



Visible but unrecognized. The case of Italian Islam

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The ISTAT census on the Italian population in 1930¹ (ISTAT, 1935) showed that non-Catholic religious minorities accounted for 0.4% of the total population, a total of about 157,000 people. Of these, 4% - just over 6,000 people, therefore - were classified as 'Mohammedan'.

But, apart from the imprecision and factiousness with which the census defined members of religious minorities - the Orthodox were for example classified as 'Greek schismatics' - the meagreness of religious pluralism in the context of a country overwhelmingly Catholic is striking. As relevant as they were historically - one thinks of the Jewish presence dating from the first century, of the Waldensian (a pre-reformed Protestant denomination) presence especially in Piedmont from the twelfth century, of the Orthodox and Lutheran communities already established at the end of the 1500s - the communities other than the Catholic ones remained an absolutely marginal phenomenon and statistically not very incisive in Italy between the two wars.

As for their occupation, again according to the same ISTAT source, Italian Muslims in the 1930s were mainly clerks and merchants; there were few workers and even fewer agricultural workers.

From the legal point of view, Italian Islam in those years fell under the norms of the law on 'Admitted cults' n. 1159 approved on 24 June 1929², that is a few months after the stipulation of the Concordat between the Italian State and the Catholic Church. The 'key' to the law, which also explains the title of the law on 'admitted cults', was and remains in the fact that religious denominations that want to relate to local and national institutions and enjoy some tax benefits reserved for 'religious bodies' are required to be recognized as legal entities, to be implemented by Decree of the President of the Republic at the end of a long process in the hands of the Ministry of the Interior.

Although modest, the Italian Islamic community enjoyed the favour of the Fascist regime which, starting in 1934, allowed broadcasts in Arabic from Radio Bari, strengthened the Institutes for the East and welcomed the Grand Mufti of Jerusalem Amin al-Husayni for a long period: a benevolence seasoned with rhetorical arguments on Italy as a bridge between West and East and as a 'western school' for the nascent Islamic nations³.

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¹ Istituto Centrale di Statistica del Regno d'Italia, VII censimento centrale della popolazione italiana, 21 aprile 1931 IX vol. IV, online (09/24/2021).

² For an overview of the legal status of religious confessions "other than Catholic", we refer to Ferrari Alessandro (2013). *La libertà religiosa in Italia. Un percorso incompiuto*. Rome: Carocci.

³ Allievi Stefano, Dassetto Felice (1992). *Il ritorno dell'Islam Musulmani in Italia*. Rome: Edizioni lavoro, p. 22.

A 'new' religious pluralism

The Italian religious scene, static and frozen in the years of Fascism, was to become dynamic only after World War II: communities already present such as the Evangelicals (Baptists, Methodists, Adventists, Brethren, Pentecostals) experienced a moment of strong expansion while others began proselytising campaigns destined to reap significant benefits, first among them Jehovah's Witnesses⁴. Others recorded less impetuous growth but managed to establish themselves in a country which, from a religious point of view, maintained a strongly conservative character.

The turning point came in the mid-1970s when, without a clear forecast beforehand and a clear awareness afterwards, immigration made a decisive contribution to changing the country's religious profile, strengthening pre-existing groups of believers - Buddhists and Hindus, for example - and introducing new faith communities into Italy, which generated a process that, to distinguish it from historical presences, we define as 'new religious pluralism'⁵.

For at least twenty years the greatest beneficiary of this new process has been Islam: unfortunately we do not have a reliable historical series of data on the presence of Muslims in Italy but, if the first seminal studies of the early '90s hypothesized a community of about 250,000 members⁶, the accredited figure today is 1,667,400 believers among immigrants⁷ to which is added, according to other sources, the quota of about 450,000 Italians⁸. We are therefore faced with an exponential growth that, in such sharp terms, is recorded only for the Romanian Orthodox now estimated at 1.5 million believers.

At the bottom of the pyramids of rights

In the face of a phenomenon as complex and dynamic as the 'New religious pluralism' triggered by the growth of migration to Italy, the legislative framework of reference remained that of the Fascist era - the already mentioned law on "admitted cults" of 1929 and the implementing regulation of the following year, amended by various interventions of the Constitutional Court - updated and corrected by some key articles of the Constitution: primarily no. 3, which guarantees the "equal social dignity of every citizen" and equality before the law "without distinction of sex, race, language, religion..."; no. 8, according to which "all religious denominations are equally free before the law" and, having "the right to organise themselves according to their own statutes, insofar as they do not conflict with the Italian legal system", they regulate their relations with the State "by law on the basis of Agreements with the relative representatives"; no. 19, which guarantees everyone the "right to freely profess their own religious faith in any form, individually or in association, to

⁴ Bouchard Giorgio (2003). *Chiese e movimenti evangelici del nostro tempo*. Torino: Claudiana.

