FROM REACTION TO INCLUSION: POLICY INSTRUMENTS FOR MANAGING THE OPENING OF ISLAMIC PLACES OF WORSHIP AT LOCAL LEVEL IN SPAIN

DA REAÇÃO À INCLUSÃO: INSTRUMENTOS POLÍTICOS PARA GESTÃO DA ABERTURA DE LOCAIS DE CULTO ISLÂMICOS A NÍVEL LOCAL NA ESPANHA

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ABSTRACT

This article addresses the management of religious pluralism in Spain. It pays particular attention to local politics and the policy instruments for managing and governing the opening of Islamic places of worship. A public policy analysis approach to the implementation of policy instruments sheds light on the policy instruments applied to address these problems of coexistence, their strengths, and weaknesses. The research carried out, applying document analysis and in-depth interviews, reveals that, despite the progress achieved since the beginning of the twenty-first century, the legal framework has not improved sufficiently, and municipal governments try to avoid action to the detriment of religious pluralism and the rights of religious minorities. Moreover, when local authorities feel under pressure to act, their reactive response focuses on implementing regulations and information-based policy instruments. Ultimately, our findings on policy instruments suggest the need for new proactive and inclusive responses that will allow to fulfil the religious rights of minorities and maintain the spatial local order without the segregation of part of its population. In this sense, a proactive response could lead to better inclusion and benefit from new policy instruments such as the systematic use of Information and Communication Technologies (ICTs) and the co-design of participatory tools.

Keywords: Local management; Religious pluralism; Islamic worship; Policy instruments; Social inclusion.

RESUMO
Este artigo aborda a gestão do pluralismo religioso em Espanha. Presta especial atenção às políticas locais e aos instrumentos políticos para gerir e governar a abertura de locais de culto islâmicos. Uma abordagem de análise de políticas públicas à implementação de instrumentos de política esclarece os instrumentos de política aplicados para resolver estes problemas de coexistência, os seus pontos fortes e fracos. A investigação efectuada, através da análise documental e de entrevistas aprofundadas, revela que, apesar dos progressos alcançados desde o início do século XXI, o quadro jurídico não melhorou suficientemente e as autarquias tentam evitar atuar em detrimento do pluralismo religioso e dos direitos das minorias religiosas. Além disso, quando as autoridades locais se sentem pressionadas a agir, a sua resposta reactiva centra-se na aplicação de regulamentos e de instrumentos políticos baseados na informação. Em última análise, as nossas conclusões sobre os instrumentos políticos sugerem a necessidade de novas respostas proactivas e inclusivas que permitam respeitar os direitos religiosos das minorias e manter a ordem espacial local sem a segregação de parte da sua população. Neste sentido, uma resposta proactiva poderia conduzir a uma melhor inclusão e beneficiar de novos instrumentos políticos, tais como a utilização sistemática das Tecnologias de Informação e Comunicação (TIC) e a conceção conjunta de ferramentas participativas.

Palavras-chave: Gestão local; Pluralismo religioso; Culto islâmico; Instrumentos de política; Inclusão social.
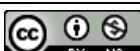
1 INTRODUCTION

The opening of places of worship[1] in cities and areas throughout European countries has, from time to time, prompted problems and controversies since the 1980s (Triandafyllidou & Gropas, 2009; Rodrigues, Bhattacharya & Cabete, 2023). It should be noted that in the European Union, many policies concerning religious pluralism are developed primarily within the Council of Europe (Rodrigues & Cabete, 2024). The opening of places of worship is compounded and coexists with other ethnic cohabitation issues such as the use of headscarves by Muslim women (García Yeste et al., 2020), but it deploys a greater impact on coexistence and inclusion as the way in which local authorities manage the exercise of this right might lead to spatial and public segregation of certain religious minorities or on the opposite to their social inclusion. In this sense, the governance of those controversial issues, associated to an increasing population diversity in Europe and, particularly, the growing share of Muslim population in Europe, needs to be carefully assessed and wisely tackled by local authorities in order to assure the free expression of religious identity while maintaining their territorial and social cohesion.

Scholarly publications have identified examples of conflicts linked to the opening of places of worship in Italy (Saint-Blancat & Schmidt, 2005), France (De Galembert, 2005), Greece (Triandafyllidou & Gropas, 2009), Germany (Kors, 2019) or Spain, where a considerable bulk of authors have analysed this issue (Astor, 2012; Astor & Griera, 2016; Moreras, 2017; Astor, Griera & Cornejo, 2019; Triandafyllidou & Magazzini, 2022; Castro Jover & Uriarte Ricote, 2021; Rodriguez Basanta & Guillén Lanzarote, 2021). Previous research carried out in Spain shows that most of past conflictive events reported fall into the category of "disagreements or discrepancies" (Moreras, 2017) as the incidents neither occur systematically, nor intensely, nor continuously. Thus, their relevance is not that of open social conflicts that deeply undermine intercultural and interreligious relations, but rather sporadic and low intensity controversies (Iglesias & Ares, 2021).

