Funerary Culture and Modernisation in the State of Luxembourg (1800-2000)

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Modernisation has a material dimension: it gave rise to central and municipal infrastructure such as water supply and sewer canalisation, hygienic abattoirs and whitewashed general hospitals or market halls and railway stations flooded with light. Cemeteries as well are prominent and ubiquitous signs of the modern world. Modernity, as a historical category, refers to a period of questioning, often to the point of rejecting, tradition. Therefore, it is plausible to determine the state or quality of being modern by analysing the material culture of contemporary cemeteries as a tangible facet of sepulchral modernity. However, from this point of view, cemeteries are surprisingly anachronistic. At first glance, present-day cemeteries appear to be modern facilities. Nevertheless, they remain very traditional. Their basic spatial conceptualisation, as well as their administrative and juridical framework, are more than two hundred years old – some prototypical examples date back even further.

Analysing the history of sepulchral culture in Luxembourg during the 19th and 20th centuries enables us (1) to depict the incomplete transition from a traditional (rural, agrarian) to a modern (secular, urban, industrial) funeral practice; (2) to ask whether the modernisation of sepulchral practice, particularly of cemeteries, points to a specific area of secularisation or to a more general transition; and (3) to show that modernisation, i.e. the road towards modernity, represents a continuous and open-ended process resulting in a multitude of modernities[1], particularly by raising the question whether or not cemeteries represent the emergence of a new public space.

As a case study, Luxembourg's sepulchral history is examined from a geographical-material perspective on cemeteries and burial facilities as modern infrastructure[2]. Luxembourg's standing as a small state requires a transnational perspective of continuity and change in relation to the Grand Duchy's neighbouring states: Belgium/The Netherlands, France, and Germany/Prussia. The French revolutionary and Napoleonic wars terminated the political lives of many micro-states. In 1815, the Congress of Vienna

redrew the maps and created a dozen grand duchies. Today, Luxembourg is the only remaining example of this type of small state[3]. In contrast with the mainstream discussion of small power in academia, we focus on internal affairs and not on the role of small states in the international system[4]. Nevertheless, Luxembourg's foreign relations and its exposure to the vagaries of international politics, issues of security, economic competition, as well as national identity in the past and the present, are shaped by an attentiveness to external demands, which also materialised in sepulchral culture. The Luxembourg's small size, also in sepulchral affairs, therefore needs to be conceptualised in terms of the country's internal features (size, population, economy, religious traditions) and in terms of its relations with other states[5]. Consequently, this article is organised in four major parts: an overview of Luxembourg's historical context, an analysis of the transformation from churchyards to cemeteries, the absence of a 19th-century 'cemetery war' and the question of cremation as an alternative form of burial.

Geopolitical Vicissitudes of the Grand Duchy of Luxembourg – a Chronology

During the long nineteenth century (1789-1918), Luxembourg's political situation within a broader European context changed several times. These political vicissitudes left their mark on Luxembourg's uneven path to modernity, and also on the evolution of sepulchral practices.

Between 1714 and 1797, the then Duchy of Luxembourg was a province of the Austrian Netherlands, a non-contiguous territory ruled from Vienna and Brussels by the House of Habsburg (see Figure 1 – 1789). As sovereigns of the Austrian dominions Maria Theresia and her son Joseph II launched various reforms to modernise the state apparatus. The parishes were the

(3) For a general introduction to the history of Luxembourg, see Michel PAULY, *Geschichte Luxemburgs*, München, C.H. Beck, 2011 (French translation: *Histoire du Luxembourg*, Brussels, Éditions de l'Université de Bruxelles, 2013); Pit PÉPORTÉ, Sonja KMEC, Benoît MAJERUS & Michel MARGUE, *Inventing Luxembourg. Representations of the Past, Space and Language from the Nineteenth to the Twenty-First Century*, Leiden, Brill, 2011; Gilbert TRAUSCH, ed., *Histoire du Luxembourg. Le destin européen d'un « petit pays »*, Toulouse, Privat, 2002.

(4) Miroslav HROCH, "Der Kleinstaat in der europäischen Geschichte. Aussenpolitische Aspekte", in Arno WASCHKUHN, ed., *Kleinstaat: grundsätzliche und aktuelle Probleme*, Vaduz, Verlag der Liechtensteinischen Akademischen Gesellschaft, 1993, p. 233-245; David VITAL, *The Inequality of States: a Study of Small Power in International Relations*, Oxford, Oxford University Press, 1967; Romain KIRT & Arno WASCHKUHN, "Was ist und zu welchem Zwecke betreibt man Kleinstaaten-Forschung? Ein Plädoyer für die wissenschaftliche Beschäftigung mit kleinen Nationen", in Romain KIRT & Arno WASCHKUHN, eds., *Kleinstaaten-Kontinent Europa. Probleme und Perspektiven*, Baden-Baden, Nomos, 2001, p. 23-46.

(5) Thousands of Luxembourgers went overseas. They particularly followed in the wake of The Netherlands, Belgium and France as (military) colonial powers. See Ulbe BOSMA & Thomas KOLNBERGER, "Military Migrants: Luxembourgers in the Colonial Army of the Dutch East Indies", in *Itinerario*, vol. 41, 2017, 3, p. 1-26; Régis MOES, *« Cette colonie qui nous appartient un peu ». La communauté luxembourgeoise au Congo belge, 1883-1960*, Luxembourg, Éditions d'Lëtzebuerger Land – Fondation Robert Krieps, 2012.

smallest building blocks of the Habsburg's territorial rule, and sepulchral service taxes regulations ('Stol- und Konduktordnungen' dated 1743, 1751 and 1781-82) were indispensable as a form financial support for the local priests. This initiative also aimed at remunerating civil service tasks, such as keeping the parish register up to date ('Kirchenmatrikel')[6]. Priests became agents of the state. Driven by the spirit of Enlightenment, further reforms introduced new hygienic standards and administrative rationality. However, these central state interventions also tried to align the rules in order to establish an infrastructural power or 'Staatsverdichtung' with the intention of superimposing the Habsburg Monarchy's various historically-grown sociopolitical and economic structures on their patchwork of territories. For instance, in 1756, morgues became legally mandatory. Although inhumation in churches was not forbidden, it was severely restricted in 1772. *Intra muros* cemeteries were first banned from the capital cities in 1784. *Post mortem* examinations and written death certificates became mandatory in 1796[7]. However, these cemeteries and sepulchral regulations had a very limited, practical effect on the Duchy of Luxembourg. The important fortress and garrison town of Luxembourg was the only one to respond by rearranging certain parish districts and establishing a new cemetery at the 'Glacis', beyond enemy firing range. On this occasion, probably the first written regulation for a civil cemetery in Luxembourg was introduced in 1771-1781[8].

In 1795, the revolutionary French army invaded and annexed Luxembourg, and subsequently the Duchy remained a French department for twenty years. The centralist state policies of the First Republic and the Napoleonic Empire put an end to Luxembourg's status within the imperial patchwork of the

(6) Luxembourg, Archives nationales (ANLux), A-XXII-3-16, Cimetière à établir hors de l'enceinte des villes, 7 octobre 1771; Luxembourg, Archives municipales (Archives de la Ville de Luxembourg) (AMLux), LU Temps Modernes, Administration générale, Registre 47 du Magistrat, "Édit du 6 août 1778 sur les registres de baptême, de mariage et de sépulture." See Jean-Pierre KOLTZ, ed., *Die Luxemburger Gemeinden nach den Weistümern, Lehenserklärungen und Prozessen von Nicolas Majerus*, Bd. VII, Luxembourg, Sankt-Paulus-Druckerei, 1963, p. 344-349.

(7) Wolfgang BIEDERMANN, *Friedhofskultur in Wien im 19. Jahrhundert. Das Bestattungswesen vom Josephinismus bis zur Gründerzeit* (2 Bände), Dissertation Universität Wien, 1978; "Édit de l'empereur concernant les enterrements, Bruxelles, 26 juin 1784", in Paul VERHAEGEN, ed., *Recueil des anciennes Ordonnances de la Belgique. Pays-Bas autrichiens; Troisième série: 1700-1794, tome 12*, Brussels, J. Goemaere, 1910, p. 359, note 1. See Petr MATÀ & Thomas WINKELBAUER, eds., *Die Habsburgermonarchie 1620 bis 1740. Leistungen und Grenzen des Absolutismusparadigmas*, Stuttgart, Steiner Verlag, 2006.

(8) AMLux, LU Temps Modernes, Administration Générale, Registre 23 du Magistrat, "Avis du collège des échevins sur la nécessité et l'emplacement d'un nouveau cimetière pour la ville de Luxembourg, le 6 août 1771"; Registre 35 du Magistrat, "Résolutions du Magistrat sur les enterrements du 22 décembre 1778"; Registre 55 du Magistrat, "Décret de l'empereur approuvant l'établissement du nouveau cimetière et le nouveau règlement sur les enterrements le 4 septembre 1779"; Registre 35 du Magistrat, "Mémoire du Magistrat sur les sépultures dans les églises et le nouveau cimetière près de la chapelle de Notre Dame Consolation avec projet de règlement pour les enterrements sur le cimetière des bons malades du 26 décembre 1781". See J.-P. KOLTZ, ed., *Die Luxemburger Gemeinden, op. cit.*, p. 261-263, 351-355, 358-359, 383-386. For decrees of Maria-Theresa concerning cemeteries in the Austrian Netherlands/Belgium, see *Édits et Ordonnances des Pays-Bas autrichiens, de 1751 à 1794, Première partie*, Brussels, E.M. Devroye, 1853, p. 377, 393, 402.

