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Islamic burials in the Netherlands and Belgium. Legal, religious and social aspects

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Chapter 3

Theory and practice of Islamic burial preparations

Chapter 3. Theory and practice of Islamic burial preparations

Keeping the eschatological framework of the previous chapter in mind, the theme of this chapter are the Islamic burial preparations performed by Muslims in the Netherlands and Belgium. I shall argue that these sorts of burial preparations as performed in a migration context are inevitably subject to change, set in motion by either the social or the legal context. However, migration is not the only catalyst of the changing rituals. The diversity among the Islamic communities, that is expressed in various ethnic and denominational backgrounds, also plays an important role in this process. The mutual influence between a context of migration and the diversity among the Islamic communities induces an interchange in the performance of rituals and in the religious views of these rituals and how they should be performed. This tended to emerge most often in why, how and by whom the burial preparations were to be performed. The logical consequence of this was the inclusion and exclusion of individuals on the basis of gender, ethnic background or religious adherence. In conforming to the set practice of the burial preparations, a person's religious identity and their belonging in relation to non-Muslims, as well as toward fellow Muslims, was emphasized. In analyzing this pattern, I relate my findings to Beck's theory of the multi-layered message of rituals (Beck 2010, 210).

This chapter commences in Section 3.1 with a discussion of Islamic burial preparations as *rites de passage*. Death rites are part of this specific genre of rituals that mark the changes, shifts and transitions in the human life-cycle. Burial preparations can be categorized into the three major phases distinguished by the French anthropologist Arnold van Gennep (1960). I shall pay special attention to the second phase, that of transition, which has become known as the phase of being 'betwixt and between' because of its ambiguous character. Section 3.2 contains a discussion of the existence of funeral funds and insurances. Initially, these institutions were mainly foreign, but nowadays Dutch and Belgian funeral funds have adjusted their policies to meet Muslim demands. The following four sections are dedicated to the discussion of the separate burial preparations: the washing of the corpse (3.3), the shrouding of the corpse (3.4), the funeral prayer (3.5) and the funeral procession (3.6). In each section, the discussion will be carried out from looking at the matters from different angles, beginning with the

perspective of Islamic scholars, followed by looking at the interview data and at the relevant national legislation. From a religious scholarly point of view, Islamic burial preparations are regarded as a *fard kifâya*, a communal obligation. This means that if these obligations are undertaken by a sufficient number of Muslims, the rest of the community is excused. How these rituals are to be performed, by whom and where is thoroughly discussed in the various *fiqh* manuals.

Cogently, the national law and government regulations have been challenged by the performance of these burial preparations and in some cases the law has been adapted to meet Muslim demands. The upshot of this adaptation has been the emergence of both national and municipal differences in the Netherlands and Belgium. Finally, the interview data reveals interesting results about how Muslims perform, experience and adjust the burial preparations in a context of migration. Using these results, I shall explore whether the opinions and practices relate to a number of variables, among them ethnic background, religious denomination and gender.

3.1 Burial preparations as *rites de passage* and as an expression of identity

Islamic burial rituals are not fixed for eternity in their form and content and this very circumstance makes them difficult to define. Hence in this chapter, it is not my object to present a clear-cut definition, but simply to try to explain the burial preparations as rituals within a specific genre, that of the *rites de passage*. I shall use this approach to look at the Islamic burial preparations as rituals performed in a ‘liminal phase’, during which the deceased is considered to be ‘betwixt and between’: Belonging neither to the living, nor to the dead.

As mentioned earlier, death rituals form part of a genre usually referred to as *rites de passage*. These are life-cycle rituals that mark changes of place, state, social position and age during a person’s life. The French anthropologist Arnold van Gennep found a tripartite form inherent in all *rites de passage*: the phase of separation, the phase of transition and the phase of incorporation. The first phase includes behavior that emphasizes the detachment of the individual or group from ‘either an earlier fixed point in the social structure, from a set of cultural conditions (a ‘state’), or from both.’ (Turner 2002, 359). During the phase that follows, the transition, the characteristics of the subject (undergoing the ritual) are ambiguous, as he or she belongs neither here nor there. The third phase is that in which the ritual subject is incorporated into his new state. Islamic burial preparations, as they will be discussed in the following sections,

can be considered rituals performed in the phase of transition. The various rituals are performed in order to guide the deceased through his or her transition from one world to the other. Those involved in performing the rituals are very much aware of the deceased's vulnerability and emphasize the need for a rapid and correct effectuation of the burial preparations.

Building upon the work of Van Gennep, Victor Turner (1969) elaborates on the threefold structure by emphasizing the dynamic structure of *rites de passage*. Turner has characterized the second phase, that of transition, as an autonomous and sometimes enduring phase in which people are 'betwixt and between', hence extremely vulnerable. In this 'liminal' phase, entities do not have a status. Therefore it seems to be highly desirable to keep this phase as short as possible. This liminal phase is very apparent in the practice of burial preparations among Muslims. The principal aim of Islamic burial preparations is directed toward guiding the deceased from this world into the next.

In this perilous journey, the washing, the shrouding, the funeral prayer and the funeral procession are various obligatory elements that precede the actual burial, that determines the next stage of the deceased into the Hereafter. In Van Gennep's terms, the actual burial (see Chapter 4) can be placed in the phase of incorporation. As long as a person lies unburied, he or she is considered to be 'betwixt and between'; belonging neither to this world, nor to the Hereafter. Herein lies the principal reason why Muslims tend to emphasize the correct and rapid effectuation of burial preparations and of the actual burial itself. From a religious perspective, the soul will not rest until the body is buried and enters into its next phase; that of incorporation. The longer the period between death and burial lasts, the more heavily the burden of the deceased lies on the bereaved. Usually the burial preparations are performed within a very short period of time (usually within twenty-four hours after death), in order to overlap this precarious liminal period, in which the burial preparations have to be performed correctly and quickly. Because it involves the loss of a person, this phase is also marked by an explosion of emotions, conflicting expectations and various opinions about how the rituals should be performed.

Besides being *rites de passage*, burial preparations can also be an activity that express a strong sense of belonging to a specific denomination. Certain people are allowed to perform the rituals, while others are not. Their acceptance is attributable not only to their knowledge and expertise, but also to their religious background. Again, just as in Chapter 2, the question of identity is raised during the performance of burial

preparations. The inclusion and exclusion of people from these rituals is the outcome of various decisions that have to be made within a very short period of time. In the 'liminal period', the burial preparations are not the only important social aspect, it is also a time in which identity is emphasized and expressed in either belonging or not belonging to the same Islamic denomination. This leads to various solutions, conflicts and situations engendered by being 'betwixt and between' in another sense. Betwixt and between not in the same sense as the deceased, but in the assessment of being a person who is not allowed to attend or perform the burial preparations, yet may be present. I shall present these various situations when I discuss the practice of burial preparations in the following sections. Before I talk about the burial preparations, in the next section I shall first examine the role of funeral funds and insurances.

3.2 Funeral funds and insurances

From a national legal view the burial preparations cannot commence until a death certificate has been granted by a physician or coroner.³² If the deceased had a funeral insurance, the bereaved contact the insurance company which will subsequently take care of the administrative procedure set in train after death. One of the requisite documents is the permission for burial which is granted by the municipality. In Belgium, this permission can be granted 24 hours after death has taken place, in the Netherlands the term is set at 36 hours. However, both countries offer possibilities to apply for an exemption to this rule. In the Netherlands, exception to this rule can be granted under Article 17 of the Burial and Cremation Act, by the mayor in consultation with the public prosecutor: 'After having heard from a doctor [about this matter] the mayor of the municipality in which the dead body is located can set another term for the burial or cremation. Nevertheless, he shall not permit burial or cremation within 36 hours of death, except after agreement with the public prosecutor.' In Belgium, there is no federal law to cover this matter that is regulated by various regional and municipal acts.

