Observing Islam in Spain

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Observing Islam in Spain

Contemporary Politics and Social Dynamics

Edited by

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Preface

When the American anthropologist Clifford Geertz published *Islam Observed* in 1971, it opened a debate about the relationship between religion and culture that continues today. In his book, a benchmark text since it first appeared, he compares Islam observed in two contexts – Morocco and Indonesia – showing that although the practice of Islam may be slightly different in these two geographically and culturally removed societies, the practices are clearly based on the same pattern of symbols (Geertz 1971). However, despite sharing these symbols, the Islam practiced in the two contexts has resulted in disparate social ways of being. While in Morocco the practice of Islam was associated with moralism, activism and intense individuality, in Indonesia, on the contrary, Islam emphasized asceticism and inwardness, and was thus observed by the anthropologist. Following Geertz, then, the question guiding this book is: what is Islam like in Europe? Or, rather: what are Muslim individuals in Europe like?

Answering this question is not a simple task. Firstly, it is not easy to analyse cultural contexts in a Europe that is as complex as it is today. Secondly, the question of religion continues to polarize debate on the 'old continent'. Although the wars of religion of the early modern period of history may now seem far behind, perhaps they are not so far away after all.

At the risk of simplifying, in the Spanish case at least, two particular issues lie at the basis of this topic. The first is that, paradoxically, well into the twenty-first century, the Spanish population is still considered culturally Catholic, at a time when religion is losing its ability to structure society (Pérez Agote 2014).[1] The second relates to the fact that observing Islam requires observing individuals who are part of a religious minority that is frequently invisibilized or, rather, hidden in the category of migrant and all too often presented as a closed community, outside the rest of society (Bravo López 2012). Lately, of course what some perceive as, the permanent risk of radicalization is an added factor.

In academic terms, the study of Islam in contemporary Spain is a relatively recent area of specialization. Traditionally, Islam has been studied by historians as part of the history of Spain, and it is only recently that it has begun to

1 For example, self-definition as Catholic continues to decline in surveys (from 89% in 1975 to 69% in 2017), as does practice (Mass attendance declined from 40% in 1978 to 19.9% in 2008) and obedience to religious hierarchies (Díaz Salazar 1993; CIS study 2752). With regard to young people, in 2010, only 10% considered themselves practicing Catholics, 43% non-practicing Catholics, 25% indifferent and 17% atheist (González Anleo 2011). Only 2% self-defined as belonging to another religion.

attract the attention of experts from a variety of disciplines (Planet 2014). Research done on Islam in Spain, once in debt to the work carried out in France, has moved on – to a perhaps excessive extent – to the formulated conceptualizations of the Anglo-Saxon context, which are forced at times to apply to the 'Spanish case'. The chapters in this book are based on research projects presented during a seminar hosted by the Universidad Autónoma de Madrid at the university's La Cristalera headquarters in the town of Miraflores de la Sierra in the summer of 2015.[2] The seminar was the site of a vigorous debate that reconsidered, described and critically analysed the research done in Spain on Islam and Muslim populations. The individual chapters present the main results of research into topics that have, from the outset, been configured as the 'gatekeeping concepts' of Islam or 'prestige zones' regarding studies of the Arab and Islamic world. The chapters break to some extent with tradition, offering new perspectives on classic topics and issues in the study of Islam in Europe. They also challenge the traditional forms of constructing these questions with, of course, the epistemological discussion at the core.

In the different chapters in this book, the Muslims living in Spain are not observed *a priori* as either immigrants seeking to integrate (Muslims of foreign extraction and their generations of descendants) or as Spaniards embracing a faith (converts). Although a significant number of the Muslims in Spain arrived from other countries, nationality laws and demographic and political processes make it difficult to continue to maintain this separate category. This is expressly discussed in both the first chapter and in Oscar Salguero's study of Melilla, which presents an interesting section of the country's Muslim community from the historical perspective provided by that city. Likewise, the analysis of the legal framework does not focus on laws on foreigners or migration policies, but on religious freedom and the protection of the fundamental rights enshrined in Article 16 of the Spanish Constitution of 1978.

Neither is the aim of the book to present a snapshot of Spanish Muslims, their spaces of worship or the infrastructures they use in their religious practice. Instead, the institutionalization process is analysed in all its complexity. This involves both the legal process of recognizing individual and group rights and a social process that is not devoid of difficulties. The studies show that this entails a process of accommodation at various levels that is no longer perceived when it is viewed from the sole perspective of Islamophobia. In this

2 This seminar was coordinated by Ana I. Planet and Ángeles Ramírez, as part of the project 'Reform, Change and Conflict in the Euro-Mediterranean: Implications for Spanish Foreign Policy towards the Arab and Muslim World' financed as an R&D&I project by the Ministry of Finance and Competitiveness (CSO2011-29438-C05-01) led by Ana I. Planet.

respect, two chapters focus on the controversial issue of the place of women in Islam, seen by the mainstream as an obstacle to citizenship for Muslim women. The question of re-Islamization is revisited in the light of a study done with men and women, in which social class was shown to be particularly important for the women. Different possibilities for political participation in Spain by women who express themselves as Muslim and, who, in their dual capacity as both women and Muslims, participate in projects not on an individual basis, but as leaders of associations and working inside political parties with different ideologies are also presented.

The book is structured into seven chapters. In the first, written by project editor Ana I. Planet, Islam in Spain is explored over a long period of time. As an essential feature of the Spanish past in the form of al-Andalus and, consequently, the subject of study for numerous historians, it has now become the focus of social science analyses and a part of social debates. A centuries-long dispute exists in Spain about the country's Arab and Islamic roots. The debate is framed by social and political moments in Spanish history that must be understood in order to appreciate the cultural, political and social processes that have marked the country. At the end of the twentieth century, labour migration from North Africa, especially Morocco, brought renewed attention to the question. While debates and analyses focus on the alleged unintegrability of some immigrant groups, from a political policy point of view, the legal framework regarding religious freedom as it affects minority religions and the management of religious pluralism continues to improve. At the same time, spaces for participation have multiplied, including participation in elections, political parties and various associations, some of which are working to combat the increase in Islamophobia.

In the second chapter, José María Contreras provides an in-depth analysis of the legal status of Islam in Spain to determine how far the exercise of religious freedom extends for Muslims. In Spain today there are around 1,200,000 Muslims, approximately 2.6% of the Spanish population. Moreover, this is a critical point in time, when what has been an 'Islam of foreigners' seems to be evolving into an Islam made up of people who live and are going to have to live as both citizens born in Spain (i.e. Spaniards) and as Muslims alongside those Spaniards who have freely made the choice to convert to Islam. As a result, Muslims at this time are experiencing a moment of flux, but also a situation of normalization, stability, visibilization and institutionalization. These new circumstances have been accompanied by new needs related to spaces or places of worship, cemeteries, religious personnel, religious leaders and the like.

However the spaces of Islam in Spain in historical times were not only related to the centuries of Arab/Berber domination of the Iberian Peninsula.

As Chapter 3 demonstrates, organized Islam has existed since the nineteenth century in the city of Melilla. This city, located in North Africa but an integral part of the Spanish state (like Ceuta on the Strait of Gibraltar), is a complex one. Thanks to its geographic location and history, it provides a site to study interactions between religious communities, places of worship and the worshippers themselves in the public space of Melilla during the twentieth century and up to the present day. The chapter by Óscar Salguero draws on the reflexive and critical practice that underlies social research in general and anthropology in particular, applying a spatial and urbanistic perspective to the current composition of Islam in Melilla and to the sometimes controversial influence of state control and the security apparatus on local daily life.

In Chapter 4, a team of authors (Marta Alonso, Khalid Ghali, Alberto López, Jordi Moreras and Ariadna Solé) looks at the transformations that have taken place in the 'invisible' ritual practices of Muslim communities in Catalonia as an example of (relatively) successful accommodation to the European religious field. These rituals are shown to elicit very little controversy in a context of increasing pressure with regard to Islamic religious practice in Europe. The chapter shows that, despite the validity of the ritual practices, this pressure is directly related both to growing discretion surrounding the rituals – to the point of limiting the practice at times to the private sphere – and to a progressive compliance with legal requirements inspired to some extent by a secular sensibility that proscribes the execution and exhibition of acts involving bloodshed in the public space. These restrictions and controversies have particularly affected the ceremonies associated with Ashura and, of course, the Eid al-Adha sacrifice, two rituals that have aroused particular suspicion in recent years.

Chapter 5 focuses on young Muslims in Spain. Using the existing literature on this question in other European contexts as their point of reference, Virtudes Téllez and Salvatore Madonia discuss the Spanish context, in which their visibilization is quite low, and the public debate, where their only representation in recent years has resulted from an interest in radicalization. Two successive ethnographic experiences are drawn on to understand the evolution of the associative process of young Muslims in the Spanish context and identify their sociocultural and political dynamics, analysing whether they are reactive or active regarding contemporary social processes and thus questioning reductionist culturalist and/or security focuses.

In Chapter 6, Ángeles Ramírez and Laura Mijares analyse the result of a research project (2011–15) on the relationship between gender and Islam in Madrid. They examine the presence of Islam in male-female relationships based on an analysis of the discourse in four discussion groups, all supported

by extensive prior ethnographic experience. One of the project's objectives was to identify the processes of re-Islamization in Spain, on par with what the literature has shown for the rest of Europe. According to the research carried by the authors, it cannot be said that a similar situation is developing in Madrid. The chapter shows that, while the idea of living Islamically is identified as a model for Muslims, what truly determines relationships between Islam and gender are social positions. For Muslims in privileged positions, Islam becomes a social resource for both men and women. However, further down the social scale, while Muslim men also use Islam as capital in domestic and social bargaining, the same cannot be said of the women in this group. For them, Islam does not have this value and is identified, among other things, as part of the structure of domination in which they are the weak element.

In the discussion of political Muslim women in Chapter 7, Aitana Guia challenges conventional views that primarily consider Muslim women victims of patriarchal interpretations of Islam and targets of anti-Muslim racist stereotypes. Many devout Spanish Muslim women are using a strategy of visibility and engagement in the public sphere as a way to protect their community and shape what it means to be a Muslim Spanish woman. The author shows that some devout Muslim women are choosing to actively participate in politics, religious organizations and women's groups in order to challenge Islamophobia and European perceptions of Muslim women as oppressed, promote women's rights and defend the religious rights of Spanish Muslims. For Guia, devout Muslim women have become key players in the struggles for women's rights and against anti-Muslim prejudice in Spain.

Clifford Geertz asserted that the practice of Islam in Morocco was associated with moralism, activism and intense individuality and in Indonesia, with asceticism and inwardness. And in Spain? As the editor, I hope that the works in this book help to construct a mental framework between the Islamic religion and Spanish culture – with all the essentialist content inherent in the use of the two terms today – that is more plural and varied and that, to a large extent, banishes the single framework of immigrant Islam or violent, radicalized Islam.

As the reader can see, young Spanish Muslims, to whom this book is dedicated, have a great deal of work ahead of them. However, despite the fact that these young people will guide the way forward for Islam in Spain, for now they continue to run up against a glass ceiling in their community. Religious associations and dialogue on religious issues continue to be controlled by members of older generations, and the incorporation of younger members of the community – much like the incorporation of women – has not been to anyone's satisfaction. However, the social activism of new organizations made up of

young Muslims is transforming the public presence of Islam in Spanish society at great speed.

This task, however, is not only the responsibility of young Muslims. They live their lives in a social and political, local and national context that is clearly affected by both global dynamics and local policies. Meanwhile, the security dimension of some public policies must be considered within the general context surrounding individual actions. Reactions to this situation and questions about how this new element of tension will be handled ensure that the future development of a Spanish Islam will be marked by uncertainty, especially after the violent attacks that occurred in August 2017 in Catalonia. These studies can lead to understanding and observation that see beyond the terror.

Finally, this book is also dedicated to the new generations of researchers who are working on these crucial questions from the perspective of very diverse disciplines. They also find themselves limited by their own glass ceiling and by the material limitations that characterize working conditions for so many young scholars today.

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CHAPTER 1

Islam in Spain: From Historical Question to Social Debate

Ana I. Planet Contreras

Introduction: Islam as Part of Spanish History: To be or Not to be?

In 1970 James Monroe made a detailed analysis of studies of Islam and Arabs in Spain, going back to the sixteenth century to present the history of the study of Islam and Arab culture in the country as one long scholastic tradition that gave preference to the Arab facet of the dyad over the Islamic. While works from the sixteenth and seventeenth centuries focused on linguistic questions regarding Arabic, its permanence and the aberrations in its usage, eighteenth – and nineteenth-century studies concentrated on the political history of al-Andalus, leaving little space for reflections on Islam (Monroe 1970).

For a long time, the history of the Muslim presence in al-Andalus was presented in the historiography as the 'history of the destruction of Spain'. A book published in Valencia in 1618 entitled *Chronicle of the Spanish Moors* – written by Fray Jayme Bleda, a Dominican with ties to the Inquisition – is one clear example of this. Bleda writes about the historical vicissitudes between the eighth and sixteenth centuries as 'holy wars' between the 'Christians of Spain' and the 'Moors' to 'restore' a lost Spain. Reproduced over and again, this type of historical account led to a true 'expulsion' of Arabs and Islam from Spanish historiography and history. In the eighteenth century, the Enlightenment opened the country up to new insights. Spain at this time witnessed a timid historical rehabilitation of the country's complex past and its geographic and political relations with its closest neighbours in the southern and eastern Mediterranean. During the reign of Carlos III, concurrent with the initiation of a policy of openness towards the states and regencies in North Africa, cultural interest in Arab and Muslim culture began to develop and shed its negative anti-Spanish image. While limited to members of the Church, Spanish history began to be seen from another perspective. In 1795 Francisco Masdeu, a Jesuit exiled from Spain, wrote his *Critical History of Spain and Spanish Culture*, which recognized the important role played by Arabs and Jews in the transmission of knowledge and learning during the Andalusi era, a time when Europe was largely in a state of ignorance.

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However, it would not be until the nineteenth century that an intellectual and political debate about Islam and Arab culture in Spanish history developed. Then – and to a lesser extent now – intellectuals, members of the military and politicians debated about their era, bringing back arguments from days gone by in an eternal re-reading of Spain's Arab past. Spanish historians were divided between those who wished to incorporate the long period of the Muslim presence into the country's history and those who rejected that incorporation. From his position in the former group, Bernabé López García rescued the Arabist J.A. Conde and his wish to write Spanish history from the point of view of other protagonists, eluding the 'fate of old historical memoirs by men, which have always been passed on to posterity, either enveloped in obscure fables or in suspicious relationships of interest and partiality'. After Conde, Pascual de Gayangos, Francisco Fernández y González and Francisco Codera, all key Spanish Arabists, influenced a historical current that highlighted the great cultural development of al-Andalus at a time when 'ignorance' and 'barbarism' extended across Europe (López García 2011).

Despite the efforts of these Arabists to incorporate Arabs and Muslims into Spanish history, however, for nineteenth-century Spaniards, they were something strange and distant. During the Hispano-Moroccan War of 1859–60, for instance, they were once again depicted as enemies (Hernando de Larramendi 1990). And, despite the efforts of some thinkers like Joaquín Costa, this enmity continued during the first decades of the twentieth century due to the colonial wars associated with the establishment of the Spanish Protectorate in Morocco. Justifiably, the great Spanish historian José María Jover has said that the historical antagonism between the Spaniard and the *Moro* is 'the most intensely socialized idea in the Spanish historical consciousness' (López García 2011). All of these questions have affected the construction and appropriation of Islamic heritage in Spain.

The short-lived Second Republic, the Civil War (1936–1939) and the participation of indigenous troops recruited in Morocco by the victorious General Francisco Franco in that war all had a decisive impact on this question. The numerous Muslim cemeteries cobbled together across the peninsula to meet the needs of Moroccan combatants, the organization of the first religious communities and the construction – for the first time in centuries – of new mosques (largely in the North African cities of Melilla and Ceuta, as Óscar Salguero discusses in his chapter) were the precursors to the modern presence of Islam, an integral part of the Spanish cultural and human landscape in the twenty-first century. The controversial participation of Moroccan indigenous troops in the Civil War only added fuel to a fire fed by fear, exclusion and questioning. Even today active conflicts exist over the symbolic sphere and the occupation of

public space for individual or group practices (see the chapter by Marta Alonso et al.). Territorial conflicts have continued as well, with the most recent being the temporary occupation of little Perejil Island off the coast of Ceuta in the summer of 2002. This atmosphere of prolonged hostility has unquestionably influenced the construction of popular images and discourses and artistic expressions (Perceval 2010 and Martín Corrales 2006).

Immigration and Identity Debates: Moroccans and Muslims

Immigration constituted one of the most important factors for change in Spain during the last twenty years of the twentieth century. Spain's transformation in the 1990s from a country of emigrants to a destination for international immigration brought important social changes. A symptom of the socioeconomic transformations in the country, especially after it joined the European Community in 1986 (the crowning moment of its reincorporation into Europe after the military dictatorship), this phenomenon also produced changes in the collective mentality, which had to accommodate itself to what Antonio Izquierdo has termed 'unexpected immigration' (Izquierdo 1996). The heretofore monocoloured Spanish society, the result of decades of international isolation, was forced to create a culture of coexistence in record time, shocking traditional mentalities in a number of ways. Of all of these shocks, the newly visible Islam has, perhaps, been the most apparent.

The first example of the existence of political and historical considerations in the management of migration flows was the enactment of the first Immigration Act in 1985, before Spain joined the EEC. In its preamble, this law establishes a set of groups considered 'preferential' with regard to settling in Spain, with arguments based on cultural and historical proximity: Latin Americans, Sephardic Jews, inhabitants of Gibraltar, natives of Equatorial Guinea, etc. However, inhabitants of other colonies like North Morocco, Western Sahara and, with some exceptions, Ceuta and Melilla, were excluded. It so happened that all of these groups were Muslim, although it cannot be reasonably argued that there was a legislative will to discriminate based on religion at that time. Rather there was a desire to 'resist geography' to prevent substantial immigration from neighbouring Morocco, Western Sahara and, indeed, to impede the 'Moroccanization' of the two Spanish cities in North Africa. Events in Melilla in 1986 and 1987 – as explained by Óscar Salguero in this book – highlighted the miscalculation in this law, both because of the moments of tension in the two cities (Planet 1998) and because of the precedent set by the first Immigrant Act for those who came after, by establishing different levels

of foreignness with differing requirements for access to Spanish nationality according to the country of origin.

Since that first Immigrant Act, this 'ethnic filter' has become part of Spanish public opinion, which much more fully supports taking in Latin Americans over Maghreb immigrants, according to surveys carried out by the Centre for Sociological Research (CIS). The early construction of these arguments also featured other voices, such as Giovanni Sartori, whose 2001 open reflections on Islam were widely disseminated in the Spanish press. Despite Sartori's clearly ethnocentric statement –'Islam represents the furthest extreme from Europe because of its theocratic view of the world. Their beliefs are in opposition to a pluralist system. Integration of their faithful is very difficult' (*El País*, 6/4/2001) – Spain, with its Islamic past, granted him the prestigious Prince of Asturias Award for Social Sciences in 2005. However, this 'filter' argument was also used by the Ministry of Defence to justify the recruitment of foreign soldiers from countries that 'have had or have special ties to Spain' (*El País*, 20 March 2001) and by a government delegate for immigration, who stated that 'in addition to a common language and culture, practice of the Catholic religion is an element that facilitates the integration of foreigners in Spain' (*El País*, 2 April 2001), to cite just a few examples.

Thus, in a short period of time and without the most minimally plural debate with voices from all sides, public opinion has placed North African immigrants in a niche of unintegrability because of their status as Muslims. The rejection of these groups and sectors of the population is not limited to media discourse; it can also be seen in electoral platforms and the maintenance of different criteria for foreignness. This manifests itself in a broad spectrum of attitudes of xenophobic rejection that tends to reject immigrants from Maghreb countries, especially Morocco, a country that contributes a healthy percentage of immigrants from what has commonly come to be called 'the south'.[1]

The 'return of the *Moriscos*' – an expression coined by López García in 1993 – occurred in stages, beginning in Catalonia in the 1970s and coinciding with

1 To give some idea of the dramatic changes in these numbers: in late 1999, there were only 801,329 legal immigrants in Spain. 40% were from the European Union (312,203), 20% from the Americas (166,709) and 20% from North Africa (173,560), of whom 95% were Moroccan (161,870). Foreign residents made up less than 2% of the total Spanish population, while in other countries this percentage was as high as 6 and 8% (France, Austria and Germany) and 18% in Switzerland. Ten years later, on 30 September 2009, the total number of immigrants in Spain has passed 4,700,000. Immigrants from the European Union countries continued to make up almost 40%, but the composition had changed with the presence of more than 700,000 Romanians, who did not form part of the EU in 1999. Immigration from the Maghreb had decreased to 17.3%. In 2009 11% of legal residents in Spain were foreigners.

the first closure of the EEC borders. Some of them wanted to reach Germany, France or Holland but ended up staying in Catalonia, coming to form part of a region engaged in a full cultural, linguistic and political awakening (Guia 2014). This situation created a specific settlement space where later social and political dynamics would have their own distinctive character. Moroccans replaced other domestic migrants, the *Xarnegos* [a pejorative Catalonian term for immigrant Spaniards in Catalonia] from Andalusia, Murcia and Extremadura on the lowest rung of the work ladder. These first-generation immigrant pioneers were fundamentally low-skilled labourers and field workers, but also included some entrepreneurs, trade unionists and political immigrants. The 1990s witnessed document regularization, family reunifications and the formation of new families. Generally speaking, the settlement process was peaceful, gradual and only visible in specific neighbourhoods in big cities. The situation in the countryside was less secure. Opinion polls revealed a higher negative perception of this group, although this was not expressed in manifestly discriminatory opinions.

However, at the end of the 1990s, an open discourse developed, supported largely by intellectuals with ties to the ideology of the conservative party in government, but also backed by some intellectuals from the left. Foreign workers from the southern Mediterranean and Asia who had settled in the country during this decade became the focus of a new social debate about 'Muslim immigrants', culturized as such (Bravo López 2006). These were the protagonists or agents of an 'immigrant Islam' that would come to complete the earlier social landscape formed by an 'autochthonous Islam' fed by new converts to Islam and Muslims born in Melilla and Ceuta (Moreras 2002, Planet 2014).

The Dynamics of Islam in Spain: From Immigration to the Management of Religious Freedom

Although the presence of Islam in Spain today can, then, be explained above all in terms of immigration and to a lesser extent conversion and is discussed as the result of these processes, this presentation does not truly explain the social and political developments that occurred during these years. Moreover, these processes are not included as they should be in the new discourses of threat and radicalization so widely disseminated by the mass media (Martín Muñoz et al. 2009). The numerous changes taking place inside the Muslim community, both regarding relationships with other groups and the administration and in terms of interpersonal relationships, require a more detailed consideration. This needs to be done using terms specific to the community

and by empirically analysing apparent processes of re-Islamization or the possibilities of political expression when gender is at play – as Ángeles Ramírez and Laura Mijares and Aitana Guia explore in their chapters in this book – or by focusing on the content of religious practices and debates in identity definition – as explained in detail by Salvatore Madonia and Virtudes Téllez in their discussion of young Muslims in Madrid – or by analysing conflicts over public space in neighbourhoods and the associative sphere – as in the study of the Catalonian case by Marta Alonso et al.

With the passage of time, it becomes easier to observe a generational and demographic change in the Muslim population in Spain. Given the absence of official data on people's beliefs or religious practices, which cannot be collected under Spanish law, the only possible resource comes from unofficial estimates. According to data collected by the *Observatorio Andalusí*,[2] an independent non-profit organisation founded in 2003 (but in fact associated with one of the largest federations of Muslim communities, the Union of Islamic Communities in Spain), it has been calculated that 41% of Muslims are Spanish either by birth or because they have been granted Spanish nationality. This means that the basic description of Spanish Muslims as immigrants or converted Spaniards needs to be qualified and updated. In 2015 it was calculated that 4% of the Spanish population was Muslim. Of all the areas of the country, however, particular attention must be paid, even today, to the North African cities of Ceuta and Melilla, due to their particular social and political dynamics (as the chapter by Óscar Salguero demonstrates).

Although the situation may be unsatisfactory from the point of view of appearances, from a legal point of view, the process has been quite different. Islam in Spain has been recognized as a religion with *notorio arraigo* (the legal status of being well known and 'deeply rooted' in Spain) since 1989, prior to the legal recognition of Islam and the regulation of its practice. This framework, one of the most advanced in Western Europe, is still not completely developed, as José María Contreras explains in great detail in his chapter. Alongside this legal development and recognition, a partnership model to work with the Muslim population has been organized around associations and places of worship, with some success as a channel to voice demands and needs. As set forth by law, this unquestionably acts as a much-needed collaborator when it comes to setting the national and regional public policy agenda, but its role continues

2 Observatorio Andalusí, Demographic study of the Census of Muslim Citizens in Spain, 31 December 2015 (Madrid: *Unión de Comunidades Islámicas de España*, 2016. See http://observatorio.hispanomuslim.es, accessed 15 February 2016).

to be limited, particularly with regard to other social and political actors, as Aitana Guia discusses in her contribution to this book.

The process of including Islam in the Spanish legal system began in the 1990s when migration began to increase, as noted above, and is yet another example of the difficult relationship between church and state in the country. More than merely being complex in legal terms, this has produced a paradoxical situation because it functions on various planes and the legal impact is often quite different. As the following pages show, the legal framework for religious freedom in Spain has had a strong impact on the organization of the Muslim associative network into federations and associations – following the model developed by the majority Catholic church –, a lesser impact in practical terms on the recognition of rights and an impact that is somewhat difficult to analyse today in terms of 'social recognition' or the evaluation of Islam in social terms.

In the 1978 constitution adopted after the end of the Franco dictatorship, Spain was defined as a non-denominational state with a mandate to cooperate with all religious faiths. This meant, in essence, that the state was considered blind in terms of religion but also obligated to protect the religious practice of its inhabitants through cooperation with religious actors. The practical Catholic monopoly meant that the cooperation mandate with the religious faiths was implemented in different ways. The Catholic Church once again signed a concordat with the Vatican, while the task was more complex with the 'minority' religions. In addition to the persecution of minorities, there existed what could be called a lack of a 'tradition of partnership' with the public authorities. In the case of Islam, when democracy arrived, there were a few dozen Muslim associations working around the country to maintain places of worship, with the best organization in Melilla and Ceuta, protected by the weak legislation regarding freedom of religion then in effect. It was not until ten years after the adoption of the constitution that, in a second phase of democratic consolidation and under the mandate of a socialist government, the state began to shape the cooperation mandate.

To that end, the government began to promote a system to organize Islam based on the only familiar religious organizational model to date, the Catholic Church. This effort was an important steppingstone in the process of 'normativizing' Islam in Spain (it also applied to evangelical Christianity and Judaism) and would be decisive in the later history of the institutionalization of Islam in Spain. The context was strange: the end of the monopoly of Franco's National Catholicism when Spaniards' public positions regarding faith and practice were multiplying. The debates of the time about the state-religion relationship and the plurality of religions revealed tensions between the 'secularizers'

and those who wanted Spain to explore a potential paradigm of religious pluralism.

In July 1989 the Spanish Ministry of Justice, the entity responsible for protecting fundamental rights and, therefore, for religious freedom, recognized the *notorio arraigo* of Islam in Spain. The recognition granted by the state stated that 'Islam is one of the spiritual beliefs that has shaped the historic personality of Spain' (Planet 2014). The state also endeavoured to assign one specific counterpart to accompany the administration in the task of creating regulations and managing other aspects of religious freedom. This was not a simple undertaking bearing in mind the heterogeneity of the Muslims in Spain, which did not always manifest itself in questions of faith, but in the consideration of the presence of religion in a secular state. There were common interests, but also disagreements between Spanish converts living in small communities in highly symbolic, ancient Andalusian cities like Granada, Seville and Cordoba (and to a lesser extent Madrid and Barcelona) and Muslims of Arab origin who had settled in the country to study, do business or work, which quickly became apparent. Two months after the status of *notorio arraigo* was granted, the Spanish Federation of Islamic Religious Entities (FEERI) was founded in Madrid. FEERI initiated the conversations with the Spanish administration to negotiate the Cooperation Agreements between the state and Muslim communities in Spain. However, FEERI was not able to establish itself as the sole counterpart, when one of the associations, the Muslim Association of Spain, produced an offshoot in April 1991: the Union of Islamic Communities of Spain (UCIDE). One year later, the very distinct FEERI and UCIDE managed to federate, creating the Islamic Commission of Spain (CIE), the organization that would sign the Cooperation Agreements with the state on 28 April 1992.

The purpose of the recently created Islamic Commission was twofold, a fact stated in its foundational statutes, which were partially modified in 2015. On the one hand, its political purpose was to serve as the sole counterpart with the state in terms of negotiating, signing and monitoring the Cooperation Agreements. On the other hand, its religious or doctrinal purpose was to facilitate the practice of Islam in Spain in accordance with the precepts of the Quran and the Sunnah. In its pursuit of the first goal, the CIE took in religious associations as they registered in the Ministry of Justice's Registry of Religious Entities. However, just as the commission's purpose was twofold, its representation as sole counterpart had a dual nature. Then, as now, the two federations were unequal in size, both in number of members and in geographic reach, and each had very different internal methods and strategies.

This phase of the process concluded in 1992 with the signing of the Cooperation Agreements (whose legal bases are analysed *infra* by Contreras)

between the Spanish state and the Islamic Commission of Spain. However, the work did not end there and the twofold nature of the CIE was not a trivial issue. The events surrounding the first debate with the educational authorities over the contents of Islamic education in 1994–95 serve as an example. During these months, the disparity of attitudes and expectations of Muslims in Spain became evident. The curriculum proposed by one of the two federations – FEERI, led at the time by Spanish converts – was designed to be open, accessible and attractive to non-Muslim students and thus ensure that Islamic education did not just include the rites and principles of the religion, but was based on the discussion of historical and philosophical aspects. The other federation – UCIDE, whose leaders were primarily Palestinian and Syrian Muslims – wanted Islam to be presented in schools as a historical fact but, above all, from a religious perspective. The final result was a broad, illustrative and adaptable curriculum, which was not taught until ten years later and even then only in a small number of schools (and whose contents were updated in 2016).

The clash over education reveals the enormous responsibility put into the hands of the Islamic Commission of Spain. Far from having an administrative or organizational role as some people believe, thanks to the state's statutory ignorance regarding all things religious, this organization was handed the job of establishing norms for religion and setting the limits of its practice in the country. This is a complex task, theoretically guided by the text in the Cooperation Agreements signed by all, but hampered by the existence of explicit tensions between the leaders of the associations that comprise the CIE with regard to how to best understand Islam. These discrepancies about the best negotiation strategies with the public authorities, on the one hand, and about how to frame and organize the growing Muslim community in the country (which was exponentially enhanced during the 1990s and 2000s with immigrants from Morocco, Pakistan, Senegal and Algeria, among others) cannot be understood on an organizational level alone. While it is certainly an organizational task, it also involves institutionalizing and 'anchoring' Islam in Spanish society. In the hands of this for a long time bicephalic, sometimes conflict-ridden commission lies the delicate task of recognizing the religious aims of each group or new association to comply with the law that stipulates that any association that seeks to benefit from the Cooperation Agreements must have a certificate of religious purpose issued by the CIE. This document that was not, for example, issued to the Ahmadiyya Mission in Spain, despite the fact that the group has been in the country since 1982.

The reasons for the apparent paralysis of the sole counterpart/institutionalization model are many. Some correspond to the dynamics of the Muslim

community and its process of organization and institutionalization, others to the difficulties that arise when new questions are incorporated into the public administration agenda that are not in the Cooperation Agreements (e.g. the education of imams, the social role of mosques and radicalization processes among young Muslims) and still others to the Spanish political dynamic itself and the management of relations between the central government and regional governments. Responsibility for many of the questions in the Cooperation Agreements has been transferred by the state to provincial administrations. The result is that representation and petitions materialize on various levels, multiplying the number of both public and Muslim community actors. The agenda grows, the demands grow and negotiation capacities become stressed, with no easy way to create a mechanism to coordinate the decisions adopted at local level.

While the organizational model of the early 2000s was shown to be dysfunctional, as recognized on many occasions by the parties involved (Arigita 2006), at this time the centralized leadership of the CIE is being explicitly questioned. In 2011, 464 of the 1,123 Muslim entities recognized by the Ministry of Justice did not participate with the CIE. In that same year, a new Islamic Council of Spain was registered with 850 associations. The creation of this council can be explained not only by the impossibility of reforming the CIE's internal procedures and statutes, but by the appearance of new working methods and new strategic alliances in the community. As noted above, political authorities in the form of the Ministry of Justice have sought to correct the bicephalic nature of the Islamic Commission by proposing that the group change its modus operandi in 2015. The proposal was rejected by both federations, which asserted their independence from the public authorities and continued their efforts to make the CIE a functioning enterprise.

Political Participation on the Fringe

Unlike other parts of Europe, where the concentration of Muslim voters in some electoral districts and municipalities has been subject to different levels of analysis, the question of the political participation of Spanish Muslims continues to be somewhat overlooked. Taking as given the fact that associations and communities remain apolitical for obvious reasons related to the possibilities for dialogue and negotiation and that there is a lack of interest among political parties when it comes to the potential 'Muslim vote' (with the exception of a few specific contexts), the question of the political participation of Spanish Muslims still merits some consideration.

The real situation surrounding the political participation of Muslims in Spain is certainly complex. As migrants, at this time their right to elect and be elected is limited by immigrant law in the context of elections to Parliament and by a lack of reciprocal agreements with the countries of origin with regard to voting in local elections. This results in limited participation, which in turn produces limited citizenship. In this respect, other studies have shown that as residents living abroad – e.g. Moroccans living in Europe – they cannot participate politically in their countries of origin either (Planet & Hernando de Larramendi 2015). Clearly, this does not facilitate political definition and expression, while Islam, with its aspect of religious identity, almost offers a way of being political.

Muslim voting patterns have, however, been studied in two specific contexts: the North African cities of Melilla and Ceuta.[3] These two cities, which share permeable land borders with Morocco, have been the setting for migration flows throughout history, only becoming limited when Spain signed the Schengen Treaty in 1991. The enactment of the Immigration Act in 1985 greatly disturbed life in both cities (Guia 2014). Thanks to this law, which was passed in the months before Spain joined the European Economic Community, the inhabitants of Moroccan origin ceased to be residents and became foreigners overnight, now requiring regularization of their status as stipulated in the new legislation. In addition to the increased economic opportunities that resulted from the changes to the legal statutes in these territories (Planet 2002), one of the consequences of the events that followed the passage of the law was access to Spanish nationality for part of the Muslim population. They also emerged as objects – and later subjects – of electoral platforms and strategies devised by political parties to the point that a specific political option, the Coalition for Melilla, was created for them in that city. The treatment of these 'new Spaniards' as voters and candidates in the different electoral processes was one of the key planks of the political platforms and projects in the two cities during the 1990s.

From this moment, the pursuit of the 'Muslim vote' has been constant (Planet 1998). From their initial role as new voters attracting special attention from the stronger parties (which recognized an important pool of voters who

3 Melilla and Ceuta became part of Spain in 1497 and 1581, respectively, as defensive garrison or border strongholds, a status that marked their development for more than three centuries. After two mid-nineteenth-century treaties with Morocco demarcated the new city limits, they began to play an active role in Spanish colonial expansion in Morocco. Various military campaigns and the concession of free port status turned these cities into entry ports into Africa.

would, indeed, be a determining force in the 1993, 1995 and 1999 campaigns), these voters became important catalysts in the political field. They have pursued strategies ranging from integration into national parties – resulting in, to give just one example, the presence of a Melilla native of Riffian origin representing the communist-leaning United Left party in the European Parliament – to initiating themselves in the process of creating 'ethnic' parties by focusing their efforts on obtaining the votes of the Muslim community and drafting platforms to improve living conditions for this group, whose spatial and job segregation in these cities continues to pose a challenge even today.

In Melilla, the legislative elections of 1989 were contested and repeated because of irregularities in some electoral colleges. The results reflected the population's dissatisfaction with the policies being implemented from Madrid by the Socialist Party (PSOE) governments and led to the rise of the conservative right-wing People's Party (PP) in the city. The PP remained the governing party until the 1995 municipal-autonomous elections, the first ones held after Melilla became an autonomous city and a step that marked the end of territorial reform in democratic Spain.[4] In the 1993 legislative elections, for the first time in the history of the city (and the entire country), a Muslim candidate appeared on the electoral list, running for senate (this constituency has two senate seats) as a representative of the PSOE. This news, which was reported in some national newspapers, elicited numerous reactions, although public criticism of the candidacy was only heard on the night of the vote count, when the Muslim candidate pulled ahead of a candidate from the other majority party. According to the PSOE, the candidacy was part of a general trend of incorporating Muslims into the party, while the other parties argued that it was an electoral strategy to attract the Muslim vote. The result of the election was unexpected. The votes for the two open senate positions were cast somewhat unusually. In the final count, there was a difference of 700 votes between two candidates, both from the PSOE.[5] 700 voters concentrated in districts 5 and 6 – with a predominantly Muslim electorate at that time – decided to combine two voting options on the same ballot. During the fieldwork that I did in the city two months after the election, the respondents gave various explanations

4 These assertions are the result of a detailed electoral analysis of the results in individual constituencies, broken down in the electoral districts according to the characteristics of their population as reflected in the electoral census consulted for each election. The work was performed in the same way for all the elections discussed and was published (Planet 1998).

5 Melilla is a small constituency. The first candidate elected senator in this election won with 12,073 votes. The second candidate, from the PSOE, received 11,373 votes, but lost to the conservative party candidate who won 11,688 votes.

for this (unfamiliarity with the electoral dynamics leading to errors when using the multiple choice ballot, differing popularity between the candidates, one of whom was a recognized politician and the other a young woman, discrimination against the female candidate or discrimination against the 'young, Muslim female' candidate), but it was clear that the female candidate and, consequently, the party were penalized (Planet 1998).

What made national news in the 1993 general elections changed radically two years later in the municipal-autonomous election. Two particular circumstances stood out in 1995: firstly, the sizeable difference between the votes cast for the two majority parties, with the PSOE losing positions; and secondly, the votes won by the local parties (whether nationalist or not), which increased significantly with respect to the previous local election (from 12.7% in 1991 to 29.5% in 1995). This development invalidated the model by which Melilla's representatives in the national Parliament were always from the same party as the national governing party. This trend became more markedly visible in the following municipal elections, when the two large national parties were defeated in part by local parties from the city that formed around a 'Muslim' ethnic background and in part by other local parties like the Independent Liberal Group (GIL), a party that is difficult to define either locally or nationally as it was a populist, personality-centred association backed by a group of businessmen with real estate interests on Spain's southern coast. In 1995 Muslim candidates ran in a large number of the participating political parties, as well as in a party made up exclusively of Muslims from the city: the Coalition for Melilla (CPM). This party was created a few months before the election with the explicit support of a group of Muslim merchants from Melilla who closely collaborated with the candidates during the campaign. The results of this election, in which the CPM won four councillor-delegate seats, represented a turning point in the history of incorporating Muslims from the city into political life.

The parties mainly made up of members from one of the ethnic-religious communities – 'the Muslims' – saw their support grow over the course of the decade. In 1991 the ephemeral Spanish Berber Independent Party won 3% of the valid votes cast in the municipal elections; in 1995 the CPM won 15.6% of the votes; and in 1999 the votes for the CPM (20.4% of the total) and a political situation in which no party won a majority led to the appointment of the first Muslim mayor in Spain. The CPM candidate, who did not win in absolute terms, was the beneficiary of post-election alliances with groups as different as the GIL and PSOE. The result was an unstable government brought down a few months later by a vote of no confidence.

An analysis of the political field in Melilla -and in Ceuta – during these years shows, firstly, that a specific community of voters who share an ethnic-religious

background did not form around ideological demands related to Islam. What worked in the first elections in the majority Muslim districts was a spatial contagion or 'neighbourhood' effect that explains the results of the election. This effect was due to the saturation of circuits of information in favour of one party or list in a particular area, something that becomes stronger the closer the ties between the individuals living there. The victory of the CPM in Melilla Muslim majority districts and areas may have resulted from this strengthening, given that during the campaign, the party clearly focused its efforts on winning this vote, for example using Tamazight in the election propaganda and holding specific conventions/festivities, completely unlike those organized by the other parties.

Secondly, while the religious question may not have been emphasized in the platforms and ideologies of the participating parties, it was implicit in references to the multicultural or multiethnic characteristics of the population in the election platforms or, in the case of the CPM, in the candidate lists. However, the presence of the religious question in the elections was not limited to parties that could be considered faith-based – which is not allowed by the electoral code – or to the appearance of certain candidates on the lists, but to the instrumentalization of the religious question during the campaign, while trying to attract voters who supported or opposed a specific religious option, thus developing ideological oppositions reinforced by apparently religious arguments, even though they hid questions of, for instance, class.

In this respect, during the 1995 campaign, some non-Muslim citizens in the city denounced the use of slogans that could be perceived as confusing religion and politics and that called for Muslims to join together around this religious characteristic. 'A good Muslim should vote for a party made up of Muslims' was one slogan criticized by a local newspaper. The place was the Central Mosque of Melilla and the time the Friday evening prayers. The party in question later issued a communiqué denying this assertion and reiterating the non-confessional character of the party. Muslim citizens supporting other parties also reacted. Another example of this propaganda – 'If you don't want a Muslim mayor, vote' – appeared on some handwritten leaflets left in a small square in the city. The leaflets did not back any particular party, but urged participation as a way to counteract the growing presence of Muslims among the voting population. Finally, one other case concerned the Jews, another minority group in the city. Two days before the election, voting-age Jews in Melilla received pamphlets in the mail that included the message 'Forgive, but don't forget', a reference to the father of a PP candidate who had allegedly served in the Nazi army. The reaction from the Israelite Community of Melilla was immediate; a communiqué strongly criticized the use of the Holocaust for

political purposes and reiterated the neutrality of the Jewish community in the city, saying it had no links to any political ideology and that its members were completely free to vote like any other citizen of Melilla and Spain.

Appraising Islam in Social Terms: To be or Not to be

A specific study carried out in 2007 by the Spanish National Research Council's Institute for Advanced Social Studies found four primary discourses among non-Muslim Spaniards: (a) a generally negative primal perception of Islam linked to fanaticism; (b) the centrality of the ethno-religious figure of the '*Moro*' – Moroccan or North African – in the identification of Muslims; (c) incomprehension of the religiosity attributed to Muslims, even found in the discourses of respondents who said they had no personal contact with any Muslims; and (d) constant doubts about the integration of Muslims expressed, in part, with regard to the subordinate position of Muslim women (Desrues-Pérez Yruela, 2008). Two elements seem to converge in these clearly negative perceptions. The first is the permanent relationship that continues to be established between Islam and immigration on the basis of insurmountable social and cultural otherness that would affect democratic advances, most particularly gender equality (seen as something that Spanish society has already achieved). The second element, found by more recent studies, is non-integration, based on the suspicion that fanaticism and the subsequent radicalization of these groups represent a threat to society (Téllez 2014).

Factors that could distort the process of incorporating the Muslim community in Spain include arguments that rest on the foreignness of Islam in Spain and take into consideration the permanent influence of third parties on the daily lives of Muslims in the country. And indeed, countries like Morocco have developed specific policies for their nationals living abroad (Planet & Hernando de Larramendi, 2015). Another such factor is the debate over associations and communities, experienced with special sensitivity and commitment by groups of young people who meet in non-communal spaces for social and religious debate, as Madonia and Téllez discuss in their chapter in this book.

Today, Muslim countries continue to influence the process of institutionalizing Islam at the same time that the Spanish foreign policy agenda regarding Islam has grown (Planet & Hernando de Larramendi 2013). Some countries with a large number of citizens living in Spain have tried to influence the evolution of this process and play their diplomatic cards, although their focus is often on specific areas whose administration is unique and differs in intensity when compared to the rest of the country, such as Catalonia (Planet &

Hernando de Larramendi 2015). Other countries with fewer nationals living in Spain (or practically none, as in the case of Saudi Arabia), have also tried to influence the Spanish government in its decision-making by investing in the Spanish economy, maintaining spaces of worship and programming cultural and educational activities from abroad, using networks like the Islamic League.

