Enlightened Burial: Death and Science in the Spanish Caribbean, 1800-1870

by

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This dissertation is concerned with three lines of inquiry. In what ways did local early modern practices of burial inform Caribbean populations' engagement with modern regimes of the dead over the course of the nineteenth century? How did the growing influence of medical and public health officials over the dead alter relations between ecclesiastical and civil authorities? How did religious and medical conceptions of the dead compete, interact, and influence burial practice? This dissertation contends that understanding the changing attitudes toward burial on the islands is central to understanding how modern scientific practices and sensibilities infiltrated life in Caribbean port cities.

By reconstructing the evolving forms of burial in San Juan and Havana, this dissertation illustrates how the patterns established in the early modern period were refashioned in modern practice. Building on recent literature on death and dying in Latin America, I also argue that the adoption of general cemeteries and public health initiatives around the control of bodies were key to processes of liberalization in the region and became intertwined with debates about the role of ecclesiastical and civil authorities in the management of social life. I conclude that, rather than a turn away from religion, the populations of Caribbean port cities adopted hybrid conceptions of death and burial that incorporated both modern medical knowledge with traditional Catholic practice. Scientific and religious perspectives were not incompatible; instead they intertwined in policy and practice to respond to the needs of an increasingly heterodox population.

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Preface

This dissertation would not have been possible without the support, guidance, and resources of mentors, colleagues, friends, and institutions across the world. At the center of my network of support are my advisors: George Reid Andrews and Lara Putnam. Reid has guided my project from the beginning. He is one of the most thorough and thoughtful historians I have ever worked with. His attention to detail—and ever-present dictionary—has pushed me to be a better writer and historian. Lara has been instrumental in my progress. Her thoughtful questions made sure I considered the big picture. Through many ups and downs, Lara has continued to give her time to guide both my work and my trajectory in academia. I could not have asked for nor imagined a better team of advisors.

I've had the honor to work with Alison Langmead since my first year at Pitt. The digital projects I did under her guidance have inspired my approach to history. Her masterful balancing act as a humanist and digital scholar is a model for future-focused approaches to graduate training and professional scholars. My digital work has been some of the most inspiring aspects of my larger project, and it was the mentorship of Alison that directed me to this work.

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Others who facilitated my research in Cuba deserve special recognition. Belkis Quesada Guerra served as my guide in Havana, writing letters of introduction, setting me up at archives and libraries, while guiding me through the complexity of life in Havana. To the friends I made in both cities, I thank you for your hospitality and the companionship you offered me over the years.

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My family has been unwavering in their support. My brilliant parents inspired my curiosity and drive. My dad's steady kindness and laughter is the bedrock of my life. My mom's fierce love is the fuel that pushes me forward. Because of you, I've never doubted who I was and what I wanted. One of the greatest gifts in my life is to be your daughter. To my siblings Rachel, James, Caitlin, and Alaina, we share more than a sense of humor, but a friendship that I treasure. Thanks for bringing such great spouses and kids into the mix. This dissertation is as much yours as it is mine.

1.0 Introduction

El cólera morbo en 1833

"…Inútil suplicar: la peste horrenda
Que allá del Ganges en el seno inmundo
Para purgar el mundo
Entre muerte y ponzoña fué enjendrada,
Por la Europa llorosa y desolada
Un camino infernal se abrió triunfante:
En vano se le opuso el mar de Atlante,
Por él tendió la destructora planta,
Y cual dragón inmenso, en Occidente
Una garra enterrando, otra en Oriente,
El mundo á cada convulsión quebranta.

¡Ay! ¿Qué será de tu opulencia vana
De tu infausta riqueza, triste Habana?
¿No ves los senos del sepulcro abiertos
Tus hijos devorar, como devora
La arena abrasadora
Las gotas de la lluvia en los desiertos?
Teme el hombre del hombre, que en su hermano
La muerte vé que sin cesar le aterra,
Y cada cual en su mansión se encierra
Del trato huyendo y del comercio humano.

Del aire en los espacios no se advierte
Otro humano sonido
Que el mísero jemido
De aquel que con las ansias de la muerte
Sin remedio ni amparo en vano lucha.
De la campana fúnebre el tañido
A cada instante con pavor se escucha;
Y de la noche en la medrosa sombra
Cuando en vela febril la fantasía
Con la memoria el corazón asombra
Del horrible espectáculo del día…"
-Ramón de Palma y Romay[1]

[1] Ramón de Palma y Romay, "El cólera morbo en 1833," in *Parnaso Cubano. Colección de poesías selectas de autores cubanos*, ed. Antonio López Prieto (Cuba: M. de. Villa, 1881), 206-207.

Leopoldo was born in Africa around 1828. Like so many other Africans, he was sold into slavery and transported to Cuba. When he died at forty in the provisional hospital of San Juan de Dios, he was a free man. His body was transported to the provisional cemetery of Atares where he was unceremoniously buried in a mass grave. It was not the color of his skin or his status as a former slave that determined this ignoble burial. It was the fact that he died of cholera.[2]

Cholera had re-entered Havana in late 1867. This was the third outbreak in Cuba in thirty-five years, and by January the death toll was mounting.[3] Many of the infected showed no, or only minor, symptoms. However, even if asymptomatic they still spread the bacteria. For those not so lucky, cholera was a painful and messy way to die. The onset of the disease was sudden and progressed rapidly. Death could occur within hours. The first symptoms were profuse, watery diarrhea and vomiting. The resulting dehydration produced painful muscle cramps. Within hours the victim's flesh would be sunken and gaunt, their skin—a mottled black and blue from ruptured blood vessels—hanging loosely. Lethargy, stupor, shock, and finally death followed in rapid succession. An individual seemingly healthy in the morning could be reduced to a shrunken wraith by the afternoon and buried by the time night fell.[4]

Surely the hospital where Leopoldo lay dying was a terrifying place. The provisional hospital of San Juan de Dios—in reality an infirmary above the city jail—was designated a cholera ward when the disease resurfaced in Havana. Between September 30th and December 8th, three

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[2] Leopoldo's burial record, like that of many others who were born in Africa, has minimal biographical information. This was compounded during outbreaks. The parish priest did not record Leopoldo's last name. Instead, his birth in Africa, his skin color (moreno), his unmarried state, and his status as a freed man are the details captured. Archivo Parroquial del Santo Ángel Custodio (hereafter APSAC), Havana, Libro 14º de entierros de pardos y morenos, 1803-1811.

[3] Letier Pérez Ortiz and Ramón Madrigal Lomba, "El cólera en Cuba. Apuntes históricos," *Revista Médica Electrónica* 32, no. 7 (2010): 5-6.

[4] Charles E. Rosenberg, *The Cholera Years: The United States in 1832, 1849, and 1866* (Chicago: University of Chicago Press, 1987), 2-4; Amanda J. Thomas, *Cholera: The Victorian Plague* (Barnsley: Pen & Sword History, 2015).

hundred patients were admitted with cholera. Only forty-seven survived.[5] Patients knew from previous outbreaks what they could expect. Watching scores of victims dying around them would only confirm what they already knew: death was coming for them and there was little they could do but pray.

Conditions were much the same in cities around the world. The first cholera pandemic began in 1817 and five would follow by the end of the century. Cuba, whose citizens had been monitoring the disease's progress with trepidation, saw its first case in 1833. While it was the only island in the West Indies to be struck by cholera during this pandemic, its arrival in the region caused widespread consternation. Puerto Rico, having imposed stringent quarantines on foreign ships, managed to delay its arrival until 1855. Cholera was the nightmare disease of the nineteenth century. And yet, it was not the only epidemic disease to plague the Caribbean. Smallpox, typhoid, malaria, yellow fever, and other tropical diseases struck with alarming regularity. Death was a familiar specter in the tropics, with port cities especially vulnerable to the infiltration of disease.[6]

How to manage the dead was a matter of urgent public concern in the Caribbean. This was not simply about where the dead should be buried, but how they should be handled, laid out, transported, and even prayed over. Religious, medical, and popular conceptions of the dead altered drastically in the nineteenth century. The abandonment of the early modern churchyard burial grounds in favor of new, hygienic general cemeteries was profoundly disturbing to the populations

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[5] *Anales de la Academia de Ciencias Médicas, Físicas y Naturales de La Habana* (Havana: Establecimiento Tipográfico de Soler, Álvarez, y Compañía: 1889), 342-346.

[6] Juanita de Barros and Sean Stilwell, "Introduction: Public Health and the Imperial Project," *Caribbean Quarterly* 49, no. 4 (2003): 1-11; Deborah Jenson and Victoria Szabo, "Cholera in Haiti and Other Caribbean Regions, 19th Century," *Emerging Infectious Diseases* 17 (2011): 2130-2135; Kenneth F. Kiple, "Cholera and Race in the Caribbean," *Journal of Latin American Studies* 17, no. 1 (May, 1985): 157-177; S. J. Watts, *Epidemics and History: Disease, Power, and Imperialism* (New Haven: Yale University Press, 1997); J. Selene Zander, "Contagious Invasions: The 1833 Cholera Epidemic in Havana," *Revista de Estudios Hispánicos* 49, no. 1 (2015): 3-23.

of Havana and San Juan. The evolving practices surrounding the dead reveal the growing influence of scientific thought in urban environments.

This dissertation is concerned with three lines of inquiry. In what ways did local early modern practices of burial inform Caribbean populations' engagement with modern regimes of the dead over the course of the nineteenth century? How did the growing influence of medical and public health officials over the dead alter relations between ecclesiastical and civil authorities? How did religious and medical conceptions of the dead compete over, interact with, and influence burial practice?

1.1 Historical Context

The driving force behind the creation of general cemeteries in the late-eighteenth and early-nineteenth centuries was simple: demographic changes had increased urban populations to the point that the existing system for the disposal of the dead was overwhelmed.[7] Epidemics swept through overcrowded cities with regular frequency. Propelled by the doctrines of scientific rationality, civic leaders and intellectuals began to look for the source of such disease. The emerging medical field attributed the cause and spread of epidemics to 'miasmas,' or bad air.[8] The rank condition of urban graveyards easily lent itself to rising fears around the threat of the dead to

[7] Philippe Ariès, *The Hour of our Death*, trans. by Helen Weaver (New York: Knopf, 1981); Philippe Ariès, *Western Attitudes Toward Death from the Middle Ages to the Present*, trans. Patricia M. Ranum (Baltimore: Johns Hopkins University Press, 1974), 69-70; Howard Colvin, *Architecture and the Afterlife* (New Haven: Yale University Press, 1991), 364-365; David Charles Sloane, *The Last Great Necessity: Cemeteries in American History* (Baltimore: Johns Hopkins University Press, 1991), 28-29.

[8] Jay Kinsbruner, *The Colonial Spanish-American City: Urban Life in the Age of Atlantic Capitalism* (Austin: University of Texan Press, 2005), 61-63; Andrew Lees and Lynn Lees, *Cities and the Making of Modern Europe, 1750-1914* (Cambridge: Cambridge University Press, 2007), 61-62.

the health of the city.

Over the course of the eighteenth century, urban burial grounds came to be framed as problems by a broader discourse around disease and epidemics. These sites represented a tradition of burial that continued, with little alteration, since the Middle Ages.[9] Referred to as churchyard burial grounds, they were exactly that: the land immediately surrounding the church that was used to inhume the bodies of the faithful. The elite of a community were buried within the church proper. In both Protestant and Catholic nations, the clergy controlled these spaces. The management of bodies was concerned with protecting the soul of the departed rather than the wellbeing of the living.

By the end of the eighteenth century, however, medical and religious conceptions of the dead body began to conflict. Churches and churchyard burial grounds had come to carry the stench of death.[10] In France, one observer noted "the sepulchral exhalations" that filled the church and acted to "poison the faithful."[11] Voltaire, when describing Paris' *Cimentière des Innocents*, observed how "the poor who die very often of contagious diseases are buried there pell-mell; sometimes dogs come and gnaw at their bones, and thick, cadaverous, infected vapour (sic) rises from them."[12] This critique about the danger inherent in churchyard burial grounds, and the emanations they produced, was also found on the other side of the Atlantic. J. Jay Smith, an American cemetery reformer, wrote that "the health of the living is chiefly affected by a certain

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[9] Ariès, *Western Attitudes*, 20; Michel Ragon, *The Space of Death: A Study of Funerary Architecture, Decoration, and Urbanism,* trans. Alan Sheridan (Charlottesville: University Press of Virginia, 1983).
[10] Harold Mytum, "Public Health and Private Sentiment: The Development of Cemetery Architecture and Funerary Monuments from the Eighteenth Century Onwards," *World Archaeology* 21, no. 2 (1989): 83-297; John McManners, *Death and the Enlightenment: Changing Attitudes to Death among Christians and Unbelievers in Eighteenth-century France* (New York: Oxford University Press, 1981), 315.
[11] Ragon, *The Space of Death*, 200.
[12] J.D. Rolleston, "Voltaire and Medicine: Part II," *Proceedings of the Royal Society of Medicine* 19 (1926): 88.

gas generated by the decomposition of the muscular part of the human body."[13] Francis Allen, an American scientist, stated in a cemetery reform pamphlet that "the most putrid exhalations arising from grave-yards, will not only feed and strengthen fever when once introduced, but will generate disease equally malignant as yellow fever."[14] In this manner, the language of disease was grafted onto criticism of the vile state of overcrowded churchyard burial grounds

Impelled by medical theory, nations across the Atlantic World began abandoning churchyard burial in favor of general cemeteries. Post-revolutionary France—at the forefront of enlightened medical thought—was one of the first to ban churchyard burial. The design and function of Paris's new burial grounds were grounded in anti-clerical sentiments.[15] Entrepreneurs in London founded cemetery corporations to build a ring of private cemeteries circling the city.[16] Boston's Mount Auburn cemetery, built in 1831 on a commercial model, was lauded as a triumph of progressive values.[17] But urban populations did not always share civic leaders' views. The 1836 construction of a commercial cemetery in Bahia, Brazil, led to popular riots. Inhabitants of the city, led by Catholic brotherhoods and third orders, rejected the new burial ground.[18] While sharing a common origin in enlightened medical theory, the general cemeteries built across the Atlantic World encountered divergent and divided societies. Enlightened plans ended up modified to serve local social and cultural values.

Authorities and intellectuals in Spain followed these developments closely. By the late

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[13] J. Jay Smith, *Designs for Monuments and Mural Tablets Adapted to Rural Cemeteries, Churchyards, Churches and Chapels* (New York: Bartlett and Welford, 1846), 6-7.
[14] Sloane, *The Last Great Necessity*, 37.
[15] Suzanne G. Lindsay, *Funerary Arts and Tomb Cult: Living with the Dead in France, 1750-187* (Surrey: Ashgate, 2012); Erin Marie Legacey, *Living with the Dead in Postrevolutionary Paris, 1795-1820s*, PhD diss., Northwestern University, 2011.
[16] Maximilian Scholz, "Over our Dead Bodies: The Fight Over Cemetery Construction in Nineteenth-Century London," *Journal of Urban History* 43, no. 3 (2017): 445-457.
[17] Sloane, *The Last Great Necessity*.
[18] João José Reis, *Death is a Festival* (Chapel Hill: University of North Carolina Press, 2003).

eighteenth century, progressive advisors to King Charles III were lobbying for burial reform while conservatives adamantly opposed the idea. The reformist element won out, and in 1787 the crown issued an edict prohibiting interments inside churches.[19] Catholic Spain was to build general cemeteries that served the interests of both Religion and Public Health. The court, and the Spanish people, remained divided over the change. The dissolution of a tradition of burial that was a foundation of Catholic social life was alarming to believers. The cemetery edict marked the start of a contested reform process that would extend well into the nineteenth century.

Buffeted by internal and external forces, a series of weak and unstable Spanish governments were unable to decide on—let alone enforce—a coherent legislative agenda. Revolutions in the Atlantic World between 1775 and 1824 altered the social, economic, and political landscape of the Americas, including in Caribbean territories where revolutions did *not* occur. Cuba and Puerto Rico, the last remaining colonies in Spain's American empire, were at the center of a maelstrom of change. Over the course of the century, inhabitants of the islands grew increasingly frustrated by the lack of economic and political freedom and Spain's continued repression of the islands. The influence of Britain and the United States, coupled with creole dissatisfaction, led many in the islands to question the future of their relationship with Spain. The islands' role as the base for troops sent to reinforce loyalist forces in the mainland Wars of Independence, the subsequent waves of refugees, slave uprisings, and anti-colonial insurgencies

[19] José Luis Santonja Cardona, "La construcción de cementerios extramuros: Un aspecto de la lucha contra la mortalidad en el Antiguo Régimen," *Revista de Historia Moderna* 17 (1999): 34.

all brought death into the experience of the population in ever more forceful ways.[20]

All through the transformations in nineteenth century Cuba and Puerto Rico, the management of bodies remained a highly divisive issue. This dissertation contends that understanding the changing attitudes toward burial on the islands is central to understanding how modern scientific practices and sensibilities infiltrated life in Caribbean port cities. Building on recent literature on death and dying in Latin America, I also argue that the adoption of general cemeteries and public health initiatives around the control of bodies were key to processes of liberalization in the region and became intertwined with debates about the role of ecclesiastical and civil authorities in the management of social life.

1.2 Scholarly Context

Starting in the late twentieth century, scholars have produced a large body of work around the legal, social, medical, and historical aspects of death. It was historians of the *mentalité* school, most notably Michel Vovelle and Philippe Ariès, who defined this early period.[21] Collectively, these authors sought to uncover changing attitudes towards death in the Western World. Although

[20] Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (New York: Cambridge University Press, 2014); Luis Martínez-Fernández, *Torn between Empires: Economy, Society, and Patterns of Political Thought in the Hispanic Caribbean, 1840–1878* (Athens: University of Georgia Press, 1994); Michele Reid-Vazquez, *The Year of the Lash: Free People of Color in Cuba and the Nineteenth-Century Atlantic World* (Athens: University of Georgia Press, 2011); María Rosario Sevilla Soler, *Las Antillas y la independencia de la América Española* (Madrid: Consejo Superior de Investigaciones Científicas, Escuela de Estudios Hispanoamericanos, 1986); Christopher Schmidt-Nowara, *Empire and Antislavery: Spain, Cuba, and Puerto Rico, 1833–1874* (Pittsburgh: University of Pittsburgh Press, 1999).

[21] Ariès, *Western Attitudes*; Ernest Becker, *The Denial of Death* (New York: Free Press, 1973); Geoffrey Gorer "The Pornography of Death," in *Death, Grief, and Mourning*, ed. G Gorer (New York: Doubleday, 1955): 192–9; Michel Vovelle, *La mort et l'Occident de 1300 a nos jours* (Paris: Gallimard, 1983).

flawed in their reliance on generalizations and assumptions about a universal "western" model, this early work defined the questions that shaped what followed.

Attempting to contextualize this general western model, social and cultural historians turned to national histories of social attitudes towards death, examining the move from early modern to modern practices. Scholars of France and England described a shift to minimalist rituals.[22] Those studying American practice in the eighteenth and early nineteenth centuries found a cultural preoccupation with death and a burgeoning cult of memory.[23] In the 1990s, studies of death and dying in Spain began to emerge. These reconstruct how the model of a good death was integral to popular practice, emphasizing how the role of the church in achieving a good death infiltrated all areas of daily life.[24] Taken as a whole, these national studies have demonstrated that social attitudes towards death are particular and locally defined.

More recently, scholars have shifted away from the nation as a unit of analysis to study dying in new regional frameworks. Death proved especially relevant to studies of the Atlantic World. In this space of cultural exchange, the rituals of death served as points of both common ground and profound differences. Indigenous, African, and European beliefs intersected, interacted, and ultimately shaped hybrid practices. For the inhabitants of the Atlantic World, life was defined by the imminence of death. Globalization meant not just the circulation of people and goods, but of pathogens. Port cities, entangled in transatlantic and regional networks of trade, were

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[22] Bruce Gordon and Peter Marshall, *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge: Cambridge University Press, 2000); Joachim Whaley, *Mirrors of Mortality: Studies in the Social History of Death* (New York: St. Martin's Press, 1982).

[23] Gary Laderman, *The Sacred Remains: American Attitudes Toward Death, 1799-1883* (New Haven: Yale University Press, 1996); Blanche M. G. Linden, *Silent City on a Hill: Landscapes of Memory and Boston's Mount Auburn Cemetery* (Columbus: Ohio State University Press, 1989); *The Last Great Necessity*; David E. Stannard, *The Puritan Way of Death: A Study in Religion, Culture, and Social Change* (New York: Oxford University Press, 1979).

[24] Carlos Eire, *From Madrid to Purgatory: The Art and Craft of Dying in Sixteenth-Century Spain* (Cambridge: Cambridge University Press, 1995); Fernando Martínez Gil, *Muerte y sociedad en la España de los austrias* (Cuenca: Universidad de Castilla-La Mancha, 2000).

especially vulnerable.[25] Studies of the Atlantic World show how the dead remained a vital force in the communities of the living.

The literature on Spain and the Atlantic World was the foundation for scholars who turned to the study of Latin American deathways. Attentive to local sources, this recent work shows how popular and religious understanding of death, piety, and the afterlife structured identity and daily life in Latin America.[26] The social, political, and economic disruption caused by the move away from burials within churches to general cemeteries has been a particular focus in scholarship on death in Latin America.

Scholars propose varied reasons why the transition from churchyard burial to general cemeteries was met with such strong resistance across Latin America. The change—which saw modern systems usurping early modern practice—was profoundly disturbing to the region's Catholic faithful. Early modern communities counted both the living and the dead as members, with the clergy mediating the transition between life and death. The Catholic rituals for dying, burial, and remembrance permeated every aspect of early modern life. Their familiar and formulaic nature provided the faithful with a way to deal with the terror and tragedy of death. When enlightened officials and public health authorities banished the dead from the physical and ritual life of the community, they threatened the foundation of the colonial social order. Scholars tied Indigenous rejection of the nineteenth-century ban on church burials to pre-Columbian mortuary

[25] Vincent Brown, *The Reaper's Garden: Death and Power in the World of Atlantic Slavery* (Cambridge: Harvard University Press, 2008); Erik R. Seeman, *Death in the New World: Cross-Cultural Encounters, 1492-1800* (Philadelphia: University of Pennsylvania Press, 2010); Billy G. Smith, *Ship of Death: A Voyage that Changed the Atlantic World* (New Haven: Yale University Press, 2013); S. J. Watts, *Epidemics and History: Disease, Power, and Imperialism* (New Haven: Yale University Press, 1997).

[26] Martina Will de Chaparro, *Death and Dying in New Mexico* (Albuquerque: University of New Mexico Press, 2007); Estela Roselló Soberón, *Así en la tierra como en el cielo: manifestaciones cotidianas de la culpa y el perdón en la Nueva España de los siglos XVI y XVII* (Mexico City: El Colegio de México, 2006); Verónica Zárate Toscano, *Los nobles ante la muerte en México: actitudes, ceremonias y memoria, 1750-1850* (Mexico City: Centro de Estudios Históricos, El Colegio de México, 2000).

customs preserved in syncretic practices. In urban spaces, progressive reformers battled traditionalists over the legitimacy of popular practice.[27] However, these projects had barely begun when the Wars of Independence in the mainland disrupted the process. Rather than an unpopular colonial initiative, burial reform was defined by new national leaders' efforts to seize political control from traditional ruling powers.

The Cuban and Puerto Rican adoption of general cemeteries does not fit this chronological narrative. Cuba and Puerto Rico remained Spanish colonies until the end of the nineteenth century. A number of studies consider how and why the inhabitants of the two islands remained loyal to Spain, even as social and political changes occurred elsewhere in the Americas and in Europe. Taken as a whole, this literature reveals a divided society; one in which allegiance to the colonial system was maintained if it served the best interests of the individual or group. This period saw the birth of racial identities, class consciousness, and national identities that would influence political ideologies during the struggle for independence and beyond.[28] It was in this formative moment in the late-colonial period that burial reform in Cuba and Puerto Rico took place.

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[27] Greg, Grandin, *The Blood of Guatemala: A History of Race and Nation* (Durham: Duke University Press, 2000); Heather L. McCrea, *Diseased Relations: Epidemics, Public Health, and State-Building in Yucatán, Mexico, 1847-1924* (Albuquerque: University of New Mexico Press, 2010); Reis, *Death Is a Festival*; Douglass Sullivan-González, *Piety, Power, and Politics: Religion and Nation Formation in Guatemala, 1821-1871* (Pittsburgh: University of Pittsburgh Press, 1998); Pamela Voekel, *Alone before God: The Religious Origins of Modernity in Mexico* (Durham: Duke University Press, 2002); Adam Warren, "Medicine and the Dead: Conflicts Over Burial Reform and Piety in Lima, 1808–1850," in *Death and Dying in Colonial Spanish America*, eds. Martina Will de Chaparro and Miruna Achim (Tucson: University of Arizona Press, 2011), 170-201.

[28] Manuel Barcia Paz, *Seeds of Insurrection: Domination and Resistance on Western Cuban Plantations, 1808-1848* (Baton Rouge: Louisiana State University Press, 2008); Matt D. Childs, *The 1812 Aponte Rebellion in Cuba and the Struggle Against Atlantic Slavery* (Chapel Hill: University of North Carolina Press, 2009); Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999); Harry Franqui-Rivera, *Soldiers of the Nation: Military Service and Modern Puerto Rico, 1868-1952* (Lincoln: University of Nebraska Press, 2018); Jay Kinsbruner, *Not of Pure Blood: The Free People of Color and Racial Prejudice in Nineteenth-Century Puerto Rico* (Durham: Duke University Press, 1996); Teresita Martínez Vergne, *Shaping the Discourse on Space: Charity and its Wards in Nineteenth-Century San Juan, Puerto Rico* (Austin: University of Texas Press, 1999); Felix V. Matos Rodriguez, *Women and Urban Change in San Juan, Puerto Rico, 1820-1868* (Gainesville: University Press of Florida, 1999); Louis A. Pérez Jr, *Intimations of Modernity: Civil Culture in Nineteenth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2017); Ileana M. Rodríguez-Silvaand, *Silencing Race: Disentangling Blackness, Colonialism, and National Identities in Puerto Rico* (New York: Palgrave

1.3 Arguments

My study of burial practices in the Spanish Caribbean considers the role of religion and public health in urban development during the so-called secularization of Latin America in the long nineteenth century. Rather than a turn away from religion, this dissertation uncovers a negotiated exploration that redefined what it meant to be both Catholic and modern in a rapidly changing world. My work illustrates the entwined roles that religious and scientific thought played in shaping modern Latin America. In doing so, it contributes to a growing interdisciplinary literature on early science in Latin American state formation.[29]

Both Havana and San Juan built general cemeteries at the start of the nineteenth century. The process did not go smoothly in either city. The reasons for this bumpy transition were numerous—the relative wealth, size, and demographics of the cities constrained what was possible. However, one of the most significant obstacles was that the new system threatened a deeply held understanding of what it meant to die a Catholic. The very practices that had given people solace in the past were suddenly forbidden because they would further spread death. The inchoate system that replaced these traditions was ill-suited to fill the void.

Macmillan, 2012); David A Sartorius, *Ever Faithful: Race, Loyalty, and the Ends of Empire in Spanish Cuba* (Durham: Duke University Press, 2013); Rebecca J. Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Pittsburgh: University of Pittsburgh Press, 2000).

[29] Claudia Agostoni, *Monuments of Progress: Modernization and Public Health in Mexico City, 1876-1910* (Calgary: University of Calgary Press, 2003); Antonio Barrera-Osorio, *Experiencing Nature: The Spanish American Empire and the Early Scientific Revolution* (Austin: University of Texas Press, 2006); John Mckiernan-González, *Fevered Measures: Public Health and Race at the Texas-Mexico Border, 1848–1942* (Durham: Duke University Press, 2012); Steven Paul Palmer, *From Popular Medicine to Medical Populism: Doctors, Healers, and Public Power in Costa Rica, 1800-1940* (Durham: Duke University Press, 2003); María del Pilar Blanco and Joanna Page, *Geopolitics, Culture, and the Scientific Imaginary in Latin America* (Gainesville: University of Florida Press, 2020); Juan José Saldaña, *Science in Latin America: A History* (Austin: University of Texas Press, 2006); Gabriela Soto Laveaga, *Jungle Laboratories: Mexican Peasants, National Projects, and the Making of the Pill* (Durham: Duke University Press, 2009); Julia Rodríguez, *Civilizing Argentina: Science, Medicine, and the Modern State* (Chapel Hill: University of North Carolina Press, 2006); Adam Warren, *Medicine and Politics in Colonial Peru: Population Growth and the Bourbon Reforms* (Pittsburgh: University of Pittsburgh Press, 2010).

Over centuries, the inhabitants of Havana and San Juan had evolved practices of burial and mourning attuned to their local environments. These practices were part of the social life of the lived city, both defining and reproducing kinship relationships, family networks, and social categories. The banning of churchyard burial attempted to supplant this tradition with a new form of burial. By reconstructing the evolving forms of burial in both cities, this dissertation illustrates how the patterns established in the early modern period were refashioned in modern practice.

The elimination of churchyard burial spelled the end of the clergy's dominion over the dead. Scholars have characterized the transition to general cemeteries as a move from church to state control.[30] The projects in Havana and San Juan show the process was not so simple. From the outset, the Spanish reforms touted the benefits to both religion and public health. At times, progressive bishops battled traditional clergy to champion burial reform. In other moments, municipal authorities used religious language to further their agenda. This dissertation argues that municipal authorities and the clergy in both cities used the construction of general cemeteries to negotiate and redefine their role in a modernizing society.

Burial reform in the Caribbean altered how people understood bodies. This has been seen as part of a wider medicalization of society, as the definition of death shifted from religious to

[30] José Adrian Barragán and Roberto J. Blancarte, "Secularism and Secularization," in *The Cambridge History of Religions in Latin America*, eds. Virginia Garrard-Burnett, Paul Freston, and Stephen C. Dove (Cambridge: Cambridge University Press, 2016), 331-45; Matthew Butler, "Liberalism, Anticlericalism, and Antireligious Currents in the Nineteenth Century," in *The Cambridge History of Religions in Latin America*, eds. Virginia Garrard-Burnett, Paul Freston, and Stephen C. Dove (Cambridge: Cambridge University Press, 2016), 251-68; Almudena Hernández Ruigómez, *La desamortización en Puerto Rico* (Madrid: Ediciones Cultura Hispánica, Instituto de Cooperación Iberoamericana, 1987); Luis Martínez-Fernández, *Protestantism and Political Conflict in the Nineteenth-Century Hispanic Caribbean* (New Brunswick: Rutgers University Press, 2002); Rigoberto Segreo Ricardo, *Conventos y secularización en el siglo XIX cubano* (Havana: Editorial de Ciencias Sociales, 1998).

medical classifications.[31] This dissertation reveals that the division between medical and religious thought was not so clearly defined. Traditional Catholic perspectives viewed the dead as sacred objects which needed to be sanctified and protected to ensure the eternal life of the soul. New medical thought saw the dead as vectors of disease, and a threat to the living. Throughout this period, both definitions coexisted and informed each other. This was an iterative process in which Catholic practice was reworked through the incorporation of new medical, technological, and scientific perspectives. The reverse was true, as secular systems were modified to accommodate religious practices. The result were hybrid categories that blended theological, legal, and medical thought.

1.4 Chapter Outline

Chapter 2 traces the traditions of early modern burial practice in San Juan and Havana. In this period, the Spanish concept of a good death, ecclesiastical law, and Caribbean popular practice all situated the church at the center of this system. However, the church was not a monolithic institution, and internal factions competed to control the lucrative business of burial. The competition between regular orders and the secular clergy in each city led to a nineteenth-century system of churchyard burial that offered many options while limiting choice. Utilizing data from

[31] Diego Armus, "La enfermedad en la historiografía de América Latina moderna," *Asclepio* 54, no. 2 (2002): 41-60; Peter Conrad, *The Medicalization of Society: On the Transformation of Human Conditions into Treatable Disorders* (Baltimore: Johns Hopkins University Press, 2007); Mariola Espinosa, "Globalizing the History of Disease, Medicine, and Public Health in Latin America," *Isis* 104 no 4 (2013): 798-806; Rana A. Hogarth, *Medicalizing Blackness: Making Racial Difference in the Atlantic World, 1780-1840* (Chapel Hill: University of North Carolina Press, 2017); Margaret Lock, "Medicalization and the Naturalization of Social Control," in *Encyclopedia of Medical Anthropology, v.1.*, eds. Carol R. Ember and Melvin Ember (New York: Kluwer Academic, 2004), 116-124.

the parish level, this chapter also reconstructs pre-cemetery burial practices in San Juan and Havana. How the inhabitants of both cities understood and used space in this era would shape their response to burial reform.

In response to emerging scientific understandings of death and disease, and at the urging of the court's enlightened advisors, Spain's Bourbon King Charles III banned burial within churches in 1787. General cemeteries were to replace the churchyard burial grounds across the Spanish Empire. Chapter 3 follows the debates surrounding the construction of general cemeteries in San Juan and Havana, analyzing how colonial and local officials used medical and religious rhetoric to advance or hinder progress. The chapter continues this line of questioning by analyzing how the material spaces each city built included—or not—theological and scientific components. Havana, a larger port in the midst of a sugar boom, was an early adopter whose new cemetery was held up as an example for other Spanish cities. San Juan—small, isolated, and not yet engaged in this economic upswing—had to be forced into compliance.

The remaining chapters explore specific aspects of general cemeteries in San Juan and Havana that illustrate the intersection of medical and religious thought in the management of the dead. Chapter 4 examines the tumultuous first decades of usage. No one—neither doctors, priests, nor administrators—knew how to build and manage general cemeteries. What followed was a period of experimentation during which the populations of the two cities tested various models. Whether burial would be the domain of the clergy, the municipality, or private business was uncertain. By the end of this period, Havana had a thriving funeral industry and a cemetery firmly controlled by the church. In contrast, the cemetery in San Juan was managed by the town council, which paid little attention to the religious components of the space.

Chapter 5 recounts how, after this period of experimentation, the clergy and colonial

officials moved to standardize the business of burial. The arrival of cholera in the Caribbean was the catalyst that triggered the creation of public health boards. In Havana, doctors and public health officials increasingly had authority over the management of death, while the clergy struggled to retain control of burial. The slow erosion of the church's traditional authority led to open conflict over who controlled the cemetery. In response to the Bishop of Havana, authorities in Madrid issued new laws clarifying the relationship of civil and ecclesiastical authorities to general cemeteries. In San Juan, this legislation triggered a reimagining of the cemetery, which included substantial reform of the material site, as well as the rise of standardized systems for recording and tracking the dead. At the same time, the Catholic Church began to reassert its place in the space of the dead.

Chapter 6 turns to the final years of use of this first generation of general cemeteries. By the 1860s, two seemingly contradictory conceptions of the nature of dead bodies were in circulation. On perspective—fueled by medical and scientific thought—saw the body as a vector of disease, one that posed a threat to the living. Even as this way of looking at bodies gained momentum, an older way of understanding the dead persisted. This traditional perspective continued to see bodies as sacred objects that needed to be protected and sanctified to ensure the afterlife of the soul. Individuals in the cities selectively adopted components of each perspective, producing a two-dimensional diffusion of public opinion across these ideas. After nearly fifty years, popular practice in each city coalesced into forms that balanced these ideas in a way that reflected local expectations and conditions.

2.0 On Earth as it is in Heaven: Death in the Early Modern Caribbean

In 1881, while renovating the Palace of the Captains General in Havana, workmen found skulls and other human bones under the floors. These remains originated in the land's earlier use as a church. Twentieth-century renovations of the same palace unearthed yet more burials.[32] And Havana was not alone in resting on its forgotten dead. Underneath one of San Juan's luxury hotels—*El Convento*—the ground is "honeycombed with crypts, the majority of which still contain remains."[33] Just a short walk from the hotel, long-sealed crypts were excavated as part of a decades-long restoration of the church of San José. These bodies, scattered under both cities, are the remnants of a burial tradition that came to an abrupt halt in the early nineteenth century.

For centuries, the living and the dead intermingled in Spanish churches and convents. Until the late eighteenth and early nineteenth centuries, the space of Christian worship was the same as the space of Christian burial. Parish burial grounds could be found in neighborhoods across urban landscapes. Both the ritual and material aspects of death and burial were a highly visible component of the social life of cities. Popular practice in these spaces melded Spanish traditions, religious law, and local conditions.

At the center of this practice was the Church. In Spain, the Catholic Church had controlled burial since the Middle Ages. The clergy administered the last rites, performed the funeral rituals,

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[32] Gobierno General to Ministerio de Ultramar, 1881, AHN, Ultramar (hereafter U), leg. 4794, exp. 27; Joaquín E. Weiss, *La arquitectura colonial cubana* (Havana: Instituto Cubano del Libro, Editorial de Arte y Literatura, 1972); Juan de las Cuevas Toraya, *500 años de construcciones en Cuba* (Havana: Chavín, Servicios Gráficos y Editoriales, 2001), 5.

[33] William Santiago, "Controversy over Nuns' Remains Rattles City's Revitalization Effort," *Washington Post*, November 9th, 1996, https://www.washingtonpost.com/archive/politics/1996/11/09/controversy-over-nuns-remains-rattles-citys-revitalization-effort/b321b61a-3488-4c11-bb18-97f2fc343fda/?noredirect=on.

and managed the location of burials. Death was a lucrative business, and various factions within the church vied to control this revenue. The regular orders, the Franciscans, Dominicans, and Benedictines, among others, reinforced their social and economic influence by catering to the burial of the elite. For the secular clergy—the parish priests—burial fees comprised a significant part of their income.[34]

By the seventeenth century Baroque Catholicism dominated religious practice in Latin America. Opulent churches, flamboyant religious processions, and external displays of piety defined this era. It was during this period that many of the magnificent cathedrals and convents of Latin America were built. Similarly, religious ceremonies and celebrations—especially funerals—became lavish productions. On the margins of the Spanish colonies, baroque practice was not quite so extravagant.[35] Such was the case in Cuba and Puerto Rico, two islands that had remained neglected backwaters in the Spanish Empire for much of the colonial period.[36]

By the early nineteenth century, both Havana and San Juan had systems of burial that incorporated Spanish Catholic practice into the geographic, socio-economic, and demographic realities of both cities. In San Juan, this was a relatively constrained system built around a handful of key locations. Havana, in contrast, had close to twenty sites covering an expansive area. Despite numerous shared characteristics—port cities in tropical climates, plantation economies, and slave societies—the populations buried their dead in distinctive ways.

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[34] Pamela Voekel, *Alone before God: The Religious Origins of Modernity in Mexico* (Durham: Duke University Press, 2002), 90.
[35] John Frederick Schwaller, *The History of the Catholic Church in Latin America: From Conquest to Revolution and Beyond* (New York: New York University Press, 2011), 71-72.
[36] Juan Giusti-Cordero, "Beyond Sugar Revolutions: Rethinking the Spanish Caribbean in the Seventeenth and Eighteenth Centuries," in *Empirical Futures: Anthropologists and Historians Engage the Work of Sidney W. Mintz*, eds. George Baca, Aisha Khan, and Stephan Palmié (Chapel Hill: University of North Carolina Press, 2009), 59-60.

This chapter examines what shaped the commonalities and differences in the burial practice in these two cities immediately preceding the transition to general cemeteries. Performing the proper rituals defined by the Spanish concept of a good death was of utmost concern for the faithful in Cuba and Puerto Rico. Reforms to ecclesiastical law in the seventeenth century simultaneously reinforced the core of this traditional system while inflecting it with regional variations. For the inhabitants of the Caribbean, this meant grappling with questions of race, class, and legal status. Tensions and conflicts regarding these issues became visible in the popular practices surrounding death and burial in both cities. This chapter also traces the role of the regular orders and secular clergy in Catholic burial practice in Havana and San Juan in the early nineteenth century. It argues that, in spite of a seeming abundance of options for burial, where you were interred was largely pre-determined by patterns of exclusion established in custom and law. Peninsular categories of exclusion were reinterpreted in San Juan and Havana along lines of skin color, wealth, and legal status.

