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

Kadrouch-Outmany, K.

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Author: Kadrouch-Outmany, Khadija

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Chapter 5

Practices and processes of mourning and grief

Chapter 5. Practices and processes of mourning and grief

The burial of the deceased marks the end of the liminal phase and, in Van Gennep's terms, the beginning of the phase of incorporation. From a religious point of view, the community has fulfilled its obligations toward the deceased. What follows is the phase of grief and mourning. The theme of this chapter is how Muslims in the Netherlands and Belgium mourn their loss and how memorial gatherings are organized. By using the concepts of mourning and grief, I hope to be able to grasp the complete process of dealing with the aggregate composed of loss, emotions, memories, religious prescriptions and legal norms. When I use the concept of mourning, I am referring to both the emotional process of grief and the formal rituals prescribed for the expression of grief (Small 2001, 20). The Arabic word for mourning, *iḥdād*, encompasses not only the emotional state of mourning, but also a certain type of behavior which includes certain rights and obligations and is therefore a much broader concept than grief in a strict emotional sense (Juwayni 2007; Esposito 2003, 206).

I shall elaborate on how the practices and processes of mourning and grief among Muslims in both countries correspond to religious opinions, national law and theories from social sciences. I argue that the practices and processes among Muslims are dynamic and subject to change but this is not just because of the situation of migration. They differ from person to person and can also be a compound of adherence to different denominations, various ethnic traditions and of Islamic discourses within the religious (political) movements that have emerged in the last century. The religious views that have been formulated on the matter of mourning and grief are diverse in the way they offer guidance in governing behavior, duration and obligations. These differences could also be retraced in the results of the interviews.

This chapter begins in Section 5.1 with an elaboration of the general views about mourning in Islam. To help get a grasp on the subject, a distinction will be made between private and public mourning. Attention will be paid to theories from the social sciences which tend to focus primarily on the private process of mourning and grief. I shall look at how and if these models of grief can be used to describe the processes of grief and mourning among Muslims in the Netherlands and Belgium. Throughout this chapter the distinction made by Tan (1996) between the mourning period (*Trauerzeit*) and period of condolence (*Kondolenzzeit*) will be used. The processes of mourning and

grief among Muslims in the Netherlands and Belgium are of necessity divided over two different countries when burial has taken place in the country of origin. The interview data reveal that this raises new challenges for those upholding, for example, the rules governing the mourning period. Furthermore, Islamic scholars have particularly commented on the practice of memorial gatherings on specific days and on the offering of condolences to both Muslims and non-Muslims. The significance of condolence and its importance to the bereaved will be discussed in Section 5.2. The custom of holding memorial gatherings on specific days is the subject of Section 5.3, that will also deal with national legal regulations that affect the mourning period. Although the national law does not prescribe any rules or regulations for mourning and grief, Muslims who are in a period of mourning must obey certain rules that prescribe when and if they may leave the house. These prescriptions might have consequences for going to work and school.

5.1 Private and public mourning

When discussing mourning processes and practices among Muslims, different phases can be distinguished. These phases can be experienced either privately or publicly. The public part is socially orientated and is shared with relatives, neighbors, friends and others. This public part is specified by a certain duration depending on a person's relationship with the deceased. It includes gatherings of condolences and mourning in which the loss is shared and grief is expressed publicly. On the other hand, there is also a private part of the mourning period that mourners want to keep for themselves, in which they can express their grief in their own personal way without a specified beginning or ending. Below both the private and public part of mourning among Muslims will be looked at in more detail.

5.1.1 Private mourning

In the social sciences different models have been developed that set out to attempt to understand processes of grief and the working through of the different stages of the grieving process. A good beginning is the psychoanalysis of Freud, who emphasized the concept of grief work, *Trauerarbeit*, as a means to work towards detachment from the deceased. This has given rise to different approaches to understanding this concept of grief work (Clewett 2004). Among them, the attachment theory (cf. Bowlby 1961, 1973; Parkes 1972) which argues that identity tasks (as opposed to stages) help a person

work themselves through the process of grief (cf. Parkes 1972; Worden 1982; Rando 1993; Kubler Ross 1969). Another theory is that of continuing bonds as opposed to graduated disengagement (Klass et al. 1996). By and large, it could be said that until the late 1990s this body of work more or less presented the purpose of grief in a way that emphasized the mourner as an individual who will finally be able to leave the deceased behind and form new attachments (Walter 1996, 7). Detachment from the deceased therefore seemed to be the purpose and the process by which this is achieved is by working through the grief (Walter 1996, 7).

More recently, new models of grief have been developed in which more attention is being paid to grief and bereavement in different cultures (Stroebe 1997; Stroebe and Schut 1999; Walter 1996). These theories challenge the thus far prevailing idea of working through grief and eventual detachment from the deceased. In analyzing the processes of mourning and grief among Muslims in the Netherlands and Belgium, the theory developed by Walter especially might be of great use (Walter 1996). As opposed to the goal of detachment, Walter's new model of grief proposes the idea that grieving serves the purpose of integrating the deceased into ongoing lives. The process by which this sought-after integration can be achieved is through the construction of a biography, in conversation with others who knew the deceased. Walter indicates it as a part of the Western culture to move on in life without the deceased, to try not to hold on to the deceased and therefore not to talk much about the deceased. Opposed to the Western culture of grief, Walter gives an example of the Jewish seven-day *shiva* during which friends and neighbors visit the house to offer condolences and exchange memories of the deceased as a way of constructing an accurate picture of the dead person together. The *shiva* is not the only example of this communal talking about the deceased, the condolence gatherings held by Muslims in the Netherlands and Belgium also serve this purpose, as will also be discussed in this chapter.

