 1149.

decomposition of the corpse make it practically impossible to discover and isolate them [the poison] when putrefaction has set in,” (“Cremation and Crime”, 1895 p. 1372) challenging the assumption that the interred corpse's evidence was any more reliable than cremains.

In a particularly ingenious 1895 article on “Cremation” in the *BMJ*, the author cited the “post-mortem necropsy” of a boy that had been able to reveal the cause of death to be tainted candy, thus saving the lives of the neighbourhood children. (“Cremation and Crime”, 1895, p. 1372) By appointment of public officers to hold “a mitigated form of coroner's inquest in every case of death,” the author argues, inquiry into the cause of death could not only discover “foul play,” but employ this knowledge to preserve life. (“Cremation and Crime”, 1895, p. 1372-3) Rather than holding an inquest in “suspicious cases” only, which would wait upon the advisement of the registrar, and would more often than not involve exhumation, the cremationist campaign directed the production of knowledge towards the post-mortem corpse. (Pollock and Jacob, 1886, p. 1110-2) They proposed the “certification of the facts as well as the cause of death in every case, as a solution to the fears that a poisoned body will be cremated, and foul play will be forever undiscovered,” (“Cremation as a Safeguard Against Foul Play”, 1933, p. 588-9) making the case that the forensic verification of death ought to be compulsory in *all* cases. Effectively, in the 1880s, the forensic verification of death was only compulsory if the corpse was to be cremated or if medical history of the deceased raised the suspicion of “foul play.” As reported by the *British Medical Journal* in 1891, according report of the Registrar General, of the 518,353 deaths recorded in England and Wales in the previous year, 15,100 were uncertified, 20,079 were certified by coroners, and 414,174 were certified by medical practitioners, and in but 4.6 per cent of those cases (25,466) (4.6 percent) the cause of death were either ill-defined or not specified. (“Cremation and Death Certificates”, p. 246) Cremationists in effect argued that

medico-legal knowledge ought to create a precise object of the corpse, before its destination to either the earth or the cremator.

Conclusion

In the late Victorian period the culture had shifted with the expectations of the medical and legal apparatus around death, accounting for the ambivalence and fascination that Victorians held of the post-mortem corpse. I have taken the Victorian anxiety around “liminal death” to encompass the issues of the misidentification of death, the (perhaps untimely) obliteration of the corpse, and the expectation that the corpse ought to resemble life to such an extent that the shift between states was near imperceptible, even to medical and forensic knowledge. While the presence of medical and forensic knowledges were adopted to examine cases of death, for the fact of death and sometimes their cause, this practice was not regularized. By 1874 the law required some degree of medical or coronary authority to certify death to promote the collection of more reliable statistics, but did not yet require that the circumstances and cause of death be sought in every case.

To cremationists, this context suggested that there was room in the Victorian aesthetics of death for the adoption of cremation, though they also found that the irregular examination of the corpse, as determined by law, threatened cremation's compatibility with the existing apparatuses around death. When cremation was found to be legal in 1884, the law, and public opinion echoing it, expressed an anxiety towards the lack of knowledge around the corpse before its cremation, and effectively called for a deepening of the *biopolitical* knowledge around the corpse

to form an “inscribed corpse” to take the place of the body's actual physical remains. At this time, the law affirmed the competence of forensic medicine to produce knowledge from the post-mortem corpse, not only to establish a proof of death, but as able to access the truth of the body that would survive the body's corporeal form.

Throughout this chapter I have argued the these various issues of “foul play”, “mistaken death”, and the general legal imperceptiveness of the law, are caught in a relationship to the “liminally dead.” The categorical confusion between living and death – the permeability of these seemingly set categories – produced an anxiety for the Victorians that was not easily reconciled by deepening the medico-legal apparatus that emerged in the early 1900s. As *Dracula* (1889) suggests, the supernatural, or as Butler *qua* Foucault *qua* Nietzsche provides, the body, conceived of as a “set of subterranean forces”, is repressed and transmuted by the *biopolitical* mechanisms external to that body, which subjectify and depose it. (1989, p. 602) In death, the corpse is translated into an inscribed “liminally dead” object, animated by the social field once more and constantly in the service of the biopolitical apparatus that seeks to promote vitality. “The vampire” – the criminal, the undead, the victim, the contagious blight of the Other, corporeal and incorporeal – is the “liminally dead” signifier at the margins of the biopolitical field.