2.1 Spanish Catholic Death

For Spanish Catholics in the eighteenth and early nineteenth centuries, death was not an ending, rather a point of transformation. Death was both the event at which physical life ceased and the act through which a soul transitioned into a new phase of existence. How one lived and how one died determined the shape of the hereafter; considerable time, energy, and—where possible—resources were dedicated throughout life to preparing for this transition. Concerns for the soul ran parallel with the settlement of worldly matters. These concerns were not discreet; achieving a good death, and thus minimizing the soul's time in Purgatory, required considered

handling of both the sacred and the profane. For centuries, the components that made up this system—the writing of a will, receiving the last rites, the funeral, the interment, and the subsequent intercessory Masses—remained consistent. Longstanding tradition and the teachings of the Church taught Spanish Catholics that the correct performance of these steps was critical to the fate of their eternal souls.[37]

The first components of a good death were completed in life, with the writing of a will and receiving the sacraments. Composing a will was an act of both introspection and penitence as the individual put his or her spiritual and worldly affairs in order. Spanish wills, as they evolved from the medieval period, consisted of two discreet sections. The first dealt with spiritual matters, the second with material goods. In the first section, the testator declared their Catholic faith, left instructions for their funeral and interment, enumerated charitable donations, and dictated the purchase of Masses for their soul. The second section disposed of their estate. Leaving wills was a practice more prevalent with the wealthy; in sixteenth- and seventeenth-century Spanish cities it is estimated that no more than a quarter to half the population of urban communities left wills.[38] And, while composing a will was the first step in preparing the soul for dying, receiving the prescribed sacraments at or near death completed it.[39] The last rites consisted of three sacraments: Penance, Extreme Unction, and Viaticum. Receiving them began the process of cleansing the soul of its earthly sins. Few of the faithful expected to enter directly into heaven; the vast majority would be consigned to a period of purification in Purgatory. Both the acts dictated in the will and

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[37] On the concept of a good death in Spanish culture, see Carlos M. Eire, *From Madrid to Purgatory: The Art and Craft of Dying in Sixteenth-Century Spain* (Cambridge: Cambridge University Press, 1995); Fernando Martínez Gil**,** *Muerte y sociedad en la España de los Austrias* **(**Cuenca: Universidad de Castilla la Mancha, 2000); and Martina Will de Chaparro and Miruna Achim, *Death and Dying in Colonial Spanish America* (Tucson: University of Arizona Press, 2011).

[38] Eire, *Madrid,* 21-22.

[39] Eire, *Madrid,* 20, 41; Voekel, *Alone Before God,* 10-11.

the end-of-life sacraments shortened this process, speeding the soul's eventual elevation into heaven.[40]

The actions prior to death were enacted in relative privacy. The public, performative aspects occurred after death. The adornment and laying out of the body, the funeral rites and procession, and the interment were key components of a multi-day event, while the purchase of Masses and performance of charitable acts on behalf of the deceased's soul extended this from the immediacy of death into the days, months, and sometimes years that followed.[41] All of this began with the body. What one wore into the grave was a carefully considered decision. Those who could afford it opted to be interred in the habits of religious orders. This tradition was predicated on the understanding that there existed a hierarchy of celestial powers—saints and martyrs—who could intercede on the soul's behalf. Burial in the habit of a particular order increased the likelihood of that saint interceding on behalf of the deceased. In the Iberian tradition, the habit of Saint Francis was the most common choice. Its popularity was sanctioned by the Church, which recognized that burial in a Franciscan habit provided a reprieve from Purgatory's torments.[42] After a vigil in the home, the deceased would be escorted through the streets to the church for their funeral and interment. The options regarding the funeral procession and rites varied widely. The more elaborate rituals were limited to those with the funds to pay for them. Elite families spent fortunes on these opulent displays, with the intention of publicly associating their family with the heavenly splendor of the Divine. The poor passed unnoticed into the grave. Spanish funerals were symbolic

[40] On the role of the sacraments in Spanish Catholic death rites, see Martínez Gil**,** *Muerte y sociedad*.
[41] Adam Warren, "Medicine and the Dead: Conflicts over Burial Reform and Piety in Lima, 1808–1850," in *Death and Dying in Colonial Spanish America*, eds. Martina Will de Chaparro and Miruna Achim (Tucson: University of Arizona Press, 2011), 180.
[42] The indulgence, although never specified, can be seen in bulls issued by four popes. Eire, *Madrid*, 107; João José Reis, *Death is a Festival: Funeral Rites and Rebellion in Nineteenth-Century Brazil* (Chapel Hill: University of North Carolina Press, 2003), 94; Voekel, *Alone Before God,* 33.

acts, the performance of which defined and reproduced social and cultural categories, "from definitions of kinship and gender roles to forms of patronage and political domination."[43] The handling of the corpse from the moment of death until it entered the grave was a highly symbolic, public component of the process of dying well.

Within this complex performance of death, the location of burial held special significance. Catholics required burial in consecrated ground, which included parish churches and the properties of religious orders. Just as burial in the habits of saints drew their regard, certain locations promised special intercession. The most exalted space was closest to the Eucharist, near the main altar. Side chapels and the altars of saints had similar, if lesser, efficacy. Burial in these highly visible locations also encouraged congregants to offer prayers on behalf of the deceased. And, while this served to lessen the soul's stay in Purgatory, the position also served a more worldly purpose. The location of burial inside the church reflected the social status of the deceased, and their family.[44] As competition for limited interior space increased, the less affluent were pushed outside. It is unclear when exterior interments in churchyards first began, but by the seventeenth century the poor, unable to buy their place within, were relegated to the outdoor cemeteries that grew around the parishes.[45] A hierarchy of space crystalized, as practice became tradition, and the affluent reproduced their social position in the physical space of the church.

Achieving a good death did not end with the interment but continued in the months and years that followed through suffrages performed on behalf of the deceased. Catholic practice long

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[43] Eire, *Madrid,* 88; Manuel J. Lara Rodenas, *La muerte barroca: Ceremonia y sociabilidad funeral en Huelva durante el siglo XVII* (Huelva: Universidad de Huelva, 2000), 293-306; Voekel, *Alone Before God,* 27.
[44] Eire, *Madrid,* 98; Martínez Gil, *Muerte y sociedad,* 207-217; Voekel, *Alone Before God,* 39; Pamela Voekel, "Piety and Public Space," in *Latin American Popular Culture since Independence: An Introduction,* eds. William H. Beezley and Linda A. Curcio-Nagy (Lanham: Rowman & Littlefield Publishers, 2011), 22; Warren, "Medicine and the Dead," 171.
[45] Eire, *Madrid,* 91-98; Martínez Gil, *Muerte y sociedad,* 207.

held suffrage as a means of redemption.[46] Forms of suffrage included prayer, fasting, charity or almsgiving, and the Mass. The Spanish tradition offered numerous pathways for charity as part of end-of-life practice, the principal of which was the *mandas forzosas*. A legally-mandated sum paid from every estate to support social and religious institutions, these donations were seen as acts of charity despite their compulsory nature.[47] In addition, many of the expenses associated with funeral arrangements were considered alms rather than payments: the cost of the burial site, money paid to the poor to accompany the funeral procession, even the fees charged by clergy for rituals and Masses. Each of these, seen as a donation *de limosna* (charity or alms), worked to benefit the soul of the deceased. Wealthier individuals also had the option to leave bequests for institutions both ecclesiastical (churches, monasteries, convents, etc.) and beneficial (hospitals, charities, etc.).[48] Similarly, suffrage in the form of Masses said for the soul of the deceased gained indulgences, alleviating their time in Purgatory. This ranged anywhere from the purchase of a few Masses performed in the days following death to hundreds, sometimes even thousands, over a span of years.[49] Certain cycles of Masses were understood to directly affect time in Purgatory, with notable chapels and altars regarded as having special relevance in the process of purifying the soul. Whether arranged by the decedent in their will, or selected by the family on their behalf, charitable acts and intercessory Masses extended the process of dying well past the moment of physical death.

The system that grew out of the pursuit of a good death was an institution of Spanish Catholicism. The components that made up this system—the writing of a will, receiving the last rites, the funeral, interment, and subsequent intercessory Masses—remained consistent from the

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[46] Catholic Church, *Catechism of the Council of Trent for Parish Priests: Issued by Order of Pope Pius V*, trans. John A. McHugh and Charles J. Callan (New York: Joseph F. Wagner, 1923), 11, 23.
[47] Eire, *Madrid,* 234-236.
[48] Ibid., 98-99.
[49] Rodenas, *La muerte barroca,* 293-306.

sixteenth to the nineteenth centuries and were transported to all corners of the Spanish Empire. This is not to say that the system was static or uniform; the content of each component shifted over time and place. Custom was mediated and regulated in response to the conditions on the ground. What remained constant was hierarchy within death. While all of the faithful shared in the promise of salvation, they did not share in it equally. The affluent, in this tradition of death and dying, could purchase an early release from the torments of Purgatory through the expenditure of considerable worldly wealth.

2.2 Dying in the Spanish Caribbean

Spanish funerary customs were diffused throughout the Empire by conquerors, colonists, and the clergy who accompanied them; almost immediately local conditions began shaping regional variations. The Council of Trent, held between 1545 and 1563, accelerated the diffusion. Trent was a response to the Protestant Reformation in Europe, a cornerstone of which was a challenge to the theological and biblical legitimacy of selling indulgences for the dead. The council sought to clarify Catholic doctrine and to reform ecclesiastical discipline, ultimately reaffirming the existence of Purgatory, the efficacy of suffrages, and the right of the Church to grant indulgences.

While it grappled with these theological questions in their European context, Trent did not address the newly-colonized land of the Americas, and no American bishops attended. Instead,

Philip II of Spain ordered the provisions of Trent be extended throughout the Spanish holdings.[50] They were dispersed in Latin America by a series of regional ecclesiastical councils (synods) which set and standardized rules and regulations within their territory.[51] The Provincial Council of Santo Domingo (1622) was the first concerned with the state of the Church in the Caribbean. At this council, ecclesiastical authorities from Santo Domingo, Puerto Rico, Venezuela, Jamaica, and Cuba decided how Catholic law functioned in the region, attentive to the pastoral care of the Indigenous and Afro-descended populations. These Caribbean bishops set the framework for the diocesan-level regulations that followed.[52]

It was Cuban and Puerto Rican clerics attending diocesan councils who translated this Caribbean framework to the conditions on the islands. The synods which resulted from these councils would continue to regulate burial until the nineteenth century. The familiar components of Spanish dying—wills, sacraments, funerals, and suffrages—continued unbroken. Yet the synods reflected the dynamics of race, class, and freedom particular to each colony.[53]

The Church remained responsible for burial. The clergy who wrote the synods were interested in two things: saving souls and generating revenue. The synods maintained a monetized

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[50] Under the *Real Patronato*, the Spanish crown held considerable control over the Catholic Church in the Spanish Empire. Schwaller, *Catholic Church*, 87-88; John F. Shwaller, "Introduction: Franciscans in Colonial Latin American," *The Americas* 61, no. 4 (2005): 568; Voekel, *Alone Before God*, 155-56.

[51] A note on terminology. A synod refers to both the council of clerics who gather in conference to set and standardize rules and regulations for a defined geography as well as the text that they issue. The term constitution refers to an individual ecclesiastical rule (the equivalent of a civil law). An episcopal constitution or synod is a compilation of rules issued by a diocese adapting the constitutions of the Universal Church to incorporate the traditions and customs of the regional diocese. For clarity, I will use the term council to refer to the gathering, synod for the full text, and constitution for individual regulations.

[52] Damián López de Haro, *Sínodo de San Juan de Puerto Rico de 1645* (Madrid: Instituto de Historia de la Teología, 1986), 12-13; Philip II, July 1564, Pitts Theological Library, Emory University, Digital Collections, MSS 143, http://www.pitts.emory.edu/collections/digitalcollections/mss143.cfm.

[53] The Diocese of Santiago de Cuba included the island of Cuba, the city of Havana, as well as Jamaica and Florida. Juan García de Palacios, *Sínodo de Santiago de Cuba de 1681* (Madrid: Instituto de Historia de la Teología, 1982); The Diocese of Puerto Rico included the island of Puerto Rico, plus portions of Venezuela and the Windward Islands. Lopez de Haro, *San Juan*.

system of salvation; while all Catholics were entitled to pastoral care while dying, wealth continued to buy access to special privilege. The customary components of elite burial were enumerated: laying out in religious habits, burial in the monasteries and cloisters of religious orders, funeral processions and rites, and suffrages. The costs and familial obligations to pay were similarly described. If someone were to die without leaving a will, one fifth of the total estate was to be set aside for the funeral, interment, and suffrages performed on their behalf. The destitute were exempt from burial fees, as the parish churches were obliged to bury the *verdaderos pobres* (Puerto Rico) and the *pobres de solemnidad* (Cuba).[54]

The location of burial continued to be an important component of dying, and the division of space in church burial grounds reflected the hierarchy of dying in the Caribbean. In Puerto Rico, according to the synod of 1645, "*la eleccion (sic) de la sepultura es libre para todos los Fieles Cristianos, en qualquier (sic) Iglesia, ora sea secular, ora regular*" (the choice of burial is free for all Christian Faithful, in any church, whether secular, or regular). In reality, choice was limited by economics. Church burial grounds in the island had three sections, divided along socioeconomic lines. Funerals and burials reflected the custom of the parish, determined locally in accordance with the "*calidad*" of the deceased.[55] There was only one hard line of exclusion in the Puerto Rican synod: an individual's standing with the Catholic Church. Ecclesiastical burial was forbidden to any who died outside of a state of grace, which included adults who were never baptized and those cast out for their behavior in life.[56]

In larger and wealthier Cuba, an individual's racial, legal, and economic status determined the location and cost of interment. Two exceptional classes of people—the clergy and infants—

[54] López de Haro, *San Juan*, 115-116, 157; García de Palacios, *Cuba*, 82-84.
[55] López de Haro, *San Juan*, 157.
[56] Ibid., 118.

were allotted dedicated burial space inside the church. Clergy paid nothing for their own burial. It cost ten pesos for Spanish children to be buried immediately next to the altar, and six pesos for a site further away. Mixed-race children, along with blacks, Indians, and the enslaved, were buried between the tabernacle chapel and the choir. Two pesos were charged for free children; for enslaved children, one.[57] The remaining space was used to bury the rest of the faithful.

The interior of the church was divided into ten sections to accommodate adult burials.[58] These sections are described as being for "the burial of Spaniards."[59] The most expensive section, abutting the stairs closest to the altar, cost one hundred *ducados*; the section furthest from the altar cost six.[60] The general rule for free people of color was that, "following custom," they be buried behind the choir, immediately beside the doors of the church.[61] However, this customary allotment of space was not absolute; free people of color were permitted burial in the higher status sections if they could afford the costs.[62] The regulation of space made allowances to incorporate free people of color with sufficient economic resources.

Slaves, on the other hand, were a class apart. There is no indication that enslaved persons could purchase burial space in any of the ten described categories; in fact, the regulations stated that interior slave burials must always take place behind the choir. While this site was far from the altar, it was at least within the church proper. The exterior churchyard cemetery was designated for slave burials alone.[63] The categories delineated in these regulations show how intersections of

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[57] García de Palacios, *Cuba*, 84-85.
[58] Ibid., 172-174.
[59] Ibid., 174.
[60] A ducado was a gold coin issued by the Spanish kings beginning in 1504. It had a gold content of approximately 3.5 g. Peter Bernholz and Peter Kugler, "Financial Market Integration in the Early Modern Period in Spain: Results from a Threshold Error Correction Model," *Economics Letters* 110, no. 2 (2011): 93-96.
[61] García de Palacios, *Cuba*, 84-85, 174.
[62] Ibid., 174.
[63] Ibid., 174-175.

class, race, and free status shaped inclusion and exclusion in burial practice. The social order they reveal is one hyperaware of these markers, yet not entirely rigid: changes in legal status or economic position allowed limited mobility.

2.3 Death in the City

The Spanish tradition of the good death and 17th-century ecclesiastical law combined to form the foundation of burial practice in the nineteenth-century Caribbean. They established an idealized system removed from individuals and their actions. Dying, in contrast, was a very real physical act that played out in the lived spaces of the city. This section turns for the ideal to the actual, considering how the material reality of the urban landscape interacted with law and tradition to shape popular practice.

The hierarchy of early modern burial extended across the urban landscape. At the center were the parishes, divided between the prestigious interior space and the exterior burial grounds. More exclusive still were the chapels and cloisters of the regular orders. Only the elite had the social and economic clout to afford burial in these illustrious spaces. Hospital burial grounds and cathedrals were at the opposite ends of the spectrum; the destitute were buried in the hospitals while the cathedrals were limited to ecclesiastics, royalty, or other exemplary dead. In one of the few quantitative analyses of the distribution of burial locations in early modern Spain, Fernando Martínez Gil found seventy one percent of Madrid's dead were buried in parishes and twenty four percent in the holdings of religious orders. The cathedral and hospitals accounted for a combined

five percent.[64] In spite of the difference in time and space, a similar distribution of burial was still seen in nineteenth century San Juan and Havana (Table 1-1).[65]

Table 2-1: Distribution of burials in the system of churchyard burial. Left- Havana 1805-1806; right- San Juan 1813-1814.

Havana

Location Type	n	
parish	394	82%
regular order	52	11%
hospital	18	4%
other	16	3%
Total	480	100%

San Juan

Location Type	n	
parish	348	75%
regular order	86	19%
hospital	23	5%
other	4	1%
Total	461	100%

The colonial city of San Juan Bautista was built on the tip of an islet jutting into the Atlantic Ocean. At the highest point at the tip of the islet an imposing fortress, the Castillo San Felipe del Morro, sits above cliffs overlooking the Atlantic on one side and the entrance to the harbor on the other. Interested in protecting the strategically important port, colonial officials began enhancing the towering natural cliffs with masonry fortifications in 1563. By 1783 the city was completely enclosed; one of the best-fortified cities in the Caribbean.[66]

[64] Martínez Gil**,** *Muerte y sociedad,* 523.
[65] The following analysis was done by author based on the sample of 461 burials in San Juan between May 1813 and May 1814 and 480 burials in Havana between August 1805 and January 1806. For a discussion of the data, see appendix A.
[66] María de los Angeles Castro Arroyo, *Arquitectura en San Juan de Puerto Rico, siglo XIX* (Rio Piedras: Universidad de Puerto Rico, 1980), 30-32; Felix V. Matos Rodriguez, *Women and Urban Change in San Juan, Puerto Rico, 1820-1868* (Gainesville: University Press of Florida, 1999), 11-12.

Figure 2-1: The walled city of San Juan, 1792. Don Juan Francisco Mestre.[67]

Never an economic powerhouse, it was the center of the island's colonial bureaucracy, the headquarters of the military command, and the seat of the diocese. By the nineteenth century it was also home to a vibrant, diverse, and growing population. In 1816 the population of San Juan was 8,907 living in four neighborhoods inside the city walls.[68] San Juan and San Francisco housed the wealthiest families; Santa Barbara and Santo Domingo the less affluent.[69] The burial needs of all four neighborhoods were served by a single parish, the Dominican and the Franciscan monasteries, and the military hospital (figure 1-1).

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[67] Juan Francisco Mestre, *Plano que manifiesta la situación de la plaza de San Juan*, 1792, in Aníbal Sepúlveda Rivera, *San Juan: historia ilustrada de su desarrollo urbano, 1508-1898* (San Juan: Carimar, 1989).

[68] David Barry Gaspar, *Beyond Bondage: Free Women of Color in the Americas* (Champaign: University of Illinois Press, 2004), 204.

[69] For a discussion of the city's growth and layout, see: Jay Kinsbruner, "Caste and Capitalism in the Caribbean: Residential Patterns and House Ownership among the Free People of Color of San Juan, Puerto Rico, 1823-46," *The Hispanic American Historical Review* 70, no. 3 (1990): 433-461; Adolfo de Hostos, *Historia de San Juan, ciudad murada: ensayo acerca del proceso de la civilización en la ciudad española de San Juan Bautista de Puerto Rico, 1521-1898* (San Juan: Instituto de Cultura Puertorriqueña, 1966); Aníbal Sepúlveda Rivera, *San Juan*.

Figure 2-2: Locations of burial in the system of churchyard burial, San Juan 1813-1814.

Since the founding of Havana, its harbor was a prized feature of the city. In the early sixteenth century, Bartolome de las Casas stated that "there are few harbors in Spain, and perhaps not in any other parts of the world, that may equal it."[70] The Castillo de los Tres Reyes Magos del Morro, which had guarded the entrance to Havana harbor since the sixteenth century, proved an inadequate defense when the British invaded during the Seven Years War. After Spain regained Havana in 1763, colonial officials built the imposing Fortaleza de San Carlos de la Cabaña. It dominates the elevated eastern side of the harbor, keeping careful watch over the city and its commerce.

[70] Bartolomé de las Casas, quoted in Dick Cluster and Rafael Hernández, *The History of Havana* (New York: Palgrave Macmillan, 2008), 2.

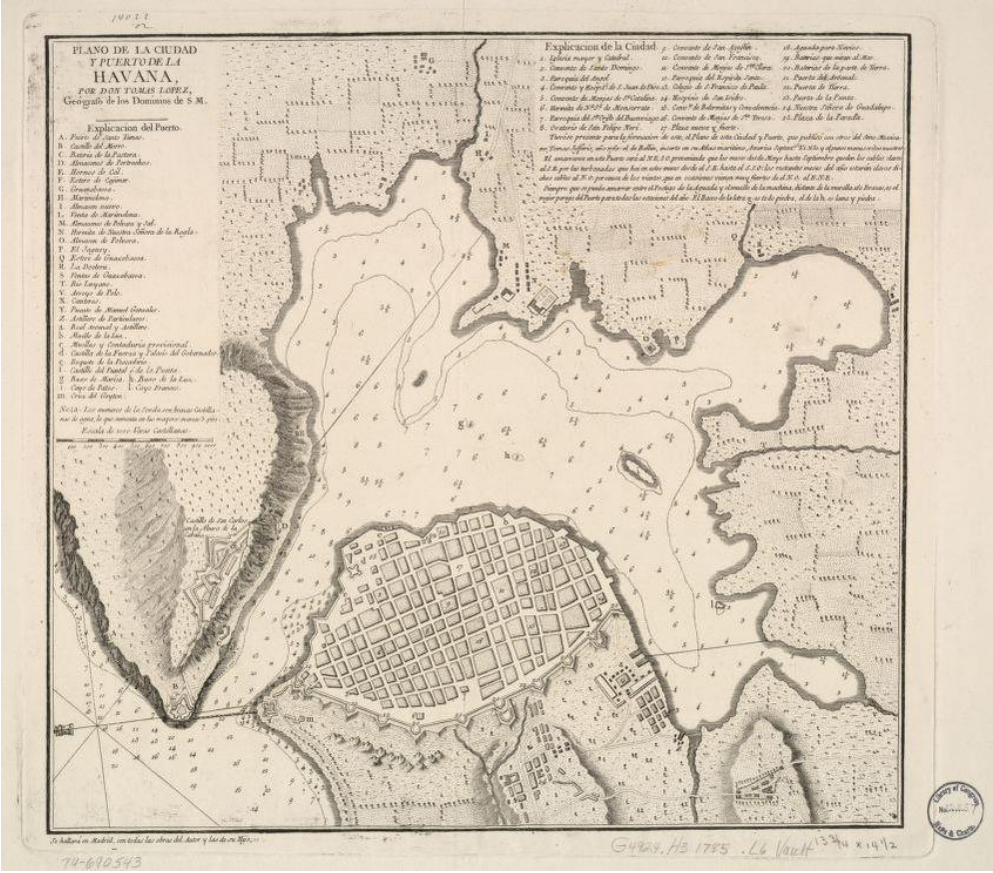

Figure 2-3: Map of the city of Havana, ca. 1785., Tomás López De Vargas Machuca.[71]

The commercial promise of the harbor was realized in the nineteenth century. Visitors described "…a world of shipping! The masts make a belt of dense forest along the edge of the city."[72] Late-eighteenth-century officials began urban reforms of the old colonial city to reflect its growing wealth and prestige. The economic growth was accompanied by a growing population, and the city's inhabitants overflowed the walls to establish thriving *extramuros* neighborhoods.[73] The city was a tapestry of extravagant wealth and abject poverty. Six parishes and over twenty

[71] Tomás López De Vargas Machuca, *Plano de la ciudad y puerto de la Havana*, (Madrid?, ca. 1785) Map. https://www.loc.gov/item/74690543/.
[72] Richard Henry Dana, *To Cuba and Back: A Vacation Voyage* (Boston: Ticknor and Fields, 1859), 30.
[73] Guadalupe Garcia, *Beyond the Walled City: Colonial Exclusion in Havana* (Oakland: University of California Press, 2016), 61.

regular orders and hospitals were available for the burial needs of this diverse population; thirteen of which were used in the final six months of the churchyard system.[74]

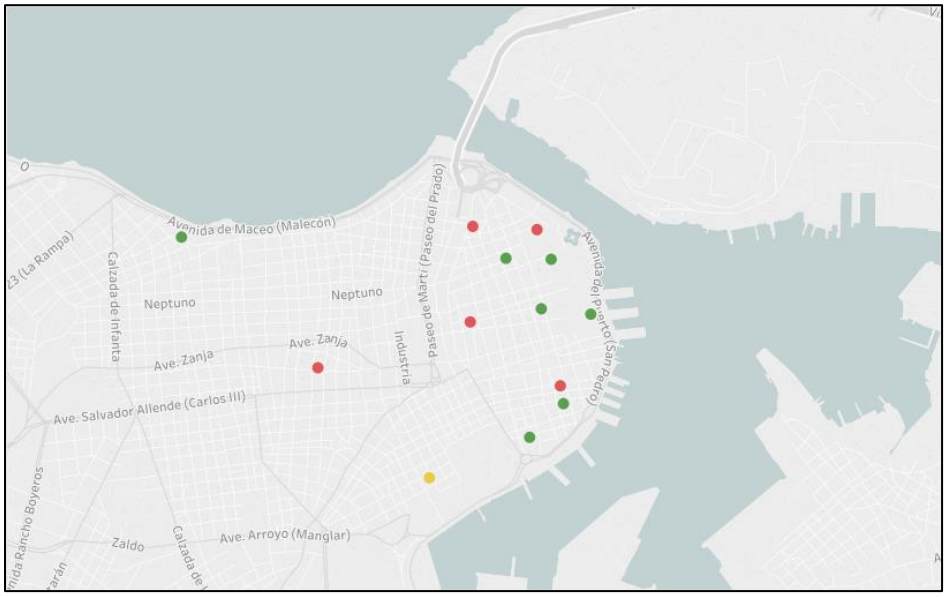

Figure 2-4: Locations of burial in the system of churchyard burial, Havana 1805-1806.

2.3.1 Properties of the Regular Orders

The regular orders of the Catholic Church played a major role in the colonization of Latin America. The friars of the Dominican, Franciscan, and Augustinian orders were the agents of the initial evangelization of the Indies; through the colonial period the orders acquired considerable power and wealth. The heads of the orders were under the authority of the Pope in Rome, a situation that caused friction both with ecclesiastical authorities and with the Spanish crown. Despite this, the clergy of the regular orders were popular with local communities and the churches belonging to the orders were socially desirable places in which to be buried —in part because they

[74] See appendix A.

encouraged the Baroque practices so important to local identities. In eighteenth-century Spain and Latin America, the most expensive burial locations were in the convents and monasteries of these orders.[75] It took a combination of money and familial connections to secure burial in these restricted spaces. In the Caribbean, too, the regular orders provided burial to individuals and families of means.

Puerto Rico was a marginal colony of the Spanish Empire. With a small population and shortage of resources, the island could not support a lot of regular orders. Initially, only the Dominican order was active in the island. They established the first monastery in San Juan, building it at the highest point of the new city in 1523. The centrally located compound included cloisters and a church, with burial space available in the church, vaults, and exterior cemetery.[76] The arrival of the Franciscan order in 1634 challenged the Dominicans' monopoly in the city. Bolstered by San Juan's highest dignitaries, the Franciscans' compound reflected a simple, austere aesthetic suited to the island's relative isolation and the scarcity of resources. A stone church offered religious worship as well as burial space, and the later addition of a separate chapel for their tertiary order expanded the options further. Despite its simple style, the Franciscan compound gained popularity as a burial site for San Juan's wealthier inhabitants.[77]

The population of San Juan was not wealthy overall, but that did not mean hierarchy did not matter: on the contrary. Inhabitants of means—a segment of the population that was predominantly white—chose one of the two regular orders for their final resting place.

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[75] Voekel, "Piety and Public Space," 3-4.
[76] María de los Angeles Castro Arroyo, *Arquitectura en San Juan de Puerto Rico, siglo XIX* (Rio Piedras: Universidad de Puerto Rico, 1980), 37-43, 55-56; Salvador Brau y Asencio, *Puerto Rico y su historia* (San Juan: Editorial IV Centenario, 1972), 373.
[77] Castro Arroyo, *Arquitectura,* 55-60, 78-82; Antonio Cuesta Mendoza, *Historia eclesiástica del Puerto Rico colonial, 1508-1700* (Ciudad Trujillo: Artes y Cine, 1948), 315; Adolfo de Hostos, *Historia de San Juan, ciudad murada: ensayo acerca del proceso de la civilización en la ciudad española de San Juan Bautista de Puerto Rico, 1521-1898* (San Juan: Instituto de Cultura Puertorriqueña, 1966), 335.

Collectively, they also bore the markers of Spanish respectability: legitimate offspring of Catholic marriages, and more likely themselves to be married or widowed.[78] In the absence of individual wealth, prominent family connections could secure access to burial in the regular orders.

While these spaces tended to be the domain of the white and wealthy, free people of color were sometimes buried here.[79] These were individuals of color who had either the economic or social capital to gain access. Teresa Maysonet, a *morena libre* born in Guinea, was buried February 4th, 1814. Her burial record, like so many African-born, lacks biographical details. However, after two marriages, she died a free woman with sufficient wealth to purchase burial in the church of the Dominican monastery.[80] While free people of color with money could buy access, the enslaved were almost never buried in the regular orders. Juan Bernardo de Castro was a rare exception. In death, he was buried in the church of the Dominican monastery of Santo Tomas; in life, he had been enslaved by this same order.[81] Burial in religious orders in San Juan was limited, but wealth or social connections could overcome exclusions based on skin color and legal status.

In contrast, the larger and wealthier Havana was home to a dense concentration of religious institutions. Throughout the urban landscape were twelve *conventos* serving eleven regular orders.[82] The Franciscans' main compound was by far the most popular site for elite burial in the city. Still, the Franciscans competed with the other regular orders in the city. The Augustinian order, although they had a less illustrious location and facilities, remained a consistent second choice. The Convent of Our Lady of Mercy, located steps away from the parish church of Espíritu

[78] Of the individuals buried in the regular orders, 80 percent were recorded as legitimate compared to 50 percent of the general population; 60 percent were married or widowed compared to 37 percent of the general population.
[79] Eight pardos and two morenos were buried in the regular orders in San Juan between May 1813 and May 1814.
[80] February 4th 1814, AHA, APNSR, Libro 21 de entierros, 1812-1815.
[81] February 22nd 1814, AHA, APNSR, Libro 21 de entierros, 1812-1815.
[82] The term *convento* includes convents, monasteries, and friaries—sites that variously served as hospitals, churches, and educational institutions. Rigoberto Segreo Ricardo, *Conventos y secularización en el siglo XIX cubano* (Havana: Editorial de Ciencias Sociales, 1998), 1-3.

Santo, and the Dominican order vied for third spot. Infrequently requested were the Convent of San Juan de Dios and the Hospitals of Saint Lazarus and Saint Isidro. The regular orders offered numerous options for burial for those who could afford them.

Burial in Havana's religious orders was a mark of wealth, privilege, and social connections available to only a small percentage of the population. Relatively few people in Havana had the economic or social capital to secure burial in these sites. Señora Doña Josefa Duarte Borroto-Costilla, who died in 1806, had both. She was buried in the Convent of Our Lady of Mercy wearing the order's habit. This was not the most prestigious site in the city; rather, her choice reflected familial tradition. While the clergy were prohibited from selling burial space in perpetuity inside a church, over generations older families of the upper classes—able to make substantial donations—established de facto family locations. Borroto-Costilla was interred in the *sepultura* (grave) that corresponded to the Borroto family, in which her grandmother, Doña María Borroto, was buried.[83] While inflected with local variations, regular order burial remained a highly restricted practice in both Havana and San Juan in line with the patterns seen in early modern Spain.

2.3.2 Hospital Burial

Before the rise of clinical medicine in the nineteenth century, the care of the sick fell to the clergy. The Church saw charity as a Christian responsibility, and the regular orders established hospices and hospitals across colonial Latin America. The general population relied on treatment

[83] January 8th 1806, APCBV, Libro 8 de entierros de blancos, 1799-1807, no. 570; Francisco Xavier de Santa Cruz y Mallon, *Historias de familias cubanas*, tomo IV (Havana: Editorial Hércules, 1943), 287.

provided by clergy working in these facilities. The emphasis of the clerics in these institutions was on palliative care rather than curing disease. Their reliance on humoral medicine, prayer, and the healing power of the saints meant the hospital staff was also concerned with death.[84] Hospital burials make a small but consistent segment of burials seen in Spanish traditions.

San Juan had only a single charitable hospital until the end of the eighteenth century. The Hospital de la Concepción had, at its height, only twelve beds. There was no space for a burial ground; those who died here were buried in the Cathedral cemetery. In the 1780s the bishop began building a new, larger charitable hospital. While still the property of the church, this new facility was appropriated by the military during the British attack in 1797. The bishop opened a small burial ground on the site known as the Campo Santo de San Calixto. Originally intended to be used as a provisional burial ground during the invasion, it remained in use for seventeen years after the conflict. Over its lifetime roughly seven hundred and fifty burials were made in this burial ground.[85] In its final year of use twenty-three burials were made in San Calixto. Interments here were principally comprised of young white men who died in the Royal Military Hospital. Two groups dominate: soldiers, and those lacking the social or economic capital to pay for burial elsewhere.[86] San Juan was a fortified city and the commandeering of the hospital and its burial ground by the military illustrates how defense-related interests took priority.

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[84] Linda A. Newson, "Medical Practice in Early Colonial Spanish America: A Prospectus," *Bulletin of Latin American Research* 25, no. 3 (2006): 367-91, www.jstor.org/stable/27733871.

[85] Enrique T Blanco, *Los tres ataques británicos de la ciudad de San Juan Bautista de Puerto Rico* (San Juan: Editorial Coqui, 1968), 86, 106-119; Puerto Rico, Oficina del Gobernador, Oficina Estatal de Conservación Histórica, *Información arqueológica del municipio de San Juan* (2016), http://www.oech.pr.gov/ProgramaConservacionHistorica/Educacion/Municipios/Informaci%C3%B3n%20Arqueol%C3%B3gica%20del%20Municipio%20de%20San%20Juan.pdf#search=Sitios%20Arqueol%C3%B3gicos%20de%20San%20Juan; Mario A. Rodríguez León and Ricardo E. Alegría, *El Obispo Juan Alejo de Arizmendi ante el proceso revolucionario y el inicio de la emancipación de America Latina y el Caribe* (Bayamon: Universidad Central de Bayamon, 2004), 130.

[86] Three out of four of those buried in San Calixto died in the Military Hospital. All of the 23 burials in 1813-1814 were men, and the mean age was thirty-two.

Havana—likewise a port with defensive fortifications, but also larger and more prosperous—had hospices and hospitals both inside the city proper and in the satellite *extramuros* zone. Particularly active was the Hospital of San Francisco de Paula, a women's hospital located in the parish of Espíritu Santo.[87] The women who died in this hospital were listed in the records of the parish, but few were buried in the parish compound.[88] Instead, they were interred in the Campo Santo de Jesús María, a burial ground outside the city walls. The interments included both white women and women of color, and free and enslaved women. What these women had in common was a lack of markers indicating a support network within the city. They were largely foreign-born, illegitimate, and widowed or unmarried. In the absence of family connections, they died in a charitable hospital and in death were relegated to an offsite burial location.

2.3.3 Parish Burial

The secular, or diocesan, clergy formed the backbone of the official church. Under the *Patronato Real de las Indias* the Spanish monarchs held considerable influence over the church. Secular priests and bishops in the Indies reported to the crown rather than the Pope. This included the parish priests who controlled the important life events of their congregations—birth, marriage, and death. The churches of the secular clergy were the most common location for burial. This included cathedrals, the most rarified space of burial, and the parishes. In Spain and mainland Latin America, only the highest elites were buried inside the churches.[89] Economics and demographics in San Juan and Havana complicated this formulation.

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[87] Jorge Le-Roy y Cassá, *Historia del Hospital San Francisco de Paula* (Havana: El Siglo XX, 1958).
[88] The records of the eighteen women who died in Paula and were buried in Jesús María represent 22% of the parish's total available records in this six-month period. The pre-general cemetery records for this parish are limited.
[89] Voekel, "Piety and Public Space," 3-4.

The secular clergy developed alongside the regular orders in San Juan. The Diocese of Puerto Rico (Porto Rico) was established in 1511—one of the first in the Spanish colonies.[90] A basic wood and thatch edifice was built to serve as the Cathedral. Chronic shortages of funds and various catastrophes meant the Cathedral compound was slow to develop. By the late eighteenth century it was falling apart. The bishop closed the building in 1801 until repairs could stabilize the interior.[91] The neglected Cathedral served two purposes: it was the seat of the diocese even as it was home to the city's only parish: Nuestra Señora de los Remedios. As such, it was the busiest location of burial for the city.

Cathedrals served as the final resting space for only a fraction of the population, generally limited to ecclesiastics. This limitation was maintained in San Juan, with only five burials taking place inside the Cathedral in the last year of the churchyard system.[92] Functioning autonomously, a chapel with an exterior entrance was assigned to the city's parish within the Cathedral space. However, the chapel was amongst the unsafe sections closed for repairs. So, while the majority of the city's dead were buried by the parish, all of these burials were in the exterior patio around the cathedral rather than in the floor of parish churches as happened in the same years in other colonies.

Lacking any other option, the exterior cemetery of San Juan's only parish was a catchall space. Individuals of all colors—black, brown, and white—were buried within its walls. All categories of freedom—free, freed, and enslaved—were interred side by side. The common thread was poverty: only two out of the three hundred and forty-seven individuals buried in the cemetery left wills. Those two took steps to differentiate themselves from the less-illustrious occupants of

[90] Schwaller, *Catholic Church*, 76; Jaime R. Vidal and Jay P. Dolan, *Puerto Rican and Cuban Catholics in the U.S., 1900-1965* (Notre Dame: University of Notre Dame Press, 1994), 15.
[91] Castro Arroyo, *Arquitectura*, 32-37; Cuesta Mendoza, *Historia eclesiástica*, 128-129.
[92] Those buried in the Cathedral were all priests or peninsular military officers.

the cemetery. The first, Miguel Sauri of Barcelona, arranged for an elaborate funeral procession to accompany him to this humble grave.[93] The second, Don Juan Gonzales Almarante of Cádiz, never wanted to be buried in the cemetery at all. In his will, he stipulated burial in the Franciscan monastery. As there were no unoccupied graves available, the *Vicario General* of the diocese ordered that he be interred in the cemetery.[94]

In Havana, a greater number of secular clergy were required to support the larger population. Havana had no cathedral until 1787, when the island was divided into two dioceses. The newly appointed bishop wasn't required to build his Cathedral from the ground up, as the crown handed him the recently constructed compound of the expelled Jesuit order. In Havana, as elsewhere, burial inside the Cathedral was still highly limited. Only three interments took place, all of them members of the clergy.

Havana's Cathedral was the center of six parishes run by secular clergy. The city proper had four parishes inside the city walls. The Parroquia Mayor (Sagrario) and Espíritu Santo, both centrally located, occupied the northern and southern sections of the harbor. Cristo de Buen Viaje in the southwest and Santo Ángel in the northwest abutted the city walls. Two other parishes, Guadalupe and Jesús María, served the peripheral territory outside the walls.[95] The majority of the city's dead were buried in the parish to which they belonged, either inside the church proper or in the churchyard cemetery.

The population of Havana used the interior of the parish churches as a middling space. Individuals from a range of social and economic positions were interred inside the churches. The ratio of burials originating from the white population to the population of color was roughly two

[93] January 24th 1814, AHA, APNSR, Libro 21 de entierros, 1812-1815.
[94] June 9th 1813, AHA, APNSR, Libro 21 de entierros, 1812-1815.
[95] The records from one of the parishes outside the walls are included in this study—Nuestra Señora de Guadalupe.

to one. The burials included people both rich and poor; in the final six months of the churchyard system thirty-nine left wills while another forty were charitable burials. Fully a quarter of these interments were enslaved persons. The interior of the parish churches functioned as a space that defied clear social and economic hierarchies.

Juxtaposed against this mixed space were the cemeteries. In Havana, parish cemeteries were deeply marked by poverty, enslavement, and blackness. The majority of the people buried in these sites came from a particular subset of the enslaved population: those newly arrived from Africa. Many buried in the parish cemeteries were described as *esclavos de nación*.[96] These were individuals born in Africa who were less acculturated to Cuban society. Color descriptors were frequently omitted for *esclavos de nación*, as their African origins denoted blackness. However, when specified, *negro*—referring to the darkest skin color—was the descriptor most often applied. Reinforcing the identification of those buried in the cemeteries as newly arrived Africans was the high number who received baptism as they were dying—which is to say, they had not been converted to Catholicism during their lifetimes.[97] Combined, these indicated a population of relative newcomers to Havana, whose very newness precluded the social and familial attachments that Creole-born enslaved people developed. They occupied the lowest status of enslaved persons, marking the cemetery as a place apart.

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[96] The African "*nación*" does not correspond to a political or geographical location in Africa, rather it is a category assigned to enslaved people disembarking in Cuba that captured a colonial designation of a broadly understood ethnic, linguistic, and geographic point of origin. These designations became the basis for membership in Afro-Cuban *cabildos de nación*, which preserved African cultural practice. Maria del Carmen Barcia, in her discussion of cabildos in Havana, notes that by the late eighteenth century, these organizations were concentrated on the margins of the city, with many around the parishes of Santo Ángel and Cristo de Buen Viaje. María del Carmen Barcia, *Los ilustres apellidos: Negros en La Habana colonial* (Havana: Ediciones Boloña, 2009), 67-68.

