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Deathscapes in Diaspora: contesting space and negotiating home in contexts of post-migration diversity

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Abstract

The emerging literature on deathscapes has thus far neglected the diversity of mortuary practices resulting from the inherently spatial phenomenon of migration and the increased capacity for transnational activities linking migrant communities with places of origin. Against this sedentarist bias, this article proposes that the end of life is a critical juncture in the settlement process for emerging diasporic communities. On the one hand, practices such as posthumous repatriation may serve to reinforce shared perceptions of temporary presence in host countries. On the other hand, death may be the occasion to lay what are perhaps the deepest foundations for home-making in diaspora, through funeral rituals and memorialisation. However, these latter claims to space in adopted homelands may also be the object of legal and political contestation, as demonstrated through an analysis of disputes in the UK over open-air Hindu funeral pyres and planning permission for an Islamic cemetery. What is at stake is the legitimate symbolic re-inscription of space. As such, diasporic deathscapes are an exemplary site of

contestation and negotiation between migrant place-making practices and the domesticating urges of governmental subjects.

Introduction

The literature on deathscapes is a relatively recent contribution to social and cultural geography (Hockey, Komaromy, and Woodthorpe, 2010; Kong, 1999; Maddrell and Sidaway, 2010). Beginning around 2000, a number of productive reflections on the spatiality of death and dying have emerged in response to the paucity of geographic literature on funerary practices, i.e. 'the social practices surrounding death' (Matthey, Felli, and Mager, 2013, p. 428). This pervasive academic neglect reflects a wider tendency in societies characterised by high modernity to 'sequester' death (Giddens, 1991; Young and Light, 2013).

Deathscapes – defined as 'the material expression in the landscape of practices relating to death' (Teather, 2001, p. 185) – can encompass durable markings of the landscape (e.g. cemeteries) as well as more ephemeral manifestations and artefacts such as the scattering of ashes. Importantly, deathscapes are not only spaces associated with the dead and dying, but also are constituted by the meanings which are attributed to such spaces by the living (Maddrell and Sidaway, 2010). Deathscapes are thus an intense site of place-making, where the living find a 'spatial fix' for grief and memorialisation (Hallam and Hockey, 2001). In combination, when the multiple individual perceptions and meanings associated with such places are contested, deathscapes may also become a locus of power and grievance (Kong, 1999). A number of scholarly contributions, spanning different sub-fields of geography and beyond this discipline, have developed insights concerning the power relations inherent in spatial manifestations of funerary and memorial practices. For example, there is an emerging literature on politically significant dead bodies and re-memorialisation (Verdery, 1999; Young and Light, 2013),

as well as work which examines the role of national institutions and public authorities in relation to commemorative statues and memorials (Hartig and Dunn, 1998; Whelan, 2002).

In this paper I seek to contribute to and advance these insights by suggesting that deathscapes associated with migrant and diaspora communities are exemplary sites in which to analyse the power dynamics inherent in geographies of death, due to the symbolic re-inscription of space which such diasporic deathscapes represent (Allievi, 2003). Drawing on a Foucauldian definition of power in which individuals are both simultaneously subject to and agents of power (Foucault, 1980), the two case studies examined here – a planning dispute concerning an Islamic cemetery and a legal battle over the permissibility of open-air funeral pyres – demonstrate that while diasporic communities may at times be disempowered by governmental actors, at other times they may channel the symbolic power of death, and of widely-held norms of respect for the dead, to further their claims.

My contribution echoes earlier work in religious geography which attended to the siting of places of worship for new religious minorities, and the identity politics which this often provokes (Gale, 2005; Naylor and Ryan, 2002). By similarly attending to diasporic deathscapes, social and cultural geographers can address one of the main critiques aimed at the deathscapes literature thus far, namely the lack of attention paid to the diversity of funerary practices resulting from the inherently spatial phenomena of international migration and migrant settlement (Davies, 2002; Jassal, 2012). The growing capacity for transnational activities linking migrant communities with places of origin (Portes,

Guarnizo, and Landolt, 1999) further challenges this sedentarist bias in the deathscapes literature.

Inherent in any discussion of deathscapes are normative concerns about what constitutes 'good' or 'bad' death, centring especially on the degree of control over where death takes place (Bradbury, 2000). In both traditional and modern societies, bad death is often associated with dying (alone) in unfamiliar surroundings, whereas good death is synonymous with dying 'at home' and/or surrounded by loved ones (Bloch and Parry, 1982; Seale, 2004). Crucially, despite these views of 'good death', there has been little discussion in the multi-disciplinary literature on 'home' which connects this concept with place of death or memorialisation. Some anthropologists have equated home with ancestral burial grounds (e.g. Middleton, 1979), but the only examples in human geography (as far as this author is aware) are found in work by two UK-based scholars: Divya Tolia-Kelly (2004) on the home-spaces of British Asians and Avril Maddrell (2011) on Hindu death rituals.

