

# THE ALHAMBRA, NATIONAL MONUMENT (1868-1876)

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**ABSTRACT:** in the autumn of 1868 the Alhambra was seized and ceased to be a royal palace to become a public and protected asset. Although apparently nothing changed after this new ownership and function, the Nasrid palace and its surrounding territory began a new and uncertain journey, which was to consolidate it as a space open for public use, a historical emblem of obligatory conservation, a potential tourist resource and an object of complex management. In relation to other monument declarations that preceded or followed it, this was an exceptional case, not only because it encompassed something more extensive and complicated than a mere building, but also because it did not come from the remains of ecclesiastical confiscations. It was a secular property - the first of that origin to be declared a monument in Spain - that belonged to the crown. But, unlike other palaces, it would never be reintegrated into the royal patrimony, posing to the legislators the need to delimit its monument perimeter, take on its conservation and define the final purpose that would be given to such a vast and unique site. Following the end of the six-year revolutionary period (1868-1874), its consideration as a monument became an irreversible fact.

**KEYWORDS:** national monument, provincial commissions of historical and artistic monuments (Granada), revolution of 1868, Alhambra, Rafael Contreras

**RESUMEN:** en el otoño de 1868 la Alhambra fue incautada y dejó de ser un palacio real para convertirse en un bien público y protegido. Aunque aparentemente nada cambió tras su nueva titularidad y función, el alcázar nazarí y su territorio circundante iniciaron una nueva e incierta andadura, que habría de consolidarlo como espacio abierto al disfrute público, emblema histórico de obligada conservación, potencial recurso turístico y objeto de compleja gestión. En relación con otras declaraciones monumentales que la precedieron o continuaron, constituyó un caso excepcional, no solo porque abarcaba algo más extenso y complicado que un mero edificio, sino porque tampoco procedía del despojo de las desamortizaciones. Se trataba de una propiedad laica –la primera de ese origen que tuvo una declaración monumental en España– que pertenecía a la corona. Pero, a diferencia de otros palacios, nunca sería reintegrada ya al patrimonio real, planteando a los legisladores la necesidad de acotar su perímetro monumental, afrontar la conservación y definir el destino final que habría de darse a tan vasto y singular conjunto. Tras la conclusión del sexenio revolucionario (1868–1874), su consideración monumental se convirtió en un hecho irreversible.

**PALABRAS CLAVES:** monumento nacional, comisiones provinciales de monumentos históricos y artísticos (Granada), revolución de 1868, Alhambra, Rafael Contreras

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IL. 1. Jean Laurent. *View of the Alhambra and Granada from the Silla del Moro* (ca 1871). Positive on paper. APAG. Colección de Fotografías. F-05202.

The declaration of the Alhambra as a monument and the exceptional circumstances in which this came about must be placed in the context of the course of Spanish liberalism and the Isabelline regime in particular, both in what it meant as an attempt at modernisation –also cultural– as well as its abrupt end caused by the revolution of 1868.

In relation to other declarations that preceded or followed it, the Alhambra was an exceptional case, not only because it encompassed something more extensive and complicated than a mere building, but also because it did not come from the remains of ecclesiastical confiscations, nor was it owned by the Catholic Church. It was a secular property –the first of its kind to be declared a monument in Spain– and had been part of the Crown's patrimony since 1492, until it was confiscated by the State following the September revolution. Unlike other royal palaces and enclaves that followed the same fate, it would never again be returned to the Crown,

presenting legislators with the need to address its conservation and the challenge of establishing the purpose that would be given to such a vast and unique site. Between 1869 and 1876, the journey followed was not free from obstacles, both because of the initial lack of definition of the monument's perimeter and the continuous friction between the powers and institutions that wanted to assume control of it. With the beginning of the Alfonsine Restoration, the consideration of the Alhambra as a public monument and under the State's protection finally became an irreversible fact (Il. 1).

Its declaration as a monument constituted an intelligent response to the uncertainty surrounding the conjuncture of what had long been an emblem of Spanish history and culture. And it was done at a time when this concept was, in Spain, still in the trial phase. The concern for historical patrimony and the design of administrative measures and figures aimed at its protection had its most



GRANADA. 1875. Torre quebrada y entrada á la de la Vela. (Alhambra). J. Laurent. Madrid.

IL. 2. Jean Laurent. *Quebrada tower and entrance to the Vela tower*. (ca 1871). Positive on paper. APAG. Colección de Fotografías. F-05252.

significant beginnings only a few decades before, following the certainly traumatic effects caused by the liberal confiscations of many buildings and movable property. Although there had been rules since the early 19th century to prevent or hinder the plundering of artistic property and others were hastily issued following the sales promoted by Mendizábal (Royal Decree of 19th February 1836), the first permanent institutions created to tackle this problem and manage the inventory and protection of movable and immovable patrimony were the Provincial Commissions of Historical and Artistic Monuments and the Central Commission, established in 1844. Although they initially reported to the Ministry of the Interior and the political leaders of each province, in 1854 they were integrated into the Ministry of Public Works (Royal Decree of 15th November) and in 1857 the Central Commission was closed, with the San Fernando Academy of Fine Arts taking on the task of coordinating the provinces. The instructions con-

cerning its organisation and functions had a particular impact on the field of antiquities and property from confiscated buildings that had become State property. This was not the case with the Alhambra, over which the Government had no jurisdiction, as it was an enclave that formed part of the Crown's patrimony<sup>1</sup>. This would explain why the work of the Granada Commission of Monuments did not initially include activities or proposals related to its conservation and management, which was entirely taken on by the Intendant of Royal

1. The law of 12 May 1865 on the confiscation of the Royal Patrimony assets ceded by Her Majesty to the State, established "The Royal Fortress of the Alhambra and the Alcázar of Seville with its properties" as the Crown's patrimony. *Gaceta de Madrid*, no. 138 of 18/05/1865, p.1

Patrimony, although this was carried out with notable irregularity<sup>2</sup>. And this so continued until the power vacuum following the revolution of September 1868 radically changed the situation<sup>3</sup>.