[97] Fifty of these enslaved individuals received the sacrament of baptism as they were dying. Only fifty-nine deathbed baptisms are recorded for the entire city in this period.

2.4 Conclusion

Burial practice in the Caribbean across the seventeenth and eighteenth centuries was shaped by the incorporation of Spanish custom and ecclesiastical law into local environments. Under the control of bishops, regular orders, and parish clergy, this system naturalized and maintained a tiered division of burial locations. Custom, extending back to the Middle Ages, established patterns and expectations of a good death that remained intact into the first decades of the nineteenth century. Laws and regulations aligned with and reinforced these customs while incorporating the local variations. The regulatory process translated the Spanish system into the Caribbean arena, where peninsular categories of exclusion were expanded to incorporate race and legal status. Burial grounds physically located within or adjacent to regular orders, parish churches, and hospitals evolved to serve the city's populations.

The churchyard system of burial was a monetized model that privileged the wealthy. This evolved a hierarchy of space that reinforced and reproduced social categories. In the Caribbean, burial practice reflected a racial hierarchy, descending from whiteness to blackness. It also reflected a legal hierarchy, with freedom opposed to enslavement. Custom, law, and the spaces of burial worked to reproduce these categories of difference. The introduction of general cemeteries would eliminate this unity of custom, law, and space. New laws radically departed from traditional practice. The general cemetery threatened to destabilize this hierarchy of death, profoundly altering deathways in both cities.

3.0 “To Religion; to Public Health": Enlightened Burial in the Spanish Caribbean, 1800-1814

> In various cultured countries in Europe the general use of Cemeteries has already been adopted: if the Spaniards do not have the laurel of having anticipated all, they can flatter themselves at least that they are not the last ones, nor do they resort to a foreign example to restore a practice that has hardly been forgotten in the Churches of the Peninsula. Because there is no doubt that with respect to other nations it is very recent in ours to bury in the Temples; just as it is equally true that since then not a few Spaniards, distinguished in piety and letters, have tried to contradict such pernicious abuse with their example or their advice.
>
> *Noticia del establecimiento y uso del cementerio extramuros del Real Sitio de San Ildefonso*
> 1787[98]

Leaders of the Spanish Enlightenment—bureaucrats, medical doctors, and ecclesiastics—had been active in the pan-European debate around burial and disease for much of the eighteenth century. During this period in Spain, a new class of medical professionals was gaining social influence.[99] Authority in the medical field shifted from traditional physicians, whose licensing qualifications included university training in Latin as well as proof of *limpieza de sangre* and

[98] *Noticia del establecimiento y uso del cementerio extramuros del Real Sitio de San Ildefonso* (Madrid: Imprenta Real, 1787), 5.

[99] For a discussion of the shifting medical field, see: Jonathan Andrews, "History of Medicine: Health, Medicine and Disease in the Eighteenth Century," *Journal for Eighteenth-Century Studies* 34, no. 4 (2011): 503-515; Michael E. Burke, *The Royal College of San Carlos: Surgery and Spanish Medical Reform in the Late Eighteenth Century* (Durham: Duke University Press, 1977); Andrew Cunningham and R. K. French, *The Medical Enlightenment of the Eighteenth Century* (Cambridge: Cambridge University Press, 1990); Enrique Perdiguero Gil, “The Popularization of Medicine During the Spanish Enlightenment,” trans. Jonathan Whitehead, in Porter Roy, *The Popularization of Medicine, 1650-1850* (New York: Routledge, 1992); María Luz López Terrada, "Medical Pluralism in the Iberian Kingdoms: The Control of Extra-Academic Practitioners in Valencia," *Medical History, Supplement* 53, no. 29 (2009): 7-25.

legitimate birth, to enlightened doctors who based their craft in clinical and anatomical methods.[100] It was these enlightened doctors who articulated the connection between bodies and disease.

Enlightened eighteenth-century medical theory attributed the cause of disease to miasmas, or bad air. Supporters of this theory considered air to be composed of different gases. Pyrogenic gases supported life and were consumed by the respiration of living organisms. Mephitic gases, on the other hand, were toxic and deadly. These were emitted by the decay of biological matter—sewage, refuse, and rotting bodies. Small, crowded churches were a double threat. The proximity of so many people rapidly consumed the life-giving pyrogenic gases. Even worse, the presence of decomposing bodies emitted lethal mephitic gases. According to these medical professionals, the interiors of churches were unhealthy, and could be deadly, to the faithful.[101]

In the Iberian Peninsula, modern discourses around the management of the dead engaged both scientific and theological principles. Unlike the anti-Catholic tendencies of the French Enlightenment, in Spain enlightened thought was not perceived as incompatible with Catholicism. Instead, enlightened thinkers sought a purification of the Catholic faith rather than its abolition. A growing number of Catholic clergy, many of them in the church hierarchy, embraced the philosophy of "*la piedad ilustrada*" (enlightened piety). They rejected the opulent displays and the external, mediated relationship with God that defined baroque religious practice. The new piety they advocated called for moderation, reason, and discipline. These enlightened men of God offered a theological justification for burial reform even as enlightened medical professionals

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[100] Burke, *College of San Carlos*, 28; John Tate Lanning and John Jay TePaske, "Legitimacy and Blood Purity (Limpieza de Sangre): Birth, Race, and Caste, and the Practice of Medicine," in *The Royal Protomedicato: The Regulation of the Medical Professions in the Spanish Empire* (Durham: Duke University Press, 1985), 175-201.
[101] John Thomas Arlidge, *The Hygiene, Diseases and Mortality of Occupations* (London: Percival, 1892), 521; Marie François Xavier Bichat, *Investigaciones fisiológicas sobre la vida y la muerte* (Spain: García, 1827), 145; Alain Corbin, *El perfume o el miasma: el olfato y lo imaginario social. Siglos XVIII y XIX*, trans. Carlota Vallee Lazo (Mexico City: Fondo de Cultura Económica, 1987); Richard Etlin, *The Architecture of Death: The Transformation of the Cemetery in Eighteenth-Century Paris* (Cambridge: MIT Press, 1984), 16, 30, 31.

offered a scientific one. These ideas were not seen as incompatible; rather, reformers saw them as inextricably linked.[102] In Spain the debate around burial reform was not defined by secular and ecclesiastical divisions, but instead tended to divide progressive and conservative elements of within each.

In response to emerging scientific understandings of death and disease, and at the urging of the court's enlightened advisors, Spain's Bourbon King Charles III banned burial within churches in 1787. General cemeteries were to replace the churchyard burial grounds across the Spanish Empire. This chapter follows the debates surrounding the construction of general cemeteries in San Juan and Havana, analyzing how colonial and local officials used medical and religious rhetoric to support or oppose the proposed reforms. The chapter continues this line of questioning by analyzing the material spaces each city built. Havana, a larger port already in the midst of a sugar boom, was an early adopter whose new cemetery was held up as an example for other Spanish cities. San Juan—small, isolated, and not yet experiencing an economic upswing—had to be forced into compliance.

[102] Mercedes Granjel and Antonio Carreras Panchón, "La historiografía española y los enterramientos fuera de poblado: Estudios y perspectivas," in Ricardo Campos, Luis Montiel, Rafael Huertas García-Alejo, *Medicina, ideología e historia en España, siglos XVI-XXI* (Madrid: Consejo Superior de Investigaciones Científicas, 2007), 79-89; Ulrich L. Lehner, *The Catholic Enlightenment: The Forgotten History of a Global Movement* (New York: Oxford University Press, 2016); Andrea J. Smidt, "Bourbon Regalism and the Importation of Gallicanism: The Political Path for a State Religion in Eighteenth-Century Spain," *Anuario de Historia de la Iglesia* 19 (2010): 25-53; Pamela Voekel, *Alone Before God: The Religious Origins of Modernity in Mexico* (Durham: Duke University Press, 2002).

3.1 Spanish Enlightened Burial

In the late eighteenth century, the ideas supporting burial reform took root in the court of Spain's Bourbon King Charles III. Charles ascended to the throne upon the death of his half-brother Ferdinand VI in 1759. He was a seasoned ruler, having already been king of Naples for 25 years. In Naples, under the guidance of enlightened advisors, he had instituted a series of ecclesiastic, administrative, and economic reforms. When he came to Spain, he brought Italian advisors with him and augmented their ranks with progressive thinkers from the lower ranks of the Spanish nobility, enlightened men of science, and reform clergy. Bolstered by this cadre of reformers, he instituted a series of administrative, commercial, and religious innovations intended to strengthen Spain's control over its Atlantic empire. One way they sought to achieve this was by dismantling the institutions of the *ancien regime* that concentrated power and wealth in the hands of the high nobility, the regular orders, and colonial elites.[103] Baroque Catholic burial practices were one such institution.

The court of Charles III was divided on the question of burial reform. Conservative advisors faced off against reformists around this issue. A 1781 epidemic in the Basque town of Pasajes offered Charles an opportunity to force a resolution. The outbreak was attributed to the intolerable stench generated by the multitude of bodies interred in its parish church.[104] Using this as justification, the Council of Castile—under the control of the reformist Count of Floridablanca—was tasked with studying the perceived threat of churchyard burial. Those

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[103] H. M. Scott, *Enlightened Absolutism: Reform and Reformers in Later Eighteenth-Century Europe* (Ann Arbor: University of Michigan Press, 1990), 124-134; Stanley J. Stein and Barbara H. Stein, *Apogee of Empire: Spain and New Spain in the Age of Charles III, 1759-1789* (Baltimore: Johns Hopkins University Press, 2003); Voekel, *Alone Before God*, 75-81.

[104] Eduardo Zamora y Caballero, *Historia general de España y de sus posesiones de ultramar desde los tiempos primitivos hasta el advenimiento de la república, tomo V* (Madrid: Muñoz y Reig, 1874), 501.

consulted by the council ranged from archbishops to legal scholars, historians, and medical experts. These consultants provided medical, religious, and historical legitimacy for transitioning to cemeteries, and in 1784 the council prohibited interments inside churches.[105]

Reformers proposed a Spanish iteration of the transformation of burial taking place across Europe. Members of the academy—whose report was the foundation of subsequent burial legislation—based their position not only on Spanish and French literature, but on a wider pool of theological, scientific, and historical sources. These academics considered the eighteenth-century writings and material sites from cities and states across Europe, everywhere from Ireland to the dominions of Empress María Teresa. While informed by many different models, some secular in nature, reformers in Catholic Spain envisioned general cemeteries that would serve the interests of both religion and public health.[106]

General cemeteries promised several benefits: Catholic places of worship would be restored to cleanliness and respectability; the dead would be treated with respect; parishioners would have healthy air; and urban populations would be protected from infectious disease.[107] Informed by the precepts of enlightened piety, key reformers sought to leave behind the hierarchy at the center of baroque practice and create nominally egalitarian spaces of burial.[108] The Count of Cabarrús, an advisor to Charles, asserted burials should be "uniform to overcome sacrilegious distinctions."[109] The archbishop of Málaga insisted that to covet honor and esteem in burial was to

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[105] José Luis Santonja Cardona, "La construcción de cementerios extramuros: Un aspecto de la lucha contra la mortalidad en el Antiguo Régimen," *Revista de Historia Moderna* 17 (1999): 34.
[106] *Informe dado al consejo por la Real Academia de la historia en 10 de junio de 1783 sobre la disciplina eclesiástica antigua y moderna relativa al lugar de las sepulturas* (Madrid: Antonio de Sancha, 1786).
[107] *Noticia del establecimiento San Ildefonso*, 4.
[108] Voekel, *Alone Before God*, 78-79.
[109] Francisco, Conde de Cabarrús, *Cartas sobre los obstáculos que la naturaleza, la opinión y las leyes oponen a la felicidad pública* (Vitoria: Don Pedro Real, 1808), 84.

carry "vanity and pretension" into death.[110] While reformers continued to use this rhetoric in speeches, treatises, and legislation, strong conservative opposition forced them to compromise and include numerous exceptions in law and practice.

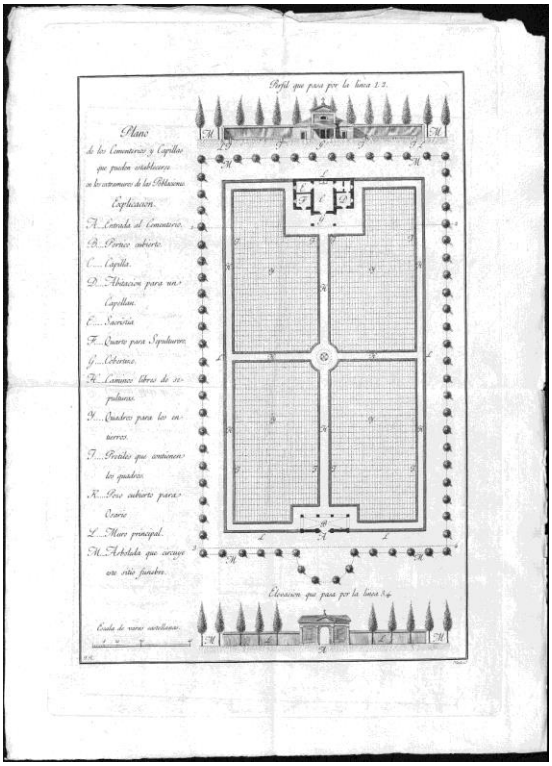

Figure 3-1: The cemetery edict of 1804 included a generic plan that cities were to use as a basis when designing their new general cemeteries.

Opinion—both in the court and in the population—remained divided. This was very much a case of a progressive minority attempting to impose their vision on an unwilling majority. The Bourbon reformers were disdainful of the popular practice of baroque piety, which they considered a superstitious holdover of an antiquated system.[111] They underestimated how deeply these beliefs ran. Attempting to alleviate the concerns of a reluctant public, Charles had a cemetery built outside the *Real Sitio de San Ildefonso*, the summer residence of the royal family and the court. Prominent reformers lauded this step, considering that a cemetery in a royal residence would silence the ignorant who thought burial away from -the churches posed a threat to their ascent into heaven.[112] Yet popular

[110] Benito Bails, *Pruebas de ser contrario á la práctica de todas las naciones, y á la disciplina eclesiástica, y perjudicial á la salud de los vivos enterrar los difuntos en las iglesias y los poblados* (Madrid: Don Joaquín Ibarra, 1785), 153.

[111] D. A. Brading, *Mexican Phoenix: Our Lady of Guadalupe: Image and Tradition Across Five Centuries* (New York: Cambridge University Press, 2001), 217-218; James D. Riley, "Christianity in Iberian America," in *The Cambridge History of Christianity* (New York: Cambridge University Press, 2006), 373-374, 379, 382-384; Adam Warren, "Piety and Danger: Popular Ritual, Epidemics, and Medical Reforms in Lima, Peru, 1750–1860" (Ph.D. Diss., University of California, San Diego, 2004).

[112] Conde Aranda to Conde de Floridablanca, December 5th 1788, quoted in Gabriel María Vergara y Martín, *Ensayo de una colección bibliográfico-biográfica de noticias referentes a la provincia de Segovia* (Guadalajara: Colegio de Huérfanos de la Guerra, 1904), 189.

belief was not the only source of resistance, and royal example could not single-handedly shift entrenched interests. In spite of a series of increasingly stringent edicts between 1784 and 1804, compliance was mixed, both in the peninsula and in the colonies.[113]

Havana was one of the early adopters of burial reform.[114] A number of factors worked to create a situation where this was possible. The 1762 British occupation set Havana on a unique development path. During the occupation, British authorities opened the port to free trade. When Spain regained Cuba in 1763, colonial authorities were unable to fully reverse these economic and social changes. Havana would serve as an experiment in the implementation of free trade in Spanish ports.[115] Freer trade allowed the Cuban sugar industry to develop, creating a wealthy and influential creole planter class. Civic associations were created that further united the local elite of Havana, notably the Economic Society of the Friends of the Country founded in 1792. Composed of Creole elites and intellectuals, its members promoted the scientific, economic, and cultural development of the island. By the start of the nineteenth century, the population of Havana kept up with events across the Atlantic world, eager to adopt new scientific and medical knowledge into the city.[116]

In 1799 a new governor, Salvador José de Muro y Salazar, the Marquis de Someruelos, arrived in Havana. A respected military officer, he was appointed governor to defend Spanish interests in the region. Upon his arrival in Cuba, Someruelos supported and advanced the

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[113] Santonja Cardona, "Cementerios extramuros," 35.
[114] Carlos IV, March 27 1789, AGI, U, 719; Martha Elizabeth Laguna Enrique, "Vestigios de una necrópolis neoclásica: el Cementerio de Espada," *Anales del Museo de América* 18 (2010): 194; Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Establecimiento de Mellado, 1863-66), 152.
[115] On the occupation and its legacies, see: Elena Andrea Schneider, *The Occupation of Havana: War, Trade, and Slavery in the Atlantic World* (Chapel Hill: Omohundro Institute of Early American History and Culture, 2018).
[116] On the history and influence of the economic society, see: Antoni Kapcia, *Havana: The Making of Cuban Culture* (Oxford and New York: Berg, 2005); Robert Jones Shafer, *The Economic Societies in the Spanish World, 1763-1821* (Syracuse: Syracuse University Press, 1958); Fernando Ortiz, *Recopilación para la Historia de la Sociedad Económica Habanera: Tomo IV* (Havana: Molina y Compañía, 1938).

progressive reforms of Spain's Bourbon kings—including burial reform.[117] He found allies among the members of the Economic Society. Dr. Tomás Romay, a prominent member, was a medical reformer who shared Someruelos's interest in social reform. He spent his career working to modernize public health in Cuba. He pioneered the smallpox vaccine in Cuba, performed groundbreaking studies on the origins of yellow fever, and was an ardent proponent of the necessity for modern public health systems. He advocated for general cemeteries and would become a key voice in advancing burial reform in the city.[118]

The campaign to build a new cemetery began in earnest with the arrival of Bishop José Díaz de Espada y Landa in 1802.[119] Burial was still, after all, an ecclesiastical matter. A graduate of the University of Salamanca in Spain, the young bishop was educated in the ideals of the Spanish Enlightenment. When he contracted yellow fever during his first summer in Havana, he was treated by Doctor Romay. The doctor became the bishop's personal physician, close friend, and collaborator in cemetery reform. [120] Together, the governor, bishop, and doctor mobilized the rhetoric of medicine and religion to push forward burial reform. The general cemetery that opened in Havana in 1806 was held up as a model for the rest of the empire.

The process in San Juan followed a different trajectory. Puerto Rico was small, underpopulated, and resource-poor. The island would not benefit from free trade until 1815; until

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[117] Sigfrido Vázquez Cienfuegos, *Tan difíciles tiempos para Cuba: el gobierno del Marqués de Someruelos, 1799-1812* (Seville: Universidad de Sevilla, 2008), 190.

[118] María del Carmen Amaro Cano, "Romay, Finlay y Guiteras, una triología de altos valores científicos y morales," *Revista Cubana de Salud Pública* 27, no. 2 (2001): 135-144; José Antonio López Espinosa, "Tomás Romay and the Yellow Fever," *Journal of the History of Medicine and Allied Sciences* 6, no. 2 (Spring 1951): 195-208; José López Sánchez, *Vida y obra del sabio médico habanero Dr. Tomás Romay Chacón* (Havana: Editorial Librería Selecta, 1950).

[119] Consolación Fernández Mellén, *Iglesia y poder en La Habana: Juan José Díaz de Espada, un obispo ilustrado. 1800-1832* (Bilbao: Universidad del País Vasco, 2014); Eduardo Torres-Cuevas, *Obispo de Espada: papeles* (Havana: Biblioteca de Clásicos Cubanos, 1999), 3.

[120] Jacobo de la Pezuela y Lobo, *Historia de la isla de Cuba* (Madrid: Carlos Bailly-Bailliere, 1868), 356; Torres-Cuevas, *Obispo de Espada,* 28.

then its economy was stagnant.[121] The regular orders had never been a major presence in the island, and the official Church was weak. When Bishop Juan Alejo de Arizmendi took up his position in 1804, he was supportive of general cemeteries. However, there was simply no money or civil support to pursue burial reform.[122] Like so many other Spanish colonial cities, officials in San Juan sent perfunctory reports to Madrid regarding cemetery plans without taking any action.

These were tumultuous years for the Greater Antilles, as local struggles reverberated into geopolitical shifts, which in turn brought new local consequences. In January of 1804, the revolution in Saint-Domingue culminated with Jean-Jacques Dessalines declaring Haitian independence. This sent shockwaves through the Caribbean and the Atlantic World.[123] Then, in 1808 Napoleon invaded Spain, forced King Charles IV of Spain to abdicate, and installed his brother on the Spanish throne. The Spanish people revolted, marking the start of the Spanish War of Independence. Juntas, established by military officers or local civilian groups, sprang up across the Spanish Empire. Out of this political turmoil a Central Junta formed. While it purportedly ruled in the name of the absent King, it had little control over this widespread network of local juntas. Shortly, juntas in Latin America began fomenting dissent.[124] In the face of this chaos, governors in the Spanish Caribbean were given sweeping control over the islands.

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[121] Arturo Morales-Carrión, *Puerto Rico and the Non-Hispanic Caribbean: A Study in the Decline of Spanish Exclusivism* (Río Piedras: University of Puerto Rico Press, 1971), 134.

[122] Mario A. Rodríguez León and Ricardo E. Alegría, *El obispo Juan Alejo de Arizmendi, ante el proceso revolucionario y el inicio de la emancipación de América Latina y el Caribe* (Bayamon: Instituto de Estudios Históricos Juan Alejo de Arizmendi, 2004).

[123] Laurent DuBois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge: Belknap Press, 2005); David Patrick Geggus, *The Impact of the Haitian Revolution in the Atlantic World* (Columbia: University of South Carolina, 2001); Karen Salt, *Unfinished Revolution: Haiti, Black Sovereignty and Power in the Nineteenth-Century Atlantic World* (Liverpool: Liverpool University Press, 2019).

[124] José Carlos Vilcapoma, *Las Cortes de Cádiz y su impacto en el Perú y América* (Lima: Academia de la Magistratura, 2015); Manuel Chust Calero, *América en las Cortes de Cádiz* (Madrid: Fundación Mapfre, 2010); Isabel Enciso Alonso-Muñumer, *Las Cortes de Cádiz* (Madrid: Akal, 2011); Charles J. Esdaile, *Fighting Napoleon: Guerrillas, Bandits and Adventurers in Spain, 1808-1814* (New Haven: Yale University Press, 2004).

In 1809 a new governor arrived in Puerto Rico. Governor Salvador Meléndez Bruna, a conservative military officer, was sent to ensure the island remained loyal by suppressing political dissidence. Salvador Meléndez attempted to control all aspects of Puerto Rican society, including ecclesiastical matters.[125] Bishop Arizmendi deeply resented this perceived infringement in ecclesiastical affairs, and the two men continuously battled. Burial reform was one arena where this larger power struggle played out.[126] The Bishop reversed his earlier position on general cemeteries, publicly campaigning against their introduction in the island.[127]

Geopolitical conditions shifted again when the Central Junta called together representatives from local juntas to Cádiz in 1810. The delegates at the Cortes de Cádiz were divided into two camps—liberal and conservative. The liberals were intent on continuing the reforms of Charles III, expanded to incorporate many ideals of the French Revolution. They had the majority and declared Spain a constitutional monarchy. The 1812 Cádiz Constitution created by these liberals had democratic and egalitarian components such as a nation based upon popular sovereignty and natural rights, equality between "Spaniards of both hemispheres," and freedom of the press, while also maintaining a limited monarchy and failing to extend these rights to women and those of African origin.[128]

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[125] Lidio Cruz Monclava, *Historia de Puerto Rico. 1808-1868* (Río Piedras: Universidad de Puerto Rico, 1979), 33-38.

[126] On the conflicts between Meléndez and Arizmendi, see Rodríguez León, *Arizmendi*.

[127] Arizmendi to Melendez, July 30th 1810, AGPR, Records of the Spanish Governors (hereafter SG), caja 10, leg. 545, exps. 6-8.

[128] Scott Eastman, "Introduction: The Sacred Mantle of the Constitution of 1812," in *The Rise of Constitutional Government in the Iberian Atlantic World: The Impact of the Cádiz Constitution of 1812,* eds. Scott Eastman and Natalia Sobrevilla Perea (Tuscaloosa: University of Alabama Press, 2015), 7; John Fisher, "Absolutism and Liberalism in the Hispanic World, 1808-14: The Background to and Significance of the 1812 Constitution of Cadiz," in *1812 Echoes: The Cadiz Constitution in Hispanic History, Culture and Politics*, eds. Adam Sharman and Stephen G.H. Roberts (Newcastle-upon-Tyne: Cambridge Scholars Publisher, 2013), 27-29; Adam Sharman, "Sovereign Deposits, Divided Loyalties: the 1812 Spanish Constitution," in *1812 Echoes: The Cadiz Constitution in Hispanic History, Culture and Politics*, eds. Adam Sharman and Stephen G.H. Roberts (Newcastle-upon-Tyne: Cambridge Scholars Publisher, 2013), 93; Juan-Sisinio Pérez Garzón, *Las Cortes de Cádiz. El nacimiento de la nación liberal (1808-1814)* (Madrid: Síntesis, 2007), 250- 256, 283–308.

It was under the authority of the Cortes that San Juan finally implemented burial reform. In 1813 officials in the Cortes issued a new cemetery edict. Cities and towns were given one month to get in compliance with the legislation. This included the absolute ban of church burial and the construction of hygienic cemeteries away from the population; if necessary, cities should immediately build provisional sites until permanent cemeteries could be established. Any individual who interfered with the process, regardless of rank, would be held personally accountable.[129] Governor Meléndez and municipal officials used this edict to justify cutting the bishop out of the process. The provisional cemetery they built—in the shadow of El Morro, high on the cliffs overlooking the Atlantic Ocean—barely met the hygienic requirements and lacked religious components.

3.2 From the Abstract to the Real: Localizing Enlightened Burial

Clerics, doctors, and legislators in Madrid collaborated to create the new laws governing burial. Public health and religion were intertwined in the Spanish burial reforms. However, the rationale used to justify the change was not widely understood. The abandonment of churchyard burial represented a significant change, one that flew in the face of popular practice. Scientific medicine was only emerging, and many segments of the population were ignorant or distrustful of its principles. Enlightened piety threatened the baroque practice that had defined a good death.

[129] "Real orden: se recuerda la observancia de las leyes prohibitivas de los enterramientos en sagrado bajo responsabilidad de los que las entorpezcan," in *Colección de los decretos y que han expedido las Cortes Generales y Extraordinarias,* tomo v (Madrid: Imprenta Nacional, 1820), 15-16. https://babel.hathitrust.org/cgi/pt?id=ucm.5302606274;view=1up;seq=39; Real Orden, November 1st 1813, AGPR, SG, leg. 10, exp. 8-A.

Additionally, the proposed general cemeteries enraged traditional elites who would lose their privileged sites in the churches and monasteries. Reformers needed to localize these arguments in order to educate the public on the merits of general cemeteries. And, whether they agreed or disagreed with burial reform, both sides of this debate used the language of theology and science to argue their position.

In Havana, Bishop Espada and Dr. Romay were the public face of burial reform, working together to educate the public. So, while the doctor laid out the medical necessity of transforming burial in Havana, he also decried the "horrendous sacrilege" committed when the churches were "desecrated with the filth and stench that corpses exhale."[130] And while the Bishop mobilized theological and historical arguments to advocate a return to a purer Catholic practice, he also used the language of public health.[131] Espada and Romay sought to eliminate the "disgust"—fueled by "habit and the force of imagination"—that was preventing the city's faithful from embracing the proposed general cemetery.[132]

Already well respected as a public health reformer in Cuba, Romay took the lead on connecting miasmatic theory to the environs in the city. In Havana "the heat of the climate, the lack of ventilation, and the vapors of many gathered bodies, even though they are healthy" accelerated the air's degradation. Further, narrow streets, the elevation of *la Cabaña,* and the surrounding mountains precluded wind from dissipating the corruption. These conditions—a hot

[130] Tomás Romay y Chacón, *Discurso sobre las sepulturas fuera de los pueblos* (Havana: Don Estevan Joséph Boloña, 1806), 4-5.
[131] José Díaz de Espada y Landa, *Exhortación a los fieles de la ciudad de La Habana, hecha por su Prelado Diocesano sobre el cementerio general de ella* (Havana: Don Estevan Joséph Boloña, 1805), 4-6.
[132] Ibid., 11-12.

climate, stifling buildings, and the proximity and respiration of so many people—rapidly exhausted the pyrogenic gases in Havana.[133]

Even as the conditions of Havana depleted the life-giving gases, they produced dangerous mephitic gas. The city was ringed with swamps and stagnant waters. The corpses of animals, along with other filth "unworthy of naming," were thrown into the streets and squares. Pigsties, candle factories, and meat warehouses generated waste, while forges and factories increased the heat and humidity. These, combined with the excrement of the population, exuded toxic gases. This threat was magnified by the practice of church burial. Havana's churches were small and shut for most of the day and night. Inside, "the vapors of many corpses, concentrated in the tight enclosure of the Churches," posed a danger to the living.[134]

According to scientific knowledge of the day, a cadaver took three to four years to fully decompose. Due to a lack of space in Havana's churches, Romay estimated that graves in the parishes were opened after only one year. These bodies—disinterred before complete decomposition—infected the churches with deadly gas, exposing the city to epidemics.[135] His argument was straightforward: church burial threatened the lives of the Havana's parishioners; a general cemetery would alleviate this danger.

According to Romay, burial in churches also threatened religious practice: the sight and smell of decomposing bodies caused parishioners to avoid mass.[136] Romay described a nauseatingly foul odor so bad it drove him to leave, "with the greatest anxieties and fatigue," the church of Cristo de Buen Viaje in the middle of mass. He did not return until required to as an

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[133] Romay y Chacón, *Discurso*, 19-26.
[134] Ibid., 14-17.
[135] Mateo Orfila y Rotger, *Tratado de medicina legal* (Spain: Don José María Alonso, 1817), 85; Romay y Chacón, *Discurso* 23.
[136] Romay y Chacón, *Discurso*, 21-22.

attendant at the funeral of a close friend. During the funeral, the stench from the prepared grave was again so bad that the officiants formed the choir in the presbytery and rushed through the funeral mass.[137] Conditions in Havana's churches were so repellent that attendance was falling; moving burial outside the city would see the return of parishioners.

While Romay educated the public on the benefits of burial reform, Espada worked to overcome the resistance of the elite and the regular orders. Wealthy families were loath to give up their illustrious burial locations in the regular orders of Havana. Espada chastised those who sought to maintain these privileges, cautioning that these attempts were "nothing else in reality, than the lust for magnificence and vanity even after death."[138] The hierarchy of church burial was not based on divine or spiritual concerns, but rather on the interests of the living: as such, he argued, the practice went against the tenants of true Christian piety.[139] In seeking to maintain their privilege, the elite put their eternal souls in jeopardy.

An additional barrier to acceptance amongst Havana's faithful was a deep-seated prejudice against the idea of cemeteries themselves. The population of Havana, Bishop Espada wrote, believed that "cemeteries (were) only destined for poor and wretched people."[140] Havana's reformers pointed to the early days of the Church, when the rich and powerful—even emperors—were buried in cemeteries. Espada noted that "in our age there have been plenty of opulent and distinguished men who have chosen a cemetery for their burial."[141] Rather than a space of poverty and squalor, the planned cemetery would have an air of majesty, he insisted. Its interior and exterior adornments would feature a noble simplicity and seriousness, not seen in "our churches,

[137] Ibid., 23-24.
[138] Espada y Landa, *Exhortación*, 18.
[139] Ibid., 18-22.
[140] Ibid., 6, 19.
[141] Ibid., 17-18; Romay y Chacón, *Descripción*, 6.

disfigured in a thousand ways."[142] As we will see, when this did not prove enough to overcome the resistance, he compromised and included a hierarchy within the cemetery's spatial design.

Even as Espada worked to gain the acquiescence of the elite, he faced resistance from elements within Havana's religious community. The Franciscan order did not want to lose its privileges and appealed to colonial authorities to be excluded from the new rules.[143] Espada was furious, arguing to Governor Somuerelos that any exception threatened public support of the cemetery.[144] However, he reluctantly made an exemption to keep the project on track. In 1807, the Bishop was vindicated. The King reprimanded the intransigence of the Franciscans while praising the foresight and leadership of both Someruelos and Espada.[145] Espada and Romay had worked in tandem to convince the Cuban public to accept the general cemetery. Building on the body of legislative, academic, and ecclesiastical writing, they localized the medical and religious arguments for general cemeteries.

The rhetoric of public health and religion initially coincided in San Juan as well. Civil authorities documented how the churches lacked the capacity to manage the number of dead. Across the island, towns were served by a small number of churches which provided insufficient space for burial. The hot and humid climate meant the "infected vapors" produced by the graves permeated the churches at all hours of the day and night. The stench of death filled them, and their physical space was deteriorating. These gases posed a threat to the health of the population.[146] All

[142] Espada y Landa, *Exhortación*, 22.
[143] Don Tomás de la Muz Muñoz, Síndico de la provincia de Santa Elena, Orden de San Francisco, 1806, AGI, Cuba, 1717, Expedientes varios, Cuentas de fábrica de la Iglesia Catedral, cementerios, cofradías y hospitales (heareafter F).
[144] Bishop Espada to Governor Somuerelos, April 16th, 1806, AGI, Cuba, 2258,
[145] November 28th 1806, AGI, Santo Domingo (hereafter SD), 2258; Carlos IV, May 11th 1807, AGI, Cuba, 2258.
[146] Don Francisco Diaz Inguanzo to Governor Toribio Montes, January 20th 1805, AGPR, SG, leg. 10, exp. 8-A.

of this was attributed to church burials, which overtaxed the buildings. Initially, Bishop Arizmendi agreed with this assessment, and supported burial reform.[147]

When relations between Arizmendi and Meléndez deteriorated, the Bishop publicly reversed his position—while still seeking to speak as an authority in regard to science and religion alike. He now argued that there was no definitive medical evidence proving a connection between disease and church burial. Moreover, he claimed that general cemeteries were "diametrically opposed to the Canonical Sanctions of the Holy Church."[148] He framed his objection on both scientific and theological grounds. His opposition posed a problem for reformers, as it threatened to undermine public confidence in the project.

The bishop's revised position led to a public confrontation between municipal and ecclesiastical authorities. Municipal officials publicly challenged Arizmendi's stance, alleging it threatened the lives of the many thousands of people who lived in the city. Síndico Procurador Segundo José Batlle Espina cited the effectiveness of cemeteries built outside city walls across the Spanish Empire. He pointed to the foul conditions inside San Juan's convents of San Francisco and Santo Domingo as proof of contaminated air and a need to restore the sanctity of the churches. Beginning with the biblical example of Judas and the thirty pieces of silver, he laid out the historical use of cemeteries by the Catholic church. He dismissed the bishop's objections to the science, stating that in a climate of high temperatures and humidity, the island needed general cemeteries to curb epidemics.[149]

Likewise lining up in support of the governor, councilmember Antonio de Vegas publicly backed Batlle Espina. He reaffirmed the scientific basis for general cemeteries, arguing that the

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[147] Bishop Arizmendi to Governor Toribio Montes, May 13th 1805, AGPR, SG, leg. 10, exp. 8-A.
[148] Bishop Arizmendi to Governor Meléndez, July 30th 1810, AGPR, SG, leg. 10, exp. 8-A.
[149] José Batlle Espina to city council, July 18th 1813, AGI, Gobierno, SD, 2416.

connection between the "evaporations and exhalations of the graves" and disease was well known. City officials had a responsibility to eliminate the threat dead bodies posed to the population. Arizmendi, in ignoring medical and scientific consensus regarding burial reform, could not be relied on to protect the interests of public health.[150] The governor and the city council used public health concerns to justify taking control of the project to restore religious practice.[151] This would have repercussions for reformers when they later needed to convince the public that the cemetery was suitable for Catholic burial.

3.3 Situating Enlightened Burial

The points of potential synergy—or potential conflict—between public health and religion went beyond the rhetorical. The practicalities of constructing new general cemeteries also became the target of debates in which both scientific and religious authority was invoked. The land selected for general cemeteries needed to be both close to the parishes and far from habitations. Sites needed to be well ventilated and on high ground. To prevent gases produced by decomposition wafting into the city, they should additionally be downwind. Fortified port cities faced additional complications as the cemeteries could not infringe upon defensive structures. In cities both in the Peninsula and the colonies, finding a large enough section of available land that met these criteria proved difficult.[152]

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[150] Antonio de Vegas to city council, October 19th 1813, AGPR, SG, leg. 10, exp. 8-A.
[151] Governor Meléndez to city council, June 23rd 1813, AGPR, SG, leg. 10, exp. 8-A; City council to Governor Meléndez, July 12th 1813, AGPR, SG, leg. 10, exp. 8-A; City council, July 12th 1813 in Aída R Caro Costas, *Actas del cabildo de San Juan Bautista de Puerto Rico, 1812-1814* (San Juan: Municipio de San Juan, 1966), 128.
[152] Governor José Antonio Vallejo, April 26th 1790, AGI, Quito, 370, exp. 1, Bishop Joaquín de Osés y Alzúa y Caparacio, September 30th 1799, AGI, SD, 2258.

Havana faced these and additional challenges when it came to acquiring suitable land. The city was constrained on one side by the ocean, and the population had long since grown past the city walls into a quickly expanding *extramuros* territory. Meanwhile, land within the walls was increasingly scarce. These *intra-* and *extramuros* areas were divided into six parishes. Finding a site that met the hygienic requirements and was close to the parishes posed a near-impossible task.

Members of the Economic Society were the first to attempt to resolve this problem. Under the leadership of Bishop Espada, they created a plan, hired an architect, and selected land.[153] Just outside the city walls, their designated site was chosen because it would allow easy access from all six of the city's parishes. Havana's town council objected on the grounds of public health. Situated in the center of the city's expanding neighborhoods, this site would perpetuate the risk to population. Additionally, its location close to the city walls violated the regulations regarding military fortifications.[154]

At this point, the *Cabildo de la Catedral*—the body of clerics who governed the cathedral and advised the bishop on the management of the diocese—intervened. They suggested building a partial cemetery paid for with funds from the Cathedral.[155] The scaled-down plan would not interfere with the military fortification, overcoming one of the major obstacles. A partial site would also ease the concerns of the faithful, they argued, acclimatizing them to using a general cemetery and serving as a steppingstone to a larger one in the future. Members of the Cabildo recommended the governor designate the location he deemed suitable for the construction of a partial site.[156]

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[153] "Junta ordinaria del 13 de enero de 1803," in *Actas de la Sociedad Económica*, volume 3 (Havana: Imprenta del Gobierno, 1803) 27-28; Torres-Cuevas, *Obispo de Espada,* 29; 59.
[154] Correspondence between Governor Someruelos, Bishop Espada, the Economic Society, and city council, January to June 1804, AGI, Cuba, 1717, F; Romay y Chacón, *Descripción*, 3-4.
[155] Cabildo de la Catedral, November 17th 1803, AGI, Cuba, 1717, F.
[156] Correspondence between Cabildo de la Catedral, Bishop Espada, and Governor Someruelos, November 17th-December 19th 1803, AGI, Cuba, 1717, F.

Within days, Governor Someruelos picked a new location. Situated behind the hospital of San Lázaro on the periphery of the city, it was downwind of the main residential areas. The surrounding area was home not only to the hospital, but also the *Casa de Beneficencia* and insane asylum; this was a neighborhood of abject poverty on the fringes of the city. However, it met the hygienic requirements, was close to the parishes, and had the support of the governor, the bishop, and influential members of the Economic Society.[157] Work began in 1804, and construction would take two years to complete.

The geography of San Juan posed its own challenges to fulfilling the requirements of the royal edicts. The city was situated on a spur of land jutting out into the ocean, entirely enclosed by forts and defensive walls. There simply weren't locations available that met all the regulations. Limited space and heavy fortifications meant that any cemetery outside the walls would infringe on the military's space.

The first site was proposed by the military in 1805. This section of land, known as *la Puntilla*, was on the south side of the islet near the harbor and port. Low lying and prone to flooding, it was eminently unsuitable for burials.[158] Moreover, officials in the city had other

[157] Correspondence between Governor Someruelos and Bishop Espada, March 1804, AGI, Cuba, 1717, F.
[158] City council, January 21st, January 28th, March 18th 1805, in Aída R Caro Costas, *Actas del Cabildo de San Juan Bautista de Puerto Rico, 1803-1808* (San Juan: Municipio de San Juan, 1966), 91-98; Letters from Tomás Sedeño to Governor Toribo-Montes, May 30th 1805, March 3rd 1806, AGPR, SG, leg. 10, exp. 8-A; Correspondence between Don Francisco Diaz Inguanzo, Governor Toribo-Montes, and Madrid, November 1806, AGPR, SG, leg. 10, exp. 8-A.

