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**Sub-theme 43 : Historical perspectives in organization studies**

## **Institutional Change and Competition Dynamics on Local Markets**

### **The History of the Funeral Market in France (XIX-XX century)**

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#### **Introduction**

Analysing the dynamics of market formation and transformation is one of the research objectives of economic sociology and organisation studies that especially demands the contribution of historical sociology (Carruthers 2006). One of the most popular approaches consists in studying a sector's institutional movements and upheavals and, notably, the interactions between markets and politics. This involves studying the relations between companies and the State and taking the structure of the inter-organisational field into account (Convert & Heilbron 2007, Warren 1967).

The primary aim of this paper is to study the political formation of market in the context of multiple local markets (Scheinberg 2004). Indeed, over the course of history, the organisation of funeral services in France has adopted a broad variety of organisational forms and combinations, oscillating between commercial systems, public setups (e.g. a monopolies and state-run companies) and non-commercial operations (local authorities, mutualistic organisations, etc.). At the same time, the sector followed a continuous movement to expand and centre on private industry over a period of two centuries. The paper's second objective is to closely examine how the overall institutional changes, springing from the political struggles between actors (State, clergy, companies, etc.), have interacted with local market dynamics. This part is inspired by a line of research in the history of markets and organisations that studies the complex tangle of regulation levels, moving from the level of political struggles (between companies, collective actors and State) to that of the competitive relations inside concrete markets (Fligstein 1996, Holm 1995).

Our analysis stems from several years of empirical research into the funeral market and funeral parlours (Trompette 2008). We suggest that the funeral market is an excellent area of research for examining the interconnection of different regulation levels. On the one hand, the historical stability of the actors and the characteristics of the funeral market – a “small” market, a closed

community, national borders, a limited professional area – call for an in-depth empirical investigation. On the other hand, the market has such an historical wealth that its institutional movements should be studied, along with the progressive and continuous transformation of the economic organisation systems (religious monopoly, public monopoly and market). Being careful not to succumb to the apparent exoticism of this business activity, it is possible to very quickly identify a privileged place for penetrating the regulation activity itself and accessing the processes of construction, transformation and revision of rules and institutions governing this sector.

Drawing from the heuristic quality of this research, the analysis aims to develop a detailed understanding of the interactions between public policy and competition between companies. We shall first identify the gradual political formation of this market in the 19<sup>th</sup> and 20<sup>th</sup> century as the “property rights” relating to the income from funeral services are successively changed, passing from brotherhoods/corporations to a religious monopoly followed by a public monopoly and, finally, liberalisation (Kselman 1993). An examination of the market’s main historical phases and the main changes (notably legislative) points to the combination of a variety of factors of institutional change: political struggles between actors, changes in legitimacy, major cultural movements, and actions carried out by institutional entrepreneurs, etc. We shall examine the way the history of regulation accompanies the industrial concentration, which occurred very early on compared with other western countries, with the market being split between large companies and SME’s.

The analysis will return to its historical examination as it studies the local markets, and especially the interplay within and around the formal rules setting out competitive activities (D'Aunno, et al. 2000). From the first urban business developments to the contemporary “funeral homes”, we will witness the extent to which the market’s morphology is built around the control of infrastructures (Star 1999). Adopting a pragmatic approach that looks at the organisational *agencements* structuring market relations, we shall see how this material mediation of the market constitutes both a force of inertia and an obligatory point of passage for institutional change (Callon, et al. 2007, Pinch & Swedberg 2008).

## **Theoretical framework**

The underlying idea here is that an understanding of the market, of its forms of regulation and its dynamics, requires looking into the features that connect it with a family of markets (Depeyre & Dumez 2008) : the funeral market belongs to the municipal utility family. It has been founded on public regulation (State and municipalities) to deal with the emergence of “public problems” (hygiene, dignity, police, etc.)(Gusfield 1980). On the one hand, it is especially exposed to moral and political controversies, notably with respect to economic management and the ensuing profits. On the other hand, before being a national market dominated by private industry, the organisation of funeral services called on a variety of organisational forms. These are the historical result of economic requirements (profitability of urban business), political frameworks (regulatory framework established by the State) and institutional mediation (heritage of

corporations and brotherhoods, moral economy models promoted by political actors at local level)(Scheinberg 2004, Thompson 1971). By focusing on this historically peculiar market, the objective of this paper is therefore to explore how this specific case is a poignant example of certain dimensions of the relation between political regulation and market.

Our analysis of the funeral market over the last two centuries uses the standpoint of historical sociology to report on the forming and development of the market institutions, and with these the dynamic processes of creation, stabilisation and crisis on the markets (Fligstein 2001, Fligstein 1996). Depending on the author, we consider the central role played by the formal institutions (treaties, laws, rules, etc.) set up by the State, while looking in particular at their long social and historical construction as the result of the political interplay and struggles between the State and the actors in the field (Lounsbury, et al. 2003). This approach especially enables us to understand how the successive funeral monopolies go hand in hand with the forming and expansion of private industry, notably by instituting “property rights” (i.e. respective boundaries for the control of business) at every step of the way, and by defining the rules for exchange between the different protagonists in the inter-organisational field (Campbell & Lindberg 1990, Fligstein 2001). It describes the institutions as market stabilization mechanisms (organised social spaces) as well as spaces of interplay within which the actors (and notably the challengers) explore the means of destabilising the rules of the game in their favour.

The question of institutional change constitutes the central enigma of the first historical section (Di Maggio & Powell 1997), and is explored through different types of questioning: what justifies the creation or change of the economic organisation systems? What is the “driving force” behind the transformation of market institutions? And, finally, how do the new systems influence the development of private industry, its organisation, and its forms of competition? We shall follow the avenue opened here by authors who have developed a multi-level analysis (Holm 1995, Leblebici, et al. 1991, Scheinberg & Bartley 2001), which navigates between the different regulation places and their interconnections. P. Holm (1995), for example, examines the influence of broader political and institutional struggles through the way in which they graft themselves on to the internal stakes and dynamics specific to a sector. Scheinberg & Bartley (2004) describe the influence of institutional mediation at the core of the regulation activity, driven by both political and market forces. Thus, the institutional dynamics of the funeral market call for an examination of the overlapping of regulation activities between the overall political (State and Church) and cultural levels, together with the political strategies, as well as the strategies of the business leaders in the field or the institutional entrepreneurs (Lawrence & Suddaby 2006). At the same time, these cross dynamics of institutional change come back to the same question of the “legitimacy” of the market institutions, whether in terms of the definition of the “moral economy” of the funeral business or through the legitimacy crisis of a given economic order (Suchman 1995).

