

Article

Struggling with and against the Governance of Islam in Spain

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Abstract: The process of accommodation of Islam in Spain is based on the Constitution of 1978, which guarantees the freedom of religion. Regarding Islam, the Cooperation Agreement signed in 1992 between the State and the Islamic Commission of Spain brought with it a formal recognition of the practice of the Islamic faith. Thirty years later, the sole interlocutor appointed by the State seems to be ineffective in the pursuance of compliance with Islamic religious rights. In various regions other actors have engaged in claims-making for rights that include, among others, the access to cemetery space for Islamic burials and Islamic religious education and halal food in publicly funded schools. This paper explores the governance of Islam and Muslims in Spain by presenting a case in which a number of grassroots organizations in the northern region of La Rioja have combined their efforts to achieve compliance with the religious rights they were granted decades ago. Through claims-making outside the institutionalized structure of interlocution with the State, they are contesting the external and internal top-down governance of Islam in Spain. Based on empirical data, we analyzed the nature of their claims, the varied ways of responding to specific practices of governance, as well as the spaces in which this claims-making takes place.

Keywords: governance; Islam; Spain; claims-making; Islamic religious rights



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1. Introduction

The accommodation of Islam in contemporary Spain started with the 1978 Constitution. This legal act guarantees freedom of ideology, religion, and worship, as well as the equality of all individuals, while obliging public authorities to provide the means and measures required for this freedom and equality. Developed within the framework of a secular state in which Catholicism had possessed the “monopoly of souls”, the State’s mandate to cooperate with all religious confessions gave birth to a particular model of dialogue with the three largest—at that time and still to this day—minority religions in Spain: Judaism, Protestantism, and Islam. The manner in which these minority religions were accommodated was widely inspired by the State’s relationship with the Catholic Church. Regarding Islam, the process included: firstly, a symbolic recognition of Islam as a “deeply rooted” faith in the country; secondly, the creation of the Islamic Commission of Spain (CIE, in its Spanish initials) as the representative and sole interlocutor of Muslims in Spain; and, thirdly, the negotiations and signature in 1992 of the so-called Cooperation Agreement between the State and the CIE, i.e., a law with a broad set of provisions allowing Muslims to practice their faith. These provisions include the recognition for civil purposes of Islamic marriages; the establishment of places of worship; religious assistance in hospitals; halal food and Islamic religious education in publicly funded schools; cemetery spaces for Islamic burials. This negotiation process between the State and Muslims in Spain took place prior to the arrival of migrant workers and their families from North Africa. Further, the men who negotiated the contents of the Cooperation Agreement were former university students born in MENA countries, who had decided to stay in Spain after graduation, as

well as people born in Spain, who had embraced Islam at a later stage in their lives¹, and who formed part of a Spanish Muslim elite at the time of the negotiations at the end of the 1980s and in the early 1990s (Planet Contreras 2018). The creation of the CIE as an interlocutory body was the result of the union between the Spanish Federation of Islamic Religious Entities (FEERI, in its Spanish initials) and the Union of Islamic Communities of Spain (UCIDE, in its Spanish initials). It was then registered as a cofederative entity with the Spanish Registry of Religious Entities in February 1992, a requirement to be part of the Cooperation Agreement (Contreras Mazarío 2018). In addition to its representative function, the establishment of the Islamic Commission of Spain also had a religious or doctrinal objective focused on the practice of Islam in accordance with the precepts of the Quran and Sunna (Planet Contreras 2018). Until 2015, the Islamic Commission of Spain had two decision-making bodies, which did not facilitate its operational dynamics and performance. In 2015, its statutes and working structure were reformed, and since then, the ultimate responsibility lies with the position of president (Contreras Mazarío 2018).