During the time the bereaved are waiting for permission, the burial preparations are usually performed. Depending on the type of funeral insurance the deceased had, these burial preparations can also be taken care of by the funeral organizations. The

³² In the Netherlands only the deceased's doctor (*behandelend arts*) or the municipal coroner can perform the post mortem examination. In Belgium any doctor can do this (Das and Van der Wal 2002, 2044)

burial preparations are usually performed in the Netherlands and Belgium when a death has occurred there, regardless of where the burial will take place. In only three cases (8% of all respondents) in this research were the burial preparations performed abroad, in the place to which the deceased had been repatriated for burial. This means that the deceased was transported in a coffin that was opened at arrival at its destination, so that it could be washed, shrouded and buried. All cases involved Shiites being repatriated to Iran and Iraq respectively. The explanation given by the respondents was that, as there was no family here, relatives abroad wanted to make sure the burial preparations were performed correctly. Therefore they conducted the burial preparations after repatriation.

Funeral funds and insurances among Muslims in the Netherlands and Belgium are institutionalized mainly among the Moroccan and Turkish Muslims. Moroccan funeral insurances are provided by national Moroccan banks such as the *Banque Populaire* (also *Banque Chaabi*) or the *Atijari Wafa Banque*. The *Banque Populaire* was the first Moroccan bank to open a branch outside Morocco, in Paris in 1972.³³ When Moroccans living abroad opened an account at this bank (in order to be able to transfer money back to their home countries), they would automatically also be provided with a funeral assurance that included the repatriation of the deceased to Morocco. The current annual charges for this insurance range between € 19 and € 93. This repatriation insurance covers the costs for the repatriation of the corpse and two flight tickets for family members to accompany the deceased. Originally these insurances were offered for repatriation only and did not cover the costs for burial in the Netherlands and Belgium but now this policy is changing to suit the times.

The possibility of burial in the Netherlands and Belgium has now been included into *Banque Chaabi*'s terms of insurance and is covered up to an amount of € 2,800.³⁴ The change in the insurance policies offered by the Moroccan banks has actually been put into practice. One of the Belgian respondents had her baby son buried in Belgium. He had died only a month after he was born. Because his parents already had an insurance with the *Banque Populaire*, their son was also included in the policy. The costs of the burial, transferring the deceased from the hospital to the mosque and from the mosque to the graveyard were covered by the insurance company.

³³ Interview Omar el Bardai, Hassan II Fondation, Rabat 29 June 2010.

³⁴ Article 21.4, Injad Achamil Europe. 2013

Ten of the eleven Moroccan respondents had an insurance with the *Banque Populaire* and one had an insurance at *Atijari Wafa Banque*. The insurance company is called immediately after a death has taken place and it will take care of the administrative procedure and the transport of the deceased from the house or hospital to the mosque for washing and prayers, and from there either to the morgue, the airport or the graveyard. Unlike the Turkish funeral funds, discussed below, the *Banque Chaabi* does not employ its own professional washers who can be summoned to attend the deceased. Among Moroccan Muslims in both the Netherlands and Belgium, this is a task which is principally assumed by local mosques. These also provide the shroud and have a group of volunteers who wash the deceased.

In the case of Turkish Muslims, religious organizations rather than banks provide funeral funds. For instance, both *Diyanet*, the Presidium for Religious Affairs in Turkey, and *Milli Gorus* have established funeral funds for Turks living abroad. The *Diyanet* fund was established in 1985 and that of the *Milli Gorus* (*Yeni Cinar*) was founded in 1992. The differences between these Turkish funds and the Moroccan insurances is that the funds calculate the annual charges at the end of each year. Over a whole year, all the costs are covered by the fund. At the end of the year, the fund distributes the costs among all its members. Both the *Milli Gorus* and the *Diyanet* fund emphasize that they are not a profit-making organization and therefore charge their members only the costs that are actually made. Because this amount can vary from year to year, the yearly contribution also fluctuates. Between 2008 and 2012 the yearly contribution to *Diyanet* varied between €35 and €51 and at *Milli Gorus* it fluctuated between €40 and €55.³⁵ The funds cover the costs of the administrative work and the repatriation of the deceased, including a flight ticket for a family member who accompanies the deceased.

Both *Diyanet* and *Milli Gorus* have also included the option for burial in the Netherlands and Belgium. In its rules and regulations, *Diyanet* has included a clause stating that in that case the burial expenses are covered up to an amount of € 2,500.³⁶ The choice of burial location is left to the bereaved. The funeral fund of *Milli Gorus* does not state a maximum amount, but covers only the costs of a grave that is granted

³⁵http://diyanet.nl/wp-content/uploads/haberler/2012/02_SUBAT-2012/Yillara%20gore%20katilim%20pavi.pdf (accessed 20 September 2013); Interview M. Erdogan, Yeni Cinar, 19 November 2012 Rotterdam

³⁶ Reglement stichting Diyanet van België. Fonds van wederzijdse hulp, solidariteit en repatriëringen van lijken, Article 25.

for a limited period of time (see Chapter 4). Nine out of the twelve Turkish respondents had an insurance with *Diyanet* and one with *Milli Gorus*, two had no insurance at all. Although *Diyanet* is a strict Sunni organization, the fund does not seem to register religious denominations as it turned out that the Alevite respondents were also insured at *Diyanet*. The conditions for membership only insist that the person should be bound to the Islamic faith.³⁷ The funds are called immediately when death occurs. They arrange the dossier either for repatriation or burial in the Netherlands or Belgium. The funds also provide their own professional washers, who wash and shroud the deceased with the help of family members. The shrouds are provided by the funds and the funeral prayer is held in a mosque according to the choice of the bereaved.

National insurance companies in both the Netherlands and Belgium have also responded to the need for Islamic funeral insurances. Several insurance companies have developed special Muslim or multicultural funeral insurances, with options covering flight tickets, arranging washers for the ritual washing and covering the burial costs.³⁸ It is also possible to opt for a policy that is paid out in cash instead of in kind, an option which is not possible with the Moroccan and Turkish funeral funds. All of the Ahmadiyya respondents were insured through the national insurance company Dela. As were my Indonesian, Sudanese, Iraqi, Afghani and Pakistani respondents. As a group they accounted for 20 per cent of the respondents. Depending on the content of the insurance policy, the monthly charges at Dela can range from €7 up to €45.³⁹

Of all respondents, 31 per cent was insured with a Moroccan bank, 28 per cent with a Turkish funeral fund, 20 per cent at a national (Dutch or Belgian) insurance company and 20 per cent did not have any insurance at all. Very often in these latter case, the necessary funding for either repatriation or burial in the Netherlands and Belgium will be collected by members of the Islamic communities: through mosques, family and acquaintances, or with the help of consulates and charitable organizations. Instances in which repatriation could not be paid for by the bereaved occurred in the case of three out of six Shiite respondents. A case in point was that of a female Shiite respondent who shared the story of her deceased father's wish to be buried in Iran.

³⁷ ISN Reglement ondersteuningsfonds ingeval van overlijden, Article 2.1a

³⁸ See for example Dela and Monuta. <http://www.multicultureleuitvaartverzekering.nl/>, <http://www.monuta.nl/uitvaartverzekeringen/welke-uitvaartverzekering-past-bij-mij/multiculturele-uitvaartverzekering/> (Accessed 17 September 2013)

³⁹ See <http://www.bokhorstverzekeringen.nl/terugnaarhuis/multiculturele-uitvaartverzekering-buitenland.html> for a calculation of the monthly charges. (Accessed 20 September 2013)

Because he did not have any funeral insurance, her mother did her very best to seek the cooperation of the Embassy of Iran. A week after his death, it was arranged that all the administrative procedures and costs for repatriation would be covered by the Embassy. The travel expenses of family members who accompanied the deceased to Iran and the costs of the morgue had to be covered by the bereaved.

