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

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Chapter 6

Conclusions

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This study set out to explore the theory and practice of Islamic burials in the Netherlands and Belgium. The discussion in each chapter was organized along the four lines of thought embedded in the multidisciplinary approach of this research: the social sciences, Islamic scholarly opinions, national legislations and the results of the interviews. Using this multidisciplinary approach, the study has sought to answer what the legal possibilities consistent with Islamic burial regulations are for Muslims to be buried in the Netherlands and Belgium. The manner in which legal and religious burial regulations were observed was used as a window to explore what they reveal about how Muslims view themselves and the society of which they are part. Furthermore, the work has sought to focus on what impact another legal and social environment has had on the observance of burial rituals among Muslims in both countries and how these changed settings have affected individual choices of burial location. Finally, the observance of Islamic burial rituals in a non-Muslim environment, in which Muslims are confronted with a variety of previously unheard of practices observed by both non-Muslims and other Muslims, was part of the question posed about what kinds of meanings and functions burial practices express and whether they entail a multilayered message.

In this concluding chapter, the results will be collated into the theory of multilayered messages in ritual practices as explained by Beck (2010). In Section 6.1, this theory will be used to pinpoint what different messages might be embedded in the practice of Muslim burial rituals. Beck has stressed the importance of rituals as an expression of faith, both for the individual as a believer and as a member of a collective. These two messages were also found in the results of this study. In addition to Beck's findings, I also detected two other messages in burial ritual practices: rituals as indications of the sense of belonging to a country and ethnic community; and burial rituals in relation to the affirmation of the religious identity of Muslims in a non-Muslim environment.

Some ideas about the (im)mutability of burial rituals and future trends that Islamic burials in the European context might follow will be dealt with in Section 6.2. Possible implications of this study for government policy and some recommendations for future research will be in the theme of the last section.

6.1 The multilayered messages of burial ritual practices

In various studies in the 1980s and 1990s, academic scholars have made fresh attempts to map the various functions and meanings of ritual practices in general (see for example Doty 1986 and Bell 1997 in Beck 2010). The ritual functions and meanings were especially relevant to serving the purpose of creating social cohesion and marking social identity. These findings have been developed in more detail in ritual studies that focus on present-day multicultural western societies. Of great relevance was that the 'study of rituals in a multicultural and religiously pluralist context has led to the important insight that the "other" or "outsider" can be just as meaningful for a ritual as the "participant" or "insider".'(Baumann 1992 in Beck 2010, 197). Changes and developments that occur within ritual practices in a multicultural and religiously pluralist context do so especially as a result of interaction with the 'other' (Muslim) or 'outsider' (non-Muslim) (Beck 2010, 197). In the study of ritual practices among Muslims in a western, multicultural, religiously pluralist context, the emphasis has tended to be that 'the "Muslim other" is at least equally important for social cohesion among Muslims, and an own identity, as is confronting and competing with the "non-Muslim other".' (Eickelman and Piscatori 1990 in Beck 2010, 197). Being confronted with Muslims from other denominations as well as non-Muslims with different ritual practices leads to a defensive situation in which Muslims emphasize their own denominational ritual practices as the only "correct" forms.

In his study of Muslim ritual practices, Beck (2010) discusses the functions and multilayered messages that rituals convey and states that rituals can indeed be formulated to maintain social cohesion and identity, but forming solidarity is not the only message they convey. He points especially to the relevance of not overlooking that the primary function of ritual practices is to express individual belief, not only to non-Muslims, but even more especially toward Muslim 'others' (Beck 2010, 208). He chooses to underline for example the ritual meaning of the headscarf. This piece of clothing has become increasingly popular, especially among highly educated women. Research shows that when these women were asked about wearing the headscarf, they said that, 'it was their belief in, respect for, and obedience to God that had prompted them to wear it. Pressure from the husband or from people around them, solidarity with Islam, the marking of a particular religious or social identity, or emancipatory purposes were only secondary motives or played no role at all.' (Beck 2010, 208). In short, they were emphasizing the relevance of the expression of their individual belief. Moreover,