Despite the symbolic and material advantages that may be derived from these institutional arrangements, nowadays, a large part of those Muslim citizens who are aware of the existence and function of the CIE, do not identify with the CIE as their representative and sole interlocutor with the State. In general, many people, whether Muslim or not, have plenty of other issues to worry about in their daily lives with respect to their socio-economic living conditions, such as access to employment, housing or healthcare and other concerns. Others, though identifying as religious, simply do not connect to communities and other types of organizations. However, among those identifying as Muslim in Spain, who are concerned with their religious rights and who are aware of the creation and continuation of the Islamic Commission of Spain and its relations with the State, the Cooperation Agreement is often considered to be a “dead paper”. Thirty years after entering into force, practically all provisions are still “in progress”. Notwithstanding the importance of the individually protected right—i.e., religious freedom—obstacles to its full exercise and political development remain in place and seem to depend on the diversity management dynamics of the administration (Astor and Griera 2016; Salguero and Siguero 2021). Furthermore, as the Spanish state is territorially distributed into municipalities, provinces, and autonomous communities, many of these rights are subject to legislative development at the regional (*Comunidad Autónoma*) or municipal level. For example, the regulation of cemeteries corresponds to the discretion of the local authorities (based on art. 26.I.a of Law 7/1985, regulating the rules of local government), while the development of legislation and the execution regarding education in its full extent fall under the competencies of the regional bodies (based on art. 19 of Law 9/1992, on the transfer of competencies to autonomous communities). The existence of multiple legal and organizational developments increases the administrative complexities, and consequently, putting these rights into practice occurs at an uneven pace throughout different territories of the Spanish State.

The Islamic Commission of Spain, appointed by the State as the sole interlocutor on behalf of all Muslims residents in Spain, does not always appear to be an effective actor in the pursuance of compliance with the legally granted religious rights. Due to this insufficiency of proactivity in claims-making, and—according to many of our interlocutors both in the region of La Rioja and in other territories within the Spanish state—even hindering the course of negotiations, various initiatives have been undertaken in response to this issue within different parts of the Spanish territory. These initiatives are often undertaken by Muslim converts and young Muslim women, who question and oppose the marginalizing practices they are subjected to and who fight for the proper execution of their civil and religious rights.

Most studies on religious minorities in Spain are related to the dynamics found in urban surroundings, such as those found in the cities of Madrid or Barcelona. This paper, however, focuses on a more rural region located in northern Spain, namely La Rioja (Figure 1) and its capital, Logroño, where a number of grassroots organizations, led by

various committed individuals, including new Muslims, have combined their efforts and undertaken action through claims-making activities organized without the involvement of the Islamic Commission of Spain. For this purpose, they have formed a civil platform named The Muslim Community of La Rioja (*Comunidad Musulmana de la Rioja*)—not registered with the State Registry of Religious Entities. The main hypothesis of this paper is that under the current model of top-down governance of Islam and Muslims in Spain, the institutionalized structure of representation and interlocution as appointed by the State is disputed in practice by a proportion of individual and group actors who demand and actively seek compliance with the—religious and civil—rights that were granted decades ago. In the following sections, we analyze the nature of their claims, the varied ways of responding to specific practices of governance, as well as the spaces in which this claims-making takes place. In addition to secondary data, our analysis is based on material produced with qualitative research techniques, such as participant observation (2018–2020) and semi-structured interviews (2019–2021). In order to understand which demands are among the most relevant to Muslims in Spain, we have interviewed actors who occupy positions of responsibility within religious or sociocultural Muslim organizations—pertaining or not to the CIE—established in different parts of the territory of the Spanish State—such as Madrid, Catalonia, Castile and Leon, Ceuta, etc.—including the founders of the civil platform Muslim Community of La Rioja.



Figure 1. Map of Spain detailing La Rioja. *Source:* Wikipedia. *Author:* Mutxamel, uploaded by Rastrojo, https://es.m.wikipedia.org/wiki/Archivo:Localizaci%C3%B3n_de_La_Rioja.svg, accessed on 27 January 2023.

This article is organized into two sections and a conclusion. The first section addresses the concept of governance and its relation to religion and religious diversity. This part, furthermore, discusses the appointment by the State of a sole interlocutor as the representative of all Muslims in Spain. In the second section, which consists of two subsections, a case is presented that focuses on claims-making in the region of La Rioja in northern Spain by a variety of Muslim actors—i.e., both individuals and associations—aimed at the effective execution of their rights regarding Islamic religious education at publicly funded schools (subsection 1) and to have space for Islamic burials on municipal cemeteries (subsection 2). These struggles to obtain compliance with the provisions of the 1992 Cooperation Agreement demonstrate the enormous agency at work among actors at the local level.