In accordance with Walter's theory, the majority of the respondents experienced it as part of their mourning process and the mourning period to construct an 'enduring and shared memory' of the deceased (cf. Walter 1996). This is in strong contrast to a conscious process of detaching from the deceased, forgetting and moving on. In various personal ways, the deceased will be given a place in ongoing lives and will continue to be remembered each year at during annual gatherings, each week through the visits to graves or every day by looking at photo albums. The story of a Moroccan Sunni respondent illustrates this purpose very well:

After Safwat died, I spent a week at my parents' house. It was good for me. I didn't have to bother myself about anything, besides accepting condolences of people who would drop by the house. I didn't cry much though, maybe because I was surrounded by people every single day. Most of them emphasized that I should not cry because Safwat died as a pure soul and would now be a bird in Heaven. Every evening we had a communal meal, and people would recite from the Quran. After this first week or so I left to go back to my own house with my husband. Safwat's little crib was still there, so were his clothes and his toys. When I returned to my own house, my own mourning began. I made photo albums of Safwat, and began a diary in which I would write every single day about what his life had been like, and I wrote down stories that characterized him. I just did it because it gave me the feeling that I was keeping Safwat's spirit alive. Finally, I was also able to cry unrestrainedly. It felt like a relief. I did not want Safwat to think that I have moved on quickly and forgotten all about him. So I also held a little memorial gathering at his grave with my closest friends and colleagues. We stood at his grave with the photo albums, just looking through them and reading parts of my diary. We concluded with a meal together back at my house. (Hanane, personal interview, 28 August 2012)

Respondents indicated several more examples in which they described how they had expressed their grief in their own personalized way. They 'worked their way through it' and in doing so were finally able to give the deceased a place into their daily lives, rather than detaching, forgetting and moving on.

Because this private way of dealing with loss is not directly related to any specific tradition or religious rules and regulations, respondents stated that they did not share this process with the outside world. Although it is an overwhelmingly personal process, the *fiqh* does offer some religious opinions to do with private mourning processes. In their comments on the holding of mourning gatherings, that will be returned to later in this chapter, different Islamic scholars express their rejection of this practice. Their principal argument is that mourning should first and foremost benefit the deceased and not the bereaved. Those left behind should ask for forgiveness and give alms or perform the *ḥadj* on behalf of the deceased. Sunni scholars especially seem to reject the loud expressions of grief such as wailing or lamenting. They state that this does not benefit the deceased in any way, and might even be harmful (Sayyid Sabiq 1991, 60). In contrast to their opinion, Alevi and Shiites do not reject the expression of grief by wailing and lamentations, either privately or publicly (see Section 5.2).

The results of the interviews indicate that more than half of the respondents do make supplications for the deceased on a regular basis and state that there are no action that benefit the deceased more than doing ‘good’ on their behalf. This can be achieved by performing the *hadj* or giving alms (*ṣadaqa*) on behalf of the deceased. Notwithstanding the various scholarly opinions on the appropriate way to conduct private mourning, respondents indicated that they felt a need of a private form of mourning; one shaped according to their own personal needs and which benefits them personally but not necessarily the deceased.

5.1.2 Public mourning

In the public part of mourning among Muslims in the Netherlands and Belgium, the distinguishing marks are a specified duration, the wearing of mourning clothes and a prescribed way of behaving. The mourning period is specified by a beginning and an end that depend on the degree of relationship with the deceased. By referring to various *ḥadīths* and Quranic verses, Islamic scholars have set the mourning period for a widow, the ‘*idda*, at four months and ten days, during which time a woman may not have any sexual relations or remarry.⁹¹ For a widow, the period of the ‘*idda* functions both as a waiting period and as a mourning period. As a waiting period, the term ‘*idda* refers to the period of abstention from sexual relations that is imposed on a widow, but applies just as much to a divorced woman or a woman whose marriage has been annulled. Before this period has expired, the women in both these categories may not remarry (Linant de Bellefonds 2013).⁹² The primary legal purpose of the waiting period is to ascertain whether or not the woman is pregnant and is therefore of importance in determining paternity. Besides meaning a waiting period, the term ‘*idda* also refers to the duration of widowhood and mourning (Siddiqui 2013). During the mourning period, certain forms of behavior are prescribed and the prohibitions to be observed include refraining from wearing any adornment, including make-up, perfume, henna, jewelry and the like. Furthermore, those in mourning should wear clothes that are not brightly colored (Sistani 1997; Ibn Rassoul 1997, 731; Sayyid Sabiq 1999, 23; Juwayni 2007, 248). In case of the death of relatives other than her husband, a woman’s mourning

⁹¹ Reference to this period is also made in the Quran 2: 234.

⁹² The duration of the ‘*idda* can vary depending on whether consummation of the marriage has taken place, whether the woman is still menstruating and whether the woman in question is pregnant or not (see Motzki: 2013; Siddiqui: 2013; Linant de Bellefonds: 2013)

period during which she may not adorn herself is three days (Sistani 1997; Ibn Rassoul 1997, 731; Sayyid Sabiq 1999, 23; Juwayni 2007, 245-253). In contrast to the *'idda* that is specifically for a widow, the mourning period of three days is thought of as a communal mourning period during which grief is shared with other relatives and acquaintances. The mourning period of three days is explained as an authorization from God to express grief publicly and applies to both women and men (Juwayni 2007, 247).