In the specific case of Morocco, the religious question played no part in the Treaty of Friendship signed between Spain and Morocco in 1991, which structures relations between the two countries. Neither was any position defined regarding migration beyond requiring that Moroccans wishing to enter Spain after 1991 obtain a visa. No guidelines are established for specific dialogue on the subject at state level, although some autonomous community administrative bodies – specifically the Government of Catalonia – have been developing policies on the topic since 2002. As part of an overall approach to managing a complex immigration situation involving Pakistan and North Africa – and within the framework of de facto powers – that region began a policy of collaborating with its religious communities against the backdrop of dynamics that do not exist in other parts of Spain.[6] With the emergence of parties like the Platform for Catalonia, with its Islamophobic slant, the electoral situation in Catalonia is also an example of the visibility of these policies and the suspicions that arise in an electorate with some extremist segments (Guia 2014).

In general, Moroccan religious policy regarding its emigrants living in Spain appears to focus on three symbolic and material areas. At the highest level are the activities implemented by the Council of Moroccan Ulema for Europe, which collaborates in the instruction of imams and their overseas missions (including women) and the organization of pilgrimages to holy sites. The second level includes direct support for a limited number of associations and mosques,[7] with no specifications regarding direct financing for spaces of worship. The Hassan II Foundation also provides support as part of its programme to foment religion in Moroccan communities abroad by sending imams during Ramadan.

Finally, there is the growing participation of Moroccans in dialogue and discussion, something that was 'quite negligible in the 1990s, [but] has become significant with regard to both state and regional bodies in recent years' (Planet 2014). These dialogues increased after the March 2004 terrorist attacks

6 In September 2014, the Morocco Plan 2014–2017 was approved with particular focus on the Catalonian population of Moroccan origin. The development areas include the education of religious leaders, religious assistance in jails, advice for opening spaces of worship and the introduction of Islamic religious education. Only the last of these points is new.

7 In 2013 only four associations with headquarters in Spain requested and received financing, primarily in Catalonia as published at the Ministry of Religious Affairs website.

in Madrid, during which time FEERI leaders who were Moroccan (or of Moroccan origin) were particularly visible. This participation, however, was not promoted directly by Morocco. Rather it was possible thanks to the maturing process that has taken place among immigrants, who have clearly put down roots in Spain and have a commitment to their community at times based on ideological options at odds with the Moroccan system.

Islamophobia, Radicalization and Social Unrest

In recent years, Islamophobia has become a term commonly used by social scientists. In some instances, it is presented as a special form of racism, while at other times it is related to phenomena like anti-Semitism. Building on the definition of Islamophobia developed by the Runnymede Trust as 'an outlook or world-view involving an unfounded dread and dislike of Muslims, which results in practices of exclusion and discrimination' (Runnymede 1997), the term continues to be debated and defined (Bravo López 2011). In this book, it is used to describe a set of practices, actions and opinions against Islam or against Muslims, based on an appraisal of the affected subjects (Sunier 2016, Casani Herranz 2016).

As discussed in the introduction, Spain, unlike other European countries, has a vernacular Islamophobia derived from the historical accumulation of prejudices with respect to Arab, Moroccan and Islamic culture and identity. Because of the different circumstances characterizing Spain's history as a neighbour of Morocco, some of these prejudices have become commonplace as seen by the colloquial use of the pejorative term, '*Moro*'. This longstanding and widely held prejudice clearly corresponds to the Judeophobia found in Spain and other societies (Bravo López 2012).

The recognition of Islamophobia as a reality interfering in relationships between Muslims and non-Muslims has had different moments in Spain. Since the end of the 1990s, various reports from NGOs (like the Movement against Intolerance and SOS Racisme) have warned about the existence of racism, particularly against Maghrebis, while the public administrations frame the events as isolated phenomena, the result of coexistence conflicts in neighbourhoods with a high number of immigrants. After the March 2004 terrorist attacks in Madrid, there were fears of an increase in Islamophobia – which was becoming widespread in other European countries at that time (Kaya 2014)– in Spanish society. The government that came into power in the election held three days after the attacks chose to act in two ways: on the one hand, it took steps to recognize Islamophobia as a threat, trying to raise awareness and implementing specific actions to combat discrimination and hate crimes, while on the

other hand, it tried to evaluate the impact of Islamophobia on Muslim populations, conducting a series of opinion polls among 'Muslim immigrants' [sic] between 2006 and 2008.[8] Although an important effort has been made in Spain to measure racism and intolerance,[9] knowledge about Islamophobia and its manifestations as defined in this book has not received systematic attention in opinion polls.

However, the lack of continuity in these policies hindered any significant advances. Indeed, it was organized civil society under the leadership of some especially active Muslim association leaders that worked with anti-racism NGOs to develop a consistent approach to denouncing Islamophobic acts when they occur and pressuring administrations. Since 2011 the Citizen Platform against Islamophobia – a plural, non-profit, independent citizens' association – has been working towards the fundamental goal of fighting Islamophobia, systematically tracking expressions of Islamophobic discrimination and accompanying and advising victims who wish to report hate crimes. In 2015, for example, the State Campaign against Islamophobia was launched in collaboration with the Movement against Intolerance and the Islamic Commission of Spain (CIE). The campaign was supported by more than 200 religious, cultural and social organizations and focused its demands on institutional issues, supporting the creation of a specific prosecutor's office for hate crimes and the discussion of an organic law for general protection against hate crimes. The group's other important demand involves education and the need to review how Islam is portrayed in textbooks in addition to promoting consciousness-raising on all levels.

8 An opinion study with the immigrant Muslim community in Spain done by Metroscopia for the Spanish government, Ministry of the Interior and Ministry of Labour and Social Affairs, Madrid, 2006, 2007 and 2008. The results are available at: http://www.observatorioreligion.es/banco_de_encuestas/.

9 The first surveys on immigration and racism were done in 1990 and 1991, followed by more specific studies by the Spanish Observatory of Racism and Xenophobia (Directorate-General for Immigrant Integration): 'Attitudes towards Discrimination by Racial and Ethnic Origin' (first done in September 2007). The interviewees were asked to define the ethnic, religious or cultural groups that 'do not mix with the rest of society'. The largest group, 18.2%, considered them 'Muslims, Mohammedans', while 15.7% thought of them as 'Moroccans, Maghrebis and Algerians', 11.1% deemed them 'Arabs' and 7.9% identified them as 'Moors', a somewhat derogatory term. Later surveys have followed this line. All of the polls related to this subject are available through the Religious Pluralism Observatory survey database at: http://www.observatorioreligion.es/banco_de_encuestas/.

As the Citizen Platform against Islamophobia has observed, the climate of distrust towards Muslims continues to be fed by the information published by the mass media, and, increasingly, social media, which does not only equate Islam with foreignness, but also with global terrorist violence, reinforcing the idea that it is impossible to find a place for Islam in Spain today.[10] Media and political discourses with a critical focus on Islam and Muslims are beginning to develop. During the first months of 2017, a consortium of different civil society institutions (the Al Fanar Foundation, Three Cultures of the Mediterranean Foundation and the Euro-Arab Foundation for Higher Studies), along with the official European Institute of the Mediterranean and Casa Árabe launched an initiative, the Observatory of Islamophobia in the Media, to develop an inclusive press and provide tools 'to facilitate the representation of a diverse society' in the media.[11] The Observatory tracks and analyses articles and images published in a group of newspapers, with the intention of encouraging an ongoing debate about the different ways in which a discourse that rejects Islam and Muslims appears in the media in very different manifestations and with varying intensities.[12]

However, a climate of suspicion seems to have taken root in Spanish society. In the wake of the Paris attacks in November 2015 – and even earlier – initiatives to prevent radicalization have been activated that take the burden of proof off the Muslim community (e.g. the website Stopradicalismos, which makes it easy for citizens to report their suspicions).[13] Lacking any police figures that could possibly justify this measure, these platforms give substance to the idea of a permanent threat to Spanish society, with an attendant clear increase in distrust towards Muslims. Despite this climate, however, the existence of

10 See https://plataformaciudadanacontralaislamofobia.wordpress.com/.

11 See http://www.observatorioislamofobia.org/ In its first statistics (January–June 2017), the Islamophobia Observatory identified and evaluated 862 pieces from the media. According to the group's working methodology, 572 (66% of the total) included Islamophobic ideas (headline/subheading and/or text and image) or – without being explicit – encouraged Islamophobic interpretations. The newspapers were national, both paper copy and online (*La Vanguardia*, *El Mundo*, *La Razón*, *20 minutos*, *El País* and eldiario.es) and the analysis included articles, interviews and opinion pieces on Islam, the Muslim community or Jihadism that contained Islamophobic elements, although to different degrees according to the source.

12 Thoughts from specialists on the question of Islamophobia and its visibility in Spain are also included: http://www.observatorioislamofobia.org/2017/07/31/conceptualizacion-la-islamofobia/.

13 See https://stop-radicalismos.ses.mir.es/.

xenophobic parties in Spain continues to be a residual phenomenon, with the exception of Catalonia, where arguments about the impossibility of integrating Muslim immigrants have appeared in several electoral campaigns (Guedioura 2012), and where actions have been taken against the construction of mosques (Astor 2009).

In short, the presence of Islam in Spain at this historical moment may well be viewed as a social debate that in part reflects the tensions in the construction of the Spain nation that still exist today. It may also result from the growing variety of people of different origins, their beliefs and their political attitudes, while also reflecting global violence and tensions.

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CHAPTER 2

Muslims in Spain: The Legal Framework and Status

José María Contreras Mazarío

Introduction

The current situation of Muslims in modern Spain dates back to the late 1960s and early 1970s, a time that heralded the arrival of students from countries like Palestine, Syria, Lebanon, Egypt and Jordan (Barrios and Haguerty 1983). Around the same time, the first Spaniards were converting to Islam (Olmo Pintado 2000). This early Spanish Islam expanded quantitatively when a large number of Muslim immigrants began to enter Spain in the 1990s (López García 2005, Planet and Ramos 2005). Today, the number of Muslims living in Spain is estimated to be roughly 1,200,000, nearly 2.6% of the Spanish population.[1] All of this suggests that Spain is at a crossroads, witnessing a possible change from an 'Islam of foreigners' (Hernando de Larramendi 2001) to one made up of people who live and are going to have to live as citizens born in Spain (i.e. Spaniards), but who are Muslims. As a result of this situation, Muslims at this time are experiencing a process of change, but also one of normalization, stability, visibilization and institutionalization (Contreras Mazarío 2012; Corpas Aguirre 2010, Laarbi, 2007). They find themselves in a new situation with new needs that affect spaces and places of worship, cemeteries, religious personnel and members of the clergy, among others (Ciaurriz, 2004; Rodríguez García, 2007; Tatary, 2007). Consequently, the legal status of Islam in Spain must be analysed to determine the point to which the exercise of religious freedom by Muslims extends.

The process of establishing the legal status of Islam in Spain has been marked and determined by the freedom of religion and worship guaranteed by the current legal system and, more specifically, by the regulations that define the legal framework in which Islam is evolving in Spain. In this regard, three primary legal instruments are of particular importance: the Spanish

1 As discussed in Chapter 1, there are no official data on Muslims in Spain. However, the Observatorio Andalusí, an initiative launched in 2003 with close ties to one of the two federations of Muslim associations in Spain, publishes annual reports on the situation of Islam in the country and put this number at 1,887,906 for 2016. See http://observatorio.hispanomuslim.es/ia2016.pdf.

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Constitution of 1978,[2] Organic Law 7/1980 of 5 July on Religious Freedom or the Religious Freedom Act,[3] and Law 26/1992 of 10 November approving the cooperation agreement between the state and the Islamic Commission of Spain (ACCIE).[4] The constitution guarantees freedom of ideology, religion and worship as parts of a single right recognized in Article 16, establishes the equality of all individuals in Article 14 and makes it incumbent upon public authorities to provide the means and establish the measures necessary for this freedom and equality to be real and effective in Article 9.2.[5] All of this is established within the framework of a secular state required by constitutional mandate to cooperate with all religious confessions (Contreras Mazarío 2017).

Law 26/1992 of 10 November and the Agreement between the Spanish State and the Islamic Commission of Spain

The new context of the Spanish Constitution of 1978, characterized by consensus and the country's ability to overcome historical fissures related to religion in Spain, highlighted some of the guiding principles affecting State-religion relationship. These were determined by the recognition and protection of freedom of ideology, religion and worship (Art. 16.1) in a context of equality for all before the law and religious non-discrimination (Art. 14). The affirmation that 'no religion shall have a state character' (Art. 16.3) was absolutely essential at the same time that the public authorities were obligated to cooperate with religions. Consequently, for the Spanish state, ideas, beliefs and ideological or religious convictions in and of themselves cannot form part of the state's nature. At the same time, the public authorities have a twofold obligation: (1) to be at the service of the human dignity of its citizens (Art. 10.1); and (2) to guarantee the absolute lack of jurisdiction by the state, as a radically non-totalitarian entity, over religion from both a positive and negative perspective. The principle of secularism, therefore, means that the Spanish state is prohibited from protecting specific religious dogmas, beliefs or convictions of any nature. Nor can

2 *BOE* No. 311.1, 29 December 1978. For a complete version of the text in English: http://www.religlaw.org/common/document.view.php?docId=23.

3 *BOE* No. 177, 24 July 1980. For a translation of the law into English: http://www.religlaw.org/common/document.view.php?docId=424.

4 *BOE* No. 272, 12 November 1992. For a translation of the Cooperation Agreements into English: http://www.religlaw.org/content/religlaw/documents/coagrspstislamiccom1992.htm.

5 For a more in-depth study of the constitutional framework of religion in Spain, see Contreras Mazarío, 2011.

it put public life under the badge of one or several specific religious concepts or accept one faith, creed, belief or conviction, even if it is professed by a majority of the citizens or a section of society. Any of these positions would violate both the 'principle of equality in the freedom of conscience' and secularism. Within this context, secularism also prevents any confusion between religious and state objectives and aims, ensuring that religious interests or values cannot constitute parameters to measure the legitimacy or justice of regulations or the actions of public authorities.[6] However, secularism means that the religious element is configured as a positive value for the common good of Spanish society, not because religion in and of itself is positive, but because of the recognition, protection and promotion of the fundamental right to freedom of conscience, religion and worship for individuals and religious communities.

This is the objective attributed to the public authorities in their cooperation with religions, through which the right to freedom of conscience becomes effective. Consequently, it is possible to detect a negative aspect to 'cooperation' in the sense that 'cooperating' can never imply a union between religions and the public authorities to achieve common objectives and aims. The only task that the Spanish state can view positively with regard to cooperation is the promotion of equal protection and the exercise of freedom of conscience for its citizens, as well as the establishment of a legal status for religions. The mechanism adopted to define the legal status of Islam in Spain was a cooperation agreement between the Spanish state and the Islamic Commission of Spain (CIE). This accord placed the issue on a new baseline legal status, '*derecho pacticio* [pact-based law]', which has shown itself to be a useful regulatory tool to establish the specific legal status of religions and guarantee the fundamental right of religious freedom. However, it has also given rise to formal and material differences that have been criticized and even considered incompatible with the constitutional principles of equality and state secularism.[7] The regulations can be analysed in terms of its formal and material aspects.

Formal Aspects

From a formal perspective, the nature of the pact-based regulations established for religions in Spain is somewhat ambiguous. There are two types of regulations: the agreements between the Spanish state and the Holy See; and the Cooperation Agreements between the Spanish state and Evangelicals,

6 Cfr. STC 24/1982, 13 May, FJ 1.

7 See Fernández-Coronado, *www.olir.it*.

Muslims and Jews. In short, while the former are equivalent to international treaties, the latter are parliamentary laws (*Leyes de las Cortes Generales*), as set out in Article 7 of the Religious Freedom Act (LOLR). The legal force of the Cooperation Agreements with minority religions and the 1992 agreement with the CIE only became effective after parliamentary approval. In the case of the three 1992 agreements, the draft bills presented for approval in parliament were approved in a single vote in both chambers without any amendments.[8] However, once approved, the agreements became ordinary laws and can be modified via other laws, with the only requirement being that this modification must be communicated to the other party, in the case of Islam, the CIE.

A second important issue is related to the parties involved in the Cooperation Agreements: the Spanish state, on the one hand, and the Islamic Commission of Spain representing Muslims. The state signed in its highest form, the national government, with the negotiating process initiated by the executive power through the Ministry of Justice, the body responsible for regulating religious freedom and relations with religions (through the then Directorate-General for Religious Affairs, now the Directorate-General for International Legal Cooperation and Religious Relations). Once the negotiations were done and the agreement reached, it was approved as a draft bill by the Council of Ministers.

The religions party to the agreement (Mantecón 1996) were required to be inscribed in the Ministry of Justice's Registry of Religious Entities, to have *notorio arraigo* (the legal status of being attested as well known and 'deeply rooted' in Spain: 'attested rootedness') and form part of an entity with a federative structure.[9] To meet these requirements, the Islamic Commission of Spain was formed on 18 February 1992, the result of a union between the Spanish Federation of Islamic Religious Entities (FEERI)[10] and the Union of Islamic Communities of Spain (UCIDE).[11] It was inscribed as a co-federative entity in the Registry of Religious Entities on 19 February 1992. Each federation has its own governing body separate from those of the CIE.

8 On the 1992 agreement negotiations and their parliamentary proceedings, see Fernández-Coronado, 1995.

9 The adoption of a federative structure was a demand made by the state in order to have a bilateral statute. In the words of Fernández-Coronado, 'The federation is a technical formula needed to complete the agreement. By making the agreement as a federation, the federation is used as a container for a set of beliefs about divinity that may well be shared by many churches, communities or associations that, however, belong to the same religious faith or creed' (Fernández-Coronado 1991).

10 Established on 5 October 1989.

11 Inscribed on 10 April 1991.

Two questions, then, are particularly significant here: the first is related to the determination, scope and contents of the term '*notorio arraigo*' and the second to the structure and organization of the Islamic Commission of Spain. With regard to *notorio arraigo*,[12] the Muslim Association of Spain officially presented a petition to the Director-General for Religious Affairs on 25 April 1989, requesting that the Islamic religion be granted the status of *notorio arraigo* in Spain in light of its scope and number of believers.[13] This request was analysed by the Advisory Board for Religious Freedom[14] at its meeting on 14 July 1989, which concluded that Islamic communities are widespread in a large part of the country, especially the southern third and the Spanish part of North Africa. As a result, Islam was granted the status of *notorio arraigo* in Spain. Specifically, the keys and criteria that determined this decision were of two types (Leguina, 1984): (a) regarding the scope of the Islamic community, the decision was based on a very broad concept of '*arraigo*', which made it possible to consider a set of 'novel' elements: the importance of Islam in the entire world and its steady expansion (especially in Europe); the perspectives for the growth of Islam in Spain due, above all, to the country's geographic proximity to the core of Islam and the existence of Spanish territory in North Africa; and, in turn, the religion's historical tradition, stability and permanence in Spain. In other words, instead of determining the 'rootedness' of Islam based on a set of empirically verifiable variables at a specific time, i.e. 1989, it hinged on the existence of a permanent common culture with future possibilities that was

12 See Art. 7.1 LOLR.

13 The document submitted by the Muslim Association of Spain requesting *notorio arraigo* for Islam in Spain lists the following reasons: '[…] The Islamic religion is one of the spiritual creeds that have shaped the historical personality of Spain. Our culture and tradition are inseparable from the religious fundamentals that have shaped the deepest essence of the Spanish people […] Because of its scope and number of believers, Islam has achieved *notorio arraigo* in Spain at this time' (cited in Tatary, 1995).

14 In order to clarify and put the concept of *notorio arraigo* in objective terms, in 1982 a committee was established as part of the Advisory Board for Religious Freedom made up of representatives from its three components, who proposed the following guidelines: (a) a sufficient number of members in the federation or religious umbrella organization representing the applicant religion; (b) an appropriate binding legal organization for all of the grouped entities; (c) historical *arraigo* (rootedness) in Spain for an appropriate number of years, whether legally or not; (d) important cultural, assistance and social activities in the applicant religions; (e) a wide scope in terms of territorial extension, number of local churches, places of worship, etc.; and (f) the institutionalization of religious ministers, i.e. proportionate to the number of worshippers, certified by proper educational institutions, stability, etc. (cited in Fernández-Coronado, 1995).

established using the evidence of a cultural, socioeconomic and geographic presence that was '*notorio*'/'attested'; and (b) the number of believers and the social foundation were not evaluated based on statistical data alone, but also on the verification of pre-existing sociological circumstances reflected in the relative – not absolute – calculation of that data (Moreno Antón 2000). In other words, instead of applying purely arithmetic criteria, the existence of a significant number of Muslim faithful was used to affirm the consolidation of Islam in Spain as a differentiated community. In short, an indeterminate legal concept was shaped and reinterpreted (Contreras Mazarío, 2010; Fernández-Coronado 2000) by the Advisory Board for Religious Freedom.[15]

The two focal points of the Islamic Commission of Spain were its organization and its operation. The CIE was created in February 1992 upon the approval of its statutes, which established that the commission was composed of two federations: the Union of Islamic Communities of Spain (UCIDE) and the Spanish Federation of Islamic Religious Entities (FEERI). This composition not only determined the organization of the CIE, but also its overall operation until 'provisional' modifications were made in September 2015. As a result, the commission's statutes make almost no reference to its organization, internal governance or operation. The resulting structure is extremely basic and only just operational. As established in Article 1 of its statutes, the CIE as a federative organization has an essentially representative role with regard to the administration: 'FEERI and UCIDE constitute an Islamic entity entitled the "Islamic Commission of Spain," in order to negotiate, sign and monitor the Cooperation Agreements with the state'. This status is also reflected in the two purposes assigned to the organization in the statute: (a) to represent the Islamic religious entities named in Article 1 and (b) to foster and facilitate the practice of Islam in Spain in accordance with the precepts of the Quran and the Sunnah (Art. 4).

The bicephalic original structure of the CIE has been reflected in its decision-making bodies and explains the composition of the two hierarchical entities: the Permanent Commission and the General Secretariat (Art. 5). Originally, the Permanent Commission, made up of six members (3 each representing UCIDE and FEERI) with six-year terms (Art. 6.1),[16] was responsible for the following functions: appointing the two general secretaries for the General Secretariat; modifying the CIE's statutes; approving both the budget and the annual

15 At this time, these elements are regulated by Royal Decree 593/2015 of 3 July, which establishes the definition of *notorio arraigo* for religions in Spain (*BOE* No. 183, 1 August 2015). English text: http://www.religlaw.org/common/document.view.php?docId=7068.

16 New members are accepted as long as they are backed by 10 communities (Art. 6.2).

accounts; deliberating over questions related to the application, execution and monitoring of the Cooperation Agreements; admitting requests to incorporate new communities into the CIE; and exercising any other power within its purview (Art. 6.3). The decisions and agreements with the Permanent Commission were to be approved 'by absolute majority of its members upon prior majority agreement of the representatives of each federation and, where appropriate, the representatives of the groups of ten communities referred to in paragraph 2 of this article' (Art. 6.4). A double majority system (a majority of four votes, two from UCIDE and two from FEERI) was thus adopted, which determined every possible agreement voted on in the federation.

The second decision-making body was the General Secretariat, composed of two general secretaries (one from each federation) who were to be responsible for the following functions: (a) to act as legal representation for the CIE; (b) to execute the agreements adopted by the Permanent Commission; (c) to convene this commission and set the agenda; (d) to draft the budget; and (e) to work jointly to certify the necessary certificates and accreditations (Art. 7). The general secretaries were commissioned to provide (a) certifications incorporating Muslim federations and communities into the CIE for the purpose of recording them in the Registry of Religious Entities (Art. 1.2); (b) certifications of religious aims to inscribe associations in this registry as required (Art. 1.3); (c) certifications of mosques or places of worship and imams or Islamic leaders to comply with Articles 2 and 3 in the Cooperation Agreements; and (d) proposals presented by the various Muslim communities regarding the contents of Islamic courses taught in private and public schools (Art. 10.3).

Although it was anticipated that other federations or groups of Muslim communities (a minimum of 10) could, in turn, propose other general secretaries, this did not occur either because no other federation was accepted to form part of the CIE or because until recently only one Muslim community (the Islamic Community of Spain) has joined the CIE without being a member of either UCIDE or FEERI and therefore could not propose a third general secretary. As noted above, this situation was modified by the enactment of Royal Decree 1384/2011, which incorporated new Muslim federations and communities into the CIE. Since its approval, 267 Muslim communities have joined (without counting the communities incorporated through UCIDE and FEERI) and 14 federations. However, as the new incorporations have not taken advantage of the statutory powers, this has not changed the originally designed structure and the representation continues to be exclusively bicephalic. Nonetheless, such a change could occur, which would place Muslim communities in an anomalous situation of paralysis since, technically, the number of general secretaries could surpass twelve.

In order to improve the current situation, different attempts have been made to modify the 1992 statutes, especially with regard to the organizational plan,[17] but none have been effective. The last modification proposal, which was approved and inscribed in the Registry of Religious Entities, was endorsed at the meeting of the Permanent Commission held on 18 September 2015 and affects the CIE's two main bodies (Art. 5): the Permanent Commission and the General Secretariat, which was replaced by a President. Regarding the Permanent Commission, the new Article 6 establishes that:

> 1. As the body representing the entities, the Permanent Commission is made up of twenty-five members;
> 2. Federations that are direct members of the CIE can designate such number of members for the Permanent Commission that results from multiplying the number of related communities by twenty-five and dividing the result by the total number of CIE member communities.
>
> Likewise, temporary groups of communities that are direct members of the CIE can designate members of the Permanent Commission in accordance with the stipulations in the previous paragraph.
>
> The positions left unassigned by this procedure will be assigned among the federations, beginning with those with the highest number;
> 3. The members of the Permanent Commission will lose their status when they are dismissed by the entity that appointed them to this position. In all cases, the Permanent Commission will be renewed every four years before the election of the President. The members of the Permanent Commission can be re-elected;
> 4. The election of the President corresponds to the Permanent Commission.

The most profoundly changed body was the General Secretariat, which went from being a bicephalic organ to a monocephalic Presidency. The President is regulated by new Article 7 thus:

> 1. The election of the President shall be done by consensus. If more than one candidate runs, the election will be democratic and the candidate

17 For example, a proposal was approved at a meeting of the Permanent Commission in Leganés (a town near Madrid) on 17 November 2012. This should have totally and profoundly modified the CIE's statutes, not only with regard to internal organization (Arts. 7–13) but also regarding its territorial structure, since it established the creation of Autonomous Islamic Commissions (Arts. 15–16).

with the highest number of votes from the Permanent Commission will become President;
2. The presidential term is four years and the President can be re-elected for successive terms

The same article assigned a large number of functions to the President: (a) to direct and coordinate cooperation with the public authorities; (b) to act as legal representation for the CIE and ensure that its objectives are fulfilled; (c) to convene the Permanent Commission, set the agenda and preside over ordinary and extraordinary meetings; (d) to propose budgets to the Permanent Commission; (e) to process requests for new admission to the CIE and notify the Permanent Commission of the decision made; (f) to authorize acts of disposition, administration or the encumbrance of assets, accept donations, inheritances and legacies; (g) to employ any power inherent in the CIE; (h) to certify conformity in the cases established in Law 26/1992 of 10 November approving the Cooperation Agreements with the Islamic Commission of Spain, such as verify the condition of places and ministers of worship, professors of the Islamic religion designated by Muslim communities with prior agreement from the federations that form part of the CIE, promote halal and provide a CIE hallmark to market, import or use products with this denomination, and collaborate with the preservation and promotion of Islamic cultural, artistic and historical heritage in Spain; (i) upon agreement with the Permanent Commission, to represent the entity in any extrajudicial, judicial or administrative matters, questions or litigation in which the CIE is a claimant or defendant or any other title, with the right to grant powers to lawyers and/or prosecutors to represent the entity before all types of authorities and jurisdictional bodies; (j) to provide the corporate signature in any affairs that are the responsibility of the CIE; (k) to carry out the functions delegated by the Permanent Commission; and (l) to appoint two members of the Permanent Commission to act as Secretary and Treasurer with the functions in accordance with these posts entrusted to them by the President (Art. 7).

It is striking that this modification seems to increase the functions assigned to the President with respect to those of the General Secretariat although, in essence, this is not the case. The only dubious point is related to the admission of new members to the CIE, as the final decision is not clear.[18] Equally interesting is the plan to create a Management Commission made up of four

18 Section 2.e) of new Article 7 establishes that it is the President's responsibility to process requests for new admissions to the CIE and notify the Permanent Commission of the decision, which suggests that this function is among the President's powers. However,

members (two from FEERI and two from UCIDE[19]) in Single Transitional Provision (STP) 1. They are to be charged with drawing up new statutes (STP 3) within six months of 18 September 2015 (STP 5). Approval of the new statutes requires a qualified majority of two-thirds of the members present in the vote on the Permanent Commission (STP 4), which means that former paragraph 4 of Article 6 will not be applied without its modification or derogation having been envisaged in the statutes of 18 September 2015.

Material Aspects

With regard to the material contents, the rights established in the Cooperation Agreements concern both individuals and groups. Rights for the former category include marriage and its recognition on civil grounds (Art. 7), religious attendance in public spaces, especially the Armed Forces (Art. 8) and other analogous spaces (Art. 9), religious education in public schools (Art. 10) and religious holidays and weekly rest periods (Art. 12). Rights for the latter category are related to worship and the establishment of places of worship and Muslim cemeteries (Art. 2), the appointment and designation of ministers (Art. 3), religious privacy (Art. 3), being included in the general social security plan (Art. 5), receiving and organizing alms and collections (Art. 11) and exemptions from specific taxes and tributes (Art. 11). Additionally, control over the dissemination and promotion of religious cultural heritage is guaranteed (Art. 13) as is control of questions related to halal food products (Art. 14). All of these material contents comprise the 'legal status of Islam', which is described in greater detail below.

The Legal Status of Muslims and Muslim Communities

The legal status of Muslims in Spain is determined by a set of material contents in Law 26/1992, including the following: religious attendance in public spaces, religious education, taxes, religious personnel, religious marriage, holidays and weekly rest periods, food products and places of worship and funeral rites.

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according to unmodified Article 6, paragraph 3.e), the Permanent Commission is responsible for admitting requests to incorporate new communities into the CIE.

19 The four members of the Management Committee are at this time: Riay Tatary (President), Munir Benjelloun (Vice President), Isabel Romero (FEERI representative) and Fawaz Nahhas (UCIDE representative).

Places of Worship (Mosques) and Funeral Rites

Two separate questions merit study in this section: Muslim places of worship, i.e. mosques, and the practice and use of Muslim funeral rites. Although these two topics differ in subjective terms, since places of worship refer to the collective sphere of religious freedom (Art. 2.2 LOLR) and funeral rites are an individual right (Art. 2.1 LOLR), they are analysed together as two items that appear in the Cooperation Agreements, specifically the reference to Islamic cemeteries and the concession of parcels for Islamic burials in municipal cemeteries (Art. 2).

Places of worship or mosques are understood to be either an entire building or some premises primarily set aside for worship. However, the fact that an Islamic community uses a specific building or site for purposes of worship does not *ipso facto* convert it into a place of worship as established in the Cooperation Agreement, rather certain conditions must be met: it must be inscribed in the Registry of Religious Entities and be integrated into the Islamic Commission of Spain. A place of worship, then, must meet three requirements: while it can be an isolated building or part of another structure, it must always be a closed space designated for the regular (and not only sporadic or occasional) practice of prayer, education or Islamic religious assistance. These are not either/or activities, but rather an assemblage, although they do not have to be carried out in conjunction. The content is determined by the Cooperation Agreements themselves in Article 6, which establishes that 'for legal purposes, Islamic functions of worship, education and religious assistance are those that in accordance with the law and Islamic tradition come from the Quran or Sunnah and are protected by the Religious Freedom Act. The spaces must also be exclusively intended for the aims or functions set out in the article.

Configuration as a space of worship is accompanied by the application of a peculiar legal system that takes the form of a set of benefits common to the spaces of worship belonging to other religions: inviolability as established by law equal to that of domiciles and a set of legal limitations with regard to entering or registering these buildings or sites by the state security corps and forces, the conditions established by criminal procedure legislation in such cases and the measures to prevent criminal acts against the inviolability of these places. Cases of forced expropriation must be first heard by the CIE and premises cannot be demolished before being divested of their sacred nature or alienated from their designation, except in cases provided for by the law, emergencies or danger, with the exception of temporary occupation and the imposition of easements according to the terms established in Article 109 of the Law on Forced Expropriation (Ponce Solé and Cabanillas 2013).

However, although mosques are emblematic Islamic places of worship, analysing their meaning and importance using western parameters is not a particularly worthwhile pursuit. Despite the fact they are deemed to be a 'house of God' (*bayt Allah*), mosques are not holy temples in the Christian sense of the term. They have, nonetheless, maintained intact their original and primary role of serving as a meeting place where believers can perform the substantively personal act of praying to Allah. Indeed, the fact that it is a meeting place underscores the symbolic value of the mosque as a reference point for the Islamic community, giving it a social meaning as an expression of collective identity, at the same time that it serves as a space to socially structure the Muslim community.

Another defining feature of the importance of the mosque in Islamic society is the so-called re-Islamization process occurring in some Muslim-majority countries. The process has two specific facets, related firstly, to the actions of Islamist parties in specific population groups – i.e. re-Islamization from below – and, secondly, to the way in which respective governments have reacted to the situation by adopting political action strategies – i.e. re-Islamization from above. At the conflictive meeting point between these two forces, mosques have assumed a leading geopolitical role at the same time that Islamist parties have become a bone of contention in their struggle against the progressive secularization of Muslims due, above all, to the modernization process influencing the community for the last several decades. On the other hand, state authorities seem to be trying to counteract the influence of Islamists on 'their' citizens through, most notably, the centralization of religious institutions, seen in the construction of official mosques managed by religious civil servants or in taking control of existing apparatus. For Islamic parties, the mosques are to serve as, above all, a space for the dissemination of their re-Islamization political agenda and, then, as a place of social integration inside a society where the bonds of solidarity have deteriorated. For the governments, mosques represent a space of control and contra-Islamization. However, this process is not found among Muslim communities in Spain, which requires a more detailed analysis of the action of embassies as agents of re-Islamization, contra-Islamization or, simply, control, as Mijares and Ramírez present in their contribution to this book.

Within the so-called 'process of constructing a European Islam' one crucial factor is the specific importance of 'embassy Islam', which has materialized in the control exercised by Islamic countries over many Muslim communities that have settled in Europe. In some ways, this control is concealed, since it usually accompanies considerable economic contributions to build large spaces of worship and the provision of religious personnel educated in official mosques

in Islamic countries, who are responsible for establishing the best way to support these nascent communities and guarantee their future subsistence. Spain has experience with this process, and the situation has forced European, and Spanish, public authorities to rethink their position with regard to both spaces of worship and the accompanying members of the clergy and, above all, the financial question, since the dependence inherent in accepting this economic support has important consequences for the Muslim communities themselves.

Funeral rites and Islamic cemeteries, on the other hand, largely concern individual rights that affect the group. Muslim funeral rites involve a set of acts carried out by the family or community, who must ensure that the deceased be buried in a specific way (Casal 2003; Ballesta 2000). The main difficulties encountered by Muslims in Spain in this regard are not related to the thanatopraxy but to the burial. The deceased must be buried at least two metres underground with their head in the direction of Mecca, and the land set aside for this purpose soon becomes insufficient. Moreover, burial is done without a coffin, an item required in Spain for health reasons. Finally, the deceased must be buried in a parcel of land allocated exclusively for Muslim holy practices, which violates Article 1 of Law 49/1978 of 3 November, which establishes that 'city councils are obligated to ensure that burials occur in their cemeteries without religious or any other type of discrimination'. Therefore, separating or providing a boundary for the burial plot is usually solved using a row of cypresses instead of a wall, which is what is generally requested.

The obligation to be buried directly in the ground is considered in Article 9 of Royal Decree 2263/1974 of 20 July (a text reproduced using similar words in the different mortuary health regulations established by the autonomous communities), saying that all decreased must be buried in a coffin, which would appear to prohibit the Islamic religious mandate. However, this question must be interpreted as an aspect of public health and in this situation, it is the public order that limits the right of religious freedom. Inhumation without a coffin can pose a real danger to public health and must be decided on a case-by-case basis. Except when the cadaver is affected by a particularly dangerous illness that entails some health risk, inhumation without a coffin should be considered, following the solution adopted by the Autonomous Community of Andalusia in Decree 95/2001,[20] which states that 'In cases where, for religious reasons, this is requested of and approved by the city council, provided they are cadavers included in Group 2 of Article 4 of this regulation, the burial can be exempt from the use of a coffin, although the transportation cannot'

20 Decree 95/2001 of 3 April approving the Mortuary Health Policy Regulation (*BOJA* No. 50 of 3 May 2001).

(Art. 21.4).[21] In general, this solution should be included in any future modification of Decree 2263/1974, since it better corresponds to the plural religious circumstances of Spanish society as established in Laws 25/1992 and 26/1992.

Members of the Clergy (Imams) and Other Religious Personnel

Article 3, Section 1 of the ACCIE defines members of the clergy and religious personnel as follows:

> For legal purposes, religious leaders and imams in Islamic communities are those physical persons dedicated to leading the communities described in Article 1 of the present Agreement on a stable basis, leading prayer, providing Islamic religious assistance and education, who comply with these requirements by virtue of certification from the community to which they belong in conformity with the Islamic Commission of Spain.

This regulation does not establish a very precise concept of the clergy, perhaps because the very concept of the imam is difficult to specify, especially considering that its peculiar structure decisively influences both the appointment of imams and the continuity of their functions. In this respect, there is no hierarchy in Islam similar to that of Catholicism. Performing acts of worship in the Muslim religion does not entail any powers that could be used to configure a religious hierarchy, but rather the existence of a set of functions and roles to be professionally fulfilled.

The imam is at the forefront of the mosque, responsible for directing the Friday prayer and organizing and orienting the other community religious practices. The figure of the imam as described in the Cooperation Agreements involves, on the one hand, the legal recognition of a set of prerogatives and, on the other, the acceptance of an extremely important role in the application of various tenets of the Cooperation Agreements (e.g. concerning marriage). This requires a pact-based definition of the imam to determine the criteria to

21 Art. 4 D 95/2001: 'Cadavers are classified into two groups: Group 1. Persons whose cause of death represents a health risk for the funeral personnel and the population in general, such as: radioactive product contamination, Creutzfeldt-Jacob disease, haemorrhagic fevers, anthrax, cholera, rabies, the plague or any other such illness expressly determined for reasons of public health by the Regional Ministry of Health through the Directorate-General of Public Health and Participation. Group 2. All deceased for any reason not included in Group 1.

be considered by the CIE, in this case, when obtaining state certification for imams and Islamic religious leaders.

Article 3 of the ACCIE addresses Islamic religious leaders and Muslim community imams without presenting a single clerical model (unlike the agreements with the Evangelical and Jewish religions). It distinguishes between two differentiated possibilities, but does not establish specific criteria with which to distinguish them. In the absence of specifications, doctrine has tried to differentiate the figures by delimiting the field of action for each one. Accordingly, imams are responsible for leading community prayer, while religious leaders direct the communities that comprise the CIE, attributing a secondary status to the organizational positions in the communities (president, vice president, secretary, etc.).

The functions of the imam must be carried out by physical persons and always on a stable basis (Article 3.1). However, in contrast to the agreements with the Jewish community,[22] there is no requirement for permanency on the part of the imams or the religious leaders. Nor is exclusivity required; an imam does not breach any requirement if he holds another job or jobs in order to secure a decent standard of living and or if another member of the community assumes spiritual leadership of the community without recompense. However, this regulation does try to ensure that the position of the imam is not a provisional one, but rather that the person holding this post in a community is identifiable. Therefore, the article does not speak of 'temporary imams' or 'transitory imams', since legal security requires continuity in the exercise of the imam's functions, especially considering that many acts performed by an imam (and other religious leaders) have an important associated civil status factored into the Cooperation Agreements. Additionally, a volunteer Registry of Members of the Clergy can be held at the Ministry of Justice for legal security purposes.

The content of the functions of the imam or religious leader derives from the type of function involved (leading Islamic communities inscribed in the Registry of Religious Entities, leading prayer, religious education, religious assistance to the faithful) and who is doing what at any given time. In this context, two qualifying factors play a role: firstly, the imam's functions go beyond merely leading prayer and, secondly, the expression 'religious leader' should be restricted to the principle head of a specific religious community. The ACCIE does not reflect the distinctive characteristics of the Muslim clergy since it does not define the different orders recognized in Islam. Moreover, the figure

22 See Art. 3.1 of the Cooperation Agreements with the Spanish Federation of Jewish Communities.

of the imam in a migration context has its own special features with an evolving and as yet undefined status.

As in other religious communities, the imam is a figure who is subject to the rhythms of the process of settlement and consolidation. In the first stage, it is often only possible for the worshippers who attend the mosque themselves to fulfil a set of functions or cultural needs with the occasional assistance of an imam from another community, who often does not have the specialization or dedication found in Muslim majority communities. Indeed, it is the religious needs of the community that define the tasks to be carried out. In addition to the duties listed above, imams can even perform the important labour of contra-secularization in Islamic associations, trying to help Muslim immigrants maintain their religious practices and encouraging them to attend the mosque instead of being carried away by the secular environment surrounding them (Moreras 2007).

Islamic Marriage and Its Legal-Civil Status

When the Spanish Constitution of 1978 came into effect, it transformed the Spanish marital system, establishing civil marriage with a plurality of forms. Article 59 of the Civil Code opened the way for pluralism in the celebration of marriage, stating that 'matrimonial consent can be expressed in the form envisaged by an inscribed religious faith in the terms agreed upon with the state'. This was the basis for Law 26/1992, whose Article 7 establishes the regulation of Quranic marriage with civil status. In this article, Spanish legislation confers validity on the rules of Islamic law related to marriage, which are applied simultaneously to or in conjunction with civil rules. In practice, this means that Muslim law is applied to regulate the Quranic form of marriage and that whatever is not regulated by Quranic law is subject to Spanish civil legislation in conformity with the constitution. In short, the plurality of forms does not allow for informal marriages. For marriage in the Spanish system, consent must be manifested in a specific legally established form involving two elements: the consent must be granted and this must be done before a specific authority, whether civil or religious, who will declare the union constituted (González Campos 1995).

According to Islamic legal sources, Quranic marriage or *nikah* is configured as 'a private law contract by which a man receives the exclusive right over one or more women simultaneously and permanently through the delivery of an agreed upon sum'. From this definition, it is possible to deduce a series of characteristics inherent in Quranic marriage such as its contractual nature, its permanency and its polygamous constitution.

The requirements for contracting a Quranic marriage are as follows: both parties must be available for marriage, i.e. none of the future spouses can engage in any situation that would impede marriage according to Islamic law. As a general rule anyone in full possession of their mental faculties and who has reached puberty can contract matrimony. Islamic law, like other legal systems, establishes the age at which it is assumed that puberty has been reached: 15 for males and 12 for females.[23] However, at this time most modern legislatures in Muslim countries have set the minimum age at 18 for males and 17 for females in order to prevent child marriage in response to pressure on this point.[24] As a general rule, Spanish legislation forbids marriage between unemancipated minors (Art. 46.1, Civil Code), which de facto means that marriage cannot be contracted between two 16-year-olds (Art. 53 Law 15/2015).

The second requirement, which is particularly important in Islamic law, is that there be a double matrimonial consent, that of the two parties to be wed and that of a custodian or *wali*, which is required in all cases for the woman and in some cases for the man as well. Both equally affect the validity of the marriage, but while the man gives and expresses his offer and acceptance directly, the woman requires the mediation of a custodian to express her consent. This institution is not unknown in Spanish law (Art. 55, Civil Code), meaning that the Islamic requirement cannot be considered *a priori* in violation of the law or public order. Consequently, the public order does not affect Quranic marriages as long as it can be unequivocally shown that the future wife freely consents, although by Sharia mandate, this consent is uttered by the *wali* during the celebration.

Thirdly, at least two witnesses must take part,[25] although it is sufficient for them to be present at the act without becoming involved in any way, since their specific function is to testify to both the exchange of consent and the agreements stipulated by the parties.[26] Their role, then, is to guarantee the existence of the marriage and to make public an eminently private act, but with consequences that exceed this narrow framework. To fulfil this formality,

23 Catholic canon 1083 establishes that 'A man before he has completed his sixteenth year of age and a woman before she has completed her fourteenth year of age cannot enter into a valid marriage'.

24 The New York Convention of 10 December 1962 on consent for marriage, the minimum age to contract marriage and the marriage registry (*BOE* No. 128 of 29 May 1969), drawn up by the UN, concluded that at that time child marriage was a common and legal practice in many countries, including Muslim countries.

25 A marriage contracted without the presence of witnesses is null, although in specific cases a marriage without witnesses can be validated by a later statement from a witness.

