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# What space for the dead? The making of burial places for and by religious minorities in The Netherlands

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## ABSTRACT

In this article, we examine how religious minorities in the densely populated Netherlands manage burial norms in the face of scarcity of land. Using legal pluralism, we explore how local and national authorities; funeral agents; and three religious minority communities deal with the spatial and temporal dimensions of death and burial, both inside and outside the Dutch conurbation The Randstad, in a context where the Dutch tradition of consociationalism lingers on. Based on fieldwork and legal analysis, our findings show that religious burial norms have peripheral existence, both within Dutch law where they are treated as exceptions, and geographically, as religious cemeteries still remain situated outside The Randstad. Furthermore, tensions can emerge not only between communities, but also within them, as exemplified by challenges faced by non-believers. In a context of migration, Dutch cemeteries become spaces where multiple normative orders concerning emotion, (non)belief, religion, society and the state intersect. This turns the space for the dead into a place where some members of minority groups can find the rest they are longing for, while others cannot.

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## Introduction

The quotes below are part of the short film *Facing Mecca* (2017). Taking place in a town in Switzerland, the film presents the struggle of Fareed, a Syrian man, with burying his deceased wife, the mother of his two little children.

Keller: Mecca, where exactly is that?

Roli: In Saudi Arabia.

Keller: I mean in which direction?

Roli: Southeast.

Keller: We could place her diagonally, then she'd have more space.

Council official: What's going on?

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Roli: Thomas! Good that you are here. We wanted to check if we can place her facing Mecca.

Keller: She'd have to be at an angle, or we can move that grave over.

Council official: Who are you?

Keller: Keller from Huber and Partner Geotechnics.

Council official: Have you gone mad? We're not rearranging the damn cemetery for one person.

Roli: Does it really matter if one grave is diagonal?

Council official: Special status for a Muslim refugee in a non-confessional cemetery all funded by the taxpayer? This must be approved by the Council. Take it all down!

Fareed wants to bury his wife in Switzerland. But even with the help of his Swiss friend Roli, who speaks the language and knows people within the town council, the widowed father is unable to bury his wife according to the prescripts of Islamic religion. His wife, he says, should be buried within 24h, facing Mecca. The head of the municipality council says such a grave would disturb the orientation of the rest of the non-confessional cemetery, and therefore, the matter must be put to a vote by the council. After the vote Roli visits Fareed:

Roli to Fareed, through a translator: I've got good news. Amrikon Council can offer your wife a family grave. She can be buried facing Mecca.

Fareed: Thank you from the bottom of my heart.

Roli: All right, a family grave for 25 years.

Fareed to translator: What does '25 years' mean?

Translator: It means she'll be exhumed after 25 years.

Fareed: ... That is not permitted in our religion.

Translator: Yes, I know.

Fareed to translator: But they don't know. You have to tell him it's unacceptable. How could I face my God? He is the one who sends out the dead and makes them alive ...

Once she has been buried, only Allah can raise her ... No. They can't dig her up.

Roli to translator: What is the matter?

Translator: Well, it's just that a Muslim grave is forever. Otherwise they can't enter Paradise.

This time the council official is unwilling to compromise and with the 24h limit already long gone, Fareed and Roli conclude that repatriation to Syria is the only solution left. This pains Fareed a great deal as he wants to bury his wife nearby, because of the children. In the end, Fareed, Roli, and an empathetic undertaker find a way to bury the mother nearby in such a way the father can rest assured knowing his wife has eternal rest in a grave facing Mecca. Ironically, the solution that gives peace to the bereaved is the outcome of secrecy and one does not need to be a legal expert to understand that the unregistered burial of a body in a random forest violates Swiss laws and regulations.

There are a number of elements that transpire in the film. First, the film explores the extent to which individuals upholding majority norms are willing to accommodate cultural and religious norms of the Other. In the film, majority society is represented by the town council who is unwilling to accommodate one of the most salient elements of Islamic burial: perpetual interment right. Second, the Other is a forced migrant from the global South and a strong believer in the principles of

Islamic religion. Third, religious convictions regarding the spatial and timely dimensions of the final resting place have such compelling force for the people involved that they justify evading formal law.

In actuality, tensions between state norms and religious norms on burial are indeed present, not only in Switzerland, but also in other European countries with relatively large religious minorities, such as the Netherlands (e.g. van den Breemer, 2019; Dessing 2001; Kadrouch-Outmany 2014, 2020). In the Netherlands, most religious minorities live as migrants in The Randstad, a densely populated conurbation, which comprises the country's four largest cities: Amsterdam, Rotterdam, The Hague and Utrecht. However, the few Islamic cemeteries offering indefinite burial arrangements are located outside The Randstad. In this article, we ask how religious minorities in the Netherlands deal with the formal and informal aspects of burial. Based on fieldwork among migrants with a background in Sunni Islam, Shia Islam and the Syriac-Orthodox Church, we demonstrate that a scenario as represented in the film is unlikely to unfold in reality.

*Facing Mecca* and other films and documentaries, such as *Dood in de Bijlmer*,<sup>1</sup> have in common that they treat religious minority groups – usually Muslim minority groups – as homogeneous entities, with members having similar ideas about the way respect should be paid to the dead. When we started our research, we were also interested in how people with a background in said religious communities deal with death and burial in a context where they form a minority. We soon discovered that, not seldomly, respondents declined our invitation for an interview saying that they were actually not so religious, and therefore did not possess the knowledge they considered necessary to help us with our research. Some of them shared they did not want to be buried in the traditional religious way, but, fearing stigmatisation, struggled to convey this message to family and community members. It became clear that differences were not limited solely to distinctions between majority and minority groups but also manifested within minority groups themselves. Hence, in our exploration of how migrants cope with death, we challenge the notion of groupism (Brubaker 2006; see also Chanock 1989) and advocate for a more dynamic understanding of norms within a particular space.

Following the insights of Von Benda-Beckmann and Von Benda-Beckmann (2014), we also adopt a temporal perspective to examine the legal regulation of space. After all, 'law,' the authors say, 'is not simply there'; it comes and goes, fades in and fades out, yet often leaving a lingering impact (Von Benda-Beckmann and Von Benda-Beckmann, 2014, 46). Specifically, we found that the historical Dutch tradition of pillarisation (more below) lingers on, intersecting with a more contemporary culture characterised by individualism and diversity where segregation is rejected. We describe how this tension is handled not only at the level of state law, but also within religious minority groups, where we also observe the coexistence of pillarisation, individualisation, and secularisation.

In her comprehensive study on Islamic burials in the Netherlands and Belgium, Kadrouch-Outmany posits that gender and religious denominational adherence are major determinants of in and exclusion of individuals during the process of burial. Our data also reveals a noteworthy challenge faced by non-believers, i.e. people who decidedly do not believe in God (atheists), who suspend their judgment about the

existence of God (agnostics), or who do believe in God, but not in religion itself (non-religiosity) (Schielke 2012). During our fieldwork, we also noticed how Muslim women sometimes challenged dominant religious community norms regarding death and burial. We will not discuss the topic of gender here, but concentrate on a rather overlooked aspect in the study of death and migration in Europe: the wishes and concerns of non-believers.

Comparing constantly evolving majority norms and equally dynamic minority norms reveals that migrants' responses to death and burial result from an intricate interplay of accommodation and contestation of these norms between and within groups, as spatial constraints in The Randstad conglomerate intensify. Our examination of the perspectives of migrants from religious minority backgrounds residing in the global North contributes to the field of legal pluralism, which has hitherto given limited attention to urban dynamics (as discussed in the introduction to this special theme issue). This includes dynamics pertaining to the availability of spaces for the dead within the context of urban densification. Additionally, it addresses a gap in legal geography research, which predominantly concentrates on the urban global North while neglecting marginalised groups (Braverman et al. 2014, 9).