My purpose with this article is to advance the theoretical work on deathscapes by engaging with concepts of power, home and nation. I do so by asking the following question: What do spatial contestations around migrant deathscapes reveal about the process of negotiating 'home' in diaspora? In answering this question, I develop a distinction between the concepts of 'home-making', on the one hand, and 'domestication' (Hage, 1996). Significantly, it will be shown that home-making practices on the part of diasporic 'others' elicit domesticating responses on the part of 'governmental subjects' who feel empowered to speak in the name of the nation. This prompts me to develop what I believe to be an important insight, namely that both home-making and

domesticating impulses should be conceived as expressions of the quest for the homely and familiar in contexts of increasing ethnic diversity brought about by transnational migration.

On the one hand, it may be argued, the symbolic re-inscription of space inherent in diasporic deathscapes is nothing other than an intense form of place-making, i.e. 'home-making'. In an increasingly mobile transnational world, home is not passively 'bequeathed by long association with one place': instead, it is actively built or made (Jacobs, 2004, p. 165). Death in diaspora may be the occasion to lay what are perhaps the deepest and most permanent foundations for settlement and belonging of migrants and subsequent generations, through burial and other funerary practices in the adopted homeland. Alternatively, death may be an occasion to emphasise self-conceptions of temporary presence and guesthood, by consciously opting for posthumous repatriation and conducting funeral rites in the ancestral homeland, as is still widespread amongst ageing 'guestworkers' in Europe (Hunter, 2012). Transnational communities may also opt to conduct mortuary rituals both in places of origin and reception.

On the other hand, home-making may produce its antithesis: opposition to migrant communities' home-making practices may be evoked by 'insiders' (i.e. non-migrant settled populations) due to perceptions of control and symbolic imprinting of space as 'other'. Thus, as a counter-point to home-making, I refer to what Ghassan Hage in an article for *Environment and Planning D* calls 'domestication' (Hage, 1996). Hage is particularly interested here in how 'otherness' is dealt with in nationalist discourses: what is the relationship between 'nation builder' and 'national other', and how are these categories constructed? Hage identifies four qualitatively different modes of belonging:

homely, governmental, functional and sovereign. I will devote significant consideration to his concept of domestication here, as it is central to the argument I seek to build.

For Hage, 'homely' belonging is the most common discourse, characterised by feelings of safety, familiarity, and satisfaction of material needs. 'Governmental' belonging refers to a more managerial discourse of belonging, through which the subject can *legitimately* express an opinion or concern about how the nation should be managed and constituted, for example 'to have a view about whether [migrants] should be allowed in, what rights they ought to be given, and where they can go' (Hage, 1996, p. 468). Hage stresses that the governmental subject is not defined solely by holding state power, but extends to anyone 'who feels entitled to uphold and act in the name of [national] law' (ibid, p.469). The 'functional' category, by contrast, draws on the language of service to the nation. This is precisely the type of belonging that migrants and others deemed marginal and *less* national are likely to espouse (although more dominant actors may also speak in these terms). Finally, 'sovereign' belonging constitutes the outward-looking national subject. In contrast to the governmental logic, it is a discourse 'turned towards other nations rather than aimed at ordering the nation internally. It is within sovereign belonging that the nation's international existence is expressed' (ibid, p. 469).

Of crucial relevance to our research question, Hage specifies that what makes home so homely is 'precisely that things and other people are laid out in it in such a way that they can perform *functional* tasks for its inhabitants' (ibid, p. 473). Discourses of governmental belonging and governmental practices are brought to bear on the 'others' whose functional service renders the national space homely. Hage refers to this as 'domestication'. Rather than a question of banishing or exterminating the 'other',

therefore, it is a question of controlling and domesticating his or her 'otherness'. It is precisely this governmental power which is invoked when authorities and groups of citizens make pronouncements about which minority cultural practices are permissible or not. Nation building, therefore, 'is nothing but the practice of domesticating otherness and positioning it within the national space' (ibid, p. 480). In what follows, I examine home-making and domesticating practices in the UK, the background to which is previewed in the next section.