26 This is the main difference between the witnesses and the *wali*, who must play an active role in the matrimonial agreement and, then, in the act of marriage.

the two witnesses must practice Islam, be of legal age or adolescents, be free of constraints, be in possession of their mental faculties and not be deaf. In principle, Sharia also requires that they be male, but at this time, most Islamic schools allow at least one woman (Acuña, Domínguez, Lorenzo and Motilla (coords.), 2003).

The fourth requirement is the presence of a religious authority (mullah, qadi or imam) in the act, part of the current trend of assimilating western tradition. The Cooperation Agreements, moreover, require that this leader be accredited, both by the community that he leads and by the CIE. This accreditation must be in the form of a 'certification issued by a church, religion or religious community with *notorio arraigo* in Spain, in accordance with the federation from which the recognition is requested', which in the case of Islam, can only be the CIE. However, this legal requirement is not part of Sharia law and, therefore, is not mandatory. Article 7 of the ACCIE seems to accept two forms of Muslim marriage, with or without a completed marriage file, which is an essential tool when demonstrating that the two parties meet the requirements to marry.[27] In the first case, the parties obtain a file showing their capacity to marry (Art. 7.2 ACCIE) and give their consent within six months before two witnesses of legal age and an Islamic religious leader or imam. After the wedding, the representative sends certification accrediting the marriage to the Civil Registry for inscription (Art. 7.3 ACCIE related to Art. 63 of the Civil Code). In the second case, the marriage is held as before. While this union is granted civil status, it is conditioned by the requirement that the two parties fulfil the conditions demanded by the Civil Code (Arts. 45, 46 and 47 Civil Code), which cannot be demonstrated until the Registry civil servants inscribe the marriage. As stipulated in Article 7 of the ACCIE, 'anyone wishing to inscribe their wedding held in this form to the effect that it has full status must first accredit their capacity to marry'. In this case, the Civil Registrar must not only verify that the marriage was held within six months of receiving certification, but must also show that the two parties fulfil the legal requirements regarding nuptial capacity (Art. 65 Civil Code related to Art. 58.10 of the Civil Registration Act).

27 On 10 February 1993, the Directorate-General for Registries and Notaries supported this position, recognizing that anyone wishing to contract Islamic marriage can do so without obtaining the file from the Civil Registry beforehand: 'although the letter of the law in the Agreement with the Islamic Commission of Spain, Article 7, may cause confusion, a comparison of the text with the two other agreements and the negotiation procedures demonstrates that those wishing to contract Islamic marriage can resort to the mechanism in the previous section [referring to the marriage file], but can also enter into a religious marriage without first meeting with the Civil Registry.

The last requirement for a valid Quranic marriage is the dowry or *mahr*, the sum of money or goods to be given by the groom to his wife or her custodian (*wali*) as part of the marriage, which becomes her property and she can dispose of as she wishes. The stipulations in the prenuptial agreement regarding the dowry determine the amount, method, form of payment and quantity that corresponds to each party (Zabalo Escudero 2002). From the moment that the dowry is set by the *wali* in the marriage agreement, the quantity is divided into two parts, the first of which, the 'prompt *mahr*', is given to the *wali* or to the future bride in advance for her to dispose of freely, while the second, the 'deferred *mahr*', is kept by the groom until the marriage comes to an end because of the husband's death or divorce, in which case – with a few exceptions – it is given over to the wife (Estévez Brasa 1981).

One final aspect of Islamic marriage concerns the question of polygamy, which clashes head-on with the configuration of marriage in Spanish law according to the principle of public order (Art. 12.3, Civil Code). In the words of the Ministry of Justice's Directorate-General for Registries and Notaries, laws allowing polygamy impinge upon 'the Spanish conception of matrimony and the constitutional dignity of women' as they violate the Spanish concept of marriage, which is essentially monogamous. This does not only apply to marriages entered into in Spain, but also those entered into abroad and between foreigners, in terms their legal effect in Spain.

In summary, the validity of Quranic matrimony in Spanish legislation is structured around three essential features: (a) the verification of the nuptial capacity of the spouses through a marriage file; (b) consent given before two witnesses and a civil or religious authority; and (c) the inscription of the marriage in the appropriate Civil Registry (Blázquez Rodríguez 2004). With regard to the last requirement, Order JUS/577/2016 of 19 April was approved to prevent possible difficulties with the inscription, stating that 'express certification of the celebration of the wedding shall be drawn up by the representative of the Islamic community, which must also be signed by the officiant, the spouses and two witnesses of legal age' (Art. 5). This certification must be sent to the clerk at the appropriate Civil Registry for inscription within five days of the marriage ceremony, along with the accreditation of the representative of the Islamic community.

Muslim Religious Assistance in Public Centres

Article 2.1 of the LOLR discusses religious assistance, guaranteeing the right of all to receive it, meaning that no person may be prevented from 'receiving

religious assistance in their own religion' or be compelled to practice or take part in any religious practice contrary to their beliefs and convictions. The right to receive religious assistance, then, is configured as a right to be free from coercion recognized for all, but also a necessary promotional function to give tangible effect to the right to religious freedom in public institutions, giving it a dual legal nature. It is a subjective right of persons and a positive guarantee for public authorities, only applicable with respect to public institutions in which the physical liberty of persons is restricted by the institution's internal regime and with respect to those citizens who are in a situation of dependence or internment in this institution (Contreras Mazarío 2002).

Religious assistance in public institutions refers to assistance aimed at satisfying the religious interests that the public authorities are obliged to provide citizens in a situation of dependence or in other circumstances that make it difficult or impossible to exercise the right to religious freedom if not for the collaboration of the state. This especially applies to the Armed Forces, penitentiary institutions and hospitals, in addition to public education institutions. In the Armed Forces, the model is characterized as a 'religious assistance service' (Royal Decree 1145/1990) integrating a military ordinariate under the leadership of the general military archbishop whose cost is covered entirely by the state with respect to both material expenses and personnel (Contreras Mazarío 1990). The relationship between the military chaplains and the public authorities is contractual and could be qualified as a professional service. Instead of the army, chaplains are functionally dependent on religious authorities, who both appoint them and terminate their service (Arts. 8 and 9 Royal Decree 1145/1990). Religious personnel can be either permanent or not, with the former group working as civil servants and the latter at the service of the Armed Forces. In the case of Islam, according to Article 8 of the ACCIE, religious assistance is an individual right that is organized by the corresponding religious faith. However, until recently, this precept did not apply to the Armed Forces because no members of this religion received assistance in that institution.

As with the Armed Forces, in any analysis of penitentiary institutions it is important to distinguish between the situation postulated for Catholics and the status for religions in the Cooperation Agreements (Gallizo Llamas 2008). The Catholic model is based on Article VI of the Agreement on Legal Affairs (AAJ) with the section corresponding to penitentiary institutions found in the agreement with the Episcopal Conference.[28] In the case of Islam, the model is practically on equal footing with the one used by the Catholic Church. The

28 *BOE* of 31 December 1993.

Cooperation Agreements stipulate the rights of inmates in penitentiaries (Art. 9 ACCIE) and assigns religious assistance to the corresponding religions in the form of pastoral care from religious leaders designated by the religion itself, although they must be authorized by the corresponding penitentiary. Ministers who are appointed by their respective religions and authorized by the authorities (Arts. 3, 4 and 5 Royal Decree 710/2006) are given free access to the penitentiary institutions, with the only limitation being that they respect the principle of religious freedom and the internal laws of the establishments, especially those relating to timetables and discipline (Art. 8 Royal Decree 710/2006).

The financial situation is governed by different regulations in the three Cooperation Agreements. While the agreements with Evangelicals and Jews stipulate that expenses will be paid by the respective community, the agreement with the CIE establishes that costs 'will be borne in the form agreed upon between the representatives of the Islamic Commission of Spain and the directors of the public establishments and institutions'. As a result, the two parties may agree that expenses, especially those related to personnel, be borne by the public institution, although they may never be formally incorporated.[29] Currently, only eleven imams have been authorized to provide religious assistance in penitentiaries.[30]

The situation in hospitals lies halfway between military religious assistance and prisons where, once again, it is necessary to distinguish between Catholic religious assistance and other religions (Fernández Arruty 1996) with special emphasis on Islam. Catholic religious assistance is considered an internal service offered by the hospital as a Religious Assistance Service (Art. 2, Ministerial Order), resulting in an integration model in which expenses are fully paid by the hospital (Art 6 and Annex III, Ministerial Order; Art. 9, Convention). However, this integration is not organic, but contractual. As in the case of the Armed Forces, a similar system has not been established for other religions, not even those represented by the Cooperation Agreements. While these

29 This precept is put forward in Instruction 6/2007 of 21 February of the Directorate-General of Penitentiary Institutions on Muslim religious assistance, which establishes that imams who wish to enter a penitentiary institution must present the following documentation: certification of a criminal background check in Spain and for foreign imams a certification of a criminal background check in the country of origin as well; certification of the church or community where they practice and accreditation showing that they are ministers in conformity with the Islamic Commission of Spain; specification of the place/s of worship where they will practice (Rodríguez Blanco 2008).

30 Data from the *Observatorio Andalusí*, 2016.

religions are given free access with self-financing, there is no specific model in place for them.

The conclusion regarding religious assistance in public institutions, then, is that – with the exception of penitentiary institutions – this service is underdeveloped with regard to Islam. However, the fact the religious assistance that has been organized is provided by qualified imams proposed by the CIE is an important step towards normalization and could serve as a model for hospitals and the army, two sensitive areas with their own particular features.

Muslim Religious Education in Schools

The second material manifestation concerns religious education. The Religious Freedom Act does not establish any causal nexus between belief, conviction or professed religion and religious education, which is an important qualitative advancement favouring the right to the freedom of conscience. In other words, the right of all people 'to receive and teach religious information of all types' is recognized, while also guaranteeing the right 'to choose religious education in accordance with one's own convictions, both inside and outside educational institutions'. Equally recognized is the right to receive no religious education at all. Regardless of the religious, philosophical or ideological convictions or beliefs expressed, no person is obligated to receive religious or moral education contrary to their convictions or against their own will. In short, no person can be impeded from receiving, teaching or choosing religious or moral education in conformity with their own beliefs or convictions, or be impelled to receive religious education against their will and no person can obligate non-believers to receive religious or moral education or believers to receive education that violates their own convictions (Contreras Mazarío 1992 and Cubillas Recio 1997).

Article 10 of the Cooperation Agreements recognizes Muslim religious education as a subjective right of students that can be exercised in public or subsidized private schools, although in the latter case, this right can be subordinated to the school's own educational ideology. However, in practice, there has been little education of this type – and what little there has been is under the auspices of the Ministry of Education – since no relevant autonomous community (except for the Basque Country) has adopted any measure in this respect. Indeed, in the 2011–13 school year, the number of teachers hired to teach the Islamic religion was 46, spread between Andalucia (19), Aragon (3), the Canary Islands (1), the Basque Country (2), Ceuta (13) and Melilla (10). At the same time, according to data from Muslim communities, the Muslim student cohort

was calculated to be 281,725 children and adolescents.[31] The gap between the number of teachers and the number of students is obvious. Moreover, since Islamic education is only taught in areas administered by the Ministry of Education and not in all the autonomous communities, only Muslim students living in certain areas can study the topic. The result is not only discriminatory with regard to Article 14 of the ACCIE, but also produces a feeling of differentiation based on religion (Andújar Chevrolier 2006).

The Islamic education curriculum has been established in resolutions issued by the Ministry of Education, Culture and Sports' Directorate-General for Territorial Cooperation and Evaluation[32] and materialized in primary school manuals published by the Akal Publishing House in the series *Descubrir el Islam* [Discovering Islam], financed with the assistance of the Foundation for Pluralism and Coexistence. In March 2016 the curricula for Islamic religion in secondary schools were reformed to include materials that discuss issues like extremism, fundamentalism, radicalism and terrorism. These terms appear in the fourth year of compulsory secondary school for 16-year-old students in the second block on human dignity, liberty and inviolability.[33] Measurable objectives include: (a) learning about, identifying, analysing and classifying sectarian movements and totalitarian currents including religious brotherhoods, sects, divisions, types and origins; (b) evaluating the existence of cultural constructions and innovation as well as pernicious and distorted interpretations with respect to the law in the Quran; (c) learning about and evaluating the

31 Data from the *Observatorio Andalusí* 2015 available at: http://ucide.org/sites/default/files/revistas/estademograf15.pdf.

32 See three resolutions issued by the Directorate-General for Territorial Cooperation and Evaluation: Resolution of 14 March 2016 on the curriculum for Islamic religion classes in primary schools (*BOE* No. 67 of 18 March 2016); Resolution 26 November 2014 on the curricula for Islamic religion classes in primary schools (*BOE* No. 299 of 11 December 2014); and Resolution of 14 March 2016 on the curricula for Islamic religion classes in secondary schools (*BOE* No. 67 of 18 March 2016).

33 For the first year of secondary school, this new block focuses on an analysis of this 'deviation' as an un-Islamic, manufactured phenomenon, criticizes 'overstepping' in religious practice and uses the contents of Islamic texts to 'prevent the accumulation of hate'. In the second year of secondary school, the material is designed to teach students to learn to 'tolerate criticism and even negation' of their religion and analyses how religious freedom can be integrated into social life, including complex concepts like the 'margin of appreciation'. In the third year, this block focuses on migration movements. The student is taught to respect emigrants and 'understand the international right of the state to safeguard its borders'. At the same time, students are taught to define homophobia, anti-Semitism, Islamophobia, xenophobia and racism, 'analysing the common feature of intolerance and respect' and studying marriage from the perspective of rejecting misogynist violence.

definition of criticism, differentiating between use, abuse and the misuse inherent in fanaticism and analysing the lack of humanism, respect for others and peaceful resolution of conflicts in the use of fundamentalist oral language, recognizing and explaining anti-social conduct and analysing its motivations and justifications; (d) evaluating Islam as an inclusive entity that fosters coexistence; (e) learning about social factors that can influence radicalization; (f) recognizing and analysing the personal and social need to identify when radicalization becomes violent radicalism, evaluating young people as a risk group and the importance of early prevention against violent radicalism; (g) learning about, analysing and discussing anti-social phenomena and formulating hypotheses to evaluate and detect processes of violent radicalization; (h) defining terrorism and showing familiarity with the bibliography, including audiovisual and communication and information technology sources; (i) understanding damage to victims, attacks on values and principles and express criminality; (j) learning about and analysing the reactionary externalization of radicalization and signs of attraction to violence, making evaluations and differentiations from conviction, conscience and the public aspect of religiosity without stigmatizing; (k) reacting to terrorist acts by using preventative strategies; (l) learning about, analysing and explaining genocidal, inhumane and vile acts and war crimes and esteeming constitutional values of equality before the law without discrimination based on religion, race, gender or social or personal circumstances; (m) describing and analysing the educational and preventative aspects of social networks in the National Strategic Anti-radicalization Plan, with high levels of detection; (n) evaluating the actions of the state and government to protect the citizenry and guarantee freedoms in the face of any violent activity or act; and (o) raising awareness of the global phenomenon of international terrorism and being familiar with the key components of terrorist discourse.

Although the current curricula may serve as a positive element to combat fundamentalism and radicalization, none of the contents are included in curricula for Catholic or Evangelical religious classes and as a result, they cannot achieve their objectives.[34] Something assumed to help to prevent radicalism

34 Appendix II of the resolution states: 'Therefore, and considering the global presence of Islam today, this material is necessary to respond to the need and curiosity of young people and address their questions and concerns. Students are presented with an overall view of the History of Islam until the present day in a reasoned and explanatory form without conjecture or prejudice so that they can criticize, review and even adopt a reformist attitude to different problems. Most importantly, young men and women are concerned and suspicious about fundamentalism resulting from a return to fanaticism and an

risks stigmatizing Muslim students and hindering their integration and coexistence, regardless of the fact that the curricula were accepted by the CIE.[35]

The Financial/Economic Framework for Muslim Communities

The third topic, the economic framework regarding religious faiths, while included in the LOLR (Art. 7.2), is fully spelled out in the Cooperation Agreements. In this context, the most complicated question is related to 'direct' economic aid to religions from the public authorities. This collaboration can only occur in specific cases, for example as established in Article 2.3 of the LOLR: 'for the real and effective application of these rights, the public authorities will adopt the measures necessary to facilitate religious assistance in public, military, hospital, welfare, penitentiary and other institutions under its supervision as well as religious education in public schools'. Principally, the discussion of the economic framework concerning religious faiths refers to the payment of 'salaries' for ministers and the clergy. This contrasts with the situation as regards the Catholic Church, whose economic system is justified on the basis of charitable activities, educational work carried out in its schools, the need to restore religious heritage and the payment of religion teachers or priests who work in public institutions. These questions are not included in the concept of 'economic framework' when it relates to the Catholic Church, but have an independent arrangement for assistance with the Spanish public authorities.

For the other religions, Art. 2.7 of the LOLR says of religions granted *notorio arraigo* and inscribed in the Registry of Religious Entities that 'always

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emotion-based restructuring, in which radicalization is visibilized and extremist violence apparent, and the knowledge acquired in the classroom on violent radicalism alone will not be sufficient to efficiently prevent the effects of this'.

35 Another counterproductive measure vis-à-vis its design is the Anti-Jihadist School Project proposed in Catalonia, in which teachers are expected to monitor other teachers and students regarding their clothing or changes in habits. This turns schools into 'police' spaces, which undermines the aims of education. Indeed, this is the position argued by the teachers: 'Los profesores desaprueban el protocolo contra el yihadismo': "No queremos una escuela policial"' at http://www.elmundo.es/sociedad/2016/03/29/56fa563e268e3e751e8b45e3.html.

The Ministry of the Interior has also set up a website (www.stop-radicalismos.es), a phone number (900822066) and an app (alertcops) to combat Jihadism with anonymous reports on citizens who may have become radicalized, making 'police' out of the entire citizenry. On this measure, see 'Una web, un teléfono y una app contra el yihadismo', at http://www.lne.es/espana/2015/12/04/web-telefono-app-yihadismo/1851111.html.

respecting the principle of equality, the tax benefits provided for in the general legislative framework for non-profit entities and other charitable groups can be extended to those churches, confessions and communities in the agreements and conventions'. This, then, is a 'privileged' tax regime only applicable to strictly religious activities performed by religions, i.e. any tax exemption must be directly related to the exercise of fundamental law and must be interpreted and cannot be applied, even indirectly, to non-religious activities.

This is reflected in the tax system for the religions that signed the Cooperation Agreements. First of all and with regard to the Catholic Church,[36] a number of benefits and tax exemptions are established: estates, donations and property transfers, real estate, income, etc., all of which go far beyond what is established not only for non-profit entities, but also for other religions, bearing in mind that the agreements also establish a system of economic assistance to the Catholic Church if it is unable 'to obtain the sufficient resources to meet its needs by itself'.[37]

Regarding Islam, Article 11 of the ACCIE establishes that with regard to strictly religious activities, Muslim communities who form part of the CIE 'will have the right to all tax benefits that Spanish tax regulations concede at all time for non-profit entities and, in any event, to those that are conceded to private charitable foundations'. The religions that signed the Cooperation Agreements are not liable for tax, since technically they do not engage in tax-generating activities. Their income comes from worshippers in the form of collections and donations free from corporate tax as well as religious publications that are free for the faithful and religious or theological education in religious schools. Finally, the Muslim communities in the CIE are also exempt from paying special contributions and their religious spaces, such as housing for their ministers, are free from property tax.

Additionally, in 2005 these religions began to receive subsidies from the Foundation for Pluralism and Coexistence for projects related to education, culture and social integration. The creation and constitution of this foundation in 2004 involved a radically different plane, not only from the perspective

36 Ratification instrument of 4 December 1979 of the Agreement of 3 January 1979 between the Spanish state and the Holy See on economic affairs (*BOE* No. 300 of 15 December 1979). Complete version in English at://www.religlaw.org/common/document.view.php?docId=6157.

37 See Art. 11 of the Agreement on Economic Affairs. At this time, the system is structured around a tax model through the establishment of a percentage of personal performance in the personal income tax code (IRPF). This percentage was fixed at 0.7 per 100 of the entire amount of the IRPF and requires the contributor to expressly manifest their will regarding the recipient of this percentage (Torres Gutiérrez 2014).

of assisting religions, but regarding economic assistance to religious groups. The model was entirely new and different in that it combined two particularly important elements of the relationship between the Spanish state and religious faiths: (a) a lack of direct financing of the religion from the state; and (b) public control over the financing and economic regime of the foundation. These two elements are particularly significant from the point of view of a secular state and the perspective of a democratic state of law.

The economic and fiscal regime of the foundation relies on a democratic political system that makes it possible to control the recipient of its funds as well as money from individuals, which provides security, publicity and transparency close to that of a state of law. The foundation's submission to the state General Intervention Board and forwarding of its accounts to the Court of Audits becomes not only a way to control expenses but also a way to safeguard the security of the state. Equally influential are the fiscal incentives established by law in this respect: a special tax regime that is justified by the foundation's aims and its non-profit status (Contreras Mazarío, 2007). The foundation, in turn, must have a social purpose and serve as a mechanism to promote equality and measures to advance the full integration of religious minorities in Spanish society, disseminate their culture and educate and train them. The principle of equality also demands that everyone be able to enjoy educational, cultural, social and economic opportunities without discrimination and that the public authorities guarantee equal treatment and opportunities for all groups and individuals in Spain.

Financing for Spanish Muslim organizations comes from the Foundation for Pluralism and Coexistence via two different programmes. The first, devised to finance programmes to strengthen and coordinate institutions with the communities, is only available to the two member federations that signed the Cooperation Agreements in an attempt to provide them with economic support and bolster their institutionalization through improving their representation and coordination functions. The second programme provides funds for social integration, cultural and educational activities carried out by the religious communities, which are again, in principle, the signatory federations.[38] However, an analysis of the dispersal of the funds reveals that the concept of religious community has been interpreted flexibly; the section on beneficiaries and applicants for assistance lists not only religious entities and communities but also congregations and places of worship, showing that the foundation has chosen to accommodate the distinct and individual status of the three

38 Over the course of ten years (2005–2014), Muslim communities received €6,945,263.41 out of the €15,469,324.97 that the foundation disbursed through its second programme.

different religions. The subjective nature of the fund dispersal is amplified by the fact that the communities in these three religions have the opportunity to request funds from the foundation even if they do not belong to the corresponding federation, as long as they comply with the funding requirements, are endorsed by a federation and are inscribed or are pending inscription in the Registry of Religious Entities.

Islamic Religious Holidays and the Weekly Rest Period

Issues related to the weekly rest period and religious holidays are addressed in Article 12 of the ACCIE and Article 2.1 of the LOLR. With regard to the former, as a general rule, the Workers' Statute establishes Sunday as the day of rest (Art. 37.1 of the Workers' Statute), adopting the day of rest observed by the Catholic Church (Art. III AAJ), although this is now a secularized practice. However, since there are no longer any justifications for Sunday to be the day of rest instead of any other day of the week, this represents a purely discretionary decision on the part of the public authorities. Article 12 of the ACCIE establishes that Muslim citizens in Spain have the right to stop working on Friday from 1:30 p.m. to 4:30 p.m. and end the workday one hour before sunset during Ramadan.

With regard to religious holidays, Article 37.2 of the Workers' Statute stipulates that 'workday holidays, which are remunerated and non-recoverable, cannot exceed fourteen a year, of which two will be local' and that 'in any case, the following national holidays are observed: Christmas Day, New Year's Day, 1 May as Labour Day and 12 October as the Spanish National Holiday'. According to Article 12 of the ACCIE, Muslims can theoretically replace some of the established holidays with those contained in the pact-based regulation, also remunerated and non-recoverable, as long as the parties agree to do so. However, in practice, this has been neither simple nor supported by the public authorities in any real way. In the work environment, such requests generally come from different collective bargaining agreements and operate on a company-wide or sectoral level,[39] since achieving an accord of this nature at national level is

39 See the collective agreement of the fieldwork sector in the Autonomous Community of the Balearic Islands, published and inscribed in a resolution from the Directorate-General for Occupational Health and Labour of 4 February 2003. Article 24 establishes that 'workers who, because of their religious ideas, celebrate different holidays to those of the labour calendar with a maximum of two days a year, for example, the 'Lesser Eid' [Eid al-Fitr] and the 'Festival of the Lamb' [Eid al-Adha] are eligible for one non-remunerated day off

difficult, given the general lack of sensitivity towards the issue on the part of both business owners and unions.

These provisions also apply to local and autonomous community holidays. Section 4 of Article 37 of the Workers' Statute establishes that 'within the annual limit of fourteen holidays, autonomous communities can substitute their own traditional holidays for the national holidays set forth in the regulations'. Indeed, the autonomous cities of Ceuta and Melilla[40] have established the Festival of the Lamb (also known as the Festival of the Sacrifice), Eid al-Adha/Eid al-Kebir, as their own holiday, reflecting and visibilizing the population living in those cities. However, this option is more complicated in other autonomous communities, although not so in other municipalities.

The significance of these regulations varies depending on where they are applied: (a) the workplace; (b) schools; or (c) the public sphere, although only with regard to the various examinations administered by the state. In the workplace, the question of holidays is approached from a negative position, as they will not result in a change of contract or alter contract conditions. With regard to the weekly rest, if a Muslim worker expresses his or her religious affiliation upon accepting a job, this can imply recognition of the situation on the part of the business owner, while the most appropriate framework for action regarding holidays is clearly collective bargaining. Muslim groups should incorporate these holidays into the collective agreements with their companies if they wish to celebrate them fully and with a minimum of problems.

In schools and universities, on the other hand, Muslim students have a true recognized right both to weekly rest and to celebrate expressly recognized holidays either alone, with their parents or with their guardians. The only limit

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that coincides with the date of the festival. Likewise, during the month of Ramadan, the workday can be unbroken'. Similarly, the collective agreement of the hostelry sector in the autonomous city of Ceuta for 2002 and 2003 stipulates that 'in accordance with Organic Law 7/1980 of 5 July on Religious Freedom and the Cooperation Agreements between the Spanish state and the Islamic Commission of Spain of 28 April 1992, holidays and commemorations listed below that are religious in nature according to Islamic law can replace any national or local holiday and are equally remunerated and non-recoverable. This petition will be made by worshippers from the Islamic communities in Spain and operate under the general assumption that the holiday exchange will take into consideration the needs of clients. The Day of Eid al-Fitr celebrates the culmination of the Ramadan fast. The day of Eid al-Adha celebrates the sacrifice of the Prophet Abraham'. Finally, the collective agreement with the bakery sector in the autonomous city of Melilla of 2004 stipulates in its Article 26.5 that Eid-al Kabir (Eid al-Adha) is a non-working holiday.

40 Agreement of the Governing Council of 26 September 2014 regarding the approval of the labour calendar for 2015.

to this right is public order, although the holidays can only be celebrated in schools supported by public funds, whether public or private. This means that except for absolutely exceptional cases, their recognition and exercise is guaranteed and factors like, for example, internal organization cannot be invoked to limit them. However, as noted above, this regulation does not establish how absentee hours are to be compensated and, more importantly, what happens when the religious practice coincides with an examination. Presumably, in this case, the student will be given an opportunity to take the exam on an alternate day or time, as when the absence to due to other causes such as illness. But there is no guarantee of this and 'it would have been useful to deal with this question in the regulation to guarantee the possibility of sitting these exams' (Rossell, 2008).

Finally, with regard to public civil service examinations, the exercise of these rights is not truly full or, consequently, effective. As in the workplace, then, the person who wishes to exercise this right should express their religious affiliation at the time. However, unlike the workplace, in this case the examination taker is making an explicit recognition of religious belief that cannot be ignored by the public authorities (STJUE of 27 October 1976, *Prais* case[41]). However, Section 4 stipulates that 'when there is just cause', the public administration does not have to guarantee these rights. This cause most often materializes in arguments about the type of selective test being administered, the high number of people taking it, the place where it will be held or the fact that moving the exam to another day would violate the principle of equality. Regarding the last of these arguments, suffice it to say that as of today, none of the twelve articles of the Cooperation Agreements have been declared unconstitutional.

Islamic Cultural Heritage and Its Protection

One of the most interesting but less developed topics in this field is that of Islamic cultural heritage. According to Article 13 of the ACCIE, 'the state and the Islamic Commission of Spain will collaborate to preserve and foment Islamic

41 The Court of Justice of the European Union recognizes that 'if a candidate informs the authority responsible for handling religious constraints in advance that he or she cannot take the examination on certain dates, that authority should bear this in mind and attempt to avoid scheduling the exams for those dates' (legal basis 16).

cultural, artistic and historical heritage in Spain, which will be at the service of society for contemplation and study'. The article goes on to say that 'this collaboration will extend to making a catalogue and inventory of this heritage and the creation of boards, foundations and other types of cultural institutions that will include representatives of the Islamic Commission of Spain'. Equally pertinent is Section 3 from Article 2 of the ACCIE, which states that 'the State respects and protects the inviolability of archives and other documents belonging to the Islamic Commission of Spain as well as its member communities'.

These are generic precepts that express the commitment to mutual collaboration and putting cultural property at the service of society. The precepts have almost no regulatory development on either the state or autonomous community level. In that respect, unlike the situation with the Catholic Church, no specific agreements are made, perhaps because this cultural heritage is not seen as belonging to the Muslim communities. Indeed, Article 13 mentions 'cultural, artistic and historical heritage', and the terms 'Islamic' and 'in Spain', but this is a far cry from the words used in Article XV of the Spanish Association of Friends of Castles: 'in possession of'. Islamic heritage is in the hands of the state, the Catholic Church or individuals, due to various political developments in non-Catholic communities in Spain, including the fact that Muslims lacked legal personality, and consequently the right to possess their own heritage, until the enactment of Law 44/1967 (Mantecón, 1995). Moreover, the Cooperation Agreements negotiations did not consider a hypothetical return of this heritage, but merely the possibility of recovering some articles related to worship. However, given the difficulties inherent in such a transaction, the decision was made not to recognize this possibility in the text of the agreements (Llamazares 1996). The second material content in this precept is related to collaboration objectives related to the preservation and promotion of heritage to put it at the service of society for contemplation and study, including, as noted above, the creation of a catalogue and inventory of Islamic cultural property – an essential first step before taking any actions related to protecting and promoting cultural heritage – and the creation of cultural institutions that include representatives of the CIE.

Although the ACCIE does not call for the creation of an *ad hoc* joint commission to develop the precept, as the Catholic Church does this topic – especially with respect to the heritage inventory – would be under the jurisdiction of the joint commission established in the ACCIE's third additional provision (Tejón Sánchez, 2008). However, to date no stable, permanent joint commission has been formed. Finally, in addition to its cultural heritage, Islam's immaterial

contributions to Spain have been great and can be seen in the symbolic bonds of identity and belonging that root Spanish societies and, most especially, the local population.

Halal Food

The lack of legal regulations in both Spain and other EU countries has led to the proliferation of certifications of 'halal' products issued by mosques and imams, resulting in confusion and distrust among Muslim consumers. The situation changed somewhat in 1992 with the Cooperation Agreements, which included sections on the specific aspects of Islamic law, especially regarding food products prepared according to halal prescriptions, and left it to the CIE to protect the correct use of the term within the framework of industrial property law after registering the brand. This registration then allows the brand to sell, import and export these products in packages that clearly say 'Halal'.

The permission to kill animals as cited in the Quran is accompanied by rules related to food and to rearing and sacrificing animals. This is where the first problem arises in applying Article 12 of the ACCIE, since the approved way to sacrifice animals in the Quran is not adhered to by legal industrial slaughterhouses. Moreover, the butcher must be Muslim, be of sound mind and know Islamic sacrificial procedures: the sacrifice must be done after the butcher offers a prayer and the animal must be placed on his left side looking towards Mecca. On the other hand, slaughterhouses in Western countries are legally obliged to stun animals before killing them, a practice not recognized in Islam and one that would, moreover, violate halal. In the Spanish case, Law 32/2007 allows exceptions for religious reasons in Article 6.[42] Despite the hygiene conditions

42 When animal sacrifice is done according to the rites of churches, confessions or religious communities inscribed in the Registry of Religious Entities, and the obligation to stun the animal is incompatible with the prescriptions of the respective religious rite, the competent authorities will not demand that these obligations be met as long as the practices are within the limits contained in Article 3 of Organic Law 7/1980 of 5 July on Religious Freedom. In any case, the sacrifice in compliance with the religious rite will be done under the supervision of and according to the instructions of the official veterinarian. The butcher must communicate to the competent authority that this type of sacrifice is going to be carried out in order to be registered, notwithstanding the authorization established in the community regulation (Section 3).

applicable to the sacrifice and the skinning of animals for slaughter,[43] in practice ritual sacrifices must meet the following requirements established by the *Codex Alimentarius* of the Food and Agriculture Organization and the World Health Organization.[44]

An associated question concerns the guarantee of the consumption of halal food in public and private venues where Muslims are active such as the workplace, care facilities, public or private schools, hospitals, penitentiaries, military sites, etc. Generally speaking, what is at play here is the right that a person does or does not have and not a service and/or obligation of a third party or the public authorities. Muslims can eat according to their religious duties, but this does not mean that the public authorities or other third parties have the obligation to provide this type of food. However, when the person is in a position of dependence or subjugation regarding a public institution, the negative guarantee becomes a positive guarantee of a right that obligates the public authorities to remove obstacles and promote the conditions necessary so that they can exercise their right fully and effectively. In this context, in 2007 the Ministries of Health and Consumption and Education and Science in some autonomous communities implemented the *Perseo* programme to promote healthy living habits among students. As part of the effort, they drafted a 'General Guide for School Menus' that emphasized incorporating menus adapted to the needs of

43 See Law 32/2007 of 7 November on the care of animals, their use, transportation, experimentation and sacrifice (Arts. 5 and 6); and Royal Decree 147/1993 of 29 January establishing the health conditions for the production and sale of fresh meat (partially modified by RD 315/1996 of 23 February) (Art. 4).

44 The *Codex Alimentarius* commission is responsible for applying the FAO/WHO programme on food regulations, designed to protect the health of consumers and ensure fair practices in food commerce. The *Codex Alimentarius* is a compendium of food regulations accepted internationally and presented uniformly. The rite must comply with all the characteristics specified above and there can be no 'adaptations to taste' since the exception is only for a religious rite that meets those conditions: Bovines can only be sacrificed as a religious rite if the appropriate mechanical equipment to immobilize them is available (Appendix B, Royal Decree 54/1995); visceration must take place quickly after the animal's death; the cutting zone must be thoroughly purged; the pretext that the edge is perfect cannot be used to circumvent sterilization of the blade at 82° C; the area must be exhaustively cleaned before each new sacrifice; the viscera to be consumed must not be insufflated; religious butchers must have proper accreditation as food handlers; the health stamp must always be visible and the economic operator who sells the meat obtained from one of these rites must at all times be able to trace it. General directives for the use of the term 'halal' established by the *Codex Alimentarius* commission at its 22nd session (1997), available at: ftp://ftp.fao.org/docrep/fao/005/y2770S/y2770S00.pdf.

people with allergies and food intolerances and also religious restrictions, with an appendix listing the dietary characteristics of Jews, Muslims and Hindus. Another initiative of this type was promoted by the Government of Catalonia's Department of Education and Health, which published the 'Healthy Food for School' guide to provide schools with recommendations for planning and evaluating their menus, including a proposed weekly programme of adapted menus (meatless, pork-free, etc.).

For penitentiary institutions, Organic Law 1/1979 of 26 September on prisons stipulates in its article 21.2 that 'the administration will provide inmates with food controlled by the doctor, conveniently prepared and that complies with hygiene and dietary regulations in quantity and quality'. The law then clarifies that the meals must bear in mind 'the state of health, nature of work and, to the extent possible, philosophical and religious convictions' of the inmates and also guarantees their water supply. Section 1 of the current Organic Law stipulates that 'all penitentiary establishments will have and comply with a timetable', but Section 2 says that 'the timetable will guarantee the inmates eight hours a day for night-time rest and will meet their physical and spiritual needs, offering treatment sessions and cultural and training activities'. The second article allows room for ritual fasting by inmates as stipulated in Royal Decree 190/1996 of 6 February approving penitentiary regulations.

One last general initiative developed by the Foundation for Pluralism and Coexistence was the publication of a guide to religious diversity: 'Support Guide for the Public Administration of Religious Diversity and Food'.[45] This guide, written essentially for public administrations and the directors of public institutions, provides practical tools for the daily management of religious observance regulations related to food. The guide also discusses the legal framework and provides information on halal and kosher food, Islamic and Jewish sacrifice rituals, the position of the Seventh Day Adventist Church on food and the ritual fasts of different religions. The last chapter makes recommendations for butchers to adapt to ritual sacrificial needs and match school menus to the religious observance regulations of their users.

Finally, as a consequence of the transfers received from the state administration, in 1998 UCIDE signed a collaboration framework agreement with the Community of Madrid[46] that established in its Clause 3.e the possibility of 'providing halal food in public hospitals, nurseries and assistance centres

45 Available at: http://www.observatorioreligion.es/upload/53/88/Guia_alimentacion.pdf.

46 Resolution of 12 March 1998 of the Ministry of the Presidency's Technical Secretariat-General on the Agreement between the Community of Madrid and the Union of Islamic Communities of Spain.

in the Community of Madrid where the number of Islamic users is high upon their request'. However, this clause has not yet been drafted into legislative form in Madrid.

Conclusion

This study of the current situation of Islam in Spain from a legal perspective and from the viewpoint of the alignment of reality and regulation suggests a number of final – though not exhaustive – considerations. Firstly, Spain is one of the few countries in the world that has a legal statute with Islam based on pact-based law, although it is sometimes necessary to examine the recognition of rights and the extent to which they are exercised freely and fully by Muslims. The analysis of the subject presented here suggests that much remains to be done on this front and that some legal measures need to be adopted.

With regard to Muslim communities, there is a need to further scrutinize their organization and representational model, since the increase in the number of communities in recent years has produced some distance between the existing federations and local communities. In the best-case scenario, the organizational structure is bicephalic and very recent corrections did not address this situation. As a result, deficiencies present since the very beginning of the CIE that are hampering its ability to properly implement and monitor the 1992 Cooperation Agreements and the status of Islam in Spain in general have not been overcome. Criticisms regarding representativeness coming from outside the CIE also require attention. There is an increasingly urgent need to adopt a new structure and organization for the CIE that, firstly, responds to and rallies the Muslim communities that wish to join the organization; secondly responds to the ever-greater need for representation to monitor and develop the Cooperation Agreements; and, finally, incorporates the territorial structure of the Spanish state into the structure of the CIE.

However, this situation cannot serve as an excuse for the public authorities to cease to search for tools to foster dialogue and collaboration with Muslim communities that do not mimic the tools used with the Catholic Church and other religions, but respect the organizational and representative patterns specific to Muslims. This search should consider the role played by mosques, imams and religious leaders in European societies, both within and outside the community. Mosques, for instance, are not merely places of worship – or refuge for terrorists – but rather social service centres where fundamental rights evolve, making them spaces for integration and social action. The public authorities should not only promote full dialogue with religious communities,

but also see them as recipients of economic assistance (subsidies) for integration and incorporate their leaders into forums where they can participate in the public administration at all levels.

The public authorities should especially think about the role of financing religious minorities in general and Muslim communities in particular. It is imperative for European states to rethink who or what body needs to finance religions that do not have their own material means to operate properly. Clearly, either this funding has to come from the state or a religious tax must be levied on the faithful, or third countries will have to finance the communities. While the first two options are technically difficult to apply given the principle of secularism upheld by many states, the third option is accompanied by two problems of its own: the first is the control of these funds and the second the degree of dependence that would develop between the financed community and the financing country. Of course, a complete lack of financing could lead to the marginalization (ghettoization) and social exclusion of these communities.

In order to be truly effective, integration policies must be aimed at inclusion and the active participation of minority religious groups in European societies in general and Spain in particular in order to normalize religious pluralism and not, as some fear, generate situations of social tension based on stereotypes that have nothing to do with reality. In short, there is a need for an integration of the three main concepts of equality: equality of individual civil rights, equality of group ethnic rights and religious equality, with the individual being at the base of each and every one of these human rights.

In this respect, as well, host societies and states cannot invoke or establish reciprocity provisions in the recognition and guarantee of the rights that comprise religious freedom, since this content must be protected and promoted by states as an integral part of the very concept of being a human being. Consequently, inasmuch as basic human rights cannot be subject to these provisions, neither can they be renounced by their holders. These rights must be guaranteed regardless of what occurs in their country of origin; one cannot justify the possible violation of a fundamental right by a host country on the basis that these rights are violated in the country of origin, since the violation of the right equally affects the nationals of the host country and those of the country of origin. The acceptance and application of reciprocity provisions puts the host country in the same position as the country of origin and therefore in a country in which fundamental rights are violated, whether with respect to nationals or non-nationals, citizens or non-citizens. All people are equal holders of a fundamental right that belongs to human beings as such and not because of their status – or lack thereof – as citizens or nationals of a state.

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CHAPTER 3

A Diachronic View of the Spaces of Islam in Melilla

Óscar Salguero Montaño

From the First Colonial Traces to the 1980s[1]

Melilla is a Spanish autonomous city located on the Mediterranean coast at Cape Three Forks in North Africa. This 12.3 km^2 city is located in the Rif region and borders the Kingdom of Morocco. The official population of Melilla in 2015 was 85,584, comprising several ethnic, religious and cultural groups, the two largest of which are (a) inhabitants from the Iberian Peninsula who are largely Catholic; and (b) the indigenous population from the Rif area who are largely Muslim. From a cultural and linguistic point of view, the two groups form a Spanish-Amazigh city since Tarifit (Riffian Berber, a variant of Tamazight) is the mother tongue of almost half the city's citizens, who also speak Spanish. As a strategic point on the Mediterranean, Melilla took shape geopolitically, fought over by Spaniards and Portuguese in the fifteenth century and then claimed by Muslims at different times in the eighteenth and nineteenth centuries. During the twentieth century, at which time it was already an important commercial port, the city became a key military stronghold serving as the site of the fascist military uprising on 17 July 1936, beginning the Spanish Civil War that resulted in the 40-year-long Franco dictatorship.

The existence of Melilla, just like Ceuta, the other Spanish city on North African territory, makes it impossible to think of Islam as something alien to contemporary Spanish history, since relations between the Spanish state and North Africa have been maintained for centuries since the expulsion of the Muslims from the Peninsula (Salguero Montaño 2013: 301). To a certain extent, the Spanish Islam of today owes a debt to the first organizational experiences around the Islamic religion and culture that took place in the Riffian city, especially in the twentieth century.

1 The research for this chapter was done as part of a general investigation into religious diversity in Melilla and Ceuta sponsored by the Foundation for Pluralism and Coexistence and directed by Rafael Briones Gómez, University of Granada, which produced the monograph *Encuentros. Diversidad religiosa en Ceuta y en Melilla* (Briones Gómez, Tarrés Chamorro and Salguero Montaño, 2013). In writing the chapter, I critically analysed most of the notes and audiovisual material from the fieldwork done from 2009–10 and reviewed the subsequently published related literature.

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It is possible to find both material and immaterial traces of Islam in Melilla, especially beginning in the late nineteenth century, thanks in large part to the favourable atmosphere created by the deployment of Spanish military and colonial power in some North African countries. After the First Melillan campaign (1893–94), some small settlements that could be called Amazigh (Mantelete, Poligono and Alcazaba) (Moga Romero 2000: 179–206) appeared in the first neighbourhoods outside the town walls and beyond the fortified areas. The Mantelete mosque, for example, dates from this period. Built adjacent to the fortress walls from which the city of Melilla la Vieja began to expand, the mosque is believed to have been built around 1870 by Muslim tradesmen living in the seaside neighbourhood of the same name. In the early twentieth century, the Muslims in this neighbourhood assembled at a souk or open market nestled near the covered market (Salguero Montaño 2013: 301–348).

The dynamics of Melilla's urban expansion during these years were tied to the military campaigns of 1860 and 1909, through which Spain increased its zone of influence in North Morocco, and then again during the Spanish Protectorate (1912–1956). Thanks to this favourable political situation, the urban limits of Melilla were extended considerably from the small area occupied by the old citadel to its current twelve square kilometres. By the time the Spanish Protectorate came to an end in the mid-twentieth century, Melilla had become an important commercial port and military stronghold. This economic growth was accompanied by a series of transformations in the city's population. For instance, during the years of the great Riffian famine, a large segment of the population living in the Moroccan territory near the Rif settled in Melilla, most of whom were former soldiers, the 'indigenous forces' who had fought alongside the troops of General Francisco Franco during the Spanish Civil War (1936–1939) who the local and national authorities allowed to settle in Melilla (Moga Romero 2000: 128).