Over the course of the different historical cycles, how do these overall institutional dynamics perform the market interactions and forms of competition at local level? To what extent formal

institutions “perform” the interplay of local actors? This brings us to a question that is less well explored in literature, i.e. the “market devices” at play. We adopt a pragmatic approach to these and focus on the way they operate as mechanisms that open and close the exchange opportunities for the competing actors (François 2008). This line of analysis is notably inspired by the work of M. Callon and D. Mackenzie through their focus on material *agencements* in economic interactions (Callon 1998, MacKenzie & Hardie 2006). We shall thus follow the proposal of these authors to analyse the workings of such socio-technical *agencements* from an ethnographic perspective. The authors describe special exchanges and cooperative arrangements among the protagonists of the activity, and more generally the close link between distinct professional spaces (hospital room—*funerarium*—private-sector business). The analysis of the organisational *agencements* that stabilise the interactions within an inter-organisational field at local level and hence structure the meeting itineraries will lead us to identify this central mediation that constitutes the organisational infrastructures of the market in the relation between policy (formal regulation) and market (competition)(Callon & Caliskan 2005). This is where we will find the key to understanding the stability of the coordination, hierarchy and competition models within local markets (Leblebici, et al. 1991), taking us well beyond the institutional changes and market share developments at global level.

## Methodology

The historical material used for this study comes from several types of sources. First of all, the funeral issue was the subject of considerable political but also legal debate over the two centuries of history (1804- 1993). This debate gravitated around a series of conflicts and judicial precedents with respect to the running of the funeral service monopoly. A large corpus of texts and analyses of legal experts (theses, articles, treaties or practical manuals on funeral law), drafted by jurists (Chaillot 1995, Gaubert 1875) or lawyers (Rubat du Merac 1905, Théodore-Vibert 1905a), give an account of this controversies, notably during the main legislative upheavals affecting the organisation of funeral services (1804, 1905, 1993)<sup>1</sup>. This material constitutes an exegesis brimming with specifically legal texts (laws, treaties, regulations, specifications, etc.), along with the ministerial reports and debates of the French National Assembly and Senate that accompanied legislative changes.

The history of the urban funeral business in the 19<sup>th</sup> and 20<sup>th</sup> century is built on first and second-hand sources. The first-hand sources notably comprise polemical works produced by the entrepreneurs themselves (e.g. “*The mysteries of the funeral services in the city of Paris*”, “*The Vampires*”, *etc.*)<sup>2</sup>. These testify to the first hostilities between funeral companies in competition for the

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<sup>1</sup> In this context of political debates on the relation between State and Church, the legal arguments reflect the need to justify the choice between alternative funeral organisation system. For each legislative period, they give an interpretation of the context in which the law was prepared, the arguments at the centre of the debates, and the strategies of the different parties concerned, etc. These precious accounts provide us with a reading of the history that is partial, according to the author’s political motives (notably anti-clerical or anti-liberal).

<sup>2</sup> See (Balard 1856, Girault 1910).

Parisian funeral service monopoly. Historical documentation relating to the main funeral company (PFG) also constitutes an important source of information (PFG union archives, internal reports on the company's history, etc.). The second-hand sources come from the works of historians having studied the archives of the municipalities and funeral companies of Paris and its surroundings (1874-1996), notably the state-run company in Paris and the companies belonging to the PFG group (Bellanger 2008, Bertherat & Chevandier 2008)<sup>3</sup>. Finally, there is the monumental work performed by Kselman on the history of the treatment of death and of the funeral business in France in the 19<sup>th</sup> century (Kselman 1993).

This historical reconstruction forms the backdrop to a sociology of the funeral market and funeral professionals in the contemporary period. It notably encompasses a study of the market's restructuring as it was opened up to competition (1993)<sup>4</sup>. Rooted in the renewal of contemporary economic sociology, the empirical work focuses on the competitive practices within local markets and on the negotiations between the State and the economic actors with respect to the restructuring of sector regulation. Here, the material is based on qualitative interviews, notably interviews with funeral directors, company managers and networks of companies from the French funeral sector (n=42); with actors involved in regulation of this sector: representatives of ministries, trade union organisations, company managers, consumer associations (n=12) as well as experts (professional press, expert firms). It is also based on direct observations of the funeral parlours as they deal with families and organise funerals (30 days of direct observation of funeral service activity in various structures, including undertakers, funeral parlours and hospital morgues). The question of the political regulation of the market has also been addressed through a study of the debates within the profession (specialised reviews, conferences, published texts, etc.) and participation in the Conseil National des Opérations Funéraires since 2004. This national council for funeral operations is the official collegial body that brings together all stakeholders (ministry, federations of companies, consumer associations, experts, etc.) to debate on funeral legislation. Finally, this material was backed up by the study of case law associated with conflicts brought to the attention of the Conseil de la Concurrence (council on competitive policy) (1970 – 2006).

On the basis of international scientific literature, we have also been able to put the historical uniqueness of the French market into perspective with respect to the changes specific to European and Anglo-Saxon markets (US, UK, Canada and Australia).

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<sup>3</sup> The work of Chifflet and Saman should also be cited as it presents the official history of the company PFG (Chifflet & Saman 1994).

<sup>4</sup> This research is also linked to three research operations carried out within the framework of public financing (CNRS (APN); the French ministry of labour – DARES “Services, Employment, Territories” programme (2000-2002), followed by the “professional dynamics in the health field” programme coordinated by the MiRe (2002-2004)). This research benefited from the collective work carried out with fellow economists and sociologists having taking part in these operations and whom we would like to thank. These colleagues are Olivier Boissin (LEPII), Sandrine Caroly (PACTE), Valérie Rocci (INPG) and Dominique Vinck (PACTE).

## Two centuries of funeral market history in France

As in most industrial societies, the private funeral business appeared in the 19<sup>th</sup> century in France. As of 1850 it progressively expanded outwards from the major cities to their outskirts and finally to the rural sector<sup>5</sup>. The term “funeral industry” designates the appearance of companies specialising in funeral services and supplies<sup>6</sup>, referred to in France as “Pompes Funèbres”<sup>7</sup>. In most European countries, and in France in particular (Habenstein & Lamers 2001 [1955], Walter 2005), these companies were to substantially evolve under the authority of local municipalities and/or religious administrations over the space of almost a century. Unlike Anglo-Saxon countries, the organisation of funerals is characterised by the central role of public regulation. However, an overly hasty assimilation with a “municipal model”, as Walter suggests (2005), prevents us from taking into account the increasing importance of private industry in France. Here, the integration and industrialisation of the sector happened much earlier and covered much more ground than in countries considered to be reigned by private industry (notably the United States).