Context and Methodology

Hage's theory of domestication and nation-building can of course apply to any manifestation of 'governmental' management of ethnic difference. Equally, migrants' efforts at home-making can manifest in myriad forms. However, this paper proposes that diasporic deathscapes constitute a privileged terrain for analysing negotiations of otherness within national space. As Benedict Anderson (1991, p. 10) notes, 'it may be useful to begin a consideration of the cultural roots of nationalism with death'.[1] Diasporic deathscapes are chosen for study here as an archetypal manifestation of practices which throw both dynamics – domestication and home-making – into sharp relief.

To understand logics of home-making and domestication, I compare spatial claims in two contested deathscapes resulting from migrant funerary practices in the United Kingdom. Governmental discourses aiming at the domestication of otherness have been a prominent feature of British politics in the twenty-first century. In particular, policymakers have raised questions about the compatibility of various ethnic minority cultural and religious practices and so-called 'British values'. Following 'race riots' and

acts of terrorism at home and abroad in which young South Asian men, particularly Muslims, were perceived to be implicated, a new policy frame emerged in the early 2000s which placed emphasis on community cohesion and shared values (CCRT, 2001). Measures to enhance the meaning of British citizenship were the subject of prominent policy reviews (Goldsmith, 2008).

It is in this context which the two cases studied here developed, during the period 2005-2010. The first case concerns a planning dispute over the siting of an Islamic cemetery in the southern environs of Glasgow, while the second case concerns a legal battle over the permissibility of conducting open-air funeral pyre rituals for adherents of the Hindu and Sikh faiths in Britain. The data on which my analysis of the two cases is based derives from a variety of sources. Newspaper media analysis is favoured as a compelling source of data given the research focus on claims-making in the public sphere as well as the widely-recognised role played by print-capitalism, and especially newspapers, in generating ideas of national community (Anderson, 1991). However, relying uniquely on media coverage can provide but a selective account of events and stakeholders' perspectives, beholden to the respective editorial policies of the analysed newspapers and concerns with circulation. Therefore, in order to include a broader range of perspectives and discourses, I have supplemented the media sources by conducting some semi-structured interviews, undertaking site visits, and analysing legal papers and planning documents. Interviews were held with six individuals, all of whom had a vested interest in the respective cases, either as campaigners, representatives of religious organisations, officials within municipal planning departments, or as ritual specialists. Two of the interviewees also granted me access to their personal archives of correspondence connected to the respective cases.

The sample of diasporic deathscapes from which the two cases were selected was derived from a keyword search of British print media, using the Lexis Library database of UK national and local newspapers to source relevant news articles. There were two main criteria for case selection: (i) diversity in terms of the intensity and extensity of spatial claims being made, and (ii) amount of media attention, so as to have a sufficiently large corpus of text to analyse. The two cases are representative of a range of spatial claims made by migrants in relation to funerary practices, varying both in intensity and extensity. Relating these cases to the research question, it is argued that these different spatial claims illustrate different discourses of home and belonging, as theorised by Hage. Both cases received considerable attention in the British print media: the Glasgow cemetery dispute generated 23 news stories in 10 national and local newspapers, while the funeral pyre court case gave rise to 98 news stories across 27 national and local newspapers.[2] The resulting news stories were then collated and exported as a master document, which subsequently became the basis for coding and qualitative data analysis. Coding was an iterative process, informed partly by pre-existing theoretical suppositions (based on Hage's modes of belonging, as discussed above) and partly by repeated reading of the texts, allowing author-generated coding to be steadily refined. The same coding procedure was deployed for analysing the interview transcripts, planning documents, legal texts and archival material.

The first case discussed below centres on a planning dispute in 2005-2008 over the proposed siting of a Muslim cemetery in Carmunnock near Glasgow, Scotland. In this case, we contrast what we characterise as moderate spatial claims on the part of Glasgow's predominantly Pakistani-origin Muslim community with the fierce resistance

of local residents to the plans. Nonetheless, although the controversy did elicit nation-wide media attention, it was predicated on local place attachments, and was resolved locally. This is in contrast to the extensity of claims-making in the second dispute, which swiftly gained in national significance once its resolution became dependent on legal judgements in the High Court and then the Court of Appeal. This second case analyses a legal campaign for the right to conduct open-air funeral pyres led by Hindu and Sikh activists between 2006 and 2010. Spatial claims and home-making discourses are more intensely articulated in this example and directed at the nation-state rather than local attachments.

