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Spain and North Africa: Islamic Archaeology

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Introduction and Definition

Interest in the western Islamic world, essentially the Iberian Peninsula and North Africa, is long standing. The presence of well-preserved buildings and monuments and numerous works of art has generated a particular approach since the mid-nineteenth century, sometimes close to exoticism. Appreciation of the arts and antiquities of these societies, whether wiped out and existing only in memory as is the case with Spain, or still present as with North Africa, contributed to the considerable increase and development of studies on Islamic history in these regions. Without doubt, in the case of North Africa, the fact that the area had fallen under the control of Western political powers, mainly France and Spain, helped the development of research, although frequently with a focus on local custom.

However, archaeology was involved only slightly in this process of historical reconstruction until well into the twentieth century. Indeed, at least regarding Spain, it was not until the 1970s that archaeological studies would bring new ways of developing knowledge of these Islamic societies. Despite this, the excellent advances and the indispensable works that appeared from disciplines such as history of art and history of architecture by authors such as George Marçais (1954), Henri Terrasse (1932), Manuel Gómez Moreno (1951), or Leopoldo Torres Balbás (1949) in the first half of the century should not be forgotten. These authors, the most outstanding among a considerable group, established the fundamentals of the study of the art, archaeology, and architecture of Western Islam.

From the 1970s, the situation changed considerably. Theoretical and methodological progress in the discipline of archaeology throughout the 1960s, particularly regarding the chronological sphere of prehistory, had allowed for the development of the discipline in the Mediterranean area, albeit with a certain delay. The archaeology of the Islamic world was no exception. In the case of Spain, many researchers – mostly coming from the fields of medieval history or prehistory – became involved in applying archaeological methodology with a view to enriching knowledge of medieval Islamic society. This was an important catalyst for advancement in historical and archaeological research carried out in al-Andalus. It led to the birth of a new discipline, medieval archaeology, hitherto scarcely explored, which was to develop into pioneering and innovative work on al-Andalus and a vehicle by which to introduce new streams of research.

For North Africa, the influence of countries external to the region was essential. The pioneer in this respect was without doubt the French school, notably improved since the end of the 1960s, which continued to act as an engine for research with the participation of some local collaborators. The first projects that were put into action were directed at increasing knowledge of ancient times and failed to properly appreciate medieval Islamic levels. It was not until the end

of the 1970s and beginning of the 1980s that work specifically addressing the medieval era began. These first studies, applying so-called extensive archaeology, concentrated on the analysis of territory by means of broad archaeological surveys in northern Morocco. Other teams of diverse origin rapidly became involved, including Americans (Sijilmasa, Basra, Djerba, Qsar as Seghir), British (Volubilis), Italians (Rif), French (Rif), and Spanish (Sus-Tekna), and successfully formed mixed teams. The work carried out in the context of these projects has served as a catalyst for the development of Maghrebian research in recent decades. Some of the projects are still active today (Sabra al-Mansuriya) providing information of great interest. In spite of this, research in North Africa shows a certain delay in comparison to developments in the Iberian Peninsula.

From this time onward, those involved in this research began to intervene as of right in the process of the historical reconstruction of western Islamic societies and not only in the limited fields of art and architecture. With a new technical language, at times no doubt incomprehensible to their historian colleagues, they rejuvenated the academic field. Their work began to open new debates of great importance that today continue to arouse scientific discussion, spur the development of the discipline, and increase our knowledge of medieval Islamic history in this region. We will refer to some of these debates in the following section as they serve to highlight the state of current knowledge.

Historical Background

From the Ancient World to Western Islam

At the turn of the seventh to eighth century, the Iberian Peninsula and North Africa were conquered by Muslims. Until then, the evolution of these territories had been similar, although with some distinctions, to that of the rest of the territories that had been integrated into the Roman Empire. In late antiquity the area underwent considerable upheaval due to barbarian invasions (mostly Visigoths and Vandals,

with lesser incursions by Suebis and Alans), and a whole series of transformations of the structures of organization belonging to the Roman era took place. These, however, had already begun to be modified before the fall of the last western emperor. If any single thing characterizes this field of study, it is the presence and influence, in varying degrees, of the Byzantine Empire, which saw itself as affected by the Iberian Peninsula and North Africa, lands that would later be controlled by Muslims.