The 'Historic' Twentieth-Century Mosques and the Instrumentalization of Early Islamic Association-Building

In the face of the emerging presence of Riffians and Muslims, the military government began to make a series of concessions to facilitate religious practice for the Muslim troops. The Buen Acuerdo (also known as Bacha) Mosque in the Barrio Tesorillo[2] was planned at the turn of the century and designed by the artillery captain and founding journalist of *El Telegrama del Rif*, Cándido

2 Melilla is subdivided into a large number of *barrios* or neighbourhoods.

Lobera, and the director of the *El Correo Español de Orán*, Manuel Cañete. This episode may well be the first example of Muslim organization in modern Melilla. Local historian Francisco Saro Gandarillas described a commission of Muslim tradesmen created at that time to support Lobera's project, although the mosque was not inaugurated until October 1927. This same group was also behind the decision to fire the Camellos cannon from a high point in the city during the month of Ramadan to mark the end of the day and fast period, as well as the establishment of a Muslim cemetery. Until that time, burials had taken place in the Sidi Guariach cemetery along the border between Melilla and Morocco, within a zone considered informally neutral by both Spain and Morocco (neither country had made claims to the land). However, the matter was unresolved at that time.[3]

After the first mosque, the Zawiya Aloiua Mosque was constructed in the Cerro de Palma Santa and inaugurated in 1933. Here Sidi Muhammadi Belhach Tahar, the direct disciple and later delegate of Ahmad al-Alawi, the founder of the Sufi Darqawiyya Alawiyya order, a branch of the Darqawi Shadhili tariqa, passed on what he had learned from his teacher in Algeria from the 1920s–40s. Despite the fact that Sidi Muhammadi was held in the Rostrogordo and Monte Maria Cristina prisons due to his connection to Sufi brotherhoods, which were hostile to colonial intervention, Spanish King Alfonso XIII freed him and allowed him to preach in the Zawiya Mosque. Upon his death in July 1946, his son Hach Mimon Sidi Mohamedi Hach Tahar continued in his father's steps, taking responsibility for the building where his father is allegedly buried. Sîdî Muhammadi began to organize Sufi encounters that continue to be held today, receiving visits from some 2,000 pilgrims from all over the world every year who give thanks to God for the harvest and ask for his forgiveness for their misdeeds of the year.

In 1937, as the Spanish Civil War raged, the Muslim Community of Melilla was constituted to promote Islamic religious organization and social activities. The project was the idea of a Riffian serviceman at the service of Franco, Mohand Mizzian Belkazen, who was used by the authorities as a tool to control and organize the Muslims in the city (Planet 1998: 87). The idea of constructing one of the most emblematic houses of worship in Melilla, the Central Mosque, also arose in the middle of the Spanish civil war. Built on García Cabrelles Street –'a gift from Franco in 1939' according to a source – the building was placed under the management of the High Commission of Spain in Morocco.

3 For a detailed study of the Buen Acuerdo Mosque, see Francisco Saro Gandarillas, 'La Mezquita del río' [02/02/10] (http://melillense.net/paginas/historia/saro) in the digital edition of *El Periódico Melillense*.

Enrique Nieto, a modernist architect and local leader, designed the building and it soon became a classic example of local neo-Moorish architecture. The mosque was, then, a building devised for Muslims following the Protectorate's logic of awarding collaborators with the Spanish administration, with the particular quirk that it was built in a city that was and would continue to be Spanish after Morocco won its independence in 1956. This mosque was almost fully reconstructed in 1994 and the resulting structure bears little relationship to the original design according to sources.

For a long time, the *jama'a* – religious communities organized in houses of worship – and the other two groups discussed above were the only formal signs of Islamic organization in the city, as there were very few Muslims organized around their religious faith (Salguero Montaño 2013: 306). No new association or house of worship was formally registered in the city until November 1968, when the Muslim Association of Melilla was inscribed in the Spanish Ministry of Justice's Registry of Non-Catholic Religions, still under the mandate of Franco. This inscription was the second in Spain and took advantage of the new timid development of religious freedom in Law 44/1967 on Exercising the Civil Right to Religious Freedom.[4] Four years later, the Melilla association became part of the first Spanish national Islamic organization, the Muslim Association of Spain. Since its founding this group has been led by Sid Driss Abdelkader, the son of another important Riffian serviceman who fought on Franco's side. The association was also concerned with religious matters and its statutory objectives included 'representing the community in its relations with city authorities and bearing the costs of the Central Mosque' as well as searching for other subsidiary resources to help administer and maintain the institution (Belmonte 2010: 47).

The Settlement in Melilla of the Riffian Population and the Military Impact on Urban Management

A burgeoning and increasingly important Riffian and Muslim presence beginning in the late nineteenth century was reflected in municipal censuses, although these data are not exact, given that most likely only a minority of Muslims living in Melilla were included in the census. The detailed sociodemographic analysis of Melilla's municipal census by Planet shows only one

4 A few days earlier, on 15 October 1968, the Zaouia Musulmana de Mohammadia Mosque in Ceuta, the other Spanish city located in North Africa, became the very first mosque to register in Spain.

Muslim registered as a resident in the city in 1884, followed by an arithmetic growth trend during the Protectorate with 6,277 counted in the 1950 census (8.2% of the total population) and 12,753 in 1965 (17.8% of the total) (Planet, 1998: 31). These numbers, combined with the estimates of 'irregular' entries, shed doubt on assertions that the growth of the Muslim population in the city coincided with the arrival of Spanish democracy in 1978. As Belmonte has shown, '43% of Muslims not born in Melilla settled in the city between 1940 and 1956, the year of Moroccan independence', as opposed to 8.1% between 1980 and 1984 (Belmonte 2010: 38).

The transition to democracy that began in Spain in November 1975 with the death of Franco, the first democratic elections in 1977 and the approval of the Spanish Constitution of 1978 in a referendum all had a great impact on Melilla. The passage of the law on the rights and responsibilities of foreigners in Spain – known as the Immigration Act – in 1985 caused major social upheaval in Melilla as a significant segment of the city's inhabitants protested the act. At the time, the National Statistics Institute put the number of Muslims at 17,824: a young, slightly predominantly female population, largely born in the city (Planet, 1998: 23–41). Belmonte cites a higher number, around 30,000, according to 'non-official sources' like the Caritas catholic social service confederation and other independent organizations (Belmonte 2010: 34). He also notes that Minister of Foreign Affairs Fernando Morán (1982–85) asserted that the government's numbers were systematically manipulated by the authorities so as not to alarm the public, a reaction to the syndrome known as the 'march of the tortoise' (the supposed infiltration of Ceuta and Melilla by Moroccans) (Morán López 1980).

This demographic expansion of the Muslim population and its progressive visibilization gradually marked the urban landscape, much as the military contingents and Berber[5] merchants had done during the first half of the twentieth century. The result was the overlapping of up to twenty-six neighbourhoods that occupied useful urban spaces located between border, airport, port and military easements. At this time, the influence of Muslim urbanism can be seen, for instance, in the neighbourhoods of Medina Sidonia, General Larrea and Ataque Seco (filling empty lots between early – now abandoned – fortifications), the Barrio del Carmen, Barrio Hebreo (Jewish Quarter) and Cabrerizas Bajas (erected next to large garrisons built during the early Spanish Protectorate that continued to operate) and, especially, in the large

5 The term 'Berber', from the Arab *barbr* or barbarian, is used to group all the Berber ethnic groups (Kabylians, Chleuhs, Riffians, etc.). Its use is common in Morocco and Algeria, although in the mid-twentieth century, the indigenous term 'Amazigh' began to be used.

neighbourhood of Las Cañadas (or the Cañada de la Muerte, also known as the 'Muslim Neighbourhood'),[6] which includes the shanty-towns of Reina Regente and Batería Jota on the north slope – or, rather, escarpment – adjacent to the carefully designed Virgen de la Victoria neighbourhood (Ponce Herrero 2010).

It was in this urban landscape that the foreign-born, Berber-speaking population – whose right to stay in the city was called into question by the Immigration Act – lived during these years in three areas: Cañada de la Muerte, the Cuernos neighbourhood and Monte Maria Cristina. The first two lacked even minimum living conditions: 'no running water, sewer system, roads or sidewalks, with wastewater running down the surface of steep alleyways'; street lighting did not appear until 1983. La Cañada, which had an estimated population of more than 3,000 Muslims at the time, was the result of some early, insecure transfers of military land to former Civil War combatants (Belmonte 2010: 43–44). With the passage of time, constructions as unstable as the land transfers they were built on evolved into consolidated urban settlements on extremely steep hillsides subject to military easement rules (Ponce Herrero 2010). The military authorities 'could order any building to be torn down at any time' and even as late as 1985, the Spanish government considered them 'unregistered' homes (Belmonte 2010: 44).

In the entire urban area of the city, beyond the limits of these Muslim suburbs, there was a housing shortage of more than 5,000 homes at this time. One report drawn up by then Provincial Director of Public Works Jesús Morata attributed the lack of new buildings to the need to request permission to acquire a home in the city from the Council of Ministers in Madrid, permission that was usually denied when the petitioner had an Arab surname. Also to blame was the insecure status of Spain's future in the city, a feeling that always lurked in the background in Melilla for at least most of the twentieth century. In his travel book *From the Rif to the Jebala: A Journey into the Dream and Nightmare of Morocco*, for instance, Lorenzo Silva explains that at the beginning of the century 'when Spanish imperialism in Morocco was at its height, rents were high enough that owners could pay off their property in four or five years', since nobody could securely count on having a longer period to recover their money, given the threat of a hypothetical loss of Spanish sovereignty over the city (Silva 2001: 17). Persons of Moroccan origin, whether undocumented or insufficiently documented as established by the Immigrant Act, were also prohibited from leasing, which produced an out-of-control situation 'of transfer arrangements,

6 The 2005 Land-use Plan for Melilla expressly uses the term 'Muslim neighbourhood', explaining that the area 'emulates the conditions associated with the northern Maghreb, such as randomly unplanned blocks and an irregular layout with scarcely any transport system'.

rental intermediaries and abuse'. As a result, nearly '68% of Berbers lived in unsatisfactory conditions, often overcrowded in sub-standard housing'. The public housing situation, in turn, was even more discouraging; 'of the more than one thousand units administered by the Ministry of Public Works and Urban Development, only five were awarded to Spanish residents of Melilla of Berber origin' (Belmonte 2010: 43).

In short, the situation in Melilla was one of an almost feudal urban management model rife with irregularities that produced spatial segregation, the deterioration of some areas, widespread sub-standard housing and the self-serving use of land by some local elites. At the same time, it was the cradle of a campaign to bring dignity to Berbers/Muslims and to cultivate an Islamic association movement in Melilla.

The 'events of 1985–87': The Origins of the Transformation of Local Public Space and the Configuration of Future Islamic Associations

The socioeconomic and political conditions of Berbers as a group in Melilla, then, did not reflect the rule of law and principles. Equality before the law and the prohibition of discrimination established in Article 14 of the constitution, for example, did not appear to have reached the Riffian city, especially when the first governmental measures against this population were enforced in 1982, the 'Margallo Act'[7] to reform Article 22 of the Civil Code, which established the possibility of denying Spanish citizenship for reasons of public order or national interest. In Melilla, this legislative reform led the political class to close its ranks in order to 'cut off the flow of nationalities' for the sake of public order since 'the abandonment of Western Sahara had been perceived as a prelude to an Alawi assault on Ceuta and Melilla. Fear of the 'Moor' deeply permeated the collective imagination during the transition years' (Belmonte 2010: 35).

This was not an 'immigrant' population and much less a 'recently arrived' one since, as noted above, most of the city's inhabitants had settled there during the Protectorate (1912–1956). According to a study by the National Statistics Institute requested by the Ministry of the Interior in June 1986, some 70% (11,884 people) had been born in Melilla, with the remaining 29% (4,990) originally

7 José García-Margallo was a deputy representing Melilla for the Union of Democratic Centre between 1979 and 1982 (and later Minister of Foreign Affairs and Cooperation from 2012 to 2016).

from Morocco.[8] However, only 17% had a Spanish identification card, while 32.1% had what the military authorities called a 'statistics card', whose sole aim was to count the number of Berbers living on Spanish territory. The rest, an estimated 10,000 persons, were 'without papers' and 'stateless' (Belmonte 2010: 34–38). For these people, non-citizenship combined with extremely high unemployment rates and informal employment (with some groups like women being particularly underprivileged), low education levels (for example, 26.5% illiteracy above age 16 and 29.3% for Riffians older than 25) and a public health system denied to undocumented people, who, logically, had no access to private care. 'In short, in proportional terms, the Berber community was on the lowest rung of the social, economic and political participatory structure in Melilla' (Belmonte 2010: 34–38).

This collective view of the 'Moor' and the 'Other' produced very dark episodes with an extended democratic transition[9] in the city characterized by tension and the government of Morocco the regime of Hassan II coordinated the Green March to recover the Sahrawi territory administered by Spain. During the second democratic government, for example, the Central Mosque experienced one of its bleakest moments when a group of legionnaires entered and 'beat up everyone they could get their hands on', according to sources. In one of the interviews from the fieldwork that is not included in the 2013 text, a former legionnaire recounts the events:

> That's when we started burning Muslims' cars. I formed some barricades in La Cañada at the entrance, along Cuatro Caminos. We were ex-soldiers and soldiers. They killed a Spaniard, but not because of racism, it was a fight [...] I don't know why, but in those days, the situation was very heated and that was the spark. Then I got in touch with some people from the legion and we got out of the area. We started here by the little cafés [he points to the Central Mosque] and we just destroyed, destroyed,

8 See Order of 14 June 1986 on the publication of the agreement with the Council of Ministers dated 13 June 1986 on the statistical and sociological study of the Muslim population living in Ceuta and Melilla (*BOE* No. 143, 16 June 1986).

9 The Spanish Transition was the period between the 1975 death of Francisco Franco and end of his regime and the passage of the Spanish Constitution of 1978, which established a democratic parliamentary monarchy while allowing certain pre-democratic institutions and figures to continue in the national political establishment and also safeguarded a significant part of the status quo of the Catholic Church.

> destroyed…everywhere…where we knew these men could be found (former legionnaire, 23/06/2010).

Stories of the harassment and persecution of Berbers by members of the military and police corps – in turn legitimized by some civil authorities – are still told by witnesses when asked about the group's circumstances between the late 1970s and mid-1980s. The most recent literature has also begun to bring examples of this type of behaviour to light during the earliest mobilizations, writing about brutal police actions 'against women, many of them quite old' (Belmonte 2010: 71) and multiple detentions and 'thrashings' (Akalay Nasser 2014: 42). This physical violence was augmented by a more structural and historical one: a clear situation of oppression underlying the various empowerments fought for by the Berber/Muslims from this time on.

It was in this context that the first non-religious association to defend the rights of Muslim men and women in Melilla was constituted: Terra Omnium. Founded on 25 April 1985 and presided over by the Berber former socialist Aomar Mohammedi Dudú (or Dudduh El Funti) with his second-in-command Abdelkader Mohamed Ali, it soon aroused the suspicions of 'the authorities, parties and public opinion in general' (Belmonte 2010: 54), especially on 11 May of that same year when the group's senior official published an article in the national newspaper *El País* entitled 'Legalizing Melilla'. The opinion piece criticized the degrading situation of Muslims and challenged the idea that the slightest shred of integration had come about: 'Muslims are tolerated; they coexist, but the general fact is that they do not interact'. The piece also urged the administration to give Spanish identification cards to all Muslims born in Melilla or who had lived there for more than ten years, among other demands. The reactions were immediate and in less than a month, Dudú had been expelled from the PSOE.

> When the immigrant processes started, a leader emerged and the Muslim people had never had a leader before. Never. Until then the Spanish government was able to manipulate them, but then this leader appeared, named Dudú, and then…well, it turns out that this gentleman was applying constant pressure and the Spaniards were really scared; women didn't leave their homes (former legionnaire, 23/06/2010).

It was during this time that the passage of the first Organic Law 7/1985 of 1 July on the rights and liberties of foreigners in Spain was made public. Such was the effect of this Madrid-mandated law on the cities of Melilla and Ceuta that the reactions – the events of 1985–87 – were probably the most important local

political event of the second half of the twentieth century. In 1985 nearly 10,000 Berbers from Melilla, most of them born in the city, lacked Spanish nationality, while 'their legal status as residents of Spain was ambiguous. In most cases, the only documentation available to them was the statistics card' (López Bueno 2010). In short, they either had to accept the status of foreigner in their own place of birth – or where they had spent the bulk of their lives – or be expelled to Morocco, which was not their country.

The first group act was a demonstration by thousands of Berber men and women on 23 November 1985 aimed at the 'Muslims of Melilla' and convened by the ad hoc Organizing Committee of the Muslim People, whose manifesto rejected the Organic Law and called for 'Spanish nationality for all citizens of Melilla. Because we are all citizens of Melilla', in the words of their slogan (Planet, 1998: 90). As one activist described it, 'For the inhabitants of Melilla, the 1980s movement was a turning point; Melilla went from being a military city to a city that started to build its own civil network' (activist in the 1985–'87 demonstrations, 25/03/2010).

Terra Omnium was followed by the Muslim Community of Melilla Group, founded in November 1986 under the leadership of Mohamed Ahmed Moh, known as Yimmi, who 'was approached by Government Delegate [Andrés] Moreno, who was looking for the support needed to successfully legalize the Muslims in the city in accordance with the new law'. The other two socio-cultural associations in the city, to some extent the heirs to Terra Omnium were: Averroes, created in September 1987 and presided over by Uariachi Mohamed until Abdelhadi Mohand replaced him in 1998, and Neopolis, founded in November 1987 and led by Abdelkader Mohamed Ali, Dudú's deputy in Terra Omnium (Planet, 1998: 104–105). This, then, was the basic organizational structure for local Islamic associations in Melilla for years – almost up to the present day – including their affiliations and latent religious rivalries (Salguero Montaño 2013: 306).[10] Furthermore, two facts quickly became clear: the inability of political parties 'to later absorb, in the 1990s, the group of young leaders and enthusiasts who emerged from the 1985 mobilizations' (Mohatar Marzok 2010: 20–21) and the significance of the independent group action of 'Christian' political parties as shown by Terra Omnium, a civil organization led by a socialist literally in defence of 'Muslims'. In the following years, the recognition of

10 For a more detailed study of the differences and similarities between the representatives of the different associations in Melilla, as well as the struggles to control the Central Mosque and Spanish government subsidies for Muslim religious practices, see Fernando M. Belmonte, 'Caras Coránicas', in *Melilla Hoy*, 14/04/1994, pp. 4–5.

Berber/Muslim identity would become a demand, something reflected in the creation of a number of political parties characterized by this rallying cry:

> In the late 1980s, the politics of division promoted by the political parties that held power triumphed. […] The call to mobilize gave rise to the birth of more than a few political parties, at first ethnic in nature, claiming to be an alternative to the existing parties. The result of this dialectic among the Melillan Berbers was the Berber-Spanish Party and the Work and Progress Party, which, after the referendum years, became what is today the Coalition for Melilla, a Muslim-Berber political party represented in the Melilla Assembly since 1995 (Nayim Mohamed Ali, lawyer).
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> AKALAY NASSER 2014: 43

Preservation of the Status Quo and the Reconfiguration of Islamic Association-Building: From the Civil to the Religious

The Muslim Association of Melilla, which was aligned with Terra Omnium during the mobilizations against the Immigration Act, soon ceased to be the only Islamic religious organization in Melilla.[11] Internal feuds, which were heightened at the time, led to the creation of the Muslim Community of Melilla Group in 1986, the germ of the 1990 Muslim Community of Melilla. Both of the new organizations were represented by Mohamed Ahmed Moh, who had clashed with the Muslim Association's official line as early as 1984 when he was frustrated in his attempt to modify the statutes and, moreover, accused of having ties to the government delegate during the mobilizations. The differences between the two groups continued over time. Indeed, when the two state-level Muslim federations – the Spanish Federation of Islamic Religious Entities (FEERI) and the Union of Islamic Communities of Spain (UCIDE) – were founded in 1989 and 1993, respectively, each of the Melilla groups joined one of them, with Sid Driss Abdelkader choosing FEERI, of which he was a co-founding member, for the Muslim Association and Ahmed Moh opting for UCIDE. The decision to join the federations was a significant one, since both were part of the Islamic Commission of Spain (CIE), created in 1990 to

11 It is important to clarify that the original name as inscribed in 1968 was the Muslim Religious Association of Melilla, reflecting the organization's particular interest in all things related to the Central Mosque; however, sources say that after a short period of time, the association 'became more social than religious', changing its name in 1988 to the Muslim Association of Melilla.

intermediate with the Spanish government; this ensured that the two groups of Melilla Muslims were represented in Madrid.

The third religious entity was the Muslim Religious Council of Melilla, created in 1990 by a group of five regular worshippers at the Central Mosque who wanted to pursue activities beyond cultural endeavours in a more structured way (Planet 1997: 171–194). The leader of the new group was Uariachi Mohamed, also president of the Averroes civil association until 1998. From the very beginning, there was conflict with the other organizations for a variety of reasons, including: a dispute over inscribing the organization in the Registry of Religious Entities in September 1990 using the name Muslim Community of Melilla, which delayed the group's inscription to February 1991; a fight for control over the mosque, which led to a charge of slander, defamation and aggression during a religious celebration against Sid Driss Abdelkader's son by the Muslim Religious Council leader and Spanish Berber Independent Party president; and the administration of funeral services in the city. The council became a member of UCIDE in 1993 (Planet 1997: 187–188).

Finally, in July 1991 the Badr Religious Association was constituted as a religious entity shortly before changing its name to the Badr Islamic Association because – as the group explained in its *Report* (*1991–2001*) – 'its activity is that of a *jemaah islamiah* in the same way as many other *umma* activities, and this has been its essence since it was founded'. However, fieldwork has shown that of the four pioneer communities, Badr has most strongly emphasized religion in a broad sense – with culture being reserved for the mosques – providing private classes on Islam including basic Arabic, learning and memorizing the Quran, studying the *hadith* and *fiqh* (Islamic jurisprudence), Quranic exegesis, etc. In fact, the association's growing interest in social issues was never associated with a decrease in its religious interests. Rather, the group has fully addressed three action lines: the Islamic education of its members, *da'wah* or proselytizing Islam, and social assistance. Like the other pioneer entities, Badr also emerged from the association-building that materialized after the events of 1985–87, specifically from the Neopolis organization created in November 1987 and presided over by Abdelkader Mohamed Ali, who had participated with Dudú in Terra Omnium. After first joining UCIDE, the group decided to become a member of FEERI as a criticism of how UCIDE handled the conflict over Islamic education in Spain and the list of Islamic religion teachers in Melilla in the Islamic Community of Spain (CIE) (Salguero Montaño 2013: 319). In one of the interviews held with Badr representatives in 2010, the association was reported to have around 250 members and is one of the main actors in the attempt to reconfigure the local Muslim community's overall representative system to allow the Islamic Commission of Melilla (CIM) to organize,

consolidate and coordinate the greater possible number of Melilla's mosques and communities. Such is the intensity of these unifying efforts that, in the words of one source, 'Badr also must disappear' (Salguero Montaño 2013: 321).

The Islamic Commission of Melilla (CIM) as a Federation

Between late 1990 and early 1991 these four religious entities, along with other neighbourhood and socio-cultural groups, together administered the Melilla Muslim Community Platform, an informal (never registered) organization that may well have been one of the precursors to the CIM.[12] However, the group was around for less than a year, probably because of its narrow focus: regularizing the Riffian population in Melilla. When this work was finished, the group ceased to exist. A little later, and as a consequence of the signing of the Cooperation Agreements between the Islamic Community of Spain and the Spanish state, the Islamic Commission of Melilla (CIM) was created in Melilla, in order to 'just like its national counterpart, unite existing organizations to present a unified front to the administration'. On 20 June 1994 the four organizations inscribed the CIM in the Registry of Religious Entities as a federation to represent Melilla's Islamic religious entities legally constituted 'for the essential purpose of promoting and facilitating the practice of Islam' (Planet 1997: 183).

Since then, the CIM has been a key actor on the public stage not only with regard to religion, but also to politics and society. Despite enjoying a high degree of legitimacy among the local *ummas* and mosques, the group has nonetheless been the subject of some controversy, one example being when it decided to use the Cabrerizas esplanade for the Eid al-Fitr and Eid el-Kebir prayers (Salguero Montaño 2013: 322). These frictions are the products of internal differences of opinion based on the somewhat conflictive relationships between the founding entities. However, in recent years, dissent has come from outside the CIM, such as from the Annur Melilla Islamic Community represented by Yusef Kaddur, a merchant with close ties to the city government at the time. Other communities have simply chosen not to join the CIM, one such case being the Al-Ihsan Islamic Community, a women's organization created in 2008,[13]

12 Another early cohesive group in Melilla was the Organizing Commission of the Muslim People, created in November 1985 to channel the protests against the first Immigration Act and, later, Sid Driss Abdelkader's proposal to create the Religious Council of Mosques in 1989.

13 Due to a series of difficulties with the Parity Law, they were not inscribed in the Ministry of Justice's registry until 4 March 2011.

member of FEERI and part of the CIE's Education and Training Commission. The current CIM is the result of a statutory modification of its internal regime and the election of a new governing board in early 2010, run by members of Badr. This election, which was held in fourteen out of fifteen mosques,[14] was strongly criticized by Kaddur's organization and the Muslim Association of Melilla, which condemned the lack of a reliable census and electoral control mechanisms. According to the last recount done for this election, the CIM has 2,600 members; its president since April 2014 has been Sid Driss Mohamed, who won the election by a wide margin.

Despite being constituted as religious bodies, these five organizations have a clear social role and operate as civil associations. Indeed, the synergy of both facets creates what is one of the most characteristic features of organized Islam in Melilla. In his studies on the social and political organization of the Rif, American anthropologist David M. Hart emphasized that the Berber-speaking kabyle is a 'at once a social, economic and political' entity and equally Muslim because Islam, 'perhaps more than any other religious system, provides for its practitioners a blueprint of a near-total social order', the unity of the *umma* (Hart 1997: 14). The decision to choose religion, and not only ethnicity, seems to correspond to a general rising trend in Berber society in Melilla, which Mohatar Marzok traces back to the mid-1980s, describing it as a 'paradoxical process of religious conversion to Islam in the generation – affecting, above all, their children – that played a leading role in the events of 1985–87'.[15] This re-emergence of religious practice has taken form in the public arena and on the urban land of Melilla, as the number of both religious communities and mosques has increased considerably, as has religious participation among young men and women.

14 The only mosque that did not participate in the election process was the As-Salam Mosque in Cañada de Hidum, which ceased to have relations with other religious entities and the administration a few years ago.

15 Mohatar Marzok (2010), p. 17. One example of this trend is the case of Abdelkader Mohamed Ali, who in the late 1990s became the first Muslim MEP from Spain, representing the United Left party. During this time, he was commissioned by the European Parliament to carry out a study of Islam in Europe. This work, he says, led him to 'a personal evolution towards the postulates of Islam', which together with his activism in the Badr organization, strengthened his religiosity over the years. See the digital edition of the newspaper *ABC*: 'Hoy es peligroso ser musulmán en el mundo; se está criminalizando a todos, afirma el ex-eurodiputado melillense, Abdelkader Mohamed Alí' [25/09/2001] (http://www.abc.es/hemeroteca/historico-25-09-2001/abc/Internacional/hoy-es-peligroso-ser-musulman-en-el-mundo;-se-esta-criminalizando-a-todos-afirma-el-ex-eurodiputado-melillense-abdelkader-mohamed-ali_48921.html).

Organized Islam in Melilla Today

In a 12.3-kilometre-square urban setting, Islam shares the stamp of being the religious majority with Catholicism in terms of numbers; the groups 'are currently almost even' (Briones Gómez 2013a: 203–216). The Catholic community belongs to the Diocese of Malaga as an episcopal vicariate and has a total of nine Catholic parishes throughout the city and nine parish entries in the 'Catholic' section of the Registry of Religious Entities.

> [...] having been the hegemonic religion for many more years and formed part of the ruling political system, Catholicism has had a particular influence on customs, social institutions (educational, social and leisure) and civic culture, even for those with different religious practices and beliefs.
>
> BRIONES GÓMEZ 2013b: 217–235

Two other religions are also notable for their historical importance in the city: Judaism and Hinduism. Despite the fact that both communities have shrunk significantly in recent years, 'their cultural traces are still quite present and their initiatives still active in society as a whole. These four groups are the recognized bearers of the four cultures and religions that constitute the official religious field in Melilla' (Briones Gómez 2013: 204). They are also the four faiths with which, for the most part, the civil authorities maintain dialogues, granting subsidies and other assistance. The Jewish community is made up of the Israelite Community of Melilla (CIMEL), a religious entity dating back to 1969, six active synagogues, four educational institutions, two cemeteries (one now full and another in use), an active cultural association, Mem Guimel and an on-going presence in local public life. The Hindu community in Melilla, in turn, consists of worshippers from the Sindh region, symbolically represented by the Hindu Community of Melilla, a religious entity dating back to 1977. The group's temple was inaugurated in 1978, a sign of the social and economic importance of the incipient Sindh population at the time.

In 2010 the evangelical map of Melilla included seven evangelical religious communities with two official places of worship: the seasoned Independent Baptist Church in the Tesorillo neighbourhood and the Church of Christ in the Barrio Real. Evangelicals could also worship with the Church of Brotherly Love, the Assemblies of God New Life Centre and Living Waters From Heaven – which meets under a large circus tent in the Barrio Chino – the Evangelical Community of North Africa and the Spanish Biblical Christian Association, 'Home of the Open Book'. Five years later, two more groups had registered as religious entities: the Regeneration Evangelical Association (2012) and the

Rebirth Evangelical Church of Melilla (2013). In such a small space with a 2015 population of 85,584 inhabitants, it seems somewhat inaccurate from a quantitative point of view to characterize the local evangelical scene as a 'minority' and, indeed, the real number of followers in the movement is comparable to estimates for Jews and Hindus and some Catholic parishes.

Finally, two other local long-standing and deep-rooted groups can be found in Melilla that have not traditionally enjoyed the status of the 'four cultures'. The first is the local Baha'i group, inscribed as a religious entity and present in the city since 1962, with the support of the then-important Local Spiritual Assembly of Nador in the neighbouring Moroccan province. The second is a congregation of Jehovah's Witnesses that dates back to 1976, although organized groups first began to meet in private homes in 1970. In 2007, the current Kingdom Hall was inaugurated in the Real neighbourhood.

Islamic Associations in Melilla Today

In late 2015 there were thirteen Islamic religious entities inscribed in the Registry of Religious Entities,[16] three more than in 2010.[17] The following Table 3.1 lists them by inscription date.

All of these entities are distinct from each other, whether with regard to their level of real activity, their membership numbers or the religious current they represent. As a result, they are disparate and, when not allied, are sometimes at odds with each other. Most of the entities do not have an associated place of worship and their members are not affiliated with any particular mosque, except when noted. These are religious organizations that also serve a sociocultural purpose, but the management of cultural questions (and religion in a broader sense) is a task left to the mosque *jama´a*.

Spaces of Islamic Worship in Melilla

There are currently sixteen spaces designated for Islamic worship distributed among the various neighbourhoods of Melilla, one more than in 2010. Mapping the space reveals, on the one hand, a highly diverse scenario – both in the

16 http://www.mjusticia.gob.es (accessed 28 September 2017).

17 In 2010 there were eleven entities, but two of them corresponded to the same association, Badr, albeit under different names. Badr updated its inscription and at this time only has one entry, meaning that the number of true entities increased by three.

number of worshippers that attend each site and with regard to the particular space they occupy and their morphological and urban features – and, on the other, common elements like the Moroccan background of the imams and the legitimacy that the spaces vest in the Islamic Commission of Morocco.

TABLE 3.1 *Islamic entities in Melilla*

Association	Year	Comment
Muslim Association of Melilla	1968	Pioneer association
Muslim Community of Melilla	1986, 1990	Pioneer association
Muslim Religious Council of Melilla	1990	Pioneer association
Badr Islamic Association	1991	Pioneer association
Islamic Community of Melilla	2002	Real existence impossible to confirm after 2007
Mantelete Mosque Islamic Community	2008	Originated in the Mantelete Mosque
Annur Islamic Community of Melilla	2009	Under Muslim merchant association president Yusef Kaddur
Andalusi Muslim Community of Melilla	2009	Shadhili-Darqawi Sufi order
Abubakar Assiddiq Religious Association	2010	Until recently the only local community with ties to a mosque (Abubakar Assiddiq Mosque), though independent
Al-Hidaya Muslim Women Association	2010	Limited activity
Al-Ihsan Islamic Community	2011	Highly active socio-educationally and in Islamic and Arabic studies
El Fateh Islamic Community of Melilla	2012	
Imam Malik Islamic Community of Melilla	2012	

SOURCE: PREPARED BY THE AUTHOR

The following Table 3.2 lists Melilla's sixteen mosques, beginning with the first four built in the wake of the arrival of the Berber settlers, followed by twelve constructions from the second half of the twentieth and early twenty-first centuries.

TABLE 3.2 *Spaces of Islamic worship in Melilla*

Mosque	**Year**	**Neighbourhood/ District**	**Notes**
Mantelete	ca. 1870	General Larrea (Mantelete)/ District 1	Town centre, historic district, old neighbourhood
Buen Acuerdo	1927	Concepcion Arenal/District 6	Town centre, historic district, construction began in 1905, old neighbourhood
Zawiya Aloiua	1933	La Constitucion/ District 8	Peripheral, modern neighbourhood, north part of town, on Farhana road
Central Mosque	1945	La Paz Housing Estate/District 4	Town centre, old neighbourhood, construction began in 1890
Az-Zeituna	1950s/ reconstructed in 1986	Reina Regente/ District 5	Peripheral neighbourhood, marginal area, Muslim majority
Omar Ibn Al-Jattab	1968	Cañada de Hidum ('Cañada Alta')/ District 8	Peripheral neighbourhood, early settlements in 1920, marginal area,[a] Muslim majority

TABLE 3.2 *Spaces of Islamic worship in Melilla* (cont.)

Mosque	Year	Neighbourhood/ District	Notes
An-Najil (Palm Tree Mosque)	20th-century oratory converted into a mosque in the 2010s	Bateria Jota/ District 5	Peripheral neighbourhood, Muslim majority
Abubakar Assiddiq	Late 20th century; restored 2006	Hernán Cortés (Hidum roadway)/ District 5	Peripheral neighbourhood, Muslim majority
Ar-Rahma	1992 oratory later expanded and transformed into a mosque by its members	Sidi Uariachi Islamic cemetery/ District 8	On Sidi Guariach road, next to the Moroccan border
An-Nor (La Bola Mosque)	1994	Cabrerizas (La Bola Neighbourhood Association)/ District 5	Peripheral neighbourhood, Muslim majority
Ad-Darisa	1996	La Paz Housing Estate ('Monte María Cristina')/ District 4	Town centre, old neighbourhood, construction began in 1890,
Az-Zeguah	1996	Los Tanques roadway/District 5	Peripheral area, industrial zone
Al-Mohsenin (Real Neighbourhood Mosque)	1996	General del Real/ District 7	Peripheral neighbourhood, construction began in the 1910s, urban growth zone
As-Salam	1996	Cañada de Hidum ('Cañada Baja')/ District 8	Peripheral neighbourhood, early settlements in 1920, marginal area,[b] Muslim majority

Mosque	Year	Neighbourhood/ District	Notes
Los Pinares	2003, the only place of Islamic worship that is not located in a building originally built as a mosque, but in the basement of a dilapidated municipal building.	Los Pinares/ District 8	Peripheral neighbourhood, north part of town, modern neighbourhood
Hamza	Recent	'Monte María Cristina' / District 5	Peripheral neighbourhood, Muslim majority

a This part of Melilla, Cañada de Hidum, has no access to health, fire or even security services, which presents a risk for its neighbours. A Special Integral Rehabilitation Plan (PERI) is being developed for the Cañada de Hidum neighbourhood.

b This part of Melilla, Cañada de Hidum, has no access to health, fire or even security services, which presents a risk for its neighbours. A Special Integral Rehabilitation Plan (PERI) is being developed for the Cañada de Hidum and Regina Regente neighbourhoods.

SOURCE: PREPARED BY THE AUTHOR

The cultural landscape is completed by the Sidi Guariach Muslim cemetery, which is attached to a *morabito* (Muslim convent) of the same name, another important local Muslim plot of land dedicated to the spiritual patron of the *Iqariyen* tribal confederation. The administration of this publicly owned space has been entrusted to the local Muslim community in a series of collaborative agreements. The CIM, which currently has this responsibility, courted controversy in 2014 when it gave permission for the premises to be used as an improvised camp for Syrian refugees.[18]

18 See the digital edition of Europa Press: 'La Comisión Islámica "no tolerará" que el Cementerio Musulmán de Melilla se convierta "en CETI 2"' [03/07/2015] (http://www

Conclusion

To fully understand the heterogeneous Muslim community in Melilla today, it is necessary to begin with the history of the Berber/Muslims in the city and, particularly, the civil struggles for citizenship in the 1980s. Equally important is the local – and national – context of religious pluralism surrounding Islam. The Berber/Muslim presence in Melilla can be traced back to the late nineteenth century, when the group left its mark on the urban space, making it impossible to speak of them as 'recent arrivals'. Despite this fact, most recent history features episodes like the events of 1985–87, which seem rooted in the historical colonial domination and the difficulties of the years after the Protectorate came to an end. As a result, until practically the end of the 1980s, a situation of generalized discrimination against Berber men and women produced a context marked by high unemployment rates, illiteracy and the absence of any real expectations in an urban setting that was either deteriorating or abandoned outright and where basic rights were infringed upon with worrisome frequency. Acts like the 'Margallo' or Immigrant Act, then, triggered demands rooted far back in time.

The mobilizations against the Immigrant Act were so important that not only were they the first example of the group empowerment of the Muslim community in modern Melilla, but also determined Islamic association-building in the following years. Ethnic – and soon religious – identity proved itself to be a valuable social cohesion tool for the community. This was Berber civil association-building intended for Muslims. After the Cooperation Agreements were signed in 1992, the association-building took on a religious dimension, although the entities created at the time continued to act as social organizations, relegating cultural matters to the mosques. All in all, Islamic spaces in Melilla from the democratic transition to the late 1980s were characterized by their marginality, which was hidden in a more general process of marginalizing the urban Berber-speaking population. This still exists today, although it has to a large extent been palliated by the recognition of this group's identity and political agency, as well as the consolidation of the Islamic social and religious associative network.

Parallel to the progressive consolidation of organized Islam in Melilla, other religions have become visible in the city's public space, with the social representation of evangelicals being particularly notable, although their public recognition is somewhat lower than that of Jews and Hindus. Islam and

.europapress.es/ceuta-y-melilla/noticia-comision-islamica-no-tolerara-cementerio-musulman-melilla-convierta-ceti-acoger-sirios-20140108171244.html).

Catholicism hold the status of majority religions; the latter continues to exercise undeniable power in urban life, with a symbolic influence on the local social imaginary that is difficult to overcome. Despite the pre-eminence of Catholicism, however, there is a growing a trend of Islamic religious practice in Melilla that has become visibilized in the local public space. This is reflected in both a slightly higher number of communities (and, to a lesser extent, mosques) and also followers, who are now largely young men and women, the sons and daughters of the Berbers who led the mobilizations of the 1980s.

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CHAPTER 4

Invisible Rituals: Islamic Religious Acts in Catalan Public Space

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Introduction

The study of rituals accounts for only a small portion of the vast bibliography on European Muslim communities that has accumulated in recent decades. Indeed, academic priority has been given to other topics that seem to better reflect both strategic interests and the hegemonic representations imposed upon these communities. It is apparent that questions like the diverse modalities of institutionalizing Islam in the framework of the European Union states and the categorization of the leadership and authorities that have emerged within these modalities (Aslan & Windisch, 2012; Jouanneau, 2013; Moreras, 2007; Nielsen, 2014; Sèze, 2013; Shadid & Van Koningsveld, 2002; Tatari, 2014) have attracted ongoing attention in the last decade. Furthermore, the increasing securitization of European space has introduced a self-interested academic agenda into Europe's successful doctrinal variants – often classified with varying degrees of theological rigor – and into the discursive product that emerges from pulpits and social networks (Amghar, 2013; Bawer, 2007; Caldwell, 2009; Kaya, 2009; Kortmann & Rosenow-Williams, 2013; Leiken, 2011; Mandaville, 2014; Shore, 2006; Tibi, 2014). One way or another, the moral panic produced by European Islam today appears to have relegated the study of Islamic rituals to a decidedly secondary role.

The reasons for this marginalization are, firstly, cyclical. During the 1980s–90s, when the establishment of Islam in Europe seemed to be connected almost exclusively to the phenomenon of migration, classic anthropological theories on ritual (inspired by Emile Durkheim) were invoked with the tacit objective of evaluating the degree of consolidation of these communities and their adaptation to European life (Werbner, 1990, 2003; Brisebarre, 1998; Moreras, 2017). It was thought that this consolidation would, to a large extent, depend on whether Muslims were performing the ceremonies that consecrate their existence, thus making ritual a kind of indicator of community health. However, once the corrective factor introduced by the global rise of Jihadist

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terrorism overwhelmed the community consolidation perspective, the priorities changed. European Islam ceased to be perceived as a derivative of migration studies – in light of the fact that millions of EU citizens and native-born Europeans practiced the religion – and classic community studies gave way to an analytical current more interested in the emergence of new religious subjectivities than in the group identities renewed by rituals.

There are more far-reaching reasons as well. There is no question that for at least the last two centuries, the evolution of the religious field in Europe has been contingent upon advancing secularization theses. It matters little that this process dates back to the wars of religion that afflicted the continent in the sixteenth and seventeenth centuries and, by extension, the spirit of the Reformation, or to the hegemonic ambitions of the nation-states that emerged from the Treaty of Westphalia (or to both) in terms of evaluating the long-term effects. The influence of the secularization programme, which reduces the essence of religious phenomena to the realm of the conscience and declares, in short, that group practices, i.e. rituals, only constitute an accidental and almost expendable element whose survival is tolerable at the price of its banalization, has been decisive in configuring the European religious field today (Asad, 2003; Casanova, 1994; Calhoun, Juergensmeyer, & Vanantwerpen, 2011; Taylor, 2007). The suspicion that religious rituals – not only Muslim ones – arouse among European intellectual and political elites is one of the pillars of 'modern' definitions of religion. It is, therefore, not a coincidence that ceremonies of collective consecration are persistently accused in recent times of constituting an anachronism that hinders the true integration of religious communities into European community space (Tribalat, 1995) In these conditions, the study of the ritualistic is at times perceived as a useless, exoticizing strategy that merely collaborates in the emergence of indispensable modern religious subjectivities inside communities that are progressively configured on the basis of a faith-based structure.

This chapter presents the results of a research project designed, to some extent, to go against the tide. Firstly, as much as the European context is anomic and pietistic religious subjectivities are gaining adherents, rituals have not ceased to fulfil the classic functions that they have always served. The difference is that at this time, the initiatives that reinforce community ties are increasingly discredited. Nonetheless, the validity and generalization of this negative perception can and should be challenged. Whereas the celebration of *communitas* today tends to be interpreted as a fall-back strategy that promotes the isolation or impermeability of a group, rituals are redefined and recontextualised in such a way that they often constitute unique spaces for intercommunity dialogue. Like a mirror that reflects a diverse community in

which several decades of accommodation to European societies have accumulated, Muslim rituals are not limited to mystifying communities of origin or crystallizing an idealized version of the global *umma*. Having eliminated – at least in part and not without some tension – the stereotyped and somewhat banalized aspects that could come into conflict with the legal framework or hegemonic secular sensibility, European Muslim rituals have been largely de-problematized. By adopting a discreet presence in European public space and emphasizing the more festive aspect of their ceremonies (Moreras, 2017), compliance with the European Muslim ritual cycle has emerged as the ideal vehicle to express a inter-community coexistence. This image vividly contrasts with the colonized imaginary created by shadowy tales of a Jihadist threat and Islam as conqueror, stalking European civilization. In view of the excessive visibility given law enforcement-based approaches to European Islam and a hegemonic narrative that rejects Islam as a problem, Muslim rituals have become, following the classic arguments put forth by Thomas Luckmann (1967), curiously invisible, however paradoxical that may seem.