2. Governance of Religion

In order to comprehend the dynamics of the institutionalization of religion in contemporary Spain and to understand the paradoxes of secularization (Griera et al. 2021), it is useful to adopt a historical perspective when analyzing the relations between the State and the Catholic Church, as well as the relations between the State and minority religions. Secularization can be defined as a process that affects both state–church relations and the conscience of citizens. In the Spanish context, this process has brought forward the “bankruptcy of religious homogeneity” (Pérez Agote 2022). However, far from removing

obstacles and promoting equality, these legal and institutional arrangements related to religious diversity have created different opportunities for different groups of believers, thereby affecting not only religious practices and beliefs, but also feelings of belonging and definitions of identity among all citizens.

The connections between the Catholic Church and the Spanish State have articulated political, cultural, and intellectual positions, which are embedded in the Spanish constitutional orders and have been since the 19th century. As explained by Pérez Agote (2022), various tides of secularization took place during the 20th century, which challenged the monopoly of the Catholic Church in Spain. During the 19th and 20th centuries and until the beginning of the Civil War in 1936, different political currents had developed ranging from democratic, republican, and socialist to forms of communism and anarchism. All these dynamics resulted in a growing anti-clericalism also present in other traditionally Catholic countries at that time. The increasing tensions between Catholics and non-Catholics in Spain became evident. The defeat of the forces loyal to the Second Republic in 1939—which included many non-Catholics—and the subsequent dictatorship under Francisco Franco led to a Catholic “re-homogenization” of the population. Franco’s dictatorship (1939–1975) and its associated National Catholicism have had an undeniable impact on the political development of the nation-state, far beyond a symbolic church–dictatorship joint venture (De la Cueva 2022). Based on the belief that the essence of Spanish citizenship is Catholicism, Spanish National Catholicism proposes a merger of political and ecclesiastic confessionalism, with the Church exercising social control on the whole of society. Church and State are confused, with the Church participating in the economic and political organization of the country (Díaz-Salazar 2007). The specific idea of public space and social practices promoted during these decades can still be perceived in the current Spanish public sphere (Planet Contreras 2008). Further, it has also deeply affected the institutional realm, as well as the fact that there is a daily experience of an assumed Christian value system associated within it. Perhaps the greatest success of Spanish Catholicism is that, in times of secularization, it is recognized as a tradition, as memory and as the country’s own cultural expression and identity (Moreras 2009). Catholicism’s political and moral monopoly in Spain is profoundly rooted and only a few modifications have come from the international arena—such as the II Vatican Council or the establishment of political relations with the United States—which has caused a timid recovery of (or at least part of) the freedom of religion and worship that was developed during the period of the Second Republic (1931–1939). The restoration of democracy and the 1978 Constitution maintained the manifold privileges of the Catholic church—including those related to education and the management of cemeteries—while advancing freedom of worship for, and opening dialogue with, certain other confessions.

As regards the recognition of Islam and the freedom of religion for Muslims, the mechanism adopted to define the legal status of Islam in Spain was, as indicated in the introduction, the creation of the Islamic Commission of Spain, representing all Muslims in Spain, which negotiated, signed, and monitored the Cooperation Agreement with the Spanish State. In this connection, as Loobuyck et al. (2013) indicate in their comparative analysis of the genealogy of church-state institutions representing Muslim organizations in France (*Conseil Français de Culte Musulman*), Germany (*Deutsche Islam Konferenz*), Belgium (*Executieve van Moslims in België*), and the United Kingdom (British Mosques and Imams National Advisory Board), many countries in Europe, including those that are not necessarily structured by any previously existing church–state relations and/or cooperation, have formally acknowledged Islam and created an official Muslim representative organization as the sole partner in respect of dialogue with the State².