The green green grass of the adopted homeland: contesting the meaning of 'greenbelt' in a Muslim cemetery planning dispute

The Carmunnock cemetery planning dispute is infused with both home-making and domesticating discourses. As has been observed in other areas of Muslim settlement in the UK (cf. Gardner, 2002; Ansari, 2007), a shift in attitudes among Glasgow's Muslim community has become apparent in recent years concerning preferred burial location. Until recently posthumous repatriation was favoured, in keeping with what Anwar (1979) has called 'the myth of return'. As described by one interviewee, 'when I came nobody said that 'I am going to stay here permanently' … But when the children grew up and they were educated here and with chances for them to go to higher education, then the society began to change' (interview with member of Carmunnock cemetery campaign team). In turn, younger surviving relatives increasingly wish to bury family members in Scotland. As a result of these home-making practices in Scotland and the rest of the UK,

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there is an urgent need to create new burial space for the growing population of older Muslims (Abbas, 2009).

Negotiating these pressures on local land use is not without controversy, as shown by the proposed siting of an Islamic cemetery next to the picturesque historic village of Carmunnock (pop. 1,400), 6 miles south of Glasgow city-centre. Nonetheless, in the case of Glasgow's Muslims, the great majority of whom are of Pakistani heritage, it will be shown that home-making practices are far from overt. Muslim representatives were at pains to stress that symbolic re-inscription of space would be minimal. However, as in other cases of contestation over new religious landscapes (Maddrell, 2011; Naylor and Ryan, 2002), the Carmunnock Islamic cemetery proposal evoked significant opposition.

The issue of the need for a new Muslim burial ground in Glasgow first became public in 2005. At that time, less than 100 plots were available in the existing Islamic graveyard at Cathcart, south of the city centre, and it was estimated that those would be taken up within a year. Aware of this situation, the City Council wrote to the committee of the Glasgow Central Mosque in June 2005, identifying a site holding up to 7,500 plots on council-owned land adjacent to Carmunnock. Based on projections of Glasgow's Muslim population (32,117 as of 2011[3]) and its demographic profile, it was estimated that at a rate of 100 burials a year, the new site would meet the needs of the city's Muslims for 75 years. The 31 acres (12.5 hectares) of rough-grazing farmland earmarked for the cemetery were formally classified as 'greenbelt' land, designed to prevent urban sprawl and inappropriate development in the rural fringe of Greater Glasgow, thus necessitating full planning consent from the Council (including a public consultation exercise). The

preparation of the full planning application proved time-consuming, but was eventually submitted in 2007.

Local opposition to the cemetery plan soon became apparent, with 132 objections being deposed during the period of the public consultation. The hostility was based primarily on the grounds that by permitting development of this green belt site, Carmunnock's status as a separate village would be threatened. As a representative of Carmunnock Community Council, which led the campaign against the cemetery, commented to journalists: 'If this is forced through, it will puncture such a massive hole in our green belt. By definition, there will be no village of Carmunnock. It will join up with the rest of Glasgow' (Aberdeen Press and Journal, 22 August 2007). A local interviewed by The Times (23 August 2007) remarked: 'It's only a stone's throw from the village, not half a mile as they say. It's right next to housing. It doesn't matter who it is, or what religion, it's sacrilege to do this on green belt land.' (see Figure 1)

INSERT FIGURE 1 HERE.

Fig. 1 View of Carmunnock from the proposed cemetery site, facing south-east.

Nonetheless, although ostensibly a debate about what constitutes 'green' land and how best to preserve it, claims of racism were a prominent feature of the dispute, attracting a great deal of press coverage, not just locally but nationwide with broadsheet and tabloid papers running stories on the controversy. The allegations of racism were put in the spotlight during a packed Community Council meeting in Carmunnock at which representatives of the Muslim community were invited to present their case. Describing the atmosphere as 'totally racist', Bashir Maan – a long-standing city councillor and chief

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spokesperson for the pro-cemetery campaign – was subject to hostile questioning and interrupted at several points by heckling. One was reported to have shouted, 'You are in a minority, you can't dictate to us' (The Times, 24 August 2007). This was followed by calls for 'No jihadis here please', according to one of the Muslim representatives who attended the meeting (interview with pro-cemetery campaign member). A second member of the campaign team recounted his experiences at the meeting:

> They were saying [mimics an aggressive voice], 'why don't you look for another [site]?' I said, 'Well it took us four or five years to get this. And we can't spend four or five years more. Where will we bury our dead?' And one man shouted 'Take them and bury your dead bodies in Pakistan!' (interview with pro-cemetery campaign member)