## **Methods**

Our research is qualitative and explorative in nature and draws upon data collected through desk research and empirical fieldwork. We studied Dutch national laws and regulations on death and burial, including current parliamentary discussions on amendment of the Law on Funeral Services; cemetery regulations; religious regulations on death and burial; and public discussions on the building of confessional cemeteries, such as the recent opening of the largest Islamic cemetery in Arnhem, the Netherlands, in January 2023.<sup>2</sup> Between September 2020 and September 2022, we also interviewed people with a background in Sunni Islam, Shia Islam and, to a lesser extent, the Syriac-Orthodox Church. We only interviewed people with a migration background, as we were interested in exploring the link between mobility, belonging and identity. There were no religious converts included in our study. We interviewed and had informal 'participatory conversations' (Swain and King 2022) with 21 lay persons with a background in three said religious communities, with repeat conversations involving four of them. We also interviewed three burial agents, all of them more than once. Finally, we paid visits to an Islamic cemetery and a Syriac-Orthodox cemetery where we spoke at length with the cemetery undertakers. Respondents were selected using a purposive sampling technique.

## **Outline**

The synopsis of this paper is as follows. In section two we outline the field of research covering theoretical inquiry on space, time, and place in legal pluralism and legal geography. In section three, we provide an overview of Dutch state norms and Islamic and Syriac-Orthodox norms on death and burial. We present the experiences of undertakers at a Sunni Muslim cemetery in urban Almere and a

Syriac-Orthodox cemetery in rural Glane to understand how they navigate the interplay of these norms, now and in the context of anticipated future developments. In the section that follows, we explore how respondents with a background in Sunni Islam, Shia Islam and, to a lesser extent, the Syriac-Orthodox Church deal with death and burial, with specific attention to the wishes of non-believers. In the conclusion (section 5), we answer the main question: how do migrants navigate the intricacies of formal and informal norms pertaining to death and burial? In so doing, we elucidate the relation between space-time dynamics and spatial constraints on processes of place-making in the urban realm of The Randstad.

## Death and burial at the intersection of legal pluralism and legal geography

Most religious minorities in the Netherlands live as migrants in the Randstad, particularly in the municipalities of Amsterdam, Rotterdam and the Hague, where more than half of residents are first- and second-generation migrants. More than 40% of these municipalities' inhabitants have origins outside of Europe. Refugees mostly live outside The Randstad and are more dispersed throughout the Netherlands. With the three largest populated cities in the Netherlands having the highest percentages of first- and second-generation migrants, the allocation of space for migrant burials becomes a particularly important topic of discussion in urban settings (see also Klaufus 2014).

Academic literature on death and burial practices of migrants in the global North predominantly addresses how minorities balance the competing requirements of majority and minority norms, such as mandatory use of a coffin, obligatory waiting periods between death and burial, and time limits on grave plots.<sup>3</sup> With the arrival of Muslim 'gastarbeiders' (literally: guest workers) in the 1960s and 1970s, the study of death and burial practices started to increase, usually in relation to issues of integration and belonging. Note, however, that within the huge body of literature on mobility, identity and belonging, the study of migration and death remains small (Balkan 2015a, 122). This is remarkable as death '...is *the* moment in which a religious or secular meaning to life is most urgently felt' (van den Breemer 2019, 6). During one's life, one can lead a non-religious life without the need to explicitly present oneself as non-believer (Schielke 2012). At the end of the life cycle, non-believers are confronted with the question how they wish to be buried. As religious rules are strict both in form and sequence, in both Syriac-Christianity and Sunni/Shia Islam (see for more section 3), "the act of burial confers a sense of fixity or permanence to identities that are more fluid or ambivalent in life" (Balkan 2015a, 121). Time, space, and place play a paramount role in the way in which burial gives this permanence to previously fluid identities.

## Space and place

In the social sciences, space has been conceptualised as something abstractly scientific, mathematical or measurable (Lawrence-Zúñiga 2017), as where things happen in the world (Smith 2020), or the central element of social life with a physical and

ambient dimension, the cultural medium through which individuals can think and be culturally organised (Aucoin 2017). Place, meanwhile, is referred to as the sites that have been given cultural meaning by the people who inhabit them (Smith 2020), a 'lived space made up of spatial practices' that 'is phenomenologically experienced, such as the culturally meaningful space of home' (Low 2016, 12), or a 'framed space that is meaningful to a person or group over time' (Thornton 2008, 10), which comes into being through human experience (Aucoin 2017). In short, place is a space that has been ascribed meaning (Collier and Broom 2021) by people's cultural (place-making) activities (Aucoin 2017).

In all these accounts, space and place are conceived as something more relational and less as objective or measurable. Massey (2013) was one of the first scholars arguing to move away from the idea of place as something fixed. Instead, she formulates both the concepts of space and place in terms of social relations. Space, she argues, should always be conceptualised in relationship to time. Space-time refers to the configuration of social (inter)relations at all scales and the spatial as the ever-shifting social geometry of power and significations. If the spatial is thought of as space-time, Massey argues, then place can be viewed as a specific moment in time, a particular articulation of those social relations and understandings. The meaning attached to place is then not fixed but contested and multiple, constructed by the social links and interconnections it has beyond the place itself.<sup>4</sup> This understanding of space-time and place-making, which we adhere to in this paper, has started to occupy an important place in legal geography and, to some extent, in legal pluralism.

### ***Space-time and place-making in legal geography and legal pluralism***

In legal geography, space serves as the foregrounding organising principle as nearly every aspect of law has some spatial frame of reference (Braverman et al. 2014, 1–2). Within legal geography space was conventionally conceived as a material surface on which law is inserted (Braverman et al. 2014, 17). An alternative view of space that developed subsequently invites us to think of space in relational terms; 'all social entities are to be understood and explained according to their interactions, avoiding a view of internally stable concepts and entities' (Braverman et al. 2014). This understanding of space bears much similarities with de Sousa Santos' concept of interlegality (1987): the place of law is not fixed because in our minds different normative systems are mixed up. Interlegality shows that, first, law is not a project of only the state, and, second, that spaces are not static territorial units but dynamic physical and sociopolitical compositions. Instead of thinking about the cemetery we start thinking about the process of cemetery building, as influenced by group processes rather than groupism (Brubaker 2006; Jedan et al. 2020); processes of bordering rather than fixed borders; and a relational understanding of law (Sonneveld 2020), without neglecting the performative force of a nonrelational view of space in everyday life. Viewing the cemetery as an 'arena' (Jedan et al. 2020) enhances our knowledge of how people perceive these spaces, navigate their various power constellations, and give it meaning. The result, Von Benda-Beckmann and Von Benda-Beckmann say, '...is that people have to operate in ever-changing constellations of overlapping

spaces created by different legal orders' where the fading in and out of legal spaces is a salient aspect of that process (Jedan et al. 2020). In the context of the Netherlands, we pay specific attention to the lingering effects of consociationalism (*verzuiling*; literally: pillarisation), a model that once facilitated the accommodation of diverse worldviews (van der Burg and de Been 2020), including those pertaining to death.

### ***The space and place of burial of religious minorities***

*Verzuiling*, or pillarisation, was a Dutch system where different denominations (mostly Catholics and Protestants) were assigned their own space and place alongside secular groups through the establishment of denominational schools, associations, newspapers, trade unions, and political parties. Within this system no one group, secular or religious, was considered more important than another. Although the Burial Act of 1869 made it compulsory for every municipality to have a public cemetery (see below), many cemeteries are still of a confessional nature.

In their landmark study, Fetzer and Soper (2005) show that divergent political responses to the religious concerns of Muslims in France, Germany and the UK are a result of state-church legacies. With majority norms formally enshrined in national and local laws and regulations, minority groups are symbolically excluded from the body of the nation-state, despite the fact that their members often have formal citizenship. While refugees are exempted from paying taxes and do not have suffrage, other migrants do pay taxes, are entitled to vote, and have a legal right to be on national territory during their lifetimes and in death. In the social production of space (Lefebvre 1991), however, they are still symbolically excluded (see also Brubaker 2010), the repatriation of the dead migrant body back to the global South exemplifying an ultimate form of spatial exclusion.

