

CORDOBA'S MOSQUE-CATHEDRAL AS CONTESTED CULTURAL HERITAGE.

To Whom Does "World Heritage" Belong?



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Abstract

Cordoba's iconic Mosque-Cathedral receives millions of visitors each year and has been recognized by UNESCO as both a "World Heritage Site" and a monument of "Outstanding Universal Value." The building's mixed religious history and architecture make it a unique site of national cultural heritage. In recent years, however, controversies have emerged regarding the use, ownership, management, and representation of the Mosque-Cathedral, undermining its symbolism and practical functioning as a site of plurality and social openness. UNESCO has sought to remain at a distance from these controversies, but its representations of the building's history and design have been mobilized by competing sides to legitimize their respective positions. The contention surrounding the Mosque-Cathedral raises a series of questions about cultural heritage and to whom it belongs, as well as the mechanisms in place for adjudicating such questions. This study highlights certain democratic deficits in the realm of cultural heritage and the challenges of managing contested heritage in contexts characterized by high levels of social and political polarization.

Keywords: cultural heritage, polarization, UNESCO, diversity, democracy

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Cordoba's Mosque-Cathedral as Contested Cultural Heritage. To Whom Does "World Heritage" Belong?

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Introduction

Cordoba's iconic Mosque-Cathedral (MC) receives millions of visitors each year and has been recognized by UNESCO as both a "World Heritage Site" and a monument of "Outstanding Universal Value." The original mosque was constructed in stages between 784 C.E. and 987 C.E. during the period of al-Andalus. It was consecrated as a church in 1236 C.E. when Cordoba fell to the Christians. In 1523 C.E. a massive cathedral nave was built into the center of the structure, and it continues to function as a church to this day.

The MC's mixed religious history and architecture make it a unique site of national cultural heritage. As a historical zone and space of contact between Christianity, Islam, and Judaism, Cordoba and the MC have become important symbols of intercultural coexistence and tolerance. The "Cordoba Paradigm" has been used as inspiration for projects aimed at promoting peaceful conviviality in settings across the globe. In recent years, however, controversies have emerged regarding the use, ownership, management, and representation of the MC, undermining its symbolism and practical functioning as a site of plurality and conviviality. Various movements have emerged to contest the Catholic Church's dominion over the MC but with relatively little success.

These episodes raise a series of questions about cultural heritage and to whom it belongs, as well as the mechanisms in place for adjudicating such questions. This study highlights certain democratic deficits in the realm of cultural heritage and the challenges of managing contested heritage in contexts characterized by high levels of social and political polarization.

Methodology

This case study focuses on recent disputes over the use, ownership, management, and representation of the MC. It is based on Spanish media reports from conservative, progressive, and centrist dailies and news wires, as well as existing studies on the topic, including ongoing research by members of the Spanish team. As part of this research, interviews have been conducted with Church officials, activists in movements contesting the Church's dominion, and members of the local Muslim community.

Controversy over religious uses of the MC

Given the MC's dual religious heritage, it has historically been leveraged as a site for fostering ties between Christians and Muslims. In 1966, Franco invited King Faisal of Saudi Arabia to the MC and presented him with the prestigious Order of Civil Merit Collar for his diplomatic and commercial collaboration with Spain. During the 1970s, two international "Islam-

Christian Conferences” were held in Cordoba that brought Church officials together with political and spiritual leaders from several Arab countries, including Saudi Arabia, Kuwait, Algeria, Egypt, Iraq, Jordan, Siria, and Tunisia. In 1982, the charismatic communist mayor of Cordoba, Julio Anguita, arranged for a delegation of Muslims to visit the MC during a “Hispano-Muslim Friendship Conference” organized in the city.

Although there have been notable moments of interreligious unity at the MC, there have also been several instances where the Cathedral Chapter of Cordoba, which manages the building, has made it clear that Muslims are not to pray in the building without express permission. During the aforementioned visit by a delegation of Muslims in 1982, some prayed before the mihrab without authorization, arousing the ire of Cordoba’s Catholic leadership, which was communicated in the local press at the time. Similar controversies emerged repeatedly during the 2000s. In 2003, the MC security escorted a group of Muslims out of the building after they attempted to pray within its confines. The group was attending a conference on Muslim Women convened by the Islamic Council (*Junta Islámica*) (JI), an influential organization established by Spanish converts to Islam. In response to the episode, the JI’s leadership wrote the Vatican requesting that Muslims be able to worship in the MC. The request was turned down.