Muslims who do indeed wear the headscarf in a certain way or observe other ritual practices, in the case of this study burial rituals, in a specific way do so while also stressing their denominational adherence. For example, by saying that they are observing a practice within the orthodox mainstream of Moroccan, Turkish, Iraqi or Surinamese, Sunni, Shiite, Alevi or Ahmadiyya Islam. Other Muslims who do not necessarily observe these rituals in the same way are then often referred to as being not 'real' Muslims. This reveals the relevance of the interaction and confrontation with other Muslims in the context of social cohesion and a person's own social identity. This point frequently came up in the course of this study, for example, when the funeral prayer was discussed in Chapter 3. Although respondents did make it clear that there are various ways to perform this ritual according to a person's denominational adherence, they took the opportunity to stress that their own practice was the one that was truly Islamic. This point will be discussed in more detail in Section 6.2.

In this research, four functions and messages clearly enshrined in burial practices among Muslims in the Netherlands and Belgium were identified and they will be discussed consecutively. Burial practices (1) as an expression of individual faith and belief, (2) as an identification with a religious denomination in relation to other Muslims, (3) as an expression of a sense of belonging to a country and ethnic community and, finally, (4) in relation to a person's religious identity as a Muslim in a non-Muslim environment.

1) Rituals as an expression of individual faith and belief. Evidence of the importance of this aspect of ritual practices recurred especially in Chapter 2, in which the views about death and eschatology among Muslims were discussed. Respondents from all denominations emphasized that their views on these issues were first and foremost part of their faith and an expression of their individual religious beliefs. Their ideas were based on Quranic descriptions, on prophetic traditions and on stories they have been told within their own religious-social environment. It is remarkable to see that among all denominations respondents emphasized that in the relationship between life, death and resurrection, the individual responsibility and accountability for a person's individual deeds was of the utmost importance. Irrespective of whether or not respondents linked their ideas completely to classic or contemporary scholars of their own denomination, they all shared the same idea that a person would be held accountable and responsible for all their worldly actions in the face of God. Even those who had developed quite personal ideas, for example, with regard to reincarnation and

cremation as discussed in Section 2.3, still emphasized that this would not stand in the way of their accountability in the face of God on the Day of Resurrection. This idea of accountability and responsibility was explained as being part of their individual faith and belief in God and in the Hereafter.

Within this aspect of individual belief and faith, respondents also shared their views on death and eschatology in relation to their denominational identity. The period of the *barzakh* was especially relevant in this respect, as is discussed in Section 2.4. They emphasized their expression of faith and belief as a member of a religious denomination not only toward the non-Muslim environment of the Netherlands and Belgium, but especially toward other Muslim communities living in these countries. For example, Alevi and Shiite respondents emphasized the role of the *dedes* and the Twelve Imams, in relation to both resurrection and the process of dying, as part of their denominational religious beliefs. The Ahmadiyya, on the other hand, did not focus on the role of a religious leader but emphasized that the injustice they have suffered at the hands of Sunni Muslims in this life would eventually lead to justice in the Hereafter. Therefore, the concept of justice was deemed an important part of their religious beliefs. Sunni Muslims spoke about their community in the sense of the Islamic *ummah* that would be re-united in the Hereafter.

In the context of migration especially, this implies that Muslims tend to identify themselves strongly with members of their own religious denomination and a discussion of this emphasis on one's own group follows. Notwithstanding this important part of the message and function of rituals in a migration setting, the fact that ritual practices are primarily an expression of individual faith and belief should not be denied or overlooked.

2) Rituals as an identification with a religious denomination in relation to other Muslims. The denominational identification among Muslims expressed in ritual practices is initially discussed in Chapter 2, and is examined in even more depth in Chapter 3 in an elaboration of the performance of burial preparations. This chapter shows explicitly that burial preparations serve to emphasize the sense of belonging to a specific Islamic denomination, one particular of the various Islamic communities, and in some cases even particularizes a specific *madhhab*. This was made explicit in the way burial preparations were performed, but by whom they were performed and who was allowed to participate were of truly overriding importance.