The first part of this paper shall therefore be devoted to the account of the development of the private funeral industry. This part documents the main cycles of institutional change from the creation of the market in 1804 through to its maturity in the nineteen sixties and seventies, at which point the debate about opening the sector up to competition was started by the market players themselves. Our objective is to decode the interplay between these different factors, notably associated with breaks and institutional changes to the market. The analysis focuses on two main dynamics: the first concerns the legal definition of the “property rights” between the main protagonists (municipalities, religious administrations, companies, etc.), these being the object of political struggles and negotiation with the State. It describes a long process of controversies, negotiations and redefinition of the institutional bases of the monopoly and the scope of public intervention since the beginnings of the sector in the 19<sup>th</sup> century. The second identifies a continuous movement to expand funeral business across the country (semi-rural and rural), which included a movement from undertakers to extend their professional area, instead and in place of the traditional and collective organisation.

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<sup>5</sup> Death historians describe it as belonging to a wider movement of rationalization and specialization in the treatment of death in response to the burial crisis in industrial cities. They also associate it with a secularisation process underlying civil and political life during the same period (Walter 1996, Walter 2005).

<sup>6</sup> The widely dominating model out of all industrial societies is that of the SME, or even local tradesmen progressively specialising as carpenters, bell-ringers, coroners, small transport companies (using horses) and, notably in Anglo-Saxon countries, a progression towards specialised facilities for presenting the body (salons), running the ceremony (chapels), preparing the body (funeral homes), and providing burial places (crematoriums and private cemeteries).

<sup>7</sup> This also refers to the “pomp” of the funeral ceremony, and not only (as in England), preparation of the dead for burial and management of the funeral.

## I. The rise and growth of the funeral business (1804-1993)

Three main cycles of institutional change can be identified in the history of the funeral business: the first urban business developments as part of a highly administered funeral management system (1804-1880); a phase where the business freed itself from public administration, the market expanded and the first forms of industrial integration appeared (1880-1960); a phase during which the funeral business was modernised while at the same time market imbalance was exacerbated leading to the sector's restructuring and liberalisation (1970-1993).

### *a) Birth of funeral parlours in the era of the "fabrique" monopoly*

Throughout the 19th century, the question of funerals was inseparable from the regulations governing relations between the Church and the State (Kselman 1988). The first law pertaining to the organisation of funerals was introduced in 1804 under Napoleon. The Year XII Prairial decree set out the first legal framework for the way the funeral parlour monopoly was to be run, awarding this monopoly to the "fabriques" (parish council)<sup>8</sup>. To understand how this institutional church monopoly helped to form the funeral market, we must go back to the conditions underlying the introduction of the law. The Napoleonic law put an end to a critical burial crisis in Paris and other French cities. This crisis was especially intense during the revolutionary period when the church offices and corporations were dispossessed of their right to organise funerals<sup>9</sup>. As the Revolution drew to a close, the funeral question constituted a bartering tool in the context of the concordat when the alliance between Church and State<sup>10</sup> was re-established: aiming to offset the Church's losses during the Revolution (Auby & Rials 1981), Napoleon conferred on them the monopoly of all funeral supplies and services. This monopoly thus began as a political exchange (Pizzorno 1978). From then on it had to compromise with the heritage of the Revolution, in two respects: the organisation of the service was still under public authority (the municipal authorities and the Prefects)<sup>11</sup>; private businesses were called on to actually run the service. The latter were in fact the direct heirs of the corporations that had developed during the revolutionary period.

The Prairial decree can be considered as an act that "instituted" the funeral service market. It set out the legal framework for the rights and exchanges of rights between funeral service protagonists. Over the course of the following decades, this administered organisation of funerals gradually emerged in Paris and in other major French cities with a highly diverse range of

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<sup>8</sup> There were roughly 3,600 in the 19th century.

<sup>9</sup> "From being free of charge at the start of Christianity, burials had become a substantial source of revenue for the clergy and the parish council" (Chaillot 1995). At church administration's side, the funeral supply business in Paris belonged to the corporation of "town criers", which appeared in the 13th century and was in charge of announcing deaths as well as supplying the necessary cortège equipment.

<sup>10</sup> This law indeed stemmed from the concordat of 27th Messidor year IX, signed between Napoleon and Pope Pius VII with the aim of re-establishing religious peace by declaring Catholicism to be the main French religion.

<sup>11</sup> This authority was notably exercised in terms of the administration of tariffs and the organisation of the procession from the family's home to the Church and then on to the cemetery.



organisational setups<sup>12</sup>: the *fabriques* grouped together into unions, the organisation was entirely or partially abandoned to the municipal authorities, or there was a leasing arrangement with a company covering all or part of the service. Alternating between cooperation and competition, the church authorities, municipalities and companies were the local actors of the funeral business organisation: they shared out the different “offices” between them, kept an eye on their respective tariffs, shared the profits, coordinated their funeral organisation actions and regularly met in the court of justice to discuss the “rules of the game” and attempt to change regulations in their favour<sup>13</sup>.

The *fabrique* monopoly therefore constituted a breeding ground for the development of funeral professionals, notably because the leasing solution guaranteed better profits for the *fabriques* given the context of uncertainty and the possible changes to legislation<sup>14</sup>. To balance the financial side of things when it came to bearing the cost of free burials for the poor<sup>15</sup>, the law authorised funeral companies to offer superfluous accessories enhancing the pomp of funerals. As this space opened up to business, funeral parlours developed in city centres and competition between them grew fiercer (Chaillot 1995). The awarding of contracts within cities became the arena of heated battles between entrepreneurs. The companies that did not stem from the monopoly maintained their business at its outskirts by selling funeral ornaments: cushions, flags, flowers, accessories (so-called “free supplies”). These funeral parlours had a full role to play on the market, as “funeral agencies”. In direct competition with the official representatives, the funeral agencies gradually set themselves up as “brokers” (funeral organisers), in charge of applying to the town’s official representative on behalf of the family with the aim of optimising their own business. The first quarrels between official representatives and agencies formed the premises of the competition to be waged between funeral businesses for over one century. This system of sharing funeral income between rival actors fostered a trend to constantly add an increasingly vast range of products to the panel of goods available: hearses, bearers and caskets were decorated with drapes, flowers, cushions, ornaments and all kinds of accessories. This is how “Undertakers succeeded in turning funerals into ‘a consumer good’ whose cost was clearly evident and could be matched with precision to the class and degree of respectability” (Kselman 1988).

However, the growth of this competition and of the private market was still a mainly urban affair, taking place wherever profits could be made by such a service. In most of the country (which was

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<sup>12</sup> Following the withdrawal of the *fabriques* in Lyons, the city organised a limited transport service awarding the other services to an entrepreneur. In Besançon, the *fabriques* managed the supplies and services for visitation of the body and transport to the church, while transport to and digging at the cemetery were carried out by an entrepreneur delegated by the municipal authorities. Etc.

<sup>13</sup> “Within seventy years, the operation of the funeral business monopoly gave rise to so many procedures and quibbles that it is impossible to count how many there were, or even put forward an approximate number” (Corbeaux 1991).

<sup>14</sup> Resulting from political bartering, the *fabrique* monopoly of remained highly controversial within the context of the debate on secularism, notably between 1879 and 1905.