⁵ Pace Enzo (2013). *Religioni nell'Italia che cambia. Mappe e bussole*. Roma: Carocci.

⁶ Allievi Stefano, Dassetto Felice. *Cit.*, p. 55

⁷ IDOS, Confronti (2021). *Dossier Statistico Immigrazione 2021*: Rome: IDOS.

⁸ CESNUR. Online (24/09/2021).

propagate it and to worship in private or in public, as long as it does not involve rites contrary to morality"⁹.

Overall, this is a complex set of rules which, while in general terms guaranteeing religious freedom to all faith communities that operate in accordance with the law, in practice creates a hierarchy between those that, in accordance with Article 8, have an agreement and therefore a specific law that implements an agreement with the State on issues concerning worship, ministers, buildings for worship, possible educational institutions, artistic heritage, festivities, dietary rules and other matters of specific interest to the denomination; those which, instead, have only obtained 'legal recognition' on the basis of the law on admitted cults and which, therefore, operate as a body with religious aims; those which do not have legal recognition' but which have ministers of cults authorized - again on the basis of the law of 1929 - for example, to celebrate marriages with civil effects. Finally, at the base of what could be defined as a 'pyramid of rights', there are the religious communities that do not have any of these recognitions and that, if in theory they enjoy constitutional liberties in the matter of religious freedom, in reality they encounter great and at times insurmountable difficulties in acquiring a place of worship, in obtaining permits to enter prisons or other protected places for their ministers, in ordinary relations with local institutions for which they are simply de facto associations, very often of a cultural rather than religious nature. In short, we are dealing with a complex and at times contradictory system, which in practice leads to 'regulatory inequality'¹⁰.

Starting from the top of the pyramid, we note that out of twelve Churches that have obtained an Agreement (Intesa), six can be traced back to the Evangelical Protestant area: Waldensian Church-Union of Waldensian and Methodist Churches (with an Understanding signed in 1984 and ratified in the same year); Assemblies of God in Italy (signed 1986 - ratified 1988); Union of Adventist Christian Churches (1986 -1988); Evangelical Baptist Christian Union of Italy (1993 -1995) Association Church of England, approved in 2021; Evangelical Lutheran Church in Italy (1993 -1995); Apostolic Church in Italy (2007 - 2012). It should be noted that two of these churches, the Assemblies of God and the Apostolic Church are located in the same set of Pentecostal communities. Adding up the members of the confessions with an Agreement (Buddhists, Hindus, Mormons), one obtains a total of less than 500,000, less than 10% of the total number of members of confessions other than Catholic. This is an evident criticality in the overall system of relations between the State and religious confessions that ends up excluding the most numerous communities, first that of Muslims¹¹.

⁹ Long Gianni (1991). *Le confessioni "diverse dalla cattolica". Ordinamenti interni e rapporti con lo Stato*: Bologna: Il Mulino.

¹⁰ Varnier Giovan Battista (2016). *Origini e sviluppo delle garanzie di libertà per le minoranze religiose: dall'omogeneità al pluralismo*, in: Ferrari Daniele (editor). *Le minoranze religiose tra passato e futuro*. Torino: Claudiana, p. 22.

¹¹ Naso Paolo (2018). *Per un islam italiano. Tra stop and go*, in El Ayoubi Mostafa and Paravati Claudio (eds). *Dall'islam in Europa all'islam europeo*. Rome: Carocci; Cianitto Cristiana (2021), *Le minoranze religiose in Italia. Nuovi problemi?* in www.statoecheme.it, n. 13/2021, online (18/12/2021).

Let us go down one level of the pyramid, and see what the situation of Italian Islam is with respect to the juridical recognition according to the law on "admitted cults": also here we register an anomaly because there is only one recognized body, the Islamic Cultural Centre of Italy. Established in 1966 and 'recognized' in 1974, it presently manages the Great Mosque of Rome which, although enjoying high international and institutional prestige, gathers together a minority quota of the community of Muslims living in Italy, although for years it has declared its intention to promote the constitution of a series of satellite mosques¹². The project has succeeded only in part because if it is true that many of the Islamic centres adherent to the Italian Islamic Confederation (CII) can be traced back to the Roman Centre, it is also true that the CII claims its own autonomy and its own specific subjectivity¹³.