'Reich'. The newly established 'Département des Forêts' politically and administratively transformed the principality into a neighbouring French national territory (see Figure 1 – 1812). Henceforth, state reformers advanced the secularisation project to systematically, and more radically, disentangle the Old Regime's civil-religious complex, thereby protecting the national state from unwarranted clerical influence. The parish's responsibility for civil registrations (births, deaths, and marriages) was transferred to the commune. 'Kirchenfabriken' were created as new corporate bodies consisting of local clerics and laymen to administrate the parish's funds, revenues, and real estate[9]. Some of these reforms focused specifically on sepulchral praxis, funeral services and cemetery regulations. On 12 June 1804, the law of 23 prairial, an XII ('Décret impérial sur les sépultures') came into force. The French regime had a long-term and ambivalent effect. The new communal and parish administration was integrated completely into Luxembourg's political structure. French, as the administrative language, and France's juridical system continued to exist after 1815 as well[10]. However, the immediate effect of the laws on the cemeteries and funeral services was – again – limited. A few months after Napoleon's surrender, the interim head of administration, Baron von Schmitz-Grollenburg, deemed it necessary to remind the lower echelons, the 'directeurs des cercles et les bourguemaîtres du département des forêts', not only to implement the French decree of 1804 with more vigour and accuracy, but also to provide him with a progress report every three months[11].

The Congress of Vienna (1814/15) reconfigured Luxembourg's status in terms of international relations and made it subject to international law. Smaller in size, but elevated to the royal rank of Grand Duchy, the country was to be ruled in personal union by the Dutch king whose restored monarchy now incorporated the former Austrian Netherlands as well. Although the new Grand Duchy remained separated administratively from the Dutch state, it was at the same time part of a conservative, collective peace and defence alliance for Central Europe: the Deutscher Bund (German Confederation), from 1815 to 1866/67. As a result of the Belgian Revolution of 1830, the predominantly French-speaking, northwestern part of the Grand Duchy was ceded to the new Belgian state in 1839. Having resolved this first crisis of the post-Napoleonic era, the *de facto* status of Luxembourg as

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(9) "Décret du 30 décembre 1809 concernant les fabriques des églises". See Michel PAULY, "Pfarr- und Zivilgemeinden: welche Partnerschaft?", in *Forum für Politik, Gesellschaft und Kultur*, vol. 325, 2013, January, p. 17-20. By the "Loi du 13 février 2018", the old 'Kirchenfabriken'-system was reformed and replaced by a 'Kirchenfonds' consisting of 102 communal organisations with one "Conseil de gestion paroissal" (the asset management) each and one 'national' board of directors ("Verwaltungsrat des Fonds").

(10) German and French coexisted before (and after the French intermedia period): the higher intermediate and higher civil service preferred French; the local administration German.

(11) During the transitional phase of Luxembourg's restoration as a (Grand) Duchy, 'The Commissaire de gouvernement du département des forêts' replaced the French 'Préfet'. See *Offizielles Journal des Wälder=Departements, Luxemburg, den 20ten September 1814/Journal officiel du Département des Forêts, No.23, Luxembourg, le 10 septembre 1814*, p. 1-6.

an independent small state was gradually formalised through bilateral and multilateral treaties. Economically, Luxembourg leaned towards German states. The Grand Duchy joined the Zollverein (German Customs Union) in 1842, after the Belgian troubles of 1830 to 1839[12]. In 1867, the Second London Treaty established the country's perpetual neutrality after the demise of the German Confederation in the wake of the Austro-Prussian War of 1866. This treaty also ended the so-called Luxembourg Crisis of 1867 between France and Prussia[13]. Before these political tensions arose – Napoleon III wanted to purchase the Grand Duchy, which Bismarck refused – and two years before the Confederation's Prussian garrison withdrew, the Grand Duchy's government had already made a rapprochement in terms of monetary policy towards France and Belgium: Luxembourg had joined the Union monétaire latine (Latin Monetary Union) as an associated member (1865-1926). In 1890, the death of King William III of the Netherlands ended the personal union, and the hereditary title of Grand Duke of Luxembourg passed to the Weilburg-branch of the House of Nassau (see Figure 1 – 1830 and 1918).

In sepulchral affairs, the Luxembourgers experienced the introduction of 'confessional cemeteries' for Jews (1817) and Protestants, particulary for the Prussian garrison troops, civil servants and their families (1813/15). Both burial grounds were situated in Clausen, a suburb ('Unterstadt') of the capital located within the perimeter of the fortress[14]. From the 1850s onwards, and due to labour migration into the country's expanding industrial belt in the southwest, confessional sectors in municipal cemeteries became standard. The hygienic modernisation, whereby old churchyards were converted into cemeteries, was a phenomenon that went hand-in-hand with the increasing population. The central state supported these conversions financially. The head of public works ('directeur géneral des travaux publics') published long lists of subsidies that were granted for procedures to improve hygiene and cemetery infrastructure in the *Mémorial du Grand-Duché de Luxembourg*, the local law gazette. By and large, this state-sponsored construction of new

(12) François DE LANNOY, "L'accession du Luxembourg au Zollverein en 1842", in *Revue belge de Philologie et d'Histoire*, vol. 1, 1922, 2, p. 317-333; *Lëtzebuerg am Däitschen Zollveräin, 1842-1918* – Exposition aux Archives nationales de Luxembourg du 14.12.2017 au 25.05.2018 (exhibition catalog), Luxembourg, 2017; Albert CALMES, *Le Grand-Duché de Luxembourg dans la Révolution belge (1830-1839)*, Brussels, Édition universelle, 1939.

(13) Marie-Paule JUNGBLUT & Sonja KMEC, "The Crisis of Luxembourg: History and Memory of 1867", in Jean-Noël GRANDHOMME, ed., *1866, une querelle d'Allemands? Perceptions croisées et mémoire(s) d'un moment clé de l'histoire européenne*, Bruxelles, Bern et al., Peter Lang, 2018, p. 281-295.

(14) ANLux, SP-604, Construction d'un nouveau cimetière israélite au lieu dit Bellvue à Luxembourg, 1883-1901; Laurent MOYSE, "Les cimetières juifs du Luxembourg ", on http://www.genami.org/pays-de-vos-origines/cimetieres_lux_fr.php, consultation date: 20 March 2018; Thomas KOLNBERGER, "Tote Soldaten und ihre Gräber: Kriegs- und Militärfriedhöfe des Ersten Weltkrieges in Luxemburg", in Éischte Weltkrich (WWI and Luxembourg, online exhibition). See http://www.volksbund.de/kriegsgraeberstaette/clausen.html, consultation date: 20 March 2018.

cemeteries and the modernisation of churchyards was completed by the early 20th century[15].

At the outbreak of the First World War, the German Empire occupied Luxembourg. After Germany was defeated, Luxembourg aligned itself economically with Belgium. The Union économique belgo-luxembourgeoise treaty, signed in 1921, can be seen as the forerunner of the Benelux Union of 1944[16]. A 'renversement des alliances' also occurred in military affairs[17].

The case of Luxembourg shows that, during the long nineteenth century, statesmen in small states had to keep a close watch on external constraints, whereas the great powers could adapt their foreign strategies according to their domestic circumstances. The norms and rules of the international system – and of imported policies too – were essential for the protection of a country with a small territory and population. Luxembourgish policymakers tended to follow their neighbours' domestic politics and policy very closely, and also sought to learn from them about internal affairs. Although sepulchral regulations and their domestic implementation are not essential for the political survival of a small state such as Luxembourg, they are particularly well suited for analysing processes of modernisation and secularisation, since these regulations were subject to potential conflict. Furthermore, we need to consider the agency of another transnational player: the Roman Catholic Church.

(15) For the *Mémorial du Grand-Duché de Luxembourg*, see http://legilux.public.lu/.

(16) The Benelux countries founded the European Coal and Steel Community in 1951 with France, Italy and West Germany, thereby foreshadowing the European Economic Community (1957) and the supranational European Union (1993).