Because of the difficulties that have arisen in collecting funds for the burial and also in some cases for the repatriation of someone who did not have a funeral insurance, several private initiatives have emerged to complement the more ‘formal’ solutions to which an appeal can be made. One of the examples of a private initiative is the Alwafat Fund.⁴⁰ The aim of this fund is to come to the financial aid of those who have died and cannot afford to be buried or repatriated. Although more formal channels are offered by embassies, foundations that represent their nationals living abroad also offer possibilities. One example of this is the *Fondation Hassan II* in Rabat, Morocco. It receives applications from Moroccans all over the world requesting financial assistance in repatriating a deceased relative and it covers the costs of thirty-five to fifty repatriations annually. Over the period of 1999-2008, the Foundation assumed the financial responsibility for nine repatriations from the Netherlands and seven from Belgium.⁴¹

It seems that funeral insurances and funds are much more institutionalized among Sunni, Alevi and Ahmadiyya Muslims than among the Shiite community. This might be because the majority of Shiite respondents are from Iranian, Iraqi and Afghani backgrounds and they, as mentioned in Chapter 1, have established themselves in the Netherlands and Belgium much later than their Moroccan, Surinamese and Turkish counterparts. Despite the different ways Muslims are insured, after death various rituals are obligatory before the actual burial can take place. These rituals are subject of the following sections.

3.3 Washing the corpse (*Ghusl al-mayyit*)

In various *fiqh* manuals, the washing of the corpse is described in detail, with some variation between the different Islamic denominations and the *madhâhib* and these are the subject of this section. Just as the other burial preparations, the washing of the corpse

⁴⁰ <http://alwafatfonds.nl> (Accessed 20 September 2013)

⁴¹ Interview Omar el Bardai, *Hassan II Fondation*, Rabat 29 June 2010.

is considered to be a *farḍ kifāya*. The Islamic community has a collective obligation to perform this duty for any deceased Muslim. If a sufficient number of people turn up to perform the washing, the rest of the community is excused from this obligation.

The washing should be performed by a Muslim who knows the precise procedure that has to be followed. Although the *fiqh* especially calls upon direct family members to perform the ritual, in practice the washing is often done by volunteers from within a ‘washing group’ of the local mosque. Several respondents (36%) referred to the obligation of having the washing and the other burial preparations performed by someone of their own denomination. In a few cases (16%), the respondents even specified that the person performing the washing should be of the same (Ḥanafī) *madhhab*. The washers can either be men or women. As a rule, deceased men are washed by men and deceased women are washed by women. An exception to this rule is the possibility of spouses washing each other (Sistani 1999, 137; Al Jaziri 2009, 673). This exception is derived from prophetic traditions such as the following: ‘Aisha reported that when the Prophet returned from a funeral at al-Baqee,⁴² she was suffering from a headache and said, “Oh my head.” The Prophet replied, “No, it is I who is in pain from whatever hurts you. If you were to die before me, I would wash you, shroud you, pray for you and bury you”.’ (Philips 2005, 33). The Ḥanafites argue that this is not permissible as the death of the wife ends their marital bond and therefore her husband is not permitted to wash her. Conversely, when the husband dies, it is permissible for his wife to wash him because she is still considered to be in her ‘*idda*’ (Al Jaziri 2009, 672-673; Ibn Rushd 1994, 263; See Chapter 5 on ‘*idda*’). This situation also turned up among the Turkish respondents, most of whom belong to the Ḥanafī *madhhab*. When sharing the story of his mother’s death, a Turkish respondent told me how much he regretted not being able to wash the body of his deceased mother since he was her son. He also went on to say that his father was not permitted to wash the body of his deceased wife, since her death had ended their marital status. They therefore asked his mother’s sisters to perform the task assisted by professionals from within the mosque.

Although there is no religious obligation to wash a non-Muslim deceased, there are various opinions among scholars about the desirability of doing so. The Malikites

⁴² Al Baqee cemetery (*maqbarat albaqī*) is an ancient cemetery located in Medina, Saudi Arabia. It was established during the time of the Prophet.

forbid the washing of a non-Muslim, even next-of-kin, whereas Shafi'ites hold that there is no objection to washing a non-Muslim next-of-kin. Their difference in opinion stems from whether the act of washing a deceased belongs to the category of worship or to the category of cleanliness. In the first case, the washing of a non-Muslim is not permitted, whereas in the latter case it is (Ibn Rushd 1994, 261-262; Al Jaziri 2009, 671).

Before the washing, those who will undertake the task perform *wuḍū* (ablution) and express their intention (*niyya*) to wash the deceased. This intention is either pronounced out loud or done silently (Al Jaziri 2009, 682). During the washing, that has to take place in a screened-off area, the corpse is laid down, the clothes are removed and the 'awra is covered with either a sheet or towels ('awra being the area from the navel to the knees in the case of a man, and the whole body of a woman with exception of the hands and face; Al Jaziri 2009, 672; Sabiq 1991, 29). Shafi'ites argue that the washing should take place under the clothing. Other scholars disagree as there is no consensus on the question of whether the washing of the Prophet under his clothing should be regarded as *sunna* or as something specific to him alone (Ibn Rushd 1994, 264). Those who are of the opinion that this was something specific to the Prophet himself and that looking at a deceased person with the exception of his or her 'awra is not prohibited permit the washing to take place without clothing. Those who consider this practice as *sunna* argue that the deceased should be washed under his clothing (Ibn Rushd 1994, 264).

The washers begin by gently pressing on the stomach of the deceased to empty the intestines of any impurities. Next the washers wash the private parts of the deceased (*istinjā'*), after which they put a piece of cloth around their hand and perform the ablution (*wuḍū*) on the deceased (Al Jaziri 2009, 680-684). The *wuḍū* consists of washing the hands and arms up to the elbows, feet, face, ears and wiping over the head. The washers put a piece of cloth over their hand to wipe the teeth and nostrils, instead of rinsing the mouth and expelling water through the nostrils (Al Jaziri 2009, 678). The *madhāhib* differ on the performance of the ablution on the deceased, as the Ḥanafī school rejects this custom. The various opinions are the result of the discussions on obligations that apply to the living and to the dead. If the deceased is exempted from such obligations as worship, then no ablution has to be made for the deceased, since ablution is the purification prescribed for the purpose of worship (Ibn Rushd 1994, 265). Hence, according to this opinion, if the deceased is exempted from the obligation to

pray, then he is also exempted from the condition for prayer which is ablution. This reasoning even suggests that, if the washing of the deceased had not occurred in the prophetic traditions, then this too would not be obligatory for the deceased (Ibn Rushd 1994, 265).

After the *wuḍū*, it is time for the *ghusl* that consist of washing the entire body. The *ghusl* always commences from the right side of the body and the washers work from head to feet and continue the same process on the left side. The entire body must be washed at least one time. If it is not clean after the first washing, the washers can decide to repeat the washing an odd number of times (Al Jaziri 2009, 670). This prescription is based on a *ḥadīth* of Umm Atiyya: ‘Allah's Apostle came to us and we were giving a bath to his (dead) daughter and said, “Wash her three, five or more times with water and *Sidr* [lotus leaves] and sprinkle camphor on her at the end; and when you finish, notify me”. So when we finished, we informed him and he gave us his waist-sheet and told us to shroud her in it. Aiyub said that Hafsa narrated to him a narration similar to that of Muhammad in which it was said that the bath was to be given for an odd number of times, and the numbers 3, 5 or 7 were mentioned. It was also said that they were to start with the right side and with the parts which were washed in ablution, and that Umm Atiyya also mentioned, “We combed her hair and divided them in three braids”.’ (Bukhari 1997, 289). The Ja‘farites say that the body of a deceased has to be washed at least three times, the first time with water and lotus (*sidr*), the second time with water and camphor and the third time with plain water (Sistani 1999, 136; Bakhtiar 1996, 44). The use of camphor or lotus, to be added during the last washing, is also recommended by other *madhāhib*. Various respondents indicated the use of camphor, lotus plant leaves (*sidr*) and rosewater.