<sup>15</sup> The number of free burials in the 19<sup>th</sup> century was at the time considerable, representing at least half of the population and sometimes more (Camp (du) 1874, Kselman 1993).

semi-rural and rural), the *fabriques* gave up their monopoly. The organisation of burials in the countryside relied on community solidarity, that is: neighbours, family & next of kin, priest or charity brotherhoods.

*b) Expansion of the private industry in the municipal monopoly era*

The end of the 19<sup>th</sup> century gave way to a period of increasingly heated debate about the separation between Church and State, finally resulting in the secularisation of funeral services in France (Kselman 1988). The political motives behind this change are a key issue here as it led to the funeral service monopoly being transferred to the municipal authorities with the Church being limited to income from the religious ceremony. In the context of this political debate focused on the institutional relations between Church and State, the question of the role of private industry in the organisation of funerals pops up almost unexpectedly. During debates within the French National Assembly, the private businesses were promoted by liberals who had to face a powerful public system upholders front. The opposition between liberals and defenders of the public service turned into a long negotiation about the scope of the monopoly<sup>16</sup>. At the end of some fierce bargaining, the coffin was at last entrusted to the public monopoly, but lost many accessories to the benefit of private businesses. Compared with the previous system, the scope of the monopoly had been considerably downsized, apparently to take into account the interests of these firms.<sup>17</sup> This compromise was to allow the private industry to really flourish.

This second cycle in the history of the market was therefore marked by the structuring of the funeral business in cities (through state-run companies or concessions)<sup>18</sup>, but also by the expansion of private industry as it gradually spread out towards average-sized towns and rural areas. We shall stop here to focus on the main movements at work. Firstly, towards the end of the 19<sup>th</sup> century, private businesses developed in the cities. These offered services and obtained concession contracts from municipal authorities. This paved the way for the emergence of large funeral parlours, notably the PFG (in the Parisian area), Roblot (South East), and de Borniol. Their integration at the start of the 20<sup>th</sup> century was mainly to the benefit of one large funeral service company: les Pompes Funèbres Générales or PFG. With its highly lucrative portfolio of concessions, the group implemented a policy of taking over companies across France and hence extending its geographic reach under its trade name (PFG) or via its subsidiaries (Bellanger

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<sup>16</sup> The ability of municipalities to maintain a financial balance while bearing the cost of free burials for the poor indeed depended on this. The battle mainly focused on the coffin, which was a highly profitable product

<sup>17</sup> The monopoly was then confined to the coffin and to the organisation of the cortège, including the closing of the coffin at the family's home or place where the person had passed away, transport to the place where the ceremony was to be held, transport to the cemetery and, finally, the burial. All of the operations (preparation of the corpse, decoration of the dead house, placing of the body in the coffin, etc.) and supplies (peripheral accessories) did not fall under an administrative activity (notably in terms of the tariffs) and could be sold either by a concession holder or a funeral agency.

<sup>18</sup> Hence the public system grafted itself on to the previous organisation in which, as we have seen, the different organisational forms from one town to the next were relatively heterogeneous: companies under municipal control, total or partial concessions to a private company, abandoning of the monopoly to the benefit of the local authority.

2008)(Bellanger)<sup>19</sup>. This business integration and industrialisation movement was highly advanced for the time and continued from 1905 right up to the nineteen-sixties. During this period, the group acquired assets (forests, real estate, etc.) and engaged in vertical integration (making of coffins, grave plates, monuments, etc.), and horizontal integration (twenty or so subsidiaries and several hundred brands) (Chiflet & Saman 1994, Manciet 1985)<sup>20</sup>.

This historical funeral parlour boom was not only associated with the colonisation of the rural world by urban concession holders but also by the increasing specialisation of small local craftsmen (carpenters, monumental masons, gravediggers) in these same places. However, competition between these two types of actor was not immediate. The possible threat that the alliance between urban business men and municipal authorities in rural areas represented for local craftsmen was quelled through partnerships and subcontracting relations. However, underlying these two opposite movements was the seed of a future market duel. This seed was to harden over the years and evolve into a violent confrontation.

The analysis of this second cycle shall be momentarily concluded with the observation that the public monopoly system, via the concession mechanism, paradoxically constituted a fantastic lever for the development of private industry, incarnated by the PFG setups. The income brought in by the portfolio of concessions made it possible to speed up economic development and geographic expansion. The historic peculiarity of the French funeral business therefore stems from the early development of this large company (PFG), which grew and expanded across France using a network of branches whose architecture had already been set at the start of the 20th century. From this viewpoint, the PFG group constitutes an exception to the usual backdrop of funeral market in the world. Furthermore, the alliance of this historical entrepreneur with the public authorities, both at local and national level<sup>21</sup>, conferred on it unrivalled power enabling it to control the funeral service market.

### *c) Upset balance and questioned legitimacy: towards a liberalised system*

Half way through the 20<sup>th</sup> century, the funeral market entered into a period of deeper-reaching change. This profound mutation stems first the exogenous movements impacting funeral practices (ritual restructuring, geographic mortality, etc.). However, what interests us most here is the way in which the market players, and notably the leader PFG, used these events to increase their position of control on the market, to the extent that former balances were upset.

The first event – that we consider as “exogenous” - concerns the transformation of the funeral ritual with its significant decline in ostentatious symbols. This change is notably linked to the

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<sup>19</sup> “In the mid nineteen-thirties, the PFG group agencies covered over 300 municipalities, and this figure does not take into account the branches of its subsidiary (Bellanger 2008).

<sup>20</sup> See also “Synthèse de l’activité du comité « Notre Histoire », internal document on the history of PFG, 1992.

<sup>21</sup> This is notably conveyed by the exclusive mission of the PFG to take charge of operations to exhume, repatriate and bury the victims of the 39-45 war.

action of the Church (2<sup>nd</sup> Vatican Council, 1962-1965) with the abolition of classes and simplification of the ceremony. Cultural norms evolved towards a simpler, more sober and shorter ceremony. This stripping of the funeral tribute directly affected the urban business offer model built on the interminable lists of supplies sold or rented. This trend became even more prevalent when the convoys were motorised. This led to a whole section of the activity of these businesses (notably the PFG outlets), devoted to the running and keeping of the teams of horses, the decoration of the vehicles and the setting up and maintenance of the funeral hangings, disappearing<sup>22</sup>.

Faced with the requirement to reconvert, the PFG outlets sought a strategic place to redeploy their field of activities. This strategic quest was notably associated with the search for new activities, which were identified by drawing inspiration from the American model of the funeral home and the supply of services to the deceased (funeral accommodation, embalming, visitation rooms, etc.)<sup>23</sup>. This service offer went hand in hand with the increasing demand associated with the accelerated changes in geographic mortality. With medical services being provided to individuals towards the end of their life, the deceased migrated from their homes to health establishments in town and city centres<sup>24</sup>. Most health establishments were not ready to meet the growing number of deaths on their premises, notably in terms of infrastructure, i.e. hospital morgues. Private funeral chambers offered an area where the deceased could be left, kept, prepared and watched. Hospitals therefore largely called on the PFG offer, guaranteeing fast, efficient and less costly services. In 1962, the first funeral chamber was created following the initiative of the PFG Roblot subsidiary. Twenty years later, almost 200 establishments of this sort were set up across France, mainly on the initiative of PFG<sup>25</sup>.

