

# ICONOCRAZIA

## New role of religions in the pandemic context

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Potere delle Immagini / Immagini del Potere

essay writer

30 Giugno 2021

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Iconocrazia 19/2021 - "Bivi europei e questioni tecno-politiche", Saggi

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### Introduction

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The pandemic phenomenon shows its complexity by the fact that it involves many different areas, which affect – both directly and indirectly – the sphere of economic, political, institutional, and religious relations.

The limitations imposed by the current health emergency have produced new rules, which impose suffering on religious confessions as well. So that, they need to reconsider their social and public role now.

All this implies – as an immediate effect – the need to analyse the rules of coexistence within societies, where Coronavirus phenomenon raises existential and religious questions.

One of these questions concerns the concept of rule of law and the protection of religious freedom, inserted both in the national and European context, with reference to globalization in a climate of restriction of personal, social, and religious freedom<sup>1</sup>.

The relationship that is created between Covid-19 and religious freedom and the consequent role of religions and religious freedom in times of emergency is extremely current and of great interest.

As in the pandemics of the past, the places used by religions – especially for sacred rites – must be close like any other place where gathering can be created, because of their intrinsic collective dimension, which could facilitate infection.

As has been pointed out, the measures taken to deal with COVID-19 have caused a series of restrictions on the constitutional rights of freedom and, therefore, the right to religious freedom has also been affected. The limitations imposed are indirect, as a necessary result of the measures intended to limit free movement and meetings. It was the first time, since the Italian Constitution came into force, that the need to protect the health – as a legal asset – has led to such a wide limitation of the rights of freedom, which are so central to the establishment of our fundamental Charter.

## **Religion and the consequent right to religious freedom**

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The absoluteness of the protection reserved for health has considerably restricted the protection reserved for religious feeling<sup>2</sup>. Despite some hesitations revealing the difficulty in taking the right measure of the new limitations (e.g. the “proximity” to the country expressed “in the opening of the churches” of the CEI public note of 10<sup>th</sup> March turned into a choice of “responsibility” in “closing churches” two days later), religious confessions have adapted to state provisions, linking them to a safeguard clause of necessity and urgency also known by religious rights.

Even wondering on the aesthetic and external contents of religion is not a new conceptual operation, but in the days of the Coronavirus emergency it takes on a different meaning. In fact, the need for the faithful to associate has promoted the explosion of “online religion”, with Masses, video-catechesis, messages from bishops, parish priests and lay people through the web. This transposition takes place through direct social networks (i.e. Facebook, Instagram), instant messaging programs (i.e. WhatsApp, Telegram) or by using one of the many video conferencing platforms available. Added to these pastoral experiences, designed and lived online, there is the sharing – always via web – of impromptu celebrations on the terraces of the rectories, and prayers recited by the minister, who walks the city streets. Beyond the reasons that make choices of this type (the main one is certainly the need to be spiritually present), one of the questions that deserves further study concerns the value of the rites and, above all, the value of the Mass, which is the main one.

The National Office for Social Communications of the Italian Bishops' Conference has recently released the document “Celebrating Mass on TV or streaming”, a handbook addressed to all those priests, religious people and deacons, who are engaging in online celebrations. The suggestions of the CEI note are a fundamental reference point for technically managing this “spiritual tsunami” that has swept the social accounts of many faithful, who are orphans of the celebrations in the presence of the assembly of the faithful. The three parts composing it (“practical indications”, “directional attention”, “social glossary”) have a double merit: indicating precise work methodologies and stimulating training in this area, hoping that it will be used as an incentive to know and interpret the identity codes of digital culture.

A religious dimension on the Net, in addition to paying appropriate attention to technical-formal details, must lead itself in the perspective of a religious ministry mediated through the world of technological communication, which focuses on the beauty of the content of faith and manages to embody it in the contemporary context, characterized precisely by the presence and development of digital media, by the factors of convergence and interactivity.

Complexity has undermined the role of states, the delimitation of competences regarding relations with religions, relations between religious confessions and State, and above all, it has put in crisis an old conception of conceiving religion<sup>3</sup>.

The differences, also concerning religious systems and the so-called religious phenomenon, are characterized by the fact that they derive their existence not from the internal rules of the various socio-juridical systems, but from the theological and transcendental content. It should be pointed out that religious systems represent the most emblematic expression of the multicultural problem, because they contribute to clearly form the identity of nations<sup>4</sup>.