Lukewarm water is used during the washing and the washers must handle the deceased very carefully, as if he were still alive. It is a general belief that the deceased is still aware of what is going on around him and is able to feel the washing as it is performed. A well-known *ḥadīth* in this context is mentioned in the *Kitāb Ahwāl al-Qiyāma*. It tells the story of the Prophet explaining to his wife Aisha the difficulties that the deceased will encounter in the process of leaving his children, his loved ones and watching the washers preparing him for burial: ‘By God, O washer, take off my clothes gently, for I have just escaped the torture of the Angel of Death (...) By God, O washer, do not make the water too warm or too cold because my body has endured much pain when the *rūḥ* left her (...) By God, O washer, do not hold me too tight for my body has

suffered much when the *rûh* left her (...) By God, O washer, do not tighten the *kafan* around my head so that I can see the faces of my family and my children and my relatives (...).' (*Kitâb Aḥwâl al-Qiyâma*, 26).

In this context a washing I attended was very interesting. Before we began the washing, I remember the washers quietly expressing their apologies for the trouble they had when moving the deceased woman from in the coffin onto the washing table. The washers emphasized that the deceased is in a vulnerable state after the painful process of dying. If a washing is to be performed easily there have to be enough people to turn the deceased gently on his or her side. Under no circumstances should the deceased be turned face down (Al Jaziri 2009, 680).

After the washing is performed, the body is dried carefully. Then the seven parts of the body that touch the floor when one prostrates are rubbed with camphor, an action which is known as *tahnîṭ* or *ḥunûṭ*. The forehead, the two palms of the hands, the knees and the two big toes are rubbed with camphor (Al Jaziri 2009, 677). Ja'farites hold that the *tahnîṭ* should also be applied on the nose (Sistani 1999, 137).

From the results of the interviews, it turned out that Muslims of all denominations perform the ritual washing of the deceased. Approximately 40 per cent of the respondents had actually been present when the corpse of their deceased was washed. Those who did not attend this ritual were prevented by the fact that the deceased was of the opposite sex (30 %) or because they were physically absent (20%). Others (10%) did not attend because of the psychological shock they experienced after the loss of their loved one. Respondents who were present at the washing indicated that a professional washer or someone who had previously performed the washing was always present during the ritual to make sure that it was performed correctly. Their own role was mainly assisting when necessary and doing what they were told to do by the professionals. The remaining washers were either relatives or others who had been called upon, for the most part from within a mosque. Respondents indicated that the washing took place in a funeral parlor (37%), in the hospital (40%) or in a special washing room in the mosque (23%). The washing of the corpse was generally described by respondents as an overall washing of the body with water and soap, during which the corpse is covered with a cloth. No differences were found in the interview data with regard to the various Muslim denominations. Only a few of the respondents could tell

me in detail how the washing should be performed, the majority referred to the *ghusl* of a deceased as being similar to the *ghusl* of the living.⁴³

From a national legal point of view, the washing of the corpse is not in any way restricted, besides it having to be in accordance with national ordinances governing health, safety and the public order. Usually this means that a body cannot be washed by just anyone and anywhere if the deceased has happened to die of a toxic or contagious disease.⁴⁴ Specific procedures are to be followed in these situations, and the family might find itself unable to perform the washing until the Health Inspector has cleared the deceased. I came across no such situations during the fieldwork. In the normal course of events, after the washing is completed the body is dried and covered with white shrouds, the *kafan*.

3.4 Shrouding the corpse (*takfīn*)

Just as the *ghusl*, the shrouding of a deceased (*takfīn*) is considered to be a *farḍ kifāya*. The requisite shroud (*kafan*) for Sunni, Shiite and Ahmadiyya Muslims consists of at least one cloth that covers the entire body (Al Jaziri 2009, 684; Sistani, 31; Mohammed Ali 2005, 354). However, preferences for which the various denominations and *madhāhib* have formulated different numbers of cloths and descriptions of the *kafan* can be followed. It is obligatory that the cloths are clean, plain white and un-sewn. The *kafan* includes a large piece which covers the body from head to feet (*lifāfa*), a piece that covers the body from the shoulders to the upper leg (*qamīs*) and a loincloth covering the body from navel to the feet (*izār*). These numbers of cloths are based on a *ḥadīth* from Aisha on this matter: ‘Allah's Apostle was shrouded in three pieces of cloth which were made of white *Suhul* [white cotton] and neither a shirt nor a turban were used.’ (Al Bukhari, 293). This *ḥadīth* especially has prompted Hanbalites and Shafī‘ites to argue that the *kafan* for a man should not include a *qamīṣ* or a turban (Al Jaziri 2009, 684-688). Should the deceased be a woman, Malikites, Shafī‘ites, Hanbalites and Ja‘farites add a headscarf (*khimār*) and an extra *lifāfa*, and Ḥanafites also add a breast cloth (Al Jaziri 2009, 684-688; Sistani 1999, 137-138). The number of cloths used for women is based on various *ḥadīths*, for example, the following: ‘I was among those who bathed Umm Kulthūm, the daughter of the Messenger of Allah (God’s peace and

⁴³ For the living, the *ghusl* is obligatory after sexual intercourse, ejaculation and menstrual or post-partum bleeding (Esposito 2003, 95).

⁴⁴ Inspectierichtlijn Lijkbezorging VROM, 99-01.

blessings be upon him). The first thing that the Messenger of Allah (God's peace and blessings be upon him) gave me was the lower garment, then the upper garment, then the head covering, then the cloak, and then later she was placed in another garment.' (Ibn Rushd 1994, 267).

Disregarding the various nuances, the shrouding procedure might be described to take place as follows. The garments are laid down one on top of the other, the largest garment at the bottom. The deceased is then placed on top of the garments to be enshrouded. Before shrouding, a piece of cloth with some fragrance is placed between the buttocks to prevent any impurities seeping out onto the *kafan* (Al Jaziri 2009, 687). The shrouding begins with the *izâr* and *qamîş*. In the case of a woman, the headscarf is put on. Then the larger *lifâfa* is wrapped around the body from the right side to the left side. The garments are tied together at the head and feet and some additional bindings are also tied at intervals along the body.

Islamic *fiqh* prescribes that the *kafan* be purchased with the deceased's own money (Al Jaziri 2009, 634). In practice, it is usually provided by a mosque organization or by the funeral director. During one washing and shrouding I attended, the *kafan* was made on the spot from a large roll of fabric. Measuring the height and width of the deceased woman, we cut the five pieces of her *kafan*.

Respondents who had attended the washing were also present at the shrouding and indicated that it took place in the same place the corpse had been washed. They informed me that the *kafan* itself was provided either by the bereaved family, by the mosque or by an Islamic undertaker. Some respondents indicated that the deceased had already prepared the *kafan* while alive, acquiring the material mainly from holy places such as Mecca and Kerbala. One of the male respondents reported that when he shrouded his son, he used the *kafan* he had acquired in Mecca when he performed his *hadj*:

We laid down the three parts of the *kafan* over the coffin, one on top of the other. I and three other men from the mosque performed the washing. When we were done, we raised my son onto the *kafan* and into the coffin. While he lay in the coffin, we wrapped the shrouds around him. Islamic rules prescribe that you always have to begin from the right side and then move on to the left side. We covered his whole body from head to feet. Not just anyone can wrap the *kafan* correctly around the deceased. You always have to make sure a professional is present to instruct you. (Rashid, personal interview, November 27, 2012).

Shiite respondents especially indicated that the *kafan* could be adorned with writing. One respondent told me about the *kafan* used for his father, which he received from their friends in Karbala and was adorned with Quranic verses written with sand from Karbala. Another female Shiite respondent spoke about a practice performed while they were shrouding her aunt. The woman in charge of the *takfîn* pulled out a piece of the *kafan* on which all the women present wrote down their names. If forty Muslims had written their names on that piece of *kafan* and testified that she was indeed a good Muslim, she could show this piece of *kafan* to Munkar and Nakîr (see Chapter 2). The Sunni, Ahmadiyya and Alevi respondents did not share this tradition of writing on a *kafan*. All respondents who had not attended a shrouding said that they knew the *kafan* should consist of white cloths, but had not been informed about the number of cloths or on the manner in which the shrouding should take place. The majority felt that this was not information that just any Muslim should know, but specialist knowledge about which the imam could be approached or read about if a person desired to know more.