A striking example was the case of the Ahmadiyya Muslims who on several occasions were forbidden to participate in the funeral prayer for a deceased Sunni relative because of their adherence to another denomination. In Chapter 3, I have used the theory of Victor Turner to delineate the liminal phase before burial during which the burial preparations are made, as a phase in which the deceased is considered to be betwixt and between: neither belonging to the living nor to the dead. This idea of hovering betwixt and between is equally relevant to the Ahmadiyya Muslims. They found themselves present at the burial rituals of a relative, but not allowed to participate. Therefore, they were betwixt and between, not belonging to the participants proper, yet none the less present. Although the same can be said about the non-Muslims who were present during burial preparations, the example of the Ahmadiyya clearly shows that in a setting of migration, in which meeting and confronting Muslim others is possible, the specific identification of Muslims with their own denomination is an important message that is expressed by who is and who is not allowed to be involved in the ritual practices. Including and excluding Muslims of other denominations from participation in burial preparations sends out a clear message about who belongs to the same denomination and who does not. This situation especially emphasizes a person's Islamic adherence to a specific denomination in relation to other Muslims and is of less importance in their relationship to non-Muslims.

3) *Rituals as an expression of the sense of belonging to a certain country and ethnic community*. This message embedded in the practice of burial rituals is especially important in the discussion in Chapter 4 about the burial rituals and the choice of burial location. A majority of the respondents indicated that, in their choice of burial location, their sense of belonging to a specific country or ethnic community was the most important motive. This was the case for Sunni, Shiite and Alevi Muslims of various ethnic backgrounds. Among the Ahmadiyya Muslims, the Indonesian and Surinamese Sunni Muslims, asylum seekers and converts burial in the Netherlands and Belgium was the common and accepted practice.

The sense of belonging to a country abroad as a decisive consideration in the choice of burial location was explained by respondents to be a matter that had nothing to do with the legal and practical possibilities for Islamic burials in the Netherlands and Belgium. These facilities do exist in both countries, albeit they are different. As is discussed in Section 4.2, both countries offer the possibility for Muslims to be buried in a separate plot in a public cemetery, in which graves are arranged to face the direction

of the *Qibla*. One important difference between the two countries is the fact that in the Netherlands these plots could be subdivided among the different Islamic denominations, whereas such a subdivision is not possible in Belgium. The same was true of the setting up of private Islamic cemeteries, which is possible and does occur in the Netherlands, whereas the Belgian law does not permit this for any religion. Although in the discussions on the choice of burial location the matter of clearing out graves seems to be presented as an important obstacle to the setting up of Islamic burial facilities, this matter seems to be much more nuanced and is not necessarily seen as an obstacle, either by Islamic scholars or by Muslim individuals. Although none of the respondents had yet been confronted with the issue of the clearing out the grave of a relative, they did not indicate that this issue was a decisive consideration in the choice of burial location.

Interestingly, in expressing their choice of burial location, respondents emphasized that they were not expressing a feeling of loyalty to the countries of origin. On the contrary, on various occasions respondents of the Sunni, Shiite and Alevi denominations from various ethnic backgrounds emphasized that they very much felt Dutch or Belgian. They identified themselves with the Netherlands and Belgium in everyday matters, but this was just not the case in the choice of their future burial location. The reason for this is that they connected the choice of burial location to a feeling of descent. Were they to choose to be buried in the Netherlands or Belgium, this choice would imply that these countries were where their roots lay. This was patently not the case for respondents, and therefore they chose for burial abroad in the country of their ancestors. Most of them explained their choice precisely as returning to the soil of their roots.

Although the choices for burial location were made by respondents autonomously, in some cases this choice had to be abruptly changed. During the fieldwork, I dealt with two respondents who had buried their children in the Netherlands and Belgium. Their choice to bury their child in a cemetery close by, as opposed to repatriation to the countries of origin, was inspired by their feelings of parental responsibility. They wanted to have their children close to them, to be able to visit the graves regularly. Once this choice was made, it also seems to have affected the choice of their own burial location. During the interviews, both these respondents seemed to be aware of the fact that their own choice of burial location had changed as a result of the burial of their children in the Netherlands and Belgium. Both women, of a Sunni

background, stated that, had they not had to bury their child in the Netherlands or Belgium, they would have had no second thoughts at all about being buried abroad themselves. Now, the fact that their child was buried here and their feelings of parental responsibility was instinctively to remain close to their children and this is what has led them to reconsider their own choice of where they wanted to be buried.