In 2006, the president of the JI, Mansur Escudero, again petitioned the Vatican for the MC to be administered as an “ecumenical temple” for both Muslims and Christians. He also prayed in front of an entrance to the MC without permission in protest of the Cathedral Chapter’s exclusivity toward Muslims (Ruggles 2011). The bishop, Juan José Asenjo, responded with a forceful rejection of Mansur’s petition, arguing that Cordoba’s Diocese had a “credible legal title” and “incontrovertible historical titles” to “maintain the Cathedral for exclusive use by the Catholic Church.” Asenjo did not mention that the “credible legal title” to which he was referring had been secretly acquired earlier that year, an occurrence to which we return shortly. Conflict over Muslim worship at the MC erupted once again in 2010, when a group of Austrian Muslim tourists attempted to pray in front of the mihrab, leading to a violent altercation with security (Monteiro 2011). Eight of the tourists were criminally charged, though they were ultimately acquitted.

The Church’s intolerance of Muslim prayer within the MC derives from the centrality of religious performance to the building’s identity. Mass is held in the MC on a daily basis, and Christian musical concerts are organized with regularity. Public exhibitions of Catholic artefacts and traditions are also occasionally displayed within the building’s confines. These practices, events, and exhibitions function as part of what Meyer (2010) has termed an “aesthetics of persuasion,” insofar as they engage diverse senses and sensibilities, with the effect of making claims about the building’s Catholic identity more palpable. Allowing Muslims to pray inside the MC would open the door to its performance as a mosque, which might in turn give new impetus for challenges to the Church’s exclusive control over its administration.

Although the media covered each act of Islamic worship at the MC, there was never any significant popular mobilization around the matter. The failure of Escudero and other

Muslim activists to arouse a broader public reaction resulted from a variety of factors related to both their message and their status as messengers. Although the acts of Islamic worship did lead to a degree of reflection regarding the Church's exclusion of non-Christians from using the MC, they were framed primarily as a 'Muslim issue' rather than a matter of broad public relevance. Many perceived those who engaged in the acts as attention seekers or naïve foreigners pursuing their own interests, rather than legitimate representatives of the general public. This limited their success in exposing and politicizing the ideological dimensions of the MC's management, which in turn hindered their ability to galvanize a debate about the core principles underlying existing institutional arrangements (Astor, Burchardt, and Grier 2019).

Controversy over ownership and management

In recent years, a broad-based coalition has formed to contest the Church's dominion over the MC. This coalition is composed mainly (though not exclusively) of secular, rather than Muslim, activists. It was sparked by news that the Bishop of Cordoba had surreptitiously registered the building as Church property in 2006 for a reported fee of €30. Several individuals came together to form the "Mosque-Cathedral of Cordoba Coalition: Everyone's Patrimony" (*Plataforma Mezquita-Catedral de Córdoba: Patrimonio de tod@s*) (PMCC). A [Change.org petition](#) calling for the MC to become public property was organized in 2011 and has garnered over 390,000 signatures. There have also been a series of protests, and the publication of several expert reports that challenged the historical basis for the Church's claims to rightful ownership and control of the MC. The controversy has made international headlines in prestigious newspapers around the globe.

The bishop's request for a formal title of ownership over the MC was part of a broader practice of patrimonial appropriation pursued by the Church that involved claiming ownership over thousands of other properties across the country during the 2000s. The legal procedure employed to realize this appropriation was called, "immatriculation," which had initially been established during Franco's rule. The procedure allowed the Church to attain official ownership over various properties within minimal documentation and certification from the diocesan bishops with jurisdiction over the location of the properties in question.

Although the coalition opposing the Church's immatriculation of the MC has received the most publicity, Church immatriculations have been contested elsewhere in Spain as well. About twenty different organizations have recently coalesced to form a "State Coordinator for the Recovery of Patrimony Immatriculated by the Catholic Church," or *Recuperando* ("Recovering") for short. Several leaders of the PMCC have close ties with the *Recuperando* coalition (Reina 2016).

The role of experts

As a consequence of the Change.org petition and the negative press surrounding the MC's immatriculation, the MC's ownership and management have become politicized to an unprecedented degree. The politicization process began in February of 2014 when Isabel Ambrosio, a delegate of Andalusia's regional government in Cordoba, solicited an expert inquiry into the legal possibilities for public ownership of the MC. In explaining the rationale

behind her decision, she explicitly referenced the Change.org petition, which she claimed to have signed days prior, as well as the MC's special value as cultural patrimony and world heritage (Valenzuela 2014).

The following year, Ambrosio was elected mayor of Cordoba, and the Secretary General of her administration headed an investigation of the controversy. The resulting report, which was issued in March of 2016, asserted that the law permitting the MC's immatriculation was unconstitutional and that the Church's claim to ownership was incompatible with the MC's status as a World Heritage Site. The report concluded that the MC should be classified as "public supra-dominion" (*supradominio público*), a categorization that prohibits ownership by any specific individual or organization. While the findings of the report had no direct legal consequences, they bolstered the legitimacy of the PMCC's claims, at least among those sympathetic to its demands.