CONCLUSION

Throughout my thesis, I aimed to account for the emergence of the regulation of death and deathways by invoking its relationship to the heterogeneity of Victorian culture. I chose to highlight the aesthetic transformation of death through its points of articulation within the burial and cremation reform movements. By interrogating the Victorian reformist discourses that belonged to these various periods of reform, I explore the over-arching interest in the aestheticization of death that animated the Victorian interest in the reform of death and the aesthetic transformation of death that followed deathway reform activity. My project troubles the assertion that the discourses of science, medicine, and sanitation had been the predominant influences for reform, and instead situates them within a broader Victorian context that privileged an aesthetic ideal of death and body disposal. Rather than assuming that the specific articulation of the issues and solutions identified by reform had been the product of professional discourses, I have found that that they are instead accountable to the cultural stakes of death, burial, and cremation.

When I initially explored the research representing each reform period, I found that the continuity between the two periods had been couched within a version of the “intolerability thesis.” This thesis follows that the development of the regulatory apparatus of death followed from conditions of necessity, supplied by urbanization, industrialization, and enlightenment notions of science, medicine, and sanitation. I sought to counter the assumptions that deathway reform scholarship had produced from its disinterest in the cultural dimension of reform activity. Where deathway reform scholarship presents the development of the regulatory and administrative apparatus around death as the product of medical, scientific, and sanitary discourses, I assert that the authority of these rational discourses had only developed to a limited extent, and that these discourses were deployed in

the service of particular aesthetic ideals. In the burial reform period, the general account followed that the “overcrowding” of working class burial grounds demanded the systematic reform of burials. In the cremation reform period, the scholarship makes the case that the sanitary discourse that identified “overcrowding” was accepted as common knowledge, and compelled some members of the upper class to campaign for a more sanitary mode of disposal. My intervention, as I had initially conceived it, had started with the assumption that there may have been an inconsistency between the highly aestheticized, dramatic, and emotive “sentiment of death” in Victorian culture, and this dominant historiographical account of deathway reform, the “intolerability thesis”. By engaging the cultural understanding of death and burial, I locate the Victorian death culture that had lay latent within reformist activity.

When I questioned whether the proponents of the “intolerability thesis” had taken sufficient account of the relationship between professional discourses and aesthetic culture, I found that previous research had in large part assumed that the state's regulatory apparatuses are not a product of culture, but wholly accountable to the trajectory these rational discourses had taken. I maintain that without my contribution, which involved invoking an aesthetic and affective dimension to interpret the deathway reformist discourse, the distinct regulatory framework that emerged from it could not be accounted for. My re-reading of burial reformist texts, such as those of Loudon, Walker, Chadwick and Thompson, situates them to address the sentiments and ideals found in Victorian culture, rather than tracing their significance entirely to their use of “rational” discourses. To mark the aesthetic criteria that each iteration of reform had engaged within my narrative of transformation, I devoted my three chapters to distinct periods within Victorian deathway reform. Together they trace the integration of

rational discourses into the aesthetic context. Where I argue that an interest in aesthetic initially drew Victorians to consider the graveyard as a space of reform, my project focuses on the continued influence of affect to situate where science, medicine, and sanitation were appropriate and how their knowledges could be deployed.

Throughout my research, I explored various treatments of deathways as they emerged within the nineteenth century, namely early-nineteenth century garden cemetery craft and aesthetics, the mid-nineteenth century olfactory problematization of graveyards, and the late-nineteenth century anxiety toward the life-like corpse and its consequences for cremation reform. In each, I engage with the various iterations of the intolerability thesis and propose an alternative aesthetic approach, allowing me to situate the scientized version of death would develop within the period within the over-arching Victorian cultural interest in death. My first chapter highlights the pre-reform context, where I suggested that the naturalistic romanticism of the upper class encouraged the development and popularization of garden cemeteries, fostering an aesthetic (and sanitary) ideal for graveyards that would later gain traction among reformers. The second chapter interrogated burial reformer's interest in scent as both an affective and subjective dimension of appraisal as well as a rhetorical shorthand for the sanitary danger of urban graveyards. By doing this, I made the case that the cultural regard for the dead used scientific theory to displace the problematization of the corpse to its gases, register the poor's burial grounds as objects of reform, and support the adoption of the garden cemetery's spatial and aesthetic configuration as a model through which the amelioration of the sanitary threat of the graveyard could be achieved. This chapter engaged with the intolerability thesis in its particularity, making the case that the criticism of graveyard conditions was convincing only when considered through its impact on the urban

environment. My last chapter engaged with the consequence of the regulatory apparatus and sanitary discourse around death which had removed decay and putrescence from the corpse, in favour of a version of the corpse that appeared uncannily close to life. While on the one hand, the aestheticization of the corpse through a sanitary discourse encouraged cremationists to imagine the amelioration of the corpse as an ideal, it also produced a version of the corpse that challenged the capacity of state apparatus to seek the verification of death. In this chapter's context, the interest in disposing of the corpse before it compromised its aesthetic provided the impetus among Victorians for the deepening relationship between law and forensic medicine in order to account for death within a biopolitical paradigm.