However, repatriation to the country of origin does not mean that accommodation of minority norms by majority society is completely absent, and vice versa. Scholars on Islam in Western Europe have shown how majority cultures try to accommodate certain elements of foreign norms on burial, such as increased availability of Islamic burial plots in public cemeteries, and burial of the deceased facing Mecca. In the Netherlands, accommodation often takes place through the introduction of exceptional legislation, which, as we show later, reflects a way of dealing with religious diversity under a new form of consociationalism. For example, art. 16 of the Law on Funeral Services (*Wet op de Lijkbezorging*), states a minimum of 36 h between death and burial. However, burial within 36 h is possible with permission of the mayor and the public prosecutor (art. 17, 1 Law on Funeral Services).<sup>5</sup>

In a study examining state responses to religious and cultural diversity in the Netherlands, France, and Norway, van den Breemer (2019) shows how majority culture accommodates the wishes of minority communities in practice. The way in which these three states give institutional form to religion in the burial domain in general and toward Muslims in particular significantly differs at the legislative level: 'Confessional sections are illegal in France, a legal right for groups in The Netherlands, and absent altogether in Norwegian law. Yet, in practice municipalities *act* the same: They nearly all provide for confessional sections in public graveyards' (2019, 14). Burial agents, van den Breemer says, were not concerned with solutions being

religious or secular, but with wholeness versus fragmentation. ‘How whole or divided should the graveyard be?’ (Breemer, 2019, 15). Van den Breemer’s research clearly demonstrates that ‘regimes of religious tolerance’ (van der Burg and van Been 2020) differ from country to country, at least in theory. Simultaneously, her study clearly underscores the importance of conducting empirical research to understand to what extent regimes of tolerance are implemented in practice.

Von Benda-Beckmann and Von Benda-Beckmann (2014) state that the pace of change within religious law or within customary law might not be as fast as in the laws of national states. We show that migration has changed religious understandings of burial in profound and speedy ways. For example, where quick burial is a requirement in Islamic law, in the case of repatriation, the time of burial is extended by days, without much ado. Moreover, in cases of repatriation, the timely and spatial dimensions of burial are split up with the funeral prayer taking place in the country of residence and the burial taking place in the country of origin (e.g. Dessing 2001; Kadrouch-Outmany 2014). With an increasing demand for burial in the densely populated and highly urbanised Netherlands, even religious norms on permanent grave-rest are subject to change, as we will see below.

### **How majority society and minority society accommodate foreign norms on burial?**

In this section, we present an overview of dominant burial norms within Islamic religion and the Syriac-Orthodox Church of Antioch. We pay specific attention to perpetual burial rights, as this was an issue the undertakers of both religious communities considered important. We demonstrate how both majority and minority cultures incorporate burial norms unfamiliar to them. At the state level, religious burial norms find accommodation through legal exceptions. When it comes to religious minorities, we observe a willingness among Muslims to set aside religious requirements for swift burial in favour of nurturing affective bonds and securing eternal grave rest time, not seldom driven by financial incentives. Additionally, we observe how funeral undertakers are preparing for a future where the longing for perpetual grave-rest, coupled with the growing desire for burial in the Netherlands, must be reconciled with increasing scarcity of land. This situation necessitates yet another form of adaptation to the temporal constraints of space.

#### ***Syriac-Orthodox norms on burial***<sup>6</sup>

The Syriac-Orthodox Church of Antioch<sup>7</sup> (hereafter: SOC) is one of the six Oriental Orthodox Churches. Out of an estimated 600,000 members worldwide, around 25,000 live in the Netherlands. Similar to their Moroccan and Turkish counterparts, the first Syrian Orthodox migrants arrived in the Netherlands as guest workers in the 1970s. As a result of persecution in Southern-Turkey, Northern Iraq and Syria, they soon started to apply for asylum in Germany, the Netherlands and Sweden, mostly successfully (Murre-van den Berg 2019, 16). Unlike Islamic religion, which lacks a centralised religious authority, the SOC is distinguished by strong religious leadership: the supreme head of the SOC is the Patriarch of Antioch. The headquarters

of the Patriarchy moved from Turkey to Homs (Syria) in 1923 and to Damascus in 1959 (Murre-van den Berg 2019, 23). A branch office of the Patriarchate was opened in 2018 in Atchaneh (Lebanon).<sup>8</sup>

While the Middle East still forms the heart of the SOC, the dioceses in Germany, the Netherlands and Sweden are an important focal point for members living in the diaspora (Murre-van den Berg 2019). The Dutch diocese 'Mor Ephrem' was bought in 1981. It is located in Glane, a border village of around 500 inhabitants in Twente, a region in the eastern Netherlands, where many Dutch members of the SOC live.<sup>9</sup> There is also a large community in and around Amsterdam. The diocese's monastery is surrounded by two privately owned cemeteries where members from the Netherlands but also other European countries are buried. There are no other Syriac-Orthodox cemeteries in the Netherlands. The first cemetery was inaugurated in 1983 and offers space to 825 graves with a capacity of two deceased per grave. The second cemetery is a complex consisting of 1035 burial vaults (*grafkelders*). When it started operating in early 2014, it was the largest burial vault facility in Europe. Each vault offers space to four deceased. Currently, the diocese is in the process of building a third cemetery with 1100–1200 burial vaults.

The tradition of Christian burial as practiced by the SOC is divided into two general categories, the burial of the clergy and that of the laity. As for the latter, special funeral services exist for adult males, adult females and children (both male and female) (Samuel and Barsom 2011, 1). Funerals follow a fixed protocol, which is set out in books for 'the order for the burial of the dead'. According to the undertaker:

A funeral is a church service for us. It follows fixed liturgy and the purpose of the whole service is to ask for forgiveness for the deceased through prayers and for this person to be included into the Kingdom. That is actually the purpose of the whole funeral and it really is a fixed service with the prayers and the liturgy. It's the same with all funerals.<sup>10</sup>

Indeed, the books for adult males, adult females and children all focus on the funeral service in the church.<sup>11</sup> They do not mention specific rules on burial. Nevertheless, according to the SOC undertaker, burial on the diocese's premises is in high demand because: 'we maintain eternal grave-rest time. Our graves are never cleared.' When asked whether this is a religious requirement, he said:

No, it's not religious. It's important for the state of mind. [People find it] a bit of a strange idea that after twenty years they just throw away the remains of your father, to put it bluntly. Yeah. This is not appreciated.

This interview fragment as well as a number of provisions that allow owners of family graves to clear the grave when a minimum period of 10 years of grave-rest time has passed (art. 14 a/b cemetery regulations), to make room for more graves, show that it is not so much exhumation as random disposal of human remains at the end of the grave-rest period that instills anxiety among community members.

On the national level, Dutch cemeteries are regulated by the Law on Funeral Services of 1991 (hereafter: Law of 1991) and its accompanying Decree on Funeral

Services.<sup>12</sup> With regard to *space*, the law regulates who establishes and maintains cemeteries. There are approximately 4400 cemeteries in the Netherlands (Kadrouch-Outmany 2020, 8). In line with the tradition of consociationalism, the law distinguishes between public or municipal and private or special cemeteries (art. 24). As noted, every municipality is obliged to have at least one municipal cemetery. Special cemeteries may only be created and preserved by a religious community (literally a church community, ‘kerkgemeenschap’), a private legal entity, or a natural person (art. 37). The municipality designates which ground may be used for these special cemeteries (art. 40). Approximately, one third of cemeteries falls under the responsibility of municipalities, the rest are private cemeteries (van den Breemer 2019, 62), such as the cemetery of the SOC in Glane. Public or municipality cemeteries are ruled by ‘beheersverordeningen’ (municipal regulations on the management of cemeteries) and private cemeteries by so-called ‘begraafplaatsreglementen’ (private cemetery regulations). The cemetery regulations of the Syriac-Orthodox cemetery in Glane mention that the cemetery belongs to the diocese (art. 4 begraafplaatsreglement 2014).

With regard to *time*, graves can be allocated for either a specified or an indefinite period of time (art. 28, 1). Hence, the concept of ‘eeuwige grafrust’ (eternal grave rest) has no legal foundation in the Netherlands and, as such, holds no legal validity. To avoid confusion, the Landelijke Organisatie van Begraafplaatsen (LOB) even advises to only use the legal terms ‘burial rights for a specific and indefinite period’ for private graves (LOB 2021). Art. 16 of the Law of 1991 states that ‘Burial or cremation takes place no earlier than 36h after death and no later than on the sixth working day after death.’ In Glane, burial usually takes place within the time-slots mentioned in the law. Sometimes, however, the undertaker must ask permission to keep the deceased in the morgue for more than six working days because families insist on bringing over relatives from abroad to attend the funeral:

SOC undertaker:...we see this happening more and more often ... And then they have to provide all documents via the IND [Immigration and Naturalisation Service] and so on, and because I can’t bury within those 6 working days, I need another document from the GGD [Municipal Health Service]. They call that a statement of no objection and with that statement of no objection I go back to the municipality and then I ask for the funeral to be postponed. In theory, you can postpone it [a funeral] for months. I told you, the Law on Funeral Services in the Netherlands really is very broad.

