Canada is a multicultural society committed to sustaining the cultural heritage and practices of its minorities. Although participation of various diasporas in the informal sector of citizenship such as street parades, demonstrations, multicultural shows, picnicking and so on is visible and welcomed, their involvement in formal and institutional areas of citizenship remains limited (Isin and Semiatycki 1999). While a number of issues related to citizenship rights have been addressed, several others remain outstanding. In this article, we explore if such rights encompass those who have died. From the time a person dies to beyond the grieving period, ethnic communities have rituals and customs that are different from each other and from the mainstream community. As Canada becomes increasingly multicultural, it is important to recognize the existence of various practices on a global level. The key elements of funeral and burial practices fall under two broad categories: tangible and intangible. While funeral and burial rites may not be entirely physical, they will require a physical space to perform its practices. In this article we attempt to reconstruct the interconnectedness of multicultural rights and freedoms with respect to rites and the spatial dimension for funerals and burials. We also explore the challenges and obstacles diverse ethnic communities in Ontario encounter in practicing their rites and rituals. Finally, we make a few recommendations to overcome these hurdles.

Sites: The spatial dimension
For new communities in Toronto, finding space to bury the dead is an old challenge. In the early 19th century, the Anglican and Roman Catholic churches operated Toronto’s only two cemeteries. The government at that time recognized the lack of such facilities for new immigrants of different faiths and passed an Act on January 30, 1826 that allowed a plot of land to be used as a public cemetery designated for “all classes and sects” (Mount Pleasant 2006). This might have resolved the issue at that specific time; however, it remains today an important issue. With a larger population, the demand for cemetery and funeral services has grown rapidly and become increasingly complex (Sloane 1991). There is an emerging requirement for funeral services other than the “typical” burial. Demand for cremation has gone up from 28% of funeral services to almost 40% in the last ten years (Hansard, LAO 2002). Similarly, more people today ask for simple, or “no-frills,” bereavement services under various religions, and for burials in the woodland areas.

One of the core challenges in modern multi-ethnic cities is the spatial expression of cultural
and religious differences, that is, how various social, cultural and religious groups perceive, use, claim and appropriate urban space (Sandercock 2003). Seeking this spatial accommodation sometimes challenges the local citizenship. Ethnic groups encounter particularly intense resistance and become subject to intense scrutiny (Isin and Semiatycki 2002). One such example was a Muslim group’s purchase of a plot of land on the outskirts of London, Ontario. When it became evident that the Muslims planned to use the plot as a cemetery, they were told it was no longer for sale. Eventually the Ontario Municipal Board had to resolve the case (New Media Journalism 2002).

Historic land dedications define the majority of the cemeteries in Toronto. There is little room for expansion of existing sites because most of the space is either full or being rapidly consumed. With an increase in new ethnic communities in Toronto and surrounding areas, space is becoming scarce. Newer communities will have to travel long distances to cemeteries outside the city. Families and friends from some cultures visit the grave of loved ones more often than others. Traveling long distances can impose a change on cultural or religious rites. This engenders a challenge and an opportunity for urban planners to think creatively in order to accommodate new emerging ethnic communities. It may require municipalities to plan collectively.

Rites and rituals
Rites and rituals of new ethnic communities are different from those of the mainstream society, each with its own basic beliefs and practices. How people choose to arrange a last farewell for their loved one and how they choose to remember their dead are a part of their individual and collective self-presentation. Preserving their customs and rituals is therefore an important aspect of a community.

All human beings die, regardless of their ethnicity. It is a phase of transition when social, cultural and religious values are revisited to provide the best possible farewell for the deceased. The changing multicultural mosaic of Toronto, and indeed Ontario, exposes and introduces a myriad of customs and rituals that can be employed to enhance, subsume, or fuse social boundaries. Understanding and comparing the basic principles of such rites and rituals can help us better appreciate the practices of different communities, and identify some of the challenges they face. We will briefly talk about the prevailing “culture” in North America pertaining to death and compare them with the “other” rites and rituals with the help of the Hindu, Muslim and Chinese communities.