The issue of shrouding has caused quite a stir and attracted plenty of legal attention in both the Netherlands and Belgium. The problem is not so much the shrouding itself, but more specifically the burial of Muslims in shrouds without a coffin. According to Islamic *fiqh*, the deceased should be buried in his shroud and not in a coffin. It is considered *makrûh* (undesirable) to bury the deceased in a coffin, unless there is some reason to do so. This necessity might occur if a person is obliged to do so by the authorities of his country or when the ground is not stable enough to be buried in without a coffin (AbdulQadir 1998, 287; AbdulQadir 2003, 123; Tabatabai 2001, 177; Sistani 1999, 139; Qahtani 2007, 89; Al Jaziri 2009, 715-716; Abu Sahlieh 2001, 106). Since 1991, the Burial and Cremation Act of the Netherlands no longer requires the deceased to be buried in a coffin. This amendment of the law was introduced in order to remove all unnecessary obstacles for Muslims as well as adherents of other religions and beliefs: ‘This meets the wishes of those who have a preference for burial in some covering other than a coffin. However, burial in a coffin is regarded as the normal procedure, if no other wishes of the deceased or their relatives has been made known by them.’⁴⁵ Muslims can therefore choose to be buried in their shrouds without

⁴⁵ Explanation Article 3 Burial and Cremation Regulation

a coffin.⁴⁶ In all Dutch municipalities it is legally possible to be buried without a coffin. When the choice to be buried without a coffin is made, the cemetery might offer the possibility of arranging for the grave to be shored up with wood or concrete if the soil is considered too unstable.

The Belgian national law provides other options. On account of the many revisions it has passed through since 1971, the Federal Law on Cemeteries and Burial became very vague and unworkable. Therefore, as of 2001, the regions were authorized to develop their own legal regulations to govern the use of cemeteries and the disposal of corpses (see Chapter 4). The upshot is that the three regions of which Belgium is composed differ in the options they offer for burial in shrouds. At the moment this is only possible in Flanders.⁴⁷ In Wallonia and Brussels, a coffin is still prescribed at burial. It is expected that this will soon be amended and in Brussels a bill has already been submitted to make burial without a coffin possible.⁴⁸ Be that as it may, after the corpse is washed and shrouded, the last ritual to be performed, before the actual burial takes place, is the funeral prayer.

3.5 Funeral prayer (*Ṣalât al-Janâzah*)

Praying for the deceased is considered to be a collective obligation for Muslims. The conditions are the same as for the obligatory daily prayers. Participants should be in a state of ritual purity, they should cover their *‘awra* and stand facing in the direction of the *Qibla* (Sayyid Sabiq 1991, 38). Shiite scholars state that ritual purity of the participants is not a condition for the validity of the prayer (Sistani, Dialogue, 5). The prayer for the deceased, unlike the obligatory daily prayers, is not held at fixed times (Sayyid Sabiq 1991, 38). It can be performed at any time but in practice it is usually preceded by one of the five daily prayers.

There are a few general conditions that should be met for a funeral prayer to be obligatory. First and foremost, the deceased should be a Muslim. There is no funeral

⁴⁶ Article 3 of the Burial and Cremation Regulation states the rule that a corpse should be buried in a coffin: ‘A body is buried in a coffin’, Article 3 Burial and Cremation Regulation. Section 2 of this article mentions that burial can also take place without a coffin, if the body is placed in another kind of covering, which is suitable for burial: ‘Burial may take place without a coffin as long as a body is contained in another covering. This covering must be intended for the aim of burial.’, Article 3 Section 2 Burial and Cremation Regulation

⁴⁷ Article 11 Flemish Decree on Cemeteries and Disposal of Corpses: 2004

⁴⁸ Voorstel van ordonnantie tot wijziging van de wet van 20 juli 1971 op de begraafplaatsen en de lijkbezorging om de plaatsing van het stoffelijk overschot in een ander lijkomhulsel dan een doodskist toe te staan. Brussel Hoofdstedelijk Parlement, 20 July 2012, A-314/1 – 2011/2012.

prayer for a non-Muslim (Al Jaziri 2009, 695; Bakhtiar 1996, 49-50; Ibn Rushd 1994, 276). Furthermore, the body of the deceased should be present at the funeral prayer. The body should have been ritually washed and shrouded and the deceased should be laid in front of the people who will perform the prayer (Al Jaziri 2009, 695-696). Shafi'ites and Malikites say that the funeral prayer should also be performed over a fetus that has cried upon being born. This rule is also applied if questions about establishing inheritance are raised. The Hanbalites and Ḥanafites consider the funeral prayer obligatory for every fetus that has completed four months in the womb (Bakhtiar 1996, 47). The Ja'fari school considers the funeral prayer not obligatory for a fetus (Sistani, Dialogue, 3). The reason for the disagreement stems from various contradicting *ḥadīths* on this matter. There is a *ḥadīth* from al-Tirmidhi stating that the Prophet said: 'An infant is not to be prayed over, nor is he to inherit or be inherited from, unless he was heard crying at birth.' (Ibn Rushd 1994, 278). Another *ḥadīth* on this matter comes from al-Mughira and in this the Prophet said: 'The infant is to be prayed over.' (Ibn Rushd 1994, 278). The various views among Muslim scholars have been extrapolated from these various prophetic traditions.

During the fieldwork, I came across one case involving a stillborn baby. Although the fetus was washed, shrouded and buried, no funeral prayer was held. The Sunni respondent explained that this was not necessary because the baby had not lived outside the womb. This view seems to correspond with the Shafi'ite and Maliki views referred to above. The respondent herself was an Indonesian Shafi'ite.

3.5.1 Prayer in *absentia* (*Ṣalāt al-ghâ'ib*)

There are various scholarly opinions about the prayer for the deceased *in absentia*. The tradition of the Prophet which describes how he held a prayer for the deceased Negus (the ruler of Ethiopia) when he was informed of the latter's death is considered to be the basis for the prayer *in absentia*. 'Allah's Apostle informed (the people) about the death of An-Najashi on the very day he died. He went towards the *Musalla* (praying place) and the people stood behind him in rows. He said four *Takbīrs* (i.e. offered the Funeral prayer).' (Bukhari 2:23, 337). In the eyes of some scholars, this tradition is sufficient to consider the *ṣalāt al-ghâ'ib* permitted. The Maliki, Ḥanafī and Ja'fari Schools say that the prayer *in absentia* is not permitted (AbdulQadir 1998, 289; Lemmen 1999, 19) They state that had it have been a custom, the Prophet would have also performed it later after this single instance when he performed it for the Negus. In

practice, the prayer *in absentia* is performed among Moroccan Maliki Muslims in both the Netherlands and Belgium. In the Netherlands, I attended a *ṣalât al-ghâ'ib* in a Moroccan mosque known for its strict Maliki adherence held for a Moroccan women who had died during a holiday in Egypt. The prayer was obviously performed without the deceased being present but in exactly the same manner as it would have been performed had she been present.

3.5.2 Description of the funeral prayer

The schools of law have all formulated a slightly different interpretation of the prayer for the deceased, although there are some essential parts. It commences with the intention. Although the *madhâhib* agree on this condition, they differ with regard to the exact description (Al Jaziri 2009, 691). Secondly, there are the four loud pronouncements of *Allâhu akbar*, including the *takbirât al-ihrâm* (the first *takbîr*). An exception on this matter are the Ja'farites who argue that there should be five *takbîrs*, corresponding to the five daily prayers (Sistani 1999, 138; Bakhtiar 1996, 50; Al Jaziri 2009, 689-691). Thirdly, the prayer for the deceased is a prayer in which there are no bows or prostrations; it is performed standing (Bakhtiar 1996, 50; Al Jaziri 2009, 692; Sayyid Sabiq 1991, 38). The prayer for the deceased is led by an imam who stands in front of the participants facing the deceased. The majority of scholars agree that the imam should stand in front of the head in case of a male and in front of the waist in case of a female (Al Jaziri 2009, 689-691; Ibn Rushd 1994, 272-273).