Other Islamic associations that are present and well rooted in Italy, although they constantly report to the local and national institutions in the various "consultation tables" that, as we shall see, have been opened in recent years, are not recognised as cult organisations. We refer in particular to the Union of Islamic Communities in Italy (UCOII) and to the Italian Islamic Confederation (CII), to which at least 500 of the more than 700 Islamic centres are affiliated, according to Bombardieri's updated estimate of their presence in Italy¹⁴; but also to the Islamic Religious Community (COREIS), which is less deeply rooted in the territory but very present in terms of communication, training and inter-religious dialogue both at the Italian and international level.

Even more surprising, finally, is the fact that no imam - the figure that by analogy is considered the minister of worship in Islam - enjoys ministerial 'appointment'.

We are thus faced with a socio-legal paradox: the most numerous faith community after the Catholic one does not enjoy any of the specific benefits that the Italian legal system recognizes to faith communities. A paradox fraught with consequences, especially in view of the social and geopolitical importance of Islam.

On the other hand, if in the Fascist era the measure of 'legal recognition' by the State was 'entirely discretionary', even today there is no procedural charter that details the conditions for a confession to have the right to recognition, nor does it establish definite time frames for the conclusion of the process¹⁵. The chronology of the measures¹⁶ indicates moments of greater dynamism in the mechanism and others in which, for reasons perhaps linked to the cultural and political climate of the country, it slows down or stops altogether: between 2001 and 2004 and between 2006 and 2009, for example, in the face of a considerably expanding religious pluralism, there was no provision for the legal recognition of religious bodies.

¹² Bombardieri Maria (2011). *Moschee in Italia. Il diritto al luogo di culto, il dibattito sociale e politico*. Bologna: EMI, p. 38.

¹³ A rich collection of statutes and documents in Cardia Carlo, Della Torre Giuseppe (2015). *Comunità Islamiche in Italia. Identità e forme giuridiche*. Torino: Giappichelli.

¹⁴ Bombardieri Maria. Cit., p. 58.

¹⁵ Ferrari Alessandro. Cit., p. 36.

¹⁶ Ministry of the Interior - Central Directorate for Religious Affairs (2013). *Religioni, dialogo, integrazione*. Rome: CNT, p. 33. Online (24=709/2021).

In more recent times, finally, another regulatory plan has intervened that has ended up considerably conditioning Islamic communities and associations, especially as regards prayer rooms (*mussallah*) and, in some cases, mosques. First, the Regional Government of Lombardy and then Veneto and Liguria approved regulations on the 'government of the territory'¹⁷ that severely condition the freedom of worship of religious minorities, for example by preventing the "conversion of use" for premises such as garages, shops or industrial warehouses that Islamic associations - and with them many other communities, such as evangelicals - legally transformed into prayer halls. Some provisions of these regional laws were declared illegitimate by the Constitutional Court, which reiterated that "the free exercise of religion is an essential aspect of religious freedom (Constitutional Article 19) and is, therefore, recognized equally to all and to all religious confessions (Article 8, first and second paragraph), regardless of the stipulation of an agreement with the State, ... the minority status of some confessions cannot justify a lower level of protection of their religious freedom compared to that of the most widespread confessions"¹⁸.

However, the issue remains open and building plans for various Islamic centres remain on hold amid confused regulations and a political orientation that is essentially hostile to the opening of new Islamic centres of worship.

That said, it is true that overall and over a long period of time - from the '80s to today - the normative 'system' has produced important results such as Agreements with cults other than the Judaeo-Christian tradition such as Hindus and Buddhists and with denominations recently established in Italy such as the Mormons; or the legal recognition of the Anglican Church and other Pentecostal denominations.

Nothing has happened, however, with regard to Islamic associations. It is therefore right to ask the question why this formal and in some ways prejudicial exclusion by Italian politics and institutions.

The answer is to be found in the interweaving of prejudice towards a community of faith to which sectors of public opinion attribute, if not complicity, little ability to contrast radicalism and terrorism of Islamic matrix¹⁹ on the one hand, and on the other hand in the complexity of the Islamic presence that also in Italy is structured in numerous associations, sometimes in explicit contrast between them. Finding the tangle of this tangle is not easy and the political decision-maker, more or less instrumentally, has taken this difficulty as an impediment to proceeding both in the recognition of more Islamic bodies and in the start of a real negotiating table for the agreement.

But in addition to these arguments concerning the Islamic community there is another - decisive - one that concerns Italian law: as we have seen, in fact, it admits

¹⁷ Carobene Germana (2020). La cosiddetta normativa "anti moschee" tra politiche di governance e tutela della libertà di culto, in *Chiese Stato e Pluralismo religioso*, fasc. 4/2020, online (26/09/2021).