Despite this rather positive picture, there is an urgent need to act as the first widely reported case-study dated from 2001 - the setting up an Islamic place of worship in Premià de Mar (Catalonia) - and, as argued below, the management of these controversies has not improved significantly. Before 2001, the management of

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[1] The use of places of worship includes mosques and other rooms or places where religious practices are carried out. They can be multi-use spaces.

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religious freedom was not a salient issue but the growth of international immigration at the end of the 90s increased substantially the number and diversity of religious minorities residing in the country (Pérez-Agote, 2010; Astor & Griera, 2016). All those changes occurred in a specific legal and administrative context characterised by numerous agreements with different religious communities signed since the 60s, under the Franco's regime. However, those agreements were primarily a result of diplomacy efforts rather than a specific regulation enforced by the state.

Indeed, municipal governments have been particularly reactive when forced to meet and accommodate demands from an increased number of religious minorities and ensure the adequate provision and regulation of spaces and places of worship, cemeteries, and other community facilities. As a result, local administrations involved in their management introduced measures "palliative in nature" (Larrison, & Raadschelders, 2019), such as the incorporation of new actors (intercultural mediators and interfaith groups) (Griera, 2012) while they maintain urban planning regulations as they were. Moreover, Astor and Griera claim that the management of municipalities is characterised for the "inability of authorities to mediate the conflict due to the lack of a clear and strong legal framework with no protocols to apply" (2016, p. 256).

This article goes a step further by applying public policy analysis to the research on controversies arising from local public administration and management on the opening of Islamic places of worship. Given that instruments are rarely capable of being effective in implementing policy without adequate management (Peters, 2000) and governance (Salamon, 2002), this work sheds light on divergent or complementary policy instruments and tools that could help local authorities to manage potential conflicts related to the opening of Islamic places of worship in Spain. New instruments might drive a change from reactive and palliative measures to anticipative and proactive actions that mitigate opposition and prevent the problem from escalating as well as decrease territory segregation and strengthen cohesion and social inclusion. Hence, a key task for this research has been to discuss with interviewees, their management practices in order to provide alternative policy instruments and pro-active tools that could help to avoid not only future problems but also the "spatial camouflage" of religious minorities (Giorda & Vanolo, 2019).

The article is structured as follows. It first reviews the academic literature on this issue and introduces the approach and methodology of the field research. Second, it sets the context and analyses the Spanish legal and regulatory framework. Third, it

focuses on some paradigmatic cases and the policy instruments implemented to tackle the controversies by local authorities. A final, but key aspect at stake is the debate on efficient instruments and the provision of alternative policy instruments that allow for a proactive assessment that could help to avoid future problems and the deterioration of interreligious and intercultural relations. For this final aim, this article relies on the academic literature on screening and engagement tools as well as ICT policy instruments.

2 LITERATURE REVIEW

2.1 POLICY INSTRUMENTS FOR MANAGING RELIGIOUS PLURALISM IN LOCAL CONTEXTS. A THEORETICAL APPROACH

The governance of religious diversity in the world is of great interest among scholars (Kymlicka 2009; Bader, 2007, 2009; Griera et al. 2014; Astor & Griera, 2016; Martinez-Ariño, 2018; Koenig 2020; Dikici 2021; Modood & Sealy, 2022; Triandafyllidou & Magazzini, 2022), focusing some of them on the specific situation of Muslim minorities living in Europe (Maussen, 2007; Koening, 2007; Kortmann, 2012; García Yeste et al., 2020). Analysing the disparities in how Western European countries manage religious diversity illuminates discernible patterns, such as secularism, multiculturalism, and assimilation. These patterns, when examined from an institutional perspective, appear to be rooted in historical models of Church-State relations, which continue to shape the contemporary constitutional and political frameworks of countries such as Spain. Furthermore, these dynamics are influenced by the principle of "path dependence" and top-down governance models. Importantly, the choices of accommodation made by policymakers hold substantial implications, affecting the spatial distribution and presence of religious minorities (Giorda & Vanolo, 2019).

Nevertheless, the application of institutional and "path dependence" frameworks alone does not fully account for the variations observed at the local level within countries, where differing approaches to implementation and management coexist under the same national regulatory framework. Accordingly, the present study concentrates on the dynamics of specific local institutional and political contexts. These

contexts involve intricate networks that encompass the participation and interaction of various stakeholders, including public actors, civic organizations, and representatives of religious groups. This collaborative and negotiation-based approach, as highlighted in the research conducted by Astor and Griera (2016), aims to ensure a nuanced and effective management of diversity within local communities and helps to explain the complex local reality as well as local management differences.