(17) Jean STENGERS, "L'accord militaire franco-belge de 1920 et le Luxembourg", in *Revue belge de Philologie et d'Histoire*, vol. 82, 2004, 1, p. 431-447.
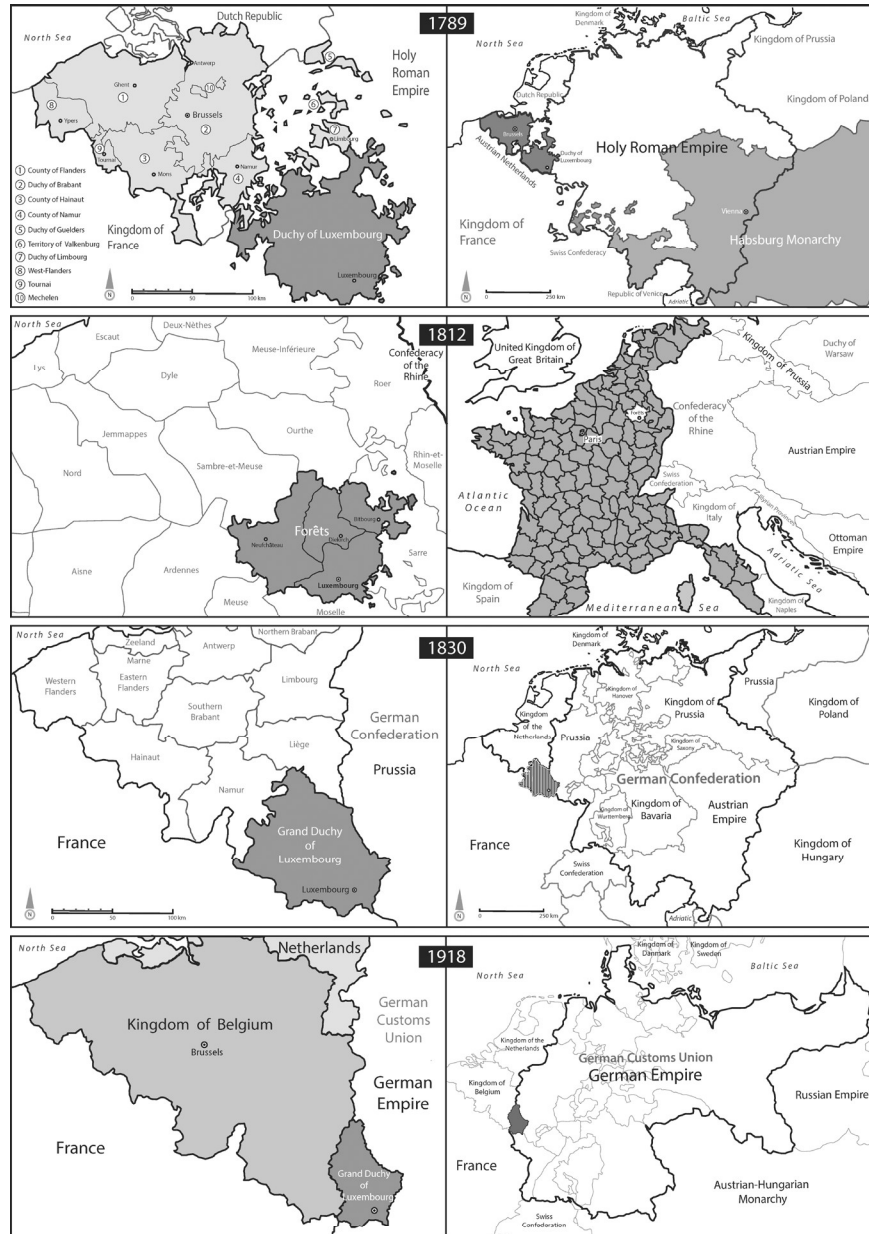
Figure 1.1. - Maps a.b.c.d
Luxembourg between emerging nation states,
Source: Author

"Die Kirche im Dorf lassen …": the Institutionalised Cohabitation of the State and the Catholic Church in Luxembourg

"Leave the church in the village" is the *verbatim* translation of a German saying indicating that the church is the traditional centre of the village. The adage advises, figuratively, that there is no need to change a familiar environment unless it is absolutely necessary. Even if it is inevitable, reforms should not be exaggerated, and should be carefully planned and executed[18]. This describes in a nutshell the situation of sepulchral reforms in Luxembourg during the period under review. While Christian churches physically remained in the centre of villages and towns, most of their adjacent burial sites did not. From the second half of the eighteenth century to the First World War, European countries, as well as other countries with Christian traditions, went through a transition and material alteration from the graveyards of the Old Regime to the cemeteries of the modern world. The state ordered the closure of churchyards, with new burial sites being relocated beyond the boundaries of the settlements (*ante muros*). This displacement changed the sites in several ways. Firstly, a parish's exclusive space of Christian worship was converted into a more inclusive sanitary space open to all residents of a commune (the administrative entity for several villages or a town). Secondly, cemeteries became interconfessional places of civil and religious commemoration. Thirdly, the spatial order changed, from organically emerging to rationally planned bureaucratic space management[19].
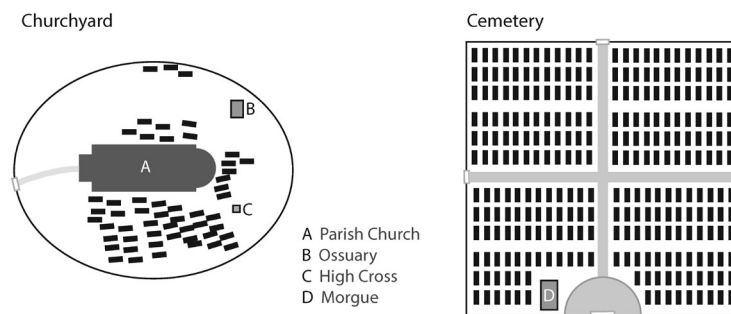

Figure 1.2
Typical spatial organisation of a churchyard and a modern cemetery
Source: Author

(18) "Garder l'église au milieu du village" is also common in Belgium and Alsace-Lorraine, but with slightly different meanings. The Grand Duchy of Luxembourg has three official languages: Luxembourgish, French and German. See the special issue (« Gemeinde und Kirche ») in *Forum für Politik, Geschichte und Kultur*, vol. 325, January, 2013: "Lässt man die Kirche im Dorf?"

(19) For an overview, see Norbert FISCHER, *Vom Gottesacker zum Krematorium. Eine Sozialgeschichte der Friedhöfe in Deutschland*, Vienna-Cologne, Böhlau, 1996; Madeleine LASSÈRE, *Villes et cimetières en France de l'ancien régime à nos jours*, Paris, L'Harmattan, 1997.

This transition was not uniform, constant or smooth. The first phase dealt with an epochal threshold. Indeed, from approximately 1750 to 1850/70, the funeral praxis in states affected by the Enlightenment and the French sepulchral reform of 23 prairial, an XII, differed only with respect to some minor details[20]. This is particularly true for Luxembourg. In the beginning, the laws were only applied in a limited way[21]. Initiatives were confined to an urban environment (Luxembourg was the only major town in the Grand Duchy), with large discrepancies between the centre and the periphery[22]. Most remarkable, however, is that the secularisation process in Luxembourg did not lead to a pronounced 'Kulturkampf' – a struggle of culture between the Catholic tradition and secular liberal forces, as was the case in neighbouring countries[23]. This means that funeral practice and cemeteries neither served as a means to unilaterally promote a secular state, nor were they a site for a defensive battle whereby the Catholic Church campaigned for a restoration of the Old Order. This remarkable divergence is noticeable from the 1850s onwards, and requires an explanation. The hypothesis advanced in this article is based on the small state polity of Luxembourg and the role of the Catholic Church.

During the second half of the nineteenth century, not only did the royal dynasty of Luxembourg become 'native', but the Catholic Church of Luxembourg 'went national' as well, meaning that the political territory comprised the same territory as a diocese of the Roman Catholic Church: initially as an Apostolic Vicariate in 1840, then as an independent diocese in 1870 elevated to an immediate Archdiocese in 1988[24]. Presently, the diocese functions, on a local level, as a 'Landeskirche' (church of a territory): a territorial congregation of 'Volkskirchen' (national Catholic communities) under the supervision of a bishop. In the meantime, the diocese's national status changed from a 'Staatskirchentum' (state church) to a branch of the Roman Catholic Church with subsidiary power. Michel Pauly considers this transitional phase from 1840 to 1920 to be a conflict-ridden

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(20) See Régis BERTRAND & Anne CAROL, eds., *Aux origines des cimetières contemporains. Les réformes funéraires de l'Europe occidentale, XVIIe-XIXe siècle*, Aix-en-Provence, Presses universitaires de Provence, 2016.

(21) The Dutch reign ("l'épisode orangiste", 1815-1830) did not affect Luxembourg and Belgium. See Xavier DEFLORENNE, "La formation du cimetière contemporain en Belgique", in R. BERTRAND & A. CAROL, eds., *Aux origines, op. cit.*, p. 241.

(22) Nikolaus KYLL, *Tod, Grab, Begräbnisplatz, Totenfeier. Zur Geschichte ihres Brauchtums im Trierer Lande und in Luxemburg unter besonderer Berücksichtigung des Visitationshandbuches des Regino von Prüm († 915)*, Bonn, Ludwig Röhrscheid, 1972, p. 106.

(23) See Christopher CLARK & Wolfram KAISER, eds., *Culture Wars. Secular-Catholic Conflict in Nineteenth-Century Europe*, Cambridge, Cambridge University Press, 2003.

(24) Luxembourg, which does not form part of an intermediary ecclesiastical province, is directly subordinated to the Holy See in Rome. In the past, Luxembourg belonged to the French Diocese of Metz (1801-1823) and the Dutch/Belgian Diocese of Namur (1823-1833/40). The affiliations before the times of the 'Wälderdepartement/Département des Forêts' extended partially to Trier, Liège, Cologne, etc. See Nikolaus VAN WERVEKE, *Kulturgeschichte des Luxemburger Landes*, Band III, Luxembourg, Imprimerie centrale Gustave Soupert, 1926, p. 94ff.

time of emancipation from the state. Starting from the interwar period, the relationship between State government and Church government found a new balance, which can be defined as benevolent separation and complaisant neutrality[25]. We will return to this perspective at a later stage in this article. For the present moment – and even for a small power such as the Grand Duchy – we consider the following two levels: the national and local. Concerning sepulchral matters, the translation of the constitution and the laws into the reality of local affairs, that is Luxembourg's 'Realverfassung', was particularly informal, personalised and pragmatic. On a local level, the 'Kirchenfabriken' became the moderator, as well as the bottom-up factor.

Small state theory states that internal political behaviour is characterised by a general reluctance to coerce and a tendency to promote consensus and bottom-up multilateral solutions for domestic challenges. In Luxembourg, and as we observe the power struggles between the representatives of the Roman Catholic Church and those of the emerging constitutional and democratic nation-state, we can identify the typical fields of conflict on the national level concerning the role of religion and religious institutions in a modern polity. Luxembourg saw, for instance, not only a 'school war' as in Belgium, Germany and France[26], but also a clash between urban liberals and Ultramontanes about secular and religious authority. Abroad, these deeply opposing values were debated in newspapers and other public forums for a long time[27]. In Luxembourg, however, the quarrel about how to teach the next generations, and by whom, was very brief and led to a compromise. The Catholic Church was not excluded from decision-making and preserved a large say in school affairs[28]. This conciliatory approach prevented the establishment of a parallel Catholic school system. Similarly, but in stark contrast to the neighbouring countries, no struggle occurred over

(25) Michel PAULY, "Kirche und Staat: auch unter Historikern ein Streitthema?", in *Hémecht. Revue d'Histoire luxembourgeoise/Zeitschrift für Luxemburger Geschichte*, vol. 66, 2014, 3-4, p. 437-452; Michael MINKENBERG, "Staat und Kirche in westlichen Demokratien", in *Politische Vierteljahresschrift*, vol. 33 (special issue: Politik und Religion), 2002, p. 115-138.