In the Dutch context, an imam was asked about the prescribed mourning period for women. The imam issued a *fatwa* similar to the rulings mentioned above; a widow should observe a mourning period as long as the *'idda* and, in the case of the death of any other relative, a mourning period of three days (El Moumni 2002, 40-42). The *'idda* is therefore not restricted to any specific geographical area and should also be observed by Muslim women in the Netherlands and Belgium. Along this line of reasoning, it can be argued that the same is true of the observance of the mourning period of three days. This obligation is expected of both men and women after the death of a relative.

Respondents indicated several variations in the way they observed the mourning period and their behavior. The duration of the mourning period varied between three days, seven days, forty days, four months and ten days, and one year. In his description of mourning in Turkey, Tan (1996) distinguishes between the mourning period (*Trauerzeit*) and a condoling period (*Kondolenzzeit*). The first three (or seven) days can be characterized as the condoling period, that will be looked at in more detail in the next section. The mourning period of forty days was indicated by respondents to be more intense than the three days and that it is specifically for family members, both male and female. This corresponds to the findings of Can Zirh (2012). The period of the *'idda* was mentioned as the mourning period for a widow only. The mourning period of one year was observed only by Shiite widows. The custom of mourning for a year among Shiite widows might be based on a prophetic tradition about the widow of the Prophet's great-grandson, Al Hasan, who mourned her husband for an entire year (Halevi 2007, 120).

The practice of mourning for more than three days is criticized by early Sunni scholars (Al Bukhari 1997, 239), and this criticism has recently been revived by Salafi-Wahhâbi orientated scholars who state that a mourning period ends after three days, except in the case of a widow, and that all other periods are innovations (Al Albaani 2011, 199; Al Albaani 1992, 309; Qahtani 2007, 95). The scholars of this Salafi-Wahhâbi stream emphasize the rejection of innovations that are considered to have no

basis in law. As discussed in previous chapters, this Wahhabi stance repudiates a wide range of socio-cultural practices associated with grief and mourning among Muslims. They claim that these are foreign social practices and hence not Islamic (Al-Atawneh 2010, 98-99). However, in traditional Islam, these socio-cultural mourning practices and gatherings among Muslims are deemed very much part of the Islamic practice of mourning and grief. They are often lead by an imam or other religious figures who have absolutely no objection to these gatherings or to the mourning practices.

Besides the duration, respondents also referred to the specific clothing and behavior that mark the mourning period. In the case of Moroccan respondents, white clothes were mentioned as the sort suitable to be worn by mourners, whereas Iranian, Iraqi, Afghani, Surinamese and Turkish respondents mentioned the wearing of black clothes. Both variations in the answers seem to correspond to religious views on this matter, namely, the setting aside of wearing brightly colored clothes. Respondents indicated that they also paid particular attention to their behavior, meaning they would refrain from attending festivities and listening to music. Male mourners tend to let their beards grow and to forswear shaving as an indication of their mourning period to the outside world (Aggoun 2006, 38). Although this behavior was explained by respondents as 'Islamic' and therefore religiously based, they also indicated that there is a social expectation of the observance of certain behavior out of respect for the deceased, including not laughing much and not leaving the house in pursuit of pleasurable activities, but only when absolutely necessary. This was the experience of a widow who had buried her husband in Iran:

After my husband had died, we went to Iran to bury him there. I spent almost four weeks in Iran. It was my mourning period so I was not to leave the house at all and I wore black clothes. After I got back to the Netherlands, I was still in my mourning period, but I had to get back to work. I cannot take a year off to stay inside. Moreover, I had to do my grocery shopping. I don't have any relatives in the Netherlands and my children are still young. So I did leave the house here in the Netherlands and I changed my clothes and I got back to work. I was still observing my mourning period, so I did not attend any festivities whatsoever but I could not adhere to the same practices in the Netherlands as I did in Iran. God can see my situation in the Netherlands, I don't think I did my husband any wrong. As a widow, you should respect your deceased husband but, as I see it, staying at home the whole year is more culturally than religiously based. (Fatima, personal interview, 14 September 2012)

No matter the length of the time set aside for mourning, the end of this period is marked by a religious gathering that includes a communal meal.⁹³ From a religious point of view, the end of a mourning period should be marked by the freedom to do once more all that had been prohibited during it, for instance, it is again possible to wear adornments. In the case of a repatriation and accompanying the deceased from one country to another, the mourning period might begin in one country and end in another country. This is what happened in the stories of many of the Turkish and Moroccan respondents, who would begin their mourning period in the Netherlands and Belgium, accompany the deceased to its country of origin for one or two weeks and come back to finish (mostly) the end of the forty-day mourning period in the Netherlands or Belgium (see also Tan 1996 and Jonker 1996 for corresponding findings).

How the end of a mourning period is shaped depends on various (religious) traditions. Among the Alevi respondents, the structure for the gathering at the end of the mourning period depends on to which Alevi branch the family belongs (Yerden 2010; Dressler 2013). Alevi Muslims will choose to have the gathering led by either a *dede* or by an imam, depending on their adherence to a certain stream in Alevism. When the gathering is led by an imam the Quran will be recited whereas, when the gathering is led by a *dede*, a *sam'a* (sung mystical poetry accompanied by a *saz*) will be organized. Sunni, Shiite and Ahmadiyya respondents all indicated that the end of the mourning period was marked by readings from the Quran by someone who had been specially invited for this purpose and by the sharing of a communal meal. The fortieth day, *qirk* in Turkish, *arba'in* in Arabic or *jaliswa* in Hindi, especially was singled out most frequently by Sunni, Shiite and Alevi respondents as the end of an intense or familial mourning period for both men and women. Symbolically sweets and special meals will be served to indicate that life is resuming its normal course.