Church officials and conservatives responded to Ambrosio's initiatives by commissioning their own "expert reports." Shortly after Andalusia's regional government declared its intention to undertake a study of the controversy in 2014, the State's Ministry of Finance issued a report that declared the Church to be the MC's only lawful owner. The report cited the MC's consecration as a church in 1236 C.E., as well as an agreement established in 1991 by the Andalusian government that implicitly recognized the Church's ownership (Ruiz 2014). The position of the Ministry was unsurprising, given that it was headed by officials from the conservative Popular Party.

As a response to the report issued in March of 2016 by Cordoba's city government, the conservative think tank, European Citizens' Forum (ECF), published an alternative expert report the following month that supported the Church's claims to ownership. The ECF report emphasized how the act of immatriculation was not a "constitutive act," but rather a "declarative act." That is, the Church was not obtaining ownership of the MC via immatriculation, but rather publicizing its (previously obtained) ownership of the building, which dated back to the 13th century when Fernando III ceded it to the Church. Hence, the recent debate over immatriculation was really misplaced, as the Church had been the rightful owner of the MC long before the building's inscription as Church property in 2006.

Dissatisfied with the outcome of the "battle of experts," Ambrosio assembled yet another expert commission to advise the City Council on how to address the question of the MC's ownership. The ex-Director-General of UNESCO, Federico Mayor Zaragoza, was selected to lead the commission. Critics of the move argued that Mayor Zaragoza had voiced his disagreement with the Church's dominion over the MC in the past, thus calling into question the commission's impartiality. The commission's final report was made public in the fall of 2018 and concluded that the "Catholic Church neither has nor can have any title of ownership over the MC" (Carpio Dueñas, García Sanjuán, and Mayor Zaragoza 2018:14). It contended instead that State was the clear and rightful owner of the building based on an analysis that ran from the period of al-Andalus through the period of Catholic monarchy and up until the present day. A key assertion underpinning its argument was that the Cordoban *pueblo* has been unwavering in its view of the MC as part of the city's "shared patrimony," which in turn

accounts for why public authorities have been actively implicated in its management and preservation. Like other participants in the controversy over the MC, the expert commission thus placed the will and interests of the *pueblo* at the heart of its argumentation. The report ultimately recommended that Cordoba's city government file a claim with the Constitutional Court to annul the MC's inscription as Church property.

Church officials and conservative media outlets sharply criticized the report both before and after its publication. In anticipation of its release, *ABC* published an article entitled, "Report going nowhere," which preemptively dismissed the report as "political posturing" and its findings as legally irrelevant (Aguilar 2018). Following the report's official release, *La Razón* published a lengthy article entitled, "Mosque of Cordoba, a report under suspicion," which countered the document's claims point by point and accused the expert commission of being deeply partisan, placing special emphasis on the ties of its members to the Socialist Party (J.O. 2018).

Legal ambiguity and the democratic deficit

Despite the myriad expert reports that have been issued, and their respective efforts to frame the MC's ownership as a technical legal matter that may be resolved by a clear understanding of existing legislation and jurisprudence, there is no indication that the positions of key actors on either side of the controversy have been altered in any substantial way as a consequence of legal argumentation. Church officials and conservative political elites, on the one hand, and left-wing and progressive associations and elites, on the other, have never broken ranks or recognized "expert" conclusions that run counter to their pre-existing positions on the matter. Moreover, coverage of the controversy by left-of-center and right-of-center media remains as divided as ever. The deep polarization of Spanish society, especially with respect to church-state relations, has thus limited movement toward consensus.

What has become clear is that no expert report or judicial ruling will ever be definitive or legitimate in the eyes of many of those mobilized on either side of this issue. The legal bases of ownership are far too ambiguous to arrive at any clear conclusion about who the legitimate owner truly is according to some objective legal criterion or criteria. However, the issue is not simply that the legal bases of ownership are ambiguous, but also that neither side is willing to recognize this ambiguity. For if there were a consensus on the existence of legal ambiguity, there might be more openness to a democratic solution such as a popular referendum on ownership and/or management. To be sure, there would be many complications with designing such a referendum. For instance, would voting be restricted to residents of Cordoba? Would it be open to all citizens of Spain, since the MC is recognized as national cultural heritage? These questions, however, are essentially moot since the issue continues to be treated as a technical legal matter for the courts to eventually decide.