The political change that took place and the exceptional circumstances of the first months of the new regime gave the Granada Commission of Monuments a leading role that it had never before had, making it a champion of the Alhambra's defence. At the session on 9th October, the first to be held after the revolutionaries' victory:

«it was made known by Dr. Nicolas del Paso y Delgado that the conservation of Patrimony Assets, including the magnificent Arab palace of the Alhambra and other monumental Gates and Towers, was in the process of being passed to persons who, while being surely very worthy, were perhaps not art lovers, and that since the Commission's institute was responsible for the conservation and custody of the province's historical and artistic monuments, it was for them to make the Civil Governor and other authorities or persons involved in the matter aware of its responsibility for their conservation and not for their administration» (Il. 2) <sup>4</sup>.

The efforts were successful, as on the 15th of the same month the Province's Government confirmed in writing the decision of the Revolutionary Junta that the commission should proceed with the confiscation of the Alhambra. Seeing that they were supported by the new local authorities, Rafael Contreras was appointed as conservator-restorer of the palace works, ratifying the position he had already been holding for years<sup>5</sup>.

Meanwhile, the Provisional Government, aware of the disorder surrounding the management of the assets that had hitherto formed part of the Crown, was trying to redirect the situation and contain local initiatives by creating a Council in charge of their conservation, custody and administration (Decree of 14th October 1868), maintaining control while future Parliaments decided

on their eventual fate. The Council therefore immediately decided against the confiscation in question, ratifying its full jurisdiction over the Alhambra and entrusting it to a Governor-Administrator under the Treasury. Although the Commission of Monuments categorically denied that it was its intention to seize the site, arguing that it only intended to safeguard it with disinterest, it took the opportunity to recall that the inspection

2. On the occasion of her royal trip to Andalusia in 1862, Isabella II relaunched restoration work that had been dragging on for decades: "On the same day that Her Majesty visited the palace of the Alhambra, she issued a signed decree that was published in the *Official Gazette of Granada*: "Her Majesty the Queen (May God Protect), always concerned about the preservation of national glories, by the Royal Decree of today, the first anniversary of her birth that she spends on Andalusian soil, and also the first day that she visits the palace of the Alhambra, conquest of the First Isabel and relic of Arabic art unparalleled in the world, has resolved that, without wasting time or expense of any kind, the restoration of this historic monument should be completed in the most worthy and appropriate manner. I communicate this to Your Excellency so that you may immediately take care to comply with this sovereign disposition, adopting and proposing to me the corresponding measures to this effect."

This measure reveals Her Majesty's eye for an opportunity of which she has shown us so many examples, and there are so much evidence of this, as she frees Spain from what is seen as a sad blemish in the eyes of foreigners, who cannot understand how a such a unique jewel of such rare merit lies in ruins in several places and is in a general state of dilapidation. However, the Royal Patrimony should not be blamed; during the period when it was supervisor, a subject who was enthusiastic about Granada's Arabic past drew up and began a restoration plan which, if carried out with perseverance, would have been completed by now; the patrimony undoubtedly had to attend to more pressing obligations and the restoration, while not suspended, has so far proceeded with regrettable slowness." *El Pensamiento español* Newspaper (Madrid), 15 October 1862.

3. See PIÑAR SAMOS, J., "La definición del monumento Alhambra: cuatro largos años de incertidumbre (1868-1872)", in PIÑAR SAMOS, J. & GIMÉNEZ YANGUAS, M. (eds.), *Monumento/Modernidad 1868-1936: en el 150 aniversario de la Alhambra como bien cultural*, Granada: Alhambra and Generalife Board of Trustees, 2019, 15-34.

4. [Drafts of meeting minutes], fol. 12. Provincial Historical Archive of Granada (hereinafter AHPG), leg. 1830-15.

5. *Commission of Artistic and Historical Monuments of the Province of Granda. Book 1. Entry record: 1866, communications no. 139 and 148, AHPG, book 6363. Record of the provisions and agreements by the Commission of Monuments in the Province of Granada during the last quarter of 1868, AHPG, 1841-68.*

and custody of monuments formed part of its duties and that it would ensure that the Alhambra was not separated, considering the promenades, gardens, woods and groves as inalienable parts of the future monument<sup>6</sup>. Two months later, a new decree created the General Directorate of Patrimony, belonging to the Crown, which was incorporated into the Treasury and would be responsible for all future administrative operations and, where appropriate, the sale of assets in public auctions<sup>7</sup>.

The conflict of responsibilities that arose within the Government itself would further contribute to distorting the process of converting the Alhambra into a monument under public ownership, as two ministries of the same government –Public Works and the Treasury– were competing over its administration and, most importantly, over the right to decide on the final ownership of the various properties that made up the enclosure. Once the provisional control of the Treasury was confirmed, the conflict was suspended for a good part of 1869, without any reference to the Alhambra appearing in the memoirs and minutes of the Commission of Monuments, then directed by José Oliver y Hurtado after the death of José de Castro y Orozco, Marquis of Gerona. It was in early December when it was revived as a result of the decisions being made in Congress. One of the legislative priorities was what to do with the former royal patrimony. In December 1869, the Constituent Parliament finally approved a law that sanctioned the confiscation of all the assets that constituted the same, their reversion to full State control and the alienation of part of them, with the exception of those that were destined for the use and service of the new King and «those that due to their historical or artistic character should be conserved»<sup>8</sup>. Unlike other similar properties, such as the Alcazar of Seville, the Alhambra was eventually excluded from the assets which were to be for the use and service of the King, with its fate yet to be decided. Although its new status was no exception –the Royal Museum of paintings and sculptures, the royal sites of Buen Retiro and Florida, the royal garden of Valencia or the palaces of Valladolid and Barcelona were not returned to royal jurisdiction either– it was a su-

fficiently unique and world-renowned site not to go unnoticed.