In our present analysis regarding the governance of Islam in the current Spanish context, we draw on the governance perspective as understood by Maussen and Bader (2011), according to whom “governance includes a variety of actors and modes of coordination in the perspective of regulation by ‘policies’ in a very broad sense” (Maussen and Bader 2011, p. 16). Maussen and Bader consider the concept of governance to encompass both the techniques of government and the definitions of populations and peoples, as well as

public policies that are not aimed solely at religion (Maussen and Bader 2011, p. 19). In addition to this broad understanding, Maussen and Bader point out that the notion of governance—and its functioning—can be explained by distinguishing two axes of regulation. On the one hand, a differentiation must be made between external and internal governance. External governance refers primarily to the intervention and steering by state institutions (or regional and local administration bodies) of all matters concerning religious minorities, while internal governance relates to the regulation and control activities among the private religious actors themselves. On the other hand, these scholars discern between top-down (hierarchical) order building and bottom-up (democratic) processes, while noting that top-down regulatory practices are not necessarily limited to situations of external governance but can also occur within the social and organizational infrastructures of religious communities themselves (Maussen and Bader 2011, p. 16).

Concerning Islam and Muslim minorities in European countries, Maussen and Bader provide specific examples of top-down governance measures. These include: (i) The regulation of religious education and religious authority; (ii) Institutional practices that aim to regulate property and facilities (e.g., Islamic endowments, regulations in burial, construction of mosques, etc.); (iii) Arrangements made by authorities regarding the relations between the Islamic religion, law, and social life; (iv) Attempts to create, recognize, and institutionalize organizational platforms in order to speak for Islam and Muslim populations (such as Muslim councils); and (v) Public policies that shape opportunities for religion in a narrower sense, including regulations related to the *hajj* pilgrimage or to religiously motivated dress and dietary codes, rituals, and religious feasts (Maussen and Bader 2011, p. 18). The attempts made by certain countries with Muslim minorities to regulate the Islamic religion and to decide which places Muslim citizens are allowed to occupy within the nation are also referred to as the “domestication of Islam” (Sunier 2014, p. 1140; Humphrey 2009, p. 138). Domestication here implies, in the words of Sunier (2014), that states try to mold Islam into a format that is acceptable for European governments (Sunier 2014, p. 1149). Topolski (2018) holds that this strategy of secular minority management by European states is, in fact, a longstanding practice that derives from Catholic theology: the top-down demand for one voice through a framework of ‘intercessions’ on behalf of Jewish communities to the king/ruler in medieval Europe (a process called *shtadlanut* in Yiddish, Topolski 2018, p. 2181). In contrast, bottom-up practices—such as those that will be reviewed in the next section—can also be understood as a type of governance or locality production (Sunier 2020, p. 3). These practices are aimed at building an infrastructure from which to demand the recognition of certain claims, which may involve networks of agency and collective activities undertaken by a diversity of local civil society participants.

As regards Spain, it was the government that took the initiative to accommodate Islam and propelled the establishment of a single Muslim representative body, i.e., the Islamic Commission of Spain (CIE). Based on Law 26/1992 of November 10, the CIE has both representative and administrative tasks, which include the granting of formal recognition of local faith communities, which is necessary to be entitled to the application of rights under the Cooperation Agreement, as well as the application and control of slaughter conditions with respect to halal food; in addition, the CIE has the right to appoint Islamic religious education teachers at publicly funded schools. To carry out its tasks and for “institutional strengthening”, the CIE receives state funding, which for the years 2018, 2019, and 2020 amounted to EUR 330,000 per year (Fundación Pluralismo y Convivencia (FPC) 2019, 2020, 2021).³

3. Religious Claims-Making in La Rioja

The region of La Rioja, generally known for its wine industry, has a relatively low population density (63 inhabitants/km² in 2020). Its population of approximately 316,000 inhabitants is equal to 0.7% of the total number of residents in Spain. Further, this population is distributed over a total of 173 municipalities (as of December 2021). Approximately 6% of the region’s population is (or is perceived as) Muslim, of whom 40% are Spanish citizens (Observatorio Andalusi 2022). The main nationalities among the foreigner Muslim