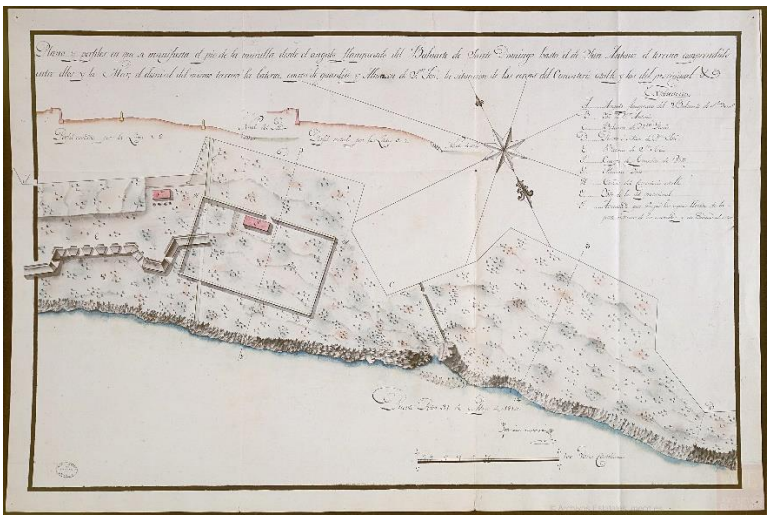

Figure 3-2: Location of the planned cemetery in relation to San Juan's fortifications. The rectangular site is a proposed "permanent" cemetery, to be built at a future time. To the left, the single line of fence enclosing the provisional cemetery is marked.

priorities for limited funds. The governor and town council would not seriously consider building a cemetery for another ten years. At that point, they picked a narrow strip of land on the opposite side of the island. In the lee of El Morro, it perched on top of the cliffs overlooking the Atlantic Ocean. Situated in an uneven hollow between the bastions of Santa Rosa and San Antonio, it was protected from desecration on one side by the fortifications and on the other by the cliff-face. The military was unhappy with this proximity to the city walls, but the governor approved the site. [159] Far from ideal, it was all that was available. The construction of a provisional cemetery on this site began in 1814.

3.4 Funding Enlightened Burial

A second practical aspect of general cemeteries that had to be worked out was who would pay for them. Transitioning to general cemeteries was an expensive endeavor. In the churchyard system, the individual parishes and regular orders were responsible for the costs of building and maintaining burial sites. The Spanish cemetery edicts aimed to continue this, instructing that

[159] City Council, January 14th 1813, April 20th 1814, in Caro Costas, *Actas 1812-1814*, 54-58.

funding for the new general cemeteries should come out of parish coffers. The bishops, who controlled the secular clergy, were tasked with making this work. Municipal funds could only be tapped as a last resort.

The budgeted cost of Havana's cemetery had risen to between 9,000 and 11,000 pesos before construction began. By the time it was completed, expenditures approached 50,000 pesos. Support—both money, labor, and supplies—came from stakeholders across the city. The infrastructure work was largely taken on by the *Intendente* and the Commander of the Engineers. Governor Someruelos provided materials and supplies, along with convict labor from the prison. While these groups donated labor and materials, the bulk of the costs were paid by the diocese. Bishop Espada personally contributed 22,231 pesos. The remainder was paid out of the *fábrica* of the Cathedral—funds reserved for the preservation and repair of the buildings and expenses of worship.[160]

In addition to the costs of building the space was the question of lost income. Burial was "one of the most lucrative businesses" for the parishes, and the secular clergy were concerned about the loss of this revenue.[161] Espada argued that the money saved on maintenance and repairs cancelled out any lost income. The bishop arranged to absorb any new costs at the diocesan level, earmarking two thousand five hundred pesos a year of his income for the maintenance of the chaplain, drivers, mules, and carriages. He structured this stipend to become a permanent part of the diocese's budget.[162] Havana's successful strategy for funding the new cemetery, an enormously

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[160] García Pons, *El Obispo Espada*, 60-61, 88-89; J.V., *Cementerio de Espada y de Colón, su historia hasta el año de 1899 con las cuentas de su administración y construcción* (Havana: Imprenta Militar, 1899), 9; Romay y Chacón, *Descripción*, 5-6; Laguna Enrique, "Vestigios," 195.
[161] Torres-Cuevas, *Obispo de Espada*, 47.
[162] Bishop Espada, *Arreglos de derechos*, April 26th 1806, AGI, SD, 2258; Fiscal, Madrid, November 28th 1806, AGI, SD, 2258; Bishop Espada, *Reglas que se han de observar en las parroquia y auxiliares*, nd, AGI, SD, 2258.

expensive undertaking, drew on multiple sources that crossed civil and ecclesiastical divisions. However, the diocese paid for most of the project.

In San Juan, neither the parishes nor the city council had the money to fund a general cemetery. In 1804 Bishop Arizmendi offered to earmark the estate of don José Maisonet, the recently deceased chantre (precentor) of the Cathedral, to pay for the site. This offer was withdrawn after Meléndez arrived in the island.[163] As the Bishop now claimed the reforms were unnecessary, the estate of Maisonet would instead be used to finance a seminary, which was, in Arizmendi's opinion, "a more interesting and essential goal in this city."[164]

The city council was left in a quandary. They steadfastly maintained that the city's money was needed for other, more urgent municipal projects. They also insisted that they would not impose new taxes to pay for the site. Batlle Espina characterized the bishop's withdrawal of funds as short sighted and dangerous. He accused Arizmendi of privileging a few at the expense of the many. By prioritizing a seminary over the cemetery, the Bishop foolishly elevated the education of these young men over "the conservation of health and life of these same young people."[165]

As San Juan's parish could not pay, and the bishop refused to contribute, the city council was left to fund the project. They explored numerous options. Even a simple cemetery would cost over 7,000 pesos. Redirecting money from other projects was untenable, as those initiatives were running on inadequate funds to begin with. Batlle Espina suggested obtaining a loan from the *Intendente* for the entire amount, which could be paid off over time.[166] When the Cortes' 1813

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[163] Governor Meléndez to Bishop Arizmendi, August 16th 1809, AGPR, SG, leg. 10, exp. 8-A.
[164] Bishop Arizmendi to Governor Meléndez, July 30th 1810, AGPR, SG, leg. 10, exp. 8-A; City council, January 14th 1813, in Caro Costas, *Actas, 1812-1814*, 57-58.
[165] José Batlle Espina to city council, July 18th 1813, AGPR, SG, leg. 10, exp. 8-A.
[166] José Batlle Espina to city council, July 18th 1813, AGPR, SG, leg. 10, exp. 8-A; Luis Joaquín Vallejuelo to city council, July 23rd 1813, AGPR, SG, leg. 10, exp. 8-A.

cemetery edict arrived with its one-month deadline, the council had still not secured funds. Councilors were forced to go back on their earlier stance and impose a tax. To minimize costs, the cemetery would have no chapel or ossuaries, only a simple wall.[167]

3.5 The Spatial Fusion of Tradition and Enlightenment in Havana Burial

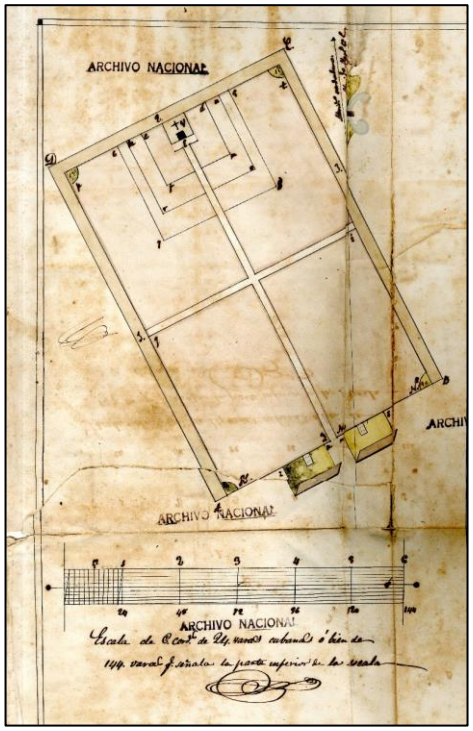

Figure 3-3: Havana's general cemetery closely resembled the generic plan circulated as part of the edict of 1804. Havana's Espada Cemetery, 1844.

Building Havana's general cemetery took two years. The inauguration at its completion was a spectacle that celebrated the collaboration of civil and ecclesiastical authority in the project. Authorities in Madrid touted the finished cemetery as a model for the rest of the Empire to emulate. Reformers in Havana, unlike the majority of cities in the Spanish empire, built a cemetery that successfully manifested Charles III's enlightened vision of burial grounds in which religion and public health coexisted. In Havana's general cemetery—which came to be known as the Espada cemetery—tradition and modernity were smoothly in harmony (Figure 3-3).

The construction process began with an upgrade to the infrastructure of the surrounding neighborhood. Located a mile to the west of the city, it lay close to the sea. Removed from the

[167] March 21st-June 19th 1814, AGPR, Municipality of San Juan (hereafter MSJ, leg. 96-P1, exp. 1; City council, January 14th 1813, in Caro Costas, *Actas, 1812-1814*, 57-58; City council, April 20th 1814, in Caro Costas, *Actas, 1814*, 54-55.

economic and social center of the city, it was home to the poor. The houses and other private holdings of this destitute group were expropriated to make way for the new cemetery. Following this, a spring that flowed into a nearby cove was diverted, and new drainage for groundwater added. Vast amounts of earth were removed to level the space, and a bridge was built to facilitate access.[168] The transformed land met the hygienic standards for a general cemetery: level, well drained, and removed from the population.

The cemetery built on this hygienic land was a religious space. Each element of the cemetery was designed to emphasize its function as a sanctified space, appropriate for Catholic burial. The main compound was enclosed by a stone wall and separated from the street by a large atrium. Two paved roads formed a cross that divided the site into four quadrants. The main road connected the entrance gates to the chapel on the back wall. In the far corner of each quadrant rose black stone obelisks. Each of these, bearing the phrase "*Exultabunt ossa humiliata* (humbled bones shall rejoice)," indicated the location of an ossuary.[169] Here, as in the churches, the remains of the Catholic dead would be protected until the Resurrection.

The main entrance and the chapel were of special significance in the cemetery. The entrance, a large stone gateway reminiscent of a triumphal arch, was heavily decorated. Three stone slabs occupied pride of place above the entry, the central one bearing the gilded inscription: "*A la Religión: A la Salud Publica. MDCCCV.*" [170] To the right was the name El Marqués de Someruelos, Gobernador; equal and opposite, Juan de Espada, Obispo. Above these, in bronze

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[168] Romay y Chacón, *Descripción*; Laguna Enrique, "Vestigios," 195.
[169] Romay y Chacón, *Descripción*, 8-11.
[170] Laguna Enrique, "Vestigios," 202; Narciso G. Menocal, "Étienne-Sulpice Hallet and the Espada Cemetery: A Note," *The Journal of Decorative and Propaganda Arts* Vol. 22, Cuba Theme Issue (1996): 59; Paul Barrett Niell, "Classical Architecture and the Cultural Politics of Cemetery Reform in Early Nineteenth-Century Havana, Cuba," *The Latin Americanist* 55, no. 2 (2011): 71; Romay y Chacón, *Descripción*, 12.

relief, were the figures of Time and Eternity. The civil, representing mortal life, and the religious, life eternal, were two sides of a single existence.[171] The entryway reflected the unity between civil and ecclesiastical authority.

While the gates showed the integration of public health and religion, they were also the portal through which the faithful passed from the mundane to the sacred. The inside of the cemetery emphasized traditional elements of Catholic dying. On the wall opposite the entrance lay the chapel, designed in the form of a classical temple. Above the entrance were two Bible verses in Latin: "Behold, now I shall sleep in the dust; but he will raise me on the last day." Dominating the interior was an altar. A single slab of stone, engraved with a golden cross and halo, supported a crucifix of ivory and ebony. Behind, a painting depicted the Resurrection. A trumpeting angel called: "Arise, ye dead, and come to your judgment." The Ascension of the Lord was depicted on the ceiling, while the back wall bore representations of the three theological virtues: Faith, Hope, and Charity. Statues of eight bereaved women, painted white and blindfolded, held glasses of fragrance in their hands; with these they consecrated the souls of the dead. In the center a perpetual lamp burnt at all hours of the day and night.[172] This was the familiar promise of Catholic burial: the laying down of mortal life and the promise of eternal salvation.

Reflecting Espada's compromise with the elite of the city, the space was divided into a hierarchy.[173] Three sections were separated by brick walls. The first section was reserved for the secular and ecclesiastical elite. Flanking the chapel were two marble tombs: to the left for bishops and to the right governors. Three stone tombs on the left were for ecclesiastical dignitaries, worthies of the church, and the canons. Descending away from these were lesser tombs where the

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[171] Romay y Chacón, *Descripción*, 12.
[172] Ibid., 9-12.
[173] Bishop Espada, *Arreglos de Derechos*, April 26th, 1806, AGI, SD, 2258.

secular and regular clergy would be buried by order of precedence. On the secular side, the stone tombs were for heads of the military, for the meritorious of the state, and for magistrates. Descending from these were the tombs for the first nobility, including the titled, military and political leaders, and aldermen. The second section was reserved for the honored people of the city. A third section was for "*la clase común*."[174] The material site in Havana walked a fine line between the old and the new: it incorporated familiar elements of both the religious and social components of churchyard burial into a new, hygienic space.

The benediction in Havana was also crucial in the process of legitimizing the space. Reformers remained concerned about its acceptance even after their campaign to sell the cemetery to the public. An elaborate public function was designed to open the burial ground. The benediction was held on February 2, 1806. Both the physical space, unveiled for the first time to the public, and the ritual acts played a role in symbolically transitioning from the old system of churchyard burial to the new.[175]

To imbue the cemetery with respectability, the remains of two illustrious members of Havana society were transferred to the new burial ground[176] The bones of Joseph González Candamo, Bishop of Milasa, and Governor Diego Manrique lay in coffins wrapped in black velvet and trimmed with gold braid; each coffin bore the personal insignia of the deceased.[177] Their funeral procession, from the chapel to the new general cemetery, included members of the military, civil branches of the government, and the full spectrum of Havana's religious community.[178]

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[174] Romay y Chacón, *Descripción*, 11-12.
[175] February 3rd, 1806, AGI, SD, 2258.
[176] February 3rd, 1806, AGI, SD, 2258; Correspondence between Bishop Espada and Governor Someruelos, October 21st-23rd 1805, AGI, Cuba, 1717, F; Governor Someruelos, letter to Espada, October 23rd, 1805, AGI, Cuba, 1717, F.
[177] Romay y Chacón, *Descripción*, 6; Domitila de Coronado, *Los cementerios de La Habana: Apuntes históricos de su fundación* (Havana: La Propoganda Literaria, 1888), 15-17.
[178] Romay y Chacón, *Descripción*, 6; January 20th 1806, AGI, SD, 2258.

The procession entered through the cemetery's main gates. The entire space, including the chapel and its altar, was illuminated by torches. In the center, a large platform had been erected. In the shape of a tomb, it had several wide steps leading to a dais. Hieroglyphics decorated its surface, and large candles festooned the steps. A four *varas* (yards) tall obelisk of marbled white and purple, encircled at the top by a crown, rose from the central platform. Here, in front of the gathered crowds, the coffins were ceremoniously placed, and the rituals of blessing began.[179]

Julián del Barrio, canon of the Cathedral, opened the ceremonies. He explained the theological meaning behind each of the significant locations of the cemetery: the gates, the chapel, and the ossuaries. The cemetery was a liminal space, balanced between religion and public health, between mortality and eternal life. Its sanctity was blessed by the church and approved by the state. He reassured the gathered faithful that prayers offered inside its walls would "garner more abundant, and more valuable" benefits for the souls in Purgatory."[180]

Assisted by the gathered clergy, the bishop then performed the benediction according to Catholic ritual. At the completion of the blessing, the remains of Manrique and González Candamo became the first interments in the general cemetery. Their burials, physical manifestations of the shift from churchyard to general cemetery, were also symbols of continuity. Manrique was laid to rest in the tomb destined for the governors of the city and Candamo in the one built for the bishops. The reformers incorporated enough of the old hierarchy to make the cemetery palatable to those resistant to change, compromising principle for practicality in order to successfully open the new site.

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[179] Romay y Chacón, *Descripción*, 7.
[180] Julián Joséph del Barrio, *Discurso que en la solemne bendición del Cementerio General de La Habana* (Havana: La Imprenta Episcopal, 1806), 11.

3.6 An Unsatisfying Compromise in San Juan

In San Juan, construction of the general cemetery did not start until the Cortes' edict of 1813 made it impossible to delay any further. Then, city officials built a bare-bones provisional site. A simple wooden fence enclosed the space; no chapel or ossuary was built.[181] This is where Governor Meléndez and the reformers faced the repercussions of antagonizing Bishop Arizmendi. If the site stood any chance of gaining acceptance from the public, it needed the blessing of the church. Councilors were forced to petition the bishop to set a date for its benediction.[182]

Arizmendi—away from the city on a pastoral visit—declined to set a date. He accused civil authorities of violating the church's rightful control over spiritual matters. All key pieces of Spanish legislation on burial reform—1787, 1789, 1804, and 1813—had acknowledged the role of ecclesiastical authorities in the process. By cutting the bishop out of the project, he wrote, the town council, and by extension the governor, had infringed on the church's authority.[183] The bishop claimed the site the council built without consulting him was not fit for Catholic burial. The cemetery was insufficiently enclosed, exposing it to profanation. Wood from the fence was being stolen for firewood, and this compromised barricade allowed the incursion of dogs and animals from nearby slaughterhouses. Unchecked, these animals would desecrate the newly buried and carry off the bones of the dead. Until these issues were addressed the bishop refused to bless the site.[184]

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[181] City council, April 20th 1814, in Caro Costas, *Actas, 1814*, 54-55.
[182] City council, April 18th 1814, in Caro Costas, *Actas, 1814*, 48-54.
[183] City council, April 20th 1814, in Caro Costas, *Actas, 1814*, 54-55; Bishop Arizmendi to city council and Governor Meléndez, Mayaguez, April 18th 1814, AGI, SD, 2416.
[184] Bishop Arizmendi to Governor Meléndez, Mayaguez, May 18th 1814, AGI, SD, 2416.

Intent on getting the cemetery opened, San Juan's town council was willing to make limited concessions.[185] In the Bishop's absence, they were left to deal with Provisor and Vicar General José Gutiérrez del Arroyo y Delgado. A month of rancorous negotiations followed.[186] Notably, this religious authority likewise framed his objections with reference to medical as well as religious knowledge. Gutiérrez focused on the hygienic shortcomings: the questionable solidity of the terrain, its unevenness, and the insufficient enclosure. After a contentious process, Gutiérrez agreed the improvements made by the council met these basic requirements.[187] The provisional cemetery remained little more than an asymmetrical field that had been enclosed with a simple masonry fence. However, it met the minimal legal requirements and could be put into use.

The council still needed a benediction date. As the provisional cemetery now met the regulatory minimums, civil authorities demanded, "*en nombre de la ley*," that Gutiérrez set the benediction date within three days. He grudgingly complied and delegated cathedral priest Don Nicolás Ruiz y Peña to work with city officials to arrange a ceremony. Unable to resist a last barb, Gutiérrez sent his wishes that this display would generate some sense of "the sanctity of the place" and that the populace would thus "have less disgust at having their corpses buried there." At this point, he seemingly washed his hands of the entire affair. Having fulfilled the legal requirements laid upon the diocese, he asked civil authorities to "cease against the prelate and against me the clamor of responsibility" regarding the delays.[188]

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[185] City council, April 20th 1814, in Caro Costas, *Actas, 1814*, 54-55.
[186] A Provisor and Vicar General was the ecclesiastical judge to whom a bishop delegated his authority and jurisdiction over the diocese when on pastoral visit. Rodríguez León, *Juan Alejo de Arizmendi*, 187-188.
[187] Correspondence between Gutiérrez del Arroyo and the city council, April- May 1814, AGI, SD, 2416; Gutiérrez del Arroyo to Governor Meléndez, May 25th 1814, AGI, SD, 2416.
[188] Gutiérrez del Arroyo to Governor Meléndez, May 25th 1814, AGI, SD, 2416.

With this qualified ecclesiastical endorsement, the benediction of San Juan's new cemetery took place on May 27, 1814. The bishop did not attend, nor did Gutiérrez. Instead, the blessing was conducted by Ruiz y Peña. He was joined by the secular clergy of the city, as well as the Dominican and Franciscan orders. Civil authorities outnumbered the religious. Governor Meléndez was present, along with the full town council and the heads of the military branches. These officials were joined by a large crowd from the town. They processed from the Cathedral to the provisional site, where the Catholic rites were performed.[189] This marked the official opening of the site, which was given the name of Santa María Magdalena de Pazzis *in litore.*

Having lost the battle over the construction of a general cemetery, Bishop Arizmendi made a point of underscoring its shortcomings. Even as the benediction was being arranged, the bishop wrote to the island's parish clergy that the absence of sacral infrastructure threatened the spiritual benefits generated by the suffrages performed on behalf of the souls of the deceased. This applied not just to San Juan's cemetery, but all future burial grounds. The blessing of the ground would not be enough; general cemeteries needed to contain a location to perform the funeral offices, as well as celebrate mass. In San Juan, the bishop called for the construction of a chapel and altar suited to the celebration of Catholic rites.[190]

In response, the council commissioned a plan for the division of space within the provisional site.[191] In it, a site for a chapel was prominently located and encircled by a small plaza. The plan also divided the space in a fashion that reflected the hierarchy of church burial. Religious,

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[189] May 27th 1814, AHA, APNSR, Libro 21 de entierros, 1812-1815; Acta de bendición, May 27th 1814, AGPR, Sección de planos, E15, #220; Adolfo de Hostos, *Historia de San Juan, ciudad murada: Ensayo acerca del proceso de la civilización en la ciudad española de San Juan Bautista de Puerto Rico, 1521-1898* (San Juan: Instituto de Cultura Puertorriqueña, 1966), 501.
[190] Bishop Arizmendi to parishes, May 24th 1814, AHA, APNSR, Disciplinar, caja 116.
[191] Governor Meléndez to city council, June 22nd 1814, AGPR, MSJ, leg. 96-P1, exp. 1.

civil, military, and social distinctions were recognized in the most prominent section, closest to the chapel. A wall divided this from the much larger section that extended to the cliffs, designated simply for "*panteones para el pueblo*."[192] The plan was never implemented. However, by promising to add the key elements of the churchyard system, councilors sought to imbue the site with respectability by incorporating the critiques of the Bishop. Ultimately—whether there was discord or agreement over the merits of burial reform—officials building general cemeteries in both San Juan and Havana needed to consider both the hygienic and religious components of the sites.

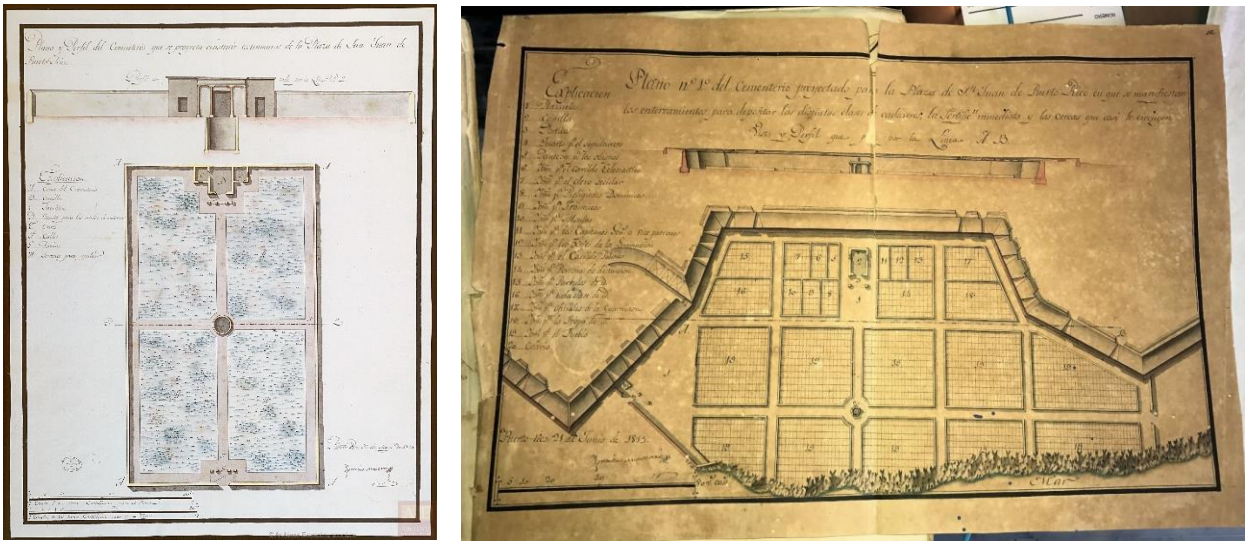

Figure 3-4: The plan for a future, permanent cemetery that San Juan's city council sent to Madrid closely reflects the design of 1804. However, the provisional site they built has little relation to the submitted document. Left, plan sent to Madrid in May 1814; Right, plan of proposed division of space, June 1814.

[192] Ignacio Mascano to city council and Governor Meléndez, June 21st 1814, AGPR, MSJ, leg. 96-P1, exp. 1.

3.7 Conclusion

Until the nineteenth century, the practice of churchyard burial remained a deeply entrenched Spanish social and spiritual tradition. Authorities in Madrid attempted to impose a vision of burial that was both Catholic and hygienic. In the Caribbean, reformers had to modify the designs of the empire to suit local economic and geographic conditions. Local reformers argued the merits of religious and scientific principles to advance or hinder change in funeral practices.

Havana built a general cemetery that balanced public health and religion in a manner that was acceptable to the wealthy residents of the city. While the project was a collaboration between the civil, ecclesiastical, and medical communities, in the end the church controlled the space of the dead. In San Juan, a lack of funds coupled with conflicts between civil and ecclesiastical officials led to a barebones site that barely met hygienic standards and lacked any religious components. After this contested process, municipal authorities were firmly in control of the management of the site: albeit a site that fit neither religious nor civil criteria well. The differences in this early work would shape how the cemeteries were used in each city for generations.

4.0 Looking Back, Moving Forward: Religion, Hygiene, and Capital in the Management of the Dead, 1830-1850

> "…a black covered cart drove to the gate, and a postilion with a gaily embroidered coat entered, and whistling to the two negroes beckoned to them. They methodically took up a bier, and having approached the hearse, opened a door behind, and drew out a shallow tray containing two bodies: one a dark mulatto, the other a white man, both half-dressed in ragged clothes. On passing me I followed, the only attendant, and having reached the grave, looked on. There seemed at first to be some consultation between the two negroes, whether it was best to tumble them in together or singly. They decided on the latter, and taking them up by their hands and feet, laid them in their narrow cell on their backs, as they had been brought, their feet in opposite directions. While I gazed on their upturned features, exposed to the bright rays of a meridian sun, and almost fancied that their open eyes and half-parted lips showed signs of life, the negroes returned with another load from the hearse, a fine-looking, young black woman, dressed in a clean, gay-colored calico frock, with neat slippers on her feet. She was covered with a blanket, probably her last bed, which was first thrown in, and then her body was deposited on those of the men. The sexton now approached, and, measuring with his eye the depth of the grave, concluded that it was full enough, in which opinion I coincided, and the process of throwing in the earth and stamping it down commenced. When the whole was completed, the soil was not more than two feet above the bodies."[193]
>
> Dr. F. Wurdeman, *Notes on Cuba,* 1844

When introduced in the nineteenth century, general cemeteries were a new and unknown technology of burial. No one—not doctors, priests, or administrators—knew how to build and manage general cemeteries. The shift from churchyard burial to general cemeteries left a void in regulatory systems, social practice, and cultural understanding of death. It was precisely this void in practice that created a space for new approaches to death and burial in the cemeteries.

Compromises made by reformers during the planning and construction of the sites had left the cities with cemeteries with numerous flaws. These initial burial grounds soon began to show

[193] F. Wurdeman, *Notes on Cuba* (Boston: J. Munroe and Co., 1844), 28-32.

their insufficiencies. In the new cemeteries' first decades, leading citizens of San Juan and Havana undertook different experiments in adapting to the unprecedented circumstances. In seeking solutions to the new material and administrative realities of burial, the populations of the two cities also grappled with questions about the nature of the reformed spaces of the dead. The role of the clergy, the municipality, or private business in this new system was uncertain.

This chapter considers this process in San Juan and Havana. Municipal officials in San Juan debated the place of religion and medicine in the new space of the dead and eventually added new hygienic and religious infrastructure. That slow progress created conditions in which private individuals skirted the law to engage in black-market burial. In Havana, a private business built and managed rental niches in the cemetery, realigning the role of the church, civil, and medical authorities in controlling the dead. Meanwhile, a commercial funeral industry grew alongside a growing demand for luxury funerals in Havana. By the end of this period, Havana had a thriving funeral industry and a cemetery firmly controlled by the church. In contrast, the cemetery in San Juan was managed by the town council, who paid little attention to the religious components of the space. Despite variations engendered by the difference in the size and wealth of the populations of the cities, the characteristics of religion and hygiene overlapped in the models adopted by officials in both cities.

4.1 Burial in a Time of Imperial Unrest

The experiments in burial practice took place in a larger context of political revolution and social turmoil. When King Ferdinand VII regained the Spanish throne in 1813, he immediately reestablished an absolute monarchy and abolished the Constitution of Cadiz. Conservative

segments of the clergy and the nobility embraced Ferdinand's return. However, mid-ranking military officers, unhappy with Ferdinand's rule, mutinied in 1820. Garrisons across Spain supported the revolutionaries. Without the support of the army, Ferdinand had no choice but to agree to demands to reinstate the constitution. Three years of liberal rule (the *Trienio Liberal*) followed. The European Concert, uneasy with Spain's revolutionary government, authorized France to intervene. In 1823 a French army swept into Spain and reinstalled Ferdinand as absolute monarch. After his restoration, Ferdinand took repressive measures against liberal forces. The remainder of his reign was spent attempting to maintain domestic stability.[194]

The Spanish colonies were also in turmoil. Creoles had been growing increasingly frustrated with trade restrictions and their second-class status in the Empire. When Ferdinand reestablished an absolute monarchy, he also sought to reassert Spanish power in the Americas. Long-building resentment of colonial rule ignited, resulting in revolutions across Latin America. This led to military conflicts as Spain attempted to forcibly suppress revolt. By 1826 all of Latin America except Cuba and Puerto Rico had achieved independence.[195]

Cuba and Puerto Rico remained Spanish colonies through the nineteenth century, even as they evolved along different paths. The Cuban sugar industry boomed in the first half of the nineteenth century, accompanied by rapid population growth. In Havana, the population grew from

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[194] John F Coverdale, "The Liberal Triennium and the "Ominous Decade" (1820-1832)," in *The Basque Phase of Spain's First Carlist War* (Princeton: Princeton University Press, 1984), 56-94; Charles Wentz Fehrenbach, "Moderados and Exaltados: The Liberal Opposition to Ferdinand VII, 1814-1823," *The Hispanic American Historical Review* 50, no. 1 (1970): 52-69; Jean-Philippe Luis, "La década ominosa y la cuestión del retorno de los Josefinos," *Ayer*, no. 95 (2014): 133-53.

[195] Lawrence A. Clayton, Michael L. Conniff, and Susan M. Gauss, "Background to Independence," in *A New History of Modern Latin America* (Oakland: University of California Press, 2017), 5-17; Michael P. Costeloe, "Spain and the Latin American Wars of Independence: The Free Trade Controversy, 1810-1820." *The Hispanic American Historical Review* 61, no. 2 (1981): 209-34; Howard J. Wiarda, "Liberalism and the Latin American Independence Movements," in *The Soul of Latin America: The Cultural and Political Tradition* (New Haven: Yale University Press, 2001), 112-44.

76,000 in 1774 to 160,000 in 1841. New inhabitants meant new neighborhoods, extramuros barrios like Regla, Horcón, and Cerro. These were composed largely of the poor and people of color. The 1841 census was the first in which census takers counted these areas as a continuation of the capital. When included, these residents swelled the population of *Gran Habana*—a term only just coming into use—to over 184,000. Three quarters of Havana's residents lived outside the old walled city.[196] The city of Havana continued to prosper throughout the century.

The sugar boom started later in Puerto Rico than in many Caribbean islands. It began in 1815 when Ferdinand VII opened Puerto Rican ports to trade with friendly nations in the hemisphere as a reward for loyalty during the Latin American Wars of Independence. The island's economy took off, led by the sugar industry.[197] Between 1816 and 1865, the population of San Juan went from 8,907 to 17,930 residents. Inside the walls, four distinct neighborhoods took shape. San Juan and San Francisco housed the wealthiest families, Santa Barbara and Santo Domingo the less affluent.[198] This sugar prosperity did not last, and by mid-century Puerto Rico's sugar industry was in decline. The boom and bust of sugar in Puerto Rico left San Juan with a growing population but stagnant economy.

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[196] Luis Martínez-Fernández, "The Sweet and the Bitter: Cuban and PuertoRican Responses to the Mid-nineteenth-century Sugar Challenge, *NWIG: New West Indian Guide / Nieuwe West-Indische Gids* 67, no. 1/2 (1993): 47-67; Louis A. Pérez, *Winds of Change: Hurricanes & the Transformation of Nineteenth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2001), 50-52; H. Pollitt, "The Rise and Fall of the Cuban Sugar Economy," *Journal of Latin American Studies* 36, No. 2 (May, 2004), pp. 319-348.

[197] Ileana M. Rodríguez-Silva, *Silencing Race: Disentangling Blackness, Colonialism, and National Identities in Puerto Rico* (New York: Palgrave Macmillan, 2012), 23-24; Martínez-Fernández, "The Sweet," 47-67.

[198] David Barry Gaspar, *Beyond Bondage: Free Women of Color in the Americas* (Urbana: University of Illinois Press, 2004), 204; Jay Kinsbruner, "Caste and Capitalism in the Caribbean: Residential Patterns and House Ownership among the Free People of Color of San Juan, Puerto Rico, 1823-46," *The Hispanic American Historical Review* 70, no. 3 (1990): 433-461; Adolfo de Hostos, *Historia de San Juan, ciudad murada: ensayo acerca del proceso de la civilización en la ciudad española de San Juan Bautista de Puerto Rico, 1521-1898* (San Juan: Instituto de Cultura Puertorriqueña, 1966), 21; Aníbal Sepúlveda Rivera, *San Juan: historia ilustrada de su desarrollo urbano, 1508-1898* (San Juan: Carimar, 1989), 162.

Burial reform was not a legislative priority in this period. Ferdinand, attempting to roll back the liberal reforms, had little interest in enforcing these laws. Neither, however, did he repeal them. Instead, his government granted limited concessions to conservative allies. The result was multiple pieces of legislation that were often contradictory. The control of cemeteries largely fell to local authorities, with governors, bishops, parish priests, and municipal authorities attempting to negotiate the needs of individual cities. Officials in both Havana and San Juan had to figure out how to run their cemeteries. In both cities, the initial sites were proving inadequate. Reformers in Havana had only built a partial site, which, while it included familiar elements of Catholic burial, was significantly smaller than the city required. San Juan's cemetery was a provisional site that minimally met hygienic requirements but had no religious components. Decisions made during the construction process left both cities with legacies they now had to overcome.

4.2 Class Tensions and Burial in Havana

The luster of Havana's new general cemetery quickly wore off. As early as 1811, liberals in the city were publicly criticizing design decisions made to appease the urban elite. These critics saw the hierarchization of space and the implementation of staggered burial fees as antithetical to the reform legislation.[199] The hierarchy they so loathed was exacerbated by a shortage of space. When they built the cemetery, reformers knew it was roughly a quarter of the size required for a city of Havana's size. When it opened, twenty-five hundred people were buried annually in the

[199] "Ampliación del discurso publicado en el aditamento número 14," *Aditamento a la tertulia de La Habana*, September 5th 1811, AGI, SD, 2258; Antonio Bachiller y Morales, *Apuntes para la historia de las letras y de la instrucción de la isla de Cuba*, vol. 1 (Havana: P. Massana, 1859), 108.

city.[200] By 1819, over three thousand were buried in a six-month period.[201] Space in the Espada Cemetery quickly began to run out.

Accommodating the burial requirements of Havana's Catholic population would require a second cemetery. The Cerro Cemetery—also known as *la Ciénaga* (the swamp)—opened in 1817. Located outside the walls, it served the parishes of Cerro, Pilar, and Mordazo on the margins of the city.[202] Initially it was no more than a fenced plot of land behind the *Depósitos de Cimarrones*.[203] Municipal authorities neglected it until the establishment of a public health board in the late 1830s. Then, health officials attributed the high mortality rate of the "*negros cimarrones, esclavos, y emancipados*" in the surrounding area to the pestilence emanating from the decrepit cemetery. To contain the risk, Havana's town council relocated the cemetery to a less populated area, equidistant from the three parishes.[204] While the new burial ground featured a sturdy wall and small chapel, it lacked spatial divisions, pantheons, or niches; all burials were inground.

The lack of amenities and its location on the periphery made it an unappealing final resting place, so much so that parishioners of Nuestra Señora del Pilar protested when their parish was assigned to this burial ground. While they presented several arguments, the absence of ranked sections, pantheons, or niches was the main complaint. This denied the parishioners options for their burial while also being a financial hardship for the parish, which would not benefit from the

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[200] Tomás Romay y Chacón, *Descripción del cementerio general de La Habana* (Havana: Imprenta Episcopal, 1806), 9; Tomás Romay y Chacón, *Discurso sobre las sepulturas fuera de los pueblos* (Havana: Don Estevan Joséph Boloña, 1806), 23-24.

[201] "Cementerio general," *Diario de La Habana*, July 1819- December 1819, http://hemerotecadigital.bne.es/details.vm?q=id:0026907910&lang=en.

[202] August 1837-July 1838, AHNC, Gobierno Superior Civil (hereafter GSC), leg. 744, exp. 25544.

[203] The *Depósito de Cimarrones* was a detention facility for runaway slaves, Mirtha González Moreno, "Breve estudio de una fuente documental: Los libros de registros de entrada y salida del Depósito de Cimarrones de La Habana" in *La esclavitud en Cuba* (Havana: Instituto de Ciencias Históricas, 1986), 190-195.

[204] November 1841- May 1842, AHNC, GSC, leg. 61, exp. 3677.

higher fees.[205] Ultimately, the unhappy parishioners remained assigned to Cerro for burial. The Cerro Cemetery became Havana's second permanent Catholic burial ground, subordinate to Espada in status and catering to less-affluent neighborhoods.

In addition to the two permanent cemeteries, burial grounds emerged to serve those ineligible for Catholic interment, for example unbaptized slaves. An informal cemetery on the edge of the city was used to bury unbaptized *negros esclavos bozales* (enslaved persons born in or newly arrived from Africa). It was first used in 1832 when Don Antonio de Frías set aside land on his farm for that purpose.[206] In 1858 his descendants complained to the city that people continued to bury *asiáticos* and *negros bozales* without the de Frias family's knowledge or permission. This lack of supervision posed a public health threat. The burial ground was regulated by the city, and the owners of the deceased paid three pesos for each burial.[207]

A second class of excluded bodies were those of Protestants. A potter's field in Vedado was the first of a series of Protestant burial grounds. The conditions in them were repugnant. In 1841, the British consul complained about "the horror" of the Cemetery of the British, "where dead bodies are left exposed in the face of day."[208] Conditions were so bad that Protestants would claim Catholicism so they could be buried in the Espada cemetery.[209] The burial of non-Catholics would prove to be an ongoing challenge for the city.

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[205] Correspondence between Don José Jesús Villareño and the offices of the Bishop and Gobierno Superior Civil, August 5th 1845- September 3rd 1845, AHNC, GSC, leg. 745, exp. 25562.
[206] Pedro Marqués de Armas, "Exclusiones post mortem. Esclavitud, suicidio y derecho de sepultura," *Dirāsāt Hispānicas: Revista Tunecina de Estudios Hispánicos* no. 2 (2015): 56-57; Emilio Roig de Leuchsenring, *La Habana: Apuntes históricos* (Havana: Municipio de La Habana, 1939), 59-60.
[207] José de Frías to Governor José Gutiérrez de la Concha, September 1858, AHNC, Gobierno General (hereafter GG), leg. 316, exp. 15329.
[208] Correspondence between Consul David Turnbull and Captain General, 1841, AHNC, GSC, leg. 744, exp. 25546.
[209] Yoana Hernández Suárez, *Iglesias cristianas en Cuba, entre la independencia y la intervención* (Havana: Editora Historia, 2010), 29.

While the unbaptized and Protestants were excluded from the Catholic burial grounds on theological grounds, other bodies were barred for public health reasons. The bodies of epidemic victims were deemed a threat to the living, and during outbreaks authorities would open provisional cemeteries to bury the epidemic dead. The provisional *Cementerio de los Molinos* opened during the cholera outbreak in 1833. Active less than five years, it received 1451 burials before closing.[210] The provisional *Cementerio de Atares*, opened when cholera returned in the 1850s, was located close to the city's poorest neighborhoods. City officials intended it for the epidemic dead of the extramuros parishes of Jesús María, Guadalupe, Pilar, and San Nicolás.[211] After the epidemic it became an overflow site for the central parishes until 1868. Atares was not considered a respectable final resting place; city officials described it as only for "*la clase desacomodada de ciertos barrios* (the destitute/disenfranchised classes of certain neighborhoods)."[212] Intended for the poor, Atares lacked any frills; all interments were in the ground with the majority in communal graves.