In the parliamentary processing of the bill, the case of the Alhambra was at the forefront and was the subject of heated debate, which would be amplified by the efforts of the Granadan institutions, provincial deputies and Royal Academies to try to clarify its fate and guarantee its integrity. The arguments put forward by the drafting committee to remove it from the lot of buildings that were to be reserved for the new monarch were twofold: The Alhambra was considered «uninhabitable» as a royal palace and its maintenance cost so high that it could hardly be left in the hands of the Crown, as its scarce budget would not guarantee its conservation. No one in the Chamber questioned its position as a monument or the need to preserve it as part of those artistic assets that were exempt from sale, but the wording of the articles was so generic that some Members asked for explicit guarantees that this would be the case, beyond the good intentions expressed by the legislators<sup>9</sup>.

6. [Draft of a letter addressed to the Chairman of the Council for the Administration and Conservation of the Crown's former patrimony], Granada, 14 November 1868. Archive of the Alhambra (hereinafter AA), leg. 311.-3.

7. See BELMONTE MEDINA, P., "Historia Jurídica del Patrimonio de la Corona durante el Sexenio Revolucionario (1868-1874)", in *Derecho y Opinión*, no.7, University of Cordoba, 1999, pp. 67-78

8. Law of 18 December 1869, declaring the Crown Patrimony to be extinct and reverting full ownership of its assets and rights to the State. *Gaceta de Madrid* nº 353, 19 December 1869.

9. "Mr. Chacón: (...) There seems to be no doubt that the Alhambra should be included in the exception that refers to property that, because of its artistic or historical character, should not be sold; but the exception is made in such a general way that it should be amended somehow or appropriate clarifications should be made.

Strictly speaking, it makes no difference whether it is the Patrimony or the State that preserves the Alhambra; and perhaps it is better that the State should be in charge because it has more resources to allocate to its preservation; but what is important is that it should not be sold and that care should be taken in the repair work it needs; (...) I therefore ask the Commission and the Government to clarify this point, stating: firstly, that the Alhambra is not to be sold, so that those who are to decide in the future



IL. 3. J. H. Mann (attributed) - G.W. Wilson (ed.). [Aljibes square, with the buildings surrounding the cisterns and the parapet for the sale of water] (ca 1871). Positive paper on a cardboard support in business card format. Private collection.

It is within this context that the statements drafted and published at the end of 1869 by the Provincial Commission of Monuments and the Granada City Council make sense, containing the vision that both institutions held regarding the future of the Alhambra and its specific delimitation as a monument. On 4th December, 1869, a few days before the law was passed, the Commission of Monuments asked Rafael Contreras to write the corresponding report, which was printed and sent to the Royal Academies of History and San Fernando<sup>10</sup>. In it, Contreras insisted on the broad vision that the Commission had been maintaining with respect to the perimeter to be conserved, although he dedicated a good part of the text to self-complacency about the restoration work that had been carried out for decades and in which he himself had played a leading role, proposing to continue the same and to enrich the site's cultural offerings by means of a *Museum of Arab Antiquities*. A few days earlier, the Granada City Council had sent the Government another statement, also promoted and written by Councillor Rafael Contreras<sup>11</sup>, but in harsher terms, expressing its regret and mistrust of the transfer of the Alhambra into the hands of the State, defending that it should continue to form part of the Crown's assets, «even though the law imposes the silence of obedience and it is necessary to abide by this criterion which grants the State a right full of dangers and mistrust», and opposing any type of separation through the sale of property to private individuals:

«Take away a landform from this fantastic

painting; the water, a tree, a wall; throwing to the private sector what is not purely art, what the State does not perhaps think it is obliged to take care of, and the Alhambra will be reduced to shreds, invaded by the buyers of its lands and woods, waiting for the day

which property is to be sold are clear on this matter; secondly, that an effort will be made to ensure that the budgets, beginning with those of next year, will include the necessary provision for the cost of repairing and preserving the Alhambra.

Mr. Sánchez Ruano: The commission holds the Alhambra in high esteem; but it has not deemed it appropriate to include it among the goods that the future King will enjoy, if he comes, considering among many other things that he should not have to live in the Moorish way. The commission can say no more about this, but believes this monument should be ceded to the State because, although it is not a memorial of national glory and represents foreign domination, it is an artistic monument. In all other matters, the Government may state what it deems appropriate.

The Minister of Finance: The Alhambra is indeed an artistic monument, and there is no other like it in the world. This kind of monument is already made exempt by the article; and whoever is in charge, whether this be the King or State, it must be preserved with a view to national honour.

(...) Mr. Cisneros: Mr. Moret wishes to guarantee the conservation of the Alhambra against eventualities that may occur in the future. The commission has not included this building among those that are to form part of the patrimony of the Crown because all those that remain as such are destined for use by and in the service of the King, and the Alhambra is uninhabitable. Therefore, if we were to include this monument as a Patrimony asset, we would be imposing a very onerous burden on the Monarch; and considering the likelihood that their allowance shall be more modest than at other times, the result would be that the estate would be neglected." Official extract of the session held on 29 November 1869. *Gaceta de Madrid* no. 334, 30 November 1869.

10. See Record of works by the Commission of Artistic and Historic Monuments of the Province of Granada during the six quarters from the beginning of 1869 to June 1870. Archive of the Royal Academy of Fine Arts of San Fernando (hereinafter ARABASF), 2-48-2.