Conflict often comes from diversity, characterized not only by the different content of the vision of life, but also by the different reaction with respect to the facts of life, in this case conditioned by globalization and multiculturalism. This difficulty affects not only transnational international coexistence, but also the dignity of the human person itself.

In this context, religion and the consequent right to religious freedom are presented with a content of transcendental values, which unite the life of people, determining their conduct, ways of life, customs, morals, the way of thinking and of acting. Religion, by its nature, implies the existence of a strong and qualified bond, which explains the sense of belonging in an associative bond, many times suitable for creating confessional organizations, which tend to take on a specific role within the socio-political context in which they operate. This sometimes causes tensions, conflicts, identity crises of social growth, also coming from the new cultural, social, legal and economic scenarios that cross European countries and, at the same time, entails the need to rebuild a system of values that leads to a peaceful coexistence, within which we can achieve the well-being of every man, as an integral part of society itself.

## **The public function of religion**

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The religious factor shows itself – both with respect to these events and to the personal aspirations of each individual – as a «privileged perspective suitable for filling the human aspirations for freedom, equality, tolerance, democratic participation, that is, suitable to fill with content the same dignity of the human person in the reproduction of daily relationships»<sup>5</sup>.

The rights of the person and his fundamental freedoms become synonyms of the common good to be protected: religion represents a system of this common good that unfolds its effects differently according to the different geo-political spaces. In fact, religion, freedoms, equality, dialogue are to be considered supreme values towards which to orient coexistence and the relationships between societies<sup>6</sup>.

The religious dimension occupies a first-rate place. There has been talk, not by chance, of the return of religion in the public space, but it is not always possible to explain what this expression actually refers to.

The public function of religion focuses on the value of the human person to define identity in a common perspective, which allows to guarantee «those values of social and community integration that seem particularly discovered at the present time»<sup>7</sup>. Consequently, «individual religious freedom increasingly requires the associative bond in order to guarantee its effective development»<sup>8</sup>.

## **Dialogue with the State and with public institutions constitutes a necessity for the resolution of the social problems**

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For religions, building community relationships of associations, in which religious freedom is expressed, is fundamental. The faithful, therefore, are bearers of specific interests.

The religious dimension of man consists of principles that are based on revelation, on theology, on conscience itself, and on transcendental instances, superior to the rules of coexistence, however democratically constructed. In fact, the fundamental values of which religions are bearers have always represented indispensable points of reference for the life of the person.

Within the various social systems, the legal system guarantees the fundamental recognition of those values for coexistence and disciplines them especially at the constitutional level. Therefore, the constitutionally guaranteed religious factor consists in the social dimension of the spiritual and theological values lived by the faithful. In addition, the legal system must be concerned that the different religious visions of life do not conflict with each other or with the State itself in order not to hinder peaceful and productive coexistence. In this perspective and with regard to the autonomy of religions, the urgent decree due to Covid-19, justified by the unpredictable relevance of the event, responds to a way of implementing the secularism and autonomy of the state. It has been said that The virus strikes without distinction, in full respect of the principle of equality, without discrimination. And governmental measures chase the virus in the same direction: they run to stop the movement, the circulation and the meeting, in any motivated way.

The decrees do not close the churches but suspend the “civil and religious” ceremonies, literally intended as those demonstrations (sacred or secular) that take place according to a pre-established program or rite and with the intervention of an audience.

Thus, the virus tests both the orders of States and those of Churches and religions, as well as their mutual relationship, driving to review consolidated models of organization and development. Precisely, all this contributes to the *reformatio ecclesiae* also considering the reform of the behaviour of the faithful.

The particular condition created by the pandemic has rediscovered the fragility of the human person and his value. In this direction, religion has rediscovered the importance of its role, which it is practicing in this period through the action of religious leaders (think in particular of the work of Pope Francis and of the other religious leaders of Islam, of orthodoxy Christianity and Judaism) and solidarity works to help the needy, including those who have lost economic capacity due to the pandemic. This happened because the complex of the dogmatic, moral and ethical patrimony of all religions constitutes a strong system of values identifying a human group; that human group that jurists define with the expression of “religious confession”. The human, philosophical and legal principles that are derived from religions have contributed to creating civilizations and to forming the different socio-legal systems, within which the principles of tolerance and protection of religious freedom have developed, albeit with great suffering.