Such discourse clearly expresses the governmental mode of belonging as theorised by Hage (1996) and discussed above: a managerial attitude about what forms of otherness are permitted on national soil. Prior experience of mosque disputes led Osama Saeed, Scottish spokesman for the Muslim Council of Britain, to conclude that cultural racism was a factor: 'What I find strange is that we're hearing an excuse that this is green belt land; broadly speaking, cemeteries do tend to be green. We've heard this from across the UK when new mosques have been proposed and suddenly a whole new breed of tree-huggers emerge, but never [before] with cemeteries' (The Herald, 23 August 2007). Pro-cemetery campaigners were however at pains to stress that the land would be kept as a green area, that the existing trees and bushes would be retained, and further trees planted: 'it would be looked after very well, it would be like a garden, you know?' (interview with pro-cemetery campaign member). Anticipating opposition from locals

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regarding the visual impact of the cemetery, the Muslim delegation invited their architect to accompany them to the public meeting in Carmunnock, 'so that he could explain what it would be, how like it would be ... to pacify the fears of the community here' (interview with pro-cemetery campaign member). However, when the chairman of the meeting was asked whether it would be possible for the architect to present his plans, the answer was no:

> [They'd] made up [their] mind already. They invited us just to tell us that 'You are not welcome here'. That was all. It was 'We don't want to listen to you, how nice you will maintain [the site], how your funerals will be performed, you know, and how the bodies will be buried. No. They didn't want to know anything. 'We just don't want you here!' (interview with pro-cemetery campaign member)

Mr Maan's second attempt to reassure locals spoke to a different concern; symbolic re-inscription of space (Allievi, 2003). 'The villagers have nothing to worry about. There will only be one or two funerals a week, and we do not say prayers in the graveyard. We say them in the mosque, and then just take the body to the cemetery to be interred' (Aberdeen Press and Journal, 22 August 2007). Likewise, at the public meeting he noted that grave markers in Islamic tradition are small and far from ostentatious (see also Figure 2). In some ways, therefore, the 'homely' belonging (Hage 1996) aspired to here by Glaswegian Muslims is rather subtle.

INSERT FIGURE 2 HERE.

Figure 2. View of Islamic grave markers at Linn Cemetery Extension in foreground left; background right shows part of the original Linn cemetery, with larger Christian grave markers.

Following the strong opposition encountered at the public meeting, the City Council proceeded to reconsider the site it had originally offered Glasgow's Muslim community, with the local politician who had initially supported the proposed site subsequently backtracking by claiming that villagers' amenity would be affected after all. A compromise site was found some 800 metres further away from Carmunnock than the original site, adjacent to the existing Linn Cemetery which the City Council proposed to extend. This proposal was accepted, albeit grudgingly, in March 2008. A member of the campaign team interviewed for this study urged the City Council to give the burial site a recognisably Islamic name, but this was refused. Another member of the team, who was party to discussions with City Council officials, explained why: 'The director told me that he's not going to say it's a Muslim cemetery, we're just going to say it's an extension of the Linn [cemetery]. So as to avoid any further, you know, difficulties' (interview with pro-cemetery campaign member). Close reading of the planning documents (Glasgow City Council, Ref. 08/02471/DC) and inspection of the signage at the site – which has been in use since March 2010 – does indeed confirm the absence of official references to Islam or Muslims. The Council's refusal to permit an Islamic designation for the cemetery can be interpreted as a moderately domesticating act according to Hage's theoretical frame, albeit one which ultimately facilitated rather than opposed the establishment of a new cemetery. The message to Glasgow's Muslims seems clear: you can have an Islamic cemetery, as long as you don't call it an Islamic cemetery.

Not incidentally, the land for the compromise site was also formally classed as greenbelt, leading Mr Maan to suggest that it was 'a victory for racism and a defeat for tolerance' (The Herald, 31 October 2007). Nonetheless, caution should be exercised with this interpretation: one might equally conclude that local opposition to the original proposed site of the cemetery was primarily a 'not in my backyard' reaction to loss of amenity and perceptions of risk to the value of local residents' homes, as is often supposed to occur in the vicinity of cemeteries. What can be concluded, however, from the acquiescence of the anti-camp to the alternative site – also on greenbelt land separating Carmunnock from Glasgow but less visible and slightly further away – is that the primary rationale behind the campaign was to minimise the symbolic appropriation of space in the immediate vicinity of the village, rather than preservation of greenbelt land around Carmunnock as an end in itself.