Regarding the Iberian Peninsula, work on this period has centered on various fundamental aspects. First is the study of cemeteries, with particular interest in the analysis of their organization, location, and funerary practices based on the associated material culture, with a view to clarifying the identity of the buried. Second is a focus on Visigothic architecture, especially that used in known churches and the transformation of rural settlements (the end of the late Roman *villae*, the emergence of new kinds of settlement such as farms and small towns) and in the cities, which underwent a process of significant transformation, especially evident in metropolis as distinct as Mérida, Cartagena, Tolmo de Minateda or Recópolis, all of which have been subject to rigorous archaeological intervention.

For North Africa, research has concentrated especially on the second of these themes, the cities and changes that took place in their rural hinterlands. This includes isolated case studies of great interest, especially in the Tunisian area (notably Uchi Maius: Gelichi & Milanese 2002). The prosperity of these North African cities outlasted the fall of the Roman Empire, although changes are evident as early as the fifth and sixth century (abandonment, transformation of certain public spaces, the building of churches, development of fortified elements). The Arabs established themselves in this network of transformed cities at the time of the conquest, and these settlements lasted into the first centuries of the medieval period, due to their continued occupation by urban elites.

These issues were directly linked with lines of investigation that had developed some time

previously in the rest of Europe, although each with their own local characteristics. This wider debate analyzed the changes that took place after the fall of the Western Roman Empire and into the beginning of the early Middle Ages (Wickham 2005: 902-945). After the Arab invasion and conquest of these territories, the situation changed substantially. The factual account and the archaeological discourse changed to the same degree.

Islam in the West: Al-Andalus and the Maghreb

Transformations in Patterns of Settlement After the Muslim Conquest

The Arab conquest of North Africa and the Iberian Peninsula is a watershed in terms of approaches to research. Traditional theories, at least in the case of Spain, accepted only with difficulty the incorporation of this area into the Islamic world. For a long time it was considered that Islam did not result in more than a few superficial cultural or religious changes in this territory, without implying radical developments to the society of the Iberian Peninsula. There were even those who denied that the invasion occurred, considering it more an “orientalization” of society than a conquest and Islamization of the Peninsula.

The work of Pierre Guichard, from the late 1970s, came to deny this view, acting as a starting point for a comprehensive revision of studies on al-Andalus. Influenced by structuralist/functionalist social anthropology, he argued that medieval society in al-Andalus and North Africa presented a social and familial structure belonging to the Islamic world, very different to that which existed in the feudal-Christian area of the Peninsula. This would confirm that the social impact of the Arab-Berber invasion and conquest of Hispania was wide and profound (Guichard 1976, 1990-1991 and Barceló 1997). Initially based on written documentation, he subsequently undertook archaeological research, carried out in collaboration with other French colleagues (Bazzana et al. 1988), to observe and interpret the documented changes to the organization of settlement and material culture of al-Andalus. The work initiated by these researchers served as

strong motivation for the creation of a new school of archaeology, dedicated to the study of al-Andalus, which has made new and rich contributions to the process of historical reconstruction.

The analysis of landholding initially occupied the core of these authors’ investigations. Originally focused on the study of the various documented settlements in al-Andalus, research soon began to center on the relationships that existed between them, especially between the fortified settlements; the castles (*hisn/husun*), very common in Andalusian geography; and the rural settlements under their influence, the farmhouses. A common perspective was that this organization reflected the society established in the Peninsula after the Islamic conquest. The fortifications were central to the organization of rural territories in al-Andalus, but instead of showing a morphology and structure similar to the older (feudal) fortifications, analysis of the settlements showed that they were to a greater extent a reflection of a segmented society, tribally organized, and at the same time an expression of the fiscal implementation of the state in rural territory. Settlement organization was thus a reflection of the delicate balance existing between the Islamic state and the rural communities that organized the cultivation of the land and defended it in case of danger.

The model suggested by these French authors was contested at the time, as much for the chronology of its proposed implementations as for the functions it attributed to fortified space. Despite including a varied typology of fortified settlements, it seems clear that the model suffered from a certain inflexibility and stagnation, so that as studies developed, some of its aspects underwent revision and development.

Rural territories have been documented where the presence of fortified settlements is minor or practically nonexistent. However, in some regions it has been possible to sequence the development of fortifications through the Middle Ages, from an initial stage in which diversity indicates a process of social transition between the Visigothic period and a fully Islamized one. Here, the introduction of Arab-Berber population groups played a fundamental role alongside the integration of the diverse communities present in the initial

Andalusian phases, moving toward Islamization not only in religious terms but also as regards linguistic, cultural, and social practices (Acién 1989).