This chapter looks at the transformations in the ritual practices of Muslim communities in Catalonia as an example of (relatively) successful accommodation, showing how rituals spark little controversy in a context of growing pressure on Islamic religious practice in Europe and are increasingly less likely to be factors or variables that alienate non-Muslim sectors or justify rejection. Moreover, this fact is directly related both to the increasing discretion exercised by the participants – who occasionally limit their field of action to the private sphere – and to a progressive adjustment to legal principles that are somehow or other inspired by secular sensibilities and that have, for example, outlawed the execution and exhibition of acts involving bloodshed in the public space. This particularly affects the ceremonies associated with Ashura and, of course, the sacrifice of Eid al-Adha, the two rituals that have aroused the most suspicion in recent years.

In this respect, one particularly important aspect of the various expressions of the Muslim ritual cycle in Europe is their connective component, which allows the rituals to incorporate what are – formally, at least – alien environments and outsiders into their liturgies. This approach invokes Baumann (1992) and his argument that the celebration of rituals is framed by processes of public recognition in plural societies; ritual is able to communicate messages not only to participants, but also to 'others'. These messages fundamentally define and redefine the 'others' and 'us'. Indeed, our research has confirmed the relational and integrating role of certain ceremonies like the collective fast-breaking (*iftar*) during the month of Ramadan and the sacrifice feast (Eid al-Adha), which are open to non-Muslim sectors of the population. In neighbourhoods

where these shared activities take place – which, as a general rule, are areas with larger Muslim populations – the local Muslim communities invite their neighbours to participate. Furthermore, the study explores some of the strategies behind the festive patrimonialization of religious liturgies, in particular those surrounding the month of Ramadan, which have tried to create a common festive custom despite the difficulties inherent in operating in a context marked by hostility, perhaps the prelude to a shared tradition, even if the success achieved to date has been limited.

Entitled 'Diasporas and Rituals: The Festival Cycle of Muslims in Catalonia', the ethnographic study wich constitutes the main empirical base for this chapter chose an approach that was intensive, long-term, locally situated and comparative.[1] The research team selected five Catalan towns and cities (Creixell, Martorell, Lleida, Arenys de Munt and the capital Barcelona) of differing sizes and characteristics. The objective was to combine research in urban and rural contexts in order to reflect both the geographic and ethno-national diversity of the communities (mainly Moroccan, Pakistani and Senegalese in origin) and to fully track the Islamic ritual cycle. The intention behind the diversity of ethnographic contexts, in short, was to produce a final result that could be projected – albeit with the logical nuances – onto Muslim communities in Catalonia as a whole. Additionally, the choice of the locations for the study (with which the researchers had, for the most part, prior experience), was done in keeping with a desire to present different profiles in the process of configuring Muslim communities themselves: one of the five locations, for instance did not have a Muslim oratory, while the others had two or more; the associations in some of the communities contained members with different cultural backgrounds, while a single background predominated in others; some locations had a history of conflict with respect to Muslim communities while others existed amid an attitude of some social indifference towards them. In short, this variety of contexts made it possible to place the ritual cycle in different settings and observe the interactions that materialized around them. Finally, because groups from Muslim majority countries have settled in Catalonia during the last four decades, Catalan Islam is extremely heterogeneous both in its origins and in its interpretations of religious traditions. This idiosyncratic diversity was also taken into account in the study.

One final note: this study analyses community participation and turnout in the performance of different religious liturgies, but does not speculate about

1 The study was done under the auspices of the Catalan Inventory of Ethnological Heritage (*Inventari del Patrimoni Etnològic de Catalunya*, IPEC), a body that answers to the Government of Catalonia, from 2007 to 2009. The CIDOB Foundation managed the project.

the attendant degree of religiosity. By decoupling religious practice from religious belief in the study's methodology – since this relationship is far from mechanical, as is often argued (Liogier, 2012) – the analysis of the validity and morphology of the ritual cycle makes it possible to capture some of the meaningful dynamics that characterize Muslim groups in Catalonia today. Above all, the participants in this ritual *communitas* are groups of inhabitants, many foreign residents, characterized by an endemic scarcity of resources, a social invisibility that hampers their recognition, a notable organizational fragility, a general lack of spiritual leadership and, in short, a doctrinal dispersion that accentuates their external dependence.

It is true that in the first instance and in a context of growing reactiveness to expressions of Muslim religion, the celebration of and participation in rituals could be interpreted as a strongly assertive declaration of identity and, therefore, elicit general rejection. However, this study has shown that in the discursive networks used to construct hegemonic representations of Muslims in Europe today – which are, as would be expected, generally negative – appeals to observe the festival cycle are secondary to the much more frequent accusations regarding devotion to prayer (and, by extension, the need for places of worship, oratories or mosques) and the theoretical obligation to wear a hijab (Desrues, 2009). On the other hand, new research done by the team has shown that when different members of Muslim communities cite the main obstacles keeping them from fulfilling their religious duties, participation and celebration of the ritual cycle is a lesser concern, almost insignificant in many cases.[2] There are numerous hypotheses to explain this omission. It may indicate that they are relegating the ritual cycle to its proper place in the order of doctrinal priorities, be a sign of a modernizing trend of ridding the Muslim faith of adornments deemed incidental or reflect a progressive and more or less forced accommodation of these ceremonies to the particular features of the European, Spanish and Catalan religious field that have resulted in a growing indifference that makes it easier to perform the rituals (Delgado 2007).

The goal of this chapter, then, is to explore some of the avenues opened up by the third hypothesis. The first subject of exploration concerns the restrictive dynamics that have been applied to Muslim rituals that seem to most violently contradict the most important secular morals and have had to accommodate to a legal framework inspired by the secular sensibility. The second focus is the ceremonies that seem to have adapted to the regulations governing individual and community expression in the public space with fewer problems, including the first attempts at top-bottom patrimonialization that they have been

2 2014 RELIG 0006 Project. *Direcció General d'Afers Religiosos* (Government of Catalonia).

subjected to. The chapter ends with some conclusions that take a deeper look at the questions posed in the introduction.

Rituals in the spotlight: Ashura and the Festival of the Sacrifice

Ashura: An Uncomfortable Public Expression of Mourning

As is well known, Ashura is the most important ritual for Shiite communities. Held to commemorate the death of Imam Hussein in Karbala in 680 AD, the festival takes place on the tenth day of Muharram. From a liturgical point of view, Ashura is the ritual expression where the differences between Sunnis and Shiites are most visible and constitutes one of the distinctive elements of the two main branches of modern Islam.[3] In essence, it is an expression of collective mourning, which is intensely emotional and extremely expressive. It has also aroused controversy in the European public space, one example being Barcelona.

Ayoub (1978) interpreted Ashura as an expression of the central role that mourning plays in Shiite doctrine. Khosrokhavar and Roy (2000), in turn, emphasize the notable parallels between the celebration of Ashura and the Holy Week Passion in southern Spain. The processions held in towns and cities are the most widely known element of the celebration of Ashura. The colour black plays a leading role in the Shiite ritual, with moaning and self-flagellation being common. The faithful participate in a procession during which they sing litanies and rhythmically beat their chests from time to time, first with one hand and then the other. This 'exuberance of mourning and demonstration of morbid heroism' (Richard, 1996, p. 129) reaches its maximum expression and pinnacle in a three-part corporal practice: *matam* (rhythmically beating the chest), *zanjeer zani* (flagellation, in Urdu) and *tatbir* (injuring oneself on the head with a sword or knife and letting the blood run freely). The lawfulness of these practices, particularly the last two, has been subject to doctrinal debate. After the procession ends, worshippers participate in prayer, accompanied by lectures on martyrdom delivered by different members of the community. The participants then gather for a common meal.

Beyond the theological debates surrounding certain aspects of the liturgy, images of men, women and children, their faces bathed in blood as a result of

3 Some Sunnis commemorate the tenth day of Muharram with a voluntary daylong fast followed by a family supper to remember the day on which Noah left the Ark and when Moses was saved thanks to God's intervention with the Egyptians. This fast is recommended, but not compulsory.

the practice of *tatbir*, are often used by the western media to connote a climate of barbarism and violence distinctive of Islam, as prefigured by the ritual. The celebration of Shiite Ashura is covered extensively and the images of dripping blood and self-punishment clearly elicit a reaction of rejection among western audiences that becomes related to phenomena such as so-called 'sectarian conflicts' or even Jihadist terrorism, as will be seen below. These displays of hostility towards rituals that are deemed anachronistic are even more significant in places like Catalonia, where clear parallels can be found with specific traditional Catholic rituals in which the effusion of blood and corporal penitence are prominent.

In Catalonia, and more specifically in Barcelona, the only city with a significant Shiite population, Ashura has been celebrated since 2004, organized by the Al-Qaim Cultural Association, whose oratory is in the La Ribera neighbourhood. This is a modest celebration performed by what is clearly the Muslim minority group in Barcelona, which is dominated by Sunni communities. The members of the community meet in the oldest Shiite oratory in Catalonia, which opened in 2001, and are basically Pakistani, although some converts to Islam also participate. In accordance with the size of the community, the celebration of the Ashura began discretely, but it progressively acquired greater visibility. Until 2004, the members of the community celebrated Ashura with a meeting (of men) in the oratory that featured a sermon on the martyrdom of Hussein, but beginning in 2005 they decided to temporarily occupy the public space with a procession through the neighbouring streets. As can be imagined, this process of visibilization elicited a fair amount of controversy.

The streets that surround the headquarters of the Al-Qaim community in La Ribera neighbourhood are narrow and twisted, right in the heart of Ciutat Vella, the old town constructed inside the city walls. These streets are difficult to drive down and lack even temporary places to park. In this urban morphology, concentrations of people are particularly visible. This 'excess visibility' became pivotal in 2005 when the procession took to the streets next to the oratory. For the first time, the local newspaper *La Vanguardia*[4] published a brief piece mentioning the celebration of Ashura by some three hundred men near Plaça de Sant Pere. But it was not until the following year that several media outlets reported on the celebration of Ashura, complete with numerous images, this time addressing the complaints of neighbours and merchants about the occupation of space for a procession that they deemed 'inappropriate'. Noted local columnists did not hesitate to join in the debate raised by the public outburst over such an explicit ritual gesture:

4 *La Vanguardia*, 20 February 2005.

> The festival of Ashura, with shirtless men whipping themselves on the back or beating their chests, with all the symbolism of the cult of death and with children involved – some first hand – as if it were a party, is not culture. This is a public exhibition of the collective catharsis characteristic of fanaticism, of whatever type. That this took place on the streets of Barcelona and that our beloved television is delighted to present it as an example of "tradition peacefully practiced" betrays the extent to which we are losing control of what is going on.[5]

In 2007 the retinue left the mosque shortly after 2 p.m. A pair of *Guardia Urbana* (the municipal police) and two members of the *Mossos d'Esquadra* (the autonomous community police) preceded the procession. Some members of the community carried a reproduction of Hussein's tomb, while others carried the representation of the coffin of his sister Zeynab, while a group further back added fabric banners commemorating the occasion. The procession passed through a few streets in the neighbourhood until it reached Plaça de Sant Pere for speeches and the final prayer before returning to the oratory to prepare the community meal. Although the celebration proceeded normally, the occupation of the neighbourhood streets created a singular atmosphere that elicited a range of comments from neighbours and curious onlookers. Most of the shopkeepers closed their shops as the procession very slowly neared them. Some were heard to explicitly criticize the celebration, accusing the city council of improvisation and a lack of preparation for the 'gridlock' in the public space. The retinue returned to their starting point shortly before 5 p.m. and people once again began to walk the streets, which bore no sign of the procession.

It was in 2007 that the visibilization of Ashura became both more important and more controversial. The day after the procession, *La Vanguardia* published a photo on the newspaper's front page that showed dozens of men performing the *matam*, some with bare chests.[6] This image was accompanied by complaints from local shopkeepers, who declared that the celebration should not be allowed to pass through the narrow neighbourhood streets. The initial response of the municipal authorities was to remind everyone that the procession organizers (the Al-Qaim Cultural Association) had requested all the appropriate authorization to occupy the public thoroughfare for the celebration, and, moreover, had met the two conditions demanded by the city council: there could be no bloodshed and minors below the age of 18 could not harm

5 *El País*, 11 February 2006.

6 *La Vanguardia,* 31 January 2007.

themselves. In any case, the city council promised to study the procession route for the next year.

As it happens, the result of this study was a complete modification of the morphology of the ritual. Beginning in 2008, the celebration was moved to Passeig de Lluís Companys, a wide avenue that converges with the Parc de la Ciutadella, the city's most important green space, punctuated by the Arc de Triomf. This is a much more open area and, in the eyes of the municipal administration, more appropriate than the earlier site. The procession once again started from the oratory, but now, instead of wandering down the twisted neighbourhood streets, it followed a straight line towards the destination prepared by the city council, where an area some 100 metres long by 50 metres wide had been fenced off for the celebration. There, between 250 and 300 men participated away from a specific space set aside for women. The crash barriers clearly separated the ritual participants from the other people traveling along Passeig de Lluís Companys, not only symbolically, but also physically. The liturgy took place in an impenetrable, demarcated area. It was a Saturday, when the Passeig is usually buzzing with Barcelona natives and tourists, all of which tended to exoticize the procession, which ended with sermons, as if it were an extraordinary spectacle. Several men passed out photocopies in Spanish to interested spectators passing through the area that explained what they were watching.

This was more than a change of scenery; it was also a change in the interaction between participants and observers. In the little streets of La Ribera neighbourhood, encounters were inevitable and it was, to some extent, this inevitability that produced the obvious discomfort felt by the observers, particularly the shopkeepers. In contrast, in the space reserved on the Passeig de Lluís Companys, such encounters were avoided by placing barriers that distinguished the religious from the secular use. The relocation of the main site of the ritual and its simplification must be interpreted as steps taken to better control the ritual process. While moving the ritual to Passeig de Lluís Companys gave more visibility to the Ashura ceremony, in the eyes of the Office of Religious Affairs, the department of the Barcelona City Council responsible for managing religious diversity, this was preferable to the physical proximity that had generated so many complaints. Furthermore, in the 2008 procession, in addition to the two conditions imposed by the city council previously (no bloodshed and no participation by minors), a third demand was added: participants in the ritual had to keep their torsos covered. This configuration of the *matam*, one of the most important liturgies related to Ashura, indicated the unmistakeable intention on the part of the city council to eliminate the most controversial phases of the ceremony and reduce it to its more secular aspects.

After deliberating, the Shiite community accepted the conditions imposed to occupy the public space.

In summary, the solution offered by the political authorities to deal with specific aspects of the Ashura ritual demonstrated that their attitude was the result of a secular sensibility coming face to face with the exuberance of a liturgy that combines emphatic rhythmic gesturing, group wailing and the penitent practice of self-flagellation. The voluntary bloodshed, at once testimony to and imitation of the martyrdom suffered by Imam Hussein, would disappear from the ceremony so that any non-Muslim observers would not witness a spectacle perceived as degrading both for the participants and any accidental onlookers. This modern hostility to all forms of ritualized bloodshed, the dramatization of violence inflicted beyond the monopoly exercised by the state, also appears to be behind reactions to Eid al-Adha, the Festival of the Sacrifice/ Festival of the Lamb.

Eid al-Adha or Domesticated Sacrifice

The festival of Eid al-Adha (also known as Eid al-Kabir, Tabaski, Qurban and often in Spain, the Festival of the Lamb), commonly translated as the Festival of the Sacrifice, is a ceremony that takes place on the tenth day of Dhu al-Hijjah, the month of the pilgrimage to Mecca, and commemorates the essential gesture of submission offered by Abraham (Ibrahim in the Islamic tradition) to God when, prepared to immolate his son Ishmael in His name, Ibrahim/Abraham's arm was restrained by the archangel Gabriel, who replaced Ishmael with a lamb and decreed that from this time on, his descendants would commemorate the occasion with an animal sacrifice. Unfailingly associated with the month of the pilgrimage to Mecca (the *hajj*), Muslim tradition dictates that, across the Muslim world, believers should replicate the sacrifice made by pilgrims in Mecca on the tenth day in Mina, where they immolate a lamb in commemoration of the founding sacrifice of Ibrahim/Abraham (Bonte, Brisebarre & Gokalp, 1999) .

Like something almost mandatory in similar institutions, during Eid al-Adha sacrifice and commensality are inextricably linked, which gives the Festival of the Sacrifice a dimension at once individual and collective. It is an act of personal devotion par excellence, given that the sacrifier (on whose behalf the sacrifice is performed) and the sacrificer (who performs the actual sacrificial ritual) are preferably the same person.[7] The accentuated sociability of the

7 Except in the perfectly legal cases of collective sacrifice, which usually involves a camelid or a cow, in which case that the sacrificer recognizes his inability to carry out the sacrifice and a third party does the job.

act fundamentally derives from the process of sharing the meat from the Eid, an act that creates a truly festive atmosphere that extends from one end of the *umma* to the other. In its simplest and most general form, the morphology of the ritual act can be described as follows: every year, on the tenth day of the month of Dhu al-Hijjah, male Muslims of adult age with a male animal (or part of one if the animal is large like a cow or camelid) sacrifice it after a morning prayer that marks the beginning of the sacrificial period which, depending on schools of jurisprudence or Muslim doctrinal variations, usually concludes three days later. Two other obligations are also associated with the sacrificial act: commensality, i.e. the collective consumption of the sacrificial meat, and distribution to the poor or needy, usually referred to by the Arabic word used to designate offerings of meat or food in general: *sadaqa*.

In Europe, the exercise of the group of actions connected to Muslim ritual sacrifice is – as in the case of Ashura – severely restricted, the result of trying to fit a minority practice into a religious context that is hostile to collective exaltation, particularly when bloodshed is involved. In this respect, the European legal framework, and the corresponding Spanish and Catalan counterparts, is quite clear: domestic sacrifice is prohibited, mainly for reasons of hygiene. However, and despite the fact that any sacrificer who wants to perform the domestic sacrifice as it is done in Muslim majority countries is forced underground, Eid al-Adha is, above all, conditioned by the context surrounding Muslim communities. In rural Catalonia, for instance, the practice of sacrifice is given much more leeway, since sacrificers can rely on the discretion provided by a private estate or even the farms where the sacrificers purchase the animals fated for sacrifice. Occasionally complaints are heard when, for example, the neighbours protest the strong smells resulting from the total exsanguination performed on the animal or when the police station themselves along roads to confiscate animals that have been illegally sacrificed in green areas adjacent to an urban zone.

Instead, the greatest number of protests about animal sacrifice are registered in urban areas, a fact that highlights the difficulties facing city councils with regard to eradicating illegal sacrifice, especially when done in family dwellings. In cities like Barcelona, the Eid has produced squabbles between neighbours and feuds that are often never resolved over drainpipes blocked by the accumulation of sacrificial remains, pungent odours that hang around interior patios from the preparation of the first dishes and so forth. Sooner or later, these stories are brandished by inhabitants who are more resistant or hostile to the presence of Muslim neighbours to support their grim depiction of the Muslim as incapable of integrating into 'civilized' forms of coexistence. These allusions create a background of grievances that can be drawn upon

to update Islamophobic discourses. Anne-Marie Brisebarre (1998, pp. 52–53) documented how in 1990s France, the image of cruelty attributed to Muslims during the Eid festival because of their treatment of animals mixed with the memory – still fresh in the minds of many citizens – of the traumas of the Algerian War of Independence and even the Algerian Civil War then engulfing the country to reinforce the stereotype of the 'cutthroat' Arab. During our ethnographic work in Barcelona, we gathered numerous commentaries that drew analogies between the sacrificer's skilful handling of the knife and terrorist fanaticism. Clearly, the bloodiness of the ritual sacrifice leads to extrapolations both facile and perverse, and fed by the mass media. The protectionist logic against blood sacrifice that has dominated anti-bullfighting campaigns for decades coming, largely, from northern European countries here combines with the Orientalist idea that sees the Muslim religion from an essentially anti-modern perspective. This is how articles and opinions that mix ritual sacrifice, clitorectomies and suicide martyrs are disseminated, in a *totum revolutum* whose only purpose is to inspire terror of the Other.

As this article has suggested from the beginning, the controversies sparked by the desire to carry out the rituals of religious minorities – in this case Muslims – in Europe cannot simply be seen as a problem of accommodating an exuberant religiosity to the basic principles of individualized religious experience redeployed in the context of the modern and post-modern European belief system. These controversies also demand an examination of the place that European societies assign to 'the religious' in the social body as well as the transfer of debates on the sacred to apparently secular or 'scientific' discursive fields, where the communities that continue to be anchored in the language of the ineffable are stigmatized. In this respect, initiatives to 'domesticate' the ritual complex of Eid al-Adha by applying hygienist considerations so that the sacrifice will be performed in 'controlled health conditions' are particularly important. This attention to hygiene, which proliferated in Europe after the bovine spongiform encephalopathy ('mad cow disease') crisis, carries with it the long shadow of a secular sensibility averse to the bloody spectacle of sacrifice and, moreover, one that purports to save citizens from a 'spectacle of death' to which they are not accustomed in urban areas.[8]

In Catalonia the first of these hygienist measures dates back to 2000 when, in response to the demands made by various municipalities in the Maresme region, the Government of Catalonia's Department of Health ordered Muslims to buy their animals from slaughterhouses in Tordera and Argentona where they

8 *Festa del Xai*. Informational note from 2001. Directorate-General for Religious Affairs, Government of Catalonia.

could obtain a lamb sacrificed according to all the correct health standards. However, the two slaughterhouses only sacrificed 125 lambs between them, a very low number compared to the size of the Muslim population in that region. The second experiment was led by the Barcelona Deputation's Diversity Integration Resource Centre, which drafted an information sheet explaining that sacrifices had to be done in authorized slaughterhouses. The document was sent to town and city councils for the 2001 and 2002 Eid celebrations. The guidelines were happily received by the various municipalities, who passed on the information to their Muslim citizens through oratories, associations and *halal* butcher's shops, although many of them were aware that the initiative would not put a stop to underground sacrifice. The notification from the Barcelona Deputation paved the way for negotiations with local Muslim communities aimed at finding a viable alternative to the sacrifice, with a constant emphasis on using the slaughterhouse nearest the municipality as a possible alternative. Indeed, agreements were reached with slaughterhouse administrators to offer a special sacrificial timetable for the animals that Muslims had ordered from the *halal* butchers. These agreements, however, resulted in higher prices, which notably lowered expectations for the initiative's success. As a result, some municipalities received requests from local Muslim butchers for a special permit that would allow them to sacrifice the animals in their workrooms. However, these authorizations could not be given in accordance with the health regulations in force at the time. Other Muslim representatives inspired by the French case tried to convince their town councils to provide specific spaces for the sacrifice, but this never became a reality.

In order to regulate and unify the responses coming from the public administrations, between 2007 and 2009 the Government of Catalonia's Direcció General d'Afers Religiosos issued a variety of materials related to the production and consumption of *halal* meat and, specifically, Muslim sacrifice.[9] This was an innovative initiative, unprecedented in Spain. A brochure included a practical manual containing the conditions to comply with in the exercise of this ritual practice. These guides made it more than clear that the government was trying to discourage Muslim communities from continuing to sacrifice animals on their own and openly promoting the idea that this function be delegated to local butcher's shops. The text accompanying these guides expresses an ambiguity: on the one hand, it recognizes the Islamic sacrificial tradition, while on the other, it supports the current legal framework.

9 *La festa islàmica del sacrifici. Descripció i normativa sanitària* (2007), *Compra carn segura: vés a la carnisseria* (2009). Informative publications produced by the Direcció General d'Afers Religiosos (Government of Catalonia) (Vid. note 2).

For instance, the document *La fiesta islámica del sacrificio. Descripción y normativa sanitaria* [The Islamic Festival of the Sacrifice: Description and Health Regulations] (2007) states that: 'Tradition says that the person who performs the sacrifice must be the head of the family, but it is also possible to entrust another Muslim with this task. Today, many Muslims often turn the sacrifice over to a trusted butcher'. The brochure *Compra carne segura: ve a la carnicería* [Buy Safe Meat: Go to the Butcher's] (2009, in two bilingual versions: Catalan/Arabic and Catalan/Urdu) recommends that Muslims go to their 'regular butcher' since on the day of the 'Festival of the Sacrifice, these butcher's shops, just like all year, continue to be a regular supplier of meat'. And in case there was any doubt, the brochures clearly state that 'the sacrifice of animals in private homes is prohibited and liable to prosecution'. Behind the informative intentions of these initiatives lies an obvious desire to both banalize and domesticate a ritual that caused discomfort, in part because of its similarity to a practice with deep roots in Catalonia – the *matança del porc* (pig slaughter)– while also drawing on animal protection logic aimed at ending the mistreatment of animals (wielded, for example in the fight to prohibit bullfighting in the region). The result of these restrictive measures was as expected: an increase in the regulated consumption of *halal* meat to celebrate Eid; the director of the main slaughterhouse in Barcelona told the newspaper *La Vanguardia* that the sacrifice of lambs during Eid al-Adha had increased 25% in 2007 when compared to the previous year.[10]

The prohibition of domestic sacrifice in Europe is truly almost revolutionary. Firstly, acquiring meat for Eid from *halal* butcher's shops entails the delegation of the sacrificial function (as noted above, ideally, sacrificer and sacrifier should be the same person in Eid al-Adha) to a third party, in this case a professional butcher approved by the administration to perform the sacrifice in places specially designated for this purpose. This de facto eliminates the emulative dimension in which the sacrifier copies the prophet Ibrahim, radically re-signifying a ritual based on the principle of imitation. Secondly, the depersonalization of the sacrificial act also implies a banalization that is conducive to the rapid commodification of Eid products and the problematization of the redistributive logic intrinsic to the liturgy.

Indeed, the allusion to a more or less canonical sharing pattern that divides the sacrificial meat into three parts (one third for family consumption, one third for close relatives and neighbours and one third for the poor and needy) is endangered in the context of European Islam for two closely related reasons.

10 Jesús Martínez, 'Los corderos que miran a La Meca', *La Vanguardia* Sunday supplement, 7 January 2007, p. 6.

Firstly, the combination of the greater acquisitive capacity of European Muslims and the banalization of the sacrifice has led to an increase in meat consumption patterns in general and on the occasion of Eid al-Adha. The generalization of consumption has made it difficult to identify the 'poor and needy' who are to receive one third of the immolated victim. The argument that 'there are no poor people' in Europe (i.e., no poor needy Muslims), witnessed by various observers of the phenomenon (Brisebarre, 1998, p. 35; Mapril, 2008, p. 285) has elicited different responses in European Muslim communities. They include raising specific funds on days like Eid to send to mosques or charitable organizations in the worshipers' countries of origin, where it is believed that almsgiving still makes sense. On many occasions, however, the sacrifiers have been restricted to using the Eid meat obtained from a *halal* butcher's solely for family consumption, without obeying the instruction to share it. Visits between neighbours and relatives no longer include the exchange of meat, with everyone cognizant of the fact that they have all 'sacrificed'.

It may be that sending occasional financial remittances to a charitable organization in the country of origin and the trend of circumventing the redistributive duties regarding the Eid meat represents a disengagement from the strictly family-based framework that determines the ritual of Muslim sacrifice in Europe. The festive atmosphere that surrounds Eid in Muslim majority countries, the generalization of a domestic sacrifice in which the head of the family is both sacrifier and sacrificer, the neighbourhood and community networks that regulate the commensality give way in Europe to the progressive privatization of a depersonalized festival. Moreover, in the context of a multicultural Europe, the liturgy itself undergoes notable variations according to the ethnic community of origin (the choice of species to immolate, the ways to cut and distribute the meat, the best time to share it, etc.), introducing an element of relativization that further diminishes the solemnity of the ritual.[11] This disengagement – to a large extent caused by having to adapt to a restrictive legal framework inspired by the moral principles that govern the Catalan and European religious field – helps to explain the fact that in recent years, the Festival of the Sacrifice has ceased to play an important role in the position that sees Muslim communities as being resistant to integration in Catalonia.

11 This controversy usually affects the choice of the date for the festival, since Muslims of different backgrounds often celebrate Eid on different days. This occurred in Barcelona in 2007 when African and Asian Muslims celebrated the festival on different dates. Many Europeans Muslims view this lack of coordination with great sorrow, seeing a metaphor for the hardships that afflict the *umma*.

It is clear that the situation facing the celebration of the ritual is not satisfactory to a good number of Catalan Muslims who would like to recover at least some of the lost elements of what has become an impersonal liturgy. In this respect, participants in a series of discussion groups held in 2015 with Muslims[12] referred to the celebration of Eid al-Adha in Catalonia as 'empty' of religious meaning, having become simple 'folklore' to 'fill stomachs'. They also spoke of the inconvenience of having to comply with a legal framework that has become familiar and that in most cases they abide by with some resignation. However, it is notable that the greatest difficulties mentioned by the participants were not related to a lack of understanding or direct hostility from neighbours, but to problems with reconciling the date of the festival with their work schedules. The bloodshed during the sacrifice and the violence of the act that causes it were no longer objects of dispute.

The Adapted Ritual: Between Discretion and Patrimonialization

Mawlid an-Nabi: Popular Devotion or Orthodox Revulsion

The celebration of the birth of the Prophet Muhammad, which has many different names in the Muslim world (Mawlid in Arabic, Mulud in Moroccan Darija, Mevlid in Turkish, Milad in Urdu, Gammu in Wolof, etc.), is an eminently devotional practice celebrated on the twelfth day of the month of Rabi' al-Awwal. Mawlid (literally 'birth') is a terms that applies not only to the celebration of the birth of the Prophet but also to the pilgrimages and celebrations in honour of those who have acquired the status of sainthood in the history of Islam. This is, therefore, one of the ritual expressions most intimately related to the esoteric or mystical side of Islam (Renard, 1996; Schimmel, 2002), with hagiography (Renard, 2008) and with devotion to the saints (Dermenghem, 1954). At the same time, the celebration involves devotion to women and young people (Holmes Katz, 2008; Sánchez Garcia, 2009; Tapper & Tapper, 1987). As such, the celebration of Mawlid usually adopts different forms, ranging from the recitation of praise and litanies to processions, conferences and community prayers. Traditionally associated with the field of popular religiosity, the celebration of the birth of the Prophet gives the recitation of panegyric poems a central role.[13]

12 2014 RELIG 0006 Project. Direcció General d'Afers Religiosos (Government of Catalonia) (Vid. note 2).

13 Each cultural tradition that holds this celebration has contributed to these laudatory recitations, all of which follow a simple textual structure, but are loaded with meaning

Because of this overlap with practices of popular devotion, the celebration of Mawlid has been the subject of intense theological debate in recent decades and its liturgical variants are severely criticized by the most orthodox sectors. The central focus of the criticisms made against Mawlid hinge on the innovation (*bida'a*) of religious doctrine. The current orthodox reaction to Mawlid is the result of an important historical process. Marion Holmes Katz (2007, pp. 169–207) has written about opposition to Mawlid in detail, going back to the late eighteenth century when it was a ubiquitous practice supported by most erudite Muslims. The opposition to Mawlid began with the emergence of Wahhabism, but it was in the 1980s, when the Saudi state was at its peak strength, that legal opinions began to proliferate opposing the devotional nature of the celebration, which contradicted the monotheist principles of Islam. Thanks to the ripple effect of the Internet, the most restrictive and critical interpretations regarding religious innovation and the celebration of Mawlid have acquired ever-greater importance in the modern Islamic public sphere.

The celebration of Mawlid, therefore, produces equal parts acceptance and rejection in the Muslim world and this opposition is also found in Catalonia's Muslim communities. However, beyond the intense, open doctrinal dispute that affects the ritual and has led to calls for its prohibition, our research has affirmed the vitality of two expressions of Mawlid in Catalonia in the Senegalese and Pakistani communities, for whom the celebration of the birth of the Prophet is an important festival. For example, for the Senegalese – and especially for members of the Tijaniyya Brotherhood – Mawlid is the most important annual gathering.[14] Mawlid celebrations held in the Senegalese community in Lleida feature recitations, speeches and songs praising the Prophet, part of a clearly festive act that includes a shared meal.

Viewing the festival from the perspective of the community, it is interesting to see how the principle of popular devotion is maintained and transmitted in the family and, despite the influence of orthodox criticism, expressed in Catalonia above all through two literalist currents: Jama'at at-Tabligh and Salafist

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and symbolism (Tapper & Tapper, 1987, p. 74). One of the most often recited at this time (popularly known as *Mawlid al-Barzanji*) was composed by Sheikh al-Barzanji in the eighteenth century although other versions exist in other languages.

14 In Senegal, the celebrations held by the Tijaniyya and most other religious groups, with the exception of the Muridiyya Brotherhood, are known as *Gammu*. The most important of the *Gammu* is the annual celebration of Mawlid in the city of Tivaouane under the auspices of the El Hajj Malik Sy family. This is a mass gathering attended by thousands of people. Across the country and in the diaspora, those who cannot get to Tivaouane or to the headquarters of other Tijaniyya branches (Dakar or Kaolack), gather for a night of prayer, readings from the Quran, religious songs and *da'wa* in honour of the Prophet.

variants. However, it is also worth noting that the rest of Catalan society sees these rituals as discreet practices. Although they are usually celebrated in spaces provided by town/city councils or public administrations, these rituals receive little or no media attention and, in general, are restricted within community limits. In fact, several authors (Diouf, 2002; Kane, 2011, p. 233) have argued that because of the discretion that characterizes the devotional practices of African Islam in western societies, Muslim communities from these places are able to distance themselves somewhat from the stereotypes that link Islam to fundamentalism and terrorism. They represent 'good Muslims' as opposed to the communities with stronger ties to the principles of Islamic orthodoxy (Mamdani, 2005).

Ramadan as an Ephemeral Community Metaphor

The ninth month of the Muslim year, Ramadan is considered the 'holy month' by Muslims and the most propitious month for the expression of religious devotion, since it was during this month that the Quran was revealed to the Prophet Muhammad. For this reason, Ramadan is at the heart of the Islamic festival calendar and Eid al-Fitr, or the Festival of the Breaking the Fast, is its culmination. Indeed, the mandatory fast connected to this period is probably the best-known Islamic religious observance among non-Muslims. During the month of Ramadan, fasting is obligatory (*fard*) for believers. Moreover, it is not limited to abstaining from consuming food or drink between dawn and dusk, but also pertains to a series of behaviours related to the body, such as abstaining from sexual relations and refraining from insults or slander, quarrelling, wearing perfume, smoking and so forth.

Various studies (Leveau, 1985; Saint-Blancat, 1999) have shown that the observance of fasting during Ramadan is high, something explained by the highly social and communitarian nature of the festival. The moments of community recreation during this period, which prioritizes the family and relational aspect, take on particular significance in the context of migration. The few existing studies have looked at Ramadan because of its role in bringing together heterogeneous migrant groups, its distinctive function with respect to non-Muslim society and the elements of social control that proliferate during this truly exceptional period. In Europe, for example, Ramadan is a time of moralizing and prescriptive discourses about 'being Muslim' in a non-Muslim context (Benkheira, 1997; Ferrié & Radi, 1988). Ramadan also provides a good opportunity to take the pulse of the religious authorities. In a migration context and at a time when concern about correct observance is especially intense among members of the community, authority with respect to doctrinal questions can be assessed by looking at the influence of the countries of origin, processes to

institutionalize and represent Islam and the search for alternatives in difficult circumstances by Muslim communities at a grassroots level (Dassetto, 1996).

In short, Ramadan alters the tempo of Muslim communities in Catalonia, which are used to, on the one hand, the regular cadence of work schedules and, on the other, the rhythm imposed by daily prayers, all of which is affected by the need to drink and eat at night. Reconciling the temporary pace imposed by Ramadan and other aspects of social and family life becomes particularly complicated, and the commercial, associative and social spaces used by Muslims are deeply affected. Every commercial establishment feels the impact of this period, but it is most notable in cafés and restaurants frequented by these groups, whose opening hours are postponed to the hour of *iftar* (the breaking of the fast) in the evening. By emphasizing the nocturnality of a good number of daily activities implicit in this inversion of time, Ramadan creates situations that affect the commercial schedules of restaurants and cafés that may also affect non-Muslim neighbours. Other commercial establishments, especially *halal* butcher's shops, bazaars and public call offices, on the other hand, become intensely active, filling up with customers and turning into social centres for people who wish to spend the fasting period with others. Many retail businesses seem to change their physiognomy during this period, as different products for sale overflow on shelves and in shop windows in an attempt to attract the shoppers who have accepted the imperative of consumption as a distinctive part of Ramadan. It is during this period that it is easiest to observe the process of *halalization* that is increasingly conditioning the consumer habits of Muslim families and an imposition to acquire a collection of new products related to religious practice whose use becomes an act of personal devotion (Haenni, 2005).[15]

In a setting like Catalonia, which is dominated by a tendency to privatize ritual, the Ramadan fast is, however, one of the practices that most actively raises the visibility of Muslims. In recent years, the Catalan media have reported on the different initiatives enacted by Muslim communities to comply with the primary group observances. Despite the fact that the Ramadan fast poses some dilemmas for the workplace, schools and health, generally speaking, the observance does not elicit a negative reaction from the rest of the Catalan population. In fact, the initial sense of strangeness related to the prohibition of consumption during the day often leads to displays of empathy

15 A time for festive excess or a time for religious inspiration? The apparent contradiction between the two aspects is brought to light in remoralization discourses (Ferrié, 1998) endorsed by some Muslim societies, which criticize the excess of consumerism that now characterizes the Ramadan fast.

and solidarity from those not participating in the fast. Ramadan and its various liturgies becomes an important identity marker differentiating those who fast from those who do not, but despite the polarization that it appears to promote, in recent years, Ramadan has also become a communicative ritual (Baumann, 1992) between Muslims and non-Muslims. Probably the most successful – and least controversial, as it were – attempts to visibilize Muslim communities in the Catalan public space are associated with Ramadan. The distinctive feature of the fast (which is absent in most of Catalan society, although in no way unknown, thanks to the Christian tradition of Lent) tends to be typified at the same time that it is used as an indicator of how to best employ recognition strategies with the majority society.

The month of the devotion is also the month to disseminate and publicize Islamic principles. One of the activities promoted by local communities and associations is the organization of various types of conferences that are open to all, even though the response is often muted. There is no doubt, however, that the activities that most effectively reflect the desire of Muslim communities to be visible are the open group *iftars*, which are often held on town and city streets. Local communities frequently invite political and civic figures and, of course, citizens in general to accompany them when they break the fast. In Catalonia, the Islamic Cultural Council of Catalonia (CICC) has been hosting this type of act since 2001. The practice is not new to Europe (European Muslim communities have been celebrating activities of this nature for years) or to Muslim majority countries, where Ramadan can have a pronounced diplomatic content, with consular representations from different foreign countries being invited to the *iftar* (Abdelkhah & Georgeon, 2000). However, its spread in Catalonia in recent years and the relatively warm response do not only correspond to the characteristics of the act itself (free food and drink with a touch of gastronomic exoticism), but also to a systematic desire to become visible in the public space which, precisely because of its episodic nature, has been successful.

The conviviality of Ramadan culminates in the festival of Eid al-Fitr, which usually lasts between three and four days in Muslim majority countries. When celebrated in Europe, the festival cannot always continue for so many days and, moreover, it must often be adjusted to the needs of the work calendar. In the Catalan public space, Eid al-Fitr is directly related to the celebration of a community prayer either outdoors or in enclosed areas with a large capacity, like sports centres or conference halls. For many years now, this celebration has established itself as one of the main collective expressions of Catalan Islam. In fact, it has become an extremely popular act that brings together a large number of the (male) members of the communities. Since attending the Eid

prayer cannot be compared to any other event in the religion (except, perhaps, the Eid al-Adha prayer), local communities feel bound to rent a space to hold all of the worshippers, which can lead to problems and misunderstandings. Thanks to these circumstances, media attention has focused on this celebration in Catalonia as a whole.

For example, in Barcelona, until the late 1990s Muslim communities had the custom of celebrating Eid al-Fitr in the Parc de l'Escorxador under the famous monument of Joan Miró. That group prayer was organized every year by members of the Islamic Centre of Barcelona, the first association to open in the city (and, indeed, in Catalonia), in 1974. However, as the different communities arranged for their own oratories and their representatives consolidated relationships with municipal institutions, Muslims began to request specific spaces for the celebration, which occasioned the decline and subsequence disappearance of the unitary ceremony. The current landscape is notably fragmented; almost all the local communities organize their own community prayers in Catalonia, although members of smaller local communities continue to travel to celebrate Eid al-Fitr with larger communities or where they have been able to rent a space for all the worshippers. However, despite the willingness of the Catalan municipal administrations to respond quickly to the demands of their respective Muslim communities, the spaces made available are usually enclosed – for the most part sports arenas – which renders the ceremony less visible and, above all, avoids the 'inappropriate' occupation of the public space. Moreover, the lack of any clear regulations regarding the occasional provision of these spaces for religious purposes gives the administrations a great deal of autonomy and introduces an element of arbitrariness; in the end the good will of the centre directors determines whether a space will be granted.

Clearly, choosing a space for the Eid prayer is a complicated matter, which must consider not only seating capacity, but also the cost of rent (in the frequent case that it must be paid) and availability. The third of these factors merits special attention. As Eid is based on the lunar calendar and determined by local religious authorities, it is difficult to know the exact date when it will be celebrated well in advance. For the public administrators responsible for managing these spaces, the lack of a set date is an added difficulty and reinforces the perception of Muslim groups as chaotic or poor planners. On the contrary, the uncertainty surrounding the date of the Eid al-Fitr ceremony is coherent with doctrine, and accommodating the programming required by the administrations could lead to a miscalculation of the date. The impact on the liturgy would be negative, producing some distress in the community.

In summary, the celebration of Eid al-Fitr has become the largest mass event for Muslim communities in Catalonia, but the negative perceptions associated

with the early years seem to have reduced in quantitative terms, in line with its media impact. The initial occupations of streets, squares and avenues for prayer have given way to enclosed spaces, some of which already have a stable protocol for collaborating with their Muslim communities. Only the concentration of worshippers awaiting the morning prayer in the entrances to these spaces elicits any kind of surprise or suspicion among the neighbours.

This overview of the different aspects that comprise the celebration of Ramadan in Catalonia gives the impression that the observance of this festival does not raise questions similar to those evoked by other aspects of Islamic religiosity, such as the desire for open spaces of worship or wearing items of clothing like the hijab. Moreover, the generalization of this practice among Muslims in addition to its daily impact on the workplace, where Muslim workers interact with other members of society (schools, hospitals, etc.), have led to the first initiatives designed to make the fast compatible with other activities. During Ramadan, the entire Muslim world programmes various cultural expressions inspired by their respective traditions. These are designed to capture the attention of populations whose awareness is heightened by the exceptionalism and devotion that characterizes this month. For example, the '*Ramadanization*' of the media – i.e. the practice of premiering television programmes during Ramadan to generate high viewership – is now a well-known development (Armbrust, 2002). But there is also space for more sophisticated activities associated with 'high culture', including photography or painting exhibitions, concerts and festival celebrations, some of which, like those held in some French cities, are quite renowned. In the case of Barcelona, these initiatives came together in 2008 and 2009 when an art and music festival entitled *Nits de Ramadan* (Ramadan Nights) was organized, sponsored by the European Institute of the Mediterranean (IEMed) and the Barcelona city hall. The clearly festive programme suffered cutbacks related to the economic crisis and is no longer held. However, the most interesting aspect of this experience was how patrimonialization strategies were applied to Ramadan. Stripped of its religious components, Ramadan was presented as a cultural expression on par with Catholic traditions like Christmas and Easter, an appropriation process that does not appear to be in the near future for other ceremonies like Ashura and Eid al-Adha.

Conclusion

During the course of this study, we were able to contrast the validity, relevance and potency of ritual practices in Muslim communities in Catalonia, allowing

us to challenge one of the pillars of the so-called theory of secularization' (Casanova, 1994), which presupposes that there will be a relentless neglect of rituals as new generations of Muslims growing up in the European religious landscape come under the influence of Weberian *Entzauberung* (disenchantment). From the descriptions on these pages, however, it clear that while Muslim rituals change and adapt themselves to new circumstances, they can in no way be declared extinct. They maintain an essential function of renewing community bonds and they do it transversally, by connecting different generations with the invisible thread of participation. Young Catalan Muslims actively participate in these ritual moments and although they probably do so for very different reasons, they do not appear to be ready to cut this thread.