As at all liminal events during which life changes are taking place and people are in a vulnerable position, the sharing of food is very important. Who prepares this food varies. There are various religious opinions that disapprove of (*makrûh*) or even forbid (*harâm*) the practice of preparing food by the bereaved for those who come to offer their condolences (Sayyid Sabiq 1999, 23; Al Jaziri 2009, 721; Al Albaani 2011, 207). These scholars recommend that the food should be prepared by neighbors and

⁹³ See Aggoun 2006, 38-39 for a description of a ritual among Maghrebi women in the company of a *marabout* after their mourning period, which he calls 'un rite de divination'.

friends and the deceased's family should not have to shoulder this burden alone. The justification often offered for the practice of preparing food for bereaved is based on such prophetic traditions as the following: 'Prepare food for Jafar's family, since something has happened to preoccupy them.' (Al Jaziri 2009, 721). Almost 60 per cent of the respondents indicated that the food during the condolence gatherings was prepared either by relatives or neighbors. This was affirmed by Muslims from all denominations. Only during the memorial gatherings, that will be returned to in Section 5.3, was the bereaved family consulted about what to serve during the gathering.

Besides the communal meals, the end of a mourning period can also be marked by a change of clothes, as was reported by the Iranian Shiite respondents. One of them remembered that, when his uncle died, his aunt had worn black mourning clothes for a year, that re-affirms the idea of the practice of observing a one-year mourning period among Shiites. When the year was up, her closest female relatives bought her new, brightly colored or white clothes and brought them to her as a gift, persuading her to take off the mourning clothes and put on new ones as an indication of the beginning of a new life and the end of grief and mourning. This ritual is observed among both male and female Shiites.

As indicated earlier, another visible way of marking the end of a person's mourning period is to begin to wear adornments to the body again. A Sudanese Sunni respondent reported that she marked the end of her initial mourning period of three days after the death of her daughter, by dyeing her hands with henna. By doing so, she sent out a signal to her environment that the mourning period for all had come to an end and that she did no longer wished to grieve publicly for her daughter. A public message appears to be incorporated in these visible endings of a mourning period. Although Muslims seem to mark the end of their legally prescribed mourning period by making a visible change, this is certainly not to say that the emotional or private part of mourning also comes to an end. The duration of a person's private period of mourning cannot be calculated or measured. What changes is a shift from public to private mourning.

5.2 Condolences and mourning

When discussing the offering of condolences to and among Muslims in the Netherlands and Belgium, it is possible to distinguish several episodes and locations, frequently divided over different countries. These can reveal various behavioral patterns. Below,

these divergent aspects of the offering of condolences will be looked into using the results of the interviews and comparing them to different religious scholarly opinions.

5.2.1 Expressing and receiving condolences

On being informed on someone's death, Muslims are recommended to offer condolences to the bereaved in order to share in their grief and to encourage the bereaved to be patient (Al Jaziri 2009, 720; Sayyid Sabiq 1991, 80). Condolences can be offered to the whole family of the deceased: men, women, and children (Sayyid Sabiq 1991, 80). When it comes to how Muslims should behave when hearing of the bereavement of non-Muslim friends, colleagues and acquaintances the picture is not as clear-cut. Religious views on the permissibility of condoling with non-Muslims vary. Certainly there are scholars who encourage condoling with non-Muslims acquaintances and in-laws. Their views are based on a social motivation, which means that condolences may be offered to anyone who has experienced a loss because he or she is a fellow human being (Sayyid Sabiq 1991, 80; Abdul-Qadir 2003, 128). A tradition frequently mentioned in this regard is: 'Every believer who consoles his brother in distress, will be dressed by Allah in an apparel of honor on the Day of Resurrection.' (Sayyid Sabiq 1991, 80). Inevitably, there are some, more puritanical religious scholars who stress that there is a prohibition on condoling with non-Muslims. They base their view on the prohibition which forbids praying or making supplications for non-Muslims (Al Qahtani 2007, 94-95). The majority of these latter scholars take the Salafi-Wahhâbi stance toward interaction with non-Muslims. In between these two, polarized positions are scholars who hold the opinion that condolences can only be offered to non-Muslims when there is a religious interest at stake, such as their potential conversion to Islam. This middle position might be characterized as 'religious opportunism'. Conversely, accepting condolences from non-Muslims is allowed by the holders of all these disparate religious opinions (Al Qahtani 2007, 94).

Naturally, the sorts of situations discussed above also occur when Muslims live in the Netherlands and Belgium. The interviews reveal that three broad situations in relation to expressing and receiving condolences can be distinguished: condoling with fellow Muslim acquaintances, condoling with Muslim acquaintances of another Islamic denomination and condoling with non-Muslim acquaintances and in-laws. Respondents who found themselves in the first situation indicated that condolences were offered to the bereaved by family, friends and neighbors, stressing the need for those whose loved

one had died to be patient and to indicate that they shared in the distress caused by the joint loss. The second situation occurred most frequently among Surinamese respondents who indicated that some of their family members adhered to either the Sunni or the Ahmadiyya denomination. They had no particularities to report about the offering and accepting of condolences. This differs from other situations as were discussed in Chapters 3 and 4. In the last situation, the condoling of non-Muslim acquaintances and in-laws, respondents indicated a clear difference with condoling with Muslims in the way they behaved. Sending a condolence card was the most frequently mentioned step taken by them. None of the respondents rejected the idea of accepting or paying condolences from or to non-Muslims. Their practice might be said to fall within the previously mentioned scholarly opinions which encourages people to condole with bereaved persons on their loss in general from a social point of view, emphasizing social solidarity. None of my respondents said anything at all about ignoring a death, simply because the person who had died was a non-Muslim. Stressing the need to express sympathy to the bereaved no matter their religious background, respondents stated that they would often sign a book of condolences for their non-Muslim deceased acquaintances and in-laws or send a card to the bereaved family. The latter was common practice also among my respondents with a Surinamese background.