At the center of these satellite burial grounds lay the Espada Cemetery, which, as we will see, increasingly catered to the wealthy. On the periphery of Havana, cemeteries emerged to serve poor parishes and communities of color. Reformers' dream of a universal cemetery where all the city's dead would be interred "without distinction" was failing.

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[210] Roig de Leuchsenring, *La Habana*, 60-61.
[211] Correspondence between parish priests of San Juan de los Remedios, Cano, and Guadalupe, and Governor, August-September 1860, AHNC, GSC, leg. 748, exp. 25669.
[212] Policía Terrestre, 1834-1858, AHNC, Junta Superior de Sanidad, leg. 6, exp. 1.

4.3 Competing Visions About the Space of the Dead in San Juan

As discussed in chapter two, the conflict between Bishop Arizmendi and civil authorities had set the clergy in opposition to the new general cemetery. The death of the Bishop shortly thereafter did nothing to alleviate this tension. On October 12th, 1814 Arizmendi died while still on his pastoral visit.[213] He was interred the next day in the hermitage of Nuestra Señora de Monserrate in the town of Arecibo. His grave was chosen to allow the easy exhumation and transport of his remains back to the capital after one year.[214] Provisor and Vicar General José Gutiérrez wrote to Madrid for permission to transfer the bishop's "bones and ashes" to the Cathedral. He feared Governor Meléndez, whose antagonism towards the deceased prelate was well known, would insist that the bishop be interred in the provisional cemetery.[215] However, the imperial politics that had empowered the governor in his struggles with local church leaders had shifted. With Ferdinand back on the throne, the rigid prohibition of church burial imposed by the Cortes was somewhat loosened. Authorities in Madrid gave their permission, and the Bishop was buried in the Cathedral.[216] The change to general cemeteries had been achieved, but the new practice was only tenuously in place.

San Juan's municipal officials had effectively seized control of burial in 1814. The clergy—cut out of the decision-making process—led the resistance to the new space. After the

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[213] "Circular a los párrocos del distrito, comunicándoles el fallecimiento del Obispo Arizmendi*,"* October 14th 1814, in Vicente and Álvaro Huerga Murga Sanz, *Episcopologio de Puerto Rico*, tomo V (Ponce: Universidad Católica de Puerto Rico, 1987), 774.
[214] *"*Dr. Arroyo avisa al Cabildo Eclesiástico la muerte del ob. Arizmendi, Arecibo*,"* October 12th 1814, in Vicente and Álvaro Huerga Murga Sanz, *Episcopologio de Puerto Rico*, tomo V (Ponce: Universidad Católica de Puerto Rico, 1987), 773.
[215] "Carta testimonio de la muerte del Obispo Arizmendi," in Mario A. Rodríguez León and Ricardo E. Alegría, *El Obispo Juan Alejo de Arizmendi, ante el proceso revolucionario y el inicio de la emancipación de América Latina y el Caribe* (Bayamon: Instituto de Estudios Históricos Juan Alejo de Arizmendi, 2004), 934-935.
[216] Murga Sanz, *Episcopologio,* 780.

petition to bury Bishop Arizmendi in the Cathedral was successful, other ecclesiastics attempted to gain their own exemptions. The prioress of the Carmelite convent received permission for the order to continue using their crypts. Her petition listed shortcomings she said were common knowledge in the city to justify her request: dogs exhumed and desecrated the graves; nearby slaughterhouses contaminated the air; and during storms bodies washed into the ocean.[217] The Carmelites' petition was granted in 1815. The city's clergy persisted in citing the general cemetery's lack of religiosity and deplorable conditions to try and avoid cemetery burial.[218]

The clergy also described a population unhappy with the cemetery's lack of both hygienic and religious characteristics. In the leadup to the benediction, Bishop Arizmendi described the "manifest displeasure" of the city's faithful when it came to the new system of burial. Guttierez echoed this, describing a widespread "disgust at having their corpses buried there."[219] Two years after the provisional cemetery opened, Archdeacon of the cathedral Nicolás Alonso y Andrade y San Juan wrote to authorities in Madrid on behalf of residents in the city still unhappy with the site. Citing a now-familiar litany of shortcomings, he opined that "these inhabitants could be allowed to be buried in them (the churches)" until municipal officials improved conditions in the cemetery.[220]

It is unclear how much this discontent was exaggerated by the clergy unhappy with the new provisional cemetery; however, without the sanction of the city's priests, civil authorities found themselves unable to overcome the "passive resistance" of the general population towards

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[217] 1815, AGI, SD, leg. 503, exp. 536, 537, 540-542; 1815, AGI, U, leg. 500, exp. 9516-9518.
[218] For examples of the clergy's petitions between 1816 and 1840, see: AGI, SD, leg. 503, leg. 2524; AGI, U, leg. 500; AHN, U, leg. 2005.
[219] Gutiérrez del Arroyo to Governor Meléndez, May 25th, 1814, AGI, SD, leg. 2416. Bishop Arizmendi to parishes, May 24th 1814, AHA, Parroquia Catedral de Nuestra Señora de los Remedios, Disciplinar, caja 116.
[220] Correspondence between the Archdeacon of the Cathedral Nicolás Alonso y Andrade y San Juan, Governor Melendez, and officials in Madrid, 1816, AGI, SD, leg. 2524, exp. 1041.

the space.[221] Authorities in Madrid saw the clergy's continued resistance as a problem. Members of the Cabildo de la Catedral petitioned to be buried in the cathedral in 1816. Unlike the request of Carmelites two years earlier, the Consejo Real denied the cabildo's petition. As prominent clergymen, the members of the cabildo "should be the first to give example of obedience and submission to the resolutions of the King." Their burial in the provisional cemetery would demonstrate to the populace "the healthy providence of burials away from the population."[222]

4.4 Religion and Medicine in San Juan

The lack of sound infrastructure and religious features in San Juan needed to be addressed. The city council decided to fix the infrastructural problems first. The earliest construction projects, undertaken in the 1840s, were shoring up the walls, gates, and roadway that provided access.[223] With the cemetery in such close proximity to the city's fortifications, the interests of burial and defense frequently clashed; councilors had more conflicts with the military than they did with the clergy when it came to work in the cemetery.[224] The execution of these early initiatives established a process the council would follow for future work. When an urgent issue was brought to their attention, they would solicit a plan from the city architect, circulate it to the governor and military for review, then auction the contract to the lowest bidder.

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[221] Norma López de Victoria, *El cementerio de San Juan de Puerto Rico: origen, desarrollo y reforma 1814-1869* (San Juan: Centro de Estudios Avanzados de Puerto Rico y el Caribe, 1998), 92.
[222] Correspondence between Cabildo de la Catedral and Consejo Real, 1816, AGI, SD, leg. 500, exp. 963, 965.
[223] City council, February 25th 1843, AGPR, Obras Públicas (hereafter OP), leg. 62-D, exp. 3.
[224] February 22nd 1841, AGPR, OP, leg. 62-D, exp. 2; exp. 3.

The first religious structure the council built was an ossuary. This project was driven by practical rather than spiritual concerns, as members of the council saw an ossuary as necessary for the sustainable use of land. By this point, the cemetery had been in use for 25 years and it was nearing capacity. There was a need to clear old graves to make room for new burials, and an ossuary was needed to house the bones.[225] The council's priority in design and construction was speed and cost effectiveness. While this allowed for lower expenditures, it also created sustainability issues. Councilors made decisions with little thought given to a structure's durability, suitability for the climate, and ability to sustain heavy use.[226]

An outbreak of fever in the city spurred the council to build a second religious structure: a chapel. Again, their reasons were pragmatic. The cemetery had no space to hold bodies before burial. The principal function of the proposed chapel was to act as a *depósito.* Until it was completed, the council was forced to rent a house near the gates of the cemetery to act as a temporary morgue.[227] Within six weeks, construction of a plain wooden chapel was completed and the city terminated the house rental.[228] At no point in the process did councilors discuss the ritual function of the building, nor consult with clergy. In fact, it was another two years before the chapel, along with its crucifix and altarpiece, was blessed by the church.[229] Still, even while pursuing a public health agenda, the hygienic components the council added to the cemetery borrowed from religious practice. The ossuary of early modern burial practice was resurrected in the service of

[225] Correspondence between Pedro García, Pedro Vidal, Ramón Salgado, the *Junta de Subasta*, and the city council, April 2nd 1840-December 11th 1841, AGPR, MSJ, leg. 96, P1, exp. 7.5.
[226] 1853, AGPR, MSJ, Sanidad (hereafter S), leg. 131, P1, exp. 21.
[227] Correspondence between Governor Santiago Méndez de Vigo, Julián García, and city council, August 31st 1842-September 9th 1842, AGPR, MSJ, leg. 96, P1, exp. 1-A.
[228] Correspondence between Governor Santiago Méndez de Vigo, Julián García, *Diputación del Cementerio* and city council, August 31st- November 1st 1842, AGPR, MSJ, leg. 96, P1, exp. 1-A; AGPR, OP, leg. 62-D, exp. 3.
[229] February 26th- March 14th 1844, AGPR, OP, leg. 62-D, exp. 3.

the sanitary management of space. A chapel acted as a depository and morgue. Religion and health overlapped under the management of civil authorities in San Juan.

This focus on public health and sanitation once again dominated during the building of a permanent depósito near the gates. The chapel could only hold four to six bodies, so this new addition would serve as an overflow site during periods of increased mortality in the city. At the time of the chapel's construction, councilors had a wooden hut built near the entrance of the cemetery to store supplies, provide temporary shelter from rain or heat, and act as an overflow morgue. Wood proved a poor material for structures situated on exposed cliffs above the ocean, and within three years the building was falling apart.[230] The council solicited a plan from city architect Pedro García to repair the existing building, expand it to include living quarters for the celador, plus add a depósito and a room to perform autopsies.[231] García's plan was rejected by the Commander of the Engineers, who felt the autopsy room required a stone table with a large drain and pipe to facilitate the sanitary cleansing of liquids post-procedure.[232]

There was no precedent for acquiring such an item, and García was unable to assess the cost for the stone table. The closest comparable he found was large marble slabs used for pantheons in North American cemeteries, which, while smaller than what would be required, cost around 100 pesos. This was proving to be an expensive addition. If this autopsy suite was built, the cemetery would have facilities more advanced than those found in military hospitals, where these procedures were still performed on wooden tables.[233]

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[230] Celador de Cementerio and Diputación de Cementerio to city council, June 1st-June 2nd 1845, AGPR, MSJ, leg. 96, P1, exp. 1-B.
[231] Correspondence between Pedro García, Diputación de Cementerio, and city council, July 21st- August 4th 1845, AGPR, MSJ, leg. 96, P1, exp. 1-B.
[232] Governor to city council, October 7th 1845, AGPR, MSJ, leg. 96, P1, exp. 1-B.
[233] Pedro García to city council, November 9th 1845, AGPR, MSJ, leg. 96, P1, exp. 1-B.

The council questioned whether the cemetery was the appropriate space for postmortem dissections. They asserted these procedures should be done in the hospitals, as was the practice in all parts of the world. Unlike the cemetery, the military hospital had workers to manage the logistics of carrying out heightened sanitary measures.[234] If the city required an advanced autopsy space, councilors felt it should be the purview of the military, who had the facilities and funds for such a project. The council wanted only a plain and sturdy house to serve as living quarters for a celador and depósito in the cemetery.

Ultimately, the governor decided against their proposal. His decision hinged upon the perceived threat of contagion from dead bodies. He ruled that the hospitals, in fact, lacked the adequate hygienic conditions to protect the living from the potentially fatal contamination from mortuary procedures. It was preferable that the autopsy suite be situated in the cemetery, which was isolated from the lived city. The council was instructed to take measures to ensure the second plan, including the space for dissections and autopsies, was built in the cemetery.[235] They complied, then shortly after imposed new fees for burial. To the cost of renting the grave councilors added an additional fee, set aside to cover repairs and the payment of a permanent celador to manage the cemetery space.[236]

[234] City council to Governor, November 24th 1845, AGPR, MSJ, leg. 96, P1, exp. 1-B.
[235] Governor to city council, May 9th 1846, AGPR, MSJ, leg. 96, P1, exp. 1-B.
[236] City council meeting, August 12th 1846, AGPR, MSJ, leg. 96, P1, exp. 1-B.

4.5 Privatizing Death in Havana

By the 1840s, the shortage of space in Havana's general cemetery had reached a critical level. Even in the first section, reserved for the wealthy, graves were crowded together. However, the worst conditions fell outside this area. The ossuaries were full, with piles of "bleached skulls and other bones" overflowing their walls. When laborers dug graves for new burials, each turn of the earth brought up "numerous bones, some of which were still connected by their ligaments, and were intermingled with portions of clothes and shoes." [237] Previously unearthed human remains were scattered throughout the cemetery. In the overtaxed burial space, ritual had eroded in the face of resources stretched too thin. Common graves, crossing lines of race, gender, and economic status, were dug shallow and unceremoniously emptied when space was needed for new interments.

Seeing a commercial opportunity, enterprising businessmen in Havana offered solutions. Don Francisco Pérez Delgado submitted a bid for a monopoly to build niches in 1844. He laid out a comprehensive plan intended to convince both civil and ecclesiastical authorities of the necessity of niches. He began by listing the shortcomings of the existing mode of burial. In the area with underground vaults, large slabs of marble or stone were laid flat on the surface of the earth. They were packed so tight that visitors were forced to walk on the graves in order to navigate the space, disrespectful of the dead. Pérez Delgado argued this was unfitting in a Catholic burial ground.[238]

[237] F. Wurdeman, *Notes on Cuba* (Boston: J. Munroe and Co., 1844), 28-32.
[238] Francisco Pérez Delgado to Governor O'Donnell, June 14th 1844, AHNC, GG, leg. 314, exp. 15225.

Worse, the earth itself was poisoned by overuse.[239] It was barren of vegetation and fetid with the putrefaction of bodies. Pérez Delgado alleged that each grave held more than eight corpses buried one on top of the other without respect for class, condition, or sex. This putrid earth was dangerous to any who entered the burial ground. His first critique spoke to religious concerns in the lack of respect for Christian dead, his second to public health issues. His proposed niches would solve both problems.[240]

The niches Pérez Delgado sought to construct were modelled after those recently built in Madrid's Cemetery of San Isidro. The courtyards of San Isidro featured walls of stacked niches, a style also seen in other areas of Spain. In addition to being sturdy and inexpensive, they were a highly efficient use of space. To build them, Pérez Delgado required a strip of land three yards deep along the inner perimeter of the cemetery. For every three yards of frontage in this space, he could fit sixteen niches. An equivalent number of graves laid flat would occupy close to sixteen yards frontage. Walls of niches would greatly increase burial space, extending the functional life of the general cemetery.[241]

Pérez Delgado reassured officials that his modification would not fundamentally alter practice. The niches simply expanded the range of burial options established by Espada. No one would be forced to use them; in fact, access was limited to certain groups. The first qualification was wealth. The 'donation' for the use of the niches was set at one hundred pesos, due at time of burial.[242] This automatically precluded a large percentage of the population who lacked economic

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[239] For a discussion of the bacteriology of burial grounds, see Harold Mytum, "Public Health and Private Sentiment: The Development of Cemetery Architecture and Funerary Monuments from the Eighteenth Century Onwards," *World Archaeology* 21, no. 2 (1989): 283-297.
[240] Francisco Pérez Delgado to Governor O'Donnell, June 14th 1844, AHNC, GG, leg. 314, exp. 15225.
[241] Ibid.
[242] This fee permitted the use of the niche for twenty years, allowing for a maximum of five burials over the rental term. The holder of the rights to the niche could pay five pesos to have the initial body removed and transferred to the *carnero* (a term referring to a communal pit used as an ossuary).

means. The second qualification was race. The niches would only be rented to whites (*las personas de condición blanca*). Pérez Delgado insisted niches were not a transgressive use of Catholic space, instead a commercial extension of the hierarchy already in place.[243]

In 1847, Pérez Delgado was granted his monopoly. The financial arrangements were as he proposed. Pérez Delgado would pay thirty of the hundred pesos from each burial to the parishes, with the caveat that the priests could charge no additional fees. In exchange, Pérez Delgado would carry the costs of construction and maintenance. The niches could neither alter the function of the cemetery, nor infringe upon the rights of the chaplain or the owners of vaults. After the twenty-year rental period had expired, the niche would become the property of the state.[244] Both civil and ecclesiastical officials in Havana agreed to the terms of Pérez Delgado's contract.

Uncertainty around the religious legitimacy of the new niches remained. Attempting to imbue them with an air of respectability, Pérez Delgado sought permission to exhume Bishop Espada and reinter him in a prominent niche. Espada's remains were in the bishop's tomb, which had deteriorated like many of the original crypts. To prevent the displacement of Espada's bones when a future bishop was buried, the proposed niche would be maintained in perpetuity.[245] By creating an enduring space for the citizens of Havana to offer veneration and prayers, Pérez Delgado sought to show deep respect to the city's beloved Bishop Espada. Here, ecclesiastical authorities disagreed.

To ecclesiastical authorities, Pérez Delgado's suggestion bordered on desecration. Customarily bishops were buried in the most prestigious location in the burial ground. Moving their bodies was constrained to certain situations, one of which was a move to a more illustrious

[243] Francisco Pérez Delgado to Governor O'Donnell, June 14th 1844, AHNC, GG, leg. 314, exp. 15225.
[244] Real órden de 2 de Julio de 1847, AHNC, GG, leg. 333, exp. 16036.
[245] Francisco Pérez Delgado to Governor O'Donnell, April 24th 1845, AHNC, GSC, leg. 745, exp. 25563.

site. The diocese did not see the addition of niches as altering this division of space, arguing that the bishop's central tomb remained the preeminent burial location. In spite of Pérez Delgado's attempts to counter their reasoning, his petition to move the bishop was rejected.[246]

The Bishop and ecclesiastical authorities continued to carefully monitor Pérez Delgado's actions to ensure that all aspects of Catholic practice were maintained in regard to the new niches as they came into use in 1847. When they deemed he had strayed, as for example when children were interred in the adult section, they were swift to crack down on the perceived violation.[247] With a vested interest in the general cemetery, diocesan officials were supervising this experiment very closely.

Civil authorities also took an active interest in the niche project. Public health and medical professionals were often called upon to assess changes or unusual requests. When Don Felipe Martínez de Aparicio petitioned to have his embalmed son interred in a niche sealed with glass instead of the traditional stone or marble, Pérez Delgado denied his request. The file was sent to the Junta Superior de Sanidad to rule on the matter. The junta also denied the request, reasoning that glass was brittle and likely to fracture or break. Additionally, embalming practices were not able to preserve a body in perpetuity; this would inevitably lead to problems.[248] While Pérez Delgado successfully established a commercial enterprise inside the cemetery, it was closely monitored by ecclesiastical and civil interests. However, for the first time a private businessman mediated among public, church, and state interests in the cemetery.

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[246] Correspondence between diocesan officials, Governor O'Donnell, and Francisco Pérez Delgado, April 25th and May 23rd 1845, AHNC, GSC, leg. 745, exp. 25563.
[247] Correspondence between Bishop Francisco Ramón Valentín de Casaus y Torres, Governor O'Donnell, and Francisco Pérez Delgado, 1845, AHNC, GSC, leg. 745, exp. 25566.
[248] Correspondence between Felipe Martínez de Aparicio, Francisco Pérez Delgado, Governor O'Donnell, and the Junta Superior de Sanidad, October 8th 1845-October 25th 1847, AHNC, GSC, leg. 745, exp. 25599.

4.6 Black-Market Burial in San Juan

For the first decades of its use, there was little oversight in San Juan's cemetery. While the city council managed the site, they largely neglected it unless a crisis dictated action. They would only hire contractors to resolve urgent problems. By the 1840s this approach led to deteriorating conditions which required more active management. Slowly repairs were done, and the first religious structure built. However, the burial options in the cemetery remained limited, with almost all taking place in the ground. When councilors began more actively intervening in the cemetery, they discovered that private citizens had implemented creative, if illegal, solutions to the lack of burial space.

Officials on site during infrastructure work in 1842 observed illegal burial practices. For a price, "a couple of men" were extracting bodies from pantheons early in order to inter new bodies in the emptied tombs. The grave's contents, including the remains, clothes, and grave goods, were left discarded in the dirt. Finding that the celador of the cemetery, Vicente Sánchez, was absent from his duties and had failed to curtail this activity, the council appointed Don José Zapata to replace him.[249] Zapata was ordered to crack down on the "disorders and abuses" that were taking place, up to and including sending the offending parties to prison.[250] Even as authorities sought to stamp out this illicit practice, they recognized that simply eliminating this group of perpetrators wouldn't address the underlying cause: a shortage of burial space.

The appointment of Zapata was meant to provide some stability to the internal management of the site while the council considered long-term solutions. Interment fees were now paid directly

[249] City council, September 18th 1842, AGPR, OP, leg. 62-D, exp. 3.
[250] Correspondence between alcalde 2º Joaquín de Negra and Governor Santiago Méndez de Vigo, September 18th-20th 1842, AGPR, OP, leg. 62-D, exp. 3.

to him, and Zapata was to use these funds for the maintenance of the cemetery, his salary, and the daily wages of the laborers he hired.[251] The recording of burial information related to payments and expenses constituted the first cemetery records.[252] Over time, this careful record-keeping raised questions about the fiscal realities of the site. The council felt the cemetery should generate income; instead, year after year, it failed to cover upkeep costs.[253] The council became suspicious that, once again, illegal use of space was defrauding the municipality of the money needed to pay for much-needed repairs and construction work in the cemetery.

Suspicions were confirmed when Antonio Fernández became celador in March of 1849. Fernández found irregularities in the records. When he compiled an inventory of the pantheons, he found records for only one hundred and sixty of the roughly five hundred in existence.[254] Most of the burials in the cemetery were inground, unmarked, and, for the poorest inhabitants of the city, in common graves. Affluent families had the option to establish private pantheons. The family paid for the right to use land upon which the pantheon was built. They did not own the land; annual fees were required to maintain this privilege. Each pantheon was meant to hold one burial at a time: a two pesos fee related to a single interment for the duration of two years. Each subsequent burial required the set fee be paid to the celador.

The council determined that many families were derelict in paying the ongoing fees associated with their pantheons. They paid the initial sum but, whether through ignorance or willful disregard, failed to keep up with the payments.[255] These infractions deprived the cemetery of much

[251] City council, August 12th 1846, AGPR, MSJ, leg. 96 P1, exp. 1-B.
[252] 1846-1849, AGPR, MSJ, S, leg. 131 P1, exp. 14-18.
[253] City council, January 9th, 1855, AGPR, MSJ, S, leg. 131 P1, exp. 35.
[254] Antonio Fernández, *Matricula de panteones*, December 31st 1853, AGPR, MSJ, S, leg. 131 P1, exp. 22.
[255] City council, January 9th 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.

needed funds. Still, while widespread, these violations were minor in comparison to the black-market rental business officials uncovered.

Municipal authorities discovered that individuals had acquired the rights to multiple pantheons. A large and wealthy family might conceivably need two plots; even the sizeable Dominican order only owned three. Fernández's investigations showed at least seven individuals owned four or more pantheons. Pablo Abadía, Eulogio Abadía, Luis Guiara, and Teodora Pardo each owned more than ten. The Abadías' holdings alone accounted for forty-eight pantheons, or roughly ten percent of the cemetery's total.[256] Men like the Abadías were building multitiered pantheons on each plot and charging "excessive" rents for use of these spaces. In skirting the regulations to build multitier structures, they failed to pay the required fees. Worse, they stole the funds that families would otherwise have paid to the cemetery. In redirecting money away from public coffers, the council found these businesses were responsible for the lack of funds required for the ongoing construction and repair work.[257]

Councilors took decisive steps to eliminate these abuses. In 1855 the council confiscated all pantheons and required families to provide proof that they held the privilege for the site and were up to date on payments. Unless all outstanding fees were paid in full, no further interments were permitted. Further, all of the rental businesses would become council property.[258] The private rental of graves would not be permitted; this was the sole purview of the council.

Establishing a municipal monopoly on burial required finally resolving the land shortage that prompted the illegal activities in the first place. Councilors decided to construct a new style of rental sites: niches, the same solution that had been implemented in Havana eight years

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[256] Antonio Fernández, *Matricula de panteones*, December 31st 1853, AGPR, MSJ, S, leg. 131 P1, exp. 22.
[257] City council, January 9th 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.
[258] Cemetery commission to city council, January 27th 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24

before.[259] These sturdy and efficient tombs would generate income that the council could use to pay for cemetery upkeep while elevating the overall appearance of the space.[260] The city architect presented a simple and uniform plan that met these goals. A repaired chapel would sit central to the site, with a large ossuary on the cliffs overlooking the ocean. Rows of niches would fill the remainder of the space, apart from a section at the back designated for the poor.[261] Economical in the extreme, the cost to build each niche was nine pesos. An initial order of fifty niches was placed; more would be added as needed. [262] True to form, the council built the minimum amount necessary to meet the needs of the moment, thus distributing the costs over longer periods of time. The only change in the council's process was that rather than opening every job to public bidding, they began using the same contractors—the Pagani brothers—for all the niche contracts.

Building a new infrastructure on top of an active cemetery was challenging for the Paganis. Existing burials made it impossible to uniformly implement the new design, as occupied graves needed to remain intact until the two-year minimum interment period passed. In one case, a new site needed to be found when undocumented burials were discovered in the land allotted for niches.[263] In another, uneven terrain made the generic design unfeasible, and required expensive support walls to be added for stability.[264] Further, the cost-saving idea to use recycled materials from confiscated pantheons was prohibited. Public health officials found this material to be contaminated by decomposed matter and required that only new materials be used.[265] In spite of setbacks, the municipality continued to order niches from the Paganis.

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[259] City council to Manuel Sicardó, February 20th 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.
[260] City council, October 10th, 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.
[261] Manuel Sicardó, October 10th 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.
[262] Correspondence between city council and *Junta de Subastas*, October 30th-December 31st 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.
[263] Pagani to city council, May 30th 1856, August 1st 1856 AGPR, MSJ, S, leg. 131 P1, exp. 24.
[264] Manuel Sicardó to city council, May 5th 1856, AGPR, MSJ, S, leg. 131 P1, exp. 24.
[265] Médicos titulares de la ciudad to city council, May 30th -August 13th 1856, AGPR, MSJ, S, leg. 131 P1, exp. 24.

Coinciding with the construction of niches the council clarified the costs and permissible use of land in the cemetery. The old system was streamlined, with the cost of the land rental and the fees for the celador unified into one price. The two-year rental of a niche for an adult would cost 10 pesos; for children six. Families seeking land for pantheons were required to pay an initial fee of seven pesos, with annual dues of three pesos. The family would lose their privilege at the first missed payment.[266]

The council had successfully taken control of the business of burial by eliminating the encroachment of illegal activities, leaving themselves as sole managers of the space. They contracted work gradually and only when absolutely required, allowing them to minimize expenditures while fostering a steady business for private contractors. This model of carefully constrained private enterprise set the standard of municipal control that would continue in the cemetery of San Juan.

4.7 Muñidores, Zacatecas, and the Rise of a Funeral Industry in Havana

Once Havana opened the doors to commercial interests the business of dying exploded in the city. Pérez Delgado, already with an established business managing the niches, moved to expand his interests. He submitted a proposal to build a *Depósito de Observaciones de Cadaveres* inside the burial ground. This facility would expand his control over the dead from those being interred in niches to all cadavers entering the cemetery. He offered a forceful medical argument for the necessity of this facility: to prevent the accidental burial of the living.

[266] "Corregimientos de la capital," *Gaceta de Gobierno de Puerto Rico*, January 28th 1856; City council, October 10th 1855, AGPR, MSJ, S, leg. 131 P1, exp. 24.

The fear of being buried alive circulated widely in the nineteenth century, with some contemporary scholars estimating that for every ten burials, one person was not actually dead. Live burials were believed to occur when a patient suffered from catalepsy—or a similar condition—in which movement, vital signs, and respiration seemingly ceased. However, the paralysis eventually faded, and signs of life returned. For those buried alive, this return to vitality came too late.[267] Pérez Delgado played on these fears, suggesting a solution to prevent these tragedies from happening in Havana. He offered to build a depository in the cemetery where a medical professional could monitor bodies to ensure true death had occurred before burial.[268]

Pérez Delgado already had a monopoly on the construction and management of the niches. If his proposal was approved, every corpse entering the cemetery would pass through a facility built and managed by Pérez Delgado.[269] He intended to renovate two unused buildings on the cemetery grounds, stock the new facility with all the requisite tools, and pay the salary of the medical professional who would be present during the hours the cemetery was open.[270] Pérez Delgado framed this as a "*filantrópico proyecto,*" one he would fund at his own expense.

Pérez Delgado's philanthropy was more of a bribe. In exchange for funding this project, Pérez Delgado wanted to build two *muñidorías generales*, one inside and one outside Havana's walls. A muñidor originally referred to the servant of a cofradía who summoned members to religious ceremonies, including wakes and funerals. Under Bishop Espada's reforms, the muñidores shifted to managing the parish side of burial. They collected fees, ensured corpses had

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[267] Jan Bondeson, *Buried Alive: The Terrifying History of Our Most Primal Fear* (New York: W.W. Norton, 2001), 11; Elena del Río Parra, ""He Has No Pulse": Typologies of the Fear of Being Buried Alive in Preindustrial Spain," in *South Atlantic Review* 76, 3 (2011): 129-150; William Tebb and Edward Perry Vollum, *Premature Burial, and How it May Be Prevented, With Special Reference to Trance Catalepsy, and other Forms of Suspended Animation,* (London: Swan, 1905).
[268] Francisco Pérez Delgado to Governor O'Donnell, *Proyecto*, July 29th 1845, AHNC, GG, leg. 332, exp. 15972.
[269] Ibid., clauses three-four.
[270] Ibid., clauses five-six.

the proper paperwork, maintained the parish's communal coffins and supplies, and closed, locked, and loaded the coffin into the cemetery carriage for transport.[271] Subsequently, the role evolved into muñidorías—businesses that provided the accoutrements of funerals throughout the city. This was a lucrative endeavor, and in 1836, muñidores were found to have been committing "scandalous abuses" by charging steep rates to families. In response, a fixed cost structure was set and publicly circulated.[272] Pérez Delgado, in exchange for building the depósito, wanted a monopoly on muñidorías in the city. Existing establishments would be disbanded, and no competing ones permitted for a period of twenty years.[273] So, while he characterized his project as a philanthropic act, he stood to make a fortune.

His attempt came too late. On January 10th, 1845, Don Ramón Guillot and two friends founded the first *agencia funeraria* in Havana. They reimagined the role of the muñidorías, transforming them into a modern funeral industry. Guillot's establishments were open to all classes and races, offering imported modern amenities to any who could afford them. He introduced sarcophagi, mahogany coffins, as well as new styles in funereal accessories. New, more luxurious carriages were available, including carriages exclusively for the transport of children. He permitted people of color to accompany their deceased to the cemetery in a litter that they carried on their shoulders, singing African songs; a practice that was prohibited by Espada.[274] Led by Guillot, this

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[271] Bishop Espada, "Reglas que se han de observar en las parroquias y auxiliares intra y extramuros de La Habana, en orden al modo de remisión de los cadáveres al cementerio, y demás a ello concerniente, 1806," AGI, SD, leg. 2258; Governor Miguel Tacón y Rosique, "Arancel de exequias y entierros," *Apéndice al bando de gobernación y policía de la Isla de Cuba: comprensivo de diversos reglamentos, aranceles y disposiciones* (Cuba: Gobierno por S.M., 1843), 32-34.

[272] José María Zamora y Coronado, *Apéndice al registro de legislación ultramarina*, Vol. 1, (Havana: Gobierno y Capitanía General por S. M., 1839), 341; Domingo Rosain, *Necrópolis de La Habana: historia de los cementerios de esta ciudad: con multitud de noticias interesantes* (Havana: El Trabajo, 1875), 98.

[273] Pérez Delgado, *Proyecto*, clauses 11-12.

[274] Domingo Rosain, *Necrópolis*, 12, 98-99.

funeral industry took off, and a variety of funeral agencies opened that offered a range of options intended to meet the needs of a diverse city.

Death was big business, with the potential to generate large revenues for those who succeeded in the competitive market. Guillot remained an influential player, amassing a network of mortuary businesses in the city. In 1852, he bought Pérez Delgado's niche contract, solidifying his dominant position.[275] However, he faced stiff competition. By 1863, businessmen who registered and payed an annual fee of 120 pesos to the city could open a funeral agency.[276] Funeral agents vied for clients; newspaper advertisements regularly appeared offering more elaborate and luxurious imported goods.

A second business, *trenes funerarios*, grew alongside. These offered rental carriages for transport to and from the cemetery. Full-service funeral agencies included this as a service, but they were often a separate enterprise. A mid-century census puts the number of two-wheeled carriages used by trenes at fifty, with another thirty of the more elaborate four-wheeled style.[277] Inter-agency competition fostered more extravagant options for burial. These opulent displays harkened back to the baroque displays of the pre-general cemetery era.

Wealthy families in Havana paid funeral agencies to build luxurious *túmulos* (wooden frames, covered in funereal cloths, built for the rituals to honor the deceased) or *catafalcos* (magnificently adorned túmulos used to transport the body of the deceased) in or in front of their homes. Bodies lay on these for public viewing, sometimes for days. Over time, the exposición

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[275] "Ultramar #599, 26 de julio de 1864," *Colección legislativa de España*, Vol. 92, (Madrid: Ministerio de Gracia y Justicia, 1864), 268-269.
[276] *Nomenclatura y clasificación de los establecimientos de industria, comercio, artes, y oficios de esta capital que pagan subsidio industrial,* April 30th 1863, AHN, U, 4721, exp. 41.
[277] Don José María Gómez Colon, *Memoria sobre la conservación del puerto de La Habana* (Santiago de Cuba: Miguel A Martínez, 1851), 220.

(laying out) of the deceased more and more took place in the *casa mortuaria* (funeral home). Here, a sumptuous catafalco was constructed in the front room, with the windows to the street thrown wide open to facilitate as many of the public viewing the body as possible.[278]

In Havana, funeral processions were increasingly large and extravagant. The size and composition of the cortege depended on the status and wealth of the deceased. The clergy and the regular orders led these processions, and it was not unusual for "twenty, sixty, and up to two hundred" *quitrines* and *volantes* to follow behind.[279] These Cuban carriages had a low, chaise-like body that could sit only two to three passengers. It sat atop a set of large wheels—about six feet in circumference. Two sixteen to twenty-foot-long poles were attached to the sides, to which a small horse was harnessed. It was not uncommon for an enslaved person to guide the carriage by riding astride the horse. The volante had a fixed top, whereas the quitrines could be folded down.[280] The countess of Merlin, observing a funeral procession while visiting Havana in the 1850s, described all of these components. However, it was a large group of black men wearing oversized livery adorned with stripes, short breeches, and tri-corn hats that she found remarkable. She writes that their "luxurious and grotesque dress" seemed ill suited for the seriousness of the procession.[281] These were Zacatecas, a distinctly Cuban component of luxury funerals masterminded by the funeral agencies.

Zacatecas were the attendants who accompanied the corpse on its journey to the cemetery, often carrying the coffin on their shoulders. The term zacateca was originally applied to indigenous

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[278] José García de Arboleya, *Manual de la isla de Cuba: compendio de su historia, geografía, estadística y administración* (Havana: Tiempo, 1876), 267; María de las Mercedes Santa Cruz y Montalvo, Comtesse de Merlin, *Viaje a La Habana, por la Condesa de Merlin, Precedido de una biografía de esta ilustre cubana por Gertrudis Gomez De Avellaneda* (Havana: Librería Cervantes, 1922), 106.
[279] García de Arboleya, *Manual*, 267.
[280] Luis Martínez-Fernández, *Fighting Slavery in the Caribbean: The Life and Times of a British Family in Nineteenth-Century Havana* (Armonk: M.E. Sharpe, 1998), 90, 167-170.
[281] Santa Cruz y Montalvo, *Viaje*, 107.

Mexicans forcibly brought to Cuba in the early colonial period. They were given the most odious tasks, including the washing, dressing, and burying of the dead.[282] The nineteenth-century iteration saw this role filled by men of color, often slaves rented to the funeral agencies for high status funerals. Nineteenth-century zacatecas wore a parody of earlier liveried drivers: dented, grotesque masks and pointed hats, with shorts "as short as underpants," long white socks, and overlarge shoes. Their ill-fitting and bizarre uniforms drew scandalized or mocking laughter on the streets.[283] And perhaps this was the point. Citizens of Havana often treated death as a tragedy and a party, adopting an attitude that was "a mix of horror and mockery."[284] However strange their appearance, the public considered zacatecas an *artículo de lujo mortuorio*, used only in the most illustrious of funerals. By the end of the century, the name had become synonymous with the funeral agents who provided luxury funerals.[285]

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[282] Waldo Acebo Meireles, "Términos mexicanos en el habla cubana," *D'Cubanos*, https://www.dcubanos.com/sabiasque/terminos-mexicanos-en-el-habla-cubana/; Josef Opatrný, *El Caribe hispanoparlante en las obras de sus historiadores* (Prague: Universidad Carolina de Praga, 2014), 168-169; *Diccionario de la lengua española*, "Zacateca," https://dle.rae.es/zacateca.

[283] Juan Francisco Valerio, "¡Zacatecas!," in *Costumbristas cubanos del siglo XIX, ed.* Carmen Bravo-Villasante (Caracas, Biblioteca Ayacucho, 1958), 474-490; F. Javier Ruiz, "Los Zacatecas," in *Almanaque cómico, político y literario de Juan Palomo* (Havana: La Propaganda Literaria, 1872).

[284] Miguel de Marcos, *Papaíto Mayarí*, (Havana: Editorial de Arte y Literatura, 1977), 211; W. Adolphe Roberts, *Havana: The Portrait of a City* (New York: Coward-McCann, 1953), 87; Santa Cruz y Montalvo, *Viaje*, 121-130.

[285] Rafael Blanco, *Los Zacatecas*, Oil on Canvas, Cuba, late 19th-century, Museo Nacional de Bellas Artes de Cuba, http://www.bellasartes.co.cu/obra/rafael-blanco-los-zacatecas.

Figure 4-1: Los Zacatecas, oil on canvas by Rafael Blanco. This painting, from the turn of the twentieth century, shows a funeral procession prominently featuring Zacatecas, Museo Nacional de Bellas Artes de Cuba.

Funeral agents charged up to a thousand pesos for a single burial, and it was not unheard of for sons to go into debt to bury their parents. There was a growing desire by officials to curb "the evils of excessive, inappropriate and sometimes immoral luxury" in funerary practice.[286] The city of Havana imposed a fee called *muñidores* on those who provided extravagant funerals. This failed to curtail the practice. Successive regulations, taxes, and fines had no effect.[287] When they opened the door to a commercial funeral industry, officials had lost control of burial. Moving forward, curbing this runaway industry would involve imposing strict regulations.

[286] José G de Arbolejo to Governor and Bishop, April 1853, AHNC, GG, leg. 315, exp. 15302.
[287] February 23rd, March 15th, April 30th 1853, AHNC, GG, leg. 315, exp. 15302.

4.8 Conclusion

Built under pressure, the first cemeteries in San Juan and Havana had serious deficiencies in design and execution. These shortcomings led to a crisis of space after a few decades of use. Both cities, attempting to extend the life of their burial grounds, experimented with models of physical and administrative management. In San Juan, the general neglect of the site led to the spread of illicit activity in the space, followed by the gradual tightening of municipal control. Desperate to manage costs, the strategy of on-demand repairs led to construction businesses to maintain the space. The individuals who did the work were private business owners hired by the municipality on a contract basis. In Havana, a different strategy was employed. This experiment involved the introduction of private business into the management of the cemetery space. Eventually, this led to the emergence of a large and complex industry of death. The highly competitive nature of this industry fostered an escalating growth in these businesses, as funeral agents sought to lure clients to their doors.

These variations were shaped by a vast difference in the size and wealth of each cities' population. In spite of these local variations in style, the models of each city still shared many shared characteristics. Both introduced a private business in a controlled manner. Both added niches as a modern and efficient way to manage limited space. Finally, regardless of whether the clergy or municipal authorities were in charge of administration, both cities had to deal with both hygienic and religious aspects of dying and burial.