We have also identified some of the reactions found in the rest of Catalan society regarding the Muslim rituals that have begun to acquire some notoriety in the public sphere. Beyond demonstrations of rejection – which clearly exist – we were interested in the negotiation strategies that involve accommodating these rituals to the secular sensibility and the legal framework currently in force, as well as in the forms of participation adopted by non-Muslim sectors that, in one way or another, are a consequence of this accommodation. We believe that the still timid transversality produced by the celebration of Muslim rituals in Catalonia is permanently threatened by the crisis of moral panic (Cohen, 2011) that has shaken European societies in recent years, but it is nonetheless promising. The implication represented by these expressions, which are testimonies to the potency of one of the primary religious traditions in Catalonia, is no small matter. The commitment represented by these ceremonies, a factor that structures a heterogeneous collection of groups made up of people with diverse backgrounds, is more necessary than ever to challenge campaigns based on moral panic, and at times the representatives of the political class or civil society are not aware of their symbolic value. Finally, we have come to understand that ritual contributes cohesion but, at the same time, it awakens internal discrepancies. Despite the vitality demonstrated by the fact that Muslim communities continue to support these celebrations in Catalonia, it is impossible to speak of a homogenization of the meanings related to these ritual practices and even less of a unanimous support that serves as the sole means of integrating into the community.

It is impossible to deny the regenerative capacity of community ties inherent in rituals, one of whose main objectives is to guarantee the reproduction of the group by establishing mechanisms of continuity over time and thus strengthen socialization as a form of transmission to future generations. However, the challenges confronting these practices are important. The principle challenge is rooted in the processes of religious individualization coming from

the integration of minority religious faiths into the European religious field. In a scenario characterized by a multiplication of reference points, the absence of clear hierarchies and a general lack of trust regarding group expressions of religiosity, individuals tend to re-elaborate the religious inheritance of their family according to their own criteria and life experiences. Furthermore, the idea that ritual participation is an obstacle to integration is not exclusive to European secular elites. The European context is one that encourages new generations to look for alternative readings and search out spaces that will give them a steadier anchor in the European societies they form part of. In this respect, individuals can certainly come to view the religious practices associated with the societies of origin of their parents as counterproductive.

Indeed, the second challenge facing the ritual cycle of a minority religion in Europe is related to the fact that no legitimacy is conferred upon this form of socialization in a field modulated by a secular sensibility. In the eyes of European secular elites, the desire of immigrant families to pass on their religious and cultural values to their children constitutes an excess of 'communitarianism' and is unequivocal proof of the obstacles to their integration. Given the evidence of an almost uncomprehending social framework with respect to these forms of religious transmission – which logically contrasts with the Muslim societies of origin – this becomes a private family choice with no correlation to the immediate social context (Dialmy, 2007).

A few words about the decisive effects of a secular sensibility are in order here. In this case, there is the conviction that Muslim communities will integrate better into a secularized Europe if they abandon the (public) observance of their religion. On the one hand, community initiatives designed to guarantee this socialization are limited by the lack of symbolic, political and economic resources to counteract their lack of legitimacy. They encounter serious difficulties when it comes to creating spaces where they can perform this religious transmission in a dignified way that respects their desire to maintain their community ties. On the other hand, handling the process of wear and tear that affects the liturgies as they accommodate to the European religious field is a complicated question. In her study on Islamic rituals of birth, circumcision, marriage and death among Muslims in the Netherlands, Nathal Dessing (Dessing, 2001) argues that the celebration of these ritual practices in a social context that continues to actively question them results in a loss of competence on the part of ritual actors, as well as a reduction of ritual redundancy. In other words, rituals become simplified and progressively lose part of their content. Moreover, perhaps because of the very reification they are subject to when they are renewed in a context that is suspicious of all ritual effusiveness, they demonstrate an increasingly lower degree of diversity, at least with

respect to the original practice. Dessing's argument is, in effect, related to the idea of the 'emptying of ritual substance' that European societies impose on Muslim communities, an idea expressed by Mohamed H. Benkheira (1998). This imposition suggests that 'integration takes place not through politics (i.e. the place occupied by individuals in the *polis*), but through the very substance of those individuals', such that the process to incorporate Muslims in Europe is implicitly understood as a deritualization. As evidenced, the forces that seem to favour the progressive extinction of the Islamic ritual cycle are powerful and clearly reinforced, as noted above, by a context recently dominated by moral panic, which tends to erect a wall of suspicion around any expression of Muslim religiosity.

However, there are also reasons to adopt a different, perhaps less sombre perspective about the future awaiting these ceremonies in secular Europe. The Catalan case, in particular, seems to offer interesting alternatives. The banalization and simplification of some rituals, particularly Ashura and Eid al-Adha – which have, indeed, been emptied of part of their substance – is a process that has been accompanied by the relatively intact preservation of others like Mawlid and, with some nuances, the complex ritual of Ramadan. It seems clear that the symbolic framework that structures the various rituals constitutes a starting point to largely settle the controversies that they generate and handle the support and rejection they receive. We also believe that once they have been transformed, the more controversial rituals will be able to continue and that nowhere is it written that their mutations, as decisive as they have been, imply a total loss of their function as an agent of community cohesion. If it is true that rituals are communicative acts and that the message they channel comes, in the final analysis, from the communities that celebrate them, only in a world where these very communities have dissolved is it possible to imagine a future without their rituals. This, we believe, would be the bleakest of all scenarios.

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CHAPTER 5

Visibilizing 'Invisibilized' Spanish Muslim Youth

Virtudes Téllez Delgado and Salvatore Madonia

Introduction[1]

When compared to countries with 'mature immigration',[2] the evolution of new generations of Muslim citizens in Spain is still a limited process in terms of timeframe and numbers. It is not yet possible, for instance, to speak of a 'third generation',[3] since the children of the massive immigration movement of the 1980s and 1990s, the first cohort of young Spanish Muslims, are now between

1 This article is the product of comparing data from our two fieldwork projects done between 2006–2009 and 2010–2015 as well as our participation in the projects: *'Cambio religioso en España. Secularización, Diversidad Religiosa e Islam'*, a regional project under the auspices of the Regional Government of Castilla-La Mancha, PPII-2014-020-P, principal researcher, Miguel Hernando de Larramendi; and *'Participación política, Islam y Transnacionalidad en el Mundo Árabo-Islámico y en Contexto Migratorio'*, an MICINN R&D excellence project, CSO2014-52998-C3-1-P, principal researchers, Ana I. Planet Contreras and Ángeles Ramírez Fernández.

2 Although it is more common to differentiate between 'central/northern European countries' and 'Mediterranean countries', this work uses 'mature immigration' to refer to France, England and Germany where migration began to grow significantly in the 1960s-70s and uses 'new immigration' to refer to Greece, Portugal, Italy and Spain, where numerically significant migration only really began in the mid-1990s. These terms were used in another study that made a comparative analysis of the two blocks of countries in order to understand the different degree of integration of Islamic communities in them (Madonia and Piacentìn, 2012).

3 We put the concepts of 'third' and 'second generation' in inverted commas to convey to readers their theoretical nature, but we do not support the use of the terms and show them to be the conceptual constructions that they are. We believe that to continue using these categories is to continue to anchor the people discussed in this chapter to migration processes and the fact that they are demanding recognition of a Spanish citizenship that they already hold by law. In a similar way, Santelli (2004) challenges the construction of categories that try to understand the evolution of young French Muslims. The categories 'second generation' as well as 'second generation of immigrants' and '*beur* generation' emerged from the social research of the 1980s and continue to strongly link young people with the 'immigration question' in the French context. Santelli highlights the methodological need to differentiate the concept of generation from the 'generational focus', since 'the former is susceptible to degenerating into a uniform view of the groups contributing to its creation. The latter, on the contrary, assumes a heuristic value based on the articulation of a threefold perspective:

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15 and 35 years old.[4] For this reason, references to 'second generation' young Muslims in Spain differs significantly from other countries in central/northern Europe where 'second generations' have existed for forty or fifty years. Their number is small and, although a significant majority of immigrants to Spain are Moroccans, the new generations are characterized –especially on an associative level– by the ethnic heterogeneity of their parents[5] (Téllez, 2008). Moreoverin Spain progressive migrant settlement has been much more fluid and dispersed around the country. Although it is possible to find urban concentrations with high levels of immigrants, they cannot be compared to the more complex situations like the Turkish neighbourhood in Kreuzberg (Berlin) (Kaya, 2002), the *banlieues* in Paris –and particularly *les beurs*[6]– or south London (Allen, 2006).

Nonetheless in the Spanish context (as in the wider Western context since the early twenty-first century) security policies have been put into place aimed at controlling the practices of a social group associated in the collective imaginary with diversity derived from the phenomenon of economic migrations: Moroccans as a group and, by extension, Muslims. Since the 1980s with the beginning of the current democratic period, the state has promoted different activities to institutionalize Islam.[7] To that end, policies have been developed for the integration of social and religious diversity. After the terrorist attacks of 11 March 2004 in Madrid, additional control policies were added that overlapped with the measures taken to guarantee the process to institutionalize Islam in the Spanish state. This control primarily manifested itself in new anti-terrorism policies including greater monitoring of mosques, a refusal to authorize the construction of new mosques, attempts to develop programmes to train imams, the regulation of Islamic religious education, an so forth.

This pursuit of regulation and security has resulted in greater emphasis being placed on social control and the process of institutionalizing a religion. Other practices contained by this logic have been invisibilized or treated with less consideration, always observed as a parallel process, when not almost

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biographical, diachronic and structural' (Santelli, 2004: 40), see also Guénif-Souilamas (2006) and Chantal Saint-Blancat (2004). For the Spanish context, see Iñaki García Borrego (2003).

4 Their children probably will be, although according to this artificial scientific language.

5 When we speak of ethnic heterogeneity, we are also bearing in mind new Muslims who decided to adopt Islam of their own accord. Although this seems to be associated with migration movements, it also includes young people who have converted to Islam.

6 An offensive word used to refer to young people of Maghreb descent that derives from inverting the syllables in the word *rebeu*, or 'Arabic' in French.

7 To learn about the measures used to control Islam during the Franco dictatorship, see the chapter by Óscar Salguero in this volume.

alien to the other dynamics of Spanish society. This applies to the social, civic and political participation of young Spanish Muslims who have contributed positively to the democratic development of Spanish society with their associative practices and activities, as shown by Guia (2014) with regard to migrants (although from the perspective of native-born citizens who consider themselves part of the diverse and plural society that forms the Spanish state). As a result, young Spanish Muslims have been doubly invisibilized as a group in both public and academic debates and in the autonomous administration of Muslim or national organizations and institutions. In some cases this is because they are smaller and shorter-lived than groups in other countries, while in other cases it is believed that they should grow and become more established over time before becoming the focus of attention.

However in the belief that their importance lies in their practices and not in their size, age or length of time in the country, this chapter uses the results of our research to reflect on the forms, goals and effects of the socio-political participation of these young Spanish Muslims (for the most part children of immigrants) who bring a fresh approach to the established Muslim landscape. Here, 'young' adopts the definition established by Asef Bayat (2007: 64), where the main criterion is not biology, but the awareness of being 'young' derived from a set of social and economic circumstances.

Thanks to these two consecutive ethnographic experiments with young Spanish Muslims between 16 and 39 years old,[8] our research covers a decade

8 These two ethnographic experiments correspond to two larger research projects carried out thanks to funding from a I3P predoctoral grant to Téllez from the Spanish National Research Council (CSIC) between 2006 and 2009 and the MED HUM 2005-3490 R&D&I project, 'Archive of Mourning: Creating an Ethnographic Archive of the 11 March Terrorist Attacks in Madrid' and funding from the Ministry of Science and Innovation for the research staff education predoctoral grant to Madonia in the R&D&I project 'The Arab-Islamic World in Movement: Migrations, Reforms and Elections and their Impact in Spain' between 2009 and 2015. These two projects were based on two multi-sited ethnographic fieldwork studies (Marcus, 2001 [1995]: 111) which taken together provide long-term observation. The method used to contact the respondents was the snowball. Participant observation in spaces of daily interaction included 2 mosques, 1 humanitarian aid association made up of young Muslims and non-Muslims, 4 young Muslim associations and informal groups of young people, all of which made it possible to cover the evolution of the last ten years of association-building by young Muslims in Madrid. In turn, monitoring the different groups on social networks (in particular Facebook) and reviewing analog and digital documentary sources (mainly videos, photographs, press notes and records) revealed new communication, dissemination and participatory practices. Thanks to 60 in-depth interviews done with young people whose parents come from countries ranging from Spain to Arab-Islamic majority countries (Morocco, Syria, Egypt, Palestine, Jordan) and whose ages range from 16 to 39, it was possible to learn

of citizen participation characterized by being structured around and identified by two historical landmarks of spontaneous mobilization in Madrid: the terrorist attacks of 11 March 2004 in three train stations (Atocha, Santa Eugenia and El Pozo) and the appearance of the so-called 15-M *Indignados* movement between May and June 2011 (concurrent with the Arab Spring events in countries in the Middle East and North Africa or MENA region).

Several questions arise in this context: why have young Spanish Muslims not been recognized until now as legitimate active social actors and why are they referred to as passive actors requiring preventative 'education' or 'control'? How do these young people represent themselves to Muslim communities and the rest of society and what is their outlook for their future as Spanish citizens? Are the state policies mentioned above justified or do they end up invisibilizing and, thus, silencing these young people as 'useful' citizens? And finally, is it possible to think about the progressive political-civic and social participation of these young people in terms of institutionalizing Spanish Islam?

The Invisibilization of Young Spanish Muslims and Its Consequences

The construction of a specific nationalist view of Spanish national identity required the expulsion of Islam from the constitution of the concept of 'Spanishness', something that dates back to the very origin of the nation. The dilemma over whether it was a 'Conquest' or a 'Reconquest' –'when the Catholic Monarchs took over Granada and extinguished the last focal point of Islamic religion and culture on the Peninsula, thus producing the most important facet of national unity' (Palencia, 1939: 185)– it is, even today, a situation that is particular and characteristic of the Spanish nation. The result was and continues to be a battlefield that divides Spanish historians and Arabists into revisionists or negationists.[9] In this respect, Ana I. Planet (2008) describes how the vast

about how young people interpret their identification and forms of participation. The resulting data from each of these techniques was then used to triangulate the information. In order to guarantee the anonymity of both the institutions and the subjects studied in this chapter, their names have been omitted. For a more in-depth explanation of the design of the research and methodology used in the two projects, see the methodological sections by Téllez (2011a) and Madonia (2017).

9 The significant amount of work that has been done on this topic from different perspectives (historical, philosophical, Arabist, Africanist, Orientalist, sociological, etc.) continues to be divided between opponents and supporters with regard to the influence of eight centuries of Islamic presence on the formation of future Spanish national unity. On the evolution of

majority of publications on Islam (much more numerous, moreover, than in other European national contexts) continue to focus on different ideological, historical and cultural aspects of the era of al-Andalus, while much less attention is paid to the current situation.[10] A second factor that characterizes the Spanish context is that 'Spanish national identity' continues to be profoundly Catholicist. The political experience of the Franco era involved an indissoluble pact between the development of the nation and the pervasiveness of identity-based religious values in every state sphere, thus producing a national-Catholicism 'whose effects are still felt in the public space and in certain social practices' (Planet, 2008). As Danielle Rozenberg notes in her study on the evolution of the democratic construction of Spain: 'After the autumn of 1936 the Church gave its support to the military insurrection as a consequence of its hostility towards what the Republic –with its project to convert the state into a non-denominational state– had represented. The words of Cardinal Gomat, the Primate of Spain, summarized the project to re-Catholicize the country in the days that followed the victory: "Rulers! Make Catholicism at full steam [...] Not one law, not one professor, not one institution, not one newspaper distant from or against God and his church in Spain"' (Rozenberg, 1996: 246).

The relationship between this national-Catholic worldview and the 'new' religions generated the so-called 'dilemma of religious institutionalization' (Maussen, 2007), the result of the complexity inherent in including 'other' possible forms of religious institutionalization within these particular pre-established state systems. When the Cooperation Agreements between the Spanish State and the Islamic Commission of Spain of 28 April 1992 were signed (on a date that commemorated the fall of the Kingdom of Granada in 1492 and the consequent expulsion or forced conversion to Catholicism of Muslims and Jews in the territory), it was an attempt to legally compensate for the previous

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Spanish Arabism in the eighteenth and nineteenth centuries and its differentiation and marginalization in relation to European Orientalism, see López García (1990). Kelly McDonough (2007) rethinks the strategies of constructing Otherness in the discourse of both the 'Reconquest' of the Islamic world and the 'Conquest' of the Americas by Columbus. On the historiographical (re-)construction of the foundation myth of Spanish national unity with the 'Reconquest', see Wulff (2003) and Varela (1994). On the revision of the construction of the national past, see also Viguera (1995), Manzano Moreno (2000) and Aidi (2006).

10 Considering only doctoral theses written between 1980 and 2007, "in Spain a total of 61 doctoral theses were written concerning 'Islam', of which 31 referred to 'Muslims'. On 'Islam in Spain', 11 were historical and 4 dealt with Islam in contemporary Spain. Under the heading 'Muslims in Spain', 6 were historical and 2 modern" (Planet, 2014).

situation. One consequence has been a growing interest among researchers[11] in the institutionalization of Islam in Spain as a process (connected to the process of secularizing the state) and in the policies developed since then related to the acceptance of religious pluralism.

A third factor regarding this invisibilization represented by the development of migration studies beginning in the 1990s highlighted the longevity and size of the Moroccan community compared to other groups and the subsequent early leading role played by the Moroccans.[12] Early research focused on the need for the immigrants – primarily young, temporary, male working immigrants – to adapt. As family reunifications multiplied, more space was given to the issues associated with the appearance of women in the public space and of young people in schools and in the public space in general. As a consequence, the research being done was, at the same time, correlating Islam with Moroccan immigrants and thus creating a perception of Islam as an 'alien' and temporary part of Spanish society.

And indeed, the only studies on the so-called Spanish 'second generations' have been based on this perspective. These studies are primarily interested in describing the integration of young people, who have been (pre-)defined as a minority in a majority and different social and cultural context. The main criteria used to evaluate the success or failure of the integration or acculturation of these young people from a largely empirical-quantitative focus have applied classic assimilationist logic to selective acculturation (Portes and Zhou, 1992; Portes and Rumbaut, 2001), academic failure and labour integration (Portes, Aparicio and Haller, 2009), adherence to specific majority values and the recognition of a national identity (Portes, Vickstrom and Aparicio, 2013; Terrén, 2011). From this viewpoint, anything that represents or symbolizes the culture and religion of the parents, seen as 'specific populations' or 'ethnic minorities' (Lerner, 2011), has been classified as 'alien' and a threat to the presumed homogeneity of the majority culture. This culturalist perspective radicalizes the ethnicization of different groups or classes of immigrants, and the ritual, symbolic and cultural differences of young 'immigrants' begin to be seen in terms of barriers or obstacles to the process of integration/acculturation in the native culture. All of this reflects the scientific view of a research 'object' that

11 The institutionalization of Islam in Spain has been largely studied from the perspective of the law, especially by experts in ecclesiastical law working from the point of view of laws that regulate religious freedom and the rights of religious minorities. See Corpas-Aguirre (2010), Jiménez-Aybar (2004, 2006) and the chapter by José María Contreras in this book.

12 To learn more about these studies and their perspectives, see, among others: Ramírez y Mijares 2005; Lacomba, 2001; López García (et al.) 1996 and López and Berriane 2004; and Veredas Muñoz, 1998.

is preconceived as strange and different. As a result indigenous processes behind the socialization of subjects born and raised in Spain, who feel and define themselves as part of the country, are silenced.

This culturalist perspective radicalizes the ethnicization of the different groups or classes of immigrants, and the rituals and symbolic and cultural differences of young 'immigrants' start to be conceived in terms of barriers or brakes that are interposed in the process of integration/acculturation in the native culture. Thus, there is a scientific reflection of an 'object' of investigation that is preconceived as strange and different. The native socialization processes of subjects born and raised in Spain who feel and define themselves as part of it, then, have not been considered silenced. In the same way and closely related to the perspective underlying these early studies and to the political context, a particular focus has been developing in recent years that could be described as a 'security' focus.[13] In this second group of studies, national 'security', more than integration, becomes the prime concern (as related to a supposed threat stemming from the growing presence of young Muslims in the country at this time). This type of study explicitly highlights Islam as a cultural and ideological substratum providing the basic cognitive and cultural elements for the evolution of religious fundamentalism and the 'constant' terrorist threat (Madonia, 2017). According to this conception, Islam is ontologically defined as dangerous and threatening with a closed monolithic worldview that clearly clashes with national-Catholicism. This culturalist binary logic questions the loyalty of young Muslims and their devotion to the Spanish nation, leading researchers to suggest mechanisms of state control. For instance, the extremism and radicalization of young people is taken for granted, with the academy encouraging the activation of police controls and measures in the name of prevention, pointing to academic institutions as hotbeds of 'radicals' and authorizing police collaboration with the Ministry of the Interior and the law to handle the situation.[14]

Thus, a kind of parallel consideration has developed between the members of the academy who share this perspective and security measures pursued by

13 In the Spanish context, the theoretical reference point of this focus primarily derives from social psychology with a statistical-quantitative approach (although some studies apply qualitative research techniques to corroborate the empirical data obtained from the massive number of questionnaires), something self-defined as 'the psychology of terrorism'. See De La Corte (et al.) (2007), Trujillo (et al.) (2009) and Moyano (2010).

14 Regarding this view, see the chapter by José María Contreras, which discusses the tools used by the Ministry of the Interior after 2015 to 'help' professors detect signs of 'radicalization' among their students as well as other tools designed for citizens in general to actively participate in this task.

politicians to guarantee peace in the public sphere. The growing concern on the part of the Spanish state about the so-called 'Jihadist threat', which began with the terrorist attacks of 11 March (see Tello, 2007), was solidified eleven years later with the initial ratification of the so-called 'anti-Jihadist pact' by the two main political parties (the People's Party or PP and the Spanish Socialist Workers' Party or PSOE).[15] They were subsequently joined by parties with lower parliamentary representation,[16] except for the most important nationalist forces –the Basque National Party, the Democratic Convergence of Catalonia and the Republican Left of Catalonia– and the political parties Podemos[17] and the United Left (who publically based their decision on two arguments: firstly, the pact compromises guarantees established by law in its emphasis on toughening the penal code and reducing individual and group freedoms; secondly, the explanation given the citizens lacked clarity and the majority ratification weakened the 'plural and constructive' debate in parliament on the measures needed to fight the terrorist threat[18]). Thus, both 'emancipation-based' descriptions –in which young Muslims are depicted as clashing with their parents' traditions– and fundamentalist ones –where they are cut off from and threaten the majority society– view and idealize young Muslims as 'second-generation immigrants' and potential threats, always floating between two cultures and in a dilemma between two opposing worlds.

15 This press release from the Ministry of the Presidency made public on 2 February 2015 includes the proposals that are regulated by Articles 571 and 580 in Chapter VII of Title XXII of the Penal Code (Organic Law 10/1995, 23 November BOE-A-1995-25444in its latest modification dated 28 April 2015) and in various articles in the Criminal Procedure Act, as well as in Chapter III of Title VIII of Book II (Royal Decree of 14 September 1882, BOE-A-1882-6036in its latest modification dated 6 October 2015).

16 The small parties with low parliamentary representation that later joined the alliance are *Ciudadanos* [Citizens], UPyD [Union, Progress and Democracy], *Unió* [Democratic Union of Catalonia], CC [Canarian Coalition], UPN [Navarrese People's Union], *Foro Asturias* [Asturias Forum] and *Partido Aragonés* [Aragonese Party]. These political parties together cover the political ideological spectrum of the Spanish Parliament.

17 The creation of the political party *Podemos* was one of the by-products of the social mobilizations and citizen assemblies that appeared during the *Indignados* or '15-M' Movement in the wake of the demonstration held on 15 May 2011 to promote a more participative democracy beyond the two-party system controlled by the large political parties, the PP and PSOE.

18 See for example: http://www.elmundo.es/espana/2015/11/14/56472b3746163f89298b4654.html, http://politica.elpais.com/politica/2015/11/26/actualidad/1448569426_084968.html, http://www.diariocritico.com/noticia/490312/nacional/podemos-e-iu-se-desmarcan-del-pacto-antiyihadista:-asi-explican-sus-motivos.html, http://www.publico.es/politica/barones-del-psoe-asumen-pacto.html, consulted 12 April 2016.

According to Thijl Sunier (2012), the main consequence of this construction of normative, descriptive models of the Islamic reality in the West is the proposition of a progressive 'domestication of Islam', a process of containment and pacification based on identity-national politics largely seen in the integration of Islam into European societies. More generally, these domestication policies develop around how state power can control the evolution of the Islamic religion in all its facets within its social and institutional context (Sunier, 2012: 190). To move beyond this bi-culturalist impasse, Sunier proposes adopting a 'localized' research perspective that, using participant ethnography or the collection of biographical data, life histories and audiovisual material, makes it possible to delve into the 'daily Islam'[19] of young Muslims.

Peggy Levitt, for instance, proposes adopting an ethnographic-participant research method to follow the performative abilities of young people in different contexts of interaction where the material, symbolic, cultural and social resources that characterize the migration networks of parents are used in a more positive and harmonious way. For Levitt, the incorporation of immigrants and the development of transnational practices are not two antithetical or parallel processes, but are simultaneously structured in a glocalized reciprocal influence (Levitt, 2009: 1225).[20] In the same vein in her study of young Pakistani students in England, Ghazala Bhatti (2011),[21] suggests adopting a longitudinal ethnographic method and a research focus based on grounded theory (Glaser, 1998, cited in Bhatti, 2011: 86), which develops in long ethnographic interviews and discussion groups that are repeated over time.

Following these ideas about research and also drawing on the reflections of other authors who have studied young Muslims in Europe like De Koning (2008), Jacobson (1998), Lewis (2007) and Meer (2008), our ethnographic research has shown that young Spanish Muslims react with their own individual and group cultural and political tools, which are little known and little valued by academics, other Muslims and the rest of society, but are incontrovertible, steadfast and focused on the future (Madonia, 2017 and 2014; Téllez 2007 and 2011a).

19 'Practices and outlooks that connect quotidian experiences, networks and interactions with Islamic reasoning. It should not be confused with the concept of "folk Islam" that is often applied by scholars of Islam denoting non-orthodox religious practices. "Everyday Islam" is certainly not a theological variant of Islam. It is a concept of practice and it refers to the agency and reflexivity of local subjects' (Sunier, 2012: 195).

20 See also Levitt and Glick Schiller (2004), Morawska (2004).

21 See also Bhatti (1999).

Being born into a Muslim family has made them bearers of a social and cultural baggage distinct from that of their non-Muslim peers, but the fact of having been socialized and brought up in the Spanish context (where Islam is a minority religion) has led them to adopt socio-cultural guidelines from Spanish society that they identify as their own. The reconciliation of these two characteristics, which are presented in the culturalist and emancipationist schools as two irreconcilable identifications, is realized in the young people studied here. This has occurred slowly and over the course of their lives. How has it occurred? How have these young people participated in their relationships with Muslims and non-Muslims? What spaces have been paradigmatic in this reconciliation process? How do these young people conceive of their relationships with each other? What concerns, discourses and motivations do they wish to transmit? What outlets have they chosen to that end? How have they constructed and reconstructed these outlets? What active role becomes invisibilized? The result of the process of considering and answering these questions is an academic space in which to reflect on the practices, desires, motivations and demands of young Spanish Muslims.

The Appearance and Shape of Early Muslim Association-Building in Spain

As Contreras and Planet discuss in previous chapters, associations for religious purposes created by Muslims in Spain – both those born abroad like, for instance, economic immigrants and those born in Spain – must register in the Registry of Religious Entities (regulated by the Ministry of Justice's Directorate of Religious Affairs), a regulation that has facilitated the institutionalization of Islam in the Spanish state. However, this has not been the only option chosen by Moroccans coming to Spain as immigrants. Some decided to form part of secular socio-cultural associations inscribed in the registries of the Ministry of the Interior, as allowed by Spanish law, which has drawn a line that distinguishes the two types of groups.[22] The main associations inscribed with the Ministry of the Interior in the 1980s were the Association of Moroccan Emigrants in

22 The interests of the associations created determine the registry in which they are inscribed; by law the Ministry of Justice's Registry of Religious Entities is for religious communities and the Ministry of the Interior's registry is for associations with social, cultural and/or educational aims.

Spain (AEME)[23] and the Association of Moroccan Immigrant Workers in Spain (ATIME), which have operated like unions, defending the rights of Moroccan immigrants as secular entities by focusing on the labour questions that concern their members.

This associative differentiation was transcended in a new stage that began after Madrid bombing attacks in 2004 and continues today. From that moment, five new trends transformed the earlier association trends in innovative ways. The first and most important was the visibilization of young native Muslims in them, as well as in the mass media, demonstrations and the public sphere in general. The second occurred when new young Spanish Muslims and the children of Muslim immigrants joined together in the same association. The third is related to the appearance of associations whose members are exclusively young Muslim girls born or socialized in Spain. The fourth was characterized by the maintenance of associations formed by immigrants from Muslim countries, but included new groups like Pakistanis, Malians and Senegalese. And, finally, the fifth trend corresponds to a change in the origin of foreign students from Muslim countries, where Morocco has increasingly gained prominence.[24]

As in other countries with new migration –for example, Italy, where the *Associazione dei giovani musulmani d'Italia* described by Annalisa Frisina (2005), which emerged and developed in the wake of the attack on the World Trade Center, pushed young Muslims into a progressive association-building process that focused on both the group's internal identity construction and its relationship with a society beginning to view the group as hostile– this new distribution highlights two important developments. Firstly, inside associations it

23 For more information on the origin, structure and interests of this association, see Pérez Pérez (1997: 282–349) and Veredas Muñoz (1998: 43–163, 288–291, 551–630).

24 The statistical data that demonstrate this change in origin among foreign Muslim students is only available after 1996 and they are only registered up to 2009 in the Statistical Yearbook on Immigration published by the Permanent Immigration Observatory of the Ministry of Employment and Social Security's Secretariat of State for Immigration and Emigration (see http://extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Anuarios/). The first registries did not count students as immigrants, meaning that there is some missing data for earlier years. In 1996, 717 Moroccans were enrolled versus 35 Jordanians, 12 Lebanese, 13 Palestinians and 27 Syrians. In 1997, there were 2,541 Moroccan students enrolled versus 101 Jordanians, 42 Lebanese, 79 Palestinians and 49 Syrians. In 2000, 3,694 Moroccans were enrolled versus 74 Jordanians, 47 Lebanese, 105 Palestinians and 59 Syrians. In 2009, the number of Moroccans enrolled had decreased to 2,593 versus 87 Jordanians, 98 Lebanese, 86 Palestinians, 115 Syrians, 61 Pakistanis, 155 Iranians, 43 Iraqis, 81 Saudis, 127 Tunisians and 92 Senegalese.

became possible to find a diversity of origins, ranging from young Muslim immigrants who came to Spain as part of a family reunification, native Muslim children of 1980s immigrants and new Spanish Muslims. This diversity was not part of the previous stage, when associations could be identified by their members: either immigrants or new Spanish Muslims. Secondly, while the names of the earlier associations once included the country of origin, the reason for the immigration (work) or the religious faith, the names of the new associations highlighted a localist trend that indicated the city and province of Madrid as the origin and location, so that what stands out is not their status as foreigners who come with a religion, but the fact that they are native Muslims. This reflects the type of entity that they want to be. While they prioritized their status as religious communities and their affiliation with religious minorities in previous decades, once they decided to register as a sociocultural association, they joined the ranks of associations of the majority society, reproducing the administrative division discussed above (Téllez, 2007).

Between '11-M' and '15-M': The Visibilization of 'young Spanish Muslims' as a Political Subject in Madrid[25]

Immediately after the terrorist attacks of 11 March 2004 in Madrid, the first association of self-declared young Spanish Muslims (whose constitution process was already underway) burst onto the scene at the Atocha train station, one of the sites of the massacre. They carried a crown of flowers and a banner that condemned terrorism in the following words: 'No to terrorism in our name: barbarism has neither religion, culture nor race'. In this way, its members made themselves visible as a group, expressing their sympathy and participating in the widespread displays of public grief that spontaneously appeared in Madrid after the attacks (Téllez, 2011b: 157–170).

The association's members –young Muslim men and women between 20 and 30, most of whom were Spanish with parents from different Arab countries– feared reprisals from society similar to what had occurred three years earlier after the 9/11 attacks in New York. Faced with animosity towards these types of violent practices, they wanted to raise a public voice against them in order to break the link connecting religious youth to potential terrorists or radicals in Spanish public opinion. They wished to be recognized as 'good citizens' and 'good Muslims', using the categories based on a hegemonic logic that classifies citizens, according to their appearance and practice, between

25 11-M stands for 11 March 2004 and 15-M for 15 May 2011.

moderate ('good') Muslims and potential terrorists.[26] With their response they justified themselves (they were members of the 'good' group) and also reacted (with the aim of upending widespread negative and stigmatizing stereotyping in society).

This response materialized in 2004 in the setting of one of the main mosques in Spain. A number of members in the new association had grown up around the mosque, where they had taken part in various religious, educational and socio-cultural activities since they were children. The mosque had been inaugurated in 1988 thanks to financing from followers, most of whom had come to Madrid as part of the migration process of Arab students (Arigita, 2006: 656–566; Jiménez-Aybar, 2004: 30–31; Planet and Moreras, 2008).[27] Thanks to the availability of spaces for meetings and other activities (talks, seminars, workshops, excursions, etc.), the young members were able to use the mosque to guarantee the permanence of their association. Additionally, the group's continuity was guaranteed by the support offered from the other large mosque in Madrid[28] where they organized some of their activities.

26 To learn more about the way that these connections between terrorism/terrorists and young religious Muslims were established in the media in the days, months and years after the 11 March attacks, see Tello (2007). For a more in-depth look at the general climate of suspicion towards Muslims in the West as a consequence of different terrorist attacks, see Moreras, 2008.

27 This mosque is characterized by having an autonomous leadership and for having an internally established community of worshippers. The lack of occasional direct elections has led to stagnation in the small closed leadership board, largely a group of Syrian immigrants who have been in charge since the mosque was founded, currently comprising the mosque's administration, management and governing bodies. Because of this informal internal management and the modest financing contributed by the worshippers, the main activities carried out often fall back on community solidarity. Specific activities for children and young people include classes on Arabic, religious reading and religion, Islamic culture and religion and recreational-associative activities like religious ceremonies, summer camps and athletic activities.

28 The second mosque was inaugurated in 1992. It is financed by the Islamic League with the direct influence of Saudi Arabia in both its institutional administration and the religious interpretation that predominates in its discourses. The Islamic complex also contains an official Arabic secondary school with Islamic religious education, a public library, formal Arabic language schools, a cafeteria and public restaurants. Since these facilities are available for varying lengths of time, it has been difficult to maintain some of the institutions like Arabic education teaching and the Arab-Islamic secondary school. There are more activities for young people than in the other large mosque in Madrid, although they focus more on cultural-religious transmission than on recreation or athletics. The activities that have received the support of the administrative bodies to be able to operate on a regular

In the second mosque,[29] they had the opportunity to meet other young people who did not share their experiences of family-based religious education and had not been brought up in a mosque environment with the same intensity. This was either because they were not born in Spain, because they were new Muslims or because religion did not play a central role in their families. For this reason, the second group, attracted by the interests of the first group, decided to attend mosque more frequently and take classes on general Islamic education. This led them to become acquainted with and form a group of friends who then created a new association that was inscribed (two years after the original group) as a socio-cultural association whose goal was to present a peaceful image of Islam to combat the stereotypes that associate the religion with violence.[30]

The initial pairing – based on the perpetuation of emotional ties for the first group and an educational dependency for the second – changed over time according to the decisions taken by both associations to organize activities that could not be contained by the spaces and common objectives of the two mosques. This included a growing interest in socio-political questions relevant to their context as well as a tacit consensus about searching for their own reference points that would enable them to adapt their religion to the particular characteristics of their society. The two mosques, which became aware of the rift between their governing boards and their youngest members – some of them women – took different measures whose success in both cases, was

basis include: specific seminars on Islam, general courses on Islam for any interested party (Muslim or not), conferences on Islamic affairs offered by foreign religious authorities and educational workshops on the Quran.

29 These two mosques play a leading role in dialogue with the Spanish administration in the process of institutionalizing Islam in the Spanish state. They are both large, both in terms of the size of their Arab architecture and in the number of faithful who usually attend services and use their spaces. This notably differentiates them from smaller, less stable mosques with ethnically distinct prayer rooms for immigrants usually in the form of reconverted garages, stairways or private flats (Allievi, 2005; Moreras, 2008). According to the classic function of Islamic cultural centres as defined by Dassetto (1994, 1996), these two mosques are characterized by the pluri-ethnicity of the worshippers and separate spaces for men and women. They also have a number of spaces for various socio-cultural activities and different shared areas like interior patios, cafes and shops that foster encounters and reinforce the identity recognition of the religious community. Their differences lie in their control, administration and financing, both for the leadership and for the activities offered, as seen in the previous notes.

30 This idea is formulated in the objectives included in the association's statutes: 'To improve the image of Muslims in society' and 'To foster participation in society based on the values of coexistence, mutual respect, tolerance and social reciprocity'.

limited. In the second mosque instead of directing efforts at reaching out to the young people, the governing board began to make it difficult for young members to meet and organize their activities. Changes in the mosque leadership did not improve this situation and the desire shared by the association's members for autonomy led them to move to a nearby space that was in the same neighbourhood but out of the mosque's control. The first mosque, on the other hand, opted to organize specific activities for young people, as noted above, paralleling more 'classic' religious-cultural activities (Dassetto, 1994 and 1996) like Arabic and Islamic culture/religion classes or recreational activities for younger children like summer camps. These activities, then, began to be planned and administered by the governing board, limiting the autonomy of the young people while also organizing activities thought to interest them. In general, while the young people were interested in organizing activities with a socio-political bent that reflected their particular context, the heads of both mosques busied themselves building models for young people to follow, but the models, at times, bore little relation to the environment in which these young people were being socialized. Indeed, as many young interviewees confirmed, these models were problematic; these youth sought discourses that offered specific responses to their context. The identification of their own needs led them to organize their own activities to which they invited people that they deemed relevant, either because they spoke the same language (Spanish) or because they understood the context and could orient their questions, adapting the text to the context.

This search for reference points was not simple. In some cases they sought advice from young Moroccans with a higher education level who they saw as examples of how to 'adapt' to Spanish society without abandoning religious practice. At other times they looked for spiritual and religious guidance in imams characterized as being new Muslims, who seemed to reconcile socialization in the Spanish context and Islamic religious practice. Finally, they also looked to Arab Muslims offering messages of modernity, like Amr Khaled.[31] The governing bodies of the mosques did not understand these attempts

31 This televangelist profoundly influenced a large number of the members of the second association discussed in the text. After following his message over the course of two years, it became clear how the search for religious reference points that combine Islam and 'modernity' does not only involve native and/or local actors, but at times, is found in figures outside the Spanish context. However, the initial fascination with these types of representatives ends in disappointment when the local consequences of practicing the message at home become clear. In the case of Amr Khaled, the ambiguity that his message injected into their local discourses and demands as an association led the members to leave his international movement. For a more in-depth look at the causes and

at autonomy and the young people went through an associative crisis that reached its peak in 2008 when the first association decided to temporarily cease its activity and the second expressed a need for reform (Téllez, 2011a). From a broader perspective, it is possible to connect this associative crisis to progressive criticism on the part of the young people towards static identity models that came down to the division between 'we' Muslims and 'they', the majority society, where their main duty was to make a good impression as a 'good Muslim' (Manzoor, 2015; Ramadan, 2010 and Mamdani, 2002). However, the young people began to express a different identification: 'we Spanish Muslims' who want to participate actively and directly in society, as was seen shortly thereafter.

When the events of the Arab Spring began to unfold in 2010, several demonstrations spontaneously erupted in Madrid against the embassies representing the countries through which the revolutions were spreading. At first, various Muslim Spaniards who had or still participated in the Muslim associations discussed above began to meet publically with immigrants, non-Muslim Spaniards and new Muslims from different civic-cultural associations in defence of human rights or to express the sentiment of 'No to the War'.[32] A few months later, with the beginning of the Syrian revolution in 2011, these group actions began to stabilize thanks to the organization of the first permanent sit-in in front of the Syrian embassy in Madrid located in the very centre of the city, a few meters from the Prado Museum in one of the most cultural and heavily tourist districts in the city. The infrastructure was basic, just a tent to hold provisions, a seat to collect signatures to expel the Syrian ambassador and various banners hung around the space in front of the embassy. This was the second time that these young people, as they themselves tell, began to understand the need to stick together in spaces free of 'external' influences like their parents or the mosques. As they began to understand and recognize themselves as a group, they also began to reflect on their collectively constructed identity.

Thanks to the use of social networks and Facebook in particular, beginning in 2001, an interconnected group infrastructure developed between various virtual groups involved in activities related to the 'Syrian cause'. In 2012, for example, a secular non-profit humanitarian association with stable headquarters

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consequences of this connecting and disconnecting, or fascination and reconsideration of the Life Makers movement, see Téllez (2014).

32 A slogan that united all the protests heard on the streets of Spain in 2003, when millions of demonstrators rejected the Spanish government's support for the new war being planned by the United States government as part of its 'international war on terrorism'.

was founded that continues to carry out humanitarian aid and awareness-raising activities today thanks to a system of virtual participation. The growing number of activities and initiatives range from humanitarian assistance including collecting, organizing and sending material to Syria; protest activities like organizing demonstrations, sit-ins and movements; cultural-recreational activities to raise funds like concerts, athletic events, solidarity meals in mosques, etc.; public awareness-raising and propaganda events like flash mobs, conferences, debates, etc.; and collaboration with different humanitarian associations. This has allowed young Muslims to begin to exhibit their active and participative role in society along with other young people whose status and beliefs are different. This participation is also characterized by a return to the transnational relationships once left behind by other young people as part of their crusade to reinforce the credibility of their feelings of belonging as young Madrid/Spanish/European Muslims.

It was the context of the 15-M protest movement (or '*Indignados* movement') (Corsín Jiménez y Estalella, 2011). that the associative activism of young Muslims –manifest in the construction of a stable station from which to spread word about the 'Syrian cause'– merged with the protests and demonstrations of citizen indignation organized by their non-Muslim peers. This introduced locally re-codified international perspectives that encouraged contextual collaborations. In turn, during the occupation of Madrid's Puerta del Sol square, the demands made by young Spaniards and Europeans showed solidarity with the protests for freedom and democracy being made by other young people in Arab-Islamic majority countries.[33]

The model of democratic horizontal participation adopted by these two associative experiments during a period of widespread participatory enthusiasm was transferred to a new association that came into being on 30 November 2012 (with ties to one of the main universities in Madrid, since the first meeting, made up not of immigrant students, but of native Muslims, was held in a classroom there).[34] The initiative to create a new association took shape on social networks like Facebook, where several young Muslims –some members of the previous associations and some young people who had visited these associations more informally– launched a proposal on an open conversation thread. From the beginning, decisions were taken horizontally, from agreeing

33 One commonly heard slogan in the square was 'Puerta del Sol like Tahrir Square', where young Egyptians led demonstrations demanding democracy and other common causes.

34 This was in the Faculty of Languages at Madrid's Universidad Complutense, where many of the young men and women in the new association were enrolled.

on a name for the association to choosing the types of activities to pursue. These rules of participation were designed to incorporate the different views of all the members of the group.[35]

In August 2012 another association of Spanish Muslim females (with a small minority of foreign females) was founded by younger women who had wanted to create their own associations or join existing ones four years earlier. However, at that time the early associations were in a state of crisis and the youngsters, who found themselves in a fairly helpless situation, were slow to consolidate. In this association, the participants plan and organize their own activities and projects quite autonomously, like the young people in the other associations have tried to do. They insist on the idiosyncrasy of being young, Muslim, Spanish females, underscoring the singularity of the confluence of these traits compared to the early associations. They define their group as completely independent, one that accepts Islam as a form of life and seeks to reverse prejudice against Muslim women. Decisions are taken by consensus and all members are encouraged to contribute new ideas and to participate in proposing new activities. While they are receptive to any origin or nationality, the group is made up of Spanish female citizens responsible for their environment.

These last two associations are characterized by having adopted a more open participatory model in which participation is proactive and designed to contribute to the construction of their society, i.e. more than just react, the members of these associations want to participate in and help form society. In this respect, the initiatives and activities organized during this new stage are characterized by being civic-participative (providing support for humanitarian demands, actively participating in citizen solidarity activities, forming groups in the 15M movement platform), cultural-recreational (sponsoring film sessions, chats and debates with experts, university conferences) and proactive political-protest (direct participation in local politics, fighting for their rights during institutionalization processes, appearing in the media as key players, etc.). Thus, young Madrid/Spanish/European Muslims today have stopped following pre-imposed models – if they ever did – to construct their religiosity as an enriching element of their own Spanish society. But, what are the implications for the present and future?