### **Islamic norms on burial**

An Islamic funeral is characterised by four ‘rituals’: washing; shrouding; funeral prayer; and burial facing Mecca, preferably on the same day but within 24h in any case. Despite small variation between Muslims,<sup>13</sup> the ‘rituals’ are strict in terms of content and sequence (e.g. Kadrouch-Outmany 2020, 9).<sup>14</sup> Comparing studies describing Sunni funerals (e.g. Dessing 2001; Kadrouch-Outmany 2014) with those describing Shia funerals (Bayatrizi and Ghorbani 2019), we see no significant differences between the two branches.

Scholarly studies on death and burial of Muslim migrants in the West show that the bereaved experience few legal or social obstacles in performing the washing, shrouding and funeral prayer rituals. For example, in 2006, the Amsterdam municipal

executive decided to finance a washing facility at a Muslim plot, to give a strong social signal that all inhabitants of Amsterdam with an Islamic belief or conviction were part of the city (van den Breemer 2019, 127-128). The experiences of our respondents are in line with the findings presented in the literature, with one exception: women were not always allowed to attend the funeral prayer in the mosque (see also Kadrouch-Outmany 2018). Most problems occur with respect to the final ritual: burial (e.g. Ahaddour and Broeckaert 2017; Balkan 2015a; Dessing 2001; Kadrouch-Outmany 2014; van Koningsveld and Shadid 2008; van den Breemer 2019), particularly: burial without a coffin; burial within 24 h; burial facing Mecca, and perpetual burial rights.

Before 1991, burial without a coffin was not allowed in the Netherlands. This restriction affected members of the Moroccan and Turkish communities, as they were and are accustomed to burial without a coffin, in contrast to Surinamese Muslims in the Netherlands who bury with a coffin. A common issue that affected all three communities was the challenge of achieving burials within a 24-h timeframe and ensuring perpetual burial rights. At the time, death and burial were regulated by the Burial Law of 1869. In the 1980s, when revision of this law was considered, parliamentarians requested to also consider specific wishes of Muslims regarding burial (van Koningsveld and Shadid 2008, 170). This discussion resulted in burial without a coffin and within 36 h becoming legally possible in 1991. While there still have to be 36 h between death and burial (art. 16), the mayor can give an exemption to this rule in accordance with the public prosecutor (art. 17). According to the undertaker of Almere cemetery:

Usually, we do [the funeral] really fast. For example, if someone dies early today, he will be buried in the afternoon. For Dutch law it is after 36 hours and for Islamic law it is within 36 hours, preferably within 24 hours [laughing]. We always ask permission from the public prosecutor [Officier van Justitie]. If he has approved it, the municipality [gemeente] says: 'Agreed. You may bury.'

Interviewer: And does the public prosecutor agree with that?

Islamic undertaker: Yes, so far, we've never had a problem ...Usually, we bury in the afternoon and then we have already arranged everything in the morning. And until now, it has never happened that the public prosecutor has refused anything.<sup>15</sup>

In practice, the exception of art. 17 has become a rule. Yet, the Law of 1991 did not amend the provisions concerning the duration of grave-rest time. Given the absence of Islamic cemeteries, Muslims in the Netherlands had little choice but to either be buried on a public cemetery, on a confessional plot on a public cemetery, or in the country of origin. The second option allows for burial without a coffin, within 36 h, facing Mecca, but neither the first and second options guarantee indefinite burial rights. Regulating the duration of the use of a burial plot, the Law of 1991 stipulates that graves may only be cleared 10 years after a body was last placed in a grave, and in the case of a private plot only with permission of the rights holder (art. 31, 2). Private plots are legally constructed as someone (family) having an exclusive right to a plot for either an indefinite period of time

or for ten years, with the possibility of renewal (art. 28, 1). This exclusive right is not the same as an 'eternal right,' as it is always dependent on family renewing the right to a grave.

In addition to affective ties to a particular country or village, the difficulties associated with securing indefinite burial rights (and the impossibility of securing eternal ones) were among the factors that influenced Moroccans and Turkish Muslims to opt for burial in the country of origin, even if it meant sacrificing the time window of burial within 24 h. Repatriation was accommodated by the establishment of Moroccan and Turkish funeral insurance companies, which offered repatriation for a modest annual fee as well as the 1973 multilateral treaty 'Agreement on the Transfer of Corpses (ETS No. 080)' signed by the Dutch government in 1975.<sup>16</sup> According to the undertaker of Almere cemetery, repatriation was more difficult for Surinamese Muslims. In contrast to Moroccan and Turkish guest workers who came without their families (family reunification started in the 1970s and took a high flight in the 1980s), Surinamese Muslims came as families and felt a strong desire to be buried near their beloved ones:

Islamic undertaker: Look, with the Surinamese people, the whole family lives and stays here in the Netherlands. See, my father is in Suriname, and I long to go to his grave. But yeah, it's not that easy. No, it's like that. My mother is in [cemetery in the Netherlands], so I will go there. If I want, I can go there any time. But, with Suriname, that is not the case. Yes, you have to pay a few hundred [euros] to get a ticket and then arrange your stay there. Yes, you easily lose a few thousand euros.

Dessing (2001, 141, 160) and Kadrouch-Outmany (2020) confirm that Surinamese Muslims and Muslims from nationalities other than Moroccan or Turkish are customarily buried in the Netherlands. Hence, unsurprisingly, the first Islamic cemetery was established on the initiative of the Surinamese Muslim community in 2007.<sup>17</sup> The cemetery is owned by the Ar-Raza foundation (mosque) and is situated in Almere, the newest and eight-largest city in the Netherlands.<sup>18</sup> Almere was created in the 1970s in an area where once water lay, to relieve housing pressure in nearby Amsterdam. This city at the edge of The Randstad was initially designed top-down, to accommodate certain people who were expected to have a certain (suburban) way of life (Chevalier and Tzaninis 2022, 214). It is in this part of the city that the Islamic cemetery was built, as an extension of Almere Stad cemetery (van den Breemer 2019, 138). Currently, there are three Islamic cemeteries in the Netherlands, all with indefinite burial rights. In comparison, there were between 85 and 90 Islamic plots on various (public) cemeteries in 2020 (Kadrouch-Outmany 2020, 10), some of which offered undetermined grave rest options while others did not. In addition to the cemetery in urban Almere, offering space for 600 graves,<sup>19</sup> a second one opened in the village of Zuidlaren in 2020 with space for 1400–1700 graves,<sup>20</sup> and a third cemetery in January 2023 in the city of Arnhem offering space for 16,000 graves. Where the small cemetery in Almere is located at the edge of The Randstad, the new ones in Zuidlaren and Arnhem were built outside The Randstad.

During the first years of operation, only few people were buried in Almere, most of them members from the Surinamese Muslim community. In the 2000s and 2010s, Muslims, especially those from Morocco and Turkey still opted for burial in the

country of origin (Dessing 2001, 141; Kadrouch-Outmany 2020, 6). Additionally, among these communities, there still was a taboo on discussing burial in the Netherlands (Kadrouch-Outmany 2020, 7). However, the outbreak of Covid-19 in March 2020, which severely restricted repatriation possibilities for especially Moroccans, brought forward a discussion on Islamic burial in the Netherlands that had previously only been simmering under the surface (Kadrouch-Outmany 2020). According to the undertaker of Almere cemetery:

Their [Moroccan] eyes have opened wide [laughing] ... Now they see the benefits of burying people here. They can come whenever they want. It [the cemetery] is open daily. You can come here daily and if [burial] would have been in your own country, well, maybe you will go there once every few years.

The undertaker was not alone in saying this. As we will see in section 4, respondents frequently mentioned the significance of being buried near their living nuclear family members who would visit their graves. Currently, the majority of people buried in Almere is of Moroccan origin.<sup>21</sup> The shifting demographics on the cemetery demonstrate that historical events, such as the Covid pandemic, temporarily transformed the sense of place from a composition rooted in relational ties tied to ethnicity (being Surinamese-Dutch), local residence (having lived in and around Almere), and religion to a unity solely grounded in (Sunni) Islamic religion.