11. The figure of Rafael Contreras and his professional interests were essential to this process. Before the revolution he had already been working as the restorer of the Alhambra, having consolidated a position that the new political climate could bring into question. Aware of this, he multiplied his activity among the new authorities and pulled numerous strings to ensure he was confirmed in the office, which is what occurred. He enjoyed unquestioned prestige and prominence in the city, being a town councillor and member of the Commission of Monuments. He was, therefore, at the centre of every decision and held all the cards, drawing up the two aforementioned statements, which on one hand expressed loyalty to the new authorities and blessed the State's control over the Alhambra, and on the other argued that it should remain in the hands of the Crown. Once he had consolidated his position as curator of the Alhambra and de facto director of the monument, he negotiated the return of properties and, when everything was settled, did not hesitate to acquire some of the properties that were finally put up for auction.

when it disappears on the whim of an opportunist, and nothing will remain of it but an arid mountain, crowned by a Palace that will not reveal its past greatness»<sup>12</sup>.

Once the law was promulgated and the Alhambra was taken under the protective mantle of the State, the uncertainty continued, since the text did not contain an explicit declaration of protection and the parts of the enclosure to be considered a monument had not been defined. Such ambiguities would keep the dispute between the representatives of the Treasury and Public Works, in charge of formalising the transfer of the site, open, the evidence of which can be seen in the communications sent to their superiors by Rafael Contreras, appointed representative of Public Works for the ceremony of the handing over of the «Alhambra Palace, its gardens and outbuildings»<sup>13</sup>. Following the Order of the Regent of the Kingdom dated 4th or 10th February 1870, which established the transfer of control, throughout the months of March and April the surrender was delayed by the objections raised by the Governor-Administrator who represented the interests of the Treasury, noting, for example, that the Academy's plan on which the confiscation was ordered did not clearly define the perimeter of the monumental site. Finally, on 16th April, the handover to the Ministry of Public Works was formalised, although in a very provisional manner because, as Rafael Contreras pointed out, the transfer only covered the area of the palaces –which was strictly speaking the «palace»–, part of the walls and towers and some gardens, excluding outbuildings and spaces such as the cisterns (Il. 3), the Machuca courtyard (Il. 4), the Partal, the orchard behind Santa Maria, the house of Cadi, the medina known as the Secano and the water channel, which the Treasury did not consider to be monumental spaces, but as productive assets that could be sold. Although Contreras himself made a formal protest about the non-inclusion of such assets and the Commission of Monuments seconded the claim through a statement addressed to the Regent of the Kingdom on 25th April, 1870, entrusting the same to the Royal Academy of San Fernando to act as mediator<sup>14</sup>, the dispute was suspended for months and the uncertainty continued. In the end, all that was achieved was that the Regent formally placed the Alhambra Palace of Granada «under the immediate inspec-

tion and supervision of the aforementioned Commission»<sup>15</sup>, which while being a moral success, did not in fact resolve the question of what was to be considered a constituent part of the monument and, therefore, the object of its inspection and supervision.

The conflict resurfaced again in December 1870, when the Director of Conservation of the Alhambra informed the Ministry that the economic administrator of the province had the authorisation «to proceed immediately with the sale of all the properties that had not been handed over to the Ministry of Public Works, which are located within the monument enclosure of the Alhambra», alerting the General Directorate of Public Instruction to an imminent risk

«that will produce very important damages, assuming that the sale of such assets will make the work that was recommended by the Academies to build an exclusively archaeological establishment in the Alhambra more difficult and expensive, far from the interests that private property may create, taking possession of a part of the buildings to the detriment of the art and the traditional glories of our country»<sup>16</sup>.

The Commission of Monuments also set in motion a firm complaint, again reclaiming the properties

12. *File with management of the conservation of the Alhambra*. Municipal Historical Archive of Granada (hereinafter AHMG), C-2257-74.

13. *Copy-book of all official communications issued by this Directorate of the Alhambra since it was confiscated by the Ministry of Public Works [1870-1872]*. AA, book 493.

14. ARABASF, 2-48-2.

15. [Communication from the Directorate General of Public Instruction at the Ministry of Development to the Provincial Monuments Commission, 12 July 1870], AA, Leg. 311. *Entry record*. Book 1. AHPG, Book 6363, no.189.

16. *Copy-book of all official communications...* [1870-1872]. AA, book 493, fol. 26v



Il. 4. Jean Laurent. *General view of the Alhambra from the Homenaje Tower* (On the left, the Machuca garden, one of the properties proposed for sale in 1870) (ca 1871). Positive on paper. AAPAG. Colección de Fotografías. F-05159.

that had not been handed over and demanding the suspension of the sale while the appeal was being resolved:

«This Commission cannot remain calm bystanders to an act of slow demolition that will begin with the selling of pieces of its ancient beauties from within the Arabic site. It is not enough that what is referred to as the palace, its towers and walls, have been handed over to the Ministry of Public Works; the other assets mentioned above, which are included in in the complex, forming part of the same, must be handed over as such for its conservation»<sup>17</sup>.

In response to the request for specific information from the Treasury, between January and March 1871 they again approached the Ministry and the Academies in the same vein, sending detailed reports of

the properties they were claiming and a plan demonstrating their exact location<sup>18</sup>(Il. 5). However, the administrative machinery that was driving the

17. [Statement by the Provincial Monuments Commission to the Ministry of Development condemning the sales that the Ministry of Finance proposed for properties in the Alhambra enclosure], December 1870. AHPG, 1841-75 and ARABASF, 2-48-2.

18. *See Estates that belonged to the Crown Patrimony within the Alhambra enclosure that should be excluded from confiscation or sale and preserved by the Ministry of Public Works as national monuments of great artistic and historical interest*, Granada, 7 January 1871. ARABASF, 2-48-2. *(List of the properties that were claimed from the Directorate of State Property and Rights, to free them from sale, because they formed part of the old Alhambra Palaces, were located in the walled area of the Alhambra, had immense artistic and historical interest, and must therefore be included in the law passed by the Constituent Parliament, which provides that the Palaces, their gardens and outbuildings were to be conserved by the Ministry of Public Works (...), Alhambra de Granada, 15 March 1871. Archive of the Royal Academy of History, AH 09-07955 (CAGR) n° 21 (12).*

sale did not stop. On 31st March 1871 Manuel de Góngora, who was the province's Inspector of Antiquities, sent the Minister of Public Works a printed statement stating that the *Province's Official Gazette* set the dates of 3rd and 5th May for the sale by public tender of the Laurel de la Reina garden, the former San Francisco convent, the Contador garden, the Machuca courtyard, two houses in the Alamos square, the Partal and the cisterns<sup>19</sup>.