(26) Gilbert TRAUSCH, "Der politische Katholizismus im XIX. Jahrhundert", in Gilbert TRAUSCH, ed., *CSV. Spiegelbild eines Landes und seiner Politik? Geschichte der Christlich-Sozialen Volkspartei Luxemburgs im 20. Jahrhundert*, Luxembourg, Éditions Saint-Paul, p. 101-136; Georges VUILLERMOZ, *Das luxemburgische Primärschulgesetz: eine rechtsgeschichtliche und kirchrechtliche Untersuchung* (Th. doct. Pontificia Universitas Gregoriana Romae, 1985), Luxembourg, Saint-Paul, 1990; Jérôme QUIQUERET, "L'assassinat de l'école laïque", in *Forum für Politik, Gesellschaft und Kultur*, vol. 325, 2013, January p. 39-44.

(27) For the remarkably rich history of newspapers and the press in Luxembourg, see Romain HILGERT, *Les journaux au Luxembourg – Zeitungen in Luxembourg, 1704-2004*, Luxembourg, Service Information et Presse du Gouvernement, 2004. To this day, the Diocese owns the most important daily newspaper with the largest circulation in the country.

(28) Peter VOSS, "Der bürokratische Wendepunkt von 1843: Die Primärschule im Prozess der Luxemburger Nationalstaatsbildung des 19. Jahrhundert", in Michael GEISS & Andrea DE VINCENTI, eds., *Verwaltete Schule. Geschichte und Gegenwart* (Educational Governance 20), Wiesbaden, Springer VS, 2012, p. 53-70.

cemeteries in Luxembourg[29], for the following two main reasons. Firstly, progressive parts of the Roman Catholic Church changed their mentality, as can be seen in the neighbouring countries; secondly, Luxembourg had a small state structure.

The overall change in mentality was not limited to the more secularised parts of the population. Before the rise of unilateral state intervention in sepulchral affairs, the Roman Catholic Church herself had, in the late eighteenth century, taken substantial, preliminary measures to modernise churchyards and turn them into cemeteries. Since the Council of Trent, Catholic Visitations (i.e. the regular inspections of and reports on parishes) paid significant attention to the hygienic standards, including the cleanliness and neatness of the churchyards[30]. The stepwise disestablishment of ossuaries[31], the restriction of burial in churches and the alignment of grave rows actually allowed church authorities to anticipate many civil modernisation efforts[32]. The same applies to the 'Rituale Romanum' for funerals and the rationalisation of popular beliefs and popular religion outside official doctrines and practices[33].

(29) For Belgium, see Els WITTE, "The Battle for Monasteries, Cemeteries and Schools: Belgium", in C. CLARK & W. KAISER, *Culture Wars, op. cit.*, p. 102-128; Christoph DE SPIEGELEER & Jeffrey TYSSENS, "Secularizing Funerary Culture in Nineteenth-Century Belgium: a Product of Political and Religious Controversy", in *Death Studies*, vol. 41, 2016, 1, p. 14-21; Bernard MARCELIS, *La question des cimetières en Belgique, 1849-1879*, Université catholique de Louvain, unpublished dissertation, 1976. For the immediate neighbouring Germany, see Wolfgang SCHMID, "Krieg über Gräbern. Die Friedhofsfrage im Kulturkampf in den Regierungsbezirken Trier und Koblenz", in Sonja KMEC, Robert PHILIPPART & Antoinette REUTER, eds., *Totengedenken und Grabkultur in Luxemburg und den Nachbarregionen, 17.-21. Jahrhundert* (forthcoming 2018). The absence of disputes concerning the marking of religious, as opposed to secular, time or the use of bells at funerals in the Grand Duchy compared to the use of bells at funerals in the neighbouring French departments (particularly Meurthe-et-Moselle and in Moselle, Meuse and Ardennes), are indicative of the difference in secularisation and laicity between Luxembourg and France. See Alain CORBIN, *Les Cloches de la terre. Paysage sonore et culture sensible dans les campagnes au XIXe siècle*, Paris, Flammarion, 1994 (Thus far, the author had not yet come across disputes concerning church bells and its use in documents held within ANLux or ADLux, see the law "Sonnerie des cloches d'églises, règlement du 1er mars 1872").

(30) For a general overview of reform-minded Catholicism before 1789, see Jeffrey D. BURSON & Ulrich L. LEHNER, eds., *Enlightenment and Catholicism in Europe. A Transnational History*, Notre Dame, University of Notre Dame Press, 2014; Ulrich L. LEHNER, *The Catholic Enlightenment. The Forgotten History of a Global Movement*, Oxford, Oxford University Press, 2016.

(31) According to N. Van Werveke the last ossuary in Luxembourg was built in 1722. See N. VAN WERVEKE, *Kulturgeschichte, op. cit.*, p. 134; N. KYLL, *Tod, Grab, op. cit.*, p. 119.

(32) In 1875, only three out of 251 parish cemeteries were classified as being in a "very bad" condition; twenty-seven were considered as "too small" and minor complaints (missing gates, etc.) applied to seventy-five. See Luxembourg, Archives diocésaines (ADLux), GV.Visitationen 58, Statistisches Pfarrverzeichnis des Bistums Luxemburg, Stand 1875. See N. KYLL, *Tod, Grab, op. cit.*, p. 80-120 for late early modern times.

(33) Michael Fischer refers to a "beachtlicher Säkularisierungsleistung" (substantial achievement of secularisation), see Michael FISCHER, « *Ein Sarg nur und ein Leichenkleid »: Sterben und Tod im 19. Jahrhundert – zur Kultur- und Frömmigkeitsgeschichte des Katholizismus in Südwestdeutschland*, Paderborn, Ferdinand Schöningh, 2004, p. 38.

The cemetery became the site not only for a symbiosis, but also for a new cult. The 'Holy (nuclear) Family' developed into the virtue model for the notables and the bourgeois middle class[34]. One can see, quite literally, the sacralisation of the rising bourgeois class and their social centrepiece: the family. This change of role model had a visible impact on cemeteries. Permanent grave markers (tombstones, slabs) and concessions for family-grave plots in perpetuity became increasingly standard. In France, the tombs of the bourgeois began to dominate the appearance of cemeteries: "Ce phénomène de colonisation du cimetière par les notables est manifeste", according to Régis Bertrand[35]. The same material development can be seen in Germany and Belgium as well, where the city became the trendsetter for the countryside[36]. To summarise, the modernisation of churchyards into cemeteries does not appear to have been one-way de-Christianisation and unilateral civil transformation. Civil sacralisation and religious secularisation went hand in hand[37].

No 'Kulturkampf' concerning graves in Luxembourg?

In the Old Regime, the gathered dead in the churchyard encircled the living members of the Church when attending mass. Due to its multifunctionality as storage yard, provisional campsite, orchard, pasture, speakers' corner, festivity venue etc., this spatial ensemble was a special place in the public domain of the village. In towns, the importance of churchyards as open-air communal places ranked second only to market places.

The process of differentiation – a hallmark of modern societies – was not restricted to social change. It did not only lead to rationalisation, professionalisation, and the prioritisation of individualism, personal freedom or formal equality in public. It also reorganised public spaces. By creating a municipal burial place *and* a religious site, the emergence of modern cemeteries resulted in a separation and differentiation of two spheres previously considered to be genuinely inseparable. The public realm is basically a shared human environment and potentially an arena of conflict

(34) Andreas GESTRICH, Jens-Uwe KRAUSE & Michael MITTERAUER, *Geschichte der Familie*, Stuttgart, Kröner, 2003, p. 235ff, 364ff.

(35) Régis BERTRAND, "Le décret de prairial précisé (1804-1870)", in R. BERTRAND & A. CAROL, eds., *Aux origines*, *op. cit.*, p. 139. Madeleine Lassère refers to a "sacralité laïque". See M. LASSÈRE, *Villes et cimetières*, *op. cit.*, p. 180.

(36) For Germany, see Claudia DENK & John ZIESEMER, eds., *Der bürgerliche Tod: städtische Bestattungskultur von der Aufklärung bis zum frühen 20. Jahrhundert*, Regensburg, Schnell & Steiner, 2007. For a regional rural-urban comparison in Belgium (Wallonia), see Jacky LEGGE, *Le cimetière du Nord à Tournai – des sépultures et des funérailles de la rive droite de l'Escaut*, Tournai, Éditions Maison de la Culture de Tournai, 1999 and IDEM, *Les cimetières ruraux de Tournai*, Tournai, Éditions Maison de la Culture de Tournai, 2005.

(37) In numerous variations around the world, national military cemeteries (and war memorials) after the Two World Wars exemplify the climax of this sepulchral coalescence. See Manfred HETTLING & Jörg ECHTERNKAMP, eds., *Gefallenengedenken im globalen Vergleich – Nationale Tradition, politische Legitimation und Individualisierung der Erinnerung*, Munich, Oldenbourg Verlag, 2013. For Luxembourg, see T. KOLNBERGER, "Tote Soldaten", *op. cit.*

and negotiation: "To live together in the world means essentially that a world of things is between those who have it in common as a table is located between those who sit around it; the world, like every in-between, relates and separates men at the same time," writes Hannah Arendt in *The Human Condition*[38].