The fact that a growing number of Muslim children are nowadays being buried in the Netherlands and Belgium was also noticed by cemetery managers. However, they did not see this as a factor in the choice people make about where they themselves want to be buried. In fact, the cemetery managers often stated their expectation that the majority of future generations of Muslims in Europe would opt for burial in Europe because of a loosening of the connection with their countries of origin. Logical though such an expectation might be, it does not seem to tally with the results of my research, at least not among the second generation to which the greater majority of my respondents belong. Among this group, their connection with their countries of origin still seems very prominent in the decisions that are made about burial location. I would argue that these results give us an important insight into how the sense of belonging seems to be a decisive consideration not only in the question of where a person wants to be buried, but also to what extent it can be flexible depending on whether the sense of belonging concerns 'everyday life' or the choice of burial location.

4) Rituals in relation to the religious identity of Muslims in a non-Muslim environment. The public discussions that have arisen during the last decade about the religiosity, loyalty and nationality of Muslims in the Netherlands and Belgium have also exerted a great influence on the message expressed in ritual burial practices. In stating their choice of burial location, respondents emphasized, as discussed above, that although they do feel very much Dutch or Belgian, they did not identify themselves as being Dutch or Belgian Muslims. In other words, they did not connect their religious identity to the Netherlands and Belgium, and hence did not see themselves as being Dutch or Belgian Muslims. On the contrary, their religious identity was connected to either their denominational identity (Point 2) or ethnic identity (Point 3), namely: Moroccan Sunni, Turkish Alevi or Surinamese Ahmadiyya etcetera.

At present, a growing number of Islamic scholars are urging Muslims living in Europe to identify themselves as 'European Muslims' and to leave aside their ethnic and denominational backgrounds. These scholars emphasize that Muslims' sense of belonging to Europe should be expressed not only in theory, but also in practice through

their work, study, political participation etcetera. This should go beyond the building of mosques and the founding of organizations and educational institutions, it should also extend to individual identification with a European form of Islam. One of the leading Islamic scholars and head of the European Counsel for Fatwa and Research (ECFR), Yusuf al Qaradawi, is considered to be an advocate of this trend. This scholar focuses his work on the integration of Muslims into European societies and considers that part of their integration is also to ensure the provision of proper Islamic burial facilities, as discussed in Chapter 4. In several *fatwas*, he has explained Islamic burial facilities to be a logical form of integration into European societies, following the earlier lead of the Christian and Jewish communities. His reference encompasses both the integration of individual Muslims on a personal level (work, study, political participation) and on an institutional level, for example, by realizing private Islamic cemeteries. If they were to organize such facilities, this step would be a way for Muslims to be able to emphasize their European Islamic identity as being *part* of Europe, as opposed to emphasizing their Islamic denominational and ethnic identity as being something *outside* Europe.

Despite such messages from scholars, among my respondents this identification with a European form of Islam did not feature prominently. Their religious identity was considered in connection to either ethnic or denominational backgrounds. An exception to this rule are the converts who identify themselves as Dutch or Belgian Muslims, even though at the same time they are often being incorporated into another ethnic community. This was the case with a converted Belgian respondent, who identified herself as a Belgian Muslim but felt part of the Iraqi Shiite community, as opposed to the Belgian community, as a result of her marriage to an Iraqi Shiite Muslim.