The Carmunnock dispute, while ostensibly a conflict about how best to protect a 'greenbelt' landscape, shows that such administrative designations of space are infused with different meanings when symbolic changes to land use are proposed. Similarly, in the second case analysed in this paper, the meaning of another designated space is contested, namely the form a 'building' should take in order to be an approved site for cremations. However, unlike the Carmunnock case where home-making and domesticating discourses were locally focused, the campaign by Hindu and Sikh activists to legalise funeral pyres resonated nationally.

Trial by fire: contesting the meaning of 'building' in a campaign to legalise open-air cremation grounds

The campaign by Hindus and Sikhs to legalise open-air cremation in the UK brings out very clearly the home-making and domesticating logics theorised above. Existing British legislation (Cremation Act, 1902) was assumed to prohibit the ritual of *anthyeshti sanskara*, in which the deceased is cremated on a wooden pyre at a site near running water where the sun can shine directly. This is practised in order to ensure the release of the soul and its reincarnation. Scholarly work in the 1990s stressed the British Hindu community's conformity with the procedures of UK crematoria and acceptance of the curbs placed on traditional funerary practices (Firth, 1997). However, for those espousing more literal interpretations of the sacred texts, conducting the rituals in modern crematoria jeopardises the liberation of the soul from the body and the subsequent cycle of reincarnation, since many of the rites are constrained or unfeasible. Furthermore, the ashes of the deceased may not be fully gathered up, or may mix with the remains of other bodies. The restrictions imposed by modern crematoria and the mingling of mortal remains in the Hindu and Sikh diasporas risks a 'bad death', thereby threatening what Giddens (1991) calls ontological security.

In response, a number of Hindu and Sikh activists have recently campaigned for the right to conduct open-air pyres, none more so than Davender Ghai, a Hindu spiritual leader and president of the Anglo-Asian Friendship Society (AAFS) based in Newcastle-upon-Tyne. In February 2006, the Society wrote to Newcastle City Council requesting a permit for an open-air cremation site some 10-12 miles from the city. The Council refused the request, citing the 1902 Cremation Act. Mr Ghai then launched a legal campaign challenging the Council's decision.[4] A preliminary judgement in 2007 permitted the AAFS to have a judicial review of the case heard at the High Court in London.

The claims-making of Mr Ghai and his supporters incorporated many of Hage's modes of belonging discussed above. As in the Carmunnock cemetery dispute, an inter-generational shift in attitudes among Hindus and Sikhs was noted. Amongst older generations, repatriation to India had been favoured by those who could afford it: in the words of Mr Ghai, 'many travel to India and pour ashes into the River Ganges, *continents away from the country where the deceased had made their home. Funeral pyres in Britain would no longer drive mourners away*' (Evening Chronicle, 18 July 2006; emphasis added). Younger Hindus, by contrast, 'consider Britain as their motherland and wish to practice their faith freely without recourse to the arduous journey to India, in order to fulfil their loved one's final wishes' (submission of Dr Raj Pandit Sharma to the judicial review). Allied to a homely discourse stressing Hindus' and Sikhs' attachment to Britain was a more managerial 'governmental' mode which listed the various entitlements which Hindus and Sikhs expected to be honoured owing to Britain's status as a liberal democracy. 'I have lived my life in the belief that one can be fully Hindu, Muslim, Sikh or anything else and be fully British. In truth, *it is our very British-ness that leads us to expect respect for sincere religious beliefs*, whether Hindu or any other (Evening Chronicle, 18 July 2006; emphasis added). Similarly, in his archive of campaign documents, Mr Ghai notes:

> My proposals may be contrary to current norms but my loyalty is to Britain's values of fairness, tolerance and freedom – not its passing norms. If I cannot die as a true Hindu, it will mean those values have died too – and that would be the greatest loss of all.

The campaign was also justified in terms of 'functional' service to the nation and the logic of equal treatment. In media appearances, Mr Ghai made allusions both to his father's and grandfather's military service for the British Army in Kenya, as well as his own years of 'voluntary service to Britain's poor, desperate and lonely' (Daily Mail, 11 February 2010). Writing about British Hindus more generally, Mr Ghai stressed that they had been a model community and yet had not benefited from the same treatment as other minority faith groups:

> British Hindus are unquestionably a 'model migrant community' (...) I want, and others like me *deserve*, bereavement public services that offer a level playing field to all minority faith communities. At present they do not. Local Authorities routinely provide separate Muslim and Jewish burial grounds and out-of-hours registration and immediate or weekend burials. Hindus are required by scripture to cremate before the following sunset too and yet we, along with the general public, wait for up to a week. (archive of campaign documents; emphasis added)