These principles, consolidated over time within the different societies, today meet a new challenge, namely that of coexisting in a multicultural climate. This challenge today finds a global climate conditioned by the pandemic and, therefore, involves all religions in multicultural contexts, in which social groups ask to be protagonists of a new humanism of solidarity and brotherhood. In this sense, they are social subjects that make dialogue within societies livelier, but at the same time they become interlocutors of the state, without pretending to contrast or limit the power of the state. Dialogue with the state and with public institutions constitutes a necessity for the resolution of the social problems that the pandemic unease generates within a society that is witnessing the growth of poverty and all forms of personal and family distress<sup>9</sup>. All this means that the States, having overcome the initial phase in which the urgency of the health situation required acts of imposition, use the tools that the legal system makes available to carry out dialogue with religions also to rationalize the solidarity actions that were spontaneously arranged through volunteering.

What is worrying is the seriousness of the economic situation that all States will face with the resumption of economic and social activities, which can be addressed not only with measures of an economic nature, but also with the protection of the spiritual values on which coexistence and well-being of people in the state lie. In this sense it will be necessary to guarantee religious freedom, not only to allow the free action of religious groups to support the sense of existence in the face of life’s difficulties, but also to involve the action of religious groups more organically to new needs (such as food problems, the fight against usury towards traders, youth discomfort, difficulties due to lack of work,

assistance to young families with young children, etc.). The state, due to its democratic and pluralistic character, must meet the needs of citizens to participate in state activities in the face of needs, allowing those who make up the religious community to organize themselves by creating all the appropriate tools to satisfy needs of every order, which favor the development of the personality. In this perspective, the constitutional obligation for the state to guarantee both the individual exercise of religious freedom and the exercise of the community takes on a broader meaning.

This relevance on the state system is well understood, bearing in mind the function of religious denominations, which, due to the fact of being primarily spiritual, directly involves the will of the citizen/faithful and, therefore, affects the state community. In fact, religious confessions, as custodians of the revealed truths, stand as supporters of the purity of faith and customs, proposing to implement in practice the vision of life proposed by extending their vision on every human activity, none of which is morally indifferent. Consequently, religious confessions are everywhere present and freely intervene in social life, having the salvation of souls as their pre-eminent purpose.

The placing of religious denominations in a context that is not only national, but also European, highlights the activism of the Catholic Church, through the international and community instruments available to it.

Article 17 of the Treaty of Amsterdam does not limit itself to sanctioning the respect of what is established by the law of the single Member States with regard to the juridical condition of churches, associations or religious communities (to which, among other things, the “philosophical and non-confessional organizations are equated “), but also requires the Union to take on the commitment of open, transparent and regular dialogue with churches and organizations, which have long been present in Brussels with more or less structured offices and representations. Therefore, once again the path of collaboration and dialogue, already experienced in many of the States of the Union and accepted as an instrument in the Treaty of Amsterdam, is the one undertaken by a Europe that, without renouncing its secular connotation, recognizes the importance of the “specific contribution” that religious confessions can offer<sup>10</sup>. This contribution is decisive in relation to the need to amortize possible conflict situations caused by the increase in religious inhomogeneity due to the substantial non-European and intra-European migratory flows. On this line, last in chronological order, the Recommendation of the European Parliament of 13<sup>th</sup> June 2013 to the Council about drafting EU guidelines on the promotion and protection of freedom of religion or belief. In this document, point o) states that «in framework for the development and implementation of the guidelines, support and commitment to a wide range of civil society organizations, including human rights organizations and religious or belief groups, an importance essential for the promotion and protection of freedom of religion or belief; therefore the human rights focal points of the EU delegations should maintain regular contacts with these organizations in order to be able to promptly identify the problems that could arise in the area of freedom of religion or belief in the relevant countries».

In this regard, it is necessary to mention the 2001 Charta Oecumenica which stresses that: «the Churches promote a unification of the European continent. Unity cannot be achieved in a lasting form without common values».

In this sense, the activity carried out by CCEE (Council of European Bishops' Conferences) is important, which operates in other fields that broaden the horizon of the topics discussed in the various meetings organized throughout Europe. Among these, the one concerning youth ministry throughout the world, the dialogue between Christians and Muslims in Europe, the defence of religious freedom with the sole objective of supporting a society in which justice, freedom and peace resides, the protection of environment.

Religious confessions, at this moment, not only create a qualifying moment in the European process, but they act, in a concrete way, asking the European institutions to protect religious interests, because these are an expression of values at the basis of civil coexistence.

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1Cfr. Santoro, R. (2014), *The Role of Religious Confessions in Building Europe*, (p.78-99) in Vv. Aa., *Europe of founding fathers: investment in common future*, Bari (Italy), Cacucci.