Some scholars state that the *Sûrat al-Fâtiḥa* should be read after the first *takbîr* (Sayyid Sabiq 1991, 39). Others, including Maliki, Ḥanafî and Ja'fari scholars, argue that this is not obligatory (Al Jaziri 2009, 689-691; Ibn Rassoul 1997, 729; Sistani 1999, 138). This difference of opinion stems from the question of whether the term *ṣalât* also encompasses the prayer for the deceased. Those who argue that this is the case are bearing in mind the words of the Prophet: 'There is no prayer without the *Fatiḥat al-Kitâb*', and hence this should be recited during the prayer for the deceased (Ibn Rushd 1994, 271-272). Those who do not recite *Sûrat al-Fâtiḥa* after the first *takbîr*, recite the *du'â al-istiftâḥ* instead.⁴⁹ Ja'farites read the *shahâda* after the first *takbîr* (Sistani 1999, 138). Maliki, Ḥanafî and Ja'fari respondents who were able to say something about the

⁴⁹ *Subḥânaka allâhumma wa bi-ḥamdika wa tabâraka ismuka wa ta'âlâ jadduka wa jalla sanâ'uka wa lâ illâha ghayruka*. Praised be You O Lord praised be You highly, blessed be Your Name, Your Majesty is exalted, Your Splendor is great and there is no God but you.

formulations of the prayer stated that in fact there is a recitation of the *Sûrat al-Fâtiḥa* after the first *takbîr*, preceded by either the *shahâda* or the *du‘â al-istiftâḥ*. After the second *takbîr*, a prayer with a blessing for the Prophet is read (Sistani 1999, 138; Sayyid Sabiq 1991, 44).⁵⁰ After the third *takbîr*, a supplication is made for the deceased (Al Jaziri 2009, 692-695).⁵¹ In the case of the Ja‘farites, the third *takbîr* is followed by a supplication for all believing women and men (Sistani 1999, 138; Bakhtiar 1996, 51).⁵² After the fourth *takbîr*, a general supplication is made for the Muslim community or a silence is observed (Al Jaziri 2009, 691). Ja‘farites pronounce a supplication for the deceased after the fourth *takbîr* and observe a silence after the fifth *takbîr* (Sistani 1999, 138; Bakhtiar 1996, 51). The prayer comes to an end with salutations to the right and left (*taslîm*), in the same way as the daily prayers are drawn to a conclusion, only during the prayer for the deceased the salutations are made while standing (Al Jaziri 2009, 692-695). Besides the recitation of the *Sûrat al-Fâtiḥa* after the first *takbîr*, the description of the *janâzah prayer* as it is presented here, corresponds with my findings. Sunni and Ahmadiyya respondents all indicated that the funeral prayer consists of four *takbîrs*, whereas the Shiite respondents pronounced five *takbîrs*. Furthermore, respondents indicated that the *du‘â* read after the *takbîrs* can and may vary. Although only a third of all the respondents could tell me about the exact formulation of the prayer, they all indicated that the core of the prayer was to perform several *du‘â* for the deceased and for the Islamic community in general. As one of the respondents explained:

⁵⁰ There are various *du‘â* that can be recited with blessings for the Prophet, but one well-known one is the Abraham prayer that runs as follows: *Allâhumma ṣalli ‘alâ Muhammadin wa ‘alâ âli Muhammadin kamâ ṣallayta ‘alâ Ibrâhîma wa ‘alâ âli Ibrâhîma. Innaka ḥamîdun maġîdun. Allâhumma bârik ‘alâ Muhammadin wa ‘alâ âli Muhammadin kamâ bârakta ‘alâ Ibrâhîma wa ‘alâ âli Ibrâhîma. Innaka ḥamîdun maġîdun*. O God, grant Muhammad and the family of Muhammad salvation as You have granted salvation to Abraham and the family of Abraham. You are praiseworthy and exalted. O God, bless Muhammad and the family of Muhammad as You have blessed Abraham and the family of Abraham. You are praiseworthy and exalted.

⁵¹ Various denominations recite different *du‘â* in this regard. One well-known one runs as follows: *Allâhumma ghfir li-ḥayyînâ wa mayyitinâ wa shahidinâ wa ghâ‘ibinâ wa ṣaghirinâ wa kabîrinâ wa dhakarînâ wa unthânâ. Allâhumma man aḥyaytahu(-hâ) minnâ fa-aḥyihî(-hâ) ‘alâ-l-islâmi wa man tawaffaytahu(-hâ) minnâ fa-tawaffahu(-hâ) ‘alâ-l-imân. Allâhumma lâ taḥrimnâ ajrahu(-hâ) wa lâ taftinnâ ba’dahu(-hâ)*. O Lord, forgive the living and the dead, those of us who are present and those of us who are not, our youngsters and our elderly, our men and our women. O Lord, let him (or her) of us whom You have endowed with life, live according to Islam and let him (or her) of us who is taken to you, be taken in faith. O Lord, do not deny his (or her) reward and please do not put us after him (or her) to the test.

⁵² *Allâhumma ghfir lil mu‘minîna wal mu‘minâti wal muslimîna wal muslimâti, al ḥayyi minhum wal amwât tabi’baynanâ wa baynahum bil khayrâti innaka mujîbu da‘wa innaka ‘alâ kulli shay’in qadîr*. (Sistani, 34)

The *janâzah namaz* (funeral prayer) is the prayer that others perform for you. It consists of several *du'â* but no prostrations. People stand in rows and the imam leads the prayer. This prayer lets us see how life is connected to death. When a child is born, the *adhan* is whispered in its ears, but there are no *namaz* (prayers). When a person dies, prayers are held, but the *janâzah namaz* has no *adhan*. The *adhan* that you hear as a newborn, is followed by the prayer when you die. (personal interview Norah, 27 April 2012).

Alevi Muslims perform the burial prayer in a similar style. Depending on the various streams within Alevism, the content of the prayer can differ from that of the Sunni, Shiite and Ahmadiyya Muslims. Alevi respondents reported that the prayer was not held in a mosque but in a *cemhouse*, the people present stood behind the *dede* who led the prayer. The prayer was not held in silence, and there were no *takbîrs*. After several *du'â*, the people present would answer with *âmîn*. If and when the prayer for the deceased was held in Turkey, however, the same Alevi respondents reported that the prayer would be held in a square outside the mosque and that it would be led by an imam. Half of the Alevi respondents stated that the reason for this lay in the absence of *cemhouses* in Turkey at that time.⁵³ The other half reported that, because the prayer was arranged by Sunni relatives in Turkey, it took place in the mosque.

For Sunni and Alevi Turkish respondents, an integral part of the prayer for the deceased is the *helal etmek*. In this ritual, the imam or the *dede* asks those present three times how they knew the deceased (*Bu canımızın üzerinde hakkınız varsa helal eder mi siniz*). With their reply 'We know that he did good' (*helal olsun*), that is repeated three times, those present absolve the deceased of any possible harm that he or she might have done to them. It is possible that some of the people present are unwilling to give the expected answer. They might answer with 'I do not agree' (*helal etmiyorum*). When this happens, the family of the deceased discusses the matter with them, so that eventually the deceased can be forgiven.

3.5.3 Location of the funeral prayer

According to a majority of the Islamic scholars, the funeral prayer can be held in the mosque. Nevertheless, some hold divergent views on this subject, among them the Maliki and Hanafi scholars (Ibn Rushd 1994, 280; Bakhtiar 1996, 51; Al Jaziri 2009,

⁵³ The Alevi respondents shared stories about the death of their relatives in the period between 2002 and 2012.