Authors such as M. Acién (1995), E. Manzano (2006) or S. Gutiérrez (1996) have emphasized this process, including the changes that can be observed in the material culture of this period as well as the fortified settlements and rural centers, in their discourse. These changes refer especially to the practices and centers of production of ceramics and their networks of distribution, as well as to the importance and influence of urban centers, all of which reflect the degree of continuity or disruption between the late Roman and Muslim worlds.

This process of Islamization, which was not without conflict and resistance, started from an advanced stage of destructuralization within the Roman world, which is generally confirmed in various ways: in the transformation of late Roman settlement patterns, with documentation of a clear tendency to occupy high ground and occasionally “marginal” zones; in new forms of cultivation in productive areas; and in the transformation of the urban network, with decline, abandonment, and new foundations. All this was accompanied by profound changes to artisanal productive structures and in networks for the exchange of products. These are most clearly demonstrated by changes to the ceramic corpus, with the appearance of non-standardized repertoires made using basic techniques and with relatively localized distribution. This transitional process continued until the end of the tenth century, when it is generally agreed that the process of Islamization of al-Andalus society was largely complete.

The culmination of the process coincides, according to this view, with the establishment of the Umayyad caliphate of Córdoba and is visible in the consolidation of the settlement model discussed above, as well as in changes to material culture, especially in the ceramic record. From this moment wheel-made vessels and glazed dishes appear more frequently.

Clearly this interpretive model, in incorporating new factors and variables, brings greater complexity to the general discourse, while the

localized studies that developed during the 1990s in particular Andalusian geographic zones have shown that the rhythms and profiles of the process vary from one area to another, presenting specific regional characteristics.

This model of land use underwent important transformations over time. During the Almohad era, a process emphasizing the construction of fortresses apparently played out, especially in the east (Azuar 1988), although this phenomenon could equally apply to the rest of al-Andalus. Other changes related to occupation and in places cultivation of the land. For the final stage, the Nasrid period saw fortified nucleation of notable complexity, with the appearance of new materials and elements in these structures indicating the penetration by urban influences of these areas (Malpica 1996, 2008), along with the more obvious presence of Nasrid power (Acién 1999).

Regarding North Africa, research has not allowed similar conclusions to be drawn. The rural settlements, still incompletely studied, do not evidence similar organization. Although the Arab invasion and conquest initiated a process of profound social and cultural transformation, the result in terms of settlement is not comparable. Fortifications, while still numerous in this territory, do not assume the same importance they apparently reached in al-Andalus. However, the occupation of space by small nucleated settlements dedicated to the cultivation of their hinterland and based largely on the use of irrigation techniques does seem to extend through North Africa, although the scales varies at a regional level.

It should be noted that this interpretive change can be attributed as much to developments in archaeological methodology as to the fields of enquiry themselves. If at first, research was fundamentally based on territorial analyses, beginning with extensive landscape surveys from the middle of the 1980s, the development of techniques of spatial analysis, the emergence of urban archaeology, and the development of ceramic analysis have permitted the incorporation of new elements into the discourse. These elements have favored the development of new theories and a surge in new fields of study. We will focus on these below.

Key Issues/Current Debates

Settlement and Resource Exploitation: Hydraulic Archaeology

The explanatory model outlined above was initially directed to a great extent toward rural settlement, without actually excluding cities. It was because of this that some researchers naturally departed from the model and began to highlight the close link between fortifications and the exploitation of resources, in particular cultivated fields and irrigated agriculture (Cressier 1991).

The configuration of Andalusian territory in terms of these parameters from the tenth and eleventh centuries meant the construction of a new rural landscape featuring smaller units of population in the form of small nucleated towns called *alquerías* (from the Arabic *al-qarya*) and their associated hinterlands. The analysis of these small towns, little known due to their long occupation and difficulties of archaeological analysis, has contributed some knowledge of these productive spaces.

In this way the field of hydraulic archaeology has emerged and broadly developed within Andalusian studies. The works of T.F. Glick (1970) and, above all, of M. Barceló (Barceló et al. 1988) and H. Kirchner (Kirchner & Navarro 1993), developed primarily in the eastern area of the Peninsula and in the Balearic Islands, have laid the foundations of this new discipline. Following the proposals of P. Guichard, these researchers have linked the design, construction, and management of these irrigated spaces to the farming communities, generally organized in clans. From this perspective, the existence of these spaces, rather than solely being determined by geographical character or similar variables, is considered to be a social choice, and the criteria that govern them have been developed and should thus be explained by rural communities' own characteristics. The design of these spaces indicates a considerable organizational effort on the part of these communities, and their management cannot be understood unless from cooperation and collective effort within the community. The development and evolution of irrigated land

thus denotes strategies and formulas for growth in these groups.