Preference for burial in the country of origin is often attributed to low integration and sentimental attachments to place. However, financial considerations also play a role; burial plots in Turkey and Morocco are offered free of charge, and Dutch Islamic funeral service companies provide cost-effective repatriation services. In Germany, Turkish funeral funds also provide material incentives for the repatriation of their members to Turkey for burial (2015b), leading Balkan to conclude that 'economic incentives are used to harness the dead in the service of politics' (2015b, 27). According to the undertaker of Almere cemetery:

[People from] Turkey and Morocco ... they are usually buried on their own piece of land where their ancestors may also be buried, so to speak. They want to lie next to each other, generation after generation, so to speak. Moreover, the financial part also plays a role. They have an insurance for which they pay very little premium on an annual basis [for the body to be] repatriated. And they have no costs for burial there. In addition, I think one or two family members can also come along during the repatriation. And it costs them next to nothing. And if they have to do it here, they still need a considerable amount of money to be able to be buried here.

The costs for funeral and burial on the Islamic cemetery in Almere are 7,500 euros for donors of the Ar-Raza foundation (the cemetery's owner) and 8,500 for non-members. In comparison, the costs for a family grave for four or five persons at the second SOC cemetery in Glane were 3,000 euros and 5,000 after the enrollment period had ended. This amount excluded other costs related to burial, for which members can take out a separate funeral insurance.

The Law of 1991 is currently under review by the House of Representatives (*Tweede Kamer*).<sup>22</sup> Parliamentarians<sup>23</sup> seek to enhance possibilities to bury people within 24h and to create legal criteria tailored to indefinite burial.<sup>24</sup> Prior to the

outbreak of Covid in March 2020, less than 10% of Dutch municipalities offered the possibility to lease graves indefinitely (Kadrouch-Outmany 2020, 9). After the outbreak of the pandemic, various Islamic oriented organisations approached their local administrators with the request to grant Dutch Muslims perpetual burial rights. The Rotterdam municipal executive (*college van burgemeesters en wethouders*) committed to granting indefinite rights in March 2020 for municipal cemeteries while its counterpart in The Hague offered a temporary solution in April 2020 by allowing the bereaved to buy burial rights for up to 100 years, meanwhile promising they would explore possibilities for the building of a private Islamic cemetery (Kadrouch-Outmany 2020, 17).

On 10 April 2020, the minister of Interior Affairs<sup>25</sup> followed up on several motions. He expressed his intention to remove the statutory time limit of burial after 36h, meaning that permission by the mayor would no longer be required. However, he added that this does not mean that burial within 24h will always be possible in practice. It is unclear whether he means that the mayor-check will be replaced by a different type of check, or that he refers to reasons such as an unnatural cause of death delaying burial. As regards to the duration of burial, the intent is to keep the time limit of 10 years as a general rule. According to the minister, there is currently no need for binding regulations on the clearing of graves.<sup>26</sup> If implemented, the minister's recommendations would mean that the burial requirements of Muslims, while partially accommodated, still represent a legal exception.

As noted, in a consociational regime, accommodation focuses on groups, called 'zuilen' (literally: pillars). When such a system fades away, as it did in the Netherlands from the 1960s onward, the 'regime of religious tolerance' becomes that of the nation-state, where accommodation focuses on individuals as citizens, first, and as members of a (minority) group, second (van der Burg and de Been 2020, 25). This is reflected in the Law on Funeral Services that allows religious minorities to bury within 36h and to establish their own private cemeteries, including the right to inter dead community members for an indefinite period of time. However, it is important to note that these provisions are considered exceptions to the standard regulations.

### **Preparing for the future**

On 27 December 2021, an article appeared in a provincial newspaper: 'Muslim community fears Islamic cemetery in Zuidlaren will be full in three months. And then? Where should Muslims be buried next?'<sup>27</sup> One could argue that the opening of a large third Islamic cemetery in Arnhem in January 2023 with space for 16,000 graves provides an answer to this question. However, indefinite burial rights, land scarcity, and a severe shortage on the housing market jeopardising space for the living, do not sit together well. Hence, in the early 2000s, the Commission Islamic Burial in Amsterdam (CIBA) had already proposed reburial of human remains in either a 'bonefield' (*knekelveld*) or in a small box that would be deposited at the bottom of the grave (van den Breemer 2019, 127).<sup>28</sup> The undertaker of Almere cemetery considers something similar:

It could be that we might say, ok, because of scarcity of space...at the new location [future cemetery], we might not guarantee 1 person in 1 grave anymore. Imagine, for example, that you have 1000 graves. You start with the first one and once you arrive at the thousandth grave, maybe 30, 40 years later, you can say: ok, now we go into the same grave again ... we put a little sand in it and then the second grave comes in. Without us doing anything with the first [grave] ... the bones just stay in there. Maybe. We have ideas like that, and that's okay. Here in the Netherlands there is simply a scarcity of land, but we cannot do this for this piece [the 2007 cemetery], because the regulations [i.e. art. 17, 1] prescribe that there can only be 1 person in 1 grave, and that the grave can never be cleared, and so on. So, we can't do anything here, it will just stay that way.

Here, a religious norm (1 person in 1 grave) is bended in order to face a more pressing religious need (secure indefinite grave-rest).

The 2014 cemetery regulations of Glane cemetery allow for compression of graves either through natural subsidence or the deliberate combining of mortal remains (after at least 10 years) (art. 3, d). And, if people opt for burial with compost, the compost ensures that the coffin and human remains decay more quickly, causing the whole to collapse naturally, creating space for the next coffin at the top (art. 14, f). For the next and third cemetery to be build, the undertaker even wants to go one step further:

SOC undertaker: We can't keep building indefinitely, so at some point you have to look for alternatives.

Interviewer: And what could those alternatives be?

SOC undertaker: Well, an alternative is that someone who has a family grave, in principle 4 or 5 people can be buried there, and if the last deceased has had a grave rest of 10 years or more, then you could choose to clear the whole grave. To take all the remains, all the bones, so to speak, to the bottom and then start all over again.

Interviewer: So, the remains stay in the grave?

SOC undertaker: Yes. Then you could put, well, not very much will remain, then you could put [the bones of] all 4 or 5 deceased in 1 coffin. You can put them at the bottom [of the grave] and then you could in principle bury 4 or 5 on top of them...but you have to make sure that the last deceased has had a grave rest of at least 10 years.

Although the diocese is located in a rural area where land scarcity is not as rampant as in The Randstad and already owns the land necessary for the building of the third cemetery, the board realises that even in this rural part of the Netherlands land is not available forever. The board not only makes conscious decisions on *how* to bury, as we saw above, but also on *whom* to bury. This means that there is no space for spouses who are not members of the COS, unless they have been baptised in another church. There is also no space for members of other Oriental churches, such as the Coptic Orthodox, Armenian and Chaldean churches, although the undertaker currently supports Coptic leaders in their exploration of potential options for establishing their own cemetery. In Almere, the fusion of denominations is not permissible either; however, as we have seen, the blending of ethnicities and nationalities is allowed:

Islamic undertaker: ...since 2020, it exploded, the funerals, and that was mainly because Morocco was closed at that time due to the outbreak of Corona. People could no longer go to Morocco and there was no repatriation either. So, they decided... yes, there was no other option, they had to be buried here. And we buried them all here. From April to July 2020 we received about 30 to 35 funerals in a week. What we normally had in a year, actually, we then had it in a week.

The sudden burial of large number of Sunni Muslims from other ethnicities left little space for the Surinamese community and Muslims from Almere, and led to renewed dependency on the local government to make new land available:

Islamic undertaker: Look, the municipality [gemeente] says: you yourself caused the cemetery to become so full, because it [the cemetery] was for your community, for Almeerders so to speak. See, they're right. Each municipality is responsible for its citizens to make a piece of land available. [But] [t]here was no other option for people from all over the Netherlands and this was the only option. And our Prime Minister had said, had called on [the people] to help each other in these difficult times. And this we did. Then it [the cemetery] became completely full. And I never regretted it. Where else would those people be buried?