The three chapters reflect the considerable transformations within the development of the “regulation of death” in the Victorian period, coloured by a Foucaultian approach. In them, I argued that the Victorian deathway reform paradigm was highly invested in biopolitical governance, whether or not “the corpse” itself had been constituted by knowledge at the time. By mapping the various waves of reform atop one another, I noticed that the corpse was first constituted by its threat to life as an environmental object, and then later as a subject whose inscription provided a means, too, to pursue the promotion of life. When burial reformers of the 1840s and 1850s strove to reform the corpse, their knowledge rested upon the impacts burial grounds had upon the living, mirroring the early 19th problematization of swamps Foucault cites in *Society Must Be Defended*. (2003, p. 245) Both environments are recognized as significant to the biopolitical apparatus, only because the knowledges around them demonstrate their impact on life. What is particularly striking about the management of deathways to the Foucauldian biopolitical context is that the reformist treatment of the burial ground, invariably tied to the sanitary threat of the corpse, was the first

of two biopolitical transformation in the field of deathways, the second being the subjectification of the corpse in the wake of the cremation reform period. The objectification of the corpses *via* burial grounds, and then the subjectification of the corpse *via* its medico-legal inscriptions capture biopolitics', creates an account of the development of a regulatory apparatus of the corpse that strove, ultimately, towards the precise constitution of the human body.

Concurrent to Foucault's account of development and deepening of the biopolitical apparatus, he makes some mention of the changing aesthetic of death, writing that "the great public ritualization of death gradually began to disappear" and that death itself, as a result of the biopolitical dominion of life, had become "something to be hidden away." (2003, p. 247) What I claimed throughout my project is that the biopolitical regulation of death is steeped in aesthetic concerns and culture, and that though the performance and spectacle Foucault recognizes of death culture has faded going into the present, this is not to be conflated with a decreasing cultural interest in death. The culture that supported the proliferation of biopolitical mechanisms, demonstrated through the waves of aestheticization and reform in the Victorian period, continued in its fascination with death, and employed regulatory techniques and biopolitical knowledges to indulge in a transforming ideal of death. Where at times Foucault renders a sense of sterility to biopolitical death culture, as if culture had been tamed or repressed by this iteration of power, I am poised to trouble this neat conflation between "power" and Victorian society's ability to recognize it within the observance of death. In each chapter, I lend particular focus to the aesthetic framework that translated into the development of biopolitical technology, from the ordered naturalism of 1820s and 1830s garden cemetery, to the sensuo-sanitary domain of 1840s olfactory assessment, and through

to the veneration of the life-like, cadaverous corpse expressed in the cremation reform debates of the late-Victorian period. Together they suggest that the aestheticization of deathways, and the imagination of the corpse, adapted with the biopolitical culture technology that suggested ideals for the corpse, and the means to its realization.

By selecting the aesthetic dimension of reformist texts understood through a Foucauldian lens, I blend developments in law and governance, with the affective and cultural significance of deathways reform. By taking this approach, I betray an interest in a secular articulation of the Victorian culture around death, but one that engages peripherally with aspects of theology and alludes to the church's gradual secession of its authority over death and burials. My interventions into theology, fiction, fable, superstition, and urban legend, which are strategically drawn from reformist texts, reformist discourse and their ideals, are limited in the fact that they recall specific imaginary, iconography, and narratives, to the exclusion of others. I believe that my research could be enriched by a deeper engagement with the discourses and practices of Victorian Britain's parochial institutions than I have presented here, particularly in the way its perspective could speak to the transition between parochial and state institutions. Where my thesis has been situated to present a history of the significance of the sensory aspect to aesthetics, I believe inquiry into the articulation of Victorian belief and faith within deathway reform would enrich the field.

My treatment of the history of Victorian deathways seeks a balance between the historiographic desire to create a stable representation of Victorian culture and while avoiding the inflexibility of a homogenous account of culture. I have engaged this challenge through the relationship between law and regulation and aesthetics, which explores the deep interest and ambivalence that was expressed of death in Victorian culture. Where some Victorianists

have claimed that Victorians related to death with a relationship of abjection, and others have claimed that their intimacy with death supplied the impetus to explore and introduce it to fields of knowledge. I claim that neither posture adequately captures the Victorian period, nor still, neither view presents the great variation between the Wordsworthian Victorians milieu and Bram Stoker's. In Michel Vovelle's "On Death", he had identified death's significance to the "history of mentalities", because of the immense ideological activity that death has attracted. In my analysis of Victorian deathways, I have asked how these mentalities have responded to and reflected the change that culminated in the biopolitical treatment of the corpse.

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