According to a common North American saying, there are two certainties in life: taxes and death. While it may be common to hear a conversation about taxes, it is rare to hear a discussion about death. North American society is referred to as a culture of “eternal youth” with a profound fear of dying. This is reflected by the avoidance, in both word and deed, of the reality of death (Metcalf and Huntington 1991). Avoidance is also exposed in the terminology used when dealing with the dead, “coffins” become “caskets,” “hearse” become “coaches,” “corpses” become “loved ones.” Graves are no longer “dug and filled” but are “opened” and “closed.” Bodies are not even buried in a graveyard but are “interred” in a “memorial park” (Salisbury 2002). Funeral rites and rituals usually culminate with a funeral service. However, the rituals and rites vary by community, which we will illustrate below with an overview of Hindu, Muslim and Chinese practices.

Hindu
Rebirth, as opposed to avoidance, is an essential theme in Hinduism. The traditional Hindu funeral arrangement is devised to allow for the transition of the soul into another life. Essentially, cremation separates the soul, the spiritual form, from the body, which represents the material world. The body is cremated on a funeral pyre to signify the termination of the individual’s existence as a material being. Cremation takes place in Ontario, but is different from traditional Hindu practice. Consequently, this leads us to another important issue for the community – spreading of the cremated remains. For a devout Hindu, immersing of ashes in moving water is one of the final rites of the death ritual. The Toronto Star, a leading daily paper, stated that “conservation authorities argue it is not allowed and is subject to local bylaws” (Ghombu 2007). The legality of this remains unclear, exposing gaps in the legislation.

Muslim
Muslims believe in the resurrection of the body and in life after death. Therefore, Muslims must be buried as soon as possible. However, this is usually not possible because of bureaucratic and legal requirements, such as obtaining death
certificates, performing autopsies and finding cemetery staff, especially during weekends or holidays. For Muslims, autopsies are prohibited and so it becomes challenging when an autopsy is required.

Although the Muslim community is approaching 10% of Toronto’s population, it does not have a cemetery of its own. Various Muslim organizations have made arrangements with established cemeteries and purchased sectioned areas for use by their community but this has not resolved the religious and cultural issues the community faces. Muslim requirements for single depth burial, ideally, but not usually, without a coffin, and for graves to face Mecca are frequently at odds with cemetery lay out.

The Muslim community has tried to overcome the challenge of practicing certain rituals such as the ritual ghusl (bath) for the deceased by constructing facilities within the mosque environment. While these facilities provide most of the funeral services necessary for the community, they are not officially recognized as funeral homes. As a result they do not get compensated directly for services rendered to the deceased who were on social assistance. This brings to the fore an opportunity for policy makers and planners to take into consideration multiple and varied possibilities beyond the traditionally held beliefs to the concept of funerals and burials.

Chinese
Important to the Chinese belief is the distinction and separation of the living and the dead. “One of the most polluted places in the Chinese worldview is the graveyard, home to many wandering spirits” (Kiong and Kong 2000). Rituals convey to people who they are and where they belong. Comparison between immigrant ritual practices and mainstream practices indicate that death rituals can be employed to enhance, subsume or to fuse social boundaries.

This was not the case for the Chinese community of Markham, a growing metropolis north of Toronto. A funeral home at a major intersection was originally denied a permit on the City’s official plan. The Chinese community, which comprised over 50% of the neighbourhood, supported this plan to keep the funeral home away from the locality. In spite of objections from the Chinese businesses of the area, the Ontario Municipal Board finally granted permission to build a funeral home in the area (Planning 1998). This decision by the Board disappointed many in the community.

Multicultural Rights
The laws and policies of Canada emphasize the equality of all citizens. The Canadian Constitution and Charter of Rights and Freedoms guarantee these rights, and these rights extend to the dead. Intricacies arise in the practicality of such laws.

The Canadian Multiculturalism Act require that “planning instruments be both sensitive to and responsive to the social needs of particular communities and therefore, calls all the more for people-centered approaches” (Qadeer 1997). Through this law, religious and cultural rights are guaranteed: however, such federal policies are not always reflected in the policies and practices of the provincial or local governments. While the right to practice religious and cultural rites is covered under federal laws, funeral and burial guidelines fall under provincial laws. On the other hand, the establishment of funeral homes and cemeteries must abide by zoning and land use requirements covered under municipal jurisdiction.