The case was heard at the High Court in March 2009. Not insignificantly, the Minister of Justice Jack Straw formally intervened in proceedings as an 'interested party'. Speaking in the name of British society, the Minister's deposition to the court clearly is illustrative both of a governmental discourse in Hage's terms and of Gidden's 'sequestration of death' thesis (Giddens, 1991). Straw argued that 'a large proportion of the population of this country would be upset and offended by open air funeral pyres and would find it abhorrent that human remains were being burned in this manner.'[5] As the court records show, the riposte from Mr Ghai's representatives to this contention was firmly framed in spatial terms:

a funeral site could be located in a semi-rural location, not directly visible from a public highway. A secluded, but confined, open space for funeral pyres would address the objection of the possible reaction of others to seeing them … The possibility of the public stumbling on a funeral pyre was remote and sufficient signs could be placed warning people of a funeral site.[6]

Despite the measures which Mr Ghai and his team were willing to take to ensure that no unsuspecting sensitive bystanders would stumble upon a cremation in progress, the judge Mr Justice Cranston sided with the Justice Secretary and upheld Newcastle City Council's decision to refuse permission for an open-air cremation ground. Firstly, Cranston found that the practice of open-air pyres was indeed sufficiently central to Mr Ghai's Hindu beliefs that refusing him this possibility would constitute a violation of Mr Ghai's human rights under Article 9 of the 1998 Human Rights Act.[7] However, in deference to the Justice Secretary's argument, the judge ruled that the risk of offence to the general public was sufficiently great that a curtailment of Mr Ghai's rights in this regard was warranted:

This is a difficult and sensitive issue. Precisely for that reason a court must accord primacy to the conclusion of elected representatives. It is within their remit to conclude that a significant number of people would find cremation on open air pyres a matter of offence.[8]

Equally offensive however was the Justice Minister's expression of 'abhorrence' vis-à-vis sacred funeral rites, not only in the eyes of practising Hindus and Sikhs but a broad spectrum of opinion as recorded in Mr Ghai's archive of campaign documents. A letter

from the Hindu Council of the United Kingdom dated 14 December 2009 decries Mr Straw's governmental rhetoric as 'offensive, distressing and symbolic of a lack of tolerance and understanding, and in turn respect, to the faith of an ethnic minority'. Likewise, a letter from a Muslim educational institute criticised the Justice Secretary's language as 'outrageously insensitive and highly offensive, sufficient to question the Secretary of State's ability to safeguard the religious minority rights in this country (…) Indeed, would the Secretary of State later decide that aspects of Muslim funerals, particularly coffin-less burials, were also "abhorrent"?'

Given the public interest in the ruling, Justice Cranston gave permission to Mr Ghai to appeal the decision. The appeal was heard by Lord Neuberger, along with two other judges, at the Royal Courts of Justice in January 2010. It is here that a compromise ruling was struck. On the first day of proceedings, Mr Ghai's barrister was asked what his client wanted. His response was that the pyre had to be made of wood and be open to the sky to allow sunlight to shine in, but that otherwise the site could be surrounded by walls and have a roof (provided there was an opening in it).

The lawyer for the Ministry of Justice sought to argue that the word 'building' was intrinsic to the case, and that the above proposals were not in compliance with the meaning of 'building' in the 1902 act, the aim of which was to 'protect decorum and decency'.[9] Lord Neuberger contended that this was too narrow an interpretation of 'building', arguing that 'it is more appropriate to take its more natural, wider, meaning'.[10] Upon viewing photographs of various structures used for open-air Hindu cremation in other countries that Mr Ghai was willing to accept, the judges were satisfied that such examples did indeed constitute building-like edifices and would not breach the 1902

Cremation Act. Thus, open-air cremations – sufficiently enclosed but suitably open to the elements to satisfy the claimant's interpretation of the sacred scriptures – were not illegal. Despite this positive ruling, however, Mr Ghai's dream of erecting a purpose-built funeral pyre structure remains unfulfilled due firstly to his ill-health and insufficient funds to purchase land (interview with Davender Ghai), and secondly Newcastle City Council's unwillingness to donate land for such a purpose (letter from Newcastle City Council to Mr Ghai, 5 January 2011).

Conclusion

In empirical terms, the purpose of this paper has been to contribute to geographic perspectives on death by drawing attention to a sedentarist bias in the deathscapes literature which has thus far overlooked migrants' place-making through funerary and memorial practices. In so doing I have also aimed to advance the work on deathscapes in theoretical terms, by engaging with concepts of power, home and the nation.