A comprehensive and meticulous investigation into these governance models and networks remains imperative. While some scholars argue that the prevailing 'networked governance approach' has supplanted the conventional vertical, hierarchical, and centralized methods of managing religious diversity, promoting a more horizontally structured, pluralistic, and multilevel framework (Astor & Griera, 2016; Moreras, 2017), recent research reveals notable disparities in the management of religious diversity across Spain as shows the analysis of two prominent Spanish cities, Madrid and Barcelona. Specifically, Madrid appears to adopt a 'relatively passive' and 'non-interventionist' stance toward religious diversity, whereas Barcelona has embraced a more 'proactive' and 'interventionist' approach (Astor, Griera & Cornejo, 2019, p. 391).

For that in-depth analysis of local religious governance models, this article proposes to look at local conflict management from public policy analysis, in line with a "…manner of "seeing" religion through multiple indirectly related policy lenses" (Bruce, 2019, p.123). Mainly, it stands on the academic literature on policy instruments, understood as "tools of governance [that] represent the relatively limited number of means or methods by which governments effect their policies" (Howlett and Ramesh 1993, p. 4) or more precisely as the set of "techniques by which governmental authorities wield their power in attempting to ensure support and effect or prevent social change" (Pal 2014, p. 21). So, this paper focuses on the type of instruments local administrations set up to manage conflicts or prevent likely conflicts as "public policy instruments reflect an understanding of the role of the state within society, whereby issues in certain policy domains can be administratively managed and scientifically analysed in a way that presumes a certain degree of depoliticization" (Bruce, 2019; p.123).

As Harguindeguy (2013) states, there are a multitude of classifications of public policy instruments established according to the type of independent variable: coercion, change, expected behaviour, etc. Among the many typologies found in the academic

literature (Vedung, 1998; Salamon, 2002; Hood & Margetts, 2007; Rodrigues, Batthacharya & Cabete, 2022; Hood, 1983; Pal, 2014), Pal's classification (2014) offers advantages in terms of clarity and applicability to local contexts, and thus is timely for analysing local authorities' policymaking on the management of religious diversity and, in particular, the opening of Islamic places of worship in Spain.

In Pal's classification (2014, p. 134), the first choice of policy instrument is "Doing nothing": "...it may appear as a non-decision, which indeed it is if it has no justification beyond ennui or the simple desire to remain unengaged. ... However, a deliberate choice not to intervene, made after an analysis of the problem, should be considered a policy decision, what we will here call a "static response". A second group of policy instruments falls under the category of "Information-based instruments" and include government-directed attempts to influence people by transferring knowledge, communicating reasoned arguments, and moral suasion in order to achieve a policy outcome. Information-based policy instruments can include brochures, training, advertisements, reports, websites and portals. Information-based instruments are considered the least coercive of all policy instruments since "there is no obligation to act on information and no supplementary inducement or penalty" (Pal 2014, p. 315).

The third group is "Expenditure-based instruments". Pal (2014) explains that "from the policymaker's point of view, virtually every policy instrument involve expenditure - even giving a speech will entail the cost of speechwriters and distribution of materials - however, in the case of expenditure-based policy instruments, money itself is the direct instrument" (p. 315). In this instance, governments are not trying to achieve their objectives or outcomes by changing the information that undergirds behavior, but rather the calculus of costs, benefits, and financial resources that individuals or organizations undertake before they do something. "Regulation" is the fourth option and it "draws on the most fundamental resource a government has: its capacity to command and prohibit. … Regulatory instruments are used to define norms, acceptable behaviors or to limit activities in a given society. That capacity depends on a blend of legitimacy and effective sanctions for disobedience, with the greatest weight on legitimacy" (p. 316). Finally, the last political instrument option is "Acting directly". Pal (2014) states that "the preceding categories of instruments are indirect in the sense that they involve working through citizens or organizations to achieve public goals. Governments may decide to achieve the conditions or service

goals they have in mind by marshalling their own resources toward those ends" (p. 316).

For this article, this classification is applied in order to identify and analyse what solutions local authorities have chosen in the matter of opening Islamic places of worship. In addition to the description of the main instruments, this article also investigates the possibility of incorporating "new ICT instruments" (information-based instruments), as has been done to manage different types of conflicts (Kelly, 2019), and that allow actions such as: sharing information, solutions, or counselling within mobile social networks. On the other hand, the analysis of to what extent the response continues to be reactive or if local management experience has allowed a change towards a proactive paradigm is addressed. Proactive management of multi-ethnic societies implies a participatory model in public sector management that considers the views and interests of all ethnic groups in society, makes extensive use of information, and consults representatives of different groups ethnic.