These and other actions managed to momentarily stop the sale, suspending the announced auction in April of that year, waiting for clarification on the monumental or economic nature of the properties. From that moment on, there were no further upheavals, and the Commission focused its activity on drawing up a restoration project and promoting various reforms of the site using the extraordinary funds that the Parliament had approved for conservation work, which resulted, for example, in the recovery of the Gate of Arms, the demolition of the overhanging passageway in the courtyard of the Mosque and the start of clean-up works in the woods<sup>20</sup>. Finally, in mid 1872, the Government ruled in favour of the Ministry of Public Works and proceeded to transfer the disputed properties and the historical documentation deposited in the Alhambra archive. On 10th July 1872 Rafael Contreras, the conservative director of the Alhambra, Manuel Gómez-Moreno as president's delegate of the Commission of Monuments and the delegate of the economic head of the province met to execute the Royal Order of 10th June, handing over to the Commission of Monuments the more than 200 files and books that were part of the Alhambra archive. On 28th July, applying the Royal Order of 13th July, the following properties were also handed over: House and garden in the Secano, Alberca and Contador courtyards, two houses and garden in the Machuca courtyard, two pieces of land in the Partal, the remains of the San Francisco church and convent, the House of Contador or Cadí, the Alhambra cisterns and the Acequia Real water channel<sup>21</sup>.

The resolution of the Alhambra case would set a valuable precedent by forcing the State to reconsider its practice of confiscation, which had so far been conducted without any criteria other than strictly economic. After being forced to return a large part of the properties it controlled in the enclosure, in

August 1872 the Treasury decided to clarify the situation of many other properties throughout the country, requiring the Ministry of Public Works to provide an exhaustive list of all those properties «which, because of their being works of art, deserve to be exempted from confiscation» (Royal Order of 9th August 1872). As a result, the General Directorate of Public Instruction issued an order to all the provincial Commissions of Monuments to draw up what was to be the first inventory of the State's immovable patrimony worthy of preservation<sup>22</sup>.

On August 10th, 1872, the Granada Commission of Monuments was finally able to communicate to the Royal Academy of San Fernando the conclusion of the process,

«being completely and definitively exempted from the sale and handed over in accordance with the orders of the Government, so that all the lands and buildings that belonged to the Patrimony of the Crown and are within the Alhambra enclosure are duly preserved as national monuments».

This was the end of a disagreement that had been incomprehensibly prolonged for two years and had resulted in hundreds of pages of reports and cross-communications on a subject that did allow for discussion. The handing over of the archive and the properties closed a chapter and marked the establishment of the Alhambra as a monument.

19. ARABASF, 2-48-2. AA, leg.311-17.

20. See *Report on the work carried out at the Alhambra during the second half of the 1871 to 1872 financial year.* Provincial Historical Archive of Granada, leg. 1842-5. *Project for the repair works in the Arabic Palace of the Alhambra: Architect Juan Pugnaire: 1872* [January]. AA, C-O401/1.

21. *Testimony of the inventory, addition to the inventory and minutes drawn up when the Alhambra's properties and Archives were ceded by the Ministry of Finance to the Ministry of Public Works, by virtue of Royal Orders* [3 August 1872]. AHPG, leg. 1841/58

22. The Royal Order of 2 September 1872 ordered the provincial commissions to draw up four separate lists to classify the state-owned properties. AHPG, 1842.19.

## Detailed list of the properties claimed in 1871

List of the properties that were claimed from the Directorate of State Property and Rights, to free them from sale, because they formed part of the old Alhambra Palaces, were located in the walled area of the Alhambra, had immense artistic and historical interest, and must therefore be included in the law passed by the Constituent Parliament, which provides that the Palaces, their gardens and outbuildings were to be conserved by the Ministry of Public Works. This document was accompanied by a plan indicating the properties that had already been handed over, and those that had not been handed over in violation of this provision. The initialled letters indicate the place on the map where the objects are marked with red ink.

1<sup>a</sup>. The house and garden of Machuca, located in the Alhambra's Aljibes square. It was part of the Moorish Palace, conserving some ruins and foundations. It was inhabited by the famous sculptors and architects Pedro and Luis Machuca, from whom it takes its name. The San Fernando Academy considered it (in 1804) to be the foundation of another courtyard similar to that of the Lions; being above all necessary to support the Muslim Palace, because its facades were still located at the site occupied by this property. This possession had been improperly disposed of by the former Royal Patrimony and it was proposed to acquire it again as it was considered to be of the utmost importance for the security of the Palace.