I have argued that diasporic deathscapes are paradigmatic sites in which to study the power dynamics inherent in geographies of death. By drawing on media sources, interviews with selected key stakeholders, legal papers and planning documents, a Foucauldian notion of power – in which individuals are both simultaneously subject to and agents of power (Foucault, 1980) – became apparent in the two cases of claims-making examined here. In the face of considerable opposition locally and/or nationally, the protagonists (particularly Mr Ghai) skilfully invoked widely-held norms of respect for the dead in order to further their claims via the media.

Previous research has underlined that deathscapes are constituted not only as spaces marked in some way by the dead and dying, but are also constituted by the meanings ascribed to such spaces by the living, and therefore an exemplary locus of place-making (Maddrell and Sidaway, 2010). Thus, when multiple perceptions and meanings associated with such places are contested, deathscapes become a locus of power and grievance (Kong, 1999). This line of thought situates my contribution in a wider geographical literature concerning the power relations inherent in the spatiality of funerary and memorial practices (e.g. Verdery, 1999; Young and Light, 2013). Going beyond this, I have argued here that *diasporic* deathscapes, in particular, are a yet more intense site of contested place-making, due to the symbolic re-inscription of space which they invoke.

Considering diasporic deathscapes as exemplary sites of place-making and symbolic re-inscription of space prompted me to develop further theoretical insights linking geographies of death with concepts of home and nation. Negotiations and contestations around migrant community funeral rites, as they are inscribed materially in the landscape, impel migrant communities into the public sphere, tailoring their demands to secure a mutually acceptable outcome. Thus, through their funeral rites and memorialisations, migrant communities aspire to become an integral part of a wider social formation, namely the 'host' national community. Building on Hage's theory of governmental positioning of otherness within the national space, I have developed a distinction between the 'home-making' practices of diasporic subjects and the 'domesticating' impulses of governmental subjects. The two empirical cases studied here show that migrant home-making practices, and responses to them from governmental subjects who feel empowered to speak in the name of the nation (i.e. not only agents of

the state), may each be productively re-conceptualised as competing expressions of the quest for the homely and familiar.

A final paradoxical twist is revealed by the two cases, with broader implications for future work on migrants and diasporas in social and cultural geography. As Maddrell found in her study of Hindu death rituals on the River Soar in Leicestershire (England), recognition of diasporic deathscapes as alternatives to sacred sites in places of origin holds out the possibility of 'practising the whole cycle of … believers' faith life' without ever needing to return to diasporic homelands (Maddrell, 2011, p. 234). If diasporas are predicated in part on the desire for eventual return (Safran, 1991), then diasporic deathscapes may in future precipitate the progressive loosening and unravelling of the very ties which they presently mark.

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[1] One reason why nationalism is such a potent contemporary ideological force is precisely because the idea of the nation can give collective and durable meaning to death, fatality and sacrifice just as religion served to do before the Enlightenment era of rationalist secularism (Anderson, 1991, pp. 11-12).

[2] The search strings used in LexisLibrary were as follows: 'Muslim AND cemetery AND Glasgow' for all UK newspapers between 2005 and 2008; and 'Hindu OR Sikh AND pyre AND Ghai' for all UK newspapers and all years.

[3] www.glasgow.gov.uk/CHttpHandler.ashx?id=16943 This figure derives from 2011 Census data for the Glasgow City area, although substantial numbers of Pakistani-heritage Muslims live in nearby suburban council areas of East Dunbartonshire and East Renfrewshire (Mir, 2007).

[4] Public interest in the campaign increased substantially in July 2006 when Mr Ghai conducted the first open-air funeral pyre in the UK for over 70 years in a remote part of Northumberland. The service was held for Rajpal Mehat, a Sikh migrant who was found drowned in a London canal and whose body was not deemed fit for repatriation to his family in India. The AAFS informed the Northumberland Police of their intention to conduct an open-air cremation in accordance with the Mehat family's wishes, and officers initially allowed the ceremony to go ahead. However, following the service, it was concluded that offences had been committed under the Cremation Act of 1902. Nonetheless, bringing a case against Mr Ghai was not deemed to be in the public interest.

[5] Ghai v Newcastle City Council 2009 EWHC 978, at [105].

[6] ibid at [108].

[7] Ghai v Newcastle City Council 2009 EWHC 978, at [160].

[8] Ghai v Newcastle City Council 2009 EWHC 978, at [161]

[9] Ghai v Newcastle City Council 2010 EWCA Civ 59, at [28]

[10] Ghai v Newcastle City Council 2010 EWCA Civ 59, at [26]

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