What kind of conflicts can be detected in Luxembourgish archives when we focus on the local level? The reasons for disputes concerning the use of churchyards and cemeteries were either very politically-profane or technically-administrative. Financing, funding, and property management played a particularly important role; religion and worship hardly any. In about 450 parish records of the archiepiscopal archive and dozens of municipal records held by the National Archives, covering a timespan of approximately 1800 to 1950, only one controversial topic recurs: the spatial distribution and social-religious segregation of the cemeteries. The question of how to divide this 'common table', to use Arendt's metaphor, was therefore of real concern[39]. The following sketch, contained in a heavy complaints file, illustrates this[40].

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(38) Hannah ARENDT, *The Human Condition*, Chicago, University of Chicago Press, 1958, p. 52 (German edition: *Vita activa oder vom tätigen Leben*, Stuttgart, Kohlhammer, 1960).

(39) For the parish and episcopal records, see ADLux, GV. Pfarrakten Div.; GV. Korrespondenz Div. (The author would like to thank Bernhard Schmitt of the Archives diocésaines/Bistumsarchiv Luxemburg for his great help and assistance). For the municipal and state government records, the following are particularly relevant: ANLux, Fonds des ministères, Administrations et Institutions publiques, INT (Ministère de l'Intérieur) Div., Affaires générales; SP (Santé et Bienfaisance publique) Div., TP (Ministére des Travaux publics) Div. and ANLux, Fonds modernes (1795-1880), Régime constitutionnel (1842-1856 and 1857-1880), Affaires communales.

(40) ANLux, Église protestante, Acten der evangelischen Gemeinde im Großherzogtum Luxemburg betreffend: Friedhofsangelegenheiten, 1868-99 (sketch attached to a letter of complaint to the government, 31 March 1887); Luxembourg, Archiv Evangelische Kirche von Luxemburg, Friedhofsangelegenheiten, H7-2B, Rollinger Friedhofsangelegenheiten (red envelope), 1885-1886 and Friedhofsangelegenheiten, H7-2B (blue envelope), 1868-1899; Régime constitutionnel (1857-1880), H-1024-093, Esch-sur-Alzette, Cimetière de Lamadelaine, Acquisition de terrain, 1871.
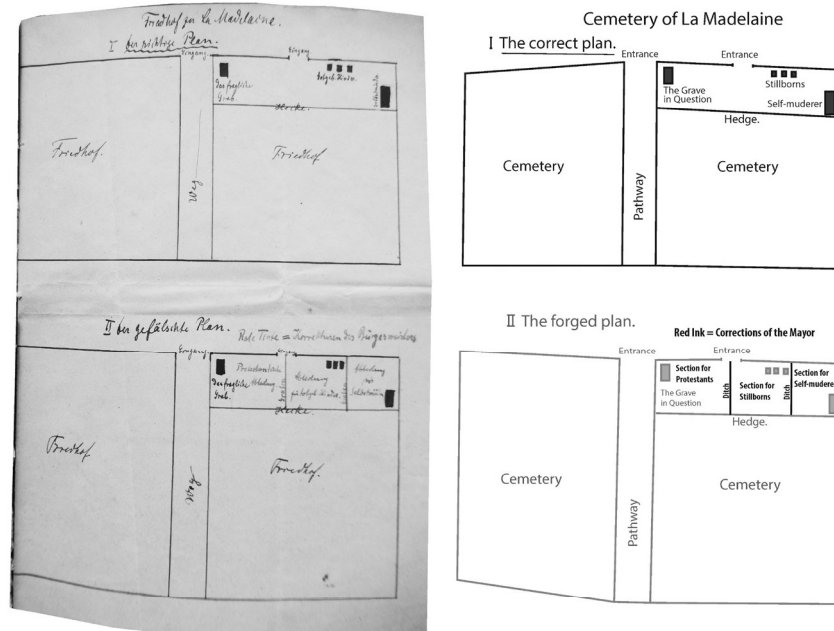
Figure 1.3
"Cemetery of La Madelaine" (built circa 1875?)
(National Archives of Luxembourg, adapted by the author)

Lamadelaine (German 'Rollingen') is a small village in southern Luxembourg. In 1887, a Protestant died and was buried in the local cemetery. The exact place of interment was, however, located in the "Schandecke", in the corner of shame or, to list further vernacular designations, in the "jardin des sorciers (Hexengart)", "petite écurie (Ställchen)", "coin des réprouvés", "le trou aux chiens", etc.[41] of the municipal burial place. Although the Protestant Church of Luxembourg did not oppose the post-death stigma attributed to unbaptised infants, excommunicates, suicides, renegades, homeless vagrants, sinners, paupers, or criminals, it did object to burying Protestants alongside these outcast community members on the traditionally foreseen north side of churchyards/cemeteries. The Protestant Church demanded a further subdivision of the cemetery and insisted on a separate section for decent Christian non-Catholics, i.e. Protestants. They complained that the mayor had falsified details on a site map to convince the central government that this spatial subdivision was already in place. The Protestant side further claimed that, based on the law of 23 prairial, an XII, they were entitled to a separate entrance according to the law.

(41) ANLux, Église protestante, Benoît Thérèse Vendelin JURION, Études de la question des cimetières dans le Grand-Duché de Luxembourg. – Rapport de M. le Procureur général d'État Jurion sur plusieurs règlements communaux concernant le service des inhumations (non publiée), décembre 1877, p. 1-36.

Writing about his topic of expertise ten years earlier, Wendelin/Vendelin Jurion (1806-1892), lawyer, mayor and deputy of Diekirch, as well as member of the government for several legislative periods[42], assessed a clear trend to subdivide small village cemeteries evenly throughout the country. Meanwhile, in 1881, the national assembly in France voted in favour of the law of the neutrality of cemeteries[43]. In Belgium, which was the key reference for many legislative initiatives taken in Luxembourg, the principle of confessional separation of cemeteries was increasingly challenged by Liberals[44]. The heavy disputes only ended when in 1891, Cardinal Pierre-Lambert Goossens – without insisting on a Catholic blessing of the entire cemetery – agreed to an individual consecration for each grave[45]. This compromise was not applied in Luxembourg. Cemeteries in the Grand Duchy remained a genuine civil-religious space for much longer than in the neighbouring countries: a true "domaine mixte, dépendant du pouvoir civil mais aussi de l'autorité ecclésiastique." In accordance with the Napoleonic decree, "le caractère confessionnel est clairement affirmé, mais dans une étroite surveillance de la part des pouvoirs publics"[46].

Thus, the second factor that contributed to the avoidence of a cemetery war in Luxembourg, besides the anticipation and collaboration of the Catholic Church in matters of hygiene, can be attributed to the checks-and-balances of the 'Kirchenfabriken' on the local level. Even today, the Grand Duchy's civil administration does not feature an intermediate level comparable to 'Départements', 'Provincies' or 'Länder' elsewhere[47]. The Diocese is not a part of a larger *provincia ecclesiastica*. This configuration, caused by Luxembourg's small state structure, led to a strong position for the mayors who benefitted from the very short distance – administratively, personally, and even geographically – to the central government in the capital. The same applies to the relationship between parish priests and their bishop[48]. The mayor was part of the local administration and the central state. The parish priest belonged to the parish council and the diocese. As a result,

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(42) Guy Thewes, *Les gouvernements du Grand-Duché de Luxembourg depuis 1848*, Luxembourg, Service information et presse du gouvernement, Luxembourg, 2011.

(43) "Loi du 14 novembre 1881", which abolished the Article 15 of the 'Prairial' of 12 June 1804, stipulating that "Dans les communes où on professe plusieurs cultes, chaque culte a un lieu d'inhumation particulier. Lorsqu'il n'y a qu'un seul cimetière, on le partage par des murs, haies ou fossés, en autant de parties qu'il y a de cultes différents, avec une entrée particulière pour chacun, et en proportionnant cet espace au nombre d'habitants de chaque culte."

(44) The valid law of 1972 (Loi du 1er août 1972 portant réglementation de l'inhumation et de l'incinération des dépouilles mortelles") upholded this confessional separation in Luxembourg.

(45) C. De Spiegeleer & J. Tyssens, "Secularizing Funerary Culture in Nineteenth-Century Belgium", *op. cit*; X. Deflorenne, "La formation", *op. cit*., p. 250.

(46) Régis Bertrand, "Révolution et Consulat. Origines et genèse du décret du 23 prairial an XII", in R. Bertrand & A. Carol, eds., *Aux origines, op. cit*., p. 122, 125.

(47) The three 'Districts du Luxembourg' (established in 1843) and their presiding 'commissariats' have never executed any real power over the towns and communes. They were disestablished in 2015.

(48) Luxembourg's reigning archbishop quipped that he (the bishop) always wanted to be the village priest, but now he is the village archbishop.

they acted as a "double fonctionnaire"[49] of sorts. All these officials were at the same time also part of the same village community. Conflicts over cemeteries were, in fact, local power struggles. Disputes were resolved on this subsidiary level first. Only in rare cases that involved two stubborn sides did they appeal to the state/diocese level[50]. In some cases, the proxy war over the cemetery led to a lifelong animosity between priest and mayor – or even to the ecclesiastical troublemaker being recalled. Sometimes, it ended in a stalemate[51]. On a national level, there was only one real significant showdown between Church and State, which ended with the head of the Catholic Church in Luxembourg, the Apostolic Vicariate Johannes Theodor Laurent, being recalled[52]. It was no coincidence that the first consciously chosen civil funeral of a public figure in Luxembourg took place during Laurent's relatively short period in office (1st December 1841 to 1st May 1848). Jean-Baptiste Gellé (1777-1847), a Freemason and high-ranking liberal official, refused a Catholic burial. The city officials came into conflict with the parish priest as the latter tried to prevent Gellé's interment in consecrated ground. This case was hotly debated in public and Gellé's funeral became an important precedent[53].