5.0 A Vision of Caribbean Modernity: Religion, Public Health, and the Liberal State, 1840-1860

> Just outside the city walls of Havana, and on the immediate sea-coast, lies the *Campo Santo*, or public cemetery, not far from the city prison. It is approached by a long street of dilapidated and miserable dwellings, and is not attractive to the eye, though the immediate entrance is through cultivated shrubbery. A broad, thick wall encloses the cemetery, in which oven-like niches are prepared for the reception of the coffins, containing the better or more wealthy classes, while the poor are thrown into shallow graves, sometimes several together, not unfrequently negroes and whites, without a coffin, quicklime being freely used to promote decomposition. In short, the whole idea, and every association of the *Campo Santo*, is of a repulsive and disagreeable character.[288]
>
> Maturin Murray Ballou, 1854

By the middle of the nineteenth century, the too-small cemeteries in San Juan and Havana were crumbling from overuse. Efforts to extend their functional life had limited success. This steady deterioration of the cemeteries' material conditions coincided with projects to revitalize and modernize the urban landscapes of both cities. Municipal officials increasingly saw the existing burial grounds as problems that needed to be fixed. Modern cities required modern systems of burial, and the politics of the liberal state became entangled with the politics of the dead.

In Havana, colonial and municipal authorities worked together to transform the city into a modern metropolis, one commensurate with its economic, social, and cultural prestige. The most tangible changes were to the physical city, where buildings with noteworthy architectural designs and expensive materials were replacing older colonial structures. Paralleling the transformation of

[288] Maturin Murray Ballou, *History of Cuba, or, Notes of a Traveller in the Tropics Being a Political, Historical, and Statistical Account of the Island, From its First Discovery to the Present Time* (New York: Phillips, Sampson and Company, 1854), 105.

urban space was the modification of the conduct of urban dwellers. In their attempt to transform Havana from a colonial backwater into a regional capital, authorities deemed it necessary to modernize both the space of the city and the behavior of its inhabitants.[289] Havana, a flourishing and fashionable city, became a leader in this process. Policies created in the city often influenced the regulations of the empire.

Authorities in nineteenth-century San Juan also embarked on projects to modernize the city. The architecture and spatial layout of the city was redrawn, if on a more limited scale than in Havana. Still, colonial structures were renovated, plazas were expanded and beautified, and new public buildings erected. The changes were not limited to the physical nature of the city; the town council worked with public health officials to alter how urban space was used. The councilmen became the arbiters of what—and who—was socially acceptable.[290] The decrepit cemetery was not acceptable to these reformers.

The general cemeteries built at the start of the century were reevaluated in the light of these urban modernization projects. The role of secular and ecclesiastical authorities and private business in the management of the dead was renegotiated once again. In Havana, officials were trying to manage an increasingly complex burial system. The roles of private industry, the church, public health authorities, and the medical community would be realigned between 1840 and 1860. Civil institutions increasingly controlled the management and movement of bodies, while the church struggled to hold its control over burial. The nature of the cemetery—and the role of secular

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[289] Dorleta Apaolaza-Llorente, "La Habana ilustrada del siglo XVIII: Sus transformaciones urbanas a través de la mirada de los bandos de buen gobierno, 'Cambiando la imagen de poder,'" *Iberoamérica Social* (2018): 63-80; Paul B. Niell, *Urban Space as Heritage in Late Colonial Cuba: Classicism and Dissonance on the Plaza De Armas of Havana, 1754-1828* (Austin: University of Texas Press, 2015), 27.

[290] Felix V. Matos Rodriguez, "San Juan: Space, Population, and Urban Setting," in *Women and Urban Change in San Juan, Puerto Rico, 1820-1868* (Gainesville: University Press of Florida, 1999), 36-58; Teresita Martínez Vergne, "The Discourse on Space in Nineteenth-Century Puerto Rico," in *Shaping the Discourse on Space: Charity and its Wards in Nineteenth-Century San Juan, Puerto Rico* (Austin: University of Texas Press, 1999).

and ecclesiastical officials in its administration—came into question. The resolution of this question in Havana would have effects across the Spanish Empire. Civil authorities in San Juan, who had successfully wrested control of the dead from the church decades earlier, reintroduced the clergy into the cemetery. Emerging regimes of burial began to coalesce into a coherent practice that balanced religion and public health in the framework of a nascent Caribbean modernity.[291]

5.1 Burial and Spanish Liberal Politics

The final decades of Ferdinand's rule saw a fragile peace in Spain. He remained wary of the liberal forces who had revolted against him but was also cautious of ultra-conservative factions. His brother and heir, Don Carlos, was a reactionary who Ferdinand feared would reignite open conflict when he became king. In 1830 Ferdinand reissued the Pragmatic Sanction that changed the Salic laws of succession to allow his daughter to succeed to the Spanish throne. When Ferdinand died unexpectedly in 1833, Isabella—just three years old—became queen. Her mother Maria Cristina was made regent. Supporters of Carlos disputed her claim to the throne and the country descended into civil war.[292]

In exchange for the liberal support she needed to secure victory in the civil war, Maria Cristina accepted a new constitution in 1837. This saw a constitutional monarchy established in

[291] Hilary McD. Beckles. "Capitalism, Slavery and Caribbean Modernity." *Callaloo* 20, no. 4 (1997): 777-89; S. N. Eisenstadt, "Multiple Modernities," *Daedalus* 129, no. 1 (2000): 1-29; Elsje Fourie, "A Future for the Theory of Multiple Modernities: Insights from the New Modernization Theory," *Social Science Information* 51, no. 1 (March 2012): 52–69; David Scott, "Modernity That Predated the Modern: Sidney Mintz's Caribbean," *History Workshop Journal*, no. 58 (2004): 191-210.

[292] Isabel Burdiel, *Isabel II: no se puede reinar inocentemente* (Madrid: Espasa, 2004), 46-47; Mark Lawrence, *Spain's First Carlist War, 1833-40* (Palgrave: Basingstoke, 2014), 4-5.

Spain in which the powers of the parliament balanced those of the monarch. Seeking to end the continued instability caused by the political maneuvering of the regents and varied political powers, the Cortes declared the thirteen-year old Isabella II of age in 1843. The young queen was easily influenced by councilors of different ideological camps, and her policies changed unpredictably. Isabella's reign was characterized by unstable administrations, vacillations in policies, and the frequent turnover of her governments.[293]

Isabella and her supporters would have liked a return to an absolutist monarchy. However, it became evident to them that this time there would be no return to absolutism. She was flanked on one side by the Carlists, reactionary Catholic anti-liberals. On the other side were the divided liberals. Progressive liberals supported the 1812 constitution, in which the authority of the monarch was limited by a powerful Cortes. Moderates, who had shaped the constitution of 1837, advocated for a strong monarchy with carefully constrained reforms guided by the Cortes. None of the Spanish liberals advocated for the abolition of the monarchy. Both factions sought to establish a body of educated elites who would shepherd the Spanish people into a more prosperous future. Moderate liberals gained considerable influence in the 1840s and 50s, as Isabella used them to keep more progressive elements from gaining too much power. Under this tenuous system, liberal projects began to gain traction in the Spanish Empire.[294]

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[293] For a discussion of Isabella's ascent and rule, see: Isabel Burdiel, *Isabel II. Una biografía* (Madrid: Taurus, 2010); John F. Coverdale, *The Basque Phase of Spain's First Carlist War* (Princeton: Princeton University Press, 1984); Mark Lawrence, *The Spanish Civil Wars: A Comparative History of the First Carlist War and the Conflict of the 1930s* (New York: Bloomsbury Publishing, 2017), 80-83; J. Varela Suanzes, "La constitución de 1837: una constitución transaccional," *Revista de Derecha Político* 20 (1983): 95–106.

[294] For a discussion of the divided Spanish politics during Isabella's rule, see: Isabel Burdiel, "Myths of Failure, Myths of Success: New Perspectives in Nineteenth-Century Spanish Liberalism" *The Journal of Modern History* 70, no.4 (1998): 891–912; Isabel Burdiel and M. Cruz Romeo, "Old and New Liberalism: The Making of the Liberal Revolution," *Bulletin of Hispanic Studies* LXXV (1998): 65–80; Angel Smith, "The Rise and Fall of "Respectable" Spanish Liberalism, 1808-1923: An Explanatory Framework," *Journal of Iberian and Latin American Studies* 22, no. 1 (2016): 55-73.

Since the period of the Bourbon reforms, progressive elements in Spain had argued that the institutions of the Old Regime were economically inefficient. This critique particularly focused on the concentration of amortized property (*mortmains*) in the hands of the Church, the high nobility, and municipalities. Mortmains gave the holder inalienable ownership of the land—that is, it could never be sold. These properties also tended to be poorly cultivated and untaxed.[295] The church, especially the regular orders, had amassed considerable amounts of property in this system. Their holdings became the target of reformers, who confiscated church property and sold it at public auction.

A series of confiscations (desamortizaciones) began in the eighteenth century and continued into the twentieth. The early confiscations under the Bourbon kings were intended to stimulate agriculture; it was the Confiscation of Godoy in 1798 that linked them to paying down national debt.[296] Subsequent liberal governments used this as justification to implement their own confiscations. Leaders during the Cortes of Cadiz and the Trienio Liberal both implemented confiscations; the return of conservative government—allies of the church—overturned them.[297] These were not attempts by liberals to eliminate Catholicism from Spanish culture, rather to narrow the function of the clergy to religious and pastoral duties.

The most significant and successful were the confiscations of Mendizábal of 1836 and 1837. In 1836 monasteries and male religious communities were dissolved and their properties sold by the government of Prime Minister Juan Álvarez Mendizábal. In 1837 the remaining church

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[295] Gabriel Tortella Casares and Farid el-Khazen, *The Development of Modern Spain: An Economic History of the Nineteenth and Twentieth Centuries* (Cambridge: Harvard University Press, 2000), 52-57.
[296] Francisco Tomás y Valiente, El marco político de la desamortización en España (Madrid: Ariel, 1977), 46-47.
[297] Concepción Presas Barrosa, *El clero católico en el derecho español: dotación, asignación tributaria, ¿autofinanciación?* (Santiago de Compostela: Universidad de Santiago de Compostela, 1998), 163; Germán Rueda Hernanz, *La desamortización en España: un balance, 1766-1924* (Madrid: Arco Libros, 1997), 38.

holdings became national assets. The sale of these properties put previously underproducing land on the public market; it generated revenue to pay down national debt; and it removed critical social institutions from the control of the church.[298] Mendizábal's confiscations would impact not only peninsular Spain, but its remaining colonies. The Spanish government and the Holy See fought over the legitimacy of these confiscations for decades, until Isabella and the Vatican arrived at a rapprochement. Under the Concordat of 1851, the Vatican recognized the confiscations while the Spanish government agreed to reparations, chief among them paying the salaries of parish priests.[299]

The confiscation of hospitals, charitable wards, and schools from the church allowed the liberal government to replace them with secular institutions. The nineteenth-century concepts of *beneficencia, sanidad,* and *policía* (charity, public health, and police/good governance) presented new, rational models for managing society. Newly formed *Juntas de Policía, Sanidad,* and *Beneficencia* took over many of the traditional social functions of the clergy. Much of the power gained by the juntas came at the expense of the regular orders. These juntas were influential at the municipal level, and their members were often wealthy residents of the city. Members of the juntas worked closely with each other and with the city councils to actualize the liberal government's reforms. As such, they were deeply involved in modernization projects in urban centers; projects

[298] Francisco Simón Segura, *Contribución al estudio de la desamortización en España: la desamortización de Mendizabal en la provincia de Madrid* (Madrid: Instituto de Estudios Fiscales, 1969); Francisco Tomás y Valiente, *El marco político de la desamortización en España* (Madrid: Ariel, 1977); Tortella Casares, *Economic History,* 52-57.
[299] William J. Callahan, "Regalism, Liberalism, and General Franco," *The Catholic Historical Review* 83, no. 2 (1997): 203-205.

that would reshape the built and lived cities across the Spanish empire.[300] Cemeteries became a target within this new and broader wave of liberal reforms.

5.2 Burial and Free Markets in Havana

The profit-driven funeral industry in Havana was an ongoing problem for city officials. They framed their objections to the industry on three grounds: it was unhygienic, anti-religious, and economically "ruinous" for most families.[301] More and more, critics argued that the demand for "excessive, inappropriate and sometimes immoral" luxury was pricing out the poor.[302] Funeral agents profited from extravagant services and had little incentive to maintain robust options for the lower classes. Authorities across the board wanted to curb the ostentatious burial practices of the wealthy while remedying the lack of services for the poor. Both problems were seen as a byproduct of the runaway funeral industry. City officials attempted to rein in the industry through regulation.

Dying was a costly affair in Havana. By midcentury, the price for an interment license, paid to the parish clergy, was 7.50 pesos. The fees for grave digging and labor, paid to the cemetery, was a minimum of 25.50 pesos. All costs for the funeral were in addition to these fees.

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[300] Yolanda Díaz Martínez, "La policía en La Habana durante el siglo XIX," *Passagens: revista internacional de história política e cultura jurídica* 9, no. 3 (2017): 391-415; Enrique García Catalán, "Junta de policía y ayuntamiento," *Una ciudad histórica frente a los retos del urbanismo moderno: Salamanca en el siglo XIX* (Salamanca: Ediciones Universidad de Salamanca, 2016), 44-60; Francisco Javier Martínez Antonio, "Public Health and Empire in Isabellin Spain (1833-68): The Case of Military Health," *História, Ciências, Saúde-Manguinhos* 13, no. 2 (2006): 439-75; Ricardo Roberto Camuñas Madera, "Las epidemias en el siglo XIX y la formación de políticas de salud pública: una visión sobre Puerto Rico," *Revista Internacional de Salud, Bienestar y Sociedad* 1, no. 1 (2014): 15-29.

[301] José García de Arboleya, *Manual de la isla de Cuba: compendio de su historia, geografía, estadística y administración* (Havana: Tiempo, 1876), 267-268.

[302] José de Arboleya to Governor and Bishop, April 1853, AHNC, GG, leg. 315, exp. 15302.

Midcentury, the average cost of a basic funeral in Cuba was 100 pesos.[303] The planter class paid tens of thousands of dollars for their burials and the Masses that stretched for years after the death.[304] However, it was not just the wealthiest in the island who were using these services. Municipal officials in Havana estimated a funeral in the city cost close to a thousand pesos; families were going into debt to pay the funeral agents. Critics of elaborate funerals sought to curb these "indiscriminate and useless" expenditures which did not benefit "la riqueza pública" (public wealth).[305]

This problem came to a head in 1851. The cost of services from trenes funerarios had increased until even the least expensive option for transporting bodies was still expensive. Public rental carriages were a cost-effective alternative the less affluent adopted to transport their dead to the cemetery. Critics described the practice as not only repugnant, but anti-religious and a threat to public health.[306] The city council and diocese collaborated on a new municipal regulation which banned the transport of bodies in public carriages. Seeing an opportunity, Román Guillot—who by now owned numerous funeral agencies and trenes funerarios—requested a monopoly on the transport of bodies. The council, the diocese, and colonial officials were unanimous in rejecting this proposal.[307]

The diocese used this conflict to try and reform the system in its favor. Just as in other parts of the empire, the Catholic Church in Cuba was under siege in the mid-nineteenth century. Institutionally weak throughout the colonial period, it had nevertheless been deeply rooted in

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[303] Luis Martínez-Fernández, *Protestantism and Political Conflict in the Nineteenth-century Hispanic Caribbean* (New Brunswick: Rutgers University Press, 2002), 37.
[304] George Walton Williams, *Sketches of Travel in the Old and New World* (Charleston: Walker, Evans & Cogswell, 1871), 38-39.
[305] Correspondence between Junta de Policía, Governor, and Bishop, April 1853, AHNC, GG, leg. 315, exp. 15302.
[306] Bonifacio de Villacura to Governor, November 1851, AHNC, GSC, leg. 746, exp. 25637.
[307] 1850, AHNC, GG, leg. 315, exp. 15302.

Cuban social and religious life. Up until the early nineteenth century, it was the sole authority over births, marriages, and burials. Social welfare and education had also been the domain of the Church, as clergy ran schools, hospitals, and orphanages. Through these avenues it helped define standards of morality and respectability. This changed in 1841 when Governor Jerónimo Valdés ordered the suppression of all regular orders in Cuba and the confiscation of their property. This confiscated property was repurposed for the use of the state.[308] The Franciscan convent became the customs house, that of the Augustinians the Academy of Sciences, and the convent of San Isidro was transformed into a military barracks. One of the deepest blows to Catholic influence was the conversion of the University of Havana, founded and run by the Dominican order, into a secular institution.[309] Facing the erosion of its power base, the church sought to maintain its relevance in Cuban society by reasserting its control over death.

The model proposed by ecclesiastical authorities in 1853 was retrogressive: a return to a parish-led organization. Bishop Francisco Fleix y Soláns sought to establish parish councils to run trenes funerarios and offer funeral services. These councils would rein in the extravagance, return pious practice, and ensure the poor were protected. An additional benefit was that councils would ensure all profits from the funerary industry would flow to the church and its ministers. If implemented, the Bishop's proposal would eliminate private industry, returning to a church monopoly on death.[310]

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[308] Adriam Camacho Domínguez, "Los conflictos entre La Iglesia criolla y el liberalismo peninsular en el siglo XIX cubano," *Nuevo Mundo Mundos Nuevos* (2014), 13-17.
[309] José Altshuler and Angelo Baracca, "The Teaching of Physics in Cuba from Colonial Times to 1959," in *The History of Physics in Cuba*, ed. Angelo Baracca, et al. (New York: Springer Science & Business, 2014), 75; Enid Lynette Logan, "The 1899 Cuban Marriage Law Controversy: Church, State and Empire in the Crucible of Nation," *Journal of Social History* 42, no. 2 (2008): 469-94; Albert Gardner Robinson, *Cuba and the Intervention* (New York: Longmans, Green, 1905), 322-323.
[310] 1853, AHNC, GG, leg. 315, exp. 15302.

Municipal authorities had no interest in turning back. The idea of reasserting parish control flew in the face of their modernization projects. Mayor Don Lorenzo del Busto spoke out against parish councils, arguing a church monopoly was no different than a private one. There were no guarantees that church councils would be immune from corruption. Indeed, the mayor felt there was a good chance that immoral individuals would gain power on the councils and disregard their obligations to the public in favor of lining their own pockets.

The biggest threat city officials saw in any monopoly was the threat to private industry. A monopolistic system ran counter to the tenets of liberal economic science. Without competition, there would be no reason to lower prices. Replacing private agencies with church councils promised to destroy a thriving industry and eliminate the incomes of existing funeral agents. The mayor and council maintained that church interests should not take precedence over private industry. Instead, the excesses of the funeral agents could and should be curtailed through increased regulations, inspections, and penalties.[311]

The *Comisión Superior de Policía Urbana*, which had been established in 1851, was tasked with studying the problem and coming up with a solution. Juntas de policía in the late-eighteenth and nineteenth-century Spanish Empire were concerned with the good governance of the population. The commissions' purview was broad, touching on many areas in the daily life of the population. They implemented the liberal state's desire to use modern systems to achieve order, happiness, and economic progress. In Havana, which was at the vanguard of urban modernization

[311] Correspondence between city council, Junta de Sanidad, and Governor, March 15th- April 30th 1853, AHNC, GG, leg. 315, exp. 15302.

in the empire, by the 1850s the Junta de Policía had a broad mandate and considerable influence over all areas of urban life.[312]

The commission expressed serious doubts that any of the proposed reforms of the funeral industry would work. José García de Arboleya, who wrote the commission's report, agreed that a church monopoly would not solve the problem. He was even more critical of the efficacy of regulations. Spanish colonial administrators, ecclesiastical officials, and municipal authorities had attempted to regulate the rising costs of funerals since 1793. Every attempt failed. Families and funeral agents simply paid the fines for violating the rules, which in turn drove prices even higher. Arboleya railed against the taxes and fines as nothing more than ineffective sumptuary laws; they did nothing to eliminate the desire for ostentatious funerals.[313]

Arboleya's radical suggestion, and the only approach he saw as capable of breaking the pattern, was to ban the public exhibition of corpses. Limiting the display of bodies to inside the church would disincentivize the practice. Arboleya claimed he wasn't interested in banning luxury—a necessity in any large city—rather in ensuring it was not the norm. In his proposal, funeral agencies should cater to the middle ground; they would be limited to a single luxury carriage and required to maintain one in good condition for the poor. In order to ensure they were not gouging clients, agency fees for goods and services would be published monthly. To further keep the business in check, parish councils could offer competing services.[314]

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[312] Yolanda Díaz Martínez, "Delincuencia, represión y castigo en La Habana bajo el gobierno de Miguel Tacón," *Cuadernos de historia* 40, (2014), 17; Díaz Martínez, "La policía," 393-3944; Enrique García Catalán, *Una ciudad histórica frente a los retos del urbanismo moderno: Salamanca en el siglo XIX* (Spain: Ediciones Universidad de Salamanca, 2016), 43; Lourdes Márquez Morfín, *La desigualdad ante la muerte en la Ciudad de México: el tifo y el cólera (1813 y 1833)* (Madrid: Siglo Veintiuno Editores, 1994), 134.
[313] José de Arboleya to Governor and Bishop, April 1853, AHNC, GG, leg. 315, exp. 15302.
[314] Ibid.

The stakeholders were unable to agree, so none of the proposed systems were instituted in their entirety. Instead, components from each were adopted. The parishes established councils tasked with offering a parallel service to the agencies. They offered three classes of funeral services, and all profits went to the parish coffers. Trenes funerarios and funeral agencies continued to thrive under new regulations. The public aspect of funeral rites continued unabated. Elite funerals remained opulent displays, with luxury carriages and lavish trappings.

5.3 Adjudicating Burial in Havana

Officials had not only failed to restrict the funeral industry in Havana, even more new funeral agencies sprouted up across the city. In 1853, municipal authorities began a new campaign to impose controls on the funeral industry. This time, they framed the regulations in the context of public health. They argued mortuary businesses, situated in the center of residential areas and following few, if any, hygienic measures, were both unsightly and unhealthy.[315]

Enterprising individuals were buying houses in residential neighborhoods and using them as funeral agencies. These agents would place a sign in front of the residence indicating the services they provided and open for business. No city ordinance prevented mortuary businesses from operating in residential areas. Still, the council received complaints from residents about these businesses. Havana's town council, in consultation with the *Junta Superior de Sanidad*, responded to complaints by implementing restrictive policies. They banned signage on the front

[315] 1852-1854, AHNC, GSC, leg. 1148, exps. 43934, 43973; 1854, AHNC, GG, leg. 315, exp. 15302.

of these businesses. They also prohibited the opening of new agencies inside the city. Finally, they mandated the gradual transfer of existing ones to the outskirts.[316]

When Ramón Guillot opened a new tren funerario in a prominent and wealthy area of the city in 1853, a group of neighbors—men of the highest social position "without a single shopkeeper among them"—banded together to try and evict him. They alleged Guillot had not acquired a license prior to the new regulations coming into effect, rendering his business illegal. Guillot eventually won, only receiving a fine of twenty-five pesos for erecting signage.[317] This lawsuit was the first in a series of conflicts over the new rules.

Guillot and other proprietors stood to lose profits if forced out of the city center. While city officials insisted mortuary businesses did not need to be in urban residential areas to prosper, there were practical barriers to relocation. Don Pedro Miramón lobbied repeatedly for a license to run his funeral agency from a house on Villegas Street, inside the city walls. The municipality eventually granted his petition, citing evidence proving he had diligently attempted to obey but was unable to secure an appropriate house in the designated section of the city.[318] In contrast, Guillot made no attempt to comply. Instead, he filed a legal case challenging the basis of the regulations.

The case hinged upon the nature of mortuary businesses. The municipality argued they were *establecimientos insalubres, peligrosos o incómodos* (unhealthy/unwholesome, dangerous, or inconvenient/uncomfortable establishments). In making this argument, city officials used laws written to regulate the growing urban industrial sector. Businesses that fell in any of the three

[316] 1852, AHN, U, leg. 2760, exp.3; 1850-1854, AHNC, GSC, leg. 1148, exps. 43921, 43932, 43945.
[317] January 10th 1853, AHNC, GSC, leg. 1148, exp. 43933.
[318] Correspondence between Pedro Miramón, the Junta de policía, the office of the governor, and the city council, 1852-53, AHNC, GSC, leg. 1148, exp. 43933.

categories had to move outside of residential areas.[319] Havana's city council, backed by reports from the Juntas de Sanidad and Policía, argued mortuary businesses were both unhealthy and inconvenient and should be expelled from the city proper.[320]

While the court respected the scientific opinion of the members of the juntas, it disagreed with their classification of all funeral agencies as unhealthy. There was too much variation in the types of businesses. The court recognized that these businesses were "gloomy and unpleasant, but it is not possible to say of them that they are unhealthy" (lúgubres y desagradables, pero no es posible decir de ellos que sean insalubres). In the most egregious examples, individual proprietors neglected hygienic standards with equipment used for the poor. However, the city could not unilaterally classify an entire industry unhealthy based on the failings of some of its members. Instead, the court assigned the Juntas de Sanidad and Policía with inspecting and punishing individual businesses for failing to maintain sanitation standards.[321]

5.4 Medicalizing Burial in Havana

Regulations and judicial avenues had limited effectiveness at curtailing the mortuary industry outright. Opulent funerals continued unabated, and the industry still catered to the wealthy. What the efforts of municipal officials had achieved was legitimizing the authority of liberal institutions and customs in the management of death. In giving the Juntas de Sanidad and

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[319] *Reglamento sobre establecimientos insalubres, peligrosos o incómodos* (Havana: Imprenta del Gobierno y Capitanía General, 1850).
[320] Correspondence between the Overseas Ministry, the civil governor, and the city council, February 28th- September 1st 1864, AHN, Ultramar, leg. 4688, exp. 83.
[321] Ibid.

Policía control of regulating and enforcing practice, the courts opened a path for the local officials to exert control. They did this in conjunction with a new type of medical doctor—modern practitioners with increasing influence over public health. Together, members of the liberal juntas and the medical profession began to change the handling of the dead.

For almost three hundred years the municipality had shared authority over public health with the church. While the municipality partially subsidized the hospitals, its principal areas of responsibility were more practical: regulating the sale of meat; facilitating access to and transport of water; and the cleaning and paving of city streets. The regular orders of the church controlled the hospitals and charitable institutes. The Dominicans ran the university and through it policed the doctrinal and ideological purity of doctors, surgeons, apothecaries, and dentists. And, of course, the clergy held a monopoly over the regulation of the dead.[322] Spain had been modernizing this system since the Bourbon reforms of the late eighteenth century.

By the 1830s, the frequent and intense outbreaks of epidemic disease spurred the rise of public health initiatives across Europe, where their initial function was prevention. Spain's remaining colonies shared European officials' concern with preventing outbreaks. In the Caribbean, the implementation of public health was tied to cholera epidemics. Cuban authorities, fearful of a new cholera pandemic sweeping across Europe, founded a Junta Superior de Sanidad in 1828. It was one of the first centralized health boards in the Spanish Empire. When cholera struck the island in 1833, this board took control of island-wide public health policy.[323] The control

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[322] Gregorio Delgado García, "La salud pública en Cuba en el primer cuarto del siglo XIX," *Cuadernos de Historia de la Salud Pública* 103 (2008); Martínez Antonio, "Public Health," 439-75.

[323] Ramonita Vega Lugo, "Epidemia y sociedad: efectos del cólera morbo en Puerto Rico y en Costa Rica a mediados del siglo XIX," *Diálogos Revista Electrónica de Historia* (2008); D Jenson and V Szabo, "Cholera in Haiti and other Caribbean regions, 19th century," *Emerging Infectious Diseases*, no. 17 (2011), 2130–2135; Eduardo Rodríguez-Vázquez, "Historia de las instituciones de salud y educación médica en Puerto Rico del siglo XVI al XX," *Revista Medicina y Salud Pública*, December 7th 2015.

of medicine, public health, and sanitation was centralized under the Junta. The Captain General of Cuba was made president of the council, and it turned to operational concerns.[324]

Public health and medicine were tightly linked. By the 1830s, Havana had one of the highest concentrations of medical practitioners in the world.[325] Even as the university continued to train conservative doctors, progressive elements in the city backed a more modern curriculum. Dr. Tomás Romay, one of the advocates for a general cemetery, led the reforms to medical education in the first third of the nineteenth century. He successfully campaigned to have a school of practical anatomy opened at the San Ambrosio Hospital. Romay convinced the licensing tribunal (*Real Tribunal de Protomedicato*) to consider training in practical anatomy and clinical medicine as prerequisites for a medical license. For a time, two programs coexisted: the outdated university degree and the new clinical training. When the university secularized in 1842, anatomy and clinical medicine replaced the church's teaching.[326]

It was shortly after the turn to secular medical training in Havana that the municipality lost its case to have the funeral agencies expelled from the urban core. The only concession offered them was the clause stating that public health officials could regulate, monitor, and enforce hygienic practice. In 1867, the Junta de Policía issued new rules pertaining to maintenance of cemeteries, the transport of bodies, and the composition of graves. These modified the

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[324] For a discussion of the rise of public health in Cuba, see: Francisco Javier Martínez Antonio, "Lost in Colonialism: La sanidad española en Cuba antes y después de la Guerra de los Diez Años," *Scripta Nova: Revista Electrónica de Geografía y Ciencias Sociales* 16 (2012); Delgado García, "La salud pública;" Adrián López Denis, "Higiene pública contra higiene privada: cólera, limpieza y poder en La Habana colonial," *Estudios interdisciplinarios de América Latina y el Caribe* 14, no 1 (1999); Julio Ramos, "A Citizen Body: Cholera in Havana, 1833," *Dispositio* 19, no. 46 (1994): 179-95; Martínez Antonio, "Public Health," 439-75.

[325] Reinaldo Funes Monzote, *El asociacionismo científico en Cuba, 1860–1920* (Havana: Centro Juan Marinello, 2006), 45; Steven Palmer, "Beginnings of Cuban Bacteriology: Juan Santos Fernández, Medical Research, and the Search for Scientific Sovereignty, 1880-1920," *Hispanic American Historical Review* 91, no 3 (2011), 447-449.

[326] Ross Danielson, *Cuban Medicine* (Transaction Publishers, 1979), 58-60; Steven Palmer, "From the Plantation to the Academy: Slavery and the Production of Cuban Medicine in the Nineteenth Century," *Health and Medicine in the Circum-Caribbean*, 1800-1968, ed. S. Palmer & D. Wright (New York: Routledge, 2009), 53-54.

administration and the practical management of the dead. In detailing the management of space, the junta specified modern sanitation techniques. The depth of burial and the duration before exhumation were standardized, with special attention paid to the victims of epidemics. Workers fumigated the cemeteries weekly with "*vapores nitrosos o clóricos."* During periods of epidemic, fumigation took place daily. Similarly, all carriages, tools, and facilities used for mortuary purposes were fumigated and cleaned to prevent contamination.[327]

New procedures were introduced around the administration and counting of bodies as well. At the start of the nineteenth century, parish records were the only source of information about the dead. Before 1840, cadavers arrived at the cemetery with parish documents identifying the deceased and detailing the location of burial and the form of payment.[328] The outbreak of cholera in 1833 revealed the inadequacies of this system. Attempting to quantify mortality rates during the epidemic, Ramón de la Sagra published his *Tablas necrológicas* (Necrological tables), a statistical report of cholera deaths in Havana. Culling data from parish, hospital, and military records, de la Sagra tabulated 7549 deaths that occurred between February 26th and April 20th. Roughly ten percent of bodies buried in the cemeteries had no corresponding record at all. And, he found that the records that did exist were plagued by inaccurate or incomplete information.[329] In a period in which statistical information was becoming a vital tool in the management of public health, this was unacceptable to authorities.

1841 marked the first attempt to centralize the collection of mortality statistics, when the governor mandated that doctors provide simple documents certifying death. Pathology, like

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[327] Reglamento de Policía, 1867, AHNC, GG, leg. 101, exp. 4825.
[328] April 4th 1848, AHNC, GG, leg. 315, exp. 15229.
[329] Ramón de la Sagra, *Tablas necrologicas del colera-morbus en la ciudad de La Habana y sus arrabales* (Havana: Gobierno, Capitanía General y Real Sociedad Patriótica, 1833).

practical anatomy and clinical medicine, was a new area of medicine. Part of the larger forensic sciences, it served primarily a medico-legal purpose—identification, evidence in court cases, or settling wills.[330] These first death certificates lacked standardization, as doctors untrained in their use listed only the name and rough cause of death. These documents then went to the parish priest, who would use them to create the *papeleta de entierro*. The papeleta accompanied the body to the cemetery for burial, while the priests kept the death certificates and submitted them to the Junta de Sanidad monthly.[331]

As the use of death certificates expanded, the Junta de Sanidad standardized their content, instructing doctors to include age, state, legal status, class (clase) and the location of death. Where possible, doctors were to include a more detailed cause of death.[332] By 1867, burial required the papeleta, a death certificate or court order, plus signoff from the medical inspector of the cemetery.[333] The parishes were not obsolete, as a civil death registry was not established in Cuba until 1885.[334] They retained their role as bookkeepers, but the physical bodies were increasingly regulated by medical, not religious, paperwork. The management of bodies was being split, with civil officials assuming authority over death while religious officials retained authority over burial.

With the rise of civil death certificates came the need for medical professionals to produce them. The question was who was responsible for this task. Medical services could be obtained in hospitals and charitable institutes. The wealthy opted to pay for private physicians to attend them

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[330] Katherine D. Watson, *Forensic Medicine in Western Society* (New York: Routledge, 2011).
[331] Jorge Le-Roy y Cassá, "Desarrollo de la estadística demográfica en la isla de Cuba," *Proceedings of the Second Pan American Scientific Congress, Section VIII, pt. 1* (Washington, U.S. Government Printing Office, 1917), 417-423; Mariano Martín Díaz and Ortelio Martínez-Fortún, "Las estadísticas sanitarias en Cuba," *Proceedings of the Eighth American Scientific Congress, Volume 8: Statistics* (Washington: Department of State, 1941), 54-56.
[332] Manuel J Valero, January 2nd 1857, AHNC, Junta Superior de Sanidad, leg. 5, no 2.
[333] 1848, AHNC, GG, leg. 315, exp. 15229; 1857, AHNC, Junta Superior de Sanidad, leg. 5, no 2; Reglamento de Policía, 1867, AHNC, GG, leg. 101, exp. 4825.
[334] Julio A. Carreras, *Historia del estado y el derecho en Cuba* (Havana: Editorial Pueblo y Educación, 1987), 135.

in their homes. The healthcare of the poor was largely provided by traditional healers. To deliver services to the humblest of the population, municipal authorities in Havana created the position of *Facultativo de Semana*. Anyone with a medical license was required to serve on a rotating basis. Every week, a general practitioner and a surgeon were designated to be on call to offer free medical services in the homes of the poor. The position didn't just treat the living. Most deaths occurred at home in a city where only the wealthy could afford to pay for private doctors. The Facultativo de Semana now acted as medical examiners for the city, producing death certificates for the poor who died at home.[335]

This was the first state model for outpatient medical care in colonial Havana. The arrangement was deeply unpopular with physicians. By 1870, only a couple of districts had doctors willing to perform this duty. Citing the legal backlogs created by the lack of medical examiners, the Junta Superior de Sanidad intervened. The junta would no longer tolerate the use of frivolous pretexts and imaginary illnesses by doctors attempting to shirk this duty. Similarly, the exemptions granted by numerous institutions—including the military, the medical sciences academy, and the fire brigade—would be eliminated. The title of doctor came with privileges, but also with responsibilities. Some of those responsibilities were to the dead.[336]

[335] Gregorio Delgado García, "Primer modelo de atención médica ambulatoria en Cuba (1825)," *Cuadernos de Historia de la Salud Pública* 103 (2008); *Ordenanzas municipales de la ciudad de La Habana* (Havana: Gobierno y Capitanía General, 1855), 20.
[336] 1870, AHNC, Junta Superior de Sanidad, leg. 8, exp. 16.

5.5 Controlling Burial in Havana

Over the first half of the nineteenth century, the church in Cuba had lost its traditional sites of influence in hospitals, education, and charitable institutions. The tide further turned against it when the Juntas de Sanidad y Beneficencia were put under the direct control of the governor.[337] Facing the increasingly medicalized management of death, the church had managed to retain some control over cemetery space itself. Church authorities defended this territory fiercely.

In 1856, the diocese took steps to reclaim control of the funeral business within the cemetery. Bishop Fleix y Soláns deemed the trade in niches outside of ecclesiastical authority both indecent and immoral. He campaigned to have the concession—originally awarded to Pérez Delgado and later transferred to Guillot—rescinded. On January 1st, 1857, he succeeded. The contract was cancelled, and the diocese bought the niches from Guillot.[338] Guillot was not happy with the dissolution of his monopoly and sued the diocese for lost income.[339] The income was immense.[340] The shortage of burial space had led to the repeated expansion of the cemetery, more than doubling its original footprint. By 1860 the cemetery had 9580 niches distributed across five sections. When Bishop Fleix y Soláns was transferred out of Havana in 1864, there was a balance

[337] "Real Decreto de 17 de agosto de 1854," *Colección de disposiciones publicadas en la parte oficial de la Gaceta de La Habana desde el 21 de septiembre hasta el 31 de diciembre de 1854* (Havana: Gobierno y Capitanía General, 1856), 4.
[338] February 25th 1859, AHNC, Reales Decretos y Ordenes, leg. 206, exp. 216; Francisco Fesser, *Revista de jurisprudencia: administración y comercio* (Havana: Tiempo, 1859), 418.
[339] 1863, AHNC, GG, leg. 344, exp. 16673, 16674; 1864, AHNC, GG, leg. 139, exp. 6622; 1863-64, AHNC, GSC, leg. 1660, exp. 82942.
[340] Due to a lack of extant records, it is difficult to put a number on how profitable the Espada cemetery was. However, in August of 1876 the Colon cemetery—opened less than a year—reported an income of 33,426.62 pesos with expenses of 22,358.78 pesos. The profits of 11,067.84 pesos were deposited into and account "in the power of the bishopric's government" at the Banco Española on September 18th 1876. October 14th 1876, Cemetery delegate to Governor, AHCN, GG, leg. 104, exp. 4870.

of 203,991 pesos in the Banco Español de Habana: profits saved from the cemetery business.[341] Fleix y Soláns earmarked the money for the church to build a new cemetery.

The profitability of the cemetery did not go unnoticed by civil authorities. The governor and municipal authorities began to exert pressure to take over management of the cemetery space. First, the regime of medicine began to infiltrate the cemetery. The medical profession entered the space of the dead through *salas de profundis*. The Latin *de profundis* (out of the depths) connotes a state of anguish or deep sorrow. Salas de profundis had traditionally been rooms in monasteries used for prayers. The salas in cemeteries were of a more secular nature. These facilities were under the care of a medical examiner assigned exclusively to their management.[342] The Espada cemetery's sala de profundis was composed of two rooms: a larger one where bodies were delivered and laid out, and a second, smaller room for the medical examiner. The medical examiner stocked the facility with all the instruments, drugs, machines, and equipment that the "precepts of science" deemed necessary for the completion of his work.[343] All bodies were delivered here and inspected by the medical examiner prior to passing to the chaplain for burial. As the Junta de Sanidad's regulations underlined in 1858, the sala de profundis "depended absolutely on civil authority, without any other being able to intervene in any way in its functions."[344]

The management of the dead reflected wider shifts in public health and medicine in Havana: a blend of new practices and old institutions that didn't always work well together. In the 1860s, the governor formed a new regulatory body in an attempt to rationalize the system: the

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[341] Antonio de Gordon y Acosta, *Datos históricos acerca de los cementerios de la ciudad de La Habana* (Havana: J. Huguet, 1901), 27; Enrique Martínez y Martínez, *Sucinta descripción de los cementerios de la antigüedad, primitivos de La Habana y el de Cristóbal Colón* (Havana: Ucar García, 1928), 14.
[342] 1855, AHNC, GSC, leg. 747, exp. 25664; Antonio de Gordon y Acosta, *Datos históricos acerca de los cementerios de la ciudad de La Habana* (Havana: J. Huguet, 1901), 16.
[343] Joaquín Rodríguez San Pedro, *Legislación ultramarina: volumen 10* (Madrid: Manuel Minuesa, 1868), 471.
[344] 1858, AHNC, Junta Superior de Sanidad, leg. 6, exp. 1.

Junta de Cementerios. While the junta ostensibly respected ecclesiastical authority, the governor's delegate on the board had considerable control over the management of the cemetery. The delegate inspected the physical sites, observed and reported violations of hygienic standards, and reviewed the accounts. The junta, following the delegates' input, even began setting the fees and regulations for burial. Bishop Jacinto María Martínez y Sáez bitterly resented this oversight and interference in the management of the cemetery. However, when the governor claimed the revenues generated by the cemetery, the long-simmering resentment boiled over.[345] Irate, the Bishop requested that authorities in Madrid intervene and rule on whether the cemetery was under secular or ecclesiastical authority.

On April 28th, 1866 the Overseas Ministry issued an edict settling the matter of control over cemeteries. Any future cemeteries would be under the management of municipal councils. In consultation with local juntas de sanidad, they would select land, create plans and budgets, and pay for the cemeteries. These same municipal officials would produce comprehensive regulations for the management of the site and its income.[346] The clear intention of regulators was to move towards civil-managed cemeteries.