The creation of these agricultural systems marked a considerable modification of Andalusian rural ways of life, although on a local scale. This involved the application of catchment, distribution, and complex storage techniques, on occasion originating from the east. At the same time came the introduction and acclimatization of new crops, previously unknown in the Iberian Peninsula or North Africa, the products of which were not suitable for prolonged storage. This can only be explained in light of an economic context facilitating their dispersal.

Without casting doubt upon the importance of these agricultural areas in medieval al-Andalus and the Maghreb, in recent times new paths of investigation are being explored that incorporate problems associated with nonirrigated land and livestock in the rural Andalusian lifestyle. These issues are currently little known.

The "Alquerías" and Modes of Habitation

These rural groups, which were characterized by high homogeneity and social cohesion as well as administrative autonomy, were established in the *alquerías*. The settlements' morphology, as far as we know, reflected the characteristics of its community of rural landowners or workers. They appear to be very distinct from settlement forms occurring in the rest of the European continent (Guichard 1988). The *alquerías* are perhaps one of the least archaeologically known aspects of the rural Andalusian world. Very few have been carefully investigated archaeologically (Jolopos, Castillo del Río, Torre Bufilla, El Castillejo, Ponta do Castelo –Carrapateira, etc.) and those that have show diverse characteristics (open or walled fields, concentrated or dispersed, etc.), although they present a similar urban organization, comprising various cores connected by intricate lines of communication, which do not follow an orthogonal organization, and where large public spaces are virtually absent.

The inhabitants of these small nucleated villages managed a vaguely delimited territory in which were located areas exploited for

agriculture, livestock, or as woodlands. These spaces or lands were framed by statutes and particular legal recognitions (Trillo 2004).

The dwellings that made up these small towns, despite the existence of variation in dimensions and typological form, reflect a single model from the tenth century onward. This is based on the existence of a central courtyard around which were rooms in an L- or U-shape (Bazzana 1992). The presence of a hall, a space reserved at the heart of the home for the intimate activities of the familial sphere, appears to be a specific feature. The rooms, while still presenting a marked multifunctional character, emphatically separate areas of private repose from those designated as the kitchen or as rooms for daily life. The profiles of these dwellings, where they have been analyzed in detail and in light of data concerning the domestic assemblage, are those of an extended family where characteristics of relatedness were clearly present (García 2001). The materials used for their construction were varied, although walls of rammed earth appear most frequently. In any case, their construction made use of materials found close to the settlements and did not require any complex techniques so that it could be undertaken within the community.

The Urban Sphere

The city is one of the most extensively studied aspects of Andalusian archaeology in recent years and could even be considered to be one of the most dynamic, as the flow of new data coming from archaeological interventions has been continuous; syntheses of the subject, however, have been more scarce. In any case, research has managed to move beyond the milestone that was in its day marked by the work of L. Torres Balbás (1970), who emphasized the topographical characteristics that were present: the planning of roads, the forms of water supply, the presence of certain characteristic elements, etc.

The majority of authors that have dealt with this subject have agreed that there was a lack of continuity between the ancient or late Roman and the Andalusian cities, even where topographical or occupational levels of both periods exist.

At this time, changes to the urban network were substantial, erasing any functional heritage and changing its characteristics in a fundamental way that barely conserved the memory of what had gone before.

One of the preoccupations of recent times has been the origin of these cities. There is no doubt that the Arab-Berber invasion and conquest resulted from the occupation of existing urban centers in the Peninsula, whether or not they were already immersed in a process of marked decline. The formation of the first cities in Andalusia during the amiral period was a result of the transformation of certain existing centers, as happened in the case of Toledo; the Visigothic capital itself, Sevilla; Córdoba; Mérida; Valencia; or Zaragoza, among others, and of foundations connected to the new power that emerged in a spontaneous way from preexisting rural settlements. Foundations linked to the process of conquest do not seem to be documented on the Peninsula, as were Kufa and Basra in Iraq, Fustat-Misr in Egypt, or Qayrawan in Ifriqiya.