5.2.2 Duration and location of condolences

By and large, Islamic scholars agree on the possibility of condolences being offered from the time of death up to three days afterwards. If a person should not have been present at the time of death or was not informed about it, condolences may be offered later (Al Jaziri 2009, 720; Sayyid Sabiq 1991, 80). Condolences may be offered both before and after the funeral and ideally should only be offered once.⁹⁴ Some Islamic scholars carry their ideas to stipulating the actual physical position the bereaved should adopt when receiving condolences and argue that both the expresser and receiver of condolences should be standing. Sitting down is considered to be undesirable by Ḥanafī, Shafīʿī and Hanbali scholars. Maliki scholars have decreed that receiving and expressing condolences while seated is acceptable (Al Jaziri 2009, 721; Sayyid Sabiq

⁹⁴ According to the Maliki, condolences should only be offered after the actual burial and the offering of condolences to the same family twice is not undesirable. In this they differ from the Shafīʿīte, Hanbali and Ḥanafī schools who are of the opinion that it is undesirable to offer condolences to a family twice (Al Jaziri 2009, 721).

1991, 80). As for prescriptions about location, no explicit surrounding is mentioned by the scholars, although a majority of them does reject the special gatherings held to condole and mourn either before or after burial has taken place. This will be discussed later in this chapter.

Among Muslims in the Netherlands and Belgium, condolences are offered at home, in the hospital, at a funeral parlor, in the cemetery or in the mosque. Respondents stated that the bereaved were either standing or sitting down when receiving their condolences, but without stating the one or the other was forbidden. Following the distinction made by Tan (1996) between period of condolences and period of mourning, from the results of the interviews it is possible to delineate a period of condolence lasting three to a maximum of seven days, as part of a private mourning period which can last up to one year. During the period in which condolences were received, respondents would not leave the house unless this was absolutely necessary, devoting themselves instead to receiving condolences and mourning the deceased. During the first three or seven days after burial, people gather in the house of the deceased, in the mosque or in a funeral parlor to express and receive condolences. On the third and seventh days especially, a joint meal is served by the bereaved family to mark the end of the condolence period. The gathering includes recitations from the Quran. After this gathering, there seems to be a decline in number of people visiting to express their condolences to the bereaved family.

When a repatriation takes place, the bereaved will receive condolences on several occasions because they travel from one country to another. When a death is announced, condolences will be offered in the Netherlands and Belgium, then in the country of origin when the body of the deceased arrives and again in the Netherlands and Belgium when the bereaved return by those whom had not had the chance to express their condolences earlier. The majority of the respondents who had accompanied the deceased to the country of origin did not remain abroad longer than two weeks, and most of the spontaneous visits to offer their condolences by family, friends and neighbors were paid in the first week after burial. All the other gatherings that were held after this first week were organized on the initiative of the bereaved family. This will be discussed in Section 5.3.

The consequences of grief and mourning are not only a subject for the pronouncement of religious scholarly opinions, there are also national laws that have to be considered. From a national legal point of view, the expectation that a mourner might

not be able to carry out his daily work properly has been expressed in several rulings covering a paid leave of absence.⁹⁵ During a legally prescribed number of days, a bereaved person is not obliged to work but is still paid his or her salary. In the Netherlands, the law specifies leave of absence at least on the day of death and allows one day to attend the funeral.⁹⁶ In Belgium the number of days varies between one and three, depending on the degree of relationship with the deceased.⁹⁷ Besides national laws, collective labor agreements might also include additional rules governing leave of absence. How much days leave of absence a bereaved person will actually be allowed by his employer can vary substantially. There are instances in which a death occurs while an employee is on vacation leave. In this case, the bereaved employee will also have the right to a paid leave of absence as discussed, although he is already on a holiday leave. One case concerning this issue was dealt with in 2005. The judge ruled that a special leave, as is the case with death and burial, might not be deducted from the holiday leave.⁹⁸

In many cases, the couple of days leave allowed was not considered sufficient by the respondents. Over and above the legally prescribed leave of absence, the majority took extra days off either to attend the gatherings at which condolences were offered and join in the mourning ceremonies or to accompany the deceased for burial abroad. In recent years in both the Netherlands and Belgium, a discussion has been raised by various members of Parliament and policy advisors about including the right for a ‘mourning leave’ in the national law.⁹⁹ This mourning leave would be a noncommittal possibility to extend the already existing leave of absence by a maximum of two weeks. Although the ‘mourning leave’ is not statutory (yet), in 14 per cent of the Dutch collective labor agreements employers have included a clause for additional ‘mourning leave’ that can last up to ten working days.¹⁰⁰

⁹⁵ The legal terminology is *calamiteitenverlof* in the Netherlands and *omstandigheidsverlof* or *klein verlof* in Belgium

⁹⁶ Wet Arbeid en Zorg (Wazo) Article 4:1. The right to a leave of absence in the case of death and disposal exists when the deceased is a roommate, family by blood or marriage in the direct line but in the second degree of kinship.