705; Sayyid Sabiq 1991, 53). The reason for their disagreement stems from conflicting traditions to do with this matter. There is a tradition from Aisha in which she states that the Prophet, 'did not pray over Sahl ibn Bayda but in the mosque.' (Ibn Rushd 1994, 280). Another tradition is that of Abu Hurayra in which the Prophet had said, 'He who prays over the dead in a mosque gains nothing.' (Ibn Rushd 1994, 280). A majority of the scholars also allow the funeral prayer to be said at the grave, even if there has already been a funeral prayer before the burial of the deceased (Sayyid Sabiq 1991, 51-52; Ibn Rushd 1994, 275-280). A question on this issue was raised also by a Dutch Muslim. It involved the matter of whether the remains of a deceased are ritually pure and if prayers for the deceased in the mosque are allowed. A Moroccan imam answered the question and stated that the remains of a deceased are considered ritually pure and the funeral prayer for a deceased should take place in the mosque. He did, however, mention the opinion of some Maliki scholars who state that prayers for a deceased should not take place in the mosque. This Moroccan Maliki imam however did not agree with them on this matter (El Moumni 2002, 124).

The interview data indicates that, in most cases, the funeral prayer in the Netherlands and Belgium was performed in the mosque or outside in a square near the mosque (57%). Some respondents indicated that these prayers were held at a funeral parlor (20%) or at the cemetery (23%). The attendance of women at the funeral prayer is an ongoing discussion among Muslims, and the Netherlands and Belgium are no exception (cf. Dessing 2001, 156-157). The majority of the women I interviewed did participate in the funeral prayer, although they did not attend the washing and shrouding. Ten out of the seventeen female respondents attended the funeral prayer. Two of the remaining seven women were strictly forbidden by relatives to attend the funeral prayer. Both of these were Sunni (Ḥanafī and Maliki) women. The other five were absent during the prayer as they were either abroad or mentally unable to be present as they were so distressed by their loss. The discussion about the attendance of women seems to be especially lively among Sunni Muslims. Among the Shiite, Alevi and Ahmadiyya respondents, the attendance of women at the funeral prayers and at the actual burial was emphasized to be the normal course of events.

The attendance of women is not the only bone of contention, the attendance of Muslims from other denominations is also cause for debate. Especially among those Surinamese respondents adhering to Sunni and Ahmadiyya denominations, this issue arose in every interview. A Sunni Surinamese respondent stated that the funeral prayer

is preceded by a collective gathering. During this gathering, that was held either in a funeral parlor or at a mosque, everyone present could say their farewells to the deceased, among them neighbors, colleagues and friends of the deceased not necessarily all of them Muslims. However, when the imam (or whoever is to lead the prayer) announces the performance of the *janâzah* prayer, those who are not Muslim and in some cases also the women were asked not to join in the prayer. The Sunni respondent explained that the Ahmadiyya adherents were also mentioned in this announcement, even though in many cases they were direct blood relatives of the deceased:

When the imam announces the funeral prayer, he also requests all women, non-Muslims and Ahmadiyya to refrain from joining in this prayer. When the men gather to perform the prayer we women are asked to leave, although we are family. I think it is not common for women to attend the funeral prayer but I never really asked anyone about it. For our Ahmadiyya family members, it is always a very painful situation. Everyone knows who is Ahmadiyya and who is Sunni. When my grandfather died, his sister was also present but she was not allowed to join the prayer, because she is Ahmadiyya. (Norah, personal interview, April 27, 2012).

This story corresponds with the reports of Ahmadiyya respondents emphasizing the great injustice that is done to them by Sunni Muslims. In public, the Ahmadiyya members of the family would not only be forbidden to take part in the funeral prayers, they would also be set apart. This example clearly shows the relevance of Turner's theory in relation to Islamic burial preparations. This is an illustrative situation of conflicting opinions and rulings, that allow family members to be present at the ceremony, but then being forbidden to participate: they are excluded from both the religious denomination and the performance of the ritual, left feeling being betwixt and between. The upshot of these incidents is that Ahmadiyya Muslims tend to emphasize that they belong to the Ahmadiyya community and emphasize that they have their own mosques, their own burial plots and their own funeral organizations.

There are two possible answers to the question of whether the prayers for the deceased can be performed more than once. Ḥanafites and Malikites consider the practice of performing the funeral prayer twice undesirable. It is only recommended that the funeral prayer be performed a second time if the first time it had been uttered by one person alone. On the other hand, Shafi'ites and Hanbalites state that the funeral

prayer can be performed a second time even, after the burial of the deceased has already taken place. However, it is considered improper for a person who has already attended the first prayer to be present at the second funeral prayer (Al Jaziri 2009, 705). In practice, second funeral prayers tend to be conducted among Turkish Ḥanafī and Moroccan Maliki respondents, especially when the body is repatriated for burial. In other cases of repatriation to such destinations as the Sudan, Iran and Iraq, without exception my respondents also indicated that the funeral prayer would be performed again in the country where burial is to take place. Their personal explanation was that all family members should have the opportunity to join in the funeral prayer, hence those living abroad should not be deprived of this opportunity.

From the national legal point of view, there are no regulations governing the performance of the funeral prayer. As far as the law is concerned, the funeral prayer is not subject to any sort of restrictions beyond the fact that it must present no threat to safety and the public order. For example, the prayer cannot be held if it is going to obstruct the traffic.

3.6 The funeral procession (*Janâzah*)

Accompanying the *janâzah* of a deceased is seen as an obligation Muslims owe their fellow Muslims, just as is visiting the sick (Muhammad Ali 2005, 354; Al Baghdadi 2005, 192). A *ḥadīth* on this matter runs as follows: ‘Visit the sick, and follow the funeral procession, for it will (help) remind you of the Hereafter.’ (Sayyid Sabiq 1991, 54). Just as there is a certain etiquette that should be followed during the funeral procession, other actions are definitely frowned upon. Generally speaking, the procession should proceed at a fast pace and, apart from this stipulation, various scholarly opinions can be consulted about the correct behavior expected of people joining in the procession. One such requirement is that the bearers of the coffin and participation in the procession that accompanies it to the graveyard is recommended only for men. On the matter of the attendance of women, scholarly opinions vary greatly and these disparities will also be discussed in this section. It is important to note here that in Islamic countries the funeral procession usually forms up at the deceased’s house and from there proceeds to the grave either on foot or by vehicle. The procession is a public occasion since it moves through the streets of the city or village to the cemetery. In the Netherlands and Belgium, some modification have occurred and the procession in these countries commences at the cemetery. It is only after the mourners have reached

the cemetery that the deceased can be actually carried to his grave and the procession can begin. What takes place in the Netherlands and Belgium therefore is only the last part of the procession: from the cemetery to the grave.

Some scholars have distinguished between three levels of attendance in the *janâzah*. The first is to do no more than join in the prayer for the deceased. The second is to attend the prayer and afterwards to join the funeral procession to the graveyard and to remain there until the deceased has been buried. The third level is to do both these things plus remaining in the graveyard after the deceased has been buried in order to make supplications on his or her behalf (Al Baghdadi 2005, 192).

As said, it is recommended that a funeral procession proceed at a good pace. Various *ḥadīths* on this matter form the basis for this decision. One of these is: ‘Walk briskly while carrying a coffin, for if the deceased is righteous, you would be taking him or her to something better, and if he or she is an evil person, then you will be getting him or her off our necks.’ (Sayyid Sabiq 1991, 54). It is considered distasteful for those in the funeral process to recite in a loud voice, or indeed to raise their voices in general, to carry blazing torches, to sit down before those who have been carrying the coffin have put it down or to remain seated when a funeral procession passes by (Ibn Rushd 1994, 269; Al Jaziri 2009, 712-713). In respect of the latter, a well-known tradition is that the Prophet stood up for a *janâzah* of a non-Muslim, a Jew: ‘Once when a funeral procession was passing by, the Prophet, peace be upon him, stood up for it. And when told that it was [the] funeral procession of a Jew, he exclaimed: “Does he (a Jew) not possess a soul?”.’ (Sayyid Sabiq 1991, 58; AbdulQadir 2003, 129-130; Majlis 2002, 139). From this tradition, some scholars extrapolate that it is also permissible for Muslims to follow the *janâzah* of a non-Muslim (Majlis 2002, 139). Some Shiite scholars even encourage Muslims to do so since it sets a good example (Tabatabai 2001, 180; Sistani Q&A Funeral Prayer, 1). Other scholars of a more Salafi-Wahhâbi orientation limit the obligation of Muslims toward non-Muslims only to burying them if no one else can perform this task. This means that there is no obligation to wash, enshroud or to follow the *janâzah* (Al Qahtani 2007, 91).