As noted, the fact that ancient cities remained in occupation after the conquest has not been interpreted by those authors that have studied them as a result of continuity. The documented changes in these cities radically modified their structure and urban physiognomy and have been interpreted as a symptom of a break with the urban past, reflecting a new society, very different from the original. The most typical example is Córdoba, capital of al-Andalus, which experienced spectacular growth, especially in the surroundings closest to the location of an intricate network of recreational houses or suburbs. Some of these have been the object of archaeological intervention, which has allowed us to bring to light a large portion of the city, with planned urbanism, probably a result of the arrival of a new population attracted by the conversion of the city into the residence of amiral and caliphal power. Transformations can likewise be observed at a smaller scale in the other aforementioned cities.

Some cities emerged as a result of the evolution of a more or less complex rural space.

One of the most well-studied examples and the current object of an ambitious research project is Madinat Ilbira (Granada). This city, located just a few kilometers from Granada, is currently buried. Recent archaeological interventions indicate that it originated from a group of distinct dispersed nucleations (Malpica 2006).

Thus, the cities of al-Andalus again show the huge changes produced in the settlement network over the two centuries following the Arab-Berber conquest (as seen above in the case of the fortifications). They highlight the milestones of the process by which Andalusian society was transformed, not in itself dissimilar to that observed in other Islamic areas (Guichard 1998).

Cities, in any case, did not remain unchanging through the Andalusian period. Various authors have considered the evolutionary process of the urban context in recent times, presenting a descriptive and explanatory scheme of its forms of growth and topography (Navarro & Jiménez 2007). A great increase in urbanization occurred during the eleventh and twelfth centuries, lasting until the end of the Middle Ages, during the Nasrid era, when certain specific and differentiated characteristics developed, just before the definitive conquest of the Peninsula by Christians (Malpica & Garcia 2011).

As in the Iberian Peninsula, urban archaeology is one of the most developed areas in North Africa. The cities of Ifriqiya and the Maghreb, as indicated, had survived with some strength during the first medieval centuries, in spite of being occupied by Vandals and Byzantines. The Arabs occupied these cities, privileging some over others or founding new centers as in the case of Qayrawan (670). The present urban forms maintain a direct relationship, as happened in al-Andalus, with the structure of this new tribal society. This society assumed a protagonistic role with consolidating elements such as the mosque and the palace, the seat of power, which as political center acquired major dimensions (Guichard 1998). These cities based their growth and strength on cultivation of the land, converting themselves into nuclei receiving the rural surplus

(Boone & Benco 1999). Thus, a dense network of cities of various dimensions was established and hierarchically organized. The transfer of trade routes for ivory, slaves, and sub-Saharan gold from the eastern edge of the desert to the west impacted on this urban network, creating various ideal spaces for the establishment of cities linked to the commerce of these goods, while the old centers linked to agricultural cultivation suffered notable decline (Boone et al. 1990). Ceramics found in various archaeological excavations have shed light on this process (Redman 1983-84), especially in the settlement of Qsar as Seghir, in the north of Morocco (Redman 1986). The pattern can equally be seen in the north of Morocco, in the mountains of Rif, where, following a broad and extensive program of archaeological surveys, it has been observed that the urban centers that emerged in the interior maintained close links with the rural communities of their hinterlands, for the most part occupied by Berbers. The rise of Almoravid and Almohad power, which extended through the Maghreb and the Iberian Peninsula, contributed to the emergence of port cities on the northern coasts of Morocco (Cressier 1992).

Material Culture: The Production of Ceramics

Another development of recent decades in the Peninsula has been the study of the ceramic production. Great advances in this research took place at the end of the 1970s, when G. Rosselló (1978) published the results of studies on the ceramics of Mallorca. This signified a substantial revision of the field, acting as a catalyst for countless subsequent publications in conference proceedings and specialist journals that offered an overview of ceramic production in al-Andalus. Initially, the primary concern of researchers was to construct a new analytical methodology specific to these materials and to create a morphological corpus. This established a firm basis from which successive studies have been launched.

Within only a few years, particular aspects of analysis began to emerge and develop. One of these concerned the ceramics of the first

Andalusian era. The work of S. Gutiérrez (1988) in eastern Spain produced a group of material previously unknown in scientific literature, which was given the name “paleoandalusi” ceramics. These comprised a group of crude, handmade, or wheel-turned ceramics that in many cases show mixed characteristics. Chronologically, the group is placed during the eighth and ninth centuries in the early Andalusian period and has been interpreted by archaeologists as a manifestation of this transitional amiral period. Similar wares have been documented in North Africa of the same date.