⁹⁷ Royal Decree 28 August 1963; Belgisch Senaat 3-306/1 2003-2004

⁹⁸ LJN AT8688, Rechtbank Rotterdam, 5 July 2005

⁹⁹ Belgische Senaat, 6 november 2003, 3-306/1, 2003-2004; Cozijnsen and Van Wielink: 2008, 43

¹⁰⁰ Ministerie van Sociale Zaken en Werkgelegenheid: 2007, 23

5.2.3 Phrasing and language of condolences

From an Islamic point of view there is no specific formula that should be used when condoling with the bereaved about their loss. Each individual can be consoled with in a manner appropriate to the situation (Al Jaziri 2009, 720). As long as the words used are meant to comfort, 'lighten the distress, induce patience and bring solace to the bereaved.' (Sayyid Sabiq 1991, 80). A frequently used phrase when responding to the loss of a person is *inna lillahi wa inna ilayhi raji'un* (Lo! We are Allah's and lo! Unto Him we are returning. Q 2:156), is used by Muslims in general and can also be said when a non-Muslim dies (Al Qahtani 2007, 87-88). Respondents mentioned various formulas that are dependent on language and tradition. For the Turkish respondents, the formula *başınız sağ olsun* (May the remaining head of the family live long) was most commonly used. Arabic-speaking respondents would condole with a version of *rahmato allahi 'alayhi* (May the mercy of God rest on him), *'addama allahu ajrak* (May Allah grant you a great reward) or *al amar ilak* (May the future life be for you). Indonesian respondents used the formula *saya turut berdukacita* (I am with you in your sorrow) and Surinamese respondents would condole in Dutch saying *gecondoleerd* (with sympathy). No matter what phrasing or the language used, the purpose of condoling is the sharing of a mutual loss. The expression of condolences is considered an act of kindness and compassion from one person to another. Respondents stressed the appreciation they felt toward their visitors for sharing in their grief, whether expressed verbally or by a condolence card.

5.2.4 Behavior at condoling and mourning gatherings

The behavior of participants in both the condolence and the mourning gatherings is shaped by the expression of religious practices. These religious practices are full of emotions that can also be perceived to be part of religion. The expression of condolences is often accompanied by demonstrations of grief and weeping. Some scholarly opinions state that weeping over the dead as long as the shedding of tears is silent is accepted, whereas loud wailing over the dead is not allowed and can cause pain and suffering to the deceased (Sayyid Sabiq 1991, 80; Al Jaziri 2009, 714). Weeping over deceased and the shedding of tears is often referred to in prophetic traditions about the death of Ibrahim, the son of the Prophet: 'The eyes shed tears and the heart feels pain, but we utter only what pleases our Lord. O Ibrahim we are aggrieved at your demise.' (Sayyid Sabiq 1999, 21). In these prophetic traditions, references are also

made to the pain that might be caused by crying over the deceased, as in the following *ḥadīth*: ‘(...) At this Umar said: “O Suhaib don’t you know that the messenger of Allah said: A dead person is tormented by the wailing of the living people”.’ (Sayyid Sabiq 1999, 21).

There seems to be some difference of opinion about this issue, that can be placed in the historical discourse on the permissibility of wailing. In his discussion on the early Islamic reactions to the practice of mourning for the dead, Halevi raises the question of the permissibility of wailing for the deceased (Halevi 2007, 114-142). He states that the early Islamic resistance to the ‘pre-Islamic’ rites of mourning was played out in two different places (Kufa in Iraq and Medina in Saudi Arabia). The author makes a distinction between the ‘Kūfan and the Medinese tradition’, and between two different branches of Islam, the Sunni and the Shiite (Halevi 2007, 115).¹⁰¹ He argues that early Islamic pietists had theological reasons for their offensive against wailing; the prime one was that one had to accept God’s decree with forbearance (*ṣabr*), but they were also opposed the ritual of wailing as part of their campaign against pomp (Halevi 2007, 123). As were iconographic representations, the display of womanly charms, gold and silk, lamentation was deemed unlawful (*ḥarām*). Wailing began to be associated with the pre-Islamic period of the *Jāhiliyya* (period of ignorance) and the tradition was not supposed to be continued, since an Islamic funeral procession was envisaged by Muslims pietists to be characterized by silence, haste and austerity (Halevi 2007, 124-125). Halevi states that by, ‘placing in circulation oral traditions against wailing in order to discourage women from participating in Muslim funeral, proto-Sunni male pietists advanced the most radical solution to these issues. Medinese and Shiite pietists, by contrast, did not endeavor to exclude women from funerals and even found wailing tolerable under certain circumstances.’ (Halevi 2007, 135).

The interviews show that the custom of wailing was most common among the Shiite and Alevi Muslims. The expression of loud wailing and weeping over a deceased and the remembrance of the deceased in lamentations was a central element in the way Shiite and Alevi respondents talked about the gatherings for condolences and mourning. The Turkish word for these lamentations is *ağıt*. In these women often take the lead in recalling all the good memories of the deceased and others then join in the lamentations

¹⁰¹ Halevi also goes into discussing all-male and mixed-gender oral traditions on the subject of mourning and wailing (Halevi: 2007, 127)

(cf. Jonker 1996). It is a custom often observed by women not by men, although it is not unusual for men to express their grief by weeping. The lamentation is organized as a collective experience in which people not only cry over one particular deceased, but also remember their own loved ones who have passed away previously. The *ağut* therefore becomes a shared moment of grief, that can be carried out from the moment someone dies until after the burial has taken place (cf. Aggoun 2006; cf. Jonker 1996). Since Alevism is mainly an oral tradition, no direct connections or references to any scriptures were made by respondents from this tradition. Shiite respondents recorded that wailing over a deceased when condolences are expressed to the bereaved is not uncommon. During the expression of condolences, lamentations were uttered and the main purpose was to be allowed to join in the communal wailing. The shedding of tears and wailing was not considered a sign of weakness, Shiite respondents explained. The tradition of wailing and lamentations among the Alevi and Shiite Muslims might be traced to the tradition in these denominations referring to the lamentations over and the grief felt for the martyrdom of Imam Hussain on the day of '*ashura* (Halevi 2007; Mehrvash and Melvin-Koushki 2013).¹⁰²