residents in La Rioja are Moroccan (64%), Pakistani (21%), and Algerian (7%). The largest number of migrants arrived in La Rioja during the 1990s. They arrived with the objective to work in the region's agrarian or construction sector. In the current context, Islam is the largest minority religion in this region, with Evangelicals representing the second largest. Out of the 26 currently existing Muslim entities in La Rioja (and those that are registered with the Spanish Registry of Religious Entities), six do not adhere to any federation. The other 20 are members of one of the four Muslim federations that exist in La Rioja, which can be broken down as follows: two of regional character (*Unión de Comunidades Islámicas de La Rioja*—the Union of Islamic Communities in La Rioja; and *Federación Islámica de Aragón, Navarra y La Rioja*—the Islamic Federation of Aragon, Navarra and La Rioja) and two are federations registered at the state level (*Federación de Comunidades Musulmanas Africanas de España*—the Federation of African Muslim Communities of Spain; and *Federación Islámica al Firdaus*—the Islamic Federation al-Firdaws ([Urrutia Asua 2017](#))). Muslims in La Rioja are from a diverse range of backgrounds, including migrant families, young Spanish-born Muslim families, and new Muslims who are closely linked to an active associative network. In addition, the Muslim population is relatively young and many have undertaken university studies ([Urrutia Asua 2017](#)). One of the region's main concerns is the decrease in its total population. This is due to the fact that internal migration to other nearby territories, such as Catalonia or the Basque Country, in search of better employment takes place.

3.1. The Struggle for Islamic Religious Education

As indicated above, Muslims who live in Spain have certain individual and collective rights related to their religion, as well as to the preservation and promotion of Islamic historical and artistic heritage (residency is sufficient for having such rights and that Spanish citizenship is not required). One of these rights is the access to Islamic religious education at public and semi-private schools that receive state funding (based on Article 10 of the Cooperation Agreement). In Spain, all primary and secondary schools are obligated to offer Roman Catholic religious education, i.e., the teaching of the Catholic faith. However, this subject is optional for all students. Having said this, almost 60% of the school students in Spain opted to take this class in 2021 ([Conferencia Episcopal 2022](#)).

Based on the Cooperation Agreement—i.e., Law 26/1992—and on the Resolution of April 23, 1996 (which contains the agreement on the designation and financial terms of the educational personnel), Islamic religious education should be offered as part of the school curriculum in primary and secondary education, provided that at least 10 students per school (or their parents) at the beginning of each educational stage or level, express their interest in Islamic religious education for their children with the school's director. Regarding the contents of the subject of Islam at school, in 2006, the first learning guides were published entitled “Discovering Islam”⁴. This series of schoolbooks was edited by the UCIDE in cooperation with the Islamic Commission of Spain and financed by the *Fundación Pluralismo y Convivencia*⁵, a public legal entity, at that time, attached to the Spanish Ministry of Justice⁶.

Further, the 1996 Resolution includes provisions for the schools' management, wherein they will expressly select these requests at the beginning of each stage⁷ and the regional educational authorities must inform the corresponding Islamic communities of the total requests received. In accordance with the third provision of the 1996 Resolution, before the start of each school year, the CIE shall communicate to the regional administration the names of the persons it considers suitable for the purposes of teaching Islamic religious education in the corresponding region.

In the case of La Rioja, recent estimates from the [Observatorio Andalusi \(2022\)](#) show that approximately 3800 students could be interested in applying for Islamic religious education at their educational center. From at least 2009, families in La Rioja have filed requests for their children to be taught Islam at school without receiving any reply from the schools' management. Though the abovementioned requirements were met in several educational centers in the region, these schools did not provide Islamic religious education

to their students, ignoring the petitions, as well as the claimants. In 2014, a group of Muslim families in Logroño had grown tired of being ostracized—both by the schools and also by the Islamic Commission of Spain, since the families did not perceive any support from the CIE as their representative and interlocutor with the authorities—and decided to start claiming their rights at another level. As the administration of education falls to the *Comunidades Autónomas*, they escalated their demands by addressing the regional Council of Education and managing to file more than 1500 requests for Islamic education at primary and secondary educational centers. The regional authorities responsible for education in La Rioja rejected the demands for the right to Islamic religious education claiming format errors—i.e., two instead of one request model forms were presented—and also for economic reasons. As a reaction against this treatment of invisibilization, a number of grassroot organizations, led by a group of active citizens, initiated a campaign to create awareness of their discrimination not only among the Muslim populations, but also among the broader public of La Rioja. A first step was the creation of a civil platform under the name of *Comunidad Musulmana de la Rioja* (Muslim Community of La Rioja). This platform was formed by five entities, a combination of migrant, worker, and women’s associations, as well as Muslim religious entities of La Rioja. Its members are mostly of migrant origin—i.e., from Muslim majority countries, such as Morocco and Pakistan—and also include a minority of very active members of Spanish origin, their main spokesperson being a new Muslim Spanish citizen. In addition to the country of origin, the platform also represents the existing diversity among Muslim communities and individuals in La Rioja, regarding culture, gender or the purpose of the entity’s incorporation. The platform’s purpose was to mobilize as many citizens of La Rioja as possible, whether Muslim or not, in their struggle for their civil and religious rights to be realized. They supported a number of parents who filed an appeal with the corresponding Court of Justice against the rejection of their requests by the regional authorities. They also wrote and circulated a manifesto, as well as organized a signature campaign for which they received support not only from Muslim families, but also from the broader civil society, including parents and families from their children’s schools, as well as other minority-religion actors in the local region.