Interviewer: In the public cemetery?

Islamic undertaker: In the public cemetery. Yes, that's for 10 years, 15 years, 20 years, but everyone just wants to be buried in one go and for it to be good and forever. And if there was a possibility in Almere... well, then we won't say, it [the cemetery] is only for Almere. We have to help each other. And so, we did.

Similar to the Syriac-Orthodox cemetery, cemetery regulations in Almere explicitly prohibit burial of people outside the religious community. Art. 6 of the cemetery regulations states that only deceased who are Muslims according to Islamic law can be buried at the cemetery, and it is the sole discretion of the board of Ar-Raza to make this determination. In practice, this means that Shia Muslims are not eligible for burial in the cemetery. In Almere, the undertaker pointed out, Shia Muslims have a plot on the public cemetery that borders the Islamic cemetery.

The limited availability of land encourages both undertakers to carefully consider the complex issues of inclusion and exclusion within their respective communities, exemplified by their strict policies that prohibit individuals from different denominational affiliations from being interred in their cemeteries. However, in the context of a more individualised society, the capacity for segregation is not always viable. Two examples underscore this point: one revealing the rejection of segregation by local governments, and the other by Islamic organisations united in the Commission Islamic Burial in Amsterdam.

While investigating the funeral preferences of its minority communities, Rotterdam municipality identified the wish for an Islamic cemetery (and a scattering field for Hindus). To realise it, the municipality emphasised collaboration with a non-ethnically divided Muslim organisation. In 2021, Amsterdam municipality rejected a proposal to build an Islamic cemetery with indefinite grave rest. In its reasoning it said that 'The intended cemetery is only intended for Sunni Muslims, while other religious communities and 'other-minded' also want permanent burial rest. [Amsterdam] municipality assumes integral and shared land use. Partly for this reason, Amsterdam rejected the initiative' (Soetenhorst 2021). The incident was preceded in the early

2000s by a dispute, which had broken out between a Surinamese-Pakistani organisation and the Commission Islamic Burial in Amsterdam. Where the former claimed that only Sunni Muslims could be recognised as Muslims, CIBA argued that such a determination should be a matter left to the individual rather than dictated by community authorities (van den Breemer 2019, 126–127).

‘New’ minority religions are not the internally homogeneous entities often thought to be. Instead, they can be seen as comprising ‘pillars’ that exhibit varying degrees of tolerance towards the other pillar (see also Jedan et al. 2020; Kadrouch-Outmany 2014). Municipalities sometimes accept this pillarisation (Westduin The Hague, Zuiderbegraafplaats Rotterdam),<sup>29</sup> especially when it concerns the building of a cemetery on private land that already belongs to the community (Almere; Glane), and there does not seem to be a difference between The Randstad and the rest of the country. Hence, the old Dutch system of ‘pillarisation’ has faded away, but in the realm of death and burial it lingers on, creating a new form of consociationalism, i.e. a system where confessionalism is officially accepted within the framework of the law, albeit in the form of exceptions, yet, in practice, municipalities sometimes endorse, sometimes reject segregation.

This new form of consociationalism has a particular geographical shape, albeit one that will soon change. Despite the fact that the majority of (Sunni) Muslims live in The Randstad, in this central-Western conurbation, there are no Islamic cemeteries, only Islamic plots are available, with not all of them ensuring indefinite grave rest.<sup>30</sup> Following the outbreak of the Covid pandemic, however, the authorities in Rotterdam and The Hague committed to exploring solutions to ensure indefinite burial arrangements. Presently, the Muslim community in Rotterdam is in the process of establishing a cemetery with indefinite burial rights, accommodating approximately 2500–3000 graves, for both Sunni and Shia Muslims.<sup>31</sup> With the land for the cemetery already granted by Rotterdam municipality,<sup>32</sup> this will be the first Islamic cemetery within The Randstad. Nevertheless, the already existing Islamic cemeteries are either located at the edge (rand) of The Randstad (Almere) or outside The Randstad, on the north-eastern and eastern part of the country, near the border with Germany (Zuidlaren and Arnhem). The latter two are also the ones capable of accommodating the largest number of graves by a considerable margin. In this sense, the already existing cemeteries not only occupy a space and place on the edges of the formal legal system but also on the edge of or outside The Randstad. Ironically, they are not far from the asylum reception centres, which receive refugees – the stranger, par excellence – in remote areas. For example, the distance between Zuidlaren and the central reception centre in Ter Apel is 45 kilometers, whereas the distance between Zuidlaren and the nearest of the four big cities, Utrecht, is 182 kilometers.

Given that a central concern of the Law of 1991 is to ensure that persons are buried according to their wishes, including personal freedom to choose the burial ritual (van den Breemer 2019, 64),<sup>33</sup> we move in the following section from the perspectives of the undertakers to those of laypersons. Given that the act of burial-making is a place-making act par excellence, we ask whether freedom of choice can be guaranteed to migrants who question central doctrines of their religion?

## Perspectives of (non-believing) members of religious minority groups

Amin, a born Shia Muslim in his mid-thirties but not practicing, moved from Iran to the Netherlands 8 years ago. He always had in mind he would have a burial, but not necessarily a religious one.

Amin: And then I was thinking: OK, I'm not religious, why I have by default a religious burial? I think normally I wouldn't want to have a religious burial, I would just have a normal burial, like a ceremony at home, not the mosque (...). Maybe it's more like a pressure from society that you are expected to have that kind of religious [burial in Iran]. Although nowadays you know many people are not religious, but they still do some things. I think it's just tradition (...) that is very mixed with the religious. You know, it's religion, which has become part of the culture. So, it's like you just expect it to be that way. It's not that you choose between doing it or not doing it. It's just like by default (...).

Interviewer: But now I hear you say that you feel less of that pressure?

Amin: [I]t's more that I don't care, because I'm not living in Iran, right? Also, all my friends are abroad, I have one, two friends left in the country. Everybody is in Europe or America or somewhere. They are also non-religious, all my friends. So, I think maybe for my generation most probably it would be very OK not to have that kind of religious ceremony. But I think, still, from my parent's generation it's still expected a bit. But I think it's also what you choose at the end. I think you can do it a bit differently, eventually make that change happen. But I think it will take time because it was for centuries, right. It was the same for centuries. You cannot change just in two years or something, but it will need a lot of time, but I think like for my generation I don't see people doing it anymore.<sup>34</sup>

At the end of section 3, it became clear that differences exist within religious groups. This sometimes leads to tensions and diverging solutions to solve them. For example, in Amsterdam, Islam is treated as one 'kerkgemeenschap' (church community) and confessionalism is avoided; in The Hague, the opposite is true and the municipal cemetery Westduin contains seven fields for Muslims from seven different mosques (van den Breemer 2019, 133). What these solutions have in common, though, is the understanding that migrants, Muslims in particular, are religious. The film *Facing Mecca* exhales a similar perception as do the documentaries *Dood in de Bijlmer* and *Grootste Moslimbegraafplaats van West-Europa in Drenthe*. The suggestion of parliamentarian den Boer to accommodate death and burial practices of minorities by issuing a manual on cultural and religious diversity in the Netherlands, as part of the proposed amendments to the Law of 1991, also starts from the idea of the religious other.

The almost automatic presentation of members of minority groups as religious has at least one consequence with regard to the academic study of migration, death and burial: there is little attention for the deliberations, doubts and wishes of non-believers, such as Amin.

In Amin's story we hear connections between space and his funeral wishes. The space he lives in – geographically far removed from his country of origin, and currently not living within a religious community in the Netherlands – makes him feel freer to have the non-religious funeral he wishes. None of the six Shia participants we interviewed specifically wished to have a traditional Islamic funeral

and five out of six did not consider permanent grave-rest important. The respondents thought that if they were buried in Iran, they would not have a choice but to have an Islamic funeral, whereas in the Netherlands they feel free to choose. Although cremation is strictly forbidden in Shia (and Sunni) Islam, one participant said he is 'leaning towards cremation (...), because I think it's a waste of land and all the material around it'.<sup>35</sup> Two Iranian respondents would like to 'become a tree,' referring to the type of burial or cremation in which one provides nutrient to a tree.<sup>36</sup> In all these cases, respondents felt the Netherlands offered them the legal and social opportunities to be buried in conformity with their individual wishes. For other respondents (without a Shia background) the matter was far from easy.