The underlying reason for these disputes was the broadness of the scope of juridical and practical interpretation of the 'Prairial'[54]. This *lacuna* practically invited the conscious or unconscious decision to hide certain issues from official and other relevant decision makers. Not complying and

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(49) Christine MAYR, *Zwischen Dorf und Staat. Amtspraxis und Amtsstil französischer, luxemburgischer und deutscher Landgemeindebürgermeister im 19. Jahrhundert. Ein mikrohistorischer Vergleich*, Frankfurt am Main, Peter Lang, 2006, p. 12; Norbert FRANZ, *Durchstaatlichung und Ausweitung der Kommunalaufgaben im 19. Jahrhundert. Tätigkeitsfelder und Handlungsspielräume ausgewählter französischer und luxemburgischer Landgemeinden im mikrohistorischen Vergleich (1805-1890)*, Trier, Kliomedia, 2006.

(50) The insight into the municipal affairs of Wormeldange by C. MAYR, *Zwischen Dorf und Staat, op. cit*, p. 153 can be confirmed. See Norbert FRANZ, "Die durchstaatlichte Kirchenfabrik. Das Verhältnis von kirchlicher und staatlicher Verwaltung in der ländlichen Gesellschaft am Beispiel der Gemeinden Wormeldingen und Weiswampach im 19. Jahrhundert", in *Hémecht. Revue d'Histoire luxembourgeoise/Zeitschrift für Luxemburger Geschichte*, vol. 66, 2014, p. 453-461.

(51) ADLux, Steinsel, GV. Pfarrakten 6546, Beschwerde des katholischen Arbeiterverein über den Pfarrer, 1935; 6548, Zwangsräumung des Pfarrhauses, 1936; ADLux, GV. Korrespondenz 1, p. 1-357, concerning Steinfort (p. 53).

(52) Georges HELLINGHAUSEN, *Kampf um die Apostolischen Vikare des Nordens J. Th. Laurent und C.A. Lüpke – Der Hl. Stuhl und die protestantischen Staaten Norddeutschlands und Dänemark um 1840* (Miscellanea Historiae Pontificiae 53), Rome, Editrice Pontificia Università Gregoriana, 1987.

(53) August COLLART, *Am Wege zur Unabhängigkeit Luxemburgs*, Luxemburg, P. Linden, 1938, p. 151; Christian GRASER, *Die luxemburgische Freimaurerei in einer Phase des politischen Umbruchs. Eine prosopographische Betrachtung der Mitglieder der Loge « Les Enfants de la Concorde fortifiée » in Bezug auf ihr Handeln und Wirken in der Zeit von 1830 bis 1848*, Mémoire scientifique (unpublished MA-Thesis), University of Luxembourg, 2017.

(54) Xavier Deflorenne observed this in Belgium as well: "Ce conflit multiforme nait des lacunes, des imprécisions et des différentes interprétations de l'article 15 du décret de prairial". See X. DEFLORENNE, "La formation", *op. cit.*, p. 242.

not making decisions are integral elements of decision-making[55]. The development of cemetery regulations confirms the impression of a slowdown and of disjointed reform and modernisation that perpetuated problems rather than confront them[56]. Although the explicit order for segregation, for example, disappeared in its written form from the local regulations, it simultaneously continued to exists as material praxis regarding the communal burial place. Only after the Second World War, did 'socially segregated' cemeteries finally become obsolete – except for Jewish gravefields, the remaining Protestant cemetery sections and, lately, the Muslims' separate grave plots.

To summarise: on the one hand, small state policy on the local level, i.e. a system of short distances, is open and allows actors to access different administrative levels of decision-making. On the other hand, it is also closed, since it leaves the historian guessing whether final decisions were reached through informal and interpersonal ties, or through formal, juridical, and democratic forums. Therefore, in small states, there is significant discrepancy between political structures on paper and the political reality on the ground. This inconsistency, which can perhaps be attributed to the fact that formal institutional structures are circumvented or ignored in small states, is facilitated by more intimate social relations and face-to-face contacts. The consequence is interpersonal and interactive saturation[57]. This was definitely the case for the churchyard and cemetery policies and politics in Luxembourg: what happened in the village, stayed in the village. The question, however, remains: how many conflicts were covered up by the peer pressure of the Catholic-civil community? Personal communications with historical witnesses known to the author mention cases of Catholic priests who conducted the last rites against the will of the (unconscious) dying as late as the 1970s.

Turning to the question of cremation in Luxembourg, which became much-discussed in the post-1968 era, we need to change the scales of observation: from the history of a bottom-up 'Realverfassung' to the top-down implementation of sepulchral reform.

(55) Peter BACHRACH & Morton S. BARATZ, "Two Faces of Power", in *The American Political Science Review*, vol. 56, 4, 1962, p. 947-952.

(56) The Interior Ministry of Luxembourg had to approve every 'Polizei-Reglement über den Kirchhof', later 'Règlement concernant les Cimetières'. See ANLux, Fonds des ministères, Administrations et Institutions publiques, INT (Ministère de l'Intérieur) Div., Affaires générales. In 1938, the central state could not approve any official cemetery order for certain municipalities. These administrations have never handed in the relevant documents for review. See ANLux, INT-003, Règlement-type concerne les sépultures, Affaires générales, 1938.

(57) Hans GESER, "Ausgangspunkte zu einer Soziologie kleiner Staaten: Drei systemtheoretische Perspektiven", in Arno WASCHKUHN, ed., *Kleinstaat: grundsätzliche und aktuelle Probleme* (Liechtenstein Politische Schriften 16), Vaduz, Verlag der Liechtensteinischen Akademischen Gesellschaft, 1993, p. 37-70; "«Small is Beautiful but Dangerous»: Interview mit Sebastian Wolf, Politikwissenschaftler und Privatdozent an der Universität Konstanz, über den Platz von Kleinstaaten in den internationalen Beziehungen", in *Forum für Politik, Gesellschaft und Kultur*, vol. 352, 2015, June, p. 32-33; Julia AFFOLDERBACH & Constance CARR, "Blending Scales of Governance: Land-Use Policies and Practices in the Small State of Luxembourg", in *Regional Studies*, vol. 50, 2016, 6, p. 944-955.

Ashes to ashes? – The Introduction of Cremation in Luxembourg

The introduction of cremation in Europa became a vehicle for the expression of key cultural values. Cremation has indeed served as a fundamental means of religious symbolism and as a crucial form of political protest. However, for a long period of time Luxembourg simply lacked fundamental differences and divisions concerning the question of cremation as an alternative burial form. The preference for the Catholic funeral tradition was too strong and could not be politicised. In Luxembourg, four basic "clevages" (Stein Rokkan), characteristic of Western civilisation after the Industrial Revolution, were either too moderate (State versus Church and centre versus periphery) or in the process of evolving (land versus industry and owner versus worker)[58]. These polarising differences, which determined the emergence of and program for all European political parties, were simply postponed.

The political system was quite resilient and stable. After the Belgian Revolution and the determination of the Grand Duchies' new borders in its current shape, a small group of conservatives, notables, and state officials created the juridical framework for the modern Luxembourgish state apparatus. It was, in essence, a system of checks and balances for the policy and politics of an elite group. In 1856, the reactionary revision of Luxembourg's liberal constitution reinforced the idea of self-controlled rule of the few over the many. This fundamental principle was not questioned by the stepwise expansion of privileges, which eventually resulted in the creation of universal suffrage of men and women in 1919[59]. The only issue that remained for a while was the question concerning the real power centre, which oscillated between parliament, state council and court[60]. This privileged-based order was not challenged by societal changes until the late nineteenth century and the partial industrialisation of the Grand Duchy. In 1892, Prime Minister Paul Eyschen could still argue with some reason that "notre population est homogène"[61]. His verdict was definitely true for

(58) Michel DORMAL, *Politische Repräsentation und vorgestellte Gesellschaft. Demokratisierung und Nationsbildung in Luxemburg (1789-1940)*, Frankfurt am Main, Peter Lang, 2017 (Luxemburg-Studien – Études luxembourgeoises, 13), p. 47; Peter FLORA, ed., *State Formation, Nation-Building, and Mass Politics in Europe: the Theory of Stein Rokkan,* Oxford, Oxford University Press, 1999.

(59) Michel DORMAL, "Proportionen des Volkes. Der Wandel im Verhältnis von politischer Repräsentation und Nation am Beispiel Luxemburgs (1841-1939)", in Norbert FRANZ et al., eds., *Identitätsbildung und Partizipation im 19. und 20. Jahrhundert. Luxemburg im europäischen Kontext,* Frankfurt am Main, Peter Lang, 2016 (Luxemburg Studien – Études luxembourgeoises, 12), p. 249-278; Denis SCUTO, *La nationalité luxembourgeoise (XIXe -XXIe siècles). Histoire d'un alliage européen*, Brussels, Éditions de l'Université de Bruxelles, 2012.

(60) The constitution(s) of 1842-1848 were modelled on the liberal Belgian one of 1831. It was revised in what could be labelled as a constitutional coup in 1856 whereby a council of state, which initially strengthened the power of the king versus the chamber of representatives, was introduced. The constitution thus imposed ("oktroyiert"), was replaced in 1868 by an amended version of the original one of 1848. See Georges RAVARANI, "Les révisions constitutionnelles récentes", in *Forum für Politik, Gesellschaft und Kultur,* vol. 286, 2009, May, p. 30-33.