In the case of already existing burial grounds, the framework was different. If the city council had paid for the construction costs, they owned the cemetery. In these cases, civil authorities would manage the space and its income. However, if the church had funded the cemeteries, it was their property. In these cases, the clergy would be the administrators of both the

[345] Adriam Camacho Domínguez, "Los conflictos entre la iglesia y el estado: el control de los cementerios habaneros (1806-1893)," in *Gobernar colonias, administrar almas. Poder colonial y órdenes religiosas en los imperios ibéricos (1808-1930)*, eds. Xavier Huetz de Lemps, Gonzalo Álvarez Chillida, and María Dolores Elizalde (Havana: Casa de Velázquez, 2018), 239-240; Gordon y Acosta, *Datos*, 27.
[346] "R.O. 26 abril 1866," Marcelo Martínez Alcubilla, *Diccionario de la administración española: compilación de la novísima legislación de España peninsular y ultramarina en todos los ramos de la administración pública* (Madrid: Administración, 1892), 428.

space and its revenue. Moreover, regardless of who owned the cemetery or when they were built, "ecclesiastical authorities will freely intervene in all that is fitting to their spiritual jurisdiction."[347] With this ruling, the diocese of Havana emerged victorious in its campaign to retain control over the city's cemetery space. As the edict extended to all of Spain's overseas holdings, its eventual arrival in San Juan would change burial practice there, as well.

5.6 Transforming the Landscape of Burial in San Juan

Even as officials in Havana grappled with the city's funeral industry, San Juan's city council continued its measured approach to developing the burial ground. The municipality controlled the space of the dead and continued to prioritize infrastructure and hygiene. As city officials began modernizing the urban environment, they turned a critical eye on the space of burial. They found the shoddy space to be lacking and began spatial reforms to improve its physical condition.

Responding to reports that the provisional cemetery was decrepit and overused, the municipal council had a second cemetery constructed in Cangrejos. It was located on the mainland, spreading out from the point where the bridge crossed to the islet of San Juan. This town outside the walls had been settled by free people of color and cimarrones (runaway slaves); the population increased as rising land and housing costs squeezed the working poor out of the walled city.[348] The

[347] Ibid.
[348] Matos Rodriguez, *Women and Urban Change*, 3-4,37-38; Aníbal Sepúlveda Rivera, *San Juan: historia ilustrada de su desarrollo urbano, 1508-1898* (San Juan: Centro de Investigaciones CARIMAR, 1989), 67; David M. Stark, "Rescued from their Invisibility: The Afro-Puerto Ricans of Seventeenth-and Eighteenth-Century San Mateo De Cangrejos, Puerto Rico." *The Americas* 63, no. 4 (2007): 552.

new burial ground was a roughly enclosed plot of land. To keep costs low, the enclosure was a ditch dug around the cemetery's perimeter and the excavated earth used to form an elevated mound. *Mayas*—a spiky plant commonly used for rough fencing in the countryside—were planted in the mound to form a barrier. The interior was divided into four sections. Each would be used for one year, and then burial would rotate. This would allow enough time for the flesh to completely decompose before the bones were removed and the grave reused. Designed for the poorer populations of the city, this was an economical and efficient site, with all burials in ground.[349]

Even as this rudimentary *extramuros* cemetery was built, the original site underwent a major upgrade. For fifty years critics had complained that the cemetery space was in appalling condition. By the 1860s the wooden chapel was disintegrating in the heavy salt spray, the road was treacherous, and the land inside uneven and unstable. The allegation that bodies washed into the sea during storms again circulated in the city.[350] The conditions in the cemetery did not reflect the council's vision of a modern San Juan. Councilors embarked on a multiphase project to improve sanitary conditions in the site, transforming it into one worthy of a "cultured and Christian" city.[351]

The first phase involved raising and levelling the land. Simultaneously, two walls were built: a retaining wall on the cliff to stabilize the site and an enclosing wall to protect the sanctity of the space. The council awarded the job to the contractor of the earlier niches: Julián Pagani. Familiar with Pagani's work, the council neglected the official process and instead came to an informal agreement on the parameters of the work.[352] When unseasonably bad weather (excessive

[349] 1862-1863, AGPR, OP, leg. 62-D, exp. 5; 1862, AGPR, MSJ, leg. 96 P1, exp. 2.
[350] 1863-65, AGPR, OP, leg. 62, Caja 323; 1862-1863, AGPR, MSJ, leg. 131, P1, exp. 21.
[351] 1862, AGPR, OP, Caja 323, leg. 62D, exp. 4.
[352] September 24th 1862, AGPR, MSJ, leg. 96 P1, exp. 1; 1862, AGPR, OP, Caja 323, leg. 62D, exp. 7.

rain) caused major problems, the project ran into cost overruns. Upon completion, councilors refused to pay. The result was lawsuits that took years to resolve. Ultimately, the council was ordered to pay Pagani, albeit an amount much less than he sought. The lack of a contract was deemed the root of this problem.[353] Moving forward, all work in the cemetery involved detailed, signed, and notarized contracts.

In the beleaguered first phase, the council completed the much-needed work to stabilize the land and install drainage. This was in line with their previous priorities: infrastructure and sanitation. The second phase was a marked departure in which more prestigious elements were added. A large chapel in white concrete was built in a round central plaza. Interior roads intersecting at the chapel were laid out, and the street from the city to the cemetery repaired. Large banks of niches replaced the scattered remnants of the old buildings. Finally, a monumental gate was installed.[354] All of these were intended to add gravitas to the space, adding illustrious components that had previously been neglected.

The act of implementing this new design entailed the destruction of what had existed before. Workers razed the old pantheons and the reclaimed material was used in the new construction. Those families that could offer proof of ownership were allotted space in the new system, but not all owners were content with this arrangement.[355] Both the *cofradías de Ánimas* and *Santo Domingo* objected to the destruction of their existing pantheons. Both challenges were rejected, and the tombs demolished.[356] The levelling of the old made way for a new distribution of space. The long-discussed hierarchy was instituted. Two marble mausoleums were built for civil

[353] For details of the case between 1863 and 1880 see: 1863, AHNC, GG, leg. 344, exp. 16674.3; AGPR, MSJ, leg. 96 P1, exps. 1, 4; AGPR, OP, leg. 62-D, exps. 8, 8-3; AHN, U, leg. 379, exp. 14-16.
[354] 1862, AGPR, OP, leg. 62-D, exp. 4; 1863, AGPR, MSJ, leg. 96, P1, exps. 3, 3-A.
[355] October-November 1862, AGPR, MSJ, leg. 96 P1, exp. 1.
[356] 1863-64, AGPR, MSJ, S, leg. 131 P1, exp. 31.

and ecclesiastical authorities. An additional 80 lots would house family tombs. New orderly banks of niches were built. A total of 150 of the new niches were assigned to four *cofradías*: *Ánimas, Santo Domingo, San Miguel*, and *Santa Rosa*. The remainder of the space was controlled by the city council: an epidemic section; a *"campo de las fosas* (area for inground burial)*;"* and the 670 remaining niches.[357] The modernizing project initiated by San Juan's local elite reintroduced a division of space reminiscent of the early modern churchyard system. In both cities, a growing urban elite of civically engaged businessmen, professionals, and merchants filling the governing civic bodies were insisting on the maintenance of hierarchy in burial.

These spatial reforms represented the largest expenditure yet in San Juan's cemetery. Still, they did not fundamentally alter how the space was managed. The city council still controlled the cemetery. The reforms reflected the councilors' larger agenda, which was to modernize the urban landscape of San Juan. A cultured and Christian city required a respectable burial ground. The clergy was not part of the decisions around the cemetery. The passage of legislation created to resolve the conflicts in Havana would shift this relationship.

5.7 Under New Management in San Juan

The 1866 rules pertaining to the construction and administration of cemeteries were created in response to the particulars of Havana. Regulators subsequently extended them to all of Spain's overseas territories. The archbishop of Manila responded with skepticism that these rules would work in the archipelago, seeing as there were significant differences in geography, demographics,

[357] December 20th 1862, AGPR, MSJ, leg. 96 P1, exp. 1.

and administrative organization between Cuba and the Philippines.[358] In contrast, officials in Puerto Rico welcomed the new guidelines, as the island experienced many of the same conditions as Cuba.[359]

A number of clauses were relevant to San Juan's approach to the management of dead. To begin with, the new legislation legitimized the city council's ownership and control of the burial ground. The original reform legislation of 1787 had put the clergy in charge of cemeteries. However, as the municipality had paid for San Juan's 1814 provisional cemetery, under these new rules it owned the space.

While the council's authority was legitimized, the legislation also made clear that the clergy were to play a significant role in burial. The municipality, having previously kept the clergy marginalized, now formally reintegrated them into the administration of the cemetery. While the overall management of the cemetery would remain under the city council, clergy would become more active in the religious components.

The 1866 legislation also mandated that municipalities write regulations that included "the extent and conditions of the graves or niches, the duration of the concessions and requirements under which they must be made, the cost to be paid for the concession, the form of its administration, the employees of the establishment, their functions and salaries, the records of burials and exhumations, and the other individuals that lead to the good regime of the cemetery and benefit of the neighborhood."[360] In writing these regulations, San Juan's city council envisioned a "sacred" space where decency and order would be maintained. To achieve this, the council put a member of the clergy in charge of the administration of the cemetery.

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[358] Gregorio Melitón Martínez to Consejo de Administración de Filipinas, May 23rd 1867, AHN, U, leg. 5204, exp.10
[359] Office of the Bishop to Office of the Civil Governor, July 6th 1866, AGPR, OP, leg. 62-E, exp. 1.
[360] "R.O. 26 abril 1866," Martínez Alcubilla, *Diccionario*, 428.

Under the new regulations, the cemetery had three permanent positions: a deputy, a chaplain, and gravediggers. The deputy was the council's representative and performed a supervisory role. He approved requests for pantheons and niches, and ensured they were maintained in the approved style. It fell to him to put systems in place to maintain order during funerals. However, his primary role was to manage the employees—overseeing the chaplain and disciplining the gravediggers.[361] The role of civil overseer had little to do with the day-to-day administration of the cemetery.

The council put the chaplain—a role that had not existed previously—in charge of the everyday running of the cemetery. A major part of his role concerned the ritual use of the space. He, and a small group of clergy he appointed, performed *oficios de entierro* (funerals) in the form of *misas rezadas* (low masses) in the chapel.[362] Annually he would put together the *Fiesta Conmemorativa de Difuntos* (All Souls Day). This was an important feast in the Catholic calendar, and the inhabitants of San Juan gathered in the cemetery to remember their dead. On that day the chaplain would say mass for the souls of those buried in the cemetery. The council made the chaplain the public face of the cemetery, one who routinely carried out Catholic rites in the space.[363]

In addition to his ritual functions, the council used the chaplain to implement and enforce secular policies. He maintained order and cleanliness in the cemetery. He directed and supervised the gravediggers, maintained the ossuary in good condition, and arranged the actual burials. And

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[361] 1869, Reglamentos, Capitulo 3ª, AGPR, MSJ, S, Cementerios (hereafter C), leg. 131 P1, exp. 49.
[362] For a discussion of different masses, see Carlos M. N. Eire, From Madrid to Purgatory: The Art and Craft of Dying in Sixteenth-Century Spain (Cambridge: Cambridge University Press, 2002), 196-197; David M. Stark, "Preparing for the Afterlife: Death, Dying, and Religious Practice in Eighteenth-Century Puerto Rico," *Colonial Latin American Review* 25, no. 4 (2016): 525.
[363] 1869, Reglamentos, Capitulo 4ª, AGPR, MSJ, S, C, leg. 131 P1, exp. 49.

it was this religious figure who enforced the public health regulations, ensuring the sanitary handling of bodies. Perhaps most significant was that the council assigned the chaplain the task of record-keeping. He implemented and maintained multiple sets of records. The first tracked those buried in *la fosa común* (common burial) or *fuera del cementerio* (the area outside the cemetery walls for those not eligible for ecclesiastical burial).[364] The second was for burials in niches and pantheons.[365] A third book was a ledger tracking the rental and sale of niches.[366]

After the most recent spatial reform, the cemetery had a number of burial options available to the public: pantheons, niches, the *fosa común*, and the *osario*. The regulations describe an orderly grid of evenly sized plots for simple family pantheons. A family pantheon was the most expensive choice, as land alone cost one hundred *escudos*—further guidelines detailed the costly and ongoing construction and maintenance of the tomb. A perpetual family niche cost 130 *escudos* but had few expenses after this initial investment. Competition for the purchase and resale of preferential land laid the foundation of a real estate business that would mature over time. The associated expenses of both these options limited private or perpetual burial to the very rich; renting temporary space was the more common practice.

The records of the chaplain diligently tracked how this space was used. For families with some means, niches were the preferred choice. Those who chose from the banks of niches paid between twenty-five and seventy-five pesos for their rental, depending on how far from the center of the cemetery it was located. A small number of niches were available in the base of the chapel; these rented for one hundred and fifty pesos apiece. Still, for every burial in a niche or pantheon,

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[364] 1871-1873, AGPR, MSJ, S, C, caja 147, libro 1.
[365] 1871-1878, AGPR, MSJ, S, C, caja 147, libro 1.
[366] Reglamentos, Capitulo 4ª, 1869, AGPR, MSJ, S, C, leg. 131 P1, exp. 49; Partidas de enterramientos, libro 1, 1871-1873, AGPR, MSJ, S, C, caja 147; De nichos y panteones, libro 1, 1871-1878, AGPR, MSJ, S, C, caja 147; Pagos de panteones del cementerio de la capital, 1877, AGPR, MSJ, S, C, leg. 131 P1, exp. 49.

four took place in the ground. The price of burial in the common section—by far the most frequent form of burial—was not enumerated.[367]

Over time, the chaplain's records came to reflect the priorities of public health officials. By the end of the 1860s, columns for the deceased's name, gender, age, and cause of death replaced charitable or military classifications.[368] Every month the council's deputy reviewed the chaplain's records before submitting them to public health officials. As in Havana, the health board used them to generate mortality statistics for the city. Initially, the chaplain only listed cause of death in the case of virulent illness. Recording a detailed cause of death for all burials didn't become routine until the end of the 1880s.[369] By the end of the century, the cemetery records had become statistical reports containing a wealth of information about each interred body.[370] Employed by civil authorities in the cemetery, the chaplain was the face of both religion and public health.

5.8 Conclusion

The middle of the nineteenth century saw officials attempting to clarify the role of religion and public health in the space of the dead. In Havana, medical and public health authorities gained considerable influence over managing death. Civil authorities increasingly had authority over the management of dying, while the church retained control of burial. The slow deterioration of the church's traditional authority—which had once stretched from healing through dying through

[367] Reglamentos, Capitulo 1º and 2º, 1869, AGPR, MSJ, S, C, leg. 131 P1, exp. 49.
[368] For monthly records for the period of 1846-1861, see AGPR, MSJ, S, leg. 131 P1, exp. 14-30.
[369] For monthly records for the 1880s, see AGPR, MSJ, S, leg. 131 P2, exp. 74, 99; AGPR, MSJ, S, leg. 131 P3, exp. 13, 16, 59, 99.
[370] 1889, AGPR, MSJ, S, leg. 133, exp. 207.

internment, as well as the maintenance of records about all of this—led to conflict over who controlled the cemetery. In response to the Bishop of Havana, authorities in Madrid issued new laws establishing a new relationship between civil and ecclesiastical authorities to general cemeteries. When this legislation arrived in San Juan, it triggered a reimagining of the cemetery. Members of the city council implemented a system in which the clergy played a significant role in the cemetery. Over time, the chaplain of the cemetery became the face of both public health and religion.

Even as this issue was resolved in the cemetery, it raised new questions about the management of the dead in other city spaces. Secular authorities saw the dead body as a vector of disease, from which the population should be protected. Ecclesiastical authorities held it as a sacred object, one that needed to be sanctified and protected. Conflicts over the nature of the body raised questions about the acceptability of bodies in other urban spaces. The debates around the space of the dead was not constrained to the cemetery, but encompassed the churches, thoroughfares, and public spaces in the city.

6.0 Wars of the Dead: Controlling Space and Ritual, 1860-1870

> If one alleges the respectability of the customs and habits of the people; habits and customs that science and enlightenment change, keep in mind the history of the creation of cemeteries. It is impossible for the legislator and the hygienist to be able to offer a matter in which, with a tenacity worthy of a better cause, as many and as powerful obstacles have been encountered as those that had to be overcome to banish burials in our churches. All the prestige and authority of the former Council of Castile crashed into the harmful and fatal fear, sustained, now and always, and I say this without offense, by those who perhaps listen to the guidance of misunderstood piety rather than that of reason and judgment.
>
> Mariano Zacarías Cazurro, 1872[371]

After close to a century, Spanish legislators were frustrated by their failure to fully implement modern regimes of burial. The prohibition of burial in churches had eliminated a tradition that had been stable for centuries, leaving individuals, local authorities, and the colonial state to define new burial practices. In the decades that followed, Catholic tradition, liberal values, emergent scientific and medical knowledge, and capitalist systems interacted to generate a hybrid understanding of death and the body.

Multiple conceptions of the nature of dead bodies were evolving in the Spanish Empire and its colonies well into the nineteenth century. On the one hand—fueled by medical and scientific thought—were those who thought of the body as a vector of disease, one that posed a threat to public health. If cadavers were dangerous to the living, the population must be protected from them. Even as this way of looking at bodies gained momentum, an older way of understanding the dead persisted. In this framework, bodies were sacred objects that needed to be

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[371] R.O. 15 febrero 1872, Marcelo Martínez Alcubilla, *Diccionario de la administración española: compilación de la novísima legislación de España peninsular y ultramarina en todos los ramos de la administración pública* (Madrid: Administración, 1892), 434-435.

protected and sanctified to ensure the afterlife of the soul. It was necessary for the public and the dead to come in contact as the appropriate rites and rituals were performed. In this model, the Catholic dead needed to be protected from spiritual corruption.

These models were not mutually exclusive. Both were concerned with corruption and limiting contamination through contact with the dead. The control of space was integral to limiting contact. In this chapter, I consider how these understandings of the dead shaped the management and control of three spaces in the city: the church; the streets; and the cemetery itself. As scientific notions of the body increasingly gained acceptance in the wider city, the cemetery space became more restricted and Catholic.

6.1 Caribbean Context

The Caribbean was a site of great importance in the imperial politics of the nineteenth century. The United States, Spain, and Great Britain considered control of the region a critical objective in a wider power struggle. When the independence of Spain's colonies in Latin America destabilized the regional balance of power, Britain and the United States sought to capitalize on the weakened Spanish state. Spanish dominion over Cuba and Puerto Rico was thrown into question, as internal and external forces tested the metropolis' control. The unstable rule of Isabel II was overthrown in 1868, heralding a short-lived period of progressive Spanish governments. The Caribbean was a diplomatic powder keg for this revolutionary regime.[372]

[372] Austin Sánchez Andrés, "Colonial Crisis and Spanish Diplomacy in the Caribbean During the *Sexenio Revolucionario*, 1868-1874," *Bulletin of Latin American Research* 28, no. 3 (2009): 325-342.

Inhabitants of Spain's colonies in the Caribbean had grown increasingly frustrated by the lack of economic and political freedom and Spain's continuing colonial policies towards the islands. The influence of Britain and the United States, coupled with creole dissatisfaction, led many in the islands to question the future of their relationship with Spain. In 1868 insurgencies—led by anti-colonial factions—erupted on both islands. Spanish forces quickly suppressed the Lares uprising in Puerto Rico, but in Cuba the rebellion marked the start of the Ten Years' War. Insurgents and loyalists on both islands were divided over the ideological questions circulating in the Atlantic: creole autonomy and identity, the future of slavery, and religious tolerance. The Spanish state was forced to deal with these questions as it sought to keep its remaining Caribbean colonies.[373]

The question of slavery was especially volatile. The British were waging a campaign to bring an end to the slave trade. Their intentions were manifold. While utilizing humanitarian rhetoric, British abolitionists also saw economic and political benefits to ending the trade in enslaved Africans. They knew that the profits of the Cuban sugar industry—the economic powerhouse of the Spanish Empire—relied on enslaved labor.[374] The island's wealthy creole planters were opposed to giving up the labor supply that fueled their immense profits.

Even as the British maneuvered to control the region, ties were strengthening between the United States and the Spanish Caribbean. By the middle of the century the American and Caribbean economies were growing more entwined. The exchange was not limited to trade goods

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[373] Harry Franqui-Rivera, *Soldiers of the Nation: Military Service and Modern Puerto Rico, 1868-1952* (Lincoln: University of Nebraska Press, 2018); Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999); David Sartorious, *Ever Faithful: Race, Loyalty, and the End of Empire in Spanish Cuba* (Durhum: Duke University Press, 2013).

[374] Kenneth Bourne, *Britain and the Balance of Power in North America, 1815-1908* (Berkeley: University of California Press, 1967), 63-69.

but included the flow of people between the two countries. By 1862, Havana had 2,500 American-born residents. Ponce, in Puerto Rico, had a flourishing community of resident foreigners, many of whom were Americans. Additionally, both Cuba and Puerto Rico saw a seasonal migration of tourists and technicians. The American government sought to minimize British influence in the region, especially as it concerned the abolition of slavery.[375]

The debates over slavery paralleled ones over religious freedom. Revolutionaries on both sides of the Atlantic increasingly advocated for religious toleration. The three Spanish insurgencies in 1868 were fueled, in part, by opposed visions of the future of religious practice in the Empire. With the victory of progressive liberals in Spain came a new constitution: one that granted freedom of public and private non-Catholic worship in the peninsula.[376]

The political and economic situation in the Caribbean created complications for officials implementing these edicts of religious tolerance. Leaders of the Lares insurgency in Puerto Rico and the Cuban Ten Years' War both included freedom of religious practice as part of their agendas. The integration of American, Cuban, and Puerto Rican trade made this an economic as well as ideological argument. Conservatives, meanwhile, saw religious tolerance as a threat to Spanish control. They argued that a unified Catholic identity would strengthen colonial loyalty; the clergy sided with these conservatives. Fearing further destabilization of the region, authorities in both Cuba and Puerto Rico rejected the policies issued by the leadership in Spain.[377]

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[375] Dick Cluster and Rafael Hernández, *The History of Havana* (New York: Palgrave Macmillan, 2006), 30-32; David Ronald Murray, *Odious Commerce: Britain, Spain and the Abolition of the Cuban Slavery* (Cambridge: Cambridge University Press, 1976), 169-170; Louis A Perez Jr., *Cuba: Between Reform and Revolution, 4th edition* (New York: Oxford University Press, 2011), 61-62; Louis A. Perez Jr., *On Becoming Cuban: Identity, Nationality and Culture* (Chapel Hill: The University of North Carolina Press, 1999), 20-22.

[376] Eamonn Rodgers, "Religious Freedom and the Rule of Law in Nineteenth-Century Spain," *Irish Jurist* 22, no. 1 (1987): 112-24.

[377] Luis Martínez-Fernández, ""Don't Die Here": The Death and Burial of Protestants in the Hispanic Caribbean, 1840-1885," *The Americas* 49, no. 1 (1992): 23-47; Luis Martínez-Fernández, *Protestantism and Political Conflict in the Nineteenth-Century Hispanic Caribbean* (New Brunswick: Rutgers University Press, 2002), 76-76, 78-79, 82-83.

Cuban and Puerto Rican societies were evolving. Social divides defined by class, race, and legal status were exacerbated as progressive agendas clashed with conservative values. Added to this, the boom of the sugar economy had fostered a growing urban elite of civically engaged businessmen, professionals, and merchants in both San Juan and Havana. Shaped by new knowledge and moral systems, this middling population was intent on advancing social changes that benefitted their class.

In Havana the bourgeoning urban commercial and professional class was composed of creoles with transnational ties who self-consciously identified with modernity. They considered themselves cosmopolitans and saw Havana as a cultural hub; appearance and presentation became important tools for the display of Cuban affluence. The streets of Havana thronged with elegantly attired creoles in horse-drawn carriages. The *quitrines* and *volantes* of the burgeoning creole elite became one medium through which they publicly displayed their sophistication.[378]

Smaller and poorer, the local commercial and professional elite of San Juan still exercised social influence. Its members obtained positions on municipal councils that shaped the structures of daily life in the city. From these posts, they guided projects to modernize the city, transforming the architecture and spatial composition of the city. While lacking the economic benefits enjoyed in Havana, San Juan's businessmen, professionals, and merchants, acting through these increasingly important institutions of municipal leadership, played a role in determining what—and who—was socially acceptable.[379] The right to funeral rites and burial were inseparable from the larger geopolitical landscape of the 1860s and 70s.

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[378] Louis A. Pérez Jr., *Intimations of Modernity: Civil Culture in Nineteenth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2017).

[379] Felix V. Matos Rodríguez, *Women and Urban Change in San Juan, Puerto Rico, 1820-1868* (Gainesville: University Press of Florida, 1999) 36-58; Teresita Martínez Vergne, *Shaping the Discourse on Space: Charity and its Wards in Nineteenth-Century San Juan, Puerto Rico* (Austin: University of Texas Press, 1999), 1-91.

6.2 Controlling Ritual

For centuries the Church held dominion over the dead. In the Catholic Spanish Empire, the clergy had controlled the ritual, economic, and physical aspects of burial. The Bourbon kings ended this monopoly when, in the name of religion and public health, they banned church burial. Still, burial was only one of the ways in which the dead entered the churches. Catholic funerals were also performed in the churches.

Until the eighteenth century, the body of the deceased was present for the funeral—regardless of the class of ceremony.[380] As part of his larger campaign to reform burial practice Carlos IV first barred funerals with the body present in 1801.[381] This edict had little effect as most cities had yet to build general cemeteries. The issue reemerged midcentury when public health became a state priority. Members of Spain's liberal government, bolstered by those who deemed cadavers a risk to the public, tried once again to ban funerals with bodies present in the church.

Progressive officials saw funerals with the body present as both a public health risk and a superstitious holdover of an outdated system. More conservative elements disagreed, seeing them as a necessary and venerated Catholic rite. The instability of Isabella's rule meant power vacillated between the two factions, and legislation swung from one extreme to the other. On September 20th, 1849, a royal order banned funerals with the body present, a practice regulators described as prejudicial to public health. They argued that the soul of the deceased would receive the same spiritual aid whether the body was present for the funeral or not. The legislation was rescinded two

[380] David M. Stark, "Preparing for the Afterlife: Death, Dying, and Religious Practice in Eighteenth-Century Puerto Rico," *Colonial Latin American Review* 25, no. 4 (2016): 525.
[381] Ignacio Miquel y Rubert and José Reus y García, *Boletín de la revista general de legislación y jurisprudencia: periódico oficial del Ilustre Colegio de Abogados de Madrid*, Volumen 4 (Madrid: Anselmo, 1855), 110.

month later so the government could study the issue further. Subsequent royal orders repeatedly banned, modified, and reinstated the practice (1855, 1857, 1865, 1867, 1872, 1875, 1883, etc.).[382]

Funerals were not simply about the dead. In the churchyard burial system, they were an indicator of social position. In the early nineteenth century, testators in both San Juan and Havana left detailed instructions pertaining to their funeral, burial, and the suffrages to be carried out after their death.[383] By the middle of the nineteenth century testators were far more likely to leave the specifics up to their executors and heirs.[384] As the decisions around burial were increasingly left to the living, families continued to use funerals as a status symbol.

In San Juan, funerals with the body present remained popular with the wealthy.[385] The funerals of the poor migrated from the churchyard to the cemetery. After the reforms of the 1860s, the chaplain of San Juan's cemetery performed funerals in the form of *misas rezadas* (low masses) in the newly built cemetery chapel.[386] These were largely reserved for the poor and those without social connections. Luxury funerals, in contrast, were officiated by multiple clergy in the parish

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[382] Martínez Alcubilla, *Administración española*, 428-438.

[383] Based on an assessment of the 27 wills recorded in the parish of Nuestra Señora de los Remedios May 1813 to May 1814 and 170 wills recorded in five Havana parishes in 1805 and 1806. AHA, Parroquia NS de los Remedios, libro de defunciones 21; Archivo Parroquial Cristo del Buen Viaje, Havana (APCBV), Libro 8 de entierros de blancos, 1799-1807; APCBV, Libro 9 de entierros de pardos y morenos, 1803-1810; Archivo Parroquial Espíritu Santo, Havana (APES), Libro 11 de entierros de blancos, 1801-1805; APES, Libro 12 de entierros de blancos, 1805-1818; APES, Libro 11 de entierros de pardos y morenos, 1805-1818; Archivo Parroquial Nuestra Señora de Guadalupe extramuros, Havana (APNSG), Libro 6 de entierros de españoles, 1805-1808; APNSG, Libro 3 y 4 de entierros de pardos y morenos, 1782-1806; Archivo Parroquial Sagrario de la Catedral, Havana (APSC), Libro 11 de entierros de españoles, 1812-1815; Archivo Parroquial Santo Ángel Custodio, Havana (APSAC), Libro 4 de entierros de blancos; APSAC, Libro 5 de entierros de pardos y morenos, 1803-1811.

[384] Based on an assessment of 55 wills and codicils written in San Juan, Puerto Rico between 1846 and 1855 and 189 wills recorded in *Protocolos Notariales de La Habana* between 1845-1880, AGPR, Protocolos notariales, caja 451, Joaquín Martínez, 1846; AGPR, Protocolos notariales, caja 531, Gervasio Puente, 1852; AGPR, Protocolos notariales, caja 21, Manuel Camuñas, 1855.

[385] Analysis done by author based on a sample of 1057 burials in San Juan between 1851 and 1867, see Appendix B. Only seven percent of funerals in San Juan had vigils and funerals with the body present in the parish church.

[386] For a discussion of different masses, see Carlos M. N. Eire, *From Madrid to Purgatory: The Art and Craft of Dying in Sixteenth-Century Spain* (Cambridge: Cambridge University Press, 2002), 196-197; David M. Stark, "Preparing for the Afterlife: Death, Dying, and Religious Practice in Eighteenth-Century Puerto Rico," *Colonial Latin American Review* 25, no. 4 (2016): 525.

churches. These included a vigil, response, and *misa de cuerpo presente*. A first-class funeral service cost sixteen and one quarter pesos—not including the fees for processions and interment.

Having a funeral with the body present in the church became a practice reserved for Havana's elite. Charitable burials accounted for one in four of Havana's dead.[387] Those eligible for charitable burial were *pobres de solemnidad*—a legal classification of deserving poor who received certain social benefits.[388] The poor who did have a funeral in the church were likely to have died in their homes—individuals from impoverished but respectable families. Those found dead by neighborhood officials and those who died in hospitals did not pass through the church on their way to the cemetery. The hospitals had chapels, and some form of rites could be administered by the clergy who staffed the institutions. The most abject poor likely saw no more than a prayer uttered over their shared grave.

Municipal officials took additional steps to minimize the public's contact with those infected with epidemic disease. Every day a cart with two drivers would pick up the hospital's dead to deliver to the cemetery for burial. After cholera returned to the city in 1865, the cart no longer stopped at the parish to get the documents required for interment. Instead, one of the drivers transported the bodies directly to the cemetery. The other went to the parish, collected the paperwork, and rejoined the cart at the cemetery.[389] The poor and the diseased were physically and ritually removed from the churches in death.

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[387] Based on 2601 burial records from the parishes of Santo Ángel, Espirítu Santo, and Cristo sampled from the years 1868 to 1873. For a discussion of the data, see Appendix B.
[388] Manuel Maza Miquel, *Entre la ideología y la compasión: guerra y paz en Cuba, 1895-1903: testimonios de los archivos vaticanos* (Santo Domingo: Instituto Pedro Francisco Bonó, 1997).
[389] *Gaceta de La Habana*, August 17th 1866, Cuban Heritage Collection, University of Miami (hereafter CHC-UM); *Diario de la Marina*, August 16th 1866, Digital Library of the Caribbean, University of Florida.

Havana's traditional elites retained the space of the church for the physical and ritual components of their funerals. Unsurprisingly, the nobility and individuals holding high political office continued to have multi-day funerals. However, they were joined by artists and intellectuals—prominent public figures who did not necessarily have wealth and prestigious lineages. An Italian opera singer, a beloved poet, and the doctors and lawyers of Havana's growing intellectual class were now mourned alongside the scions of wealth and power.[390]

Only a fraction of Havana's dead received the elaborate rituals in which the bodies were present in the church. The recipients were social, political, and artistic luminaries. In continuity with earlier practices, the funerals of this rarified group were composed of a series of rites in the church—including vigils, final responses, masses with the body present, and burial offices.[391] These burials were public spectacles, and the church rituals comprised only one component of exemplary funerals. The funeral processions of these illustrious dead took the event into the streets, and it was not uncommon for the cortege to make multiple stops as it wended its way through the city. Elite funerals in Havana were popular events, written up in newspapers alongside the opera, theater, fashion, and crime.

The funeral of Dr Ramón Manuel Zambrana y Valdés in 1866 epitomized the new class of exemplary dead in Havana. Zambrana was a celebrated creole intellectual. Born in Havana, he also died in the city at 49 years of age. He was trained in medicine as Havana was transitioning to the new anatomical and clinical education for doctors. On December 9th, 1846, he became the first Cuban to receive the degree of Doctor of Medicine and Surgery from the University of Havana. Over the course of his career as a doctor, educator, poet, and publisher he shaped medical and

[390] Based on a sample of 104 notices printed in the *Gaceta de La Habana* between 1866 and 1871. *Gaceta de La Habana*, 1866-1871, CHC-UM.
[391] Only eleven out of the 2601 burials, less than one percent.

educational reforms in Cuba.[392] The composers of his death notice extolled his scientific and intellectual contributions as the virtues that would ensure his soul's rapid ascent into heaven.[393] Zambrana exemplified a new definition of a life well-lived, a shift from the traditional emphasis on a pious life to a modern praise of intellectual accomplishment, even in the context of salvation.

Despite his achievements, Zambrana died in such poverty that his friends and supporters started subscriptions to raise funds for his wife—a notable poet in her own right—and their five young children.[394] His elaborate funeral belied his impoverished state. Considering the family's lack of funds, arrangements were made by outside parties. Rather than his family, the invitation to his funeral came from the governor, the university chancellor and governing board, and the Royal Academy of Sciences president.[395] To recognize their esteemed colleague, these professional organizations arranged a funeral that spanned multiple days and locations.

Zambrana's body lay for two days in the main lecture hall of the University. At four o'clock on the day of his funeral he was carried on the shoulders of his fellow teachers to the chapel of the Dominican convent. Havana's political and social luminaries joined the university's professors in the black-draped chapel for his funeral mass. Afterward, students carried his coffin through the streets to the next destination. Following the coffin was a throng of people on foot, as the general public joined representatives from the religious, political, and scientific communities to pay their respects. Two magnificent funeral carriages drawn by four horses led a winding row of carriages. This procession slowly made its way to the *extramuros* parish of Monserrate, where the crowd stopped, and a response was sung for his soul. From here, they processed to the chapel of the *Real*

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[392] José Antonio López Espinosa, "El Doctor Ramón Zambrana Valdés y el repertorio económico de medicina, farmacia y ciencias naturales," *Revista Cubana de Salud Pública* 25, no. 1 (1999): 86-93.
[393] *Gaceta de La Habana*, March 20th, 1866, CHC-UM.
[394] *Gaceta de La Habana*, March 23rd, 1866, CHC-UM.
[395] *Gaceta de La Habana*, March 20th, 1866, CHC-UM.

Casa de Beneficencia where the ritual was repeated. By the time the funeral cortege arrived at the cemetery, night had fallen, and the chapel was lit by candles. For the final time, the clergy sang the rituals on behalf of Zambrana's soul. Under cover of darkness his body was laid to rest in one of the cemetery's niches.[396] Unlike the poor, who were being excluded from the space of the church in death, Zambrana's journey to the grave involved rites in multiple churches and chapels. However, these multi-venue funerals were only for the exceptional dead.

A class of funerals existed in Havana that sat somewhere between the poor and the highest elite. The funeral cortege and procession were important components of this middling class of funerals. Families requested friends and colleagues join them in accompanying the deceased to their final resting place. Announcements in the newspaper would invite those who had not received personal invitations. These public announcements extolled the good character of the deceased. For women, this was often described in relation to their roles as mothers and wives. Men were remembered for a combination of their respectable character and professional accomplishments. So, while Don Francisco Marty y Torrens was lauded for his intelligence, work ethic, and wealth, Doña Julia Calero de Riesgo was remembered as a loving wife and excellent mother.[397] A large procession with many carriages was seen by the public to reflect the good character of the deceased. The funeral processions of Havana's creole businessmen, professionals, and merchants used the streets to display their respectability.

Over time, the streets superseded the church as the central space of funerals, especially for the prosperous. When the mid-century ban on funerals with bodies present arrived in Havana, officials claimed the practice was already discontinued. As putrefaction began almost immediately

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[396] *Gaceta de La Habana*, March 22nd, 1866, CHC-UM.
[397] *Gaceta de La Habana*, May 30th, 1866, CHC-UM; *Gaceta de La Habana*, July 24th 1868; July 25th 1868, CHC-UM.

in the island's climate, the population had long since abandoned the custom.[398] This was clearly not the case for the exceptional dead. However, the funerals of Havana's middling population bear this out. The funeral cortege processed from the *casa mortuoria* directly to the cemetery. After the burial, the mourners would move to the church where the funeral service was performed without the body present.[399]

6.3 Controlling Movement

Havana was a large and busy city. Travelers to the city in the nineteenth century inevitably commented on the activity in the streets. In the port "it is impossible to walk fast, on account of the piles of boxes, bales, and casks, that everywhere obstruct the way."[400] Away from the commercial centers, the inhabitants of the cities "drive almost universally about town in place of walking," filling the streets with carriages.[401] The streets teemed with life. However, from the hospital carts to the funeral processions, the streets of Havana were also a space for the dead.

It was not just the newly dead who moved through the city streets; the practice of exhuming and relocating bodies was on the rise. Public health officials—in Madrid and in the cities—were concerned about the threat posed as bodies were transported on ships to international destinations, on carriages within province or city, and en masse within cemeteries. As new practices around

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[398] *Ministro de Gobierno* to Governors General of Cuba, Puerto Rico, and the Philipines, March 28th 1872, AHN, U, leg. 4796, exp. 26; *Ministro de Ultramar* to Governor General, May 19th 1872, AHNC, GG, leg. 117, exp. 5252.
[399] José García de Arboleya, *Manual de la isla de Cuba: compendio de su historia, geografía, estadística y administración* (Havana: Tiempo, 1876), 267; Comtesse de Merlin, *Viaje*, 106.
[400] John Howison, *Foreign Scenes and Travelling Recreations*, (London: Oliver & Boyd, 1834), 108.
[401] Maturin Murray Ballou, *History of Cuba, or, Notes of a Traveller in the Tropics Being a Political, Historical, and Statistical Account of the Island, From its First Discovery to the Present Time* (New York: Phillips, Sampson and Company, 1854), 75.

burial increased the movement of bodies, the state's imposed sanitary measures sought to protect the populations of urban centers.

Emerging family memorial practices introduced an altered significance of place in burial. The idea of belonging to a place through relationships of birth, death, and memory became intertwined with nationalist identity politics in the nineteenth century.[402] Connections to place were deeply personal and were intimately linked to individual and family histories. An individual's *suelo natal* (homeland/native land) was a place of birth but could also be a place of death.[403] As general cemeteries developed, so too did the use of privately-owned family pantheons. Family memorials represented ties of kinship rooted in native soil, and relatives sought to repatriate the dead, and to bring these bodies home. When Doña Josefa Noble de Palacios petitioned to have her brother exhumed from Havana and transported to Cadiz, her intent was to reunite the remains of her beloved family in a private pantheon.[404] This connection to the earth, and the forebears it contained, would prove a powerful rhetorical tool in insurgent warfare.

The Ministerio de Gobernación received numerous requests from families seeking to move the bodies of deceased loved ones. The ministry deemed it necessary to establish "prudent and safe" rules that would balance the precautions of public health against the pious desires of the interested parties. Officials issued a royal order in 1845 outlining a complex and expensive bureaucratic process that families were required to follow if they wished to exhume and relocate loved ones. This included gaining ecclesiastical dispensation to disinter the body, as well as the

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[402] Pérez Jr., *To Die in Cuba*, 66-71.
[403] Mariano Aramburu y Machado, *Impresiones y juicios* (Havana: La Propaganda Literaria, 1901), 115.
[404] *Expediente de concesión de permiso para trasladar los restos de Andrés Noble*, July 10th 1872, AHN, U, leg. 4730, exp. 50, 1872-73.

certification of three medical professionals that the exhumation did not pose a threat to public health.[405]

Officials expanded the public health safeguards a few years later. Medical officials on the *Consejo de Sanidad del Reino* were consulted to craft the new regulations. The need for ecclesiastical approval remained the same. However, the category of bodies deemed safe to exhume was reduced. Medical consensus dictated that the flesh must be fully desiccated to be safe; a shorter period of interment meant a higher risk. A mandatory minimum of two years was imposed before exhumation was permitted. For burials between two and five years old, two medical professionals needed to certify the body posed no risk to public health. Embalmed bodies and those interred for more than five years were considered safe. The victims of epidemic disease were a separate category. These bodies could never be exhumed, regardless of the passage of time.[406]

Havana, a busy port with an international population, became the center of a multidirectional flow of bodies.[407] The majority of these transfers were between Cuba and the Iberian peninsula. However, relatives also arranged moves between Cuba and the United States, other European countries, Latin American, and later in the century, Chinese ports. Families—or their intercessors—were careful to submit proof the body was not a threat to public health. Relatives sought transcriptions of burial certificates from parish priests to verify the time elapsed since interment. It was common for petitioners to include a medical certificate indicating that the body was embalmed. In the case of José González del Valle, exhumed and transported to Havana

[405] R.O. 27 marzo 1845; R.O. 21 noviembre 1846, Martínez Alcubilla, *Administración española*, 616-617.
[406] R.O. 19 marzo 1848, Martínez Alcubilla, *Administración española*, 427.
[407] Based on 191 petitions to exhume and transfer bodies to or from Havana between 1853 and 1897 held in the AGI, AHN, and the AHNC.

in 1854, his body was encased in a sealed lead box, which in turn was placed in a wooden coffin.[408] If the documentary record provided evidence that sanitary standards were met, officials routinely approved the family's request. Officials dealt with bodies like commodities, ensuring import and export standards were met to ensure the safety of the public.