¹⁸ Constitutional Court, judgment no. 63/2016; Marchei Natascia (2017), Le nuove leggi regionali "antimoschee", in www.statoechiese.it, 25/2017; id. La Corte costituzionale sugli edifici di culto tra limiti alla libertà religiosa e interventi positivi in www.statoechiese.it, 5/2020; Caponio Tiziana (2006), *Città italiane e immigrazione. Discorso pubblico e politica a Milano, Bologna e Napoli*, Bologna: Il Mulino.

¹⁹ El Ayoubi Mostofa, Paravati Claudio (eds), cit. p. 128.

discretion in the action of institutional recognition of religious denominations. We must, in short, take note of the fact that, according to the regulations in force, the State *can* recognize a religious body but, in the absence of precise norms on the conditions for proceeding and of a binding and well delineated procedure in its stages, there remains a wide margin of discretion that up to now has been resolved to the disadvantage of the Islamic communities. In the same way the agreement procedure is considered a possibility and not an ordinary *modus operandi*. For this reason, too, religious minorities and groups of jurists have for some time been calling for a new framework law for religious freedom, finally repealing the rules of the Fascist era²⁰.

With regard to the agreement, in reality, there has been a main argument that, up to now, has prevented the start of negotiations - in 1992, the UCOII presented a draft of the agreement²¹- and that is the fragmentation of Islam and the lack of a single interlocutor that could represent "Italian" Islam in the relationship with the State.

This argument lends itself to two replies. The first is that the constitutional norm regarding the agreement (art. 8) does not set the condition of the uniqueness of the representation of a confession and indeed the text declines the term in the plural, 'representations'. The second is that, as we have seen, in the cases of the Agreements already concluded with the Evangelicals and Buddhists and the one in progress with the Romanian Orthodox, the State has negotiated with different representatives belonging to the same confessional area: Waldensians, Baptists, Lutherans, Adventists, Pentecostals of the Assemblies of God, Pentecostals of the Italian Apostolic Church, Anglican Church in the case of the protestant/evangelical confessional area; the Italian Buddhist Union and the Soka Gakkai Buddhist Institute, with regard to Buddhists; the Sacred Archdiocese of Italy and the Romanian Orthodox Diocese for the Orthodox.

An 'institutionally informal' strategy

Faced with the explosion of the Islamic theme determined, as well as by the numerical consistency of the community, by the well-known social tensions connected with the migratory flows and with the needs of the prevention of attacks of Islamic matrix, not having opened the highroad of a negotiation for agreement and juridical recognition with the various Islamic associations - and not only, as we have seen, with only one of them - various governments have sought another that we define 'institutionally informal'²². With this oxymoron we intend to underline the paradoxicality of a relationship that, while implying the official appointment by one or more Ministries of representatives of the various Islamic associations who are regularly invited to the discussion in an institutional format, does not have in itself a legal value because it is - in good substance - a consultative practice.

²⁰ A proposal to this effect in Domianello Sara, Ferrari Alessandro, Floris Pierangela, Mazzola Roberto, Zaccaria Roberto (editor), (2019). *La legge che non c'è. Proposta per una legge sulla libertà religiosa in Italia*. Bologna: Il Mulino.

²¹ Bombardieri Maria, cit. p. 32.

²² Alicino Francesco (2021) La disciplina giuridica delle minoranze religiose (escluse). Le diseconomie esterne del favor religionis, www.statoecliese.it, online (18/12/2021).

The relevance of Islam in the international geopolitical dynamics, on the other hand, and the numerous questions of a juridical and social order that the Muslims raised in the national public space imposed a 'forum' of confrontation in which to try to face and resolve at least the most urgent of the questions on the table: the role of the imams, the prayer rooms and mosques, the 'Islamic veil' around which, generally in the wake of the debate in France, some political forces that tend to be hostile to the Islamic presence have repeatedly animated opinion campaigns aimed at banning it rather than - as required by Italian law - ensuring that those who wear it must keep their faces²³ recognizable.

The first experience of the establishment of an 'informal institution' was started in 2005, with a decree of the Minister of the Interior Giuseppe Pisanu (Berlusconi government) that established a *Council for Italian Islam*. It was a consultative body, formally established at the Ministry of Interior, composed of personalities considered authoritative representatives of Islam in Italy. Among them, exponents of the UCOII; of the Islamic Cultural Centre of Italy, of the COREIS and of some minor associations.