In October and November 2017, two court decisions were issued by the La Rioja High Court of Justice, endorsing in both cases the right of the parents to Islamic religious education for their children at publicly financed schools. Consequently, as of schoolyear 2018/2019, five schools have started to implement this subject matter into their curriculum. However, according to the platform members, at that time, 16 schools complied with all formal requirements to offer religious education for Muslim students. During this period, the negotiations and exchange in information occurred between the platform and political actors at the municipal level, without any communication regarding the development of the situation between the Islamic Commission of Spain and those forming part of the platform.

In 2019, a group of ten families living in the same region of La Rioja filed a claim against the Department of Education and Culture of La Rioja (governed by the Socialist Workers’ Party and left wing *Unidas Podemos*) with the High Court of Justice of said region. They were assisted by the platform *Comunidad Musulmana de la Rioja* and received legal support from the Catalanian association *Musulmans contra la Islamofòbia* (Muslims against Islamophobia). The families considered the denial of Islamic religious education a violation of their fundamental rights of religious freedom. Their claim was, however, rejected by the Court. Muslims against Islamophobia published their opinion stating that the attitude of the Court was one of “institutional racist discrimination, since only and specifically directed to Muslim families, who are impeded to access their full citizenship rights.” ([MCI Musulmans contra la Islamofòbia 2020a](#)).

Recently, few advancements regarding the implementation of Islamic religious education in schools have taken place in other regions of the Spanish State. For example, in February 2022, the High Court of Justice of Murcia⁸ in southern Spain, ruled in favor of a family that had filed a request for Islamic education with the corresponding school management and had not received any reply from the school or from the Murcia Council

of Education and Culture. Facing this administrative silence, the family appealed with the Regional High Court of Justice. In its ruling of 8 February 2022, the Court confirmed the family's right to Islamic religious education for their children and considered that the lack of action by the Regional Administration was not in accordance with the law. These legal proceedings were conducted without any type of support from the Islamic Commission of Spain. This was reason enough for the Islamic Federation of Murcia (*Federación Islámica de la Región de Murcia*) to formally ask for an explanation from the CIE regarding its lack of leadership and assistance throughout the whole procedure, especially considering that the CIE is responsible for these matters as the sole interlocutor and representative of Muslims in Spain.

3.2. Cemetery Space for Islamic Burials

Another claim of key importance for the entities and individuals forming part of the platform the Muslim Community of La Rioja (and which has encountered more success in this region to date) is related to the access to cemetery space for Islamic rite burials. The right to be buried according to one's own convictions forms part of the European Convention on Human Rights and is also included in the constitutions of all EU countries ([Moreras Palenzuela and Tarrés 2013](#)). As regards the Islamic religion, Article 2 of the Cooperation Agreement between the Spanish State and the CIE recognizes the right of Muslims in Spain to the concession of land parcels reserved for Islamic burials in municipal cemeteries or to—privately—own Islamic cemeteries. Despite the fact that public authorities are obligated to create the conditions to comply with this right throughout Spanish territory, around 95% of Muslim communities lack space in cemeteries for Islamic burials ([Observatorio Andalusí 2022](#), p. 14). According to a report published by the Islamic Commission of Spain in April 2020, only 30 cemeteries in Spain offer (albeit limited) space for burials according to Islamic norms for a population of more than 2 million people ([Ajana Elouafi 2020](#)). Though the repatriation of deceased family members by Muslim families of foreign origin to their country of origin has been—and still fairly is—a common practice ([Moreras and Arraràs 2019](#)), the sudden increase in the number of the deceased among Muslims due to the COVID-19 pandemic accentuated this blatant lack of available space ([Ajana Elouafi 2020](#), p. 2; [Moreras Palenzuela 2021](#)).