35 Interestingly, while the sessions themselves only attracted 20–30 participants (a significant number at this level), the Facebook group had up to 150 active participants.

The Present and Future Implications of the Visibilization of Young Spanish Muslims

The evolution of association-building among young people reveals the relationship between its development and structural modifications to the bodies behind the official institutionalization of Islam. The first Muslim associations were created for institutional purposes and some of their members wanted to take part in these youth associations. While this was possible in the beginning, the evolution of the associations created by young people followed alternative paths that distanced them from representative organs. Mosques have played an important role both in encouraging and trying to manage these associations while serving as paradigmatic symbols for administrators and guardians of institutionalization in three respects: first, as a space of encounter and cultural transmission; second as an element to formalize the community's internal and external institutionalization; and third, as a place where the Spanish administration can locate and interact with the Muslim community. As a result, when considering the agents and factors that have impacted the institutionalization of Islam, attention focuses on the mosque as the institution of dialogue without looking at other factors emerging with ever-greater autonomy. Muslim youth association-building must be analysed from this perspective and must not be absorbed or invisibilized by the importance of the mosques.

The progression from childhood to young adulthood led many young people to resignify the mosque and the practices that take place in it. While some distanced themselves, others became directly involved in the activities organized by these institutions, while still others felt the need to reorganize internal spaces in the mosque to meet the new sociocultural needs of their everyday routines (as also seen in Sedgwick (2015) and Dessing (et al. 2016)). The participation of young people in mosques cannot, therefore, be reduced to practical-religious purposes; they also want to advocate for new practices and changes where their personal identification as Spanish Muslims manifests itself in spaces where 'the Islamic' and 'the Spanish' meet. As this study revealed, the new needs of young people began to develop from their status as natives, as part of society. For this reason, young people –without questioning the spaces of community-religious socialization guaranteed by religious institutions– have begun to address the need to create new spaces for youth socialization better suited to their demands.

In the case of Madrid, this has been translated into the creation of sociocultural associations that were publically visibilized by dramatic events in Spanish society like the terrorist attacks of 11 March 2004 and the civic-participatory

response represented by the '15M' events in 2011. However, neither the majority society nor the Islamic community itself have paid much attention to the evolution of this phenomenon, but rather focused on specific aspects. The Spanish administration has continued to identify legitimate actors for dialogue in institutionally recognized entities, while the Islamic community has assessed this movement as a juvenile reaction of limited relevance for the administrative-institutional future. Despite this twofold 'indifference', our ethnographic work suggests that these new processes could be important for the future institutionalization and recognition of Spanish Islam and that, therefore, there is a need to visibilize them for three reasons: (1) they challenge the leadership in the institutional management of religious cultural centres; (2) they criticize identity models 'imported' from abroad; and (3) they provide new candidates to represent Spanish Islamic society on the whole.

Interestingly in other European countries with a migration tradition similar to Spain, like Italy as discussed above, the cultural diversity introduced by the migration processes and their successive ideological, political and symbolic instrumentalization (Pace, 2003) has provoked a significant response in part of civil society, which has become interested, activated and in some cases mobilized in support of or in opposition to the 'migration question' in turn raising interest in the topic in public debates. For this reason, participative spaces for young Italian Muslims have proliferated in Italy, for instance allowing the *Dei Giovani Musulmani d'Italia* association to become established across the Italian Peninsula, able to mobilize nationally, participate and claim its social and political visibilization.[36] The group has increasingly taken on the role of mediators and bridge-builders between xenophobes and their views and the needs of the immigrant world (Frisina, 2006, 2007; Frisina and Trappolin, 2009).

On the contrary, the presentation of the ten-year association-building process of young Spanish Muslims in this chapter has revealed that the positive contributions made by these young people have received very little political, media or academic attention. On the contrary, an interest in highlighting actions that could be interpreted as threatening and that elicit fear, rejection and suspicion seems to dominate. However, we want to shatter the dynamic that reproduces old Orientalist stereotypes and invisibilizes other forms of

36 In some cases, the association-building experience has produced trained leaders who have gone on to become more directly involved in the country's public and political life, as in the case of the young Moroccan Khalid Chaouki, a founding member of *Dei Giovani Musulmani d'Italia*, Since 2005 he has been a member of the Italian Islamic Consultation in the Ministry of the Interior and since 2013, a deputy representing the Democratic Party, the largest left-wing party in the country.

action that have been predominant among young Muslims in Madrid in the last decade. Rather than working to identify warning signs in order to deploy security measures, it would be much more compelling to analyse the forms of participation and the messages projected both inwards and outwards, gaining first-hand knowledge about who these Muslims are and how they define and represent themselves. Instead of searching for subjects to whom to attribute the threatening stereotyped generalizations that prevail in many media and academic discourses, these two ethnographic experiences have inductively led us to extract conclusions from the particular events observed over the course of ten years. In other words, these two experiences serve as an incentive to debate and challenge the hegemonic forms of representing young Muslims in the European and, more specifically, Spanish context.

In 2004 young Muslims could be characterized by a tendency to react to the socio-political events occurring in Spanish society as young Spanish Muslims, but to be proactive among Muslims with regard to defining the type and forms of religiosity that they practiced and validated. Four years later, beginning in 2008–09, these tendencies changed. They were reactive in their religious community, redefining how they understood their religiosity as young Spanish Muslims to older generations, and proactive in Spanish society where they appeared as young Muslim Spanish citizens among new Muslims. Thus, more than demanding de facto recognition of the categories they use to position themselves socially and politically (Muslim Spaniards/Spanish Muslims; the order changes depending on to whom they are presenting themselves), their participation based on these categories is an undisputed fact.

It is no longer necessary to demonstrate a reconciliation of civic and religious identification; this is now unquestioned and straightforward (De Koning, 2008; Sedgwick, 2015). These Muslims are citizens of Madrid/Spain involved in socio-political processes and aware of the legitimacy of their participation and their feelings of belonging. This is not a search for meaning. Rather, this development represents a step away from a reactive action projected outwards in a search for validation, visibilization, acceptance and recognition of their feelings of belonging to a proactive internal action that asks nothing of any group considered alien or different. They act as members of the Spanish society to which they belong as Muslim citizens of Spain/Madrid.

Therefore, while their associative activities and initiatives were at first characterized as reactive and aggressive in their demands –an 'image cleaning', as it were– the new proactive and active associative activities and initiatives have become community spaces of socialization. Here they can engage in collective and reflective experiences, both civic-participatory and cultural-recreational in lockstep with more assertive ideological or political dynamics. Moreover,

due to their greater freedom to take decisions and absence of any specific leadership, these socialization spaces have been able to proliferate according to the contextual experiences and needs that the young people have on a daily basis. In these spaces, transnational causes and local practices intertwine and global meanings are recoded according to meaningful contextual orders (Ryan et al. 2011).

In accordance with the classic division established by Georg Simmel, it seems fitting to leave behind an essentialist viewpoint that focuses on the description of the possible influence that the Islamic religious 'form' maintains on young people and work on understanding the process of constructing and implementing one's own contextual daily performative 'religiosity'. While for Simmel 'religious behaviour does not exclusively depend on religious contents, but [...] is a generally human form of behaviour which is realized under the stimulus not only of transcendental objects, but also of other motivations' (Simmel, 2002: 40), it is the 'motivation' of being and feeling like a Spanish Muslim that is now beginning to act as the driving force behind new religious association-building projects. Incorporated into some specific pro-participatory modalities and activities, this motivation is nurturing the construction of an indigenous identity with important prospects for the future.

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CHAPTER 6

Rethinking Re-Islamization: On Muslims and Gender in Spain

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Introduction

This chapter analyses the relation between Islam and gender among the Muslim population in Madrid, Spain. As regards the concept of gender, we have used the conceptualization put forward by Chafetz, who in 1989 remodelled gender as a theoretical tool and developed the concept of social gender definitions,[1] which are the gender stereotypes, ideologies and norms that are broadly shared by society. Gender ideologies are the value systems and beliefs through which the world is understood. In this particular case, they express on what basis and how men are differentiated from women. Gender norms – whether or not they are translated into law – are the expectations about what is considered appropriate behaviour for men and women according to the definitions of the assigned sex. Finally, gender stereotypes are simplified and commonly shared ideas about what men and women are like.

The initial hypothesis for this study[2] was that social gender definitions within Muslim communities are constructed in relation to Islam. This means that gender relations are religiously legitimized and that, in turn, religion would be expected to determine the norms of coexistence between men and women and, indeed, the laws by which society must be governed. Our aim was to examine how communities in the context of the study used gender definitions associated with Islam as a reference point that could, moreover, contribute to the creation of new Muslim identities that did not exist

1 We have adopted Chafetz's concepts as constructs to facilitate the study, but we do not share her general framework in which stability and change in the gender system seem to be unrelated to other social processes and, at times, are marred by individualism and psychologism.

2 The members of the *Cultura, género e islamofobia: islam en diáspora* (FEM2011-27161) research team were Laura Mijares, Virtudes Téllez, Adil Moustaoui, Livia Jiménez, Joaquín Eguren and Elena Hernández. The lead researcher was Ángeles Ramírez. The team participated fully in the empirical research and in the theoretical-methodological discussions. However, the analysis and interpretation in this chapter are the sole responsibility of its two authors.

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before, based on two factors: an increased religiosity and the individualization of the experience of practising Islam supported by shared standards of religious consumption. This idea is coherent with a process described in the academic literature as Islamization or re-Islamization, which highlights the presence of Islam in all aspects of daily life in both Muslim majority countries and countries where Islam is a minority religion (Roy 2011, 1992; Cesari 2003; Vertovec 2003).

As with other ideologies, Islam in recent years has also been modified by processes of globalization. This has led many authors to identify new trends in Muslim contexts, which have been brought together under the umbrella term re-Islamization or Islamization. Scholars have written about 'market Islam' (Haenni 2005), 'Islamic gentrification' (Abaza 2004) and 'commodification' (Hasan 2009). The three meanings take for granted the existence of a process of re-Islamization that extends throughout the entire Muslim world, and that is strongly related to the emergence of middle classes that consume Islam, including Europe and North America. Unlike politically organized Islamists, these 're-Islamized' Muslims do not pursue power, but rather the re-Islamization of daily life. The transnational action of Muslim theologians (*duat*[3]) is disclosed as fundamental in this new normative homogenization (Haenni 2005). The new Islamic actors are preachers who – with the support of the mass media – have helped to spread certain models of public morality, both inside and outside Muslim countries.[4] Paraphrasing the offensive action of neoconservatives, this process has been called the 'other conservative revolution' (Haenni 2005).

For Roy, re-Islamization is a '*ré-inscription de l'islam*' (Roy 1992: 81) in the socio-cultural and legal space implemented (a) 'from above', in the actions taken by governments in Muslim majority countries as a means of legitimizing themselves and neutralizing Islamist opposition; and (b) 'from below', in the actions of Islamist parties and associations (and, it is understood, in Muslim minority countries), which exert a kind of Islamic culturalization based on religious practice and the application of Islamic norms to daily life. Roy also argues that this re-Islamization lacks a political objective or aim, since political Islamism has been transformed into conservative neo-fundamentalism, having lost its revolutionary dynamics. Other authors like Kepel (2011) have also

3 *Duat* is the plural of *dai*, the Arabic word to designate people who are committed to *da'wa*, or preaching for the purpose of proselytizing.

4 Although an increased interest in contemporary preachers has emerged in recent years (Brinton, 2016; El-Nawawy & Khamis, 2009; Gräf & Skovgaard-Petersen, 2009), little has been written about the model of gender they propose. A tentative approach to this issue can be found in Ramírez (2011).

taken the existence of re-Islamization for granted, asserting the strong community construction around Islam. Similarly, in the 1990s Khosrokhavar (1997) advanced the concept of a neo-communitarian Islam in French neighbourhoods. These views have been contested by other authors like Geisser (2016), who criticizes Kepel for reducing all social logic to the Muslim question.

The academic literature on the re-Islamization of women has focused on the emergence of informal movements of women seeking to increase their theological knowledge as a way to become better Muslims (Jonker 2003; Amir-Moazami and Salvatore 2003; Rouse 2004; Mahmood 2005; Deeb 2006; Jouili 2015; Parvez 2017). Theological practice and daily life are interlinked in these tasks, focusing on groups of women engaged in joint reflection on life and Islam, whether in mosques or associations, Muslim countries (Mahmood 2005; Deeb 2006), Western Europe (Jonker 2003; Amir-Moazami and Salvatore 2003; Jouili 2015) or the United States (Rouse 2004). The emergence of the need to search for theological knowledge as the basis for improving their Muslimness marks a shift with respect to the usual role played by Muslim women in religious exegesis and, therefore, in social life. The most commonly cited case here is the study by Mahmood (2005), in which the women's movement in the mosques of Cairo is presented as a dilemma for feminist theory, given that it suggests the possibility of a non-liberatory agency.

From the beginning, this research project has accepted the framework of Islamization as a situation applicable to Spain, despite the fact that neither our previous work nor the bibliography on Spain to date[5] seems to take this process into account. The concept was adopted with the following hypothesis: it may well be the case that the lower visibility of re-Islamization in Spain corresponds to the relative youth of Muslim immigration and not to its different nature. On this basis, we set the dual objective of (a) identifying possible transnational practices and symbols shared by the Muslim population as a whole; and (b) examining whether these elements could be determining gender dynamics, especially those involved in religious movements such as those found in countries discussed above like Egypt (Mahmood 2005) and Lebanon (Deeb 2006). We were particularly interested in identifying different social gender models within the process of re-Islamization.

In a nutshell, the aim of this research was to investigate the diversity of the social gender definitions found in Muslim communities and their relation to

5 Except with regard to specific groups explicitly engaged with re-Islamization, like Jamaat al-Tabligh (Tarrés 1999) or Salafiya (Moreras 2009).

Islam, as well as the hierarchization and importance of these gender constructs, in order to analyse their connection with processes of re-Islamization. To that end, we conducted four discussion groups with Muslim men and women from different social strata and with different education levels. The following section presents the methodology used, along with a detailed description of each of the four groups carried out in Madrid between July and December 2012.

Theoretical and Methodological Framework

For the purposes of this study, we needed a qualitative research technique that would allow in-depth analysis of the discursive possibilities within Muslim communities and their relation to Islam in its different varieties. Therefore, the discussion group technique, as designed in the field of Spanish critical sociology to analyse consumption (Ortí 1986), was chosen as ideal. The epistemological basis of these discussion groups was the idea that the ideological orientation of discourses is related to the genesis and reproduction of social processes (Ortí 1986). In qualitative research, the objective is to capture the system of symbolic representations given expression in, among other things, a set of social discourses. These discourses are understood as material and graspable; they are produced and circulate as a product of groups (Lucas 1983) and are created and updated during social interaction (Conde 2009). As this circulation takes place, the hierarchical structure of society and its moral assessments and its contradictions are reflected (Lucas 1983). In this way, 'the symbolic structure of the dominant discourse reproduces [...] the motivational structure of the reference groups or, rather, their value system, which orients consumer behaviour in a class or a specific social situation' (Ortí 1986: 169). Discussion groups thus designed provide a way to access the symbolic system that shapes 'more or less long-lasting' attitudes, strong positions and behaviours and states of opinion (Colectivo Ioé 1995: 9).

By using the discussion group technique in this study, it was possible to discover the ideological positions of different groups of Muslim men and women as well as the hierarchical relationship between them, based on the idea that their different national, ethnic and social origins configure disparate ways of approaching the model of 'being a Muslim woman'. These discourses also provide access to the 'guiding principles that can constitute new forms for action' (Colectivo Ioé 1995) and can highlight the fault lines within specific groups. In short, the discussion group method was used because it establishes a relationship between discursive and social positions (Conde 2009).

Four discussion groups were designed according to previously defined social segments based on the socioeconomic and migrant origin of the Muslim population in Spain, which was rather heterogeneous with respect to its social composition. The largest group was made up of employment-based immigrants who came from North Africa and settled in Spain beginning in the late 1980s. A significant number of Spanish Muslims were also born to these immigrants, as well as children from the Syrian-Lebanese and Palestinian middle classes who came to Spain in the late 1970s as part of the friendship programmes with the Middle East, in addition to some native Spaniards who recently converted to Islam (Planet 2014; UCIDE 2016).

Bearing in mind the composition of Spanish Islam, when designing the discussion groups, we distinguished between first-generation immigrants who came to Spain beginning in the 1990s, either without schooling or with a low level of formal education, and young people born and/or socialized in Spain who are professionals or university students. The Muslim men and women who participated in the groups occupy diverse socioeconomic spaces: outlying urban neighbourhoods, universities and youth and student associations.

The four discussion groups were formed in a way that accounted for the internal plurality of the 'religious patterns' that Geertz (1968: 98) defined as 'frames of perception, symbolic screens through which experience is interpreted; and they are guides for action, blueprints for conduct'. Drawing on our ethnographic work (Ramírez 1998, 2011 and 2015; Mijares 2006, 2014; Ramírez and Mijares 2005; Mijares and Ramírez 2008), we were equipped to define at least three types of relationships with these religious patterns: inherited Islam, Muslim citizenship and secularism.[6] In theory, each of these three types, having been defined based on Muslimness as represented in space and on the body, would correspond to different forms of gender definitions. It was thought that a vital practice of Islam has a specific embodiment, defined for women by modest clothing that does not reveal the curves of the body or some parts (hair, cleavage, legs) and for men by sporting a beard, *zebibah* (prayer bump) or *gandoura* (male Islamic garment). Additionally, an important part of their use of time and space is allocated to religion in a specific way. This may be individual or collective and in any event applies some rules of behaviour identified as Muslim to their daily lives: eating *halal*, social activity centred around the place

6 Other authors have worked with apparently similar typologies, including, for example, Saint-Blancat (1997), who presented three ways of living Islam in the diaspora for European Islam (re-Islamization, silent majority and secularization). However, this characterization reproduces the conceptual polarization between 'good' and 'bad' Muslims, which was criticized years later by Mamdani (2004).

of worship, religious readings, a family life that follows Muslim guidelines and, in some cases, participation in group or community activities determined by religious experience.

The first type of relationship, 'inherited Islam', is a received and accepted Islam, whose authority is acknowledged and scarcely questioned. Inherent in this type is a received set of norms that are not re-signified, i.e. no attempt is made to provide them with new content. The commitment to the Muslimness of the body and space is minimal or practically non-existent, with some variations. Our previous studies provide strong evidence that most of the first-generation immigrant men and women with unskilled work and no higher education could be placed in this group. The second type applies to a relation with Islam that intersects life from an ethical standpoint and serves as a guide for public life. We have labelled this type 'Muslim citizenship' because Islam provides a set of moral norms by which to live Islamically in non-Muslim societies.[7] In this case, there is an explicit commitment to embodiment and space. Muslimness materializes in the body and in a use of Muslim space/time with

TABLE 6.1 *Composition of the discussion groups*

GROUP I First-generation immigrant women Unskilled workers, unemployed or housewives No higher education Inherited Islam	**GROUP II** First-generation immigrant men Unskilled workers or unemployed No higher education Inherited Islam
GROUP III First-generation immigrant men or socialized in Spain University students and skilled workers Higher education (completed or ongoing) Muslim citizenship	**GROUP IV** First-generation immigrant women or socialized in Spain University students and skilled workers Higher education (completed or ongoing) Muslim citizenship

7 The young Muslims with whom Téllez Delgado (2011) worked in the context of the 11 March 2004 terrorist attacks argued for the legitimacy of Muslimness (synonymous with Islamic religiosity) as a form of citizenship in Madrid.

respect to dietary rules, social activity and, at times, political projects. This way of living Islam is usually identified with re-Islamization in the bibliography. Most of the Muslims who adopt this option belong to the middle class, have a higher education and have been socialized, at least in part, in Spain. The third type, which we term 'secularism', includes Islamic descendants not concerned with religion. This group recognizes and lays claim to their Muslim background as ethnic or cultural (not religious, because they are not practicing) Muslims, although they do not fight for secularization either. This segment was not included in the study as this work focuses on the practicing population.

Table 6.1 shows the social composition of the resulted discussion groups conducted in Madrid between July and December 2012.

The Discursive Field of Islam in Madrid

The discourses in the discussion groups were organized around two primary themes: the place of Islam in gender ideologies and the possibilities for change. In this context, three discursive positions emerged: (1) fatalist-subaltern, in which Islam perpetuates the inequality of women in relation to men; (2) pious, with various divisions, in which the problems in relationships between men and women can be resolved by Islam; and (3) elitist-legitimating, in which gender relations are not considered a problem due to the existence of an Islamic relational framework.

1 *Fatalist-subaltern Position*

This position comprises only first-generation immigrant working women with few professional skills and who are housewives or do poorly paid jobs, largely in domestic service. They share what we have termed inherited Islam. The term subaltern is used in the most conventional sense of subordination, but without losing sight of the Gramscian conception, which includes a "fatalistic" element and defines the subaltern class as the working class whose position is ideologically, politically, socially and economically dependent on other social sectors (Gramsci 1986: 255). In specific terms, their subaltern position is a dual one: firstly, with respect to the host society, where they resign themselves to compliance with a social order that discriminates against them as Muslim women and working women; and secondly, with regard to their male partners, who use Islam as a way to control their spousal and social relationships.

> 5: The way things are now, you can't get a job with a headscarf. 6: Look, I just did unpaid work without my headscarf, just unpaid work. […] 4: Yes,

> but companies won't hire you with a headscarf. […] 6: And now not even in private homes, you know? A very, very few people will let you, but most won't. (G.I)
> 3: But it's just that…they say that religion, that the Muslim religion says a woman can't greet a man who isn't…you don't kiss any man who's not your brother or your father. I mean, that's what I see… 6: Well, your brother or your father [makes a sound like recognizing something very logical: duh] that's normal…4: for Muslim men [makes small blows against the table], for Muslim men…6: of course, Muslim men think that way, of course they do, so… 4: And what's more it's in the Quran. (G.I)

This position adopts so-called Marianism (Stevens and Martí Soler 1974) or the discourse of excellence, which places women on a higher moral plane because of their abnegation and capacity for sacrifice, considering them stronger than men. It is assumed – fatalistically – that change is impossible, although, returning to the Gramscian conception, this determinism becomes a formidable force of moral resistance (Gramsci 1986). However, in this case, the women are held responsible for their situation, for not being sufficiently strong.

It bears noting that Islam is not blamed for the women's situation, which is perceived as negative, but is seen as a tool in the hands of men that increases the women's vulnerability. In fact, their discourse focused on their relationships with their partners as, for the most part, poor women in a situation of considerable economic insecurity and whose wellbeing depended directly on their husbands. In this relationship, their husbands used Islam as a source of control and to legitimate their supremacy. Indeed, the only factor that seems to differentiate their situations from those of other similar non-immigrant social groups is the content of the domination, not the domination itself.[8] There are no collective spaces for political action. Personal exchanges of goods and services form the basis of social activity, just as they do among the non-Muslim population that shares the same social stratum. The mosque has no social role for these women.

2 *Pious Position*

This is a position of a more crosscutting nature, since it is held by some of the male and female university students and professionals born or socialized in Spain as well as by some unskilled first-generation immigrant workers. Put differently, the discourse is shared by Muslims -women and men- with different socioeconomic levels. At base is the idea that relationships between men and

8 It is the power of the masculine order (Bourdieu 2000).

women are problematic but can be improved with the assistance of Islam. In other words, for all of the people who take this position, Islam is or can be a resource for change, whether on an individual or group level. This discourse is extremely vindicate, on the one hand, with respect to the role that Islam should play in their lives and on the other, with respect to Spanish society. All of these participants have problems in Spanish society and believe that to handle the situation they must turn to Islam. However, the diagnosis and the solution are not the same in every case, and the pious discourse can be divided into three versions or positions, which, in turn, have been identified with three different religious patterns.

Institutional Subjection

The first version of the pious discourse is represented by some of the unskilled first-generation immigrant workers. In this discursive position, Islam establishes a strong segregation between men and women as well as a division of roles according to which women are basically caretakers and reproducers, regardless of the fact that they are allowed to have some paid jobs within the limits of what is socially and morally acceptable, and as long as they do not interfere with the women fulfilling their primary role, bearing and raising children.

> (…) God created woman to give birth and raise children and not to give birth and have the man take care of raising them while the woman works. That isn't right. (G. 11)

The role of men is to maintain and protect the family and, moreover, they must be firmly controlled since they consider themselves incapable of handling 'their freedom'. For the people who maintain this discourse, Islam plays the important role of limiting potential excess with regard to alcohol, drugs, gambling, etc. They, then, underscore the need for a somewhat institutionalized Islam, similar to what they find in Morocco, to illustrate the appropriate Islamic model of conduct. It is this framework that contains the bulk of the criticism towards Spanish society, which is seen as separating men from the Muslim action programme. If traditional roles are not maintained, neither will the political, social and moral order stand.

> You're in a conservative country and then you find out about openness, the world, the West and other worlds. These people get lost and since they don't figure it out, things begin to get messy. Many people came who didn't drink before, for example, but now you see them drinking and that creates problems for their wives. You start smoking when you didn't

> before; there are a lot of those. Some start using drugs and pick up other bad habits. (G. II)

Pietistic Innovation

This discursive position was identified in a very specific socioeconomic stratum: professional men and women or university students largely socialized in Spain. In this position, Islam also must establish relational limits. Here, however, instead of institutional subjection, the framework is one of equality leading to emancipation.

> [...] I believe that there are limits within which you can, shall we say, move around. It's not set in stone. (G. IV)

This position recognizes 'machismo', totally unrelated to Islam, as the source of problems between men and women. This then becomes a cultural question, which allows the participants to establish a distinction between Muslims from here, from Western culture, and those from outside. While they may share a set of Islamic principles with the outsiders, they do not have cultural values in common. There is a clear disassociation from Arabness and foreignness. This is a politically active discourse – in a broad sense – in two respects. In the first place, the very women who maintain this discourse are active in Muslim movements that demand an expansion of the Islamic norm to legitimate their religious option. Secondly, this activism requires a conscious effort to increase their Islamic knowledge and religiosity in order to confront the inequalities resulting from being Muslim women.

> [...] I protest a lot, I belong to groups, you know? Studying Islam with only girls, younger ones and the like. And I always try to give the girls examples of women that we know. Of leading Muslim women, the strength they have...that they were in no way passive subjects. (G. IV)

Although the men maintain an activist discourse, they are not involved in group action. In their position as professional men, they do not need to legitimate their religious option on a daily basis as the women do. In this respect, this group of Muslim men does not suffer the stigma of the poverty of the unskilled workers or the femaleness of the women.

Wahhabi Imposition

The third pious discourse straightforwardly adopts the official Saudi version of Islam that, among other things, involves the state-led legal and social

minorization of women. Comprising a single male university student socialized in Spain, this is a minority position in the Muslim social field. He staunchly supports the establishment of an ideal Islamic state modelled on the Saudi state in which relationships between men and women are completely delineated with very clear limitations. According to this position, relationship problems are the result of the lack of an Islamic institutional framework.

> Well, that's that. If a wise man in Saudi Arabia reached the decision that a woman in Saudi Arabia can't drive, I'm not going to question it. (G. III)

The problem of a missing institutional framework is seen in the same way by unskilled Moroccan workers who share the discourse of institutional subjection. The difference between the two positions lies in which Islamic current should be chosen, i.e. in the contents.

3 *Elitist-legitimating Position*

The third discursive position is made up of professional women and men and doctoral students who were born or socialized for most of their lives in Spain. We have labelled it as elitist for three reasons: (1) their socioeconomic status, which affiliates them with a privileged minority; (2) because they view their beliefs as indisputable and that the others – including Muslims – do not understand Islam; and (3) because the people who hold this position can afford to continue living in a context where Islam is misunderstood, since their Islamic way of life can be reproduced above these problems, due to their privileged social position. The members of this group assert that there are no problems between men and women, since the relationship framework established by the Islam that they practice neutralizes any conflict.

> [...] if the husband, for example, has a character that's hard to understand or he likes to be dominant like a lot of men in America and Europe with this character, for example. The woman has the obligation of *sabr*, of patience. (G. IV)

This position legitimates the status quo because it contributes to the reproduction of inequalities, both inside Muslim communities and in their relationship with the outside world. It does not recognize the subaltern position of other subjects compromised or stigmatized by their socioeconomic positions due to their Muslim embodiment, which is non-normative in the Spanish context.

Re-Islamization Revisited

We began this study with the conviction that in Spain, as elsewhere in Europe and in Muslim countries themselves, we would find a process of re-Islamization. The academic literature on re-Islamization understands Islam as a system of civic, social and individual norms and a model of public morality that 'Islamized' or 're-Islamized' Muslims welcomingly adopt as their way of life, the product of a voluntary decision. It is also argued that Islam is susceptible to continual revision to respond to daily questions and that part of this process is experienced as a community. This is the site of the *fatwa banks*, the Muslim forums and the success of new preachers.[9]

From this perspective, there was an expectation underlying the research that gender definitions among the Muslim population in Madrid would emerge with Muslim embodiment and relational limits[10] and would be accompanied by active proselytism or *da'wa* and a public presence in places of worship, as indicated by the bibliography. But most importantly, it would imply the assumption of a re-signified, reinterpreted and recreated Islam, as seen in other contexts analysed by other researchers (Roy 2011, 1992; Cesari 2003; Vertovec 2003).

An analysis of the results has shown that, with one exception, all of the discursive positions bestow a hegemonic position upon Muslim citizenship as a discourse of prestige. This means that in the collective construction of the discourse, living Islamically is central: it is an ethical framework par excellence that provides a model to become better men, better women, better citizens, better wives, better husbands, fathers, mothers, children and better Moroccans. However, only two of these positions are constructed from active involvement, where the question of political participation appears. This Islam of Muslim citizenship becomes Islam-as-resource, associated with positions of (relative) power that correspond to Muslim men in general and, in the case of Muslim women, only involves young women who were socialized in Spain and have a high level of formal education.

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9 See footnote 4.

10 Relational limits are understood to be the restriction that some Muslim men and women self-impose by not having physical contact (touching, shaking hands or kissing) people of the opposite sex who are not *mahram* (a term that refers to people with whom marriage cannot be contracted because they are blood relatives). This also includes limits related to space and the avoidance of situations of intimacy with non-*mahram* men and women.

For men, Islam-as-resource allows them to exert their positions of domination in the family setting, using religion as a normative framework that legitimates inequality. In the case of women, only the young, educated ones are able to overcome male domination and fall back on their Muslim citizenship to change their situation: one is a better Muslim woman the more one challenges male positions of power from within Islam itself, given that Islam provides a fair ethical-social framework that must be claimed. These women fight subordination by reinforcing a series of features of character that they define as Muslim, such as strength, constancy and valour, at the same time that they wear the hijab and accept relational limits. This places them in a position of prestige in which the goal is really to obtain power.

The exception to the discursive hegemonic position of Muslim citizenship is the fatalist-subaltern stance, which comprises only unskilled women workers. Here Islam is also central, but in a different way. Islam is seen as having a negative impact on their lives; it is at the same time Islam-as-hindrance and a resource in the hands of men. Rescuing themselves or improving their lives does not come from being better Muslim women, but from their own inner strength (hence Marianism), family networks or the state. In some cases, there is simply no solution (fatalism).

Therefore, Muslim citizenship is a hegemonic trend in terms of discursive prestige when it is associated with positions of power, both from the point of view of gender – compared to the women, all the men in the study maintained this belief – and class – the middle and upper-middle class participants all maintained this compared to the others. However, this religious pattern, as noted above, is not mobilized either politically or every day, i.e., with the exception of a few cases, this programme is not used for Islamic action, but is drawn upon as a resource in negotiations of class and gender. Our data provide convincing evidence that the winners are those who are able to reproduce their dominant positions using Islam as a discourse of prestige. On the contrary, the losers, who are always women, question it. This does not mean that the subaltern-fatalist discourse does not incorporate some religious principles as a Bourdieuan habitus, but it does not explain everything and, moreover, in the case of this discursive formation, it questions the legitimacy of the fact that others use it for domination.

In any case, two key questions emerged from the analysis. Firstly, the religious pattern is not the only element to consider when studying Muslim populations. The social processes encompass a multitude of factors. Secondly, contrary to our expectations, there is no such thing as a 'Muslim subjectivity'. The consideration of values, concerns and attitudes as Islamic depends on different discursive positions. From this perspective, the label 'Islamic'

does not depend on a correspondence with specific 'Islamic' meanings, but on the discursive positions in which the contents of these 'Islamic' labels are produced. Thus, the positions that can be included within what we termed 'Muslim citizenship' – pious and elitist-legitimating – are those that give content to 'Islamic' definitions of gender, which differ from each other. Conversely, the relationship with Islam provided by 'inherited Islam', where the fatalist-subaltern discourse belongs, cannot define or interpret what is Islamic outside a hegemonic – diverse – norm in whose creation it has not participated. For that reason, this discursive fraction does not produce 'Islamicity' and is limited to following the norm established by other social discourses, which results in a situation of subordination; it shoud not be forgotten that this discursive position was only held by first-generation immigrant working women. Only from Islamic citizenship are gender models defined 'Islamically'. The general picture emerging from the analysis is that there is no true 'Islamic' content, since the term can accommodate very different and even opposing contents.

Conclusion

Our data were limited by the research technique used and these findings would be made complete with an ethnography. Future research will have to clarify why these working women do not or cannot participate in these Islamic elaborations and in what conditions this occurs, but an extended discussion of the relationships between class and Muslimness is beyond the scope of this chapter.

In large part, the bibliography on Islamization takes the position that since that the discourse on Muslim citizenship is dominant in the Muslim population, Muslims must be actively involved in some form of this citizenship, from for example the Islamization of their daily lives in terms of values to some form of Muslim militancy (Salafist, Islamist, Sufi, etc.). In this respect, the academic literature argues that Muslim populations have entered into a dynamic in which their political participation, social activity and family lives are governed by Islam more intensely than in the past. This argument, which is hegemonic, once again reproduces an Orientalist focus in two ways. Firstly, it assumes that all Muslim men and women are formed by a single Islamic pattern in a kind of binding conception of culture and that, therefore, there is no need to look for other analytical concepts in the social sciences to explain what is happening in Muslim contexts. Secondly, and as obvious as it sounds, this single Islamic pattern is understood to be transnational, transcultural and transhistorical.

This focus has important consequences and highlights – as so many other times in the history of the social sciences– the importance of the relation between science and power. It is possible to establish a discursive continuum between Orientalism, on the one hand, and re-Islamization and radicalization as new 'zones of theory'[11] in the Arab-Muslim world. From an analysis of studies on re-Islamization, one could tragically conclude that radicalization is a consequence of re-Islamization, as if greater Islamic religiosity inexorably leads to a road that ends in terrorist acts. Here, a trajectory is constructed in which certain symbols are interpreted as unmistakeable landmarks in this process of "radicalization": wearing a headscarf or a *gandoura* or attending a mosque to pray (López Bargados 2014 and 2015; Ramírez 2016). These religious daily practices are criminalized since understood as the prelude to committing a terrorist attack. The result is an off-course drift that is at once reductionist and essentialist. For that reason, specialists in the area have an even greater responsibility than ever before to try to prevent the 'Daesh-ization' of studies on Islam in Europe.

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CHAPTER 7

Political Muslim Women: Citizenship and Feminism in Democratic Spain

Aitana Guia

Introduction[1]

In a Europe committed to gender equality, Spanish Muslim women, a heterogeneous group of migrants from Islamic-majority countries, European Muslim women and converts to Islam are often charged with being victimized by a backward religion incompatible with women's autonomy, political agency and rights. By leading mixed-sex Islamic organizations, such as the Halal Institute or the Islamic Cultural Centre of Valencia, by denouncing as illegal and anti-Spanish those interpretations of Islam that undermine gender equality and by expanding the spectrum of Muslim female role models in Spain, a group of visible Spanish Muslim women is finding a place as active citizens, as well as proving the stereotype of Muslim women as passive and submissive to their male counterparts to be false. In the process, some Spanish Muslim women have managed to deactivate headscarf conflicts, to create religious and secular Muslim women's organizations and to align themselves with international Islamic feminist coalitions.

Constructing an Image of Muslim Women in Spain

Media and popular culture have misrepresented Muslim women in Spain for centuries. The historical roots of this stereotype originate in Orientalist views and colonial domination of Islamic countries (Dobie 2001; Alloula 1986; Fernández 2009; Navarro García 2012 and García et al. 2011). Historical

1 This research project was possible thanks to York University's Faculty of Arts and Professional Studies Minor Research Grants. I would like to thank Ana I. Planet, Ángeles Ramírez and the Universidad Autónoma de Madrid for the opportunity to present an earlier version of this work at their 2015 symposium '*Observar el Islam en España*'. My gratitude goes as well to Reinhard Heinisch and the Austrian Research Association's Working Group on Democracy for an engaging venue to share my research at their 2015 'Democracy and Islam' symposium.

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stereotypes embrace Orientalist constructions that, on the one hand, represent Muslim women as odalisques, belly dancers and sexualized harem residents, persistent luring myths for Western artists and their audiences, and on the other hand, reproduce stereotypes of submissive ordinary Muslim women without a say in religion, politics or public life, reduced to the domestic sphere and at the complete mercy of their male relatives. Things have changed to a degree now; while the sexualized stereotype is not as predominant – other women are constructed into explicit sexual objects with much more ease – the second stereotype is not only pervasive, but has become the basis for a militant literature oriented towards saving, liberating and emancipating Muslim women from a religion and culture that is presumed to fundamentally oppress them (Abu-Lughod 2013).

Muslim women need saving from Islam, understood as a sexist ideology, and to this end, writers such as Somali-Dutch-American Ayaan Hirsi Ali argue that the only possible way for Muslim women to liberate themselves is to abandon Islam (Hirsi Ali 2006). If they insist on maintaining their religion and demanding rights as both Muslims and women, then they are considered brainwashed and to be working against feminism and women's rights. In Spain, the most prominent voices along these lines have been those of ethnic Spanish women who self-identify as feminist and enjoy positions of authority, for instance, as writers and academic administrators and journalists (Rodríguez Magda 2006 and 2008; Rahola 2011). Many Western feminists still consider Islamic feminism an oxymoron. Moreover, when Muslim women insist on their right to wear veils in Western democracies, particularly when they demand a right to be fully veiled in public, which has been banned in France and Belgium, they are immediately considered not only a victim, but also a threat (Rashid 2016). As full veiling is associated in Europe with a Salafist interpretation of Islam, Muslim women who endorse these outfits are immediately presumed to embrace some version of political Islam and, more recently, to have been radicalized (Laster and Erez 2015). The 2015 arrests of almost twenty vulnerable female teenagers in Spain wearing full veiling on the grounds of presumably recruiting in the name of the Islamic State of Iraq and the Levant (ISIS) or being willing to travel to Syria to join it has not helped matters.[2] Seeing Muslim women as victims in need of rescue and simultaneously as a threat when they visibly embrace their religion are two complementary strategies of objectification. Muslim women do not control their own lives and are responsible for their own emancipation – if that is even one of their goals – but rather are at

2 Patricia Ortega Dolz et al., 'Detenida una española en Barajas que iba a unirse al Estado Islámico', *El País* 21 October 2015.

the mercy of Western saviours or other Muslims who use them strategically for their own agenda.

A clear example that illustrates how some ethnic Spaniards are using Muslim women as proxy for radicalization and a threat to gender equality in Spain is the crude electoral spot produced for the radical right party Platform for Catalonia (PxC) for the 2011 municipal elections in Catalonia (Guedioura 2012; Casals 2009 and 2007). The PxC obtained its best electoral result at around 66,000 votes with this message.[3] The spot begins with a depiction of Catalonia in 2011 where the viewer can see three young women skipping rope on a plaza to the sound of a traditional Catalan children's carol. One is dressed in regular western dress, but the other two seem to be ready for a night out in a club. They are wearing long stiletto boots, miniskirts and tight tops that reveal bouncy breasts. They are highly sexualized, but also infantilized. One of them has ponytails and a school uniform looking jacket. After a dozen seconds or so, the image shifts to Catalonia in 2025 and the three women are still skipping rope, but this time they are clad in burkas to the sound of *raï* music. The leader of the PxC concludes the spot by saying '*primer, els de casa*' ['first, those of us from here/home']. This spot illustrates crude Spanish machismo aimed at mobilizing male sexual instincts and how unsophisticated the politics of fear related to the Islamization of the West are in Spain.

An anonymous comment on the YouTube spot site reveals the intended audience response sought after by the producers: 'What hot girls! I could see them jumping aaaallllll day long, surely we don't want anybody to cover them, vote Platform!'[4] A male audience that enjoys and has no problem seeing women turned into sexual objects feels at home in the spot. So while the PxC warns Catalans about the discrimination that 'native' Catalan women will inevitably be exposed to if Muslim immigration is not curtailed, it reveals that sexism and paternalism still hold electoral appeal among ethnic Catalans themselves. The spot portrays women as childish members of society in need of male protection and as luxurious objects whose sexuality needs to be preserved for the benefit of males, not for their own sexual emancipation. Women's agency, control, autonomy and contributions to society beyond their looks and

3 Plataforma per Catalunya, 2011 Official Spot for Municipal Elections in Catalonia, https://www.youtube.com/watch?v=NNoRv8Nu86I [Last accessed on 9 November 2017].

4 Ibid. '¡Qué niñas más buenas! puedo verlas saltar toooodo el día, definitivamente no deseamos que las tapen.... voten plataforma!' https://www.youtube.com/watch?v=wNFAoEgaHoI&feature=kp&bpctr=1408622166 [Last accessed on 20 August 2014. Link no longer available]. [all translations are the author's].

sexuality are erased. There is a long tradition of using benevolent sexism (Glick et al., 2000, 763), a subjectively positive orientation of protection, idealization and affection directed toward women that, like hostile sexism, serves to justify women's subordinate status to men by male defenders of a given land to attack enemies within. It was used by racist southerners in the United States of America against male blacks depicted as a threat to white American women and it is being used in the West today against 'patriarchal and sexist Muslims'. In the PxC spot, however, the 'honour' of ethnic Spaniards is severely undermined by coarse sexualization. The PxC manages to treat both 'liberated women' and 'oppressed women' as objects.

Media and political discourses are not the only narrative that has contributed to misunderstanding Muslim women and how they define their place in society. Academic literature has often analysed them in ways that have contributed to maintaining misconceptions. First, some academic literature either ignores the experiences of Muslim women or considers them a subject matter that can easily be incorporated into the male experience, which is presented as universal. As Juliane Hammer (2013: 111–115) demonstrates, many scholars fail to incorporate gendered analyses and fail to directly address the role of women and gender in Islamophobic discourse. In the Spanish case, Fernando Bravo's extensive and interesting work on Islamophobia (2013) barely mentions Muslim women. Eloy Martin Corrales, in his key study *La imagen del magrebí en España* (2002, 55–116), centres the body of work around the male experience, but offers a more nuanced picture by including Spanish views on Muslim women as odalisques, harem residents whose role is to pleasure Spanish soldiers, victims of patriarchal oppression, lurid objects for sexual tourism and ugly undesirable peasants. Other works (Zapata and Díez-Nicolás, 2012) contribute to invisibilizing Muslim women by denying their experiences of discrimination when they argue that Islamophobia in Spain is merely political rhetoric rather than social fact.

Another misunderstanding regarding the place of Muslim women in Spain is due to the fact that the academic conversation on Spanish Muslim women has predominantly focused on the private sphere, on their everyday life experiences as migrants or members of minority religions. Very little in the pioneer study of Muslim women in Ceuta by Eva Evers Rosander, *Women in a Borderland* (1991), deals with their political agency, even though Muslim women in other parts of Ceuta became actively involved in a social movement aimed at obtaining Spanish citizenship between 1985 and 1987. Gunther Dietz and Nadia El-Shohoumi's *Daughters of Al-Andalus* (2005) equally focuses on the religious and personal sphere of the numerous Muslim women they interviewed

in Granada, but says little of their involvement in collective action of any type. Other works, for instance Ángeles Ramírez (1998), equally focus on the domestic sphere of Moroccan migrants in Spain.

Perhaps the reason for this lack of attention is that Muslim women in Spain have had little social involvement and the stereotype of them as passive and lacking agency is, after all, true. Evidence suggests, however, that these studies are looking at a majoritarian but by no means exclusive experience of Muslim women in Spain. They focus on one side of the spectrum of possibilities for devout Muslim women in the country, while I focus on another set of devout Muslim women.[5] In her study of attitudes regarding gender equality among Muslim Norwegians, Line Nyhagen Predelli (2004) identified four ideal types of devout Muslim women in Oslo. Rosander, Dietz and El-Shohoumi, and Ramírez focus on two types labelled by Predelli as family-oriented and tradition-oriented Islamists. These devout Muslim women believe that women have no role to play outside of their familial and private sphere. Consequently, they do not join women's groups, infrequently participate in the larger Islamic community and avoid much interaction with European societies. My research focuses instead on society-oriented devout Muslims, a group that Predelli divides between modernists and Islamists in order to separate those that embrace the idea of equal participation in the labour market and equal share of family responsibilities from those that accept women's work outside the home only when needed and in a complementary way to the main breadwinner responsibilities of the husband. As I analyse in the following pages, the experience of devout society-oriented Muslim women is not a marginal reality and their influence is larger than perhaps their numbers suggest. I chose them based on their society- and community-oriented profile and their political visibility.