In contrast to Amin, whose family and friends live scattered all over the world, Ahmed's nuclear family and other people from his country of origin live in close geographical proximity. Originally from a Sunni family in North Africa, Ahmed and many of his friends question the existence of a hereafter. But now that they are getting older, some of them want to be buried according to Islamic norms, because they fear that there might be an afterlife after all, but also because they are afraid their families will bear the brunt of stigmatisation should they opt for a non-religious burial. Given that Islamic norms on death and burial are strict, especially in the sequence of steps to follow (i.e. washing, shrouding, prayer, burial) (see section 3), a burial that deviates from Islamic norms is a clear sign of non-belief. Ahmed's desire is to find his last resting place in the Islamic cemetery in Almere. He is not driven by religious convictions, but rather by the convenience it would offer his family in visiting his grave, as well as his desire to be buried among members of his ethnic community. Additionally, he wishes to have a pre-burial gathering without religious prayers in the mosque, creating an atmosphere where his Dutch friends can feel at ease. According to Ahmed, this is impossible without disclosing one's lack of belief.<sup>37</sup>

Hailing from a Sunni family in Lebanon, Magdi, despite identifying as a non-believer, believes he cannot be interred in what he calls a 'Dutch cemetery' because he is a foreigner. At the time of the interview, he expressed comfort with the idea of being interred in a space with a clear religious association. However, he harbours a slight regret over the impossibility of having the jazz funeral he so admires; a funeral procession led by a jazz band in the tradition of New Orleans.<sup>38</sup> Omitting a single step from the tightly interconnected sequence specific to Islamic funerals poses a challenge, resulting in distinct issues for both Magdi and Ahmed. Ahmed faces the dilemma of not being able to have the gathering he desires, as it would disclose his lack of belief. While less concerned about this aspect, Magdi is convinced that there is no viable solution because he believes foreigners like him are not allowed to be laid to rest in a 'Dutch cemetery.' Islamic norms surrounding death and burial provide minimal room for individual interpretation in the organisation of funeral rites, while the sense of not fitting into a Dutch cemetery also weighs heavily on the decisions made by these two respondents. Furthermore, the proximity of family and the influence of the community emerge as significant factors in the decision-making process, regardless of one's religious beliefs, as we will explore below.

### ***Burial in the country of origin or in The Netherlands?***

Another dimension of space has to do with the question in which country one wants to be interred. Initially, Ahmed had a funeral insurance that allowed for cheap repatriation to his country of origin. But now that he has been living in the Netherlands for decades, he considers changing the terms of his insurance so he can be buried in the Netherlands, near his relatives. Khadija, a married Moroccan woman with children, buried her mother in Morocco, according to her mother's wishes. She herself thinks she prefers burial in the Netherlands so her children can visit her grave. The same applies to her father, who initially wanted to be buried in Morocco, but who now says: 'Ah, the whole world is ours.' He no longer shows a concern for the location of his grave, and he has granted his children permission to make that choice.<sup>39</sup> According to a Turkish Islamic undertaker based in The Randstad, the first and second generations are fully committed to being buried in their country of origin, while the third and fourth generations prefer burial in the Netherlands.<sup>40</sup> The impetus behind the establishment of the Zuidlaren cemetery was also rooted in the founder Hamid Amrino's desire to allow relatives to visit deceased family members. Hamid Amrino's personal experience played a significant role in shaping this decision. His father was buried in Morocco, and the inability to visit him whenever he wished left Hamid with a lingering feeling of having left his father behind. He wants to shield his children from the pain he endured and this is how the idea of realising an Islamic cemetery in the small village of Zuidlaren emerged.<sup>41</sup> It should be noted that preferences for the burial location do not only change over time between generations, but also within one and the same person. According to Amin:

Normally you would bury where you have the most friends and family. Where you live and you have everyone. In Iran it's not common to move around the country that much (...). But, yeah, for my generation it would be a very interesting thing to choose because, as I said, my friends they are all scattered around the world- Germany, Finland, UK, Canada, USA, there is no one single place that you can say 'oh, of course, this.' I think it really depends how life would evolve. I think if now I just passed away tomorrow I would like to be buried in Iran, because my family is still there. But if I'm 90 and I'm dead then probably it would change. I don't know if I have kids or something, then maybe I would choose where the whole family is. I think it really depends.<sup>42</sup>

The nexus of space and time leads to a particular form of place-making; home is where most family members are, both dead and alive. Massey says that place often relates to the local, and, given that women move less and are more sedentary, to femininity, nostalgia and home (2013, 10). At times, this results in a form of place-making that prioritises a family-oriented orientation over a religious one. This clearly transpired in the case of a Syriac-Orthodox family from The Randstad who opted for burial of a parent on a municipal cemetery rather than burial among other members of the SOC community in Glane. Despite being devout Syriac-Orthodox Christians, they preferred burial at a nearby cemetery so they could visit their parent whenever they wanted: driving for over two hours just for a brief ten-minute visit did not make a lot of sense to them.<sup>43</sup> Here, in death allegiance to the family took precedence over allegiance to the religious community. This, Abu-Lughod says, results in people enacting their own social inferiority (1993). However, sometimes

the opposite is also true. Burial in the Netherlands reduces the time between death and burial, which, as we have seen, is an important requirement in Islamic religion. According to Hamid, the founder of Zuidlaren cemetery: 'Islamic law prescribes that where you die, you must also be buried, and that awareness is now increasing among Dutch Muslims.'<sup>44</sup> In fact, here emotional attachment to the family and adherence to religious standards turn the space of burial into a place of home as well as of religion, a place where femininity and masculinity codes coexist, turning the identity of place into a double articulation (Massey 2013, 8).<sup>45</sup> For individuals like Ahmed, who are non-believers, navigating the duality of space can be challenging when seeking non-religious burial. Ahmed is concerned about the potential stigma his family might face in a community where religion holds a significant place in people's identities. In contrast, respondents such as Amin, who reside in communities where non-belief is uncontroversial, face a different experience. While one could argue that increasing diversity within religious minority groups might alleviate these challenges in time, the lingering of the pillarisation system not only complicates the process of openly embracing changes in one's religious identity, but may even perpetuate existing norms, while for people like Magdi it instills the notion that people from majority and minority cultures remain segregated, not only during their lifetimes but also in death.

## Conclusion

This article explores the formal and informal aspects of death and burial among migrants from religious minority groups in the Netherlands, with a central focus on how the scarcity of land in densely populated regions such as The Randstad influences place-making dynamics in the context of burial. In particular, we focused on migrants with a background in Sunni Islam; Shia Islam and, to a lesser extent, the Syriac-Orthodox Church. By including the deliberations of non-believers, we offer a novel perspective on the study of death and migration in Europe. In our research we see majority culture adjusting to minority culture and vice versa. We also see how majority norms are challenged from *within* and the same applies to minority norms. These processes lead to constellations of overlapping legal spaces that are ever-changing (von Benda-Beckmann and von Benda-Beckmann 2014, 46).

Representatives from local and national political parties push for perpetual burial rights, and, in the process, for amendments to the Law on Funeral Services, much in the same way Roli and the funeral undertaker in *Facing Mecca* challenged majority norms from within by turning a small space of Swiss territory into a place where the Other could find Paradise. So far, however, norms on burial remain a legal exception. Existence on the periphery of the law is geographically reflected in the spaces that minorities' religious cemeteries occupy. Although most Muslims and many members of the Syrian-Orthodox Church live in the Dutch conurbation The Randstad, cemeteries ensuring eternal rest are still predominantly situated on its outskirts or beyond.

Challenges to religiously inspired burial norms also come from within said communities, sometimes because members are non-believers, and sometimes because, despite being religious, they have to choose between the lesser evil. For example,

undertakers are considering bending religious and community norms on eternal rest in order to secure enough space remains to bury the dead in the future. In other cases, members prefer to be buried nearby living relatives rather than in a cemetery that guarantees indefinite rest but is geographically distant.