As indicated above, the administration of burials falls under the jurisdiction of the local authorities. Claims-making for space on cemeteries in the La Rioja region started in 1997 through local negotiations, i.e., without the involvement of the Islamic Commission of Spain. Finally, in 2008, public land was made available within the local cemetery of Logroño. In less than ten years, however, the need for an extension of this space became evident, yet was denied by the local right-wing government of the *Partido Popular*. Consequently, the entities and individuals forming the Muslim Community of La Rioja, in cooperation with the many families it represents, decided to commence action. During the period between 2017 and 2019, according to one of the platform's spokespersons, various campaigns were organized ranging from protest marches, press conferences, and a formal claim to be made at the City Hall to taking the floor in the plenary session of the City Hall of Logroño to insist on the need for cemetery space for Muslims. After many months of mobilizations, the Muslim Community of La Rioja managed to obtain the support for their demand from all four opposition parties. In 2019, elections took place giving rise to a change in the local government. The extension of municipal cemetery space was eventually formally agreed to in 2021.

More recently, certain advances have been made toward political acceptance of the need for and accessibility to Islamic burial space in other parts of the Spanish territory, such as the city of Vitoria (Basque Country), Molina de Segura (Murcia region) and Madrid, the capital city and home to approximately 300,000 Muslims. Another example of cooperation between Muslim communities and administrations at the local level, is the municipality of Mataró (Catalonia), where in April 2020, during the COVID-19 pandemic, the left-wing municipal political formation ERC-MES⁹ requested an urgent compliance with the right to

space for Islamic burials. This was conducted in addition to requesting a long-term solution, a task that had previously been promised to be completed by the local government since 1999. The fact that one of ERC-MES' councilwomen is (visibly) Muslim most likely increased the party's sensitivity toward this issue. In 2020, specifically motivated by the COVID-19 pandemic, the aforementioned Catalanian association, Muslims against Islamophobia, started a campaign entitled "Islamic cemeteries: Respect our cultural rights on mortuary matters!", asking all Muslims in Spain to complete and file with their municipality of residence a specific form—which can be downloaded from their webpage—in which they request their local authorities to respect and duly manage the right to cemetery space for their Muslim citizens ([MCI Musulmans contra la Islamofòbia 2020b](#)).

These alliances between various local organizations in La Rioja, the preparation of collective activities, and the performance of public protest and claims-making are clear indications of a bottom-up political and social space constructed by city dwellers ([Sunier 2020](#)). In this case, their common interest is in achieving compliance with their civil and religious rights. The top-down order building practices, or at least the attempts to them made by both the regional La Rioja administration and the Islamic Commission of Spain, are contested and have given rise to different power struggles. Throughout these years of organizing campaigns, offering legal support and the accompaniment of families in court cases—as well as their involvement in negotiations with local political actors—the activists and NGO workers who started the platform have earned a sufficient level of trust among the people and communities they have come to represent. Their local knowledge versus the distance and the lack of transparency as the main characteristics of the CIE, have provided them authority in claims-making and representation at the local level. In addition, their intellectual capacity, integrity, political independence and hard work during many years have turned them into key players in the process of locality-making in La Rioja. Some progress has been made with respect to certain rights, such as an extension of the cemetery space available to Muslims, or the provision of Islamic religious education in at least a number of schools in La Rioja, while other claims, such as those related to the availability of halal menus at schools and other (semi) public places, still need to be put in practice. However, so Sunier argues ([Sunier 2020](#), p. 4), locality is precarious and requires continuous re-establishment. In addition, the case of La Rioja demonstrates the "lack of muscle" shown by the Islamic Commission of Spain, which, in turn, translates into a disparity in rights compliance between different regions and municipalities throughout the State's territory.

4. Conclusions

The abovementioned cases of claims-making by local Muslim entities and individuals in La Rioja are examples that indicate that the representation model of the Islamic Commission of Spain, i.e., the *shtadlan* ([Topolski 2018](#)), designated by the Spanish State, is disputed in practice and has triggered dynamics of community building while animating the creation of a diverse and local social infrastructure. This infrastructure is aimed at the implementation of certain civil and religious rights beyond their mere formal recognition.