This article also brings to the fore an under researched aspect of the religious management at local level: the consequences of the application of those governance models and policy instruments for the spatial distribution of the population and related issues of visibility, exposure and interactions in public space (Tanaka, 2023). The governance of religious issues does occur not in a vacuum but in specific territories and contexts in which actors enjoy different power capacities and choose their own political strategies. In order to analyse that, the concept of "spatial camouflage" (Giorda & Vanolo, 2019), coined for the Italian context, will be incorporated. This concept identifies a process in which "many minoritarian religious spaces are concealed from people's gazes, being relegated to the margins of urban spaces or inside buildings with apparently other uses, such as warehouses or old factories" (Giorda & Vanolo, 2019, p. 16). This camouflage is often desired, or simply accepted, by these minority groups and places them in a very different position and space from the Catholic majority with buildings everywhere in Italian cities, and also in Spain. In this sense, spatial camouflage develops in ambiguous frameworks hybridizing presence and absence, visibility and invisibility.

3 METHODS

This research provides evaluative and distant analysis of coexistence and religious pluralism, aiming to offer an analytical view through the eyes of municipal managers, institutional representatives, and academic experts on religious freedom and urban planning. Rather than focusing on conflicts, it emphasizes solutions.

To achieve its aims, the research focuses on various paradigmatic cases as well as recent cases, through document analysis of mass media information and scholarly literature, supplemented by qualitative in-depth interviews with scholars, religious pluralism foundations, and local civil servants, as well as some policymakers at national, regional, and local levels. These interviews were conducted between November 2021 and February 2022 until saturation of information was reached. The selected case studies met several criteria, including high media attention, recommendations from interviewees, and availability of information on policy instruments used by local authorities to manage the situations.

4 RESULTS, ANALYSES AND DISCUSSION

4.1 SETTING THE CONTEXT. OPEN ISLAMIC WORSHIP PLACES IN SPAIN AND ITS LEGAL AND INSTITUTIONAL FRAMEWORK

In contexts of immigration, places of worship are iconic spaces that mark the presence and permanence of new confessions or currents within the religious landscape (Metcalf, 1996 as cited in Astor & Griera, 2016). In addition to facilitating the congregation of devotees and communal prayer, they are points of social contact and mutual support. They play an important role in the restoration and reconstruction of religious communities uprooted and fragmented by emigration processes (Maussen, 2009 as cited in Astor and Griera 2016). And they can also play a supportive and integrative role into the new society (Pérez-Agote, 2010, pp. 230-231).

4.2 RELIGIOUS DIVERSITY IN SPAIN

In Spain the Church-State separation came after Franco's regime, before Spain was denominated as a Catholic confessional state. Thus, with the advent of the democratic system a process of secularization began (Pérez-Agote, 2010). In the time

since the arrival of democracy, the percentage of people who define themselves as Catholic has dropped from 90.5% in May 1978 to 55.4% in October 2021, the lowest figure ever recorded. In addition, the number of people who declare themselves non-believers has grown from 7.6% to 39.9% (CIS, 2021).

During these decades of democracy, 7,687 non-Catholic places of worship of 16 different confessions have been registered in 1,372 municipalities, according to data from the Observatory of Religious Pluralism. Specifically, Islamic places of worship total 1,755 in 940 municipalities. To this figure must be added an unknown unrecorded number of prayer rooms in the workplace or other places. In 2022, Muslims in Spain represent 1,180,000 (2.6%) of the total population (WPR, 2022).

The opening of Islamic places of worship in contemporary Spain has not been a widespread problem, but it does pose problems of coexistence from time to time (PC Foundation interviewee). At first, opposition to mosques and oratories has been part of a trend in the region of Catalonia, where residents have mobilized against mosques in 30 different municipalities, according to Astor (2012). However, as will be seen from the cases discussed, various incidents have occurred in other regions as well.

4.3 LEGAL AND INSTITUTIONAL REGULATORY FRAMEWORK FOR OPENING PLACES OF WORSHIP

Spain is organized as a multilevel governance state, with national, regional and local levels, and this structure has had implications for the management of religious freedom (Ponce & Cabanillas, 2011). The legal framework for the opening of places of worship is based on the principles of religious freedom and equality The Spanish Constitution guarantees the right to religious freedom and worship, and the prohibition of discrimination on the grounds of religious beliefs, and the Organic Law of Religious Freedom of 1980 (hereinafter, LOLR) has developed some basic issues related to its exercise.

At the national level, the LOLR establishes the conditions and requirements for the recognition and registration of religious entities in Spain, establishing that religious entities must have a minimum number of members, statutes defining their objectives and structure, and a registered office in Spain. At the regional level, some Autonomous Communities have passed specific laws on religious freedom and places of worship. For example, the Law on Religious Freedom and Worship of Catalonia regulates the

recognition and registration of religious entities and establishes the procedures for obtaining permits to build places of worship. At the local level, urban planning regulations and licensing requirements may also apply to the opening of Islamic places of worship. Local administrations can use these regulations to control the location and design of mosques, as well as to ensure compliance with noise and safety regulations. Overall, the legal framework for the opening of Islamic places of worship is based on the principles of religious freedom, equality, and respect for the law, but its implementation can vary depending on the specific context and political landscape in which it is applied.