2□ The letter of the Prime Ministerial Decrees of 8<sup>th</sup> March 2020 (extended to the whole national territory the following day) was direct. It suspended all the “events in public or private places”, “including those of a playful, sporting, religious and fair nature”, “even if they would have taken place in closed spaces but open to the public ” (Article 1, lett. g) and has conditioned the opening of places of worship (*rectius*, the entrance, as it will be specified in Article 1, lett. h of Law Decree N. 19 of 25<sup>th</sup> March) “to the adoption of organizational measures such as to avoid gatherings, taking into account the size and characteristics of the places, and such as to guarantee visitors the possibility of respecting the at least-one-meter-distance between them” reiterating , however, the suspension of “civil and religious ceremonies, including funeral ceremonies” (Article 1, lett. i).

3□ In its new enlarged geographical composition, the European space on the one hand had to verify “the existence of a phenomenon of exaltation” of diversity□, on the other it had to face the problem of relations inherent in religion and politics, within the relationship between the religious dimension and the law. Cfr. Dammacco, G. (2003), *Multiculturalism and the right to coexist of cultures in Europe. The new instances of the Balkan countries*, in Santelli Beccegato, L. (edited by), *Interculturalism and future* (pp.283-300), Bari (Italy), Levante.

4□ Cf. Santoro, R. (2018), *Multiculturalism and Religious Affiliation – or Religious Factor: Legal Problems of a Changing Society*, in Vv. Aa., *Religious Phenomenon and Dynamic of Multiculturalism* (pp.13-39), Bari (Italy), Cacucci.

5<sup>□</sup> Dammacco, G. (2001), *Human Rights and Religious Factor in Euro-Mediterranean Multicultural System*, Bari (Italy), Cacucci.; Catalano, G. (1989), *Lectures on Ecclesiastical Law*, Milano (Italy), Giuffrè. Here it is stated «How mistaken it is to insist – both on the philosophical and sociological field – on the old idea, which considers religion as just a “fact of conscience” concerning the individual sphere and with no effects on the sociological field. Therefore, it is considered absolutely unimportant by the legislator or, nevertheless, as something which does not interfere into producing rights».

6<sup>□</sup> The process of building peace between religions is part of the construction of Europe, based on legal principles and rules governing the peace and security process. See in this connection article 2 and 6 of the Treaty of Amsterdam, where the common objectives and the values on which to base the common European coexistence are defined. It is an ongoing long legal-political process, which encounters considerable difficulties. The production of the numerous legal acts highlights the importance of the ultimate goal, that is to achieve a coexistence of peace and security, also promoting the development of peoples and their well-being. In addition to articles 2 and 6 of the Treaty of Amsterdam, are also to be mentioned: Treaty of Nice (2000); Helsinki Final Act (1975); Barcelona Declaration (1995); Treaty Establishing a Constitution for Europe (2004).

7<sup>□</sup> Garelli, F.(1991), *Religion in Italy: towards a New Cultural Hegemony?* (pp.159 ss.), in *Il Mulino*, Vol. 40

8<sup>□</sup> Cascuscelli, G.(1998), *Religious Freedom and Minority Confessions – Three Operational Guidelines*, in *Studies in honor of Gaetano Catalano* (pp.421 ss.), I, Soveria Mannelli (Italy), Rubbettino.

9<sup>□</sup> Gradually, dialogue becomes more and more an instrument used juridically as part of the legislative construction through the production of appropriate programs. In the face of the challenges and needs resulting from social and international coexistence, religions must become part of the democratic process, without forgetting and betraying the authenticity of their religious message and, at the same time, without conditioning or mortgaging the development of democracy.

10<sup>□</sup> Religious organizations, at this moment, not only realize a qualifying moment of the European process, but also act concretely way, asking the European institutions to protect religious interests, because these are an expression of values at the basis of civil coexistence.

In this perspective, it can be seen how religious organizations have strengthened their institutional presence within the European territory, placing themselves as privileged interlocutors in the construction of the new Europe.

It should not be forgotten that relations between the Churches are placed within ecumenical relations, attempt to foster a path towards shared theological values and ecclesial practices.



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Rivista scientifica semestrale di scienze sociali e simbolica politica

ISSN 2240-760X | Aut. Trib. di Bari n. 3690//2011 - num Reg. Stampa 42

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Rivista scientifica semestrale di scienze sociali e simbolica politica

ISSN 2240-760X | Aut. Trib. di Bari n. 3690//2011 - num Reg. Stampa 42

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