It was not until the consolidation of the caliphate that glazed or varnished material of eastern origin appeared (Cano 1996). Thereafter, we see a diversification of forms, the development of specific functional groups (table ceramic, kitchen and storage wares, etc.). Well-formed and well-fired ceramics with complex finishes indicate the establishment of production centers in al-Andalus, with complex techniques applied in each phase of manufacture (selection and manipulation of clays, turning, coating, and firing). This resulted in a new economic and social context. The materials created in these new workshops, located in urban centers of medium and large size, were widely distributed throughout al-Andalus although it would be the eleventh and twelfth century before they reached the last corner.

At this time, and during the last Andalusian centuries, ceramic materials in various forms reached the highest levels of technological sophistication, both as highly decorated luxury pieces and as domestic utensils (Fernandez 2008). These products, of high formal, decorative, and technological quality, would be the object of regular trade throughout the twelfth, thirteenth, fourteenth, and fifteenth centuries when the commercial processes of the West were developing. High demand for these articles explains the frequent appearance of Tunisian and Andalusian materials in eastern contexts and in various faraway places (Italy, France, England and the Northern and Baltic Seas, etc.). In the Nasrid period, the impact of this trade on ceramic manufacture is clearer, with the production of

luxuries becoming to some extent detached from that of domestic products. It was during this period that the ceramic artworks known as the “jarrones de la Alhambra” (vases of the Alhambra) and the tiles that decorated Nasrid palaces were created.

Future Directions

It should be noted that medieval archaeology in al-Andalus and the Maghreb exhibits very uneven levels of development. In North Africa, archaeological research still lacks depth in some of the areas outlined above (material culture, rural settlement, exploitation of resources, etc.), requiring a greater volume of basic studies. In al-Andalus, research is developing along new lines as some existing fields of study show signs of exhaustion. Among those aspects that show promise for future development, we should highlight landscape archaeology, material culture studies (especially underdeveloped aspects such as archaeometrical analyses), the archaeology of production, the archaeology of agriculture, zooarchaeology, etc. All these fields of investigation, as yet largely unexplored for the medieval Iberian Peninsula and North Africa but on which there are already publications of interest, offer enriching perspectives on historical and archaeological research.

Cross-References

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- ▶ Spain: Nationalism and Archaeology
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Spain: Archaeological Heritage Management

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Introduction and Definition

After the fall of the dictatorship and the adoption of a democratic political system in 1977, Spain was divided into different regions called autonomous communities. These regions are responsible for managing the archaeological heritage located in their territory, and although there is a national framework law – *Ley de Patrimonio Histórico Español*, LPHE – dating to 1985, each one of them has since passed its own legislation. The way that heritage is defined in these texts, using different adjectives such as cultural, historic, and artistic-historic, has implications for the way archaeological remains

are considered and preserved. Ultimately, the regional government decides the general policy and actions that are very much related to their general political tendency in a specific region. For instance, if a region has its own language (e.g., Cataluña or Galicia), the archaeological policy will emphasize local and indigenous sites rather than more recent ones or those that deal with a more homogeneous idea of culture, i.e., the Roman period.

The main responsibilities of the Spanish central government with respect to archaeological heritage management, through its Ministry of Culture, are the looting of sites and the export/import of cultural property (LPHE 16/85, article 6b). This issue has become a very sensitive one since the ratification of the Treaty of Maastricht in 1993, which opened up the borders between the European Union member states. If goods can travel freely throughout Europe, does that include archaeological heritage objects as well? The Spanish law is very clear about this: it is forbidden to export archaeological objects more than one hundred years old or inscribed in the General Inventory of Movable Property (*Inventario General de Bienes Muebles*) without authorization from the Ministry of Culture (LPHE 16/85, articles 5.2 and 30). But then again, what do we do with Spanish Civil War remains (1936–1939) found during an archaeological excavation that are younger than a hundred years old? Are they not eligible to receive the same protection? Some of the regional governments have passed their own legislation regarding this issue, and there is a very engaging intellectual debate about using age as a means to catalog, and therefore protect, archaeological remains (Pérez-Juez 2012).

The other principal contribution of the LPHE 16/85 is the creation of different databases, registers, and legal instruments that provide protection to situations and cases forgotten in previous legal frameworks. Among the new legal instruments, the main one is the BIC – *Bien de Interés Cultural* – that could be translated as property of cultural interest (LPHE 16/85, arts. 9-13). It is a narrowly defined tool which, after compliance with a specific administrative procedure, becomes the subject of very strict