The role of UNESCO

The status of the MC as a World Heritage Site has figured centrally in the discourses of both critics and supporters of the Church's dominion over the structure, illustrating how symbolic

resources emanating from international institutions and declarations may be leveraged for debates at the national and local levels. The aforementioned Change.org petition placed the MC's status as World Heritage at the forefront of its message:

It has been 30 years since the MC of Cordoba was declared World Heritage by UNESCO, not only for its extraordinary richness and complexity *but especially for being a universal paradigm for harmony between cultures*. Facing the Diocese of Cordoba's continuous attempts at juridical, economic, and symbolic appropriation, failing gravely to comply with the principles that inspired this recognition, we citizens ask the public administrations and UNESCO to intervene for the purpose of protecting [the MC] from the danger that threatens its declaration as World Heritage (emphasis in original).

UNESCO, understandably, has refrained from entering into the controversy in any direct or explicit manner, preferring that the dispute be adjudicated at the local or national level. Nevertheless, since it relies on the Spanish delegation for its narrative representation of the MC, it implicitly recognizes the legitimacy of the official narrative of the State. A principal argument that the Cathedral Chapter of Cordoba uses to justify its dominion over the MC is that it is a "living building" whose active religious use has been essential to its conservation. This expression was borrowed from a famous Spanish architect, Moneo (1985), who had used the expression to describe the MC, albeit with an entirely different meaning and purpose. The description of the MC on UNESCO's [website](#) echoes this talking point, stating that its "continued religious use has ensured in large part its preservation." The MC's [official website](#), which is managed by the Cathedral Chapter, celebrates UNESCO's recognition of the importance of MC's functioning as a Catholic place of worship, as it implicitly supports maintaining the Catholic identity and use of the building.

The framing of the MC as a "living building" whose religious uses are central to its identity and conservation has recently been foregrounded in a [2020 report](#) published by the Cathedral Chapter that details its vision for the site's future management. What is novel about the 2020 report is how it assimilates the notion of the MC as a living building within a larger framework that foregrounds the MC's "intangible heritage," a concept that has become increasingly central to discussions surrounding cultural heritage since UNESCO's development of the "Convention for the Safeguarding of the Intangible Cultural Heritage" in 2003. The 2020 report on the MC includes an entire chapter on intangible heritage, with subsections on (Christian) music, church bell ringing, and holy processions, which are described as being inscribed in the MC's "DNA, in its genesis, and in its existence." This is another illustration of how UNESCO's framework for conceptualizing cultural heritage has been mobilized by the Church to legitimate its claims to dominion over the structure, in this case focusing on the "intangible" Catholic traditions attached to the MC.

The question of representation

The main concession Cordoba's Cathedral Chapter has made in the face of popular movements contesting its dominion over the MC has been to alter the information leaflets

distributed at the entrance to the building to make them more ideologically neutral. The PMCC had demanded that official information materials be revised so as to accurately reflect the building's multi-religious heritage. This demand responded to the revisions that Cordoba's Cathedral Chapter had been making to the information leaflets since the 1990s.

Up until 1998, the leaflets had included the name "Mosque-Cathedral of Cordoba" in their title. In 1998, a leaflet that referred to the MC as the "Sacred Church Cathedral" was published. The phrase "Ancient Mosque of Cordoba" appeared in a smaller font below the main title. Around the year 2000, the term "Mezquita" was extracted altogether. The new leaflets glorified the MC's Christian elements and history while downplaying and denigrating its Islamic heritage. In an effort to quell the mounting pressure generated by the Change.org petition and the negative press surrounding to the MC's immatriculation, the Cathedral Chapter revised the leaflets in 2016, changing their title to "Mosque-Cathedral of Cordoba." The new leaflets also included a more neutral representation of the building's history and Spain's Islamic past. Hence, grassroots mobilization has achieved at least one tangible result. Representation is not insignificant, as these leaflets shape how millions of people who visit the MC every year understand its history, identity, and meaning (Astor et al. 2019).

Conclusion

This case study highlights the intractability of disputes over cultural heritage, especially in contexts marked by high levels of polarization. Grassroots mobilizations contesting dominant "heritage regimes" and arrangements concerning the ownership, management, representation, and use of cultural heritage face major obstacles in achieving their objectives due to entrenched institutional power and interests. Although disputes over cultural heritage take place primarily at the local, regional, or national levels, the fact that many heritage sites are now recognized as "World Heritage" or "Outstanding Universal Heritage" adds an international dimension. Such classifications, as well as the narrations of the sites in UNESCO documents, serve as symbolic resources that different actors mobilize to further their respective agendas. In situations of legal ambiguity, as in the case of the MC, questions of propriety and management are practically impossible to adjudicate in a neutral manner. Innovative proposals are necessary to make up for the democratic deficits that characterize many contexts where heritage has become contested.

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