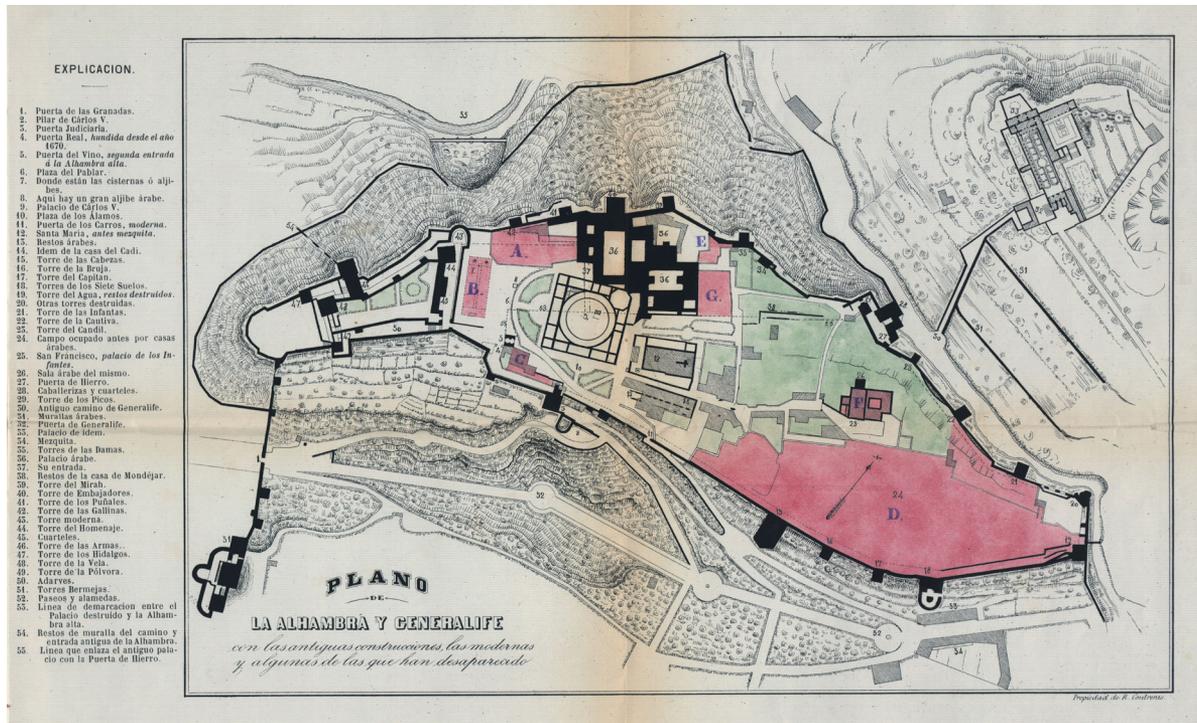
2<sup>a</sup>. The Arab aljibe or cistern located in the square to which it gives its name, built by the Sultans of Granada at the end of the 13th century to supply water to the Palaces in times of drought and for this same reason is today very necessary for the conservation of the Alhambra. Its antiquity, archaeological importance and beautiful construction make it one of the most notable and worthy monuments to be kept from sale, or from ruin, and because its water cisterns are the only resource for the site when the King's channel is not used. There is no reason to preserve other parts of the monument but let the cistern that was built at the same time as the Palaces be sold since together they form a complete construction.

3<sup>a</sup>. The house of Cadi is today used as the Alhambra's management office, as it is the only house fit for this purpose and is located in the Aljibes square. It was built during the time of the Arabs and reformed for that purpose in 1849. Its historical background, the remains it contains, the artistic merit of entrance named the Wine Door, which was usual in the Arab period, and the fact that it is absolutely necessary for the housing of those who maintain and conserve the Alhambra, since it is located at a long and difficult distance from the town, are all things that call for its conservation by the State.

4<sup>a</sup>. The land called the Secano and its garden occupies the upper Alhambra. The area is filled with a multitude of remains from the Muslim era and the foundations of ancient buildings. It has very little material value; but instead offers immense archaeological interest to verify important discoveries such as those that have already been made. Its possession for the Alhambra Palaces is so essential that if this land was to unfortunately be passed to private ownership, access to the towers of the Infantas, the Cautiva, the Siete Suelos and a large part of the Adarve and wall would be cut off.

5<sup>a</sup>. Possession of the royal water channel is also claimed, which was built by its founder Alhamar (Mahomed 5th) specifically to supply the Alhambra because without this water channel the ponds, woods and groves would be left without irrigation, and its right of primacy could be passed to that of private individuals who irrigate gardens with the surplus of this water. The water channel cannot be sold, because its water is the main supply for the fountains, baths and gardens, without which it would lose the beauty that attracts so many travellers to Granada today; it would always be unproductive for the Treasury, because it has no surplus water to dispose of, while up to now its repairs have been carried out by the same people who enjoy the use of its surplus water. The future of the Alhambra surely depends on the possession of its water channel.

6<sup>a</sup>. A small house that is seemed to be uninhabitable due to its state of ruin is also claimed, which was built over one of the Arab towers in the Alhambra enclosure. Its value is insignificant and it is very important to finish its demolition so that the aforementioned artistic construction can be contemplated without unattractive obstacles like the one indicated here in the plan.



IL. 5. *Plano de la Alhambra y el Generalife*. Archive of the Royal Academy of History, 09-07955 (CAGR) no. 21 (12).

7<sup>a</sup>. All the historical documents in the archive that are not property titles or deeds, must be passed to the Museum of Antiquities that the Commission of Monuments establishes in the Alhambra, because among them here are papers of historical and artistic interest, due to the information that these contain for the history of all these buildings.

8<sup>a</sup>. The construction which was the San Francisco Convent of the Alhambra, today in ruins and of little material value but important to the arts, was also claimed because it contains many Arab fragments on its walls and roofs, as this building was a Saracen Palace as shown by some arches and ceilings of the main chapel and precious arabesque pieces and mosaics that have been found in it. It was the first Christian temple after the reconquest and fall of Diego Hurtado de Mendoza.

9<sup>a</sup>. And finally, a piece of land is also claimed that borders the Lions courtyard and that was a part of the Moorish Palace, which must be conserved because in the hands of private individuals it would be used and its irrigation is undermining and destroying the foundations of said courtyard.

Alhambra of Granada, 15 March, 1871

Vice President J. Oliver

However, almost immediately another conflict of powers would arise, regarding the handing over of the Archive. The Ministry of Public Works decided to revoke its initial order that the Commission of Monuments should take charge of the same, eventually entrusting it exclusively to the care of the Curator of the Alhambra. This fact, considered by the members of the Commission as an curtailing of their powers, led to the resignation of its president José Oliver y Hurtado and secretary Manuel Gómez-Moreno. Until then, Rafael Contreras had supported his colleagues in the Commission in claiming local control of the Alhambra; but the time had come to break away from this guardianship and to obtain an autonomy of management that would be accountable only to the Ministry. Although the Commission would continue to exercise at least some of its mandated inspection and supervision functions until 1905, the de facto Contreras reign over the Alhambra had been reinforced throughout this process and would remain unchallenged for over three decades.