The requirement of a funeral director makes it difficult for ethnic communities to establish a funeral home. Ontario’s Funeral, Burial and Cremation Services Act, 2002 states that “no funeral director shall manage more than one funeral establishment except in the prescribed circumstances” (Ontario 2002). The shift, for governments, away from an activist role towards a free market approach exacerbated this problem. Most ethnic communities are still small in comparison to the established mainstream communities. Hiring a full-fledged funeral director could prove beyond their economic

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ability. To have their own funeral home or a cemetery, ethnic communities have to make a determined and arduous exertion at all levels of socio-economic and bureaucratic fronts to fulfill their needs.

Current modern urban planning practices encompass the “mentalities” of the dominant groups (Isin and Semiatycki 2002). This is reflected in the many funeral homes in Toronto. Almost all funeral homes consist of a chapel, an indication that the funeral home is geared more towards the needs of the dominant cultural group. There is a significant population of ethnic communities in Toronto comprising different religious and cultural groups. The service for a deceased person who is a Sikh, a Hindu or a Muslim may not require the set up of a chapel but an empty space where the mourners could sit on the floor in humility and pay homage to the deceased. Regardless of the multifunctional usage of the chapel, this gives us an indication that the ethnic communities are those who are required to make bigger adjustments to practice their rites.

Another difficulty ethnic communities face is that city planners tend to adopt culturally and religiously “neutral” positions to defend equity, leaving them with a struggle to acquire their rights. With the changing mosaic of the city, this neutral position may be unable to address new challenges, and exposes gaps that may work against ethnic communities. A case in point is the erection of an impromptu shrine near the site of a fatal motor vehicle collision. In an effort to pay tribute to the local youth killed in the accident, the community established a roadside memorial with wreaths, flowers and personal objects that remained by the roadside for more than two months. Upon receiving complaints, the City disposed of the memorial, upsetting the family of the bereaved. This incident prompted the City to update policies and guidelines pertaining to roadside memorials (City of Toronto 2006). It exposed gaps that currently exist and need to be addressed to accommodate the customs and cultures of the new communities. A concerted and proactive role, instead of a reactionary one, could have avoided the disappointment of many.

Conclusion
From a distance, all graves may look the same with gravestones similar in height, width and shape. A closer look disrupts the homogeneity and reveals inscriptions in different languages, with symbols pertaining to different religions and cultures. These graves bear witness to a growing multiculturalism in present-day Toronto. These are helpful observations but one perhaps needs more evidence than just witnessing burial grounds in Toronto to be convinced of the acceptance of immigrants as full citizens with equal rights in comparison with their host society. Changes will have to be initiated by both the government and the private sector to accommodate rites and rituals of the ethnic communities and consideration made to include spatial forms and structures that will uphold symbolic meanings for such communities.

Many laws pertaining to funerals and burials were written to accommodate the mainstream communities. Changing such legislative policies and laws would be difficult without proper representation at the decision making table. While Canada is increasingly becoming a multicultural, multi-religious country, this is not reflected in the composition of the Board of Funeral Services. We can only speculate on why such exclusion occurs; however, if immigrants are excluded from governing bodies, meaningful change will take a long time.

Bureaucracy and legislation combined with structural, institutional or economic constraints limit the available possibilities of practicing desired cultural and religious customs and rituals for the deceased. Setting up institutions, such as a funeral home, is a difficult and expensive proposition for the new communities. The argument that the diasporic communities could establish their own funerary businesses to cater for their community may not be plausible because of economies of scale. Canada prides itself with a social safety net that ensures fundamental basic necessities for all. The government is there to protect the minorities and the marginalized. If such safeguards are available for the living, one might argue that the government has a responsibility to protect the rights of the dead. Laws need to be revisited and adjusted to reflect the changing reality.

While this article has focused on multicultural rights in regards to the rites and rituals for the dead, the issue draws attention to a wider problem when it comes to ethnic groups attempting to collectively exercise their citizenship rights. With the changing mosaic of Canada, the requirements of these communities will mirror this transformation and so will the need to adjust public policies if we are to sustain a harmonious multicultural society. Policy makers will have to be creative and take into consideration all the diverse and divergent cultural practices.
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References


———. ServiceOntario. www.e-laws.gov.on.ca/DBLaws/Statutes/English/02f33_e.htm.


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