(61) Cited after M. DORMAL, *Politische Repräsentation, op. cit.,* p. 193.

about two thirds of the country. However, the industrialising southeast of Luxembourg, in the capital, as well as a number of expanding towns, started experiencing social unrest and the emergence of political movements aligned according to socio-economic divisions. There was a rise of working-class and socialist parties on the one hand, and of political Catholicism, as well as Christian democratic and conservative parties on the other. The political spectrum also contained a thin stratum of liberal, urban bourgeoisie[62].

Inspired by the intellectual birth of modern cremation in mid-nineteenth century Italy, France, and Germany, the liberal bourgeoisie proposed reviving an ancient burial form in the Christian West[63]. In Luxembourg, this idea was promoted in the first decade of the twentieth century. Contrary to the cemetery question, cremation became a sensitive political issue on a national level. Campaigning for voters, political parties used cremation to mark their ideological positions. A war of words flared up, especially between the Party of the Right (later CSV, the Christlich Soziale Volkspartei) and the Socialist Party (later LSAP, the Luxemburger Sozialistische Arbeiterpartei). For the former, the question of cremation became a symbolic red line. While the Church had to accept the 'imitatio ritualis romani', that is, the imitation of religious funeral rites by civil agents, priests could still refuse to perform the proper funeral rites. In practice, the Catholic side only raised formal protests in cases of – in her opinion – inappropriate display of political membership during a funeral, for example when socialist flags or banners were involved[64]. The Church generally condoned mixed rituals, i.e. the genuinely "domaine mixte" of public spaces, at cemeteries, and did not engage too overtly with state or communal officials[65]. This passive stance could not be maintained when the incineration of a body was concerned. Despite the fact that cremation does not in principle contradict the Catholic faith, the politicisation of this funerary rite as substitute for the proper Catholic ritual was seen as a symbol of rejection of Christian life, and therefore as a provocation. In Luxembourg, the Church seemed to be losing its quasi-monopoly in funeral affairs. For a growing amount of people, a thoroughly alternative civil burial style with profane rites and new materials – crematory, urn, columbaria – were at hand.

Before 1900, the first wave of the 'Kremationsfrage' passed the Grand Duchy without any lasting impact[66]. The first years after the turn of the

(62) See the seminal study of Michel DORMAL, *Politische Repräsentation, op. cit.* for the general political formation process.

(63) Douglas J. DAVIS, "Introduction", in Douglas J. DAVIS & Lewis H. MATES, eds., *Encyclopedia of Cremation*, Aldershot, Ashgate, 2005, p. XVII.

(64) ADLux, Nachlass Henri Wester (expert on the use of flags at funerals, 1947); and several commentaries and debates in ADLux, Kirchlicher Anzeiger für die Diözese Luxemburg (K.A.) for the interwar period.

(65) For nineteenth-century France Thomas Kselman remarked: "The fact that anticlerics felt compelled to seek the help of ministers they despised suggests that for them there was simply no alternative to a Catholic service". See Thomas KSELMAN, "Funeral Conflicts in Nineteenth-Century France", in *Comparative Studies in Society and History*, vol. 30, 1988, 2, p. 325.

(66) Thomas KOLNBERGER, "Von « Flamma » zum « Flamarium ». Zur Geschichte der Feuerbestattung im Großherzogtum Luxemburg", in *Hémecht. Revue d'Histoire luxembourgeoise/Zeitschrift für Luxemburger Geschichte*, vol. 69, 2017, 2, p. 205-232.

century, however, were different. In 1906 the Société pour la Propagation de l'Incinération, better known under the name of its bulletin *Flamma*, was founded. In Belgium the short-lived Association pour la Propagation de la Crémation des morts of 1882 had already been refounded in 1905 [67].

Luxembourgish newspapers from the first three decades of the twentieth century reveal that civil burials were normal [68] and that the public proponents of cremation were on par with the freethinkers of Luxembourg. The informal political network was clearly dense. The *Escher Tageblatt*, the leading socialist daily newspaper, even complained about a "blau-schwarze klerikale Freimaurerregierung", that is a liberal-right clerical government of freemasons, referring to the conservative governments under Prime Minister Joseph Bech from 1926-1937 [69]. Meanwhile, the leading Conservative-Catholic newspaper, the *Luxemburger Wort*, identified the nine board members of *Flamma* as the leading minds of the freethinkers and their association, the Libre Pensée luxembourgeoise, which was founded in 1905 and was, also in terms of membership, a very exclusive club [70].

Following a German example, the Luxembourgish cremation organisation adapted the model of a mutual insurance association to manage a death and burial fund. Cremation was not explicitly forbidden in Luxembourg, but not possible technically. The corpses had to cross the border and re-enter the Grand Duchy as ashes. Due to political and economic ups and downs, the favourite cremation venues changed from the German Reich/Germany (Mayence) to the German Reich/France (Strasbourg), and in the 1960s to Liège-Robermont in Belgium. For the first sixty years after the establishment of the Luxembourg cremation society, cremation rates remained very low (single digit percentages). Two events promted a turnaround. Firstly, the Second Vatican Council decided not to lift, but to ease, the ban on cremation in 1963-1965; secondly, the national crematory in Luxembourg/Hamm started operating in 1995. Both dates can be clearly seen in the national cremation curve (percentage of total burials) as two sharp upswings.

(67) Replaced by the *Société belge pour la Propagation de la Crémation.* See Xavier GODART, "Belgium", in D.J. DAVIS & L.H. MATES, *Cremation, op. cit.*, p. 89-91; Karel VELLE, *Begraven of cremeren. De crematiekwestie in België*, Ghent, Stichting Mens en Cultuur, 1992, p. 39.

(68) In the publishing years of the *Armer Teufel* (1903-1929), according to R. Hilgert the unofficial organ of the *Libre Pensée luxembourgeoise* (LPL), this journal mentioned only one real dispute about a civil burial in 1910, which turned out to be a matter of conflicting interpretations. See R. HILGERT, *Les Journaux, op. cit.*, p. 166f. In Belgium civil funerals increasingly became the choice of individuals from the 1850s onwards. See C. DE SPIEGELEER & J. TYSSENS, "Secularizing funerary culture", *op. cit.*

(69) "Splitter und Späne", in *Escher Tageblatt*, n° 101, 27 March 1928. The president of the freethinkers, Paul Flesch, was accused of being a "freemason bigwig and former radical" of the Parti Radical who was – at the same time – busy negotiating with the potential next bishop of Luxembourg. See 'Il y a des morts', in *Escher Tageblatt*, n° 125, 18 April 1928. For Flesch, see Denis SCUTO, "Paul Flesch. (1870-1955). Architecte de la Ville et bâtisseur de la Liberté", in *100 Joer Esch. 1906-2006*, Esch-Alzette, Ville d'Esch-sur-Alzette, 2006, p. 60-71.

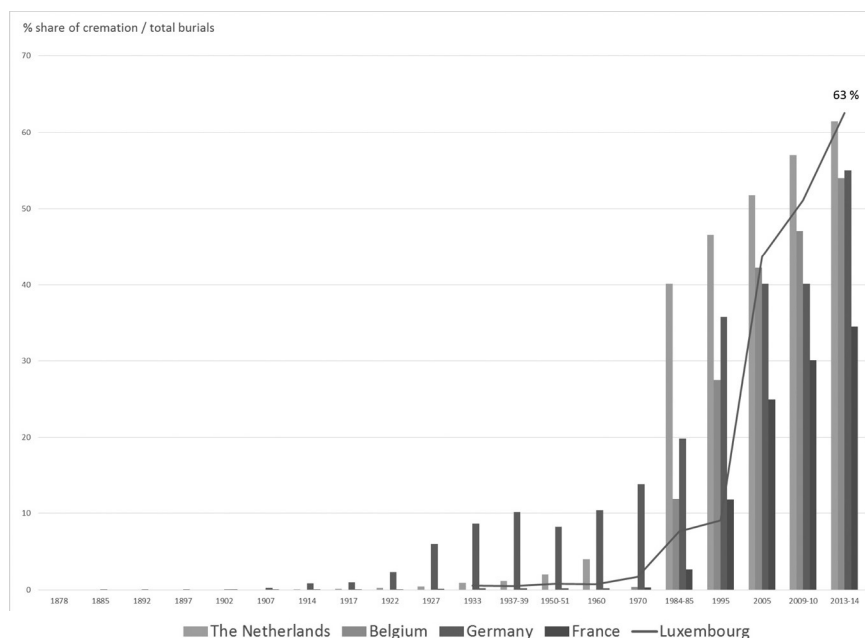(70) "Grab und Urne", in *Luxemburger Wort*, n° 123, 3 May 1926.

% share of cremation / total burials

Figure 1.4
The slow initial growth of cremation in Luxembourg and its « take off »
in the 1960s-1990s
Sources: Pharos International (The official Journal of the Cremation Society
of Great Britain and the International Cremation Federation), vol. 1932-2016;
Flamma (Bulletin of the Sociéte pour la Propagation de l'Incinération), vol.
1932-1940 & 1951-2016; Statec (Institut national de la Statistique et des Études
économiques du Grand-Duché de Luxembourg), Population statistics.

At present, the cremation rate has risen to over sixty percent (2016), but historically, Luxembourg was at the slow end of the cremation movement in the western world. There were/are also clear regional differences in cremation density within the small country. The southeastern part of the country, including the industrial quarter and the capital, were the first to provide burial facilities (meadows/lawns for scattering the ashes, columbaria, special plots for the internment of urns, etc.) for the cremated after the national burial law was changed in 1972. That year, an amendment explicitly recognised the legal equality of body interment and cremation and paved the way for the creation of a national crematory[71]. The bill was passed by parliament under the liberal minister Gaston Thorn, later Prime Minister (1974-1979). This window of opportunity soon closed when the dominant political party on the national level, the CSV, resumed state-government power.