This strategic redeployment of the PFG outlets, with the adoption of a new business model, enhanced the group's leading position. As the dominating concession holder in cities where hospitals were set up, the group largely benefited from the migration of the deceased to cities and their outskirts. In addition, the investing in public utility equipments helped to firmly establish the role of PFG as the privileged partner of local authorities. At the end of the 1970's, PFG's dominating government of the market had reached a peak. Its coverage of the entire funeral sector, its dominating concession market position on a national level (80% of the concession market), and the close relations it had set up with public networks formed the basis for its long-term domination of the sector<sup>26</sup>. To this can be added the powerful position held in public regulation authorities and backed up largely by its alliance with the world of elected officials.

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<sup>22</sup> "Hangers" actually accounted for 40% of PFG staff.

<sup>23</sup> In association with J. Murette, director of a small funeral sanitation company. PFG brought the concept of funeral home and the methods of arterial embalming back from America.

<sup>24</sup> Within the space of two decades (1964-1984), the amount of people dying in health establishments (hospitals, hospices, retirement homes) reached 66%, up from 33% to begin with (Barrau 1987).

<sup>25</sup> Source: Inter-ministerial report IGA-IGF-IGAS (1989).

<sup>26</sup> At the turn of the 1980's, it is estimated that 80% of the private market for concessions, adopted by just over 12% of French towns but covering more than half the population (64.8%), was held by the PFG network and the group's subsidiaries (Source : Inter-ministerial report, 1989). The municipal funeral company organisation continued in

The small companies developing at the outskirts of the monopoly (funeral agencies) or in rural areas (craftsman undertakers) found it more difficult to live off the monopoly's leftovers. Tension was exacerbated by the increasing imbalance between concession holders and agencies, large companies and tradesmen. Competition was fierce between companies on the local markets. At the beginning of the 1980's, the self-employed tradesmen turned to political means for their retaliation. They started fairly conventionally by forming federating groups and seeking political allies in order to start work on legislation. However, this retaliation especially took the form of public mediatisation of the conflict, with the disputes between undertakers providing the press with a particularly attractive subject both on a local and national level. This mediatised battle was widely fired and supported by an outsider of the funeral world, Michel Leclerc, famed consumer-advocate supermarket chain owner and founder of the first funeral "discount" network in France. Michel Leclerc acted as a true institutional entrepreneur through a court case in which the legitimacy of the PFG group was questioned. In the field, his franchise network side-stepped, hijacked and sometimes freely violated the monopoly. From a political standpoint, the monopoly trial, relayed by the press, had begun: the monopoly was denounced for the privileged position it ensured and the income it guaranteed, and was pointed at as an instrument of economic abuse (PFG). Thus, the public monopoly was associated with private interests when it was supposed to serve the general good and it therefore lost its stake in legitimacy. The context was also the raise of consumer organizations, for which this illegitimate market was a favorite target. The consumer press and all the media denounced the company PFG as a shameless merchant drawing profit from the ignorance and vulnerability of bereaved families. With its waning legitimacy being widely covered by the media, and therefore followed by the general public, the legislator was obliged to start restructuring the law. This led gradually to the sector's liberalisation in 1993.

This brings us to the threshold of a new cycle in which the funeral market was once more remodelled, simultaneously conferring relative independence and sovereignty of the "private industry" (PFG and SME's) on this economic activity. The public actor remained present only owing to the state-run companies already in place on the market. The 1993 liberalisation entailed deep-reaching reconstructions, notably with the eclipsing of PFG's monopolistic positions, supported in the past by the concession system (25% to 30% of market share). Following the path traced out by the PFG, the small self-employed businesses developed funeral chambers (and today crematoriums). Today, they are the ones to benefit most from the sector's liberalisation with sales networks representing 60% of the market.

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several major French cities (Paris, Marseilles, Lyons, Toulouse and Grenoble). But it was very often in deficit, while the concession offered all of the advantages of management delegated by the municipality. As a bonus, additional income was collected from taxes on the products sold by the concession holders. By comparison, the rural sector (86% of municipalities and 32.7% of the population) carried on with its traditional form where municipal employees (waymen and gravediggers), local companies, village inhabitants, charitable works, fire brigades, etc., all cohabited. It is estimated that the PFG group buried 50 to 60% of the deceased in France.

#### *d) Dynamics of institutional change*

From a nested-systems perspective (Holm 1995), this reading of the major changes in the formation and reconstruction of the market's institutions has attempted to report on the interconnection between structural political factors (Church/State) and the political and economic interplay of the actors within the local markets. The story begins with the legislation of 1804 when the "property rights" and rules for sharing between the different protagonists were formally established, i.e. when a formal institutional framework was set up. In terms of service organisation and income distribution, this framework nevertheless authorised complex and varied combinations and interplay on the market. We agree here with E. McFall, in her analysis of the political history of the life insurance market, through the idea that this founding institution is less driven by a consistent theoretical model than by a series of intertwined economic and political compromises<sup>27</sup> resulting from the interactions between multiple participants in this action space: political exchange between Napoleon and the Church, co-regulation between parish council and municipal administration in the government of funerals, but also legitimisation of the "pomp" feature of funerals, on which the profitability of the funeral business, undermined by the weight of free burials for the poor, depended. These are the institutional conditions that both directly and indirectly help to form a class of entrepreneurs leaning on the monopoly or positioned at its outskirts. They also constitute the sub-structure of increasing speculation around the panel of available goods, which was encouraged by the range of alliances set up and the competition between actors. This speculation was fuelled from two quarters: directly by the development of companies through the marketing of accessories; and indirectly by the political strategies aiming to ensure that the municipalities or *fabriques* had an income in order to stabilise their positions (Fligstein 2001)<sup>28</sup>. This coordination model underlies the development of local urban markets in the ensuing expansion phase.

The history of institutional change also shows that the influence of political forces is all the greater at the start of the century given that the funeral issue had become a "public problem" and was closely linked to the debate on the relation between Church and State. The role played by market forces in the institutional changes grew bigger once a proper private industry had been set up, in other words beyond the juxtaposition of local markets. Between 1905 and 1950, the relative standardisation of local markets and the company merging dynamics helped to confer a national scale on this market. The companies gained in market government autonomy compared with the municipalities. Intra-industry dynamics thus became a more determining factor in institutional change. The major turnaround of 1993 was instrumented through the forming of a

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<sup>27</sup> "Certainly, the legislation that emerged in the UK prior to 1945 seems to owe less to a coherent theoretical model than to a series of working compromises growing out of the interaction of a range of political and quasi-political, market, quasi-market and non-market participants".

collective actor led by one institutional entrepreneur (Leclerc) who instigated a crisis of legitimacy targeting the monopoly (Elsbach & Sutton 1992).