6.2 (Im)mutability of burial ritual practices and future European trends in Islamic burials

Islamic burial rituals might seem to have been fixed for eternity and to be composed of immutable constants writ large in faith and doctrine. However, as has appeared time and again throughout this study, this hypothesis has to be rejected. Not only did the data reveal several changes beginning to enter ritual practices, albeit as the result of the influence of participants themselves or because of a changed social and legal setting, there have also been alterations in the functions and meanings of ritual practices. This study reveals that the confrontation and competition as the result of the encounter with

the (non-)Muslim other is expressed in both the form and the content given to the ritual burial practices. On several occasions, the Ahmadiyya respondents clearly stated that, as opposed to that of Sunni Muslims, they have their 'own' interpretational framework. The same was true of the Alevi Muslims, although they tended to be less vehement about this matter than the Ahmadiyya. On a more orthodox path, Sunni and Shiite respondents emphasized particular ways in which a ritual should be performed according to the rules of *their* denomination and would repudiate all other practices as non-Islamic. In a nutshell, these rituals are subject to change in response to a altered social and legal setting, but also as a defense against the repercussions of confrontations with Muslim and non-Muslim others.

As discussed in Chapters 3 and 4, new laws have been adopted in the Netherlands and Belgium to meet Muslim demands relating to Islamic burial practices. The survey conducted among all Dutch and Belgian municipalities uncovered great variations in the way Islamic burial options are offered by both countries. National laws cover only the broad guidelines, and the pertinent local rules and regulations differ greatly in the granting of graves, the costs and types, and these complications make the actual practice of Islamic burial rituals dependent on what the local possibilities are. In Belgium, the regulations governing burials and cemeteries have only recently been revised and more fully developed. The upshot of this revision is that currently there are great differences in every region. Besides these legal changes, Muslims themselves have also adjusted their burial practices to the changed social and legal settings of both countries, as was the case for example in the discussion of the use of a coffin in Chapters 3 and 4. Both in Belgium and in the Netherlands, Muslims have adapted their ritual of burying a body without a coffin to the legal and social requirements of each country. Nowadays, although the obligation that a body must be buried in a coffin is no longer prescribed by either Dutch or Belgian law, Surinamese Muslims especially still bury their deceased in a coffin.

Nor are what might be called foreign and alien conditions the only mainsprings of change. The confrontation with other Muslims has been equally important in inducing changes in burial practices. Throughout the thesis, this confrontation and competition with the Muslim other has in some cases led to a clear line being drawn between the denominational views on burial practices and in other cases to a 'fusion'. One example of such a distinction was the case in Chapter 3 in which the manner in which burial preparations were made was discussed. The discussions revealed that

between the various denominations differences had arisen that were based on Islamic scholarly opinions. Quite clearly, their burial rituals are also a way by which the various denominations can distinguish themselves from each other and hence stimulates them to give a specific interpretation to their practice of burial preparations. The fact that Shiite Muslims perform the burial prayer with five *takbîrs*, as opposed to the utterance of four *takbîrs* among Sunni and Ahmadiyya Muslims is an example of this distinction. Another example is the burial practice among Alevi Muslims who make a clear-cut distinction between themselves and the Shiite, Sunni and Ahmadiyya Muslims by performing the burial prayer in a *cemhouse* and not in a mosque. The prayer also has a completely different content.

Furthermore in working out the data for Chapter 3, I found what seems to be an indication of a 'fusion' of denominational ideas. To elucidate this the theory of Victor Turner was used as an instrument to indicate the time of burial preparations as a liminal phase, characterized by vulnerability, conflicting opinions and time pressure. In this situation, denominational conflicts can easily flare up and even get out of hand, for example, in the case of the attendance of women at the funeral prayers and in the funeral procession as discussed in Section 3.6. Several women who had been strictly forbidden by their denominational backgrounds either to attend the funeral prayer or participate in the procession were cited. In a changed social setting, in which meetings and confrontations with other Muslims who *did* allow for women to attend, they finally found the strength to express their wish, even their Islamic right, to attend these rituals. These situations demonstrate that the coming together of various Islamic denominations in one country leads to religious traditions being interchanged and rules being adapted. This fusion of denominational ideas and views is much more prominent and visible in a situation of migration, as opposed to in home countries that are much more religiously homogenous.

6.3 Future research and policy implications

This study can be distinguished from the other few studies that have been conducted on Muslim burial practices in a European context by its choice for a multidisciplinary methodological and comparative approach. The approach was chosen as a starting point for the contribution to this particular field of knowledge in order to be able to provide a systematic and methodologically comparative study of the burial practices observed

by Muslims in the Netherlands and Belgium and to see how these can be related to national laws, Islamic prescriptions and the results of fieldwork.