Nevertheless, the dispute had been reasonably well resolved in that summer of 1872 and there would be no going back, although there would be one final upheaval. Following the Alfonsine Restoration, part of the former Royal Patrimony was returned to the Crown, and the government planned to return the Alhambra to royal jurisdiction. The city council had spoken out in favour of the return years earlier and would now do so again, citing historical reasons and the conviction that the monument would be better protected and financed under royal jurisdiction than in the hands of the State. As a result of the inclusion of the Alhambra as a Crown property in the budget bill, the Provincial Commission of Monuments, presided at that time by the Arabist Fco. Javier Simonet and with Manuel Gómez-Moreno as secretary, pronounced that it was categorically against such a claim, directing in May 1876 a request to the Royal Academy of History in which it pointed out the convenience of continuing to belong to the Ministry of Public Works and maintaining supervision by the Commission and the Academies, the only guarantors of its correct conservation. The document has the additional value of already explicitly considering the Alhambra as a «national monument», which after almost eight years of State ma-

nagement must have seemed to Simonet a clear, irreversible and solidly established fact:

«This Commission being aware that, according to paragraph 3 of chapter 7, title 2, of the budget bill submitted to Parliament by the Hon. Minister of Finance, the Alhambra of this city forms part of the patrimony of the Crown, agreed to respectfully address this Royal Academy making some observations aimed at demonstrating the convenience of said renowned building still being considered as a national monument and that, whatever the determination made in such a delicate matter, this Commission should continue, in representation of the Academy, to lead the verified works in the Arab palace and its outbuildings, and the inspection and monitoring of everything related to its artistic and archaeological elements. In this way, the Commission is convinced that the works carried out in the Nasrid Palaces will be executed with the discretion and measure a building of such value deserves and will not run the risk of entrusting the inspection and care of these monuments to the sole judgement of a manager, regardless of his title or artistic knowledge (...) With the Patrimony income today having been considerably reduced, it is to be feared that the continued repair that the vast group of ancient monuments that make up the Alhambra require cannot be met. Such reasons and others of public interest that are obvious lead us to believe that it is advisable for the Alhambra to continue to belong to the Ministry of Public Works, given that in this way it will be possible to attend to its conservation with more resources and more success»<sup>23</sup>.

23. Official document of the Provincial Commission of Monuments requesting that the Alhambra should remain a National Monument and that the Commission of Monuments of Granada should be in charge of inspecting and supervising all artistic and archaeological issues related to the monument]. Archive of the Royal Academy of History, leg 9/7955/32.

Finally, in February 1876, the Ministry of Public Works rejected Granada City Council's request, arguing that the Royal House's reduced budget could not allow it to take on the increased expenses involved in maintaining the monument, especially since the Alhambra had lost a large part of its income as a result of the alienations carried out since 1869<sup>24</sup>. The support of this refusal by King Alfonso XII himself, which also included the Prado Museum, definitively consolidated the State ownership of the site.

This entire set of circumstances during the six-year revolutionary period converted the Alhambra in an early example of the controversy on the concept and scope of historical and artistic patrimony and its administrative precision in the status of «monument». To become a «national monument» meant more than a mere declaration of honour; it was in fact a guarantee of permanence over time, as the State was obliged to exercise ownership of the property and finance its conservation, maintenance and restoration. At the same time, it opened the door to possible reversions of properties that had been privatised long before. The declaration as such was not, as would be shown, a trivial matter; but, in the exceptional circumstances in which the Alhambra was incorporated into the State's patrimony, obtaining the name was possibly considered a minor matter, because it was obvious to all contemporaries that the Nasrid Palace was incontestably a monument, with or without an explicit declaration; something essential to preserve, if only to maintain an image of cultural prestige in Europe. In fact, it was not its status as a monument that was ever questioned, but the precise delimitation of the same, so that efforts during those years were concentrated in that direction, in view of the urgency to stop sales to private individuals. And it is possible that such priorities ended up leaving the administrative formalisation of the declaration of monument status in the background.

Traditionally, 12th July 1870, date of a Royal Order of the Regent of the Kingdom, has been established as the starting point of the Alhambra becoming a national monument in administrative and legal terms. This order, as far as we know, was never published in the *Gaceta de Madrid* –just like no other declaration before 1877– and neither is it to be found

among the documentation kept in the archives of the Royal Academies of History and San Fernando, nor in the Alhambra Archive or papers of the Provincial Commission of Monuments. What we do know about it comes from a transcription of a Royal Order of the same date issued by the Ministry of Public Works, which was communicated in a letter addressed to the Provincial Commission by the Director General of Public Instruction and Fine Arts on 12th July, 1870:

«The Hon. Minister of Public Works, on this date tells me the following: Hon. Mr.= "In view of the opportune and reasoned observations made by the Granada Commission of Historical and Artistic Monuments in its opinion of 9th December, sent to this Ministry by the Academy of San Fernando; the Regent of the Kingdom has kindly placed the Alhambra of Granada under the immediate inspection and supervision of the aforementioned Commission, so that without limiting the powers of the employees entrusted by this Centre with its custody and conservation, it may inspect and intervene as appropriate in the assignation of the amounts to be allocated from the credit granted by Parliament for the restoration and improvement of the Alhambra and its outbuildings, as well as those to be assigned to cover the maintenance costs thereof»<sup>25</sup>.