Whether driven by political agreement or intra-industry dynamics, these movements nevertheless shared the fact that they were inseparable from the conflicting arguments put forward in relation to the meaning and the legitimacy of re-organising the funeral economy. The negotiations between Church and State in the wake of the Revolution, the conflicts between *fabriques*, municipalities and funeral parlour businesses in the 19<sup>th</sup> century, the arguments between liberals and reformists at the National Assembly at the start of the 20<sup>th</sup> century, the trial of the monopoly in the 1970's, are all places where political and economic interests rival with each other, but also rhetoric and arguments promoting different structuring modes between civic principles (legitimacy), public regulation and funeral activity economy.

At the same time, we now suggest that this reading of the history of the market through its institutional dynamics does not enable us to report entirely on the forms of competition and interactions on local markets, and therefore indirectly on the “conception of control” on which the market power of the leader PFG was built (Fligstein 2001). We thus now propose to move on from this global perspective of the market to a closer examination of how, inside the institutional frameworks described, the concrete forms of competition and control are implemented.

## o II. The organisation of local markets

The above historical review has traced the main phases of the funeral market's transformation, focusing especially on the dynamics behind its formation, expansion and reconstruction and based on general and longitudinal knowledge. The following analysis now offers a closer examination of how, during the different periods, the institutional frameworks in place fashioned market relations and the competitive practices of businesses at a local level. The enigma of this second part lies in the astonishing stability of local market morphology: from one period to the next, the frameworks were built up around a company with a dominant position that governed the local market by controlling the infrastructures, and around which the smaller businesses gravitated.

### a) *Concession holders and funeral agencies: the war of the opinion leaders*

As we have seen, the initial legislation on funerals (1804) outlined a political framework that set the prerogatives of the Church while establishing public authority over funerals. The private companies used by the *fabriques* or the government-controlled companies via the concession system were at once supported (by the privilege of the monopoly) and tightly controlled by a system of levies. Owing to the fierce competition for the awarding of contracts, the discounts

granted to the *fabriques* led to ferocious overbidding that reached as much as 83.5% in 1852<sup>29</sup>. This state of affairs drove funeral companies to increase their profit margins in categories where there were no discounts. The “pomp” of funerals became a luxury that was exaggerated to match the profit quest of the multiple protagonists. The art of optimising the income from these luxury goods mainly depended on the interface with the deceased’s family. This interface was controlled by the delegated entrepreneur, until funeral agencies appeared. The broker, representing the funeral agency, came forward as the monopoly’s right-hand man, arguing the necessity of protecting the customer from spending on “objects that had no real meaning and were overpriced...” This incursion from agencies – acting on the family’s behalf – prolonged and complicated competitive strategies: the art of organising the funeral (or making up the set of luxury objects) was no longer a profitless game but used to optimise the distributed interests, according to the alliances built between these sales people and the *fabriques* (or alternatively the *municipalities*).

“The funeral agencies were set up to serve as intermediaries between individuals, on the one hand, and funeral companies and church *fabriques*, on the other: from among the crowd of heirs, they immediately discovered a clientele happy to no longer have to worry about organising the proceedings through to “the beyond”. They were welcomed by the church *fabriques*, who saw them as gifted business men able to increase the prices that the living were willing to pay out of the savings of the deceased in order to ensure their name would live on as expected and in an appropriate manner. This third associate, this avid business man, the agent, immediately became the broker of the association. He created the new profession of “seeker of the deceased ....and the dying” (Théodore-Vibert 1905b).

From this period on, competitive pressures focused around the question of how to gain access to families in order to organise their funerals. Being able to act as intermediaries between the families and the officials of the town’s funeral company was nevertheless a challenge for agencies. Throughout the monopoly period, the town hall was the main obligatory point of passage for settling funeral affairs, not only acting as the records office for declarations of death, but also as the place where the commercial and logistic aspects of funeral convoys were settled. The “funeral director”, a government official<sup>30</sup> in charge of planning the convoys, and the funeral company’s sales agent (holder of a town concession) welcomed families here together for the purpose of organising the funeral. The close connection between these different actors practically guaranteed that no other competitive actors could intervene. The death certificate was drawn up, the convoy organised and the supplies purchased all at the same time. Indeed, it is the *integration* of these different funeral service components that paved the way for this natural meeting between families and the funeral company working for the public authorities.

Suffering from an apparent lack of visibility, the funeral agencies only began to gain a position on the market when the customer escaped the immediate grasp of the concession holder. This

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<sup>29</sup> Sources: Maison Balard tract, dated around 1860. Paris archives.

<sup>30</sup> Official from the Prefecture, state employee and municipal council delegate.



explains the feverish agitation in front of town halls and described by the following historic witness, the mayor of Lyons.

Declarations of death are made in six district town halls. Funeral shops have opened around them all. The clerks wait at the town hall doors to ambush people coming to declare a death. As soon as such a person appears, he is immediately surrounded, solicited, grabbed onto and yanked back and forth by those wishing to secure his custom (Rubat du Merac 1905).

This clearly shows the desperate attempts of the funeral agency brokers to get in first before the funeral service agent at the entrance to the town halls and hence upset the usual fate of a family coming to make their official declaration of death. Alternatively, the funeral agency, often allied with the *fabriques*, would bring its own professional network into the conflict in order to enter the family circuit.

A funeral agency cannot wait for customers; it has to go out after them. It cannot settle for watching the deceased go by but must energetically seek out the dying. Yes indeed, that's how it happens. A good "agency" clerk visits the churches, gets to talking with "the verger," "the beadle," "the sexton," "the chairkeeper," "the holy-water distributor" and all informed "churchfolk" whom he thinks might be able to inform him about church customers, those who have been ... and those who are likely to become so again (Théodore-Vibert 1905).

A funeral agent who managed to win a family's custom was not out of the woods yet. His first interlocutor was the town official in charge of funerals<sup>31</sup> whose good graces he needed to win to get a "good time slot" for his customer's procession. Having a mutual understanding with the city adjudicator was of course extremely helpful. When the town funeral official disappeared as an intermediary, the funeral *cessionnaire* (concession holder) was at leisure to increase impediments to competition from funeral agencies and thereby disqualify their attempts to intervene. In the big city, the *cessionnaire's* man in charge of scheduling processions became an indispensable interlocutor, and to get into his good graces one might even slip him a little something.