When challenging dominant minority norms from within, time plays an important role within the space-place nexus, manifesting itself in at least four ways. First, different generations feel different attachments to their countries of origin. It seems that the higher the number of family members, both dead and alive, residing in the country of residence, the higher the likelihood that migrants prefer burial in the country of residence. In the words of one Iranian respondent: If I die tomorrow? Bury me in Iran! If I die when I am 90? Bury me here! Second, greater geographical distance between the country of origin and the country of residence means the timely dimension is elongated, making repatriation (sometimes) a costly endeavor and emotionally painful as relatives in the Netherlands cannot visit the grave whenever they want. However, smaller geographical distance between family members and the grave poses challenges in securing indefinite grave rest. Third, burial in the Netherlands means the timely and spatial dimensions of burial are no longer split up. When the funeral prayer and the burial take place in the same space, the time it takes to bury someone is considerably shortened. Finally, growing diversity within religious communities encourages some people to openly question their faith.

However, when non-believers challenge dominant religious norms, it does not mean that they are convinced that their funerals will take place in conformity with their wishes. Despite the fact that securing individual freedom of conscience is, as we have seen, an important normative concern of the Dutch Law on Funeral Services (art. 18.1) uncertainty remains. This uncertainty, we argued, can be partly explained by the hovering of the Law on Funeral Services between a nation-state regime of tolerance, with a focus on individuals as citizens, and a regime of tolerance that focuses on groups, allowing them to have their own confessional cemetery (plots). This turns the Dutch space for the dead into a place where burial gives permanence to previously fluid identities. This gives some members of minority groups the rest they are longing for, while others still struggle to carve out their own space and place, inside and outside The Randstad.

## Notes

1. De Bijlmer is a district in Amsterdam, the Netherlands, known for being particularly multicultural. In the film *Dood in de Bijlmer* (Dealing with Death) (2020), a Dutch undertaker wants to establish a new multicultural funeral home where people are free to practice their own dead and funeral rituals.
2. See for more: <https://nos.nl/l/2459244>.
3. In migration and refugee studies on border and migration governance there exists a large body of literature that addresses deaths of migrants 'on the way' (e.g. McMahon and Sigona 2021). We do not deal with this literature as our focus is on migrants who reside in the Netherlands and who usually have formal citizenship.
4. See also von Benda-Beckmann and von Benda-Beckmann (2014) who see spaces as abstract categories and places as the concretised nexus between persons, relationships, and objects (2014, 46).

5. In Germany, shroud burial is possible in 5 states (out of 16) if municipal cemetery authorities have granted exceptions to allow for burial practices that conform to different religious norms (Balkan 2015a, 126).
6. Academic literature on death and burial practices among Syriac-Orthodox communities in the diaspora is scarce (email communication with prof. Murre-van den Berg, 17 January 2023). The information provided here is based on Samuel and Barsom (2011); an interview (23 March 2022) in Glane and email correspondence (10 February 2023) with the undertaker of Glane cemetery; and the following website: <https://dss-syriacpatriarchate.org/church-rites/burial-of-the-dead/?lang=en>.
7. The formal name is: Syriac Orthodox Patriarchate of Antioch and All the East.
8. See: <https://syriacpatriarchate.org/2018/06/official-inauguration-of-the-new-patriarchal-residence-atchaneh/>, accessed 19 January 2023.
9. See for more: <https://morephrem.com/>.
10. This and other interview fragments draw from an interview with the undertaker on 23 March 2022 in Glane.
11. <https://dss-syriacpatriarchate.org/church-rites/burial-of-the-dead/?lang=en>.
12. Law on Funeral Services (Wet op de Lijkbezorging): <https://wetten.overheid.nl/BWBR0005009/2022-01-01>; Decree on Funeral Services (Besluit op de Lijkbezorging): <https://wetten.overheid.nl/BWBR0009080/2020-01-01>.
13. For example, Surinamese Muslims in the Netherlands bury with a coffin while this is uncommon among Moroccan and Turkish Muslims (interview with undertaker Almere, 22 March 2022. See also Delsing (2001).
14. See Kadrouch-Outmany (2014) for a detailed explanation of Islamic burial norms as laid out in Islamic jurisprudence (fiqh).
15. This and other interview fragments draw from an interview with the undertaker on 22 March 2022 in Almere.
16. It was ratified by The Netherlands on 24 November 1975 and it went into force on 25 December 1975 (<https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treatynum=080#>, accessed 6 December 2022).
17. Permission to use the land for Islamic burials was given by Almere Board in 2005. It took two years to prepare the cemetery for burial (interview with Islamic undertaker Almere, 22 March 2022, Almere).
18. <https://www.bbc.com/future/article/20220404-the-dutch-city-experimenting-with-the-future-of-urban-life>.
19. The original plan was to have six hundred graves, but currently, the cemetery accommodates nearly 1000 graves (interview with Islamic undertaker Almere, 22 March 2022, Almere).
20. See for more the video on: <https://npokennis.nl/story/295/hoe-regel-je-een-islamitische-uitvaart-in-nederland?languageFromSerie=nl>.
21. Between 14 March (when all flights to Morocco were suspended) and 10 June 2020 between 300 and 350 Moroccan-Dutch were buried in the Netherlands (Kadrouch-Outmany 2020, 7).
22. Kamerstuk 35077 Initiatiefnota 'naar een moderne uitvaartwet', 12 november 2018.
23. On the initiative of former MP Monica den Boer (D66). The aim is to offer more possibilities for burial along two pillars offering fourteen proposals. Burial or cremation after 20 hours instead of 36 hours is one of the proposals as well as the publication of a manual on cultural diversity in the Netherlands.
24. Kamerstukken II, 2018-19, 34077, 13.
25. Officially: the minister of Interior Affairs and Kingdom Relations.
26. Kamerstukken II, 2019-20, 30696/25295, 48.
27. <https://dvh.nl/drenthe/Moslingemeenschap-vreest-dat-islamitische-begraafplaats-in-Zuidlaren-over-drie-maanden-al-vol-is.-En-dan-Waar-moeten-moslims-straks-begraven-woorden-27364612.html>.
28. A similar solution was implemented at the Jewish Beth Haim cemetery in Ouderkerk aan de Amstel (near Amsterdam) when it neared full capacity in 1923. Since Jewish

law also prohibits exhumation of the deceased, an older section of the cemetery was covered with earth to create additional space for new graves. At that time, it was anticipated that further expansion of Beth Haim would be necessary by 1963. Due to the loss of many of the parishioners during World War II, the cemetery still has sufficient space to accommodate new burials for the next eighty years (<https://www.bethhaim.nl/geschiedenis/>).

29. In 1998, the Pakistan welfare social society obtained a section of the Zuiderbegraafplaats in Rotterdam, a public graveyard, for the exclusive use of its members. The negotiations of this mosque organisation in Rotterdam with the graveyard keeper may offer an example of the organisational developments to be expected in the field of burial practices (Dessing 2001, 180).
30. The National Organisation of Cemeteries (Landelijke Organisatie van Begraafplaatsen, LOB) handles over 75 percent of burials in the Netherlands. In Rotterdam, there are three LBO-affiliated cemeteries with Islamic plots ensuring indefinite grave rest, along with two in Utrecht, one in The Hague, and none in Amsterdam. <https://www.begraafplaatsen.nl/begraafplaatsen/>, accessed 28 September 2023.
31. Interview with the interim-director of Spior, 20 October 2023, Rotterdam.
32. Ibid. See also <https://www.spior.nl/ibo/>.
33. 'The corpse's disposal should take place in conformity with the wish, or the presumed wish, of the deceased (...)' (art. 18, 1 Law on Funeral Services).
34. Interview, 21 April 2022, online.
35. Interview, 19 May 2022, city in The Randstad.
36. Interview, 16 April 2022, city in The Randstad, and interview, 22 April 2022, online.
37. Interview, 16 February 2022, Almere.
38. Interview, 18 August 2022, city in The Randstad.
39. Interview, 10 December 2021, online.
40. Email correspondence, 9 February 2022.
41. [https://www.npostart.nl/eenvandaag/11-02-2020/AT\\_2123892](https://www.npostart.nl/eenvandaag/11-02-2020/AT_2123892), Een Vandaag, 11 February 2020 (episode 35).
42. See endnote 33.
43. Informal conversation, 29 April 2022, city in The Randstad.
44. See endnote 40.
45. There is an exception: at the time of burial the cemetery turns into a space where the attendance of Muslim women is often considered reprehensible.

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