At no time did the text formally mention that the Alhambra had been declared a «national historic-artistic monument» or «historic-artistic monument», which had been the expression used up until then, but rather that it was placed «under the immediate inspection and supervision of the commission», which would indicate that it was considered a *de facto* monument, even though this had

24. AA, leg. C-311/3

25. AA, leg. C-311/3. It also appears in the Provincial Commission's register of incoming documents. AHPG, Book 6363, entry no. 189.

not been explicitly stated. In fact, in almost all subsequent declarations, statements would always be associated with the allocation of custody to the respective Commission of Monuments<sup>26</sup>. In addition to this provision, other subsequent Royal Orders, such as those of 10th June and 13th or 17th July 1872, have also been used to legitimise its status as a national monument, but in reality these were issued to complete the return to the Ministry of Public Works of the properties that had been the subject of litigation with the Treasury, as has already been pointed out.

To explain the apparent paradox that one of the country's most emblematic monuments and one of the earliest additions to the catalogue of monuments was never the subject of a formal declaration, one must go back a few decades and observe how the declarations of the first Spanish national monuments came about. As a result of the ecclesiastical confiscations and under the protection of the Royal Decree of 19th February 1836, which exempted from sale those «buildings that the Government intended for public service, or to preserve monuments of the arts, or to honour the memory of national exploits», an administrative protection system was empirically developed that would give rise to the first monumental declarations, a prerogative that was always in the hands of the Ministry of Public Works and later the Ministry of Public Instruction. It was never among the functions of the provincial Commissions of Monuments to declare the status of «national historical and artistic monument», although «the formation of a catalogue raisonné of those public buildings of their respective provinces that they recommended, either due to their historical memories, or due to their artistic merit» was<sup>27</sup>. There is no doubt that they participated in this process, as did the Royal Academies, but they were limited to recommending and informing. The declarations of historical-artistic monuments, to which the adjective «national» would later be added, were very rare before 1870, being limited to religious buildings with special historical significance or artistic value that were in a precarious

26. Declarations that created monuments in Granada after this point are sufficiently eloquent in this respect. Only the Elvira Gate had no explicit declaration made, because it was integrated into another pre-existing monument. Similarly, the Commission of Monuments was not given guardianship over the Royal Chapel, possibly because it was not a state property. In the two remaining cases the association between declaration and guardianship is explicit:

“Considering that the Gate of Bibarrambla is a precious reminder of the Arabic culture of Granada, perhaps the only one of its kind that exists in Spain; His Majesty the King (May God Protect), in accordance with the information provided by the aforementioned Royal Academies and the proposal of this General Directorate, has seen fit to declare the Gate of Bibarrambla in Granada, known as the “Arch of the Ears”, a national historical and artistic monument, and that it be placed under the inspection and custody of the Granada Commission of Monuments. By Royal Decree I communicate this matter to Your Excellency for your information and use. May God be with you. Madrid 10 October 1881”, *Gaceta Madrid*, 13 October 1881, page 92.

“His Majesty the King (May God Protect) has seen fit to order that the church of San Juan de los Reyes in Granada be declared a National Historical and Artistic Monument, and it is requested of the Ministry under the dignified office of Your Excellency that it be exempt from confiscation, remaining under the immediate inspection of the Provincial Commission of Monuments. By Royal Decree, I communicate this to Your Excellency for your knowledge and use. May God be with you. Madrid 5 June, 1883.” *Gaceta de Madrid*, 1 August 1883, pp. 217-218.

“In view of what has been reported by the Royal Academy of History, and taking into account the historical and artistic importance of the Royal Chapel of Granada, His Majesty the King (May God Protect) has seen fit to declare it a national monument. By Royal Decree, I communicate this to Your Excellency for your knowledge and use. May God be with you. Madrid 19 May 1884”, *Gaceta de Madrid*, 11 June 1884, pag. 687.

“His Majesty the King (May God Protect), and in his name the Queen Regent of the Kingdom, has agreed to the request and seen fit to order that the Gate of Elvira should be incorporated into the other Monuments conserved in the walled enclosure of the Alhambra, under the vigilant and protective guardianship of the State. By Royal Decree, I am sending this to your Excellency for your information and use. May God be with you. Madrid June 11, 1896” *Gaceta de Madrid*, 14 June 1896

27. Royal Decree of 15 November 1854, on the reorganisation of the Central Commission and Provincial Commissions for Monuments, art. 34. *Gaceta de Madrid*, 17 November 1854.

situation –due to the risk of sale or destruction– and belonged to the State due to secularisation or expropriation. Although it is possible that some buildings were considered as such in the 1840s<sup>28</sup>, the first declaration recognised by the Royal Academies of History and Fine Arts of San Fernando took place in 1856 and until 1870 only eight buildings were included in that category, the Alhambra being the last<sup>29</sup>.

28. Vid. BAILLIET, E., *Historia de la protección del patrimonio arquitectónico en España 1933-1985*. Doctoral thesis, Polytechnic University of Madrid, 1985. He cites two declarations made in the 1840s: first, the Ministerial Order of 28 August 1844 (cathedral of Santa María de León); second, the declaration by the Royal Decree of 24-09-1845 (cathedral and convent of San Marcos de León).

29. Royal Order of 23 February 1856: Monastery of La Rábida (Huelva); Royal Order of 19 August 1856: Cartuja de Jerez (Cádiz); Royal Order of 2 June 1866; Royal Chapel of Santa Águeda (Barcelona); Royal Order of 12 June 1866: Santa María la Real de Aguilar de Campóo (Palencia); Royal Order of 18 September 1866: Temple of San Bartolomé (Logroño); Royal Order of 16 October 1867: Monastery of Leire (Navarre); Royal Order of 16 January 1868: Chamber of Comptos (Pamplona). Royal Order of 12 July 1870: Alhambra (Granada). *Boletín de la Real Academia de la Historia*, volume XVI (1890), pp. 48-50. On the activities carried out by the Academies to preserve some of these monuments and prevent their sale, see “Real Academia de Nobles Artes de San Fernando. Resumen de sus actas y tarea durante el año académico de 1865 a 1866”, *Gaceta de Madrid*, 16 October 1866.