Rodríguez Blanco (2019) explains the problems arising from this legal framework: "The freedom of religion and worship guaranteed by the Constitution includes the right of churches, confessions and religious communities to establish places of worship or meetings for religious purposes (Article 2.2). It allows these organizations, once duly registered, to open places of worship by means of a responsible declaration or prior communication, "without prejudice to obtaining the corresponding urban planning license" (e.g., a building permit) and without affecting the autonomic competences in urban planning (19). Thus, urban planning regulations become a key element in understanding how local governments manage the likely problems that arise.

Astor and Griera (2016) characterize the legal and regulatory framework as problematic due to the absence of a general regulation for the authorization of places of worship. Instead, we find a diversity of regulations and ordinances, whose application differs according to autonomies and municipalities; while most municipalities require urban licenses for first use and change of use of buildings intended for places of worship, some also require activity licenses. In this research, it has been found that the complexity is even greater, since in addition to the instruments indicated above, some municipalities require activity licenses. In the latter cases, places of worship must be subject either to the regulations for industrial and commercial establishments, or to the regulations for community facilities qualified as being of public interest, such as sports, health, educational and cultural centers. In addition, as places of public attendance, in some cases they have been regulated by municipal ordinances on health, safety, accessibility, noise protection and capacity limits.

An attempt to standardize the legal and regulatory framework occurred in 2013, when the central government passed the "Law for the Rationalization and

Sustainability of Local Administration", which contained an additional provision on the opening of places of worship. The provision stipulated that each religious community had to register in the Registry of Religious Entities (RER) in order to establish a place of worship, in an attempt to replace activity licenses with a system of prior communication. However, by leaving it up to local administrations to specify the technical requirements for opening such places of worship, it offered a wide margin of maneuver to local authorities, which has prevented change in local regulation and demonstrates the acceptance of a certain level of local variability.

Prior to 2013, an attempt was made to introduce some general regulation at the autonomous community level, the General Directorate of Religious Associations of the Generalitat de Catalunya proposed a new Law on Places of Worship (LCC), approved in the Catalan Parliament in 2009. Although the opening of Islamic places of worship continues to generate conflicts in some municipalities, the LCC brought greater uniformity and clarity to the management of places of worship within this autonomous community (Astor and Griera 2016). In sum, it can be stated that the management of Islamic places of worship is a complex issue that requires a balance between the rights of religious communities and the need to maintain social order and coexistence. Spanish local administrations have employed several policy instruments to achieve this balance, but the effectiveness of these policies and actions may vary depending on the specific context and political landscape in which they are implemented. In fact, the failure to put an end to these problems indicates that regulation is insufficient or deficient.

4.4 CASES AND POLICY INSTRUMENTS

In the absence of a clear regulation and a general legal framework, national or regional, for the opening of places of worship, the question that arises is: How do local managers deal with issues related to the opening of Islamic places of worship in Spain? The answer will be traced through some paradigmatic cases. In relation to each of them, the following section analyzes, after the description of the characteristics of conflicts and their evolution, the political instruments deployed.

4.5 PARADIGMATIC CASES

The paradigmatic conflicts, described below from the oldest to the most recent, allow us a deep understanding of the policy instruments implemented and how they enable (or not) the successful management and governance of the problem.

4.6 THE CASE OF SINGUERLIN, CATALONIA[2]

Singuerlin is a neighborhood in the municipality of Santa Coloma. The conflict began when the Muslim community rented premises to be used as an oratory, which raised the opposition of some neighbors, and the City Council agreed with the Muslim community to postpone the opening until an alternative solution could be found. After eight months of standstill, the Muslim community decided to open the oratory, which provoked strong protests from the neighbors. The City Council then offered prefabricated modules in a peripheral and uninhabited area of the city as an alternative to the Muslim community. A third party in the conflict was a group of citizens largely linked to the Ateneu Julià Romerà, who demonstrated in support of the Muslim community with a banner asking "Please, silence for those who are praying". In addition, educators linked to the City Council acted as mediators in the conflict, promoting dialogue between the parties. The Mossos d'Esquadra (Catalan regional police) also played a role in ensuring security during the demonstrations.

The premises of the initial oratory complied with all legal requirements, and there was no reason to close it. In this context, the political instruments used by the local government to manage the situation included offering alternative premises to the Muslim community and using mediators to promote dialogue between the parties. However, as the conflict continued, and the City Council had to offer prefabricated modules as an alternative until the definitive location was found. The Muslim community demanded that their right to worship in the place they had rented as an oratory be guaranteed or, otherwise, that they be provided with an alternative, dignified and functional space.