Responding to questions about prescribed behavior, respondents indicated that the condoling period was characterized by religious and devotional behavior that consisted principally in Quran recitations and supplications for the deceased. People gathered in houses, mosques or funeral parlors to condole and read parts of the Quran collectively. The often-mentioned reading of the *Sûrat Yâsîn* was part of this religious behavior. Indonesian respondents called the gatherings for condoling during the first three days the *tahlilan*, during which the *Yâsîn* would be recited. Dessing states that the *tahlilan* consist of the recitation of the *Sûrat Al-Fâtiha*, the verses that commence with *Qul*, the *shahâda* and the verse *Al-Kursi* (Dessing 2001, 177). Surinamese respondents also mentioned such gatherings during the first three days and called the third day the *tidja*, whereas Iraqi respondents called it *majlis Fâtiha* (gathering for the *Fâtiha*). During these three days, the Quran is recited and people have the opportunity to condole if they had not yet expressed their sympathy. Moroccan respondents stressed the seventh day of the period of condolence, the *sab'at ayyâm*, which seemed to mark the

¹⁰² '*Ashura* is the tenth day of the month Muharram and marks the anniversary of the martyrdom of Imam Hussain. It is observed by the Shiites and Alevis with different rites of mourning (Mehrvash and Melvin-Koushki 2013)

end of this period. After this seventh day, as mentioned before, people would no longer visit the bereaved spontaneously. During the *sab'at ayyâm*, religious professionals would be invited to read from the Quran and people would gather to eat a meal together. The same was true of Turkish respondents, who used the term *mevlüt* to mark a day that was, just as the *sab'at ayyâm*, characterized by joint readings and meals. Helva, or *sirni* as Surinamese respondents called this sweet dish, is served to the visitors, to mark the end of the condoling period. The last term that should be added to this list is the one that gives a clear meaning to the seventh day, *majlis al khatam*. *Khatam*, in this regard, means the end of (public) grief. During this *majlis al khatam*, to which an Iranian respondent referred, people will also collect money for the bereaved family to help them cover the many costs for the gathering.

5.3 Memorial gatherings

In the previous section it has been said that the condoling period draws to an end on the seventh day after death. However, after the seventh day, memorial gatherings can still be organized. In these, various episodes and locations can be distinguished, sometimes divided over different countries, and various behavioral patterns are expected of the bereaved. Below, these aspects of memorial gatherings will be discussed, again using the results of the interviews in relation to the different religious scholarly opinions.

5.3.1 Days and duration of memorial gatherings

Among Muslims, memorial gatherings are held during the condoling period on the third, fifth and seventh day and later, after the end of the condoling period, on the fortieth day, the fifty-second day and the hundredth day, as well as after a year and after a thousand days.

Various Islamic scholars have expressed the undesirability of the practice of memorial gatherings among Muslims. Their objections are based on a number of arguments: emotional, religious and financial. An example of an emotional argument is when scholars say that the re-awakening of pain during these memorial gatherings should be avoided (Qahtani 2007). Those scholars who put forward religious arguments argue that the expression of condolences should be offered only once and this rule is broken by organizing gatherings at which condolences can be offered more than once. Furthermore, scholars argue that there is no reward or grace either for the Muslims who organize such meetings or for the deceased (Van Bommel 1988, 115). Instead of

holding these gatherings, Muslims are encouraged to ask for forgiveness for the deceased, to give alms or to perform the *hadj* on behalf of the deceased. Scholars who reject memorial gatherings on the basis of religious arguments also state that these gathering have no basis in Islam and are an innovation (*bid'a*). They are said to have belonged to the traditions of the Ancient Egyptians (Qahtani 2007, 90; Albaani 1992, 323). The Ancient Egyptians are disparaged as pagans or infidels and idolaters by these scholars. Among their arguments, a Salafi-Wahhâbi stance is particularly noticeable. They claim that these gatherings resemble pagan or polytheistic practices from the pre-Islamic period (the *Jâhiliyya*). In their emphasis on the prohibition on memorial ceremonies because they are innovations in Islam, the Salafi-Wahhâbi orientated scholars rule out a series of memorial gatherings that are traditionally observed by Muslims, such as the fortieth day memorial gathering (Al-Atawneh 2010, 98). As referred to earlier in this work, the Salafi-Wahhâbi stance is criticized by many Muslim intellectuals for its extremely dogmatic and conservative attitude that is considered unsuitable to modern times (Al-Wardani 1998). Finally there are those Muslim scholars who reject memorial gatherings on the basis of financial arguments, arguing that the money that is invested in the communal meals causes the bereaved unnecessary expense (Dar al Ifta 2005, nr 436).