Although previous studies in the field of Islamic burials in the European context have indicated an expected increase in Muslims' choice to be buried in Europe, this study indicates otherwise. The majority of the respondents emphasized their wish to be buried in their countries of origin. This choice did not seem have been affected by any absolute legal or religious obstruction to the creation of Islamic burial facilities in the Netherlands and Belgium, it was predominantly fueled by growing public discussion about nationality, loyalty and the 'failed' integration of Muslims into Dutch and Belgian societies. These events have conspired to make the younger generations of Muslims, from among whom the participants in this research were drawn, feel 'outsiders' who are unwelcome in spite of their efforts to integrate. The negative view of Islam and Muslims expressed in the public debates naturally seems to have contributed to a feeling of alienation and of being unwanted. Previous research has indicated that the relevance of their Islamic faith might only increase if and when Muslims perceive themselves to be being discriminated against (Berger 2012b). In the current study, feelings of alienation and of being unwanted have certainly served to strengthen the respondents' connections with their countries in which their roots lie. The upshot is that the conditions provided for burial practices in these countries was in many cases even presented as the ideal situation. This is particularly noticeable when the matter of clearing out graves was discussed in Chapter 4. Although clearing out graves occurs in some countries of origin as well, when it happened there it was not deemed as 'strange' as the practice of clearing out graves in the Netherlands and Belgium. The respondents' explanations involved the way information about this matter is presented. In their countries of origin, it was explained, no one would give advance information that the grave would be emptied after so many years. This is the exact opposite of the situation in the Netherlands and Belgium, where from the outset information is provided that the grave has been granted as a lease for a limited period of time, and that it will be cleared out if this lease period was not extended.

As mentioned earlier, in opting for the multidisciplinary methodological and comparative approach this study has sought to give some insight into the various facets involved in burial practices among Muslims in a European context. However, because of the limited sample size my main preoccupation has been to seek only for trends rather than for representative statistical evidence. It will be of the utmost importance to future

research in this field to incorporate larger samples. These would allow formulations of statistical correlations between the various variables to be made in order to test hypotheses and build theories. Furthermore, it might be of importance to incorporate the legal changes that are still being processed in Belgium and to see how they will affect the development of the rituals concerned. Since local regulations governing burials are only very recent. it will be interesting to see how these develop in the future and what references will be made to the much debated matter of the 'graveyards war'.

As a contribution to the formulation of policy on Islamic burials in the European context, this study has hoped to emphasize the relevance of acknowledging the religiously based differences between the many Islamic communities present in European countries. There is no such thing as *one* Islamic community, and therefore there is no *one* Islamic plot or cemetery. Muslims are characterized by their ethnic and religious diversity. In a European context, these Muslims have happened to come together and the differences between them are more visible than people would have been aware of in their countries of origin. If policy makers are indeed interested in providing Muslims with burial facilities, they should not ignore these religiously based differences that also loom very large when burial practices enter any discussion. The majority of the Muslims who are buried in European soil are mainly converts, asylum seekers, Muslims from mixed marriages or from former colonies and children. Among those Muslims who actually have a choice about where they will be buried, this study has shown that the majority still opt for burial in the countries of origin. This does not mean that policy makers and cemetery managers should not invest in providing Islamic burial facilities. The number of Muslims in Europe is increasing as a consequence of family expansions, a growing number of converts, asylum seekers and partners in mixed marriages. Some Muslims feel that there is no specific choice to be made about their burial location. Asylum seekers have often been deprived of the possibility of returning to their countries of origin for burial, whereas converts are already in their countries of origin. With regard to persons in mixed marriages, but also with regard to the burial of deceased children, a feeling of being close to either the living partner or a feeling of parental responsibility that the deceased child should be kept nearby seems to be of much more importance than the sense of belonging to a specific country. Among Muslims, the motives and considerations that underlie the choice of burial location are influenced by a range of motives and considerations. Legal and religious possibilities

have been shown not to be the decisive reasons, as they are overshadowed by emotional feelings of belonging and identity.