4.7 THE CASE OF BADALONA, CATALONIA[3]

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[2] This case is developed from the following sources: Astor (2012); Mora Castro (2017), Aranda & Cruz (2005) and Perales (2004).
[3] This case is developed from the following sources: Astor (2012), ABC (2007) and El País (2006).

The city of Badalona, in Barcelona province, has 223,166 inhabitants. The two largest foreign groups are Moroccans (5,600) and Pakistanis (5,600), both of whom are mostly Muslim. Within the geographical limits of Badalona there have been several incidents: 1) The Bilal mosque, inaugurated in 1991, faced opposition in 2002 when the Muslim community planned to move it to Sant Antoni de Llefià. 2) the Al Furqan mosque, opened in 2005, was subsequently closed by the municipal government, 3) in 2010, the Pakistani association "Camino de la Paz" established a small prayer hall in the Artigas neighbourhood, which faced opposition from the platform "Plataforma de Vecinos de Artigas y Sant Roc Contra la Apertura de la Mezquita" (Platform of Neighbours of Artigas and Sant Roc Against the Opening of the Mosque). 4) In 2006, the proposal to establish a mosque in Montigalà faced opposition from residents, and the municipal government abandoned the plan in 2007.

All of these were attempts to establish mosques or prayer halls to serve the religious needs of Muslims. The municipal government granted licenses for some of these establishments but faced pressure from residents to close them down. Residents, organized in various coalitions and platforms, opposed the establishment of mosques in their neighbourhoods, citing concerns about noise, traffic, and also cultural differences. As for the local government's management, it can be characterized as ambivalent: it granted licenses for some prayer halls but closed the Al Furqan Mosque due to pressure from residents, and claimed a lack of adequate licenses for public land use. Residents' opposition influenced the decision to abandon the plan to establish a mosque in Montigalà in January 2007.

4.8 THE CASE OF "CALLE JAPÓN" IN BARCELONA (CATALONIA)[4]

In view of the imminent opening of an Islamic worship centre in a neighbourhood of the Nou Barris district in February 2017, some neighbours opposed it and the conflict escalated following the terrorist attacks in Barcelona and Cambrils in August 2017. An extreme right-wing group, "Democracia Nacional", appeared on the scene, and made explicit provocations and provoked direct confrontations within the neighbourhood. District authorities supported the opening, however, after the attacks, they changed their strategy and organized contacts and meetings with residents to address their

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[4] This case is developed using the following sources: Congostrina (2017), El Periódico (2019).
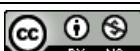
concerns and clarify doubts. The oratory finally opened in February 2018, and the situation was considered to be definitively normalized by the summer of that year.

Some neighbours mobilized against the opening of the centre, while others actively mobilized in defence of it, in favour of pluralism and against xenophobic discourse. The district authorities abandoned the mediation process and instead they organized contacts and meetings with all residents of the street in order to find out their concerns first hand and clarify doubts. Regarding the action of the local government, in this case it used various policy instruments to manage the conflict, including a mediation process, urban regulation, contacts and meetings with residents, and a strong police presence during rallies as well as vigilance against illegal behaviors such as vandalism or hate speech. Eighteen criminal complaints were processed, mainly involving members of "Democracia Nacional", and the Prosecutor's Office against hate crimes played a key role in the processing and follow-up of these complaints.

4.9 THE CASES OF COLLADO VILLALBA (MADRID) CARTAGENA AND LORCA (MURCIA)[5]

These three cases followed similar dynamics: the desire to open an Islamic place of worship, neighbors' opposition, and the use of urban planning regulations to find a solution. In Collado Villalba, residents opposed the construction of an Islamic center in 2011 as the Islamic Religious Association, Mezquita al Iman, requested permission to build one on a land they had purchased, the City Council denied the permission as the project was against "building regulations", after a trial the local government was supported by the law. Similarly, in Cartagena, Neighbors showed their rejection in 2019 to the opening of a mosque in the Cuatro Santos neighborhood and wanted a response from the council on the technical possibilities of the building and the urban environment to authorize its opening. The president of the "Federación de Asociaciones de Vecinos de Cartagena y Comarca" stated that they would be on the side of the neighbors to ensure that the mosque project was moved to another place with better technical conditions for its location. The conflict in Lorca is dated in 2019, as the opening of a mosque in the Apolonia neighborhood provoked neighbors' mobilization against. The

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[5] These cases are drawn from the following sources: for Collado Villalba: Bécares (2011); Blanco (2013); for Cartagena: Recogen firmas contra la apertura de una mezquita en Cartagena (2019); for Lorca: EFE (2020); El Barrio Apolonia de Lorca no tendrá finalmente una mezquita (2021).

president of the residents' association explained that the place did not meet the conditions to become a place of worship, and after almost a year of intense work and negotiations, the opening of the mosque was prevented, and it was to be moved to a place with less influx of people and enough space to worship.