Agencies and *cessionnaires* were clearly not equal competitors, but that asymmetry is not entirely explained by the monopolistic rules framing economic organisation of the activity. *Cessionnaires'* affiliation with the municipalities put them in an excellent position to take advantage of the confusion of spaces and methods for organising funeral processions, and they captured nearly all family "flow". Our belief is that this intermediary game was not just a question of using the social network, the intermediary aimed to seize on the entire funeral management organisational system as a market infrastructure. Town hall officials (funeral director) or company representatives (funeral clerk), places (town hall, Church), equipment (hearse), logistics (scheduling) and administrative operations (recording of the death), are all links in the organisational chain for

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<sup>31</sup> Until the early twentieth century, the funeral official was a city employee. The office was later abolished and the function performed directly by the private funeral *cessionnaire* or the municipal government-run public company.

treating the deceased. And it is at the very heart of these organisational *agencements* and the way privileged links are set up within them between the protagonists that the market was built up.

*b) The funeral chamber as a strategic platform*

Town halls continued to play a central role, acting as the market place and the organisational platform for both funeral logistics and business, right up until the end of the 1950's. At this point, a strategic transfer was operated as control was moved further upstream in the sector, i.e. to hospitals. Earlier on, we examined this movement that led to death being geographically focused around hospitals and health establishments. The development of funeral chambers opened up a providential opportunity for the market leader (PFG) allowing it to conquer the upstream market by awarding it more direct control over the traffic of deceased.

During the first decades in which funeral chambers appeared, and in the absence of any legal framework setting out the rules for using these facilities, funeral chamber developers set up agreements with the management of health establishments. The latter turned the funeral chambers into morgues and were hence dispensed with either building or managing their morgues<sup>32</sup>. Moreover, the funeral operator often made it easier for the hospitals to delegate this responsibility by offering to transfer and shelter the bodies for free. This made it possible to avoid any controversy about the fact that private-sector supply was being substituted for public supply. The tight link between medical and mortuary facilities also involved geographic proximity, even direct integration: the pioneers of funeral chambers would have been quite happy to build them on hospital grounds. Next best was to install them in the immediate vicinity of the hospital, right outside the exit. This situation was generalised in 1993 when judicial decisions and normative texts stipulated that the two functions and places had to be kept separate. Funeral chambers thus became a kind of health care institution annex; funeral chamber workers could immediately get to work handling and treating the cadaver. Keeping it in a refrigerated compartment was both a practical and symbolic supplementary stage in the chain linking treatment with "post-treatment". Since there was no hospital unit explicitly, exclusively devoted to this end, hospital caregivers readily contacted funeral operators to have bodies evacuated. Funeral business staff moved freely through the hospital to remove bodies, and take over the task of mortuary bathing, thus relieving hospital staff of handling the deceased altogether. Located in the immediate vicinity of the greatest concentrations of dead, funeral chambers were veritable "freeways" for draining cadavers out of hospitals eager to be rid of them. In absorbing the flow of dead bodies that submerged health care establishments, they also collected and channelled the deceased's family, who automatically transited through the place the body had been deposited. The family then needed only to be guided from the funeral chamber to the business's funeral salesman.

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<sup>32</sup> Report on the organisation of the funeral service (IGF-IGA-DGAS, 1989).

For the national French company (PFG), the funeral chamber, backing the service concession monopoly, was a means of stepping up its power over the market. Through its back-up action, the funeral chamber helped to anchor the company locally by providing privileged links from both a political point of view (municipal officials) and from a professional point of view (hospitals). The power of the *concessionnaire* was due to 1) their integration in the “treatment” chain, thanks to their facilities and affiliation with the professional worlds of health and death; 2) the close relations with the many protagonists linked to public institutions playing a direct role in managing the dead. Hospital staff, police officers (for body identification and traceability), public employees at the town hall and cemetery – all were essential intermediaries when it came to steering the dead and their families toward a particular service provider.

At the end of the 1970’s, the imbalance in market distribution caused many disputes and court cases in which the funeral agencies and self-employed professionals from the countryside opposed the funeral chamber managers (notably PFG)<sup>33</sup>. In 1987, the regulations imposed “commercial neutrality” on the funeral chambers<sup>34</sup>, and allowed the funeral agencies free access to the funeral chambers, following which both operated as a common facility. Nevertheless, the funeral chambers’ ability to get through corpses was mainly beneficial to those who managed them, i.e. to the operators who, after being authorised by the public authorities<sup>35</sup>, agreed to this costly investment, with the vigorous hope that they would not have to face any direct competition on the geographic area covered.

Here again, this market power seems to be directly related to the organisational *agencements* acting as a closing-off mechanism. This mechanism is built up through the chain sequence of service relations from upstream to downstream of the sector. The fluidity of the sequence is crucial and is created by “hyper-coordination” (Thrift 2004). This sequence is neither automatic nor natural, it stems from an *organisational construct*. The industrial fluidity relies on the close-knit *agencement* of the facilities (hospital/funeral chamber/funeral service company), and more broadly on the construction of technical networks, strategic interdependence and cooperative arrangements between various participants in the collective action space surrounding the deceased and their family. Funeral agencies’ recourse to the law to fight this abusive use of dominating positions highlights the integration and closing-off mechanisms that make use of the contiguity of spaces, the inter-changeability of roles (e.g. the removal of the corpse by white-coated funeral parlour agents), the confusion of signalling processes (e.g. hospital administrative forms with a funeral service heading), in order to reunify the different professional spaces, the hospital, funeral

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<sup>33</sup> This is notably based on the systematic study of the decisions made by the Council on Competition policy concerning funeral operator recourse before the DGCCRF.

<sup>34</sup> The decree of January 14, 1987, and later the law of January 8, 1993, designated funeral chambers as “public utility facilities” that perform a public service; they can therefore legally be run by any local government or state-owned company, by a private enterprise, or by an association, provided these entities are properly certified (Auby 1997).

<sup>35</sup> A funeral chamber constituted a facility whose public utility had to be established by the municipal or prefectorial authorities. This administrative and legal context put a tight limit on competing facilities in the same geographic area. At the same time, political lobbying strategies were implemented to prevent rival chambers from being set up in a given geographic area.

chamber and funeral parlour<sup>36</sup>. The case law decisions symmetrically reflect a legal attempt to disconnect, disunite, separate and re-establish the physical boundaries and the heterogeneity of professional spaces in which the concession holders formatted the itineraries by closely connecting separate professional spaces.

### *The local barons: a historical morphology of a local funeral market*

From the past through to today, as a central infrastructure in the treatment of the deceased, the funeral chamber has acted as a powerful lever for the creation of a dominant market position. Of course, while abolishing the concession holders' monopoly, the liberalisation law of 1993<sup>37</sup> attempts to establish a clear separation at the border between the public space (hospital morgue) and the market (private funeral chambers). However, the private funeral chamber (where bodies are stored and then laid out for visits), continues to be the dominating model for the management and treatment of the deceased. It continues to award the central privilege to the structure managing this facility, even though this is a common facility shared by all businesses in the same sector.