Muslim Women as Active Citizens

In 2007 the Islamic Cultural Centre of Valencia was pushed into the national media spotlight due to the election of an unusual president: Amparo Sánchez Rosell, a middle-aged woman born in Valencia and a convert to Islam. In the barrage of media attention and recognition that befell her, Sánchez Rosell was called 'a pioneer, courageous, committed [and] tolerant'. *Levante-EMV*, the newspaper with the largest distribution in Valencia, gave her the 2008 '*Premio*

5 Some of these scholars, in particular Ángeles Ramírez, have recently moved from studying the private sphere of Muslim women in Spain to being one of the leading scholars studying their impact on the public sphere (Ramírez, 2011a, 2011b, 2012, and 2015; Gould 2015).

Importante' [Important Prize] for being the first woman to lead an Islamic organization in Spain.[6] Five years later, Sánchez Rosell run for vice president of the top organization representing Spanish Muslims, the Islamic Commission of Spain (CIE), created in the symbolic year of 1992 to monitor the implementation of the pioneer Cooperation Agreements signed between Spain and Spanish Muslims. In November 2012, Sánchez Rosell became the first female elected for vice president of the institution. Even though her victory was revoked when Spanish courts turned down the legality of the assembly that had elected her, it was still pathbreaking.[7] Sánchez Rosell was the first woman, and to this day the only one, to rise to a position of authority within the CIE.

Sánchez Rosell did not expect such intense media attention: 'I am still surprised by how much impact my appointment [as president of the Islamic Cultural Centre of Valencia] has had'. For her, her appointment as president of an Islamic organization was nothing out of the ordinary, after all, '[d]uring the Prophet's time, Aisha was a teacher of wise men who today have become reference points for us and who said that women could and should occupy important positions within the Islamic religion'.[8] Moreover, Sánchez Rosell had been an activist since she converted to Islam in 1996 and most of her work had been at the grassroots level. Her appointment was an expected next step that would allow her to continue to advocate for the religious rights of Spanish Muslims and promote the participation of Muslim women.[9] But for the mainstream media, the appointment of a woman as president of an Islamic organization was newsworthy in itself.[10] It contradicted long-lasting images and stereotypes of Muslim women as oppressed, submissive and severely discriminated against by their male counterparts in a religion that relegates them to a subordinate position.

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6 'Sigo sorprendida por el impacto de mi elección', *Levante-EMV*, http://mas.levante-emv.com/premios-importante/sigo-sorprendida-por-el-impacto-de-mi-eleccion [Last accessed on 15 February 2015].

7 Ignacio Cembrero, 'Un inmigrante de origen marroquí, nuevo líder del islam en España', *El País*, 18 November 2012.

8 Ibid. Paloma López Cortina, 'Una excusa religiosa no debe marginar a la musulmana', *El Faro Digital*, 3 March 2013.

9 Sánchez Rossell, Amparo. Interview by Aitana Guia. Valencia, 20 June 2015.

10 'Amparo Sánchez: "Es un reto que una mujer dirija el Centro Cultural Islámico"', *El Mundo*, 5 February 2008; P. Huguet, 'Amparo Sánchez Rosell: "Hay que dejar que cada mujer musulmana decida si usa pañuelo"', 5 February 2008; 'Una valenciana es la primera mujer que dirige un centro islámico en España', *20 Minutos*, 5 February 2008; Federico Simón, '"Mis hijos no son islámicos, ¡quieren vivir la vida!"', *El País*, 9 February 2008.

In her influential *The Politics of Presence*, Anne Phillips (1995) argued in favour of shifting democratic representation of underrepresented groups from the 'politics of ideas', in which any person can speak for a given constituency as long as they do it effectively, to the 'politics of presence', by which Phillips meant that previously voiceless agents demand that those who represent them be themselves members of the group for which they speak. Accepting the logic of the politics of presence led Spain to pass the 2007 Law on the Substantive Equality between Women and Men, which implemented, for instance, sex quotas in electoral lists and appointments of public servants.[11] While Spain slowly advances towards gender equality, many underrepresented groups, such as devout Muslim women, still face barriers to have their voices heard and their bodies included. As important as the visibility of Sánchez Rosell is, hers is still an exceptional trajectory.

Spanish Muslim women are a heterogeneous group of migrants from Islamic-majority countries – primarily from Morocco, but also from Pakistan, Senegal and Algeria – their European-born daughters, Muslim women in the North African cities of Ceuta and Melilla, and converts to Islam like Sánchez Rosell. Their activism has been marked by location, cultural and social capital and their citizenship status. First, Muslim activism, both for males and females, has been greater in the North African cities of Ceuta and Melilla, where close to 40% of the population is Muslim, in large cities in mainland Spain with again larger concentrations of Muslims, such as Madrid and Barcelona, and in regional areas where Spain's Islamic history has acted as a catalyst for an Islamic revival, in particular Cordoba and Granada. Muslim women's activism has benefitted from the resource mobilization facilitated by larger concentrations and a deeper network of Islamic organizations. Second, activism by Muslim women in Spain has also been fuelled by the cultural capital that converts to Islam have injected into the movement. Being native speakers, having deep social networks and sometimes being very well connected to established political parties – for instance the lawyer Jadicha Candela is the sister-in-law of Joaquin Almunia, leader of the Socialist party (PSOE) from 1997 to 2000 – allowed female converts to Islam to make their demands visible earlier on, long before pioneer immigrant Muslim women or their daughters were in a position to take on leadership positions. Third, converts to Islam and Muslim women in Ceuta and Melilla after 1988, when they obtained Spanish citizenship en masse (Guia 2014), were able to use their legal residency and citizenship status to exercise their political rights and run for office.

11 Law 3/2007, March 22, 2007 On the Substantive Equality between Women and Men, *BOE* 71, 23 March 2007, 12611–12645.

In a traditional understanding of politics, as members of political parties who run for election, devout Muslim women have mostly been active in some Andalusian cities, such as Cordoba and Granada, and Ceuta and Melilla. In mainland Spain, they have overwhelmingly lobbied for religious rights within the Socialist Party. In this role, the most visible devout Muslim activist has been Jadicha Candela, a long-time PSOE cardholder, lawyer and convert to Islam. An exception to the overwhelming Muslim support for the PSOE was Fatima Mohamed Kaddur, a Melillan who became the first hijab-wearing elected councillor in Spain in the small Andalusian city of Gines in 2003. Mohamed Kaddur, however, left the party in 2010 after the Conservative Party's attempt to follow France in restricting the hijab in schools. Even though she publicly stated that she wanted to remain in politics, she did not do so.[12]

Women's participation in electoral politics was already on the rise in Spain when the 2007 law on substantive equality forced political parties to implement gender quotas in their electoral lists. From 21.6% of female elected representatives at the national parliament in 1996, Spain reached 36.6% in 2008, but returned to 36% in 2011. According to a European Parliament report, Spain's advances in gender equality in representative politics have stagnated and not yet reached the desired 40% (Lombardo 2009).[13] In Ceuta and Melilla, devout Muslim women originally joined local parties created to defend the interest of the large Muslim populations in the cities, such as the Coalition for Melilla, Caballas Coalition or the Movement for Dignity and Citizenry in Ceuta.[14] Today, devout Muslims in Ceuta and Melilla can be found in all political parties, including the traditionally nativist Conservative Party. Muslim women are not only rank-and-file members of these parties. They have also run for office, been elected to representative parliaments and reached positions of authority in those chambers. Jadu Dris Mohamed Ben Abdelah was the first Muslim woman to become second vice president of the Melilla City Assembly in 2006, before the 2007 law was passed. A few years later, another member of Coalition for Melilla, Dunia Al-Mansouri Umpierrez, became first vice president of

12 Francesca Barca, 'Fatima Mohamed Kaddur: a Muslim in the Spanish People's Party', *Cafebabel*, 10 June 2009,http://www.cafebabel.co.uk/society/article/fatima-mohamed-kaddur-a-muslim-in-the-spanish-peoples-party.html [Last accessed 16 October 2015]; Ignacio Díez Pérez, 'La concejal musulmana deja el PP y se ofrece a "cualquier otro partido" que respete su ideología', *El Mundo*, 3 May 2010.

13 http://www.europarl.europa.eu/RegData/etudes/note/join/2013/493011/IPOL-FEMM_NT(2013)493011_EN.pdf.

14 See the websites of the three parties at: http://www.coalicionpormelilla.com/, http://www.caballasceuta.com/, http://www.mdycceuta.com/ [Last accessed 16 October 2015].

the Melilla City Assembly.[15] Although devout Muslims, neither Mohamed Ben Abdellah nor Al-Mansouri Umpiérrez wear veils or embrace particularly identifiable standards of modesty in the way they dress.

A slightly younger generation of politically active veil-wearing Muslim women has used the inroads opened by Mohamed Ben Abdelah and Al-Mansouri Umpierrez to enter elected bodies as veiled women. Salima Abdeslam Aisa, a 27-year-old student of economics, became the first hijab-wearing elected representative in a large European town when she was elected to the Melilla City Assembly in 2005. She was followed by political scientist Mahinur Özdemir, elected in Schaerbeek, Belgium, in 2006 and lawyer Fátima Hamed Hossain elected in Ceuta in 2007. Özdemir was also to become the first veiled European Member of Parliament in 2009.[16] The way Abdeslam Aisa and Hamed Hossain were elected exemplifies the evolution of the debate regarding the acceptability of headscarf-wearing Muslim women in politics and how the politics of presence affects visually identifiable religious minorities in different ways. Salima Abdeslam Aisa was not placed in the top positions in the Coalition for Melilla list.[17] It was only after two male candidates ahead of her resigned that she came to be sworn into the city assembly. Mustafa Aberchán, the first Muslim president of the Melilla City Assembly and leader of the Coalition for Melilla, explained that 'I had this planned for a long time. If I had placed Salima [Abdeslam Aisa] at the top of the list, we would have been destroyed. Now, thanks to the fact that two members of the list withdrew, I managed to get a woman in hijab, who represents an important part of our citizenry, into the assembly through the back door'.[18] The election of Fátima Hamed Houssain, on the contrary, came after a successful public campaign in Ceuta against the Conservative Party's reluctance to allow headscarf-wearing women in the city assembly. Moreover, after Hamed Houssain became disillusioned with the Caballas Coalition, she created and led her own party, the Movement for Dignity and Citizenry, which had three representatives in the Ceuta City Assembly in 2015. Her party's electoral poster left no doubts on its position regarding politically active veiled Muslims.

While the activism of Muslim women in Melilla and Ceuta may have benefited from a larger legal and social trend to increase the presence of women

15 Miguel Gómez Bernardi, 'Dunia Al-Mansouri: "En el momento que entré en política me di un baño de realidad"', *La Luz de Melilla*, 19 March 2014, 8–9.

16 Rocío Abad, 'A la Asamblea con el "hiyab"', *El País*, 17 June 2007.

17 Gabriela Cañas, 'La política con velo', *El País*, 6 November 2005.

18 Ibid.

in electoral politics, it is older and endogenous. During fieldwork in Melilla, supporters of the Conservative Party argued that Mohamed Ben Abdelah had been elected to the Melilla Assembly and became its second vice president as a way for the leader of the Coalition for Melilla, Mustafa Aberchán, to hide his 'extremist agenda' behind the youthful and modern (good) looks of Mohamed Ben Abdelah. While Aberchán's quotation above may suggest that he does, indeed, use female politicians in a somehow instrumental way, it is plausible that he does so not so much because of a hidden agenda, but to reflect a plurality within the Muslim community in Melilla.

One of the reasons Muslim women have joined small parties is because traditional political parties have been generally slow in incorporating Muslim leaders into positions of authority. Melillan Abdelkader Mohamed Alí became the first Muslim Member of the European Parliament in 1996 running for the left-wing United Left, while Moroccan Mohamed Chaib was a Member of the Catalan Parliament for the Catalan Socialist Party from 2003 to 2010. Non-traditional political parties emerging from the social movements created after the popular protests in Spain called '15-M', the equivalent of the occupy movement in other countries, have offered a new window of opportunity for Muslim activists to become elected representatives. And this time, females have taken the lead. Moroccan cultural mediator Fatima Taleb was elected under the banner *Guanyem Badalona* [Let's win Badalona] in 2015.[19] She was, after Fatima Mohamed Kaddur, the second veil-wearing Muslim woman to be elected to a city council in mainland Spain. But this time, it was in Badalona, a city of almost a quarter million people close to Barcelona that had been well known for anti-mosque protests (Astor 2012) and had a xenophobic conservative mayor until the last 2015 election. Taleb is not the only case. During elections for neighbourhood districts in the city of Barcelona, Pakistani entrepreneur and Ph.D. in chemistry Huma Jamshed was able to redirect her extensive network of support among Pakistani women to become elected as head of the Ciutat Vella district council. Her nearly five hundred votes did not come out of nowhere. Jamshed had been fighting for migrant women's rights through ACESOP [*Associació Cultural Educativa i Social Operativa de Dones Pakistaneses* – Cultural-Educational and Social-Operative Association of Pakistani Women] for years and now she had another platform to visibilize and channel demands for her constituency.[20]

19 Clara Gil Del Olmo, 'Fàtima Taleb, primera regidora musulmana a Badalona', *El País*, 29 May 2015.

20 http://www.acesop.cat/.

Leadership in political parties, cultural or religious organizations is not a foreign or uncomfortable concept for society-oriented modernists or society-oriented Islamists. In 2013 Sánchez Rosell gave a lecture at the Mediterranean House in the city of Alicante for a lecture series on 'Women and Leadership' entitled 'Empowering Muslim Women: The Present and Future of Female Muslim Leaders in Spain'. Sánchez Rosell has consistently argued against 'one of the most widespread topics: that Muslim women cannot assume positions of leadership, participate in politics and even less lead a country or a community'.[21] Female leadership, according to Sánchez Rosell, is not only possible, but necessary. For Sánchez Rosell, 'A Muslim woman has to understand and be able to reconcile her religious life and her Muslim activism with her family life, with her professional life and with her active participation in society, whether through NGOs or [political] militancy'.[22] Sánchez Rosell walks her talk: She is a mother of two, divorced and remarried, and the owner of a restaurant serving food inspired by al-Andalus in Valencia.

The activism of Spanish Muslim women has also been directed at denouncing socioeconomic disparities and educational gaps, especially in Ceuta and Melilla, and at advocating for their religious rights to wear a hijab in schools (Ramírez 2011b; Mijares and Ramírez 2008), on photo IDs and as elected representatives. In 1998 lawyer Iván Jiménez-Aybar successfully defended the right of Muslim women to be photographed for the National Identity Document in hijab. Jiménez-Aybar argued that Muslim women were entitled to the same privileges as nuns, who could be photographed in a veil. Following his success in that case, Jiménez-Aybar is currently defending women's right to wear a hijab in Spanish schools.[23] As part of their religious activism, Spanish Muslim women have led mixed-sex Islamic organizations, such as the Halal Institute and the Islamic Cultural Centre of Valencia. The Halal Institute is probably one of the most successful Islamic institutions in Spain. Created in 1986 by the Cordoba Islamic Council and presided over from the beginning by convert Isabel Romero, the Halal Institute has become an umbrella organization for producers aiming to introduce halal lines in their products for the domestic market and to export certified halal products to the Islamic world.

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21 Amparo Sánchez Rosell, 'Mujeres musulmanas y el liderazgo político de la mujer en el Islam', 7 November 2010. http://blogs.periodistadigital.com/una-mujer-musulmana.php/2010/11/07/p282657#more282657 [Accessed 10 February 2015].

22 López Cortina, 'Una excusa religiosa'.

23 Pilar Álvarez and Ignacio Cembrero, 'Interview with Ivan Jiménez-Aybar: Najwa no es ni quiere ser la Juana de Arco del Islam', *El País*, 1 May 2010.

Islamophobia as a Trigger for Women's Activism

In a post-war Europe increasingly committed to gender equality (Squires 2007), as evidenced by the establishment of mandatory female quotas in electoral lists, laws advancing gender equality (Lombardo and Forest 2012) and increasing legal and institutional protection for victims of sexual violence (Lovenduski 2005), European Muslim women have been charged with being victimized by a backward religion incompatible with women's autonomy, political agency and rights. The 1997 report 'Islamophobia: a challenge for us all', a pioneering attempt to understand anti-Muslim prejudice in Europe by the British Runnymede Trust, explained that there are closed and open views of Islam in Europe. One type of Islamophobic discourse concerns the belief that 'Muslim cultures mistreat women, but that other religions and cultures have outgrown patriarchy and sexism'. Another characteristic of this discourse is the treatment of Islam as a 'single monolithic bloc, static and unresponsive to new realities'. Those positions that perceive Islam as intrinsically sexist, inferior to and different from the West because it is 'barbaric, irrational, primitive and sexist' exemplify closed views of Islam (Runnymede 1997: 7 and 5).

The Canadian sociologist Jasmin Zine has called these narrow Western perceptions of Muslim women as victims of an autocratic religion that undermines their individual rights, 'gendered Islamophobia'. If Islamophobia is a 'fear or hatred of Islam and its adherents that translates into individual, ideological and systemic forms of oppression and discrimination', then gendered Islamophobia 'can be understood as specific forms of ethno-religious and racialized discrimination levelled at Muslim women that proceed from historically contextualized negative stereotypes [and] inform individual and systemic forms of oppression' (Zine 2006: 239–240). Other postcolonial scholars have been less diplomatic, considering gendered Islamophobia merely the latest incarnation of 'white men saving brown women from brown men' (Spivak 1994: 93).

Devout Muslim women have used their activism to denounce gendered Islamophobia from three sources. They experience gendered Islamophobia in everyday life, in their interactions with allies who claim to defend their rights and when they are equated with the passive and submissive stereotype of a Muslim woman by media and nativist organizations. First, undermining the argument of Zapata and Díez-Nicolás (2012), who claim that Islamophobia is not a social fact but rather a political and media construction triggered by the rhetoric of electoral strategy, Muslim women report experiencing gendered Islamophobia as an everyday reality, particularly for visibly devout Muslim women. This is what Sirín Adlbi, a postdoctoral researcher at the Workshop of Mediterranean International Studies (TEIM) at the Autonomous University

of Madrid described thus: '[t]o be Muslim and a woman and to live in Spain or Europe, as well as to wear a *hiyab* entails a certain degree of discrimination and to feel that your everyday activities are marked by a hostile and rebuffing environment' (Adlbi 2016).[24] The Amazigh-Catalan writer Najat El Hachmi reflects on this everyday pressure in her 2001 memoir *Jo també sóc catalana.* A 'well-meaning' ethnic Catalan woman told El Hachmi when she was a teenager: 'It's time to rebel, girl. Tell your mother to take that thing off her head. She's no longer in Morocco'. At the moment of writing years later, at the age of 26, El Hachmi reflects that

> I could have told her then that it was none of her business, whether my mother was wearing a headscarf or not; she was wearing it because she wanted to; nobody was forcing her to do so. But I did not say anything; I believed blindly in the virtues of western modernity and accepted that lady's ethnocentric view … I began to feel ashamed of my background, to undervalue my mother and grandmother.
>
> EL HACHMI 2004: 155

Second, this everyday experience of discrimination is compounded by incomprehension from those social agents that could be allies for devout Muslim women. Dietz and El-Shohoumi quote a representative for immigration affairs for the Spanish left-wing trade union *Comisiones Obreras* [Workers' Commission] as saying at the turn of the twenty-first century, Muslim women 'are more backward in general. Not so much when they come here alone, but when they are here with their husbands, then it's really different … I think just the presence of a man makes the difference; they automatically fall back into their old roles in the countries they come from, as Muslim women' (Dietz and El-Shohoumi 2005: 93–95). An Andalusian female lawyer who had defended the rights of Muslims from Melilla when lawyers in the city refused to do so criticized the male leader of the Melillan Muslims in January 1986, in the midst of their fight for Spanish citizenship, for having manipulated misinformed Muslim women into participating in an illegal protest that was violently dispersed by Spanish police. The Melillan Committee of Muslim Women made a public statement called 'We [Muslim women] also think' in which they defended their agency and independence from their male counterparts (Guia 2014: 19). Twenty-four

24 Ana Carbajosa, 'Estamos tranquilos. Aquí se distingue entre unos musulmanes de otros', *El País*, 9 January 2015.

years later, Sánchez Rosell made a similar statement: 'Muslim women also have a voice'.[25]

Devout Muslim women criticize many self-identified feminists because of their perceived inability to accept that for many European Muslim women, the hijab is not a 'symbol of oppression', but rather that it is freely adopted without external coercion. The spokesperson for the Socialist Party in Melilla, Celia Sarompas, exemplifies the prejudice that underlies otherwise liberal and left-wing allies of Muslim women. Sarompas reacted to Salima Abdeslam being elected as a veiled woman to the city assembly in 2005 by saying that 'I understand it, even if for us it [veil] is a symbol of oppression. If nobody is forcing her and her religion does not have an impact on public affairs, I have no objection'.[26] Sarompas's use of 'we women' ['*nosotras*'], meaning Spanish women, excludes Abdeslam, who was also born in Melilla and is a Spanish citizen. Moreover, Sarompas's perception of the hijab as a 'symbol of oppression' and of Islam as a hindrance for the public involvement of women, as well as her suggestion that Muslim males may be forcing Muslim women to wear a headscarf clearly situates her views as gendered Islamophobia. Sánchez Rosell called these attitudes 'poorly interpreted paternalism by supposed "defenders" of Muslim women'.[27]

Gendered Islamophobia can also come in a less overt form, by valuing, embracing and highlighting only those Muslim women who are 'modern' and 'secular'. When *El País* journalist Gabriela Cañas went to Melilla to cover the 2004 election of Salima Abdeslam Aisa, she chose to highlight two alternative types of Muslim women. One, Jadu Dris Mohamed Ben Abdelah, second vice president of the city assembly for the CPM was described thus: 'she is also a Muslim, but wears high heels, tight clothing, and make-up, too'. Jadu is 'a woman with personality and very talkative, a volcano'. By contrast, the 'other' Muslim woman, Salima was defined as 'demure … speaks little and always in a restrained manner'.[28]

Third, Sánchez Rosell and other Muslim women resent the fact that the circumstances of oppression for some Muslim women are universalized and used as a 'throwing weapon against Islam'.[29] Ethnic Europeans in Melilla in 1986 did

25 Amparo Sánchez Rosell, 'Las musulmanas también tenemos voz', Una Mujer Musulmana. Blog by Amparo Sánchez Rosell. 24 September 2010. http://blogs.periodistadigital.com/una-mujer-musulmana.php/2010/09/24/p279741#more279741 [accessed on 25 February 2015].

26 Cañas, 'La política con velo'.

27 Sánchez Rosell, 'Las musulmanas'.

28 Cañas, 'La política con velo'.

29 Sánchez Rosell, 'Las musulmanas'.

just that. They used the perceived discriminatory treatment of Muslim women by Muslim men to attack Muslim activists and question their attachment to democratic values. The Pro Melilla Association and the Nationalist Party of Melilla, both extreme-right nativist groups, issued a press release denouncing that Muslim men 'separate the women from them and put them at the back during meetings … some leaders … want to put them back in veils; but Muslim women in Melilla will be free and their sound of freedom will echo throughout Melilla'.[30] This was indeed a fine example of white men 'rescuing' brown women from brown men.

According to the Citizen Platform against Islamophobia, a Spanish umbrella NGO that monitors hate crimes, attacks against Muslims have been on the increase in Spain since 2010. In 2015 Islamophobic attacks increased by 70% as compared to previous years and they were against both people (56%) and goods (44%). This NGO attributes this increase to a spillover effect from the terrorist attacks in France against the satiric magazine Charlie Hebdo and a kosher grocery store that killed 16 people in January 2015.[31] One of the core demands of the group is the approval of a Comprehensive Protection against Hate Crimes Act, similar to the one already existing in Spain for violence against women. When an older NGO that monitors hate crimes in Spain, Movement against Intolerance, and various Muslim leaders realized that more had to be done in Spain to visibilize and fight against Islamophobia, Sánchez Rosell was an obvious choice to become the first president of the Citizen Platform against Islamophobia. Sánchez Rosell accepted the position, but resigned from the prestigious vice president position at the Islamic Commission of Spain. She could not do both well, and decided that leading the NGO was more important than fighting internal battles within the CIE.[32]

Women's Organizations, Activism, and Rights

Muslim women have created religious and secular organizations only for Muslim women. On the secular side, the Committee of Muslim Women was created in 1986 in Melilla to support the Organizing Committee for the Muslim People

30 'Comunicado de APROME', *Melilla Hoy*, 14 January 1986, 5, cited in Guia, *The Muslim Struggle,* 21.

31 Plataforma contra la islamofobia. Informe anual. Islamofobia en España 2014. http://www.confer.es/619/activos/texto/wcnfr_pdf_4498-thGctgdOLAxMpkVp.pdf [Last accessed 25 October 2015].

32 Interview with Sánchez Rosell.

in its fight to obtain Spanish citizenship for nearly 20,000 undocumented Muslim residents in the city. In mainland Spain, the active Association of Moroccan Immigrant Workers in Spain (ATIME) had in the 1980s and 1990s a women-only section called Al Amal that advocated for the rights of Moroccan domestic workers and undocumented females in Spain, (Guia 2014: 18–21, 51–2, 59). Devout Muslim women also created dozens of women's organizations all over Spain, for instance An-Nur, affiliated with the Islamic Cultural Centre of Valencia and the Women's Association for Equality in Melilla, founded by the city councillor Jadu Dris Mohamed Ben Abdellah.

Society-oriented devout Spanish Muslim women have not chosen sex-segregated organizations in order to fulfil particular cultural expectations or to acquiesce to a supposedly male-dominated religion that demands the separation of men and women in the public sphere. Devout Muslim women have embraced the well-established feminist principle that segregated organizations promote women's leadership and are safe spaces where women can determine their goals and develop independent agency and autonomy. In this respect, organizations created by and for devout Spanish Muslim do not deviate much in organizing terms and structure from other organizations within the Spanish feminist movement. One of the first organizations led by women, even though men were not excluded from membership, was An-Nisa', registered in 1990 with the Ministry of Justice with a mandate to 'facilitate the knowledge of and practice of Islam in Spain'. It was followed by regional organizations in many Spanish towns, such as Melilla, Valencia, Madrid and Barcelona and opened the path for diversifying the map of Muslim women's activism. ACHIME, the Association of Young Muslim Women in Spain, for instance, represents more recent activism by second-generation Muslim women in Madrid (Lems 2016).[33]

This does not mean, however, that Spanish Muslim women's organizations do not deviate from mainstream feminist organizations. In the words of Sánchez Rosell, their activism in favour of women's rights differs from mainstream feminism in that Islamic activists work in consonance with their male counterparts:

33 See the An-Nisa' website at http://www.an-nisa.es/ and ACHIME at http://www.asociacionachime.com/#!nosotras/c3c1 [Last accessed on 8 April 2016]. See also the active Facebook page of *Red Musulmanas* [Muslim Women's Network], a social media project that emerged from this earlier activism at https://www.facebook.com/redmusulmanas99/?fref=nf [Last accessed on 8 April 2016].

> When Muslim women advocate for a role for women, we differ slightly from what here [in Spain] is known as feminism in that we do indeed take into account the worth and importance of men. We seek an equilibrium and not to tilt the balance towards what's masculine and what's feminine. God says that everything has been created from males and females.[34]

Sánchez Rosell separates her women right's activism from mainstream feminism, which she associates with anti-male and women-centred positions. For Sánchez Rosell, women's liberation and leadership requires female self-awareness and the complicity and support of Muslim men. 'I want to think that we will achieve it [equality], but first we have to become aware ourselves [Muslim women], then our men, because without their complicity and support, we won't be able to do so'.[35] Other cleavages also exist between Muslim and non-Muslim activists for women's rights. Some, but not all devout Muslim women oppose the decriminalization of abortion and same-sex marriage, which places them at odds with mainstream feminist demands in Spain.[36]

Sánchez Rosell represents one stream of Spanish Islam; she reached the presidency of the mixed-sex Islamic Cultural Centre for Valencia, where non-segregated activities and prayers regularly take place, but stops short of embracing the full-fledged Islamic feminism proposed by other Spanish converts, such as Natalia Andújar, or joining the efforts of the Islamic Council in promoting the idea of Islamic feminism worldwide (Andújar, 2011; Guia, 2014: 87–95; Badran, 2009). The Islamic Council has, for instance, organized various international conferences in Barcelona that became hubs for progressive Islamic scholars such as Amina Wadud, renowned for being the first American Muslim woman to lead a Friday prayer in New York in 2005 (Hammar et al., 2012). For the Islamic Council,

> Islam is perfectly compatible with democracy, human rights, ecological welfare and women's equality. We defend the right of Muslims to be governed by Islamic laws and denounce laws that are sexist and discriminate against women and sexual, racial and religious minorities as

34 López Cortina, 'Una excusa religiosa'.

35 Ibid.

36 Jadu Dris M.Ben Abdellah, 'El aborto libre y sin restricciones … no en mi nombre'. 3 April 2009, http://quebdani.blogspot.ca/search/label/Jadu%20Dris [Accessed 20 February 2015].

> deviations from the genuine Islam contained in the Holy Quran and typified by the Sunnah of Mohammad … We propose that Sharia law be reformed, democratized and adapted to the new needs of Muslims in the twenty-first century.
>
> GUIA 2014, 92

One of the things that unites most Spanish Muslim activists in favour of women's rights is denouncing as illegal and anti-Spanish those interpretations of Islam that undermine gender equality. This was particularly evident during the scandal of the Imam of Fuengirola. The Islamic scholar and Imam of Fuengirola Mohamed Kamal Mustafa, an Egyptian with a poor command of Spanish and hardly any contact with non-Muslims, published the book *La mujer en el islam* [Women in Islam] in 1999 (Rosander 2011). Kamal Mustafa provided a possible and widespread interpretation of a Quranic verse that justifies domestic violence (Kamal Mostafa, 1999). The first to criticize Kamal Mustafa were female converts, who belonged to the Muslim women's groups An-Nisa', led by lawyer Jadicha Candela, and Insha'Allah, led by writer Yaratullah Monturiol, who published her own interpretation of women in Islam in 2008 (Monturiol 2008). They called for bookstores across Spain to remove the book from their inventories because it sanctioned violence against women as a religious prerogative. Representative of the Spanish Federation of Islamic Entities in Catalonia, Marian Cabezos, described Kamal's views as 'intolerable'. The three prominent women – Candela, Monturiol and Cabezos – wrote an open letter to Kamal Mustafa and his publisher in which they argued that '[o]ur Prophet has protected us for fourteen centuries from the beatings that husbands have dealt to women systematically' and 'the community's worst man is he who abuses his wife'. For these Muslim activists, the trouble was not just Kamal Mustafa, but a 'misogynist interpretation of Islam' among some representatives of the Muslim community in Spain.[37]

While Candela, Monturiol and Cabezos have led the most visible and effective campaign involving devout Muslim women to date, found allies among the larger feminist movement in Spain and Europe against Kamal Mustafa and eventually removed the book from circulation and saw the imam sent to prison – where he was given mandatory constitutional lessons – they also did so at the cost of reinforcing gendered Islamophobia. Was the strong public outrage against Kamal Mustafa a reaction against a 'misogynist interpretation

37 Joaquina Utrera, 'El imam de Fuengirola explica formas de pegar a las mujeres', *El País*, 16 July 2000 and Javier Arroyo, 'Dejadlas solas en el lecho, pegadles', *El País*, 16 July 2000.

of Islam' or confirmation of a mainstream belief that most interpretations of Islam are misogynist?

Denouncing gendered Islamophobia while at the same time fighting against misogyny within its own communities is tricky. As Karima Aomar Tufali, a young Melillan Muslim woman said in 1986: 'To be a belittled Moor and a woman is difficult enough. But to be a belittled Moor to Spaniards and a woman to belittled Moorish men [is impossible]' (Guia 2014, 21). Some Muslim women like Candela, Monturiol and Cabezos denounce misogyny even at the risk of reinforcing stereotypes about Muslim women and thus fuelling gendered Islamophobia. They have adopted a milder strategy similar to that of the notorious French organization *Ni Putes ni Soumises* [Neither Whores nor Doormats], which advocates for Muslim women's agency against male Muslims who may think of them as morally dubious for not wearing headscarves and challenge traditional gender roles, as well as against the French mainstream prejudice that Muslim women are submissive to male authority (Amara et al. 2006 and 2011).

The difficulty of denouncing misogyny within the Muslim community is that these denunciations can be manipulated and used by those intending to prove that Islam is fundamentally a sexist ideology. Lila Abu-Lughod (2013) and Juliane Hammer (2013) embrace the concept of the 'native informant', a Muslim or former Muslim that denounces Islam's patriarchal ills while celebrating to varying degrees the American pro-Israeli neo-conservative aggressive foreign policy towards the Muslim world. Neither Candela, Monturiol or Cabezos fit the profile of the 'native informant', and not because they are not 'native' enough as converts. Rather, they are all devout women who believe it is their religious obligation to defend Muslim women from patriarchal interpretations of Islam that are illegal and unsuited for the Spanish context. Their actions, however, have been easily co-opted by the larger Spanish and European feminist movement and the Spanish press, which has ended up reinforcing the stereotype of Islam as a sexist religion.

Conclusion

By creating women's organizations, obtaining visibility in the media, and securing positions of authority within Islamic organizations, some devout Muslim women are encouraging active citizenship, challenging traditional gender roles within their cultural communities and countering stereotypical images of Muslim women as subordinated and in need of external intervention to guarantee their rights. They are questioning mainstream expectations, but not

by following the established feminist paths that other Spanish women adopt. They, however, share mainstream feminist concerns about increasing female political representation, equal rights and protection against sexual violence. But for devout Muslim women, to promote women's rights also includes defending their agency and voice as Muslims and eliminating the conceptual shortcomings of mainstream Spanish feminism, which seldom incorporates the concerns of migrant and religious women.

The political activism of devout Muslim women is noteworthy because it comes from a segment of society that faces heightened barriers to becoming active citizens due to widespread gendered Islamophobia in Spain and a lack of encouragement to participate by some segments of their own religious community. Whatever liberation devout Muslim women in Spain need, they are increasingly in a position to determine and fight for it by themselves. They are in a singular position to identify and debunk the pervasiveness and banality of gendered Islamophobia and, as the Spanish case shows, they are increasingly accepting the challenge.

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Chronology of Modern Spanish Islam up to the Signing of the Cooperation Agreements with the Spanish State in 1992

Stage 1: Late Nineteenth Century to 1939

Despite the expulsion and persecution of institutionalized Muslim communities in Spanish territories in North Africa between the seventeenth and mid-twentieth centuries, there has always been an Islamic presence in Spain, which increased during the period of the Spanish Protectorate in Morocco (1912–56). During these years, mosques were erected in Ceuta and Melilla. During the Spanish Civil War (1936–39), some thirty Muslim cemeteries were built for the indigenous combatants who fought for the nationalist faction during the Civil War.

Stage 2: 1940 to 1975

Muslim cemeteries ceased to bury the war dead, while the military government in Ceuta and Melilla encouraged the construction of mosques for the Muslims beginning to settle in these two cities, most notably the emblematic Central Mosque of Melilla, which was inaugurated on 18 July 1940, the fourth anniversary of the 'national uprising' that marked the beginning of the Civil War. There was little institutionalization of Muslim communities during this phase until the passage of the Religious Freedom Act in 1967, which established a registry for non-Catholic religious associations. The first associations inscribed were the Muslim Association of Melilla (1968), the Ahmadiyya Muslim Association in Spain (Pedro Abad, Cordoba, 1970), whose first missionary, Karam Ilali Zafar, arrived in Spain in 1946; and the Muslim Association of Spain (Madrid, created in 1968 and inscribed in 1971). Delegations (mosques) were established in the main cities in provinces where there was a university.

Stage 3: 1976 to 1992

This period, which began with the establishment of the democratic regime and the consequent recognition of freedom of religion and worship in the Constitution of 1978, ended with the signing of the Cooperation Agreements with the future Islamic Commission of Spain. The number of communities inscribed with the Ministry of Justice grew slowly during this time, largely supported by liberal professionals and students

from Muslim majority Arab countries. Andalusia became one of the most important focal points from which a Spanish Islam spread, guided by the principle of normalizing the religion in Spanish society. These first communities were largely made up of a small group of Spanish worshippers known as '*conversos*' alongside students and professionals from countries like Syria. With the 1989 declaration of the necessary prelude to the Cooperation Agreements, *notorio arraigo* (the legal status of being well known and 'deeply rooted' in Spain), the number of Muslim associations began to increase progressively hand-in-hand with the inauguration of new oratories and mosques across Spain. The signature of the Agreements coincided with waves of immigration from Islamic countries, with the result that organized Islam underwent important changes ranging from an exponential increase in the number of communities, associations and places of worship to transformations in the composition of Islamic organizations and the federative structures created at the time.

Chronology[a]

Year	Association	Islamic Institution
19th c.		Sidi Embarek cemetery, Ceuta
1870		Mantelete Mosque, Melilla
ca. 1920		Sidi Embarek Mosque, Ceuta
1927		Buen Acuerdo (Bacha) Mosque, Melilla
1933	Zawiya Aloiua, Melilla, Cerro de Palma Santa	
1936		Cemeteries: Seville, Barcia (Asturias) –now closed–
1936–37		Cemeteries: Las Adormideras, La Coruña (closed and converted into the 'House of Words' by the town government), Salamanca, Zaragoza, Burgos, Leon, Zafra (Badajoz, now closed) Talavera de la Reina (Toledo) and Griñon (Madrid)
1937	Muslim Community of Ceuta (closes in 1956 with Moroccan independence)	Cemeteries and El Morabito Mosque, Cordoba, Granada (La Rauda patio)
1940		Muley El Mehdi Mosque, Ceuta
1945		Central Mosque of Melilla

Year	Association	Islamic Institution
1951		Masjid al Iman, Ceuta
1953		Al-Karidien Mosque, Ceuta
ca. 1960	Mohamadia-Mahoma Muslim Zawiya, Ceuta, inscribed in 1971	
1966		El Principe Mosque, Ceuta
1968		Omar Ibn Al-Jattab Mosque, Melilla-Cañada Alta
1968	Muslim Association of Melilla	
1970	Ahmadiyya Jamaat in Spain, Pedro Abad (Cordoba)	
ca. 1970	Islamic Cultural Centre of Valencia Association (origin of the Islamic Community of Valencia, a religious entity since 1990)	
1971	Muslim Association of Spain (AME), Madrid	
1971	Mohamadia-Mahoma Muslim Zawiya, Ceuta	
1972	First site of Islamic worship in Galicia in Santiago de Compostela, inscribed in 1990 as the Islamic Community of Galicia	
1974	Islamic Centre of Barcelona in a flat in Elisabets del Raval Street	
1974	Muslim Association of Spain (AME) moves to a flat in Francos Rodríguez Street in the Estrecho neighbourhood (Madrid)	
1975	Islamic Community of Zaragoza	
1975		Anas Ibn Malik Mosque, Ceuta, inscribed in 2006
1976	Society for the Return of Islam to al-Andalus, Cordoba	
1976		Sidi Abbas Sebti Mosque, Ceuta, inscribed in 1995

Chronology (cont.)

Year	Association	Islamic Institution
1978		Al-Houda Mosque, Algeciras
1979	Muslim Community of Spain, Madrid	
1980	Union of Islamic Communities of Spain, inscribed in 1991	
1980	Islamic Community of Spain, Granada	Plans for future Great Mosque of Seville and Great Mosque of Granada, inaugurated 2003
1980	Islamic Jamaa of al-Andalus ('Morisca League'), Seville	
1981	Muslim Community of al-Andalus (Autonomous Community of Granada)	
1981		King Abdelaziz Mosque, Marbella
1981	Autonomous Muslim Association of Cordoba and its Province	
1982	Islamic Community of Seville-Umma	
1981		Tariq bin Zyad Mosque, Barcelona, inscribed in 1982 under the name Pakistan Islamic Centre
1981	Al-Andalus Islamic Association of Malaga and its Province and Mosque of the Union, inscribed in 1982	
1982		Basharat Mosque, Pedro Abad (Cordoba)
1982	Islamic Association of al-Andalus of Malaga and its Province	
1982	Islamic Community of Almeria-Umma	
1982		First Basque Country Mosque in Eibar (Gipuzkoa), Moroccan Arab Cultural Association

Year	Association	Islamic Institution
1983	Autonomous Muslim Association of Jaen and its Province	
1984	Spanish Muslim Community of Granada and At-Taqwa Mosque, inscribed in 1996	
1984	Islamic Council, Granada (later moved to Almodovar del Rio, Cordoba), inscribed in 1989	
1984		Mohammed de Paredes Mosque, Pontevedra
1985	Islamic Community of Granada-Umma	
1985	Muslim Association of Sunnah Islam the Province of Jaen	
1985	Muslim Community of Ceuta	
1986		Al-Taqwa Mosque, Vitoria-Gasteiz
1986	Muslim Community of Melilla, inscribed in 1990	
1986		Re-inauguration of the Az-Zeituna Mosque, Melilla-Reina Regente
1986	Al-Umma Moroccan Muslim Community of Madrid	
1987	Jerrahi Sufi Order (Quentar-Granada)	
1987		Blond Mesa Mosque, Ceuta, Masjid Omar Ibn Al-Khattab Islamic Community, inscribed in 1996
1988		Abu-Bakr 'Estrecho' Mosque, Madrid, built by the Muslim Association of Spain
1988	Darqawi Tariqa in Catalonia, a delegation of the Islamic Commission in Spain	
1988	An-Noor Masjid Muslim Religious Association, Ceuta	
1989	Islamic Council	

Chronology (cont.)

Year	Association	Islamic Institution
1989 14 July		Ministry of Justice Advisory Board for Religious Freedom grants Islam the status of *notorio arraigo* in Spain
1989	European Council of Mosques, Madrid	
1989	Al-Jamaa Muslim Community, Granada	
1989 5 October	Spanish Federation of Islamic Religious Entities (FEERI)	
1990	Islamic Community League, Las Palmas de Gran Canaria (Las Palmas)	
1990	Bushara ('Good News'), Laujar de Andarax (Almeria)	
1990	Islamic Community of Valencia	
1990	Muslim Community of Granada	
1990	Islamic Community of Galicia	
1990	Islamic Community of Zaragoza	
1990	Islamic Community of Madrid	
1990	Muslim Community of Melilla	
1990	Islamic Jamaa of al-Andalus ('Morisca League'), Almeria	
1990	Islamic Community of the Principality of Asturias, Oviedo	
1990	Friends of Islam, Ceuta	
1990	Islamic Centre for Religious Training, Madrid	
1990	Islamic Association of Lerida and its Province	
1990	Sunni Muslim Community of Spain, Granada	
1990	An-Nisa	
1990	Muslim Religious Council of Melilla	
1991	Kakrail-Mejhid, Argana Alta (Las Palmas)	

Year	Association	Islamic Institution
1991 10 April	Union of Islamic Communities of Spain (UCIDE)	
1991	Association of Muslims in Cordoba	
1991	Badr Islamic Association, Melilla	
1991	Masjid An-Noor Religious Association, Ceuta	
1991	Islamic Community of Alicante	
1991	Islamic Community of Badajoz, Nur al-Darain Mosque, inscribed in 1993	
1992	Muslim Community of Terrassa (Barcelona)	
1992 19 February	Islamic Commission of Spain	
1992		Islamic Cultural Centre ('M-30 Mosque') inscribed in late 1992
1992		Cooperation Agreements signed between the Spanish state and the Islamic Commission of Spain; Law 26/1992 of 10 November signed

a The year indicates when an association was registered in the corresponding state registry or when an institution was inaugurated.

SOURCE: COMPILED USING DATA FROM THE MINISTRY OF JUSTICE'S REGISTRY OF RELIGIOUS ENTITIES AND 'STATISTICAL DATA. DIRECTORY OF PLACES OF WORSHIP. JUNE 2015' FROM THE RELIGIOUS PLURALISM OBSERVATORY IN SPAIN (HTTP://WWW.OBSERVATORIORELIGION.ES/)

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