In terms of political instruments, in these three cases the local governments used urban planning regulations to deny building permits. Thus, in Lorca, the management of the situation also involved almost a year of intense work and numerous negotiations with the residents of the municipality and the promoters of the mosque.

4.10 POLICY INSTRUMENTS AND THE OPENING OF ISLAMIC PLACES OF WORSHIP

Most episodes of conflict around mosques in Europe and other Western cities are much lower profile and mainly confined to the local level, despite being influenced by global discourses and national traditions (Allievi, 2009; Cesari, 2005). Thus, Pal's classification (2014) of policy instruments allows us to go beyond the individual cases to map local management of such conflicts in Spain.

Doing nothing is a first option. The fact that there is no national regulation on the issue of opening places of worship means that all conflictive situations rely exclusively on local planning regulations and leads the local government to do nothing until there is more or less organized opposition from neighbors (depending on the historical formation of the neighborhood and the power of associative networks). Specifically, it fits well with the first reasoning of Pal's classification "*Problem-related rationales*: The analysis indicates that either there is no problem, or it is a problem does not fall within the government's current priorities, jurisdiction, or capacities".

Information-based instruments, as mentioned above, include government-led attempts to influence people by transferring knowledge, communicating reasoned arguments, and moral suasion to achieve a policy outcome. In all cases, this is a reaction to a special event that influences the creation of these policy instruments to address the problem. However, interviews with local managers in areas where there are Islamic places of worship without any conflict revealed that some local administrations take a proactive approach involving the use of information-based instruments.

Moreover, at the national level, following the 11 March 2004 attacks in Madrid, the state considered it necessary to take measures to more actively promote the integration of the foreign population, particularly those from Muslim-majority countries. To this end, the Spanish government created the *Pluralismo y Convivencia Foundation (FPC)* where we can read on the first page of the website *""Everyone has the right to freedom of thought, conscience and religion - art. 18 of the Universal Declaration of Human Rights"* (Fundación Pluralismo y Convivencia, 2024). The role of FPC in conflict management at the local level is limited to advising local governments on conflict management. For example, in the case of Cartagena, they played an important role in framing the discourse for the mayor to address tensions during local government plenary sessions. Thus, the FPC function as reactive policy instruments when local authorities call for help or guidance, but a national law is still needed. The lack of such a law is related to the reluctance of politicians to deal with religion at all levels (FPC interviewee). One initiative linked to the FPC is the *Observatory of Religious Pluralism,* which aims to monitor the evolution of religious diversity and design good practices for action but, in practice, to assist in the interaction between members of different religious communities, as well as to help them manage potential conflicts from the perspective of the opportunity for mutual recognition and respect (Del Olmo-Vicén, 2015).

Among the information-based instruments, one could also highlight the Regional Secretariat for Relations with Religious Denominations, now called the General Directorate for Religious Affairs, in Catalonia. It is said to follow its own political agenda in religious matters (Astor, 2014; Griera, 2016). But it clearly serves the purpose of the regional government of Catalonia to establish channels of dialogue with minority religious denominations in the region that were essential during the mediation practice referred to in the Japón Street case.

Interestingly, "…Catalonian municipalities have learnt from each other in a process of policy learning to better manage conflicts and complaints about spaces between religious communities or immigrant communities " (Expert interviewee). *Interreligious dialogue roundtables* have also been developed in other cities such as Bilbao as a preventive information and communication policy initiative, but as all the interviewees agree, a law on places of worship is needed. In the FPC, the various mediation channels, although important, are considered insufficient and new instruments are proposed, such as "training and workshops in educational centers to

improve the situation" (FPC interviewee). In Getafe, in the Autonomous Community of Madrid, there are also "coexistence roundtables", like those in Bilbao, which are considered a proactive instrument for permanent dialogue with religious entities and particularly with the associations of Young Muslims in the municipality. They also have a diversity management unit, but participation is not very intense. Here, police officers have been trained in mediation techniques, and report having more problems with the evangelical church than with the Islamic community (Getafe Local Police interviewee). Getafe also uses new ICT policy tools: they have created a WhatsApp channel/group for communication with citizens, they monitor social networks, using fake users, to recognize the "state of affairs and "abort hate speech from neighbors" and they have also launched the Anti-Rumor campaign.

In large cities, such as Madrid and Barcelona, there are diversity units that deploy various information tools to manage potential conflicts. In Madrid, all 6,000 police officers are trained in mediation techniques. In 2018, they produced a textbook on "How to manage religious diversity" and also created a Commission involving different religious denominations, which is considered of little use, as it only meets twice a year (Unit for Diversity Management, Madrid Police interviewee). In the city of Barcelona, the Office of Religious Affairs has no competences in urban planning, so it verifies that rights are respected and diversity is defended and addresses likely problems using the following policy tools: promoting intra- and interfaith dialogue, as well as internal training of civil servants and external awareness with campaigns and dissemination of information aimed at citizens (Barcelona Office for Religious Affairs interviewee).