Since the opening up to competition, this market model has spread with the accelerated development of funeral chambers, in which SME's have invested heavily in spite of their small structure (figure 2). Thus, SME's have experienced a development allowing them to pass from the status of craftsman in that of big SME's, with modernized equipments (funeral chamber) and local branch network points, leading to a wide territory influence. Within cities, the local barons domination is established by controlling public service facilities operating as common resources for all professionals in the area. In average-sized towns and rural areas, large modernized SMS reign on their territory with the control of many branches. Today, the funeral chamber has been joined by the crematorium, backed up by the exponential growth in cremations. From the past through to today, this strategic positioning associated with the control of infrastructures hence points to relatively stable local market morphology.

## **Discussion**

This article applies historical sociology to the funeral market to report on the development of business forms and competition in this field of activity. Focusing on the question of institutional change, the central role of political actions in the fashioning of the market is studied first. This reading notably highlights how the public monopoly in France formed the sub-structure for the market and, later, boosted the development of private industry. This French style public monopoly paved the way for a process of business merging, vertical integration and

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<sup>36</sup> For a detailed description, see Trompette 2006

<sup>37</sup> And the successive application texts accompanying Decree n° 94-1027 of 23 November 1994 ; Decree n° 97-1039 of 14 November 1997; Decree n°95-653 of 9 May 1995 relative to the national regulation of funeral parlours.

monopolisation of the market by a quasi-industrial consortium. “Ahead of its time”, this process led to an extreme form of market duelling that no other country in the western world has ever experienced.

By combining this first reading with a second more pragmatic and materialistic approach based on the analysis of interactions within local markets, the dominating positions are seen to be built not only on the privileges awarded through legislation but also on the control of (inter) organisational market infrastructures. Of course, both of these features are closely connected: for over a century and a half, the monopoly closed off the goods and services provided by concession holders and positioned themselves at the centre of the concrete organisational *agencements* underlying the production activity. With its guaranteed income, the concession system also helped companies to develop larger facilities and even to anchor close connections between the upstream and downstream sections of the chain of funeral suppliers within these material infrastructures. In practice, the “regulatory” and “organisational” devices are therefore either directly or indirectly connected and, together, help to structure market interactions.

At the same time, these socio-technical devices and organisational *agencements* function with a partially autonomy from the formal institutional frameworks: both as a result of firms’ (funeral chambers’) own strategies, because they promote inertia (routine, materiality, etc.), and because competition regulations are grafted on to them. For example, it is obvious that the regulatory attempts to re-establish the commercial neutrality of funeral chambers at the end of the 1980’s – i.e. attempts to do away with their exclusivity and get them to work as a common resource – by and large fail to break the socio-technical and organisational chains orchestrated by the concession holders, notably in the relationship between the hospital, the funeral chamber and the funeral parlour. Wherever the service process engages in stabilised cooperative action between separate universes, strategic alliances pop up at multiple levels of regulation. These alliances are between actors promoting different types of organisational logic (caregivers, morgue employees, police, public agents, funeral parlours, etc.). Conversely, this line of analysis points more directly to the impact of certain legislative provisions on the markets. Although the initial aim of these is not to control competitive positions, they have a direct effect on the market’s inter-organisational infrastructures<sup>38</sup>: all forms of jurisdiction helping to define the collective action space associated with the supply of goods or services have an impact on the regulation system prepared by actors with the aim of governing their market. This is something that should certainly be further explored by the sociology of market institutions.

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<sup>38</sup> For the funeral sector, the obligation for health establishments with a critical number of deceased (threshold of 200) to have a funeral chamber equivalent to that of private funeral chambers in terms of compliance can be noted. This legislative provision set up by the Health Ministry in 1999 (and not necessarily targeting the funeral question) was to have a significant impact on some local markets by directly participating in the deployment of a public alternative to the private funeral chamber.

## Conclusion

Passing from the town hall to the funeral chamber, the “design of control” over the funeral market is by and large based on the control of local market organisational infrastructures. The picture described shows producers geared towards optimising inter-professional coordination upstream and downstream of the process, with the organisation of a productive continuum based on powerful symbolic and material *agencements* (Callon, et al. 2007, MacKenzie & Hardie 2006). This activity is inseparable from political investments allowing them to influence the sector’s regulation activity, in terms of its direct or indirect effects on the organisation of the deceased’s treatment process.

The case of the funeral sector in particular highlights this general form of competitive strategy where the aim is to close off opportunities for competitors (François 2008). This closing-off work is supported by formal frameworks outlining the rules of the game on the market but also with the socio-technical *agencements* stabilising the links between actors, notably within the inter-organisational field. In the specific case of the funeral market, the legal “closing-off” operation based on property rights (monopoly) was hence able to feed and support the socio-technical “closing-off” via organisational *agencements*. It is this configuration that led to the extreme situation of PFG’s quasi-monopolistic supremacy in the 1960 to 1980 period. Beyond the monopoly, the continued conception of control through the development of the funeral chamber underlines the nodal and strategic competitive edge provided by the control of organisational infrastructures. More generally speaking, our belief is that these organisational and material devices at the heart of the market constitute a force of inertia as well as an obligatory point of passage for institutional change. They point to the central mediating role played by the market’s organisational infrastructures in the relation between policy (formal regulation) and market (competition).

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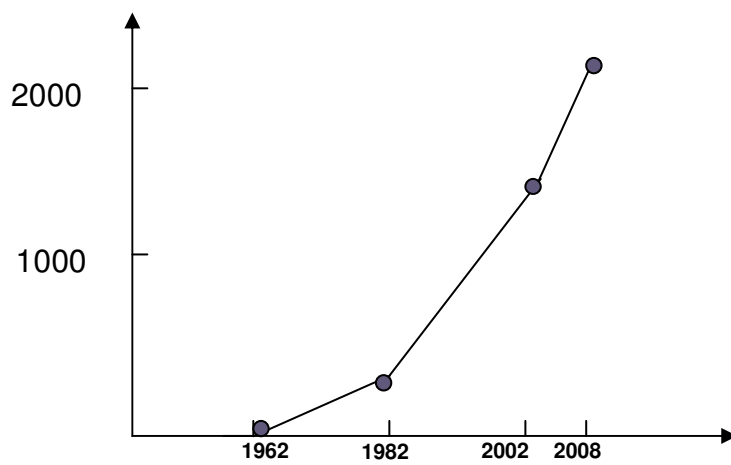


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**Figure 1 : PFG development (brand PFG only, without the subsidiary company)**

PFG – number of branches (1900-1990)										
	1910	1920	1930	1937	1943	1952	1959	1966	1985	1990
	51	110	184	211	223	239	247	264	231	226

**Figure 2 : Funeral Chamber development in France**



**Figure 3 – Embalming development in France**