In the Netherlands a Muslim asked his imam a question on this issue. His neighbor, a non-Muslim, had died and he had been asked to participate in the funeral ceremonies. He did so and went along to the church and attended the funerary rites. Afterwards he wondered whether he had done the right thing. The (Sunni) imam who answered his question stated that scholars allow Muslims to attend the funeral rites of

non-Muslims if, for instance, they had been neighbors, friends or colleagues. If, after his actual attendance at the funeral rites the Muslim intends to maintain the social relationship between himself and the deceased's family, he is allowed to join. Nevertheless, the relationship between the deceased and the Muslim ends with death. The imam therefore concluded that a Muslim is allowed to attend the funeral rites of a non-Muslim, but only by being present and by offering condolences to the bereaved family. He should join in neither the liturgy nor in any religious rituals, either in church or at the graveyard (El Moumni 2002, 10). The opposite situation was raised several times by respondents: the attendance of non-Muslims at the *janâzah*. As was said earlier in the discussion of the funeral prayer, in some cases non-Muslims and Muslims of other denominations were strictly forbidden to participate in the funeral prayer but this prohibition did not extend to the funeral procession. As a rule, respondents indicated that people who wanted to come to the cemetery (if the burial was being carried out in the Netherlands and Belgium) would also walk along to the grave where burial would take place. In only one case that will be mentioned later did the imam who was in charge of the funeral procession and subsequent burial ask all women and non-Muslims to leave. In all other cases, if there were any non-Muslims present they simply participated in the funeral procession.

Earlier I mentioned that the people accompanying the funeral procession are not supposed to recite loudly or indeed to raise their voice. Salafi scholars are especially vehement in their condemnation of these acts they abhor as innovations (*bid'a*) that have no basis in Islam (al-Albaani 2011, 80-83). In almost half of the cases, respondents did indicate that recitations were uttered out loud during the funeral procession. These recitations consisted of Quranic verses and *du'â* (30%), the *shahâda* (40%) or lamentations (30%). The last was raised especially by Alevi and Shiite respondents, whose lamentations were accompanied by weeping and wailing. These seem to be a very common and accepted way of expressing grief, especially among the Alevi and Shiite Muslims, but are also not unknown among more traditional Sunni Muslims (see Chapter 5).

3.6.1 The attendance of women

When my husband died, I joined in the funeral procession. I walked along in the cemetery as his coffin was being carried to his grave by his brothers, friends and father. There were a lot of men present, family members of course but also colleagues and neighbors. My sister also

participated, as did several of my best friends and my mother. My family had no difficulty with the presence of women and non-Muslims in the funeral procession. However, the imam who led the procession objected. I still see him before me, yelling at all the women and non-Muslims to leave the cemetery! For a moment there, I thought of throwing *him* into the grave! You just cannot deal with those kind of people at that particular moment. There I was, in my twenties, with my newborn baby, burying my husband. I just wanted to say farewell to my husband without that imam upsetting everything. On the spot, my father politely requested the imam to leave and we proceeded without the imam. (Najima, personal interview, May 23, 2012).

Various opinions about the attendance of women can lead to distressing situations such as the one that my respondent had to endure. It is in such situations that the vulnerability of the liminal phase as explained by Turner is exposed. It is a good example of the contradicting opinions about the presence of women and non-Muslims in a funeral procession. Without much hesitation, the respondent's father decided to intervene and ask the imam to leave, prompted not only by the emotionally charged situation of conducting a quarrel in a cemetery, but also by the fact that the imam's opinions were clearly not the same as those held by the bereaved family. The imam was a Surinamese Ḥanafī, whereas the bereaved were Moroccan Maliki adherents.

Hanbalites and Shafi'ites hold the opinion that it is undesirable (*makrûh*) for women to participate in the funeral procession. Should it be feared that they might be 'a cause of temptation', their attendance is actually even forbidden (*ḥarâm*) (Al Jaziri 2009, 712; Sayyid Sabiq 1991, 59). Ḥanafites, on the other hand, are absolutely convinced that the attendance of women at the funeral procession is undesirable, under all circumstances to the point of being entirely forbidden (Al Jaziri 2009, 713; Sayyid Sabiq 1991, 59). The Malikites say that there is no objection to old women participating in the funeral procession. It is the Maliki opinion that a young woman may also accompany a funeral procession without raising any disapproval, provided that she is well covered and that her presence in the procession will not lead to any temptation (Sayyid Sabiq 1991, 59). Ahmadiyya scholars have reached the conclusion that women are not forbidden to accompany the funeral procession, but their attendance might be considered undesirable only if the women are unable to control their emotions (Muhammed Ali 2005, 354). Nowadays, the Salafi-Wahhâbi scholars strongly condemn the participation of women in the funeral procession (al-Albaanie 2011, 79). Although there are various *ḥadīths* on this subject, many are open to various

interpretations and do seem to express a dislike rather than an outright prohibition: ‘Umm Ateeyah said, “[Allaah’s Messenger] forbade us to follow the bier, but he did not demand that we obey”.’ (Philips 2005, 46).

More than half of the female respondents (53%) had attended a funeral procession, and the remaining 47 per cent had not. In the latter group, two Sunni women, adherents of the Maliki and Ḥanafī *madhāhib*, had been strictly forbidden by relatives, even though they themselves had wanted to attend. The other respondents were either not present in the same country or did not want to attend the funeral procession. Those who did attend the funeral procession accounted for all of my female Shiite, Alevi and Ahmadiyya respondents and a third of my Sunni female respondents.

Both in theory and practice it seems that, among Sunni Muslims, the attendance of women is less accepted than it is among their Shiite, Alevi and Ahmadiyya co-religionists, although the winds of change are beginning to blow. Instances of this change have occurred very strikingly as shown in various examples given by several of my Sunni female respondents who had accompanied a funeral procession. They emphasized that, although it was made very clear to them that they were unwelcome in the funeral procession, they had decided to attend anyway.

Conclusions

Although in theory Islamic death rites might be considered to be very strictly governed by rules, in practice people mingle these rituals with their own social customs and infuse them with their own personal input. Just as in the examples discussed in the last chapter, this chapter again shows that identity of Muslims and their adherence to various denominations is clearly expressed in the way they practice rituals. Decisions about including and excluding non-Muslims and Muslims of other denominations sends out a clear message about who belongs to the same denomination and who does not. This situation not only stresses a person’s Islamic adherence in relation to non-Muslims, but more specifically a person’s adherence to a specific Islamic denomination in relation to other Muslims.

Recent trends and the spread of Salafī publications have also played a role in this development. Just as noted in the last chapter, these pamphlets seem to present Islamic burial preparations as being uniform and as having remained untouched by either tradition or culture. Neither in theory nor in practice is this the case. On the one hand, the burial preparations as performed by Muslims are deeply influenced by the

social and legal context in which they are performed. On the other hand, the Islamic denominations to which Muslims adhere also play an important role in setting the course of what happens. This was the case, for example, when the participation of women in the funeral procession and the volume of the recitations during the funeral procession were discussed. Although these two acts are strictly prohibited by Salafi scholars, Muslims do allow them and have women participate in them as part of their Islamic tradition.