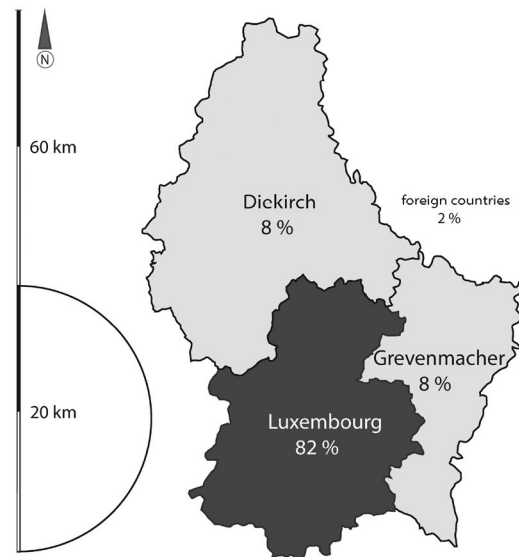(71) "Loi du 1er août 1972 portant réglementation de l'inhumation et de l'incinération des dépouilles mortelles."

Figure 1.5
Luxembourg's regional differences in cremation density (1906-2016),
Source: Flamma (Bulletin of the Sociéte pour la Propagation de l'Incinération.),
vol. 1932-1940 & 1951-2016

Already in the interwar period, the conservative government blocked the first initiative to build a national crematory, spearheaded by the (liberal) capital city and the (socialist) industrial town of Esch-sur-Alzette. In the 1930s, the proposal was instigated by the parallel Belgian debate – and rejected[72]. Fifty years later the debate was still not settled. Following the law of 1972, the CSV and their mayors protracted and systematically delayed the concrete execution of the decision to build and operate a crematory for more than twenty years in order to please their national and local constituencies. This refusal to implement the law had indeed become an art form in its own right, which can, in turn, be linked to small state theory: "In the absence of political pluralism, and due to the close connections between citizens and politicians, politics in small states is strongly personalised"[73]. When the CSV realised that the question of cremation had lost ground for political mobilisation, the crematory project was carried out in record time

(72) The Belgian debate was closely watched and all types of voices (newspaper clips, draft bills, laws in force, parliamentary debates) were documented. See ANLux, INT-0003, Division de l'Intérieur: Création d'un crématoire, 1927-1929 – Participation des communes – Journaux documentation étrangère; ANLux, FD-077, Crémation et crématoire au Luxembourg, 1911-1937.

(73) Wouter VEENENDAAL, "Monarchy and Democracy in Small States: An Ambiguous Symbiosis", in Sebastian WOLF, ed., *State Size Matters. Politik und Recht im Kontext von Kleinstaatlichkeit und Monarchie*, Wiesbaden, Springer VS, 2016, p. 189.

and without any further objections in the mid-1990s. The fact that cremation had become socially acceptable is clear from the fact that *Flamma*, for example, stopped advising its members in 1963 on how to formulate their last will so that their relatives and heirs were forced to respect their wish to be cremated. Apparently, families no longer (over-)ruled. Urns became a common sight and it was no longer necessary to hide them in coffins.

Conclusion

The Luxembourg case study illustrates the impact of modernity on burial practices. This transformation was relatively free of conflict, especially when compared to the culture wars that were raging in the neighbouring Rhine Province of Prussia (with its mixed confessional population) and in Catholic Belgium[74]. Throughout history funerals have offered opportunities to express group concerns and to mobilise the public, sometimes leading to disorder or even riots[75]. However, and to the author's best knowledge, the historical records of Luxembourg do not show such occurences of disorder. From a European and comparative perspective, the Luxembourgish 'Kulturkampf' therefore represented a very special case.

This article sought to explain this relative harmonious co-existence of state power (nominally headed by a Protestant Grand-Duke until 1912) with the Catholic clergy in a predominantly Catholic country. The first possible reason advanced in this article was that the Church itself had also become somewhat more modern since Napoleonic times. However, in this respect, Luxembourg was not different from other countries. The second (and main) reason was Luxembourg's size. This article draws on recent theories and findings in small state research and shows that size mattered. In political terms, Luxembourg remained a face-to-face society until 1900 (in other aspects, even up until today – short paths to decision makers are still an important selling point for agencies such as 'Luxembourg for Business' LfB)[76]. Since there were no intermediate levels between mayor and government, or between parish priest and bishop, local conflicts were resolved locally, often with the intercession of the 'Kirchenfabrik', the association of laymen that managed Church property.

This changed to some extent in the twentieth century when political parties and ideological camps emerged. Cremation became a philosophical battleground and even after the Church had recognized the practice, the conservative party obstructed the construction of a crematory until the early

(74) For Italy's militant anticlericalism, see Hannah MALONE, "Secularisation, Anticlericalism and Cremation within Italian Cemeteries of the Nineteenth Century", in *Modern Italy*, vol. 19, 2014, 4, p. 385-403. For the power play of the Catholic Church in Spain, see Miguel MARTORELL LINARES, "« The Cruellest of all Forms of Coercion ». The Catholic Church and Conflicts around Death and Burial in Spain during the Restoration (1874-1923)", in *European History Quarterly*, vol. 47, 2017, 4, p. 657-678.

(75) For funeral riots in Lille, see Charles A. TAMASON, "From Mortuary to Cemetery. Funeral Riots and Funeral Demonstrationns in Lille, 1779-1870", in *Social Science History*, vol. 4, 1980, 1, p. 15-31.

(76) https://www.luxinnovation.lu, consultation date: 11 November 2017.

1990s. Since then, burial places and practices no longer formed a bone of contention. Recently, the first forest cemetery of Luxembourg exclusively meant for the scattering of ashes received tacit approval from Catholic Church officials, although the traditional interment of a dead body is regarded as best Catholic practice. The Vatican insists on the burial of urns in marked parts. Luxembourg corporatism and consensus [77] in sepulchral culture is a small state reality: in the past as well as in the present.

ABSTRACT

Thomas KOLNBERGER, *Funerary Culture and Modernisation in the State of Luxembourg (1800-2000)*

This article discusses funerary politics in relationship to the political culture of the small state of Luxembourg in northwest Europe during the age of modernisation. During the long 19th century, the Grand Duchy of Luxembourg experienced several political changes which affected sepulchral culture, but this did not lead to a 'Kulturkamp' over cemeteries between the Chuch and the States as it occurred in neighbour countries. Disputes were resolved at the local level. We apply small power theory to explain the relatively harmonious co-existence of State power with the Catholic clergy, and to highlight the important role of local government. For the top-down introduction of cremation, we need to change scale and focus on an urban elite setting the national agenda. Luxembourg was one of the last member states of the European Union to place burial and cremation on an equal legal footing and its own 'national' crematorium only opened in the 1990s.

Luxembourg – funerary culture – cemeteries – small state policy – cremation

RÉSUMÉ

Thomas KOLNBERGER, *Culture funéraire et modernisation au Luxembourg (1800-2000)*

Cet article porte sur les politiques funéraires et la culture politique d'un petit État dans le nord-ouest de l'Europe durant l'âge de la modernisation. Au long du XIXe siècle, le Grand-Duché de Luxembourg fit l'expérience de plusieurs changements politiques qui conditionnèrent les habitudes funéraires, mais le pays ne connut pas de 'Kulturkampf' entre l'Église et l'État, autour des cimetières, comme dans les pays voisins. Les conflits furent résolus au niveau local. Nous utilisons les théories sur les petits États pour expliquer la coexistence relativement harmonieuse entre le pouvoir de l'État et le clergé catholique, ainsi que le rôle important du gouvernement

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(77) See Arend LIJPHART, *Patterns of Democracy – Government Forms and Performance in Thirty-six Countries*, New Haven, Yale University Press, 1999; Wolfgang LORIG & Mario HIRSCH, eds., *Das politische System Luxemburgs – Eine Einführung*, Wiesbaden, Springer VS, 2008.

local. L'analyse de l'introduction de la crémation au Grand-Duché nécessite un changement d'échelle : le focus doit être mis sur une élite urbaine qui déterminait la politique nationale. Le Grand-Duché de Luxembourg fut l'un des derniers pays de l'Union Européenne à légaliser la crémation et le premier crématorium luxembourgeois ne fut ouvert que dans les années 1990.

Luxembourg – culture funéraire – cimetières – politique des petits États – crémation

SAMENVATTING

Thomas KOLNBERGER, *Funeraire cultuur en modernisering in Luxemburg (1800-2000)*

Dit artikel onderzoekt het beleid inzake funeraire cultuur in relatie tot de politieke cultuur van de kleine staat Luxemburg in Noordwest-Europa tijdens de 19e en 20e eeuw. Tijdens de lange 19e eeuw onderging het Groothertogdom Luxemburg verschillende politieke veranderingen die een impact hadden op de begrafeniscultuur, maar het land kende geen cultuurstrijd tussen Staat en Kerk rond het beheer van begraafplaatsen zoals in de buurlanden. Conflicten werden op het lokale niveau opgelost. We maken gebruik van theorieën uit internationaal onderzoek naar kleine natiestaten om de harmonieuze verhouding tussen Staat en Kerk in Luxemburg te verklaren, en de belangrijke rol van lokale overheden te belichten. Voor de analyse van de introductie van crematie in Luxemburg, dienen we onze observatieschaal te verschuiven naar het nationale niveau met een urbane elite die het beleid uitstippelde. Luxemburg was één van de laatste landen van de Europese Unie waar crematie wettelijk werd geregeld en pas in de jaren 1990 opende het eerste Luxemburgse crematorium de deuren.

Luxemburg – funeraire cultuur – begraafplaatsen – politiek van kleine staten – crematoria