The holding of memorial gatherings is a very common, widespread practice among Muslims in the Netherlands and Belgium and different explanations of the purpose of these gatherings were given by respondents. The Ahmadiyya respondents who clearly rejected the gathering on the fortieth day formed an exception. They repudiated it on the grounds that it was a Sunni tradition, claiming that there is no Quranic or prophetic basis for such gatherings. The Ahmadiyya do not necessarily correspond with the Salafi-Wahhâbi stance, but they do tend to emphasize their denominational identity as opposed to that of the Sunni denomination. Although many respondents doubted the Islamic origin of memorial gatherings, the majority were very familiar with this practice and had also held memorial gatherings after the death of their own relatives. Among the majority of my Sunni, Shiite and Alevi respondents, accounting for 79 per cent of all respondents, the most commonly observed were the fortieth day and the one year anniversary. One respondent referred to the ancient Egyptian origin of this fortieth day gathering tradition. A tradition of which, she claimed, the Prophet was so fond he introduced it among his followers. This interpretation seems to be in direct contradiction to the Salafi-Wahhâbi stance. Alevi

respondents mentioned also a fifty-second day memorial gathering. They explained that on this day people would remember that the flesh of the deceased was separating from the bones. It does not seem to be a practice confined solely to the Alevi, other studies show that Turkish Sunni Muslims also meet on the fifty-second day, to remember 'that the eyes and nose fell out of the skull.' (Kremer 1991, 54). In a quest for some elucidation about organizing religious memorial gathering on the fortieth and fifty-second day, a question was put to the Turkish Presidency of Religious Affairs (the *Diyanet*). The Presidency stated that there is no basis in religion for holding these gathering on these specific days. Stating its preference, the *Diyanet* said that it would be more appropriate to have these gatherings on a random evening (Den Exter 1990, 36). In short, this ruling shows that, the *Diyanet* has no religiously based objection to the actual practice of holding memorial gatherings. Its objection is solely to holding these on specific days.

Indonesian respondents indicated the importance of the practice of gatherings after a hundred and after a thousand days. These gathering were not mentioned by any of my other respondents and seem to be specific to Indonesian Muslims (cf. Bahurruddin 1999; Dessing 2001). The memorial gathering held after a thousand days and the *slametan* (communal feast) that was organized on this day was considered to be the most important. It marks the point at which the body is believed to have completely decomposed into dust and the soul to have reached its final station after its journey through the seven heavens. These explanations given by respondents correspond with earlier studies on the practice of *slametan* after a thousand days among Javanese Muslims (Woodward 1989, 176; Geertz 1960, 72).

Whether held after forty, fifty-two, one hundred and one thousand days or after a calendar year, memorial gatherings are usually organized at home, at the mosque or in large halls reserved for these special occasions. In some situations, memorial gatherings might be spread over two countries. Importantly, special food is served at these gatherings and the program followed in the gathering is characterized by various religious recitations. These aspects are the subject of the next section.

5.3.2 Behavior at and the location of memorial gatherings

When the deceased is repatriated for burial, memorial gatherings might be held both in the Netherlands or Belgium and abroad (Tan 1996). Respondents indicated that the first and third day gatherings after death are usually held in the country in which the

deceased died, usually the Netherlands or Belgium. The memorial gathering on the seventh day is usually organized abroad. The fortieth day might be observed separately, by both relatives in the Netherlands and Belgium and by relatives abroad. The gathering after a year was organized, according to 58 per cent of the respondents, in the country in which the burial took place. Whether observed in the Netherlands or Belgium or abroad. All these gatherings are characterized by specific (religious) behavior and communal meals.

On the occasion of a memorial gathering organized by Sunni and Shiite Muslims, an imam or other religious professional will be invited to recite from the Quran. Respondents indicated that during the memorial gathering on the fortieth day and on the anniversary of the death, the whole Quran would be read together. In the case of the Alevi, as mentioned before, the program of the memorial gathering was shaped by whether it is led by a *dede* or by a Shiite imam, depending on the adherence of respondents to different branches within Alevism. When a *dede* was in charge, no recitations from the Quran were read, instead prayers that mentioned the Prophet and the Twelve Imams as well as some other matters were read. Importantly, on the occasion of a memorial gathering a joint meal was organized, at which the *dede* offers a specific prayer.¹⁰³ Memorial and condolence gatherings are very much alike in the way they are structured, although the former might involve much larger parties.

Conclusions

During the interviews the observance of a mourning period and the opportunity to attend condolence and memorial gatherings was presented as part of the mourning process. Both the public and private part of this mourning process have been discussed in this chapter as they relate to religious opinions and theories of mourning borrowed from the social sciences. In the theories developed in the social sciences, the preponderance of attention has been paid to the private part, in which the mourning of Muslims in the Netherlands and Belgium can also be situated. Although the traditional grief models in the social sciences were based on forgetting and moving on, new models of grief seem to challenge this tradition. These developments might turn out to be of great importance to the counseling of bereaved Muslims too. Taking into account the religious aspects of mourning, and in this the memorial gatherings spring especially to

¹⁰³ My respondent indicated that the *dede* would say a prayer expressing the hope that the food would benefit the soul of the deceased.

mind, might be particularly helpful in giving Muslims professional guidance through their mourning process. This runs contrary to the emphasis given to Western practice of emphasizing detachment, that encourages ignoring memorial gatherings as part of the religious mourning practice among Muslims.

Mourning gatherings are shaped by certain behavioral patterns, often traditionally decreed, and by communal meals, a concrete communal way of expressing and sharing grief. Relating these gatherings and the practices observed during these gatherings to different religious views, as done in this chapter, reveals an ambivalence both in those religious views and in the practices among Muslims in the Netherlands and Belgium. The growing influence of the Salafī-Wahhābi stance seems to be one explanation that helps to explain this ambivalence among respondents. Traditionally, people have felt comforted and consoled by what is very familiar, the tried and tested, and hence they observe memorial gatherings and follow the mourning practices they have known all their lives. Nowadays, as a result of reading translated books and surfing the Internet on which the Salafī-Wahhābi stance is widely distributed, they are beginning to have doubts about the Islamic origins of such customs and observances.