This desire to reunite families in death was not limited to international moves. The practice of moving bodies between cities, or even within a single cemetery, was increasing. This was more common among the middling population who could not afford the expense of a private family mausoleum. While not a perpetual burial, moving bodies between niches in a single cemetery mimicked the custom of the elite. This was the case when Don Fernando de Losada had his mother exhumed from her niche in the Espada cemetery. Her body was reinterred in the same cemetery, this time reunited with his more recently deceased brother.[409] As the cost of burial increased and available space shrank, exhumations and relocations on a local level became common practice among the middle class.

In 1851 Spain's government issued new guidelines controlling exhumations and moves within cemeteries.[410] This order extended to the management of individual relocations as well as mass exhumations. In the churchyard system these mass exhumations were known as *las mondas de los huesos*.[411] After a few decades of use, chronic shortages of space in general cemeteries had led officials to reinstitute this early modern practice. Emptying old graves—and sometimes entire

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[408] *Expediente de concesión de permiso para el traslado del cadáver de José González del Valle*, January 9th 1854, AHN, U, leg. 4641, exp. 36.
[409] 1869, AHNC, GG, leg. 117, exp. 5242.
[410] R.O. 30 enero 1851, Martínez Alcubilla, *Administración española*, 429.
[411] Diccionario de Lengua Española, s.v. "monda," https://dle.rae.es/monda?m=form; Mariano González de Sámano, *Memoria histórica del cólera-morbo asiático en España* (Madrid: Manuel Alvarez, 1858), 135-136; Juan Manuel Munárriz, *Suplemento á la traducción castellana de los elementos de química de J. A. Chaptal: tomado de la tercera y última edición de París* (Spain: Vega y Compañia, 1801), 53.

sections of cemeteries—to reclaim the land came back into practice. Modern public health policy intervened.

Regulators extended the minimum interment length to five years and banned mass exhumations. No longer could entire sections be emptied indiscriminately. The legislation did not bar cemetery officials from performing multiple exhumations at once; however, to do this they needed to verify that each reclaimed grave was older than five years. State officials knew this would challenge the capacity of already overtaxed cemeteries. To ameliorate the impact, provincial governors could temporarily modify the inhumation length in cities on a case-by-case basis. Cemeteries that lacked the capacity to manage the number of deaths in the population gained a temporary extension before implementing the new rules.[412] Officials in San Juan seemingly took advantage of this flexibility when the legislation arrived in the island.

Unlike in Havana, where officials implemented the regulations before they were formally extended to Spain's overseas holdings, laws pertaining to the exhumation and relocation of bodies were not applied in Puerto Rico until 1863.[413] The switch from a two-year to a five-year burial period created a logistical nightmare for officials in San Juan. The city council estimated that within a year the cemetery would run out of space.[414] Working with the governor, who had the authority to modify or delay the implementation of the regulations, they set about finding solutions to both the short- and long-term logistical issues the five-year burial period created.

The immediate problem was that the standard lease length in San Juan's cemetery was for two years. All existing leases needed to be modified to a five-year term. The council gave families,

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[412] R.O. 30 de enero 1851; R.O. 31 de agosto 1853, Martínez Alcubilla, *Administración española*, 429-430.
[413] R.O. 11 agosto 1863, Martínez Alcubilla, *Administración española*, 433; *La Gazeta de Puerto Rico*, May 19th 1866, Chronicling America: Historic American Newspapers, Library of Congress.
[414] May 8th 1866, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.

friends, or representatives of the deceased two months to make the arrangements. Lease holders could renew and pay the outstanding amount. Families could also arrange for the body to be moved to a private tomb. If they failed to do either, the council would have the bones exhumed and buried in a common trench.[415] This initial notification yielded few responses from the public. The following year the council sent letters to individual lessees giving a non-extendable eight-day grace period to make their arrangements.[416]

The response of the families varied depending on their social and economic situation. Some simply couldn't afford to pay for three additional years. Carmen del Toro explained that her extreme poverty made it impossible for her to extend the lease on her late husband's niche.[417] Others who lacked the resources had friends willing to assist. While Doña Asunción Ramírez del Gragirena did not have the funds, Don José Caldas gave her permission to have her husband's remains transferred to the Caldas family pantheon.[418] Others had the remains transferred to an already existing family crypt or used the opportunity to purchase land to build one. Still, the most common response was no response at all. At the end of the grace period, the governor officially gave permission to the council to begin exhuming bodies in August.[419]

The fall of 1867 saw a series of large-scale exhumations in the general cemetery. Doctors, city councilors, and cemetery workers would gather at the cemetery at eight in the morning to begin the process. Throughout the day they opened the designated graves and ensured the bodies were completely skeletonized. Two niches were left unopened as the occupants had died of

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[415] *La Gazeta de Puerto Rico,* November 27th 1866, Chronicling America: Historic American Newspapers, Library of Congress; Civil Governor to San Juan city council, May 21st 1867, AGPR, MSJ, S, C, leg. 131 P1, exp 33.
[416] May 8th-May 29th 1867, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.
[417] Carmen de Toro to Corregimiento de San Juan, May 29th 1867, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.
[418] Doña Asunción Ramírez del Gragirena to Corregimiento de San Juan, May 1867, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.
[419] Governor Superior Civil to city council, May 21st 1867, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.

smallpox, and a handful of remains were transferred to private pantheons or ossuaries. The rest were buried together in a common trench.[420] This gruesome task took place eight times over the next two months. The ninety-five exhumations doubled the number of available spaces in the cemetery and bought city officials time.

The city council of San Juan went on to institutionalize these large-scale exhumations. In 1871, the five-year leases were coming due. The council decided the same exhumation process could be used again. The process met legal requirements as each grave they opened was identified and evaluated on a case-by-case basis, rather than as mass exhumations. The council identified one hundred and sixty-two units with expired or expiring leases.[421] Four days of exhumations took place that year, as officials emptied seventy-nine graves.[422] By the mid-1870s these general exhumations were taking place biannually, a practice that continued into the 1880s.[423]

Havana's general cemetery also continued to struggle with a chronic shortage of burial space. Cemetery management continued to increase the number of niches. Eight hundred and ninety-six new niches were added to the third patio in 1866 alone.[424] However, new niches would not solve the fact that the cemetery was too small. In 1868, the Bishop banned burials in the common area of the general cemetery. Any bodies intended for common burial—namely the poor and disenfranchised—were redirected to the provisional cemetery at Atares.[425] Regularly

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[420] August 8th, August 12th, August 24th, September 4th, September 23rd, October 1st 1867, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.
[421] January 15th 1871, AGPR, MSJ, S, C, leg. 131 P1, exp. 33; City council minutes, January 23rd 1871, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.
[422] January 30th, March 1st, October 27th, November 17th 1871, AGPR, MSJ, S, C, leg. 131 P1, exp. 33.
[423] *La Gazeta de Puerto Rico,* November 27th 1866; May 23rd 1874; March 2nd 1875, Chronicling America: Historic American Newspapers, Library of Congress; *Boletín Mercantil de Puerto Rico*, February 28th 1875; September 3rd 1875, Chronicling America: Historic American Newspapers, Library of Congress; For exhumation records for the1880s see AGPR, MSJ, S, C, 131 P2.
[424] *Gaceta de La Habana*, December 6th 1866, CHC-UM.
[425] *Gaceta de La Habana*, January 4th 1868, CHC-UM.

scheduled general exhumations were implemented in 1870 to reclaim niches with expired leases, similar to the practice already in place in San Juan. In eight months, three hundred and eighty-three exhumations were performed in the Espada cemetery.[426] Nevertheless, the policy changes spelled the end of Havana's first general cemetery. In 1866 officials in Havana were granted permission to build a new, larger general cemetery to replace the failing Espada.[427]

6.4 Controlling Access

Burial was not simply a logistical problem for administrators. Decisions about how to manage cadavers tapped into the differences between a medical conception of the dead and a religious one. The question of how and where to bury the unbaptized brought these issues to the forefront. This category was especially problematic in the cases of women who died while pregnant. The Roman Catholic Church encouraged the use of postmortem cesarean sections in these cases. This would ensure living fetuses received baptism—a requirement for both burial and salvation. This posed practical issues, as the clergy who were often called upon to perform this operation lacked relevant training.[428]

Officials in Madrid, concerned with expanding the population in order to increase the wealth of the state, saw this baptismal issue as an opportunity to reduce infant deaths. The result was an empire-wide legislation intended to ensure no living baby was buried inside its dead

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[426] *Gaceta de La Habana*, December 6th 1866, CHC-UM; *Gaceta de La Habana*, December 3rd 1870, February 4th 1871, July 19 1871, CHC-UM.
[427] Antonio de Gordon y de Acosta, *Datos históricos acerca de los cementerios de la ciudad de La Habana* (Havana: J. Huguet, 1901), 28.
[428] Hossam E. Fadel, "Postmortem and Perimortem Cesarean Section: Historical, Religious and Ethical Considerations," *The Journal of IMA* 43, no. 3 (2011): 194-200.

mother.[429] In 1805 the Spanish crown made it illegal for a pregnant woman who died to be buried unless a postmortem cesarean section was carried out. The legislation included a step-by-step guide to the procedure. Written by the faculty of the College of Surgery of San Carlos—the preeminent surgical board in Spain—this guide included rules for baptism. If the infant seemed alive and robust, it should be extracted and baptized with sacramental water. If the baby showed no signs of life, it should be conditionally baptized before being removed from its mother's womb. This same legislation also extended conditional baptism to miscarried fetuses still inside the amnion—even in cases where they were no larger than a grain of barley. In considering the eternal soul of the unborn child, this law created a hybrid definition of life that blended theological, legal, and medical thought.[430]

The Catholic Church permitted the conditional delivery of Baptism, Penitence, and Extreme Unction. It was sacrilegious to deliver a sacrament to the dead. Conditional sacraments were given when it was unclear if death had already taken place, such as to fetuses that showed no signs of life while still inside their mothers. A second form called provisional baptisms—*Agua de Socorro*—could be administered when death was imminent. While it could be performed by any Catholic, this task traditionally fell to the women attending the birth. If the death did not occur, full baptism followed in the church, performed by a priest.[431] Whatever the form, Catholic baptism was mandatory to be buried in blessed ground.

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[429] José G. Rigau-Pérez, "Surgery at the Service of Theology: Postmortem Cesarean Sections in Puerto Rico and the Royal Cedula of 1804," *The Hispanic American Historical Review* 75, no. 3 (1995): 377-404.
[430] January 8th 1805, AHA, Archivo Histórico Parroquial de Toa Baja, caja P-80, Libro de circulares; R.O., April 13th 1804, AGI, Indiferente 666ª, Real Cedulas, Orden, y Circular 1800-1805.
[431] Tamara González López, "Actores y roles en el bautismo de socorro (Lugo, s. XVI-XIX)," *Revista de Historia Moderna. Anales de la Universidad de Alicante* no. 37 (2019): 126-156; Antonio José Rodríguez, *Nuevo aspecto de teología médico-moral y ambos derechos o paradoxas físico-teológico legales*, Volumen 4 (Madrid: Benito Cano, 1787), 50-54.

Practice on the ground was a synthesis of the medico-legal standards and this sacramental fluidity. Even as priests were called upon to perform post-mortem cesarean sections, emergency baptisms were delivered by midwives (*parteras*) and doctors. The practice of administering provisional baptism was common in San Juan.[432] In a sampling of over one thousand burials between 1851 and 1867, only a single unnamed baby girl was born dead and never baptized.[433] She was buried in unconsecrated ground.

Provisional or emergency baptism was also administered in Havana. However, there was a stricter adherence to medical definitions of death. The most common non-viable pregnancies ended in miscarriage (early in gestation) or stillbirth (at or close to full term). Less common were babies who had to be "*extraído de claustro materno*" (extracted from the mother's womb). Early or late term, all these neonates were described as fetuses; all were considered born dead. None of them received baptism of any sort, had funeral rites, or were given names. Most were buried in the space reserved for those who did not received baptism.[434]

Provisional baptisms were not limited to the moment of birth. As families delayed church baptism for numerous reasons, provisional baptisms were administered to dying children from birth to the age of two.[435] In both San Juan and Havana, baptism "*in articulo mortis*" (in danger of death) was also administered to the enslaved. In cases of mortal illness, newly arrived Africans were baptized in this manner—whether by choice or against their will is unclear.[436] Cases of deathbed baptisms of the enslaved were a small but consistent occurrence in the burial records of

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[432] Of the 1057 deaths, 444 were listed as children under the age of reason (under 8). While the records in San Juan in this period do not include detailed cause of death, 54 died within one day of being born.
[433] May 3rd 1867, AHA, Archivo Catedral Parroquia NS de los Remedios, Libro 39 de entierros.
[434] 785 of the 2601 deaths were children under the age of reason. 144 died within one day of being born. The breakdown of those born dead is 41 miscarriages, 5 extracted from their mother's womb, and 9 stillbirths.
[435] Ibid.
[436] David M. Stark, "A New Look at the African Slave Trade in Puerto Rico through the use of Parish Registers: 1660-1815," *Slavery & Abolition* 30, no. 4 (2009): 493.

San Juan. Jayme—born in Africa and about thirty years of age—was baptized "*in articulo mortis*" in 1814 before being buried in the general cemetery.[437] In Havana, these burials took place in an informal burial ground on the margins of the city. In the late 1850s a chaplain was assigned to this burial ground specifically to baptize dying Africans.[438]

The bodies of suicides were a second category of dead the Catholic Church customarily excluded from consecrated ground. In the Spanish Empire suicide was both a sin against God and a civil crime. At the start of the nineteenth century, the judicial punishment was the confiscation of the deceased's goods; the ecclesiastical penalty the refusal of Catholic burial.[439] When officials moved to reinforce prohibitions on the burial of suicide victims in the mid-nineteenth century, it was intended to strengthen a coercive tool used to control the enslaved population.

Suicide in the nineteenth-century Caribbean was a highly racialized topic. As the British campaign to end the slave trade limited supply, the cost of acquiring enslaved labor skyrocketed. Government officials and planters in both Cuba and Puerto Rico became concerned with the high rate of suicide amongst the enslaved population.[440] A report on the number of suicides in the Western District of Cuba between 1839 and 1846 found that 1,171 out of 1,337 were committed

[437] June 23rd 1814, October 2nd 1837, AHA, Archivo Catedral Parroquia NS de los Remedios, Libro de entierros 1837-1840.
[438] José de Frías to Governor, September 1858, AHNC, GG, leg. 316, exp. 15329; 1841, AHNC, GSC, leg. 744, exp. 25546; Pedro Marqués de Armas. "Exclusiones post mortem: esclavitud, suicidio y derecho de sepultura," *Dirāsāt Hispānicas, Revista tunecina de estudios Hispánicos* no. 2 (2015): 56; Emilio Roig de Leuchsenring, *La Habana: Apuntes históricos* (Havana: Municipio de La Habana, 1939), 59-60.
[439] Marqués de Armas, "Exclusiones," 67.
[440] Manuel Barcia Paz, "'Going Back Home': Slave Suicide in Nineteenth Century Cuba," *Millars: Espai i Historia* 42, no. 1 (2017), 49-73; Stark, "A New Look," 503.

by slaves.[441] Studies on the causes of slave suicide—drawing on medical, legal and theological opinion—were undertaken to try and curtail the practice.[442]

Cuba's wealthy and politically connected Count of Villanueva said what many of his contemporaries would not: "more than the fanaticism and more than the innate characteristics of African slaves, their state of servitude should be considered as the main cause of their suicides."[443] It was far more common for planters to blame other factors: African belief systems, African ethnic characteristics, even a perceived African racial degeneracy.[444] On the plantations, efforts to correct erroneous beliefs took on a violent and macabre element. Planters would desecrate the remains of suicides in front of the enslaved to discourage others to follow suit. It was not uncommon for their bodies to be burned in the hopes that it would dissuade further deaths.[445]

Eventually, it was deemed that a lack of proper religious education was to blame for the high suicide rates.[446] Religion became a cornerstone of attempts by officials and planters to eliminate African belief systems linked to suicide.[447] Bishop Fleix y Solons recommended the reintroduction of Franciscan missionaries—expelled from Cuba in the 1840s—to evangelize the enslaved as, "the frightful suicide for which the black race is known did not exist when our clergy

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[441] Manuel Barcia Paz, *Seeds of Insurrection: Domination and Resistance on Western Cuban Plantations, 1808-1848* (Baton Rouge: Louisiana State University Press, 2008); Louis A. Pérez Jr., *To Die in Cuba: Suicide and Society* (Chapel Hill: University of North Carolina Press, 2005), 26-64; Marqués de Armas, "Exclusiones," 49-63.
[442] "Comunicación del obispo de La Habana en que llama la atención del Gobierno sobre el crecido mal, cada vez más trascendental, de los suicidios entre la gente de color y propone los medios que conceptúa más útiles para remediarlo o al menos disminuirlos," Bishop Fleix y Solans to Governor General, June 9th 1850, AHN, U, leg. 1667, exp. 34; Leopoldo O'Donnell to Office of Gobernacion, September 18th 1847, in *Cuba: Economia y sociedad*, vol. 9, ed. Leví Marrero (Madrid: Editorial San Juan, 1972), 183.
[443] Barcia Paz, *Seeds of Insurrection*, 81.
[444] Barcia Paz, "'Going Back Home'," 49-73.
[445] Barcia Paz, "'Going Back Home'," 67; Barcia Paz, *Seeds of Insurrection*, 78-79; Pérez Jr., *To Die in Cuba*, 42-43.
[446] Pérez Jr., *To Die in Cuba*, 44.
[447] Bishop Fleix y Solans to Governor General, June 9th 1850, AHN, U, leg. 1677, exp. 34.

had responsibility to indoctrinate the slaves in the principles of our Holy Faith."[448] The threat of withholding Catholic burial was part of this indoctrination. However, this would only be an effective deterrent if the prohibition remained absolute.

Over the course of the century the notion of suicide as a crime—ecclesiastical and civil—came to be challenged by the diagnosis of madness. This diagnosis—delivered by a doctor appointed by the court—removed intent from the individual and opened a path to burial in consecrated ground.[449] Competing interpretations of these medico-legal and theological classifications of suicide led to conflicts, which escalated as civil officials attempted to exercise authority over who received ecclesiastical burial.[450]

In Spain, secular and ecclesiastical officials took their battles over the control of cemeteries to the civil courts. The Cortes wanted secular cemeteries while the church sought to maintain its traditional control. Civil authorities would order the burial of a suicide, and the church would sue to have the body removed from the cemetery. [451] Trying to resolve this tension, the Spanish state issued civil regulations giving control to municipal officials in 1855.

Havana's Bishop Jacinto María Martínez Sáez, who took office in 1865, expressed concern about the continued high suicide rate in the enslaved population. His actions would shape the policies of the empire around this issue. In 1866, in response to secular officials arranging the burial of those who took their own lives, he asserted that the burial of suicides in cemeteries was

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[448] "Comunicación del obispo de La Habana en que llama la atención del Gobierno sobre el crecido mal, cada vez más trascendental, de los suicidios entre la gente de color y propone los medios que conceptúa más útiles para remediarlo o al menos disminuirlos," Bishop Fleix y Solans to Governor General, June 9th 1850, AHN, U, leg. 1667, exp. 34.
[449] Marqués de Armas, "Exclusiones post mortem," 51.
[450] Gerónimo Valdés, *Bandos de gobierno y policía de la isla de Cuba* (Havana: Gobierno y Capitanía General, 1842): 81-82.
[451] William James Callahan, *The Catholic Church in Spain, 1875-1998* (Washington, D.C: Catholic University of America Press, 2000), 171-172; José Jiménez Lozano, *Los cementerios civiles y la heterodoxia española* (Barcelona: Seix Barral, 2008), 222-225; Noël Maureen Valis, *Sacred Realism: Religion and the Imagination in Modern Spanish Narrative* (New Haven: Yale University Press, 2010), 218.

spreading impiety throughout the diocese.[452] The bishop rejected the 1855 regulations, flatly denying secular authority over ecclesiastical burial. He appointed a commission of five theologians and canonists to study the matter. They concluded that suicides were not admissible to sacred space for burial. Further, they found that the broad—and, in certain cases, fraudulent—application of the rules by municipal officials bordered on heresy. In 1867 Martínez Sáez sent their report to Madrid, reopening the debate over jurisdiction.[453] It took two years of highly divisive testimony for the state to reach a decision. The *Consejo de Estado* ruled in favor of the Bishop. The church had authority "in everything concerning the spiritual governance of the islands," especially related to the burial of suicides.[454] The church had won a clear victory when it came to denying burial to suicides.

Even as the clergy won the fight over suicides, they faced a challenge surrounding the burial rights of non-Catholics. The Caribbean had populations of non-Catholics that predated the Spanish policies of religious tolerance. These numbers of non-Catholics expanded in the nineteenth century as both commerce and tourism to Cuba and Puerto Rico grew. Unacclimated to the Caribbean, these foreigners were susceptible to tropical disease; one in four succumbed soon after their arrival. Many were treated and died in private medical clinics known as *casas de salud*.[455] However, as non-Catholic religious practice was illegal in the Spanish Empire, neither municipalities nor the parishes were responsible for their burial. Instead, the various consuls had

[452] Jacinto María Martínez Sáez, *Los voluntarios de Cuba y el Obispo de La Habana* (Madrid: D.A. Pérez Dubrull, 1871), 137-140.
[453] Bishop Martínez Sáez to the Ministerio de Ultramar, September 14th, 1867, AHN, U, leg. 4721, exp.19.
[454] *Boletín oficial del Ministerio de Ultramar, año 1869* (Madrid: Nacional, 1875), 18-19.
[455] H. Leon Greene, *The Confederate Yellow Fever Conspiracy: The Germ Warfare Plot of Luke Pryor Blackburn, 1864-1865* (Jefferson: McFarland, 2019), 106.

oversight for their own citizens. In the absence of infrastructure or funds to maintain non-Catholic burial grounds, Protestants were buried in potter's fields and other unregulated disposal sites.[456]

British diplomats began complaining to Cuban officials about the lack of proper burial for Protestants in the island. To remedy a lack of records, the Governor asked parish priests across the island to report the number of non-Catholic deaths—and the manner of their burial—over a five-year period. The priest of San Antonio exemplified a common tone in the replies. His parish had no information about Protestants as only Catholics were subject to ecclesiastical authority.[457] The parish priests that did keep records reported that non-Catholics were buried unceremoniously on the farm where they died or in land outside the walls of the general cemetery. In many towns this was the same space where unbaptized babies and slaves were buried.[458]

As a busy port, Havana had a large and transient population of non-Catholics. There was no regulated burial space for Protestants in the city. Instead, they were consigned to burial in potter's fields. One—located near the coast close to the Espada cemetery—was run in the 1820s by a British hotel keeper, Francis Nichols. Upon his death, it was taken over by James Thompson. After Thompson died, no one stepped in to manage the site. Its already poor condition deteriorated.[459] One American visitor described it in 1872 as a space where "dead bodies are left exposed in the face of day, and where the vulture contends with the worm for his share of the human spoil."[460] Facing these unsavory options, many Protestants feigned Catholicism in order to be buried in the Catholic space.[461]

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[456] Martínez-Fernández, ""Don't Die Here"," 23-47; Martínez-Fernández, *Protestantism*, 67-71.
[457] San Antonio to Gobierno Superior Civil, May 21st 1860, AHNC, GSC, leg. 748, exp. 25709.
[458] 1860, AHNC, GSC, leg. 748, exp. 25709.
[459] Martínez-Fernández, *Protestantism*, 68.
[460] Richard J. Levis, *Diary of a Spring Holiday in Cuba* (Philadelphia: Porter and Coates, 1872), 108.
[461] Yoana Hernández Suárez, *Iglesias cristianas en Cuba, entre la independencia y la intervención* (Havana: Editora Historia, 2010), 29.

The owners of private medical clinics catering to foreigners in Havana expanded their businesses to include burial grounds. Dr. Belot, the owner of a 300-bed private clinic in Regla, was accused of profiting on the death of his patients as he made more money burying them than he did curing them.[462] It is impossible to know the extent of any of these forms of burial. Protestants fell outside the oversight of the church and were not recorded in the parish records—the sole death registry in the period.

How non-Catholics were buried in Puerto Rico also varied based on location. A large community of crypto-Protestants settled in the city of Ponce. Many were wealthy and respected members of the city, and owned mausoleums in the city's Catholic cemetery. These families lived as Catholics until the restrictions on religious practice were lifted. When this happened, these residents founded the first Protestant congregation in the Spanish Empire. When a Protestant cemetery was built in the city these families appealed to have their family crypts transferred to the new burial ground.[463]

The experience of Protestant burial in San Juan was very different. As a port city, San Juan housed a largely itinerant population of non-Catholics. For a long time, the bodies of non-Catholic dead were deposited in barren land near the coast. By mid-century, municipal officials added an unenclosed stretch of land adjacent to the cemetery that was used to bury the unbaptized, suicides, and Protestants.

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[462] Luis Martínez-Fernández, *Fighting Slavery in the Caribbean: The Life and Times of a British Family in Nineteenth-Century Havana* (New York: M.E. Sharpe, 1998), 123.
[463] Luis Martínez-Fernández, "Crypto-Protestants and Pseudo-Catholics in the Nineteenth-Century Hispanic Caribbean," *The Journal of Ecclesiastical History* 51, no. 2 (2000): 347-365.

When Spain's revolutionary constitution of 1869 established freedom of religious practice, officials needed to address the informal nature of non-Catholic burial. [464] In 1871 officials in Madrid mandated that space inside the city cemeteries be designated to inter the bodies of those who belonged to other faiths.[465] The clergy protested, and authorities changed this to land immediately outside the general cemeteries. To preserve the sanctity of the consecrated ground, this new space would be securely fenced and have its own gated entrance. As most cities informally used land close to the general cemetery for non-Catholic burials, this was not a major change. However, under these new rules non-Catholic associations could now petition to construct separate burial grounds for their denomination.[466]

Policies allowing other religions to establish official burial grounds encountered resistance in the Caribbean. Due to the "exceptional circumstances" in Cuba—the ongoing Ten Years' War—Cuban authorities had never implemented religious freedom. Without freedom of religious practice, colonial officials did not recognize non-Catholic associations. Consequently, there were no associations with the standing to request their own burial ground. State and ecclesiastical officials deemed land outside the walls of the cemeteries already used to bury of the unbaptized, suicides, and non-Catholics sufficient.[467] In Cuba, non-Catholic burial space was attached to general cemeteries until the issue resurfaced in the 1880s.

The town council of San Juan similarly had a section outside the general cemetery to bury the unbaptized, Protestants, and those to whom the Catholic Church denied ecclesiastical burial.

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[464] Martínez-Fernández, *Protestantism*, 68; Maite Ojeda-Mata, *Modern Spain and the Sephardim: Legitimizing Identities* (London: Lexington Books, 2017), 11-12.
[465] RO 16 julio 1871, Martínez Alcubilla, *Administración española*, 434.
[466] RO 29 febrero 1872, Martínez Alcubilla, *Administración española*, 435.
[467] Series of communications between the bishop, governor general, and *Ministerio de Ultramar*, March- September 1872, AHNC, GG, leg. 117, exp. 5252.

Facing the uncertainty surrounding the decrees of religious freedom, officials in the city seemed poised to ignore the new policies regarding separate non-Catholic burial grounds.[468] The decision was taken out of their hand when the British consul fenced this catchall section, installed a locked gate, and claimed it for the exclusive burial of British Protestants. Cemetery officials, outraged at his unauthorized actions, complained to the city council.[469]

After a brief but intense conflict the British consul and municipal officials came to terms. First, the cemetery land belonged to the city council, and the British consul had no right to unilaterally fence this section. However, as the fence would guarantee that the burials inside were guarded with respect and decorum, the council decided to reimburse the British consul for the costs. Moving forward, this space would be under the control of the city. Further, unbaptized babies and Protestants of all nations—not just the British—would continue to be buried there. Finally, Protestant burials could not involve solemnity or religious rites. While friends and family could accompany the body, they had to do so without the assistance of a Protestant minister.[470] This proved an adequate solution in the short term, however it proved to be the downfall of this iteration of the general cemetery.

The general cemetery in San Juan had struggled from the outset with a shortage of space. The formalization of the non-Catholic burial space finally caused the cemetery to exceed its functional capacity. As the Protestant community in Puerto Rico grew, representatives sought to expand the original site. Cemetery officials balked, as they could not even bury the Catholic dead. In a desperate measure, they attempted to reclaim graves used for epidemic burials, but were

[468] May 26th 1866, AGPR, MSJ, S, leg. 131 P1, exp. 35.
[469] Antonio Fernández to the deputy councilor of the cemetery, March 21st 1867, AGPR, MSJ, S, leg. 131, exp. 41.
[470] 1867, AGPR, MSJ, S, leg. 131, exp. 41.

rebuffed by Public Health officials. There was simply no more room in the cemetery. By 1875, city councilors began the process of acquiring land to build a new, expanded general cemetery.[471]

6.5 Conclusion

In the late 1860s, inhabitants of Havana and San Juan adopted new policies around the management of bodies. These solutions were shaped in dialogue with ideas circulating in the Atlantic World, the Spanish Empire, and the cities of the Caribbean. What emerged were hybrid forms that incorporated both modern medical knowledge with traditional Catholic practice. Scientific and religious perspectives were not incompatible. Instead they intertwined in policy and practice to respond to the needs of an increasingly heterodox population.

Different conceptions of the dead shaped the management of bodies in the church, the street, and the cemetery. Fearing the threat posed by cadavers in the parish churches, proponents of public health restricted funerals with the dead present. The changes to funeral practice that followed reveal a transformed social hierarchy. Some elements remained unchanged—a rarified elite balanced against an immense class of poor. However, new urban middle classes in both cities used the streets to stake a claim to social respectability and influence.

The thoroughfares of the urban Caribbean were filled with the dead. Funeral processions were daily events, reinforcing family social status and helping to consolidate the collective consciousness of a growing urban elite of civically engaged businessmen, professionals, and

[471] 1867, AGPR, MSJ, S, leg. 131, exp. 41; 1870-1872, MSJ, S, leg. 131 P1, exp. 52; 1875-1876, MSJ, S, leg. 96 P1, exp. 6.

merchants. The older dead added to this constant movement. Expensive hygienic measures facilitated the transfer of the wealthy to private pantheons, while the poor were unceremoniously exhumed and moved to common pits. Public Health policies controlling the movement of the dead inside cemeteries accelerated the demise of the first general cemeteries.

The presence of the dead in the streets, churches, and harbors was increasingly controlled by public health authorities. These same authorities failed to gain control of the cemeteries themselves. Their attempts had the opposite effect, causing church officials to become more reactionary and dogmatic in their protection of Catholic burial. Conflicts around the unbaptized, suicides, and non-Catholics illustrate how social exclusions based around race, enslaved status, class, and nationality were being redefined.

7.0 Conclusion: Life and Death During Pandemics

As I was finishing this dissertation, coronavirus began its inexorable journey around the world. Almost immediately, life began to change. Ordinary, everyday events were suddenly fraught with insecurity and fear—or cancelled completely. Everything, from universal activities such as grocery shopping to specialized ones like accessing my research materials stored in a locked down facility, became difficult if not impossible. All this because, for the first time in a long time, we faced a global pandemic—a highly communicable disease for which medical science had no treatment or cure.

In this age of digital connectivity, stories from around the globe began emerging with eerie parallels to my work. Medical doctors were helpless to do anything other than try to make patients comfortable as they died. Municipal health officials were opening makeshift morgues in refrigerated trucks and ice rinks as the number of the dead spiked. The system was overwhelmed, and bodies were shipped to neighboring towns for cremation while coffins were stacked in communal pits in potters' fields. In the midst of this collective tragedy, individual families experienced additional trauma when the disruption of traditional mourning practices meant they were unable to say goodbye. Our modern world—for all its advances—was no better prepared to deal with this than the inhabitants of the nineteenth-century Caribbean.

As I write this, it has been four months since the first cases were confirmed in China. The United States is only in month two of isolation and social distancing. And we can already see social order fraying. While many comply with the quarantine guidelines, others distrust government and public health officials and the decisions they make. Ranging from baby boomers and members of

Gen Z refusing to social distance, to controversial movements to "liberate" the states from oppression, individuals are rejecting the advice of medical professionals.

Few historians get to watch the themes of their work play out in real time. Living through a pandemic has inevitably shaped my work. I research and write about death, dying, and burial in an age of epidemics before modern medicine and public health. Today, a new disease has remade daily life around the globe in a few short months. In the nineteenth century, epidemics and pandemics lasted for years, and even as they receded people knew that, inevitably, they would be back. For the people living in that environment, changes to burial practice responded to, but also further intensified, the insecurities in a world deeply marked by tragedy and fear.

I set out to study death, but my work is about the living. Death was a part of daily life for the people in the nineteenth-century Caribbean. When reformers proposed changing the way people were buried, they used a rationale that only a small cohort of the population understood. My chapters explore how modern scientific practices and sensibilities infiltrated life in Caribbean port cities. This did not take place in a linear or mechanical way; the adoption of modern systems was a conflicted and contingent process. I found that the clergy played a crucial role in advancing the adoption of scientific thought—even when they stood in opposition to general cemeteries. I also found that colonial and municipal officials worked in collaboration with the church to redefine the role of Catholicism within the city. While the process did not always run smoothly, modern medical knowledge and traditional Catholic practice worked in tandem to shape a hybrid way of understanding death—and life. One that, while grounded in Spanish tradition and informed by the ideas circulating in the Atlantic world, was uniquely suited to the populations and geographies of San Juan and Havana.

Appendix A Burial Records: Churchyard System

The analysis on the churchyard burial system was completed using parish burial records in San Juan, Puerto Rico and Havana, Cuba. For the extant records in both cities I recorded biographical and racial information, as well as details pertaining to death rituals and burial.

Appendix A.1 Havana

In May of 2017, I received permission from the *Cancillería* of the archdiocese of Havana to access the records of the four *intramuros* and one of the *extramuros* parishes that served the city during the early nineteenth centuries. This represents all of the parishes of the city proper, and one of the parishes of the extended land outside the walls. The records are held in the parish archives at sites across the city.

The sample of four hundred and eighty records I collected are the records from final six months of churchyard burials, August 1805 and January 1806. I recorded all legible records for all five parishes during this six-month period. For parishes in Havana, this is two sets of records: separate books for *españoles* and *pardos y morenos*. The process was limited by the availability of the record books and their condition. The books for people of color are missing from the Cathedral's records. The records for the parish of Espíritu Santo—both for people of color and whites—were deteriorated to the point that many were illegible or too fragile to handle.

Appendix A- 1: Sampling data from Havana parish churches, August 1805 and January 1806.

Parish	Classification	Books	n
Archivo Parroquial Cristo del Buen Viaje, Havana (APCBV)	Españoles/blancos	Libro 8 de entierros de blancos, 1799-1807	44
	Pardos y morenos	Libro 9 de entierros de pardos y morenos, 1803-1810	63
Archivo Parroquial Espíritu Santo, Havana (APES)	Españoles/blancos	Libro 11 de entierros de blancos, 1801-1805; Libro 12 de entierros de blancos, 1805-1818	42
	Pardos y morenos	Libro 11 de entierros de pardos y morenos, 1805-1818	40
Archivo Parroquial Nuestra Señora de Guadalupe extramuros, Havana (APNSG)	Españoles/blancos	Libro 6 de entierros de españoles, 1805-1808	65
	Pardos y morenos	Libro 3 y 4 de entierros de pardos y morenos, 1782-1806	84
Archivo Parroquial Sagrario de la Catedral, Havana (APSC)	Españoles/blancos	Libro 11 de entierros de españoles, 1812-1815	36
Archivo Parroquial Santo Ángel Custodio, Havana (APSAC)	Españoles/blancos	Libro 4 de entierros de blancos	61
	Pardos y morenos	Libro 5 de entierros de pardos y morenos, 1803-1811	45
Total			480

Appendix A.2 San Juan

The parish burial records for the city of San Juan are held in the Archivo Histórico de la Arquidiócesis de San Juan (AHA). In 1814 there was only one parish in the city: Nuestra Señora de los Remedios. The sample of four hundred and sixty-one burials are all the burial records for the final twelve months of churchyard burial, May 1813 and May 1814. This includes the records from the city's only parish, as well as the records of military burials kept in a separate book in the main parish.

Appendix A- 2: Sampling data from San Juan parish church, May 1813 and May 1814.

Parish	Books	n
Archivo Parroquial Nuestra Señora de los Remedios, San Juan (APNSR)	Libro 21 de entierros, 1812-1815; Libro de entierros militares, 1804-1815	461

Appendix B Burial Records: General Cemeteries

The mid-nineteenth century analysis on burial used parish burial records in San Juan, Puerto Rico and Havana, Cuba. For both cities I recorded biographical and racial information, as well as details pertaining to death rituals and burial.

Appendix B.1 Havana

The two thousand and one records are burials between 1868 and 1873 collected from the parishes of Cristo del Buen Viaje, Espíritu Santo, and Santo Ángel Custodio. These were the three parishes where the details of the funerals were tracked during this period. For each year (1868-1873) I sampled the first 100 burials recorded in the parish; in the case of a small parish I recorded the first six months. This was done for each set of books (*españoles* and *pardos y morenos).*

Appendix B- 1: Sampling data from burial records in Havana, 1868-1873.

Parish	Classification	Books	n
Archivo Parroquial Cristo del Buen Viaje, Havana (APCBV)	Españoles/blancos	Libro 15 de entierros de blancos; Libro 16 de entierros de blancos	450
	Pardos y morenos	Libro 17 de entierros de pardos y morenos; Libro 18 de entierros de pardos y morenos	324
Archivo Parroquial Espíritu Santo, Havana (APES)	Españoles/blancos	Libro 26 de entierros de blancos; Libro 27 de entierros de blancos	628
	Pardos y morenos	Libro 28 de entierros de pardos y morenos, 1805-1818; Libro 29 de entierros de pardos y morenos	603
Archivo Parroquial Santo Ángel Custodio, Havana (APSAC)	Españoles/blancos	Libro 15 de entierros de blancos	364
	Pardos y morenos	Libro 14 de entierros de pardos y morenos,	232
Total			2601

Appendix B.2 San Juan

The sample of one thousand and fifty-seven records represent a sample of burials collected from the parishes of the parishes of Nuestra Señora de los Remedios, San Francisco, and San Mateo de Cangrejos. This sample includes all the records for Remedios from 1851—the last legible book when this was San Juan's only parish. The second sample is the first year of records for the parish of San Francisco after it opened (October 1858-September 1859). The final section of this sample includes the entire year of records for all three parishes following the founding of a third parish in the city, San Mateo de Cangrejos (December 1866- November 1867).

Appendix B- 2: Sampling data from burial records in San Juan, 1851-1867.

Years	Parish	Books	n
1851	Archivo Parroquial Nuestra Señora de los Remedios (APNSR)	Libro de defunciones 34	228
1858/59	Archivo Parroquial San Francisco (APSF)	Libro de defunciones 1	173
1866/67	Archivo Parroquial Nuestra Señora de los Remedios (APNSR)	Libro de defunciones 39; Libro de defunciones 40	389
	Archivo Parroquial San Francisco (APSF)	Libro de defunciones 3; Libro de defunciones 4	225
	Archivo Parroquial San Mateo de Cangrejos (APSMC)	Libro de defunciones 1	42
Total			1057

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- Gobierno General
- Junta Superior de Sanidad
- Protocolos Notariales de La Habana
- Reales Decretos y Ordenes

Archivo Parroquial Cristo del Buen Viaje (APCBV)

Archivo Parroquial Espíritu Santo (APES)

Archivo Parroquial Nuestra Señora de Guadalupe Extramuros (APNSG)

Archivo Parroquial Sagrario de la Catedral (APSC)

Archivo Parroquial Santo Ángel Custodio (APSAC)

Instituto de Historia de Cuba

Centro Cultural Padre Félix Varela

Madrid, Spain

Archivo Histórico Nacional (AHN)
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Miami, Florida

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