The policy instrument of regulation appears to be the main policy solution used by local governments. However, it is limited as there is no satisfactory regulation at national or regional level, so that sometimes the Courts of Justice have to decide (e.g., the case of Collado Villalba). As we have seen above, it is under the framework of urban planning regulations that local governments usually address the regulatory problem with a variety of by-laws and ordinances. However, the regulations in force in many municipalities still contain a certain level of ambiguity. In contexts where the presence of places of worship has provoked neighborhood protests, this ambiguity has hindered the ability of local governments to resolve conflicts. This ambiguity has also led, under social pressure, to an interpretation of urban planning regulations that violated the principles of religious freedom and equality. For example, in the case of Badalona, temporary moratoriums have been imposed on the establishment of places

of worship in order to reduce neighborhood conflict, as it has been seen above. As stated, the solutions finally given to the opening of places of worship vary. In the case of Singuerlin, it was built prefabricated module was built outside the town so as not to contaminate the people. In the case of Badalona, in the face of strong public pressure, the proposal to establish a mosque in Montigalà was abandoned. In "Calle Japón", the open oratory was only able to normalise the religious practice after two years of conflict. Again, it is important to highlight the use of mediation and the new urban planning regulations to manage the conflict. In Collado Villalva, the Court ruled in favour of the City Council in relation to the withdrawal of the building permit, for having substantially modified the initial construction project. In the case of Lorca, the solution was that the mosque will not be opened and will be moved to a place where there is less influx of people and sufficient space to worship with guarantees and without disturbance.

Finally, the option of acting directly, although not a main policy instrument, has been implemented through the signing of agreements with the main religious denominations to ensure compliance with human rights and duties (Griera, 2016). Most of these agreements were linked to a budget allocation that facilitated their implementation. In addition, it is worth noting that the FPC has performed a series of initiatives to raise awareness of religious minorities in Spanish society and to promote their incorporation into the administrative and bureaucratic apparatus of the state. In this sense, it has provided funds to promote the registration of religious communities in the Register of Religious Entities (RER), and to develop maps and analyses of religious minorities in each region.

In sum, as presented in the paradigmatic cases, Spanish local managers do follow a common patter of managing religious conflicts arising from the opening of places of worship by Islamic communities that is mainly reactive (FPC interviewee). However, bigger cities have begun using preventive instruments, in the areas of security and participation that go beyond reaction towards a preventive approach, mainly in information-based policy instruments.

5 CONCLUSION

The management of Islamic places of worship is a complex issue that requires a balance between the rights of religious communities and the need to maintain social

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order and public safety while aiming at social inclusion and cohesion. This research has provided a managerial and distant analysis of coexistence and religious pluralism at local level in Spain, offering an analytical view through the eyes of municipal managers, institutional representatives, and academic experts on religious freedom. Rather than focusing on conflicts, it emphasizes collective and governance solutions from a public policy analysis and policy instruments approach.

Local governments in Spain are not frequently confronted with religious conflicts, but, as seen in the paradigmatic cases analysed, when they are is mainly due to the fact that an Islamic community wants to open a place for worship, that fulfills all the legal municipal requirements. Their legitimate will inevitably clashes with that of neighboring parties complaining and even opposing the opening. In these cases, local governments try to avoid acting but sometimes they are compelled to react. When compelled to take action, municipalities have employed various policy instruments, primarily information-based instruments and regulations. Nonetheless, the effectiveness of these approaches may vary, contingent upon the specific context and political landscape. Instruments deployed include urban planning regulations linked with architectural standards, specific location areas, or noise regulations, licensing and activity permits, dialogue and mediation and monitoring and enforcement. Overall, the management of Islamic places of worship is a complex issue that requires a balance between the rights of religious communities and the need to maintain social order and public safety.

Current law and regulatory frameworks at various administration levels have not improved the management and Islamic communities still report legal and regulatory barriers that include restrictive planning regulations, lack of clear procedures for obtaining permits, and bureaucratic hurdles. They also complain about islamophobia and discrimination compared to other religious communities that include vandalism of mosques, protests against the opening of new centers, and negative media coverage as some residents may view in the opening of a mosque a sign of the "Islamization" of their community, or as a threat to their cultural or religious identity. Moreover, Islamic communities in Spain have denounced the lack of dialogue and cooperation with local administrations and other stakeholders on this issue. This can lead to misunderstandings and conflicts that can make it difficult to find mutually acceptable solutions.

In this regard, most interviewees agreed on the need for a national law that regulates places of worship and to move local governance from prevailing reactive responses towards proactive actions such as greater inter and intra institutional dialogue and cooperation.

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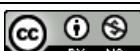
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