After decades of top-down order building, both externally—i.e., the State appointing the Islamic Commission of Spain (CIE) as its sole interlocutor—and internally—i.e., the CIE's actions (or lack thereof) toward Muslim entities—in several regions throughout the Spanish territory, local communities have started making demands on their own behalf and from outside the institutionalized structure. They are raising their voices and taking the floor in order to achieve the effective recognition of the rights they were legally granted decades ago.

The alliance between various grassroots organizations with the objective to join efforts and conduct collective activities without the involvement of the CIE, thereby resulting in the platform Muslim Community of La Rioja, is a clear indication of bottom-up locality production in La Rioja on the part of a diversity of local dwellers ([Sunier 2020](#)). These local entities, whose most active members include new Muslims of Spanish origin, challenge

the sole interlocutor position claimed by the Islamic Commission of Spain and which is often invoked by politicians in their attempts to avoid having to act on the demands they made. In fact, through its “top-down demand for one Muslim voice” (Topolski 2018), the State—including the regional and local administrations—often hides behind the structure of the sole interlocution with the CIE.

The resulting power struggles between the regional administration, the CIE, local authorities and the platform members have positioned a certain number of capable and reliable individuals into the roles of spokesperson on behalf of the local Muslim civil society in Logroño and its surroundings. The Islamic Commission of Spain’s lack of activity and transparency, as well as the perception of even hindering negotiations on purpose, have fostered cooperation between different associations in which Muslims participate, who have become key representatives in the claims-making process.

On the one hand, with their activities and support to the families who are in need of legal advice and emotional assistance, these key actors contribute to the formation of a local Muslim counter-public (Fraser 1990; Lems 2021; Zine and Bala 2019). From this safe space, they organize activities and mobilize part of the local population to issue claims in the hegemonic regional public sphere. On the other hand, they have also managed to obtain support from the broader local civil society in Logroño and its surroundings, with which they have connected as citizens with the right to equal treatment.

In their struggle for compliance with their civil and Islamic religious rights, these local Muslim actors in La Rioja make their claims *as citizens*—whether Muslim or not—who live in a country with freedom of religion and religious plurality. In the local public sphere, i.e., at the political municipal level, the demandants’ agency is increasingly being recognized. Furthermore, in recent years, progress has been made with respect to their demands. However, at the regional and state level, the claimants remain invisibilized and their claims are often ignored.

Drawing, again, on Sunier (2020), through the process of claims-making outside the top-down organizational structures, these actors challenge the domestication of their communities as second-rate citizens. By creating bonds and alliances with other social groups—such as parents at school, other minority religions (for example evangelicals), as well as local politicians—the platform’s La Rioja participants are actively contributing to the local social fabric. These dynamics clearly exceed the production of separate Muslim spaces and point to a broader, plural, and diverse homemaking, while at the same time affecting the feelings of belonging not only of the Muslim populations, but of all citizens involved.

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Notes

¹ Additionally, called new Muslims or Muslim converts.

² E.g., the French *Conseil Français du Culte Musulman* (CFCM) or the British Mosques and Imams National Advisory Board (MINAB).

³ These amounts do not include salaries of Islamic religion education teachers.

⁴ These guides were based on the Islamic religious education study programs published upon proposal from the Islamic Commission of Spain by the Ministry of Education Order of 11 January 1996.

⁵ Memoria 2006 de la Fundación Pluralismo y Convivencia, see (Fundación Pluralismo y Convivencia (FPC) 2007, p. 22).

⁶ As is the case from 2020, this Foundation depends on the Ministry of the Presidency.

- ⁷ Provision One of the Resolution of April 23, 1996. The original text in Spanish states: “[. . .] los centros educativos recabarán, expresamente, esta decisión en la primera inscripción del alumno en el centro o al principio de cada etapa.”
- ⁸ Decision 41/2022 of the High Court of Justice of Murcia, of 8 February 2022, on Fundamental Rights.
- ⁹ ERC-MES is a coalition formed in various Catalan municipalities by two political formations: ERC (*Esquerra Republicana de Catalunya*, or Republican Left for Catalonia) and MES (*Moviment d’Esquerres*, or Movement of the Left).

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