Because of the impending political elections, the Council did not have much time to produce significant results. It did, however, have the merit of indicating a method that the new incumbent of the Interior, Giuliano Amato - a personality with great experience in the field of relations between the State and the religious confessions, having negotiated the very first Agreements as Undersecretary to the Presidency of the Council - wanted to confirm. The novelty introduced by Amato was the involvement of the jurist Carlo Cardia - he too with great experience of Agreements with religious denominations - in the attempt to give a concrete objective to the Council. The result was the production and sharing of a text undersigned first by various Islamic associations and then by other communities of faith that, in recalling the constitutional principles, contained the platform of requests with which Muslims and other religious minorities addressed the State and Italian society. The text, which would take the name of *Charter of Values*, was dismissed and published in the Official Gazette on the 15th June, 2007, a passage intended to recognize the juridical and institutional value of that path. Although it was created within an 'Islamic' Council, the text was addressed to all communities of faith and, in a seven-point articulation, recalled the fundamental principles of the Italian legal system that regulate collective life, giving ample space to the themes of integration. The unitary and conciliatory spirit of the process broke down in the final phase of public sharing and promotion of the Charter because - as Cardia himself testifies - some exponents of the UCOII, evidently divided internally, after the approval of the document expressed "explicit reservations, with ambiguous distinctions, with communiqués in which it was said that those who had adhered to the Charter would have done so on a personal basis without their opinion committing the UCOII as such"²⁴.

²³ Pepicelli Renata (2012). *Il velo nell'Islam. Storia, politica, estetica*. Rome: Carocci.

²⁴ Cardia Carlo, Della Torre Giuseppe, cit. p. 11.

The disengagement of the UCOII, whose leadership still included the founders of the first hour, some of whom were close to the Muslim Brotherhood, determined the failure of an objective implicit in the entire operation, and that is, the constitution of a Federation of Italian Islam which, united by its adherence to the Charter, would present itself united to the hoped for negotiations in view of the agreement.

But, beyond the defection of the UCOII or some of its sectors, the political balance changed and, as often happens in national politics, the fabric woven in the morning was unravelled at night. And so the efforts made to reach a formal objective that had some legal value had to reckon with a new passage to the Viminal where, following the 2008 elections, the Lega Nord (conservative and anti-immigration party, in those years north-based but today simply 'Lega') leader Roberto Maroni returned. Despite the general orientation of his party, he kept attention to the issue and established a 'Committee for Islam' to which he asked to provide "opinions" on the most controversial issues of the 'Islam dossier'. The Committee, which also included jurists and Islamologists, thus produced three documents: one on '*burqa and niqab*', another on 'places of Islamic worship' and a third on the training of imams. On the whole these were technical texts that, albeit with different accents, recalled the strategy already contained in the *Charter of Values*. Let us try to summarize it in three schematic formulations, beginning with the question of the prayer rooms: they must be open and transparent places in administrative management, built and functional in respect of the urban planning rules. As for the imams, the delicacy of their public role was stressed and the opportunity was identified to set up training courses on constitutional issues so that they could promote education in citizenship respectful of the Italian order. As for the veil, reaffirming the rules of public security that require facial recognition and identification, they denied the legitimacy of the niqab and burqa but implicitly confirmed the full legitimacy of the *hejab* - the simple veil - for women who freely choose to wear it²⁵.

The documents collected in the volume already mentioned, edited by Cardia and Della Torre, have not produced any consequences on the legislative level, but they have left an interesting trace because they have fixed 'stakes' from which it is difficult to disregard simply because they are firmly planted in the constitutional ground.

In 2011 there was a new political turnaround with a technical government headed by Mario Monti, which, created mainly to deal with the economic and financial crisis, did not seem to place the Islamic issue among its priorities. However, the appointment as Minister for Integration and International Cooperation of the historian Andrea Riccardi, founder of the Community of Sant'Egidio and a personality well known for his commitment to interreligious dialogue, produced a breakthrough and an innovation because he promptly convened a *Council for Religions and Integration*. There were three elements of novelty: the first was that this body, open to all faith communities, 'de-Islamized' a debate on the issue of religious freedom that was too Muslim-centric and neglected the problems of other faith communities with

²⁵ Mazzola Roberto (2018), Il velo islamico nel contesto giuridico europeo. Le ragioni di un conflitto, in *Diritti, Immigrazione e cittadinanza*, n 1/2018.

a high intensity of immigrants and similar integration problems; the second was that the new body recorded the formal return of the UCOII, which in the meantime had accelerated its internal renewal by electing as president the young Imam of Florence, Izzedin Elzir; Lastly - and this is the third new element - the *Consulta*, as an open space not conditioned by a strict agenda, allowed a particular form of inter-religious dialogue centred on civic and social issues to be brought closer to the institutions by communities of faith less present in public debate, such as the Orthodox or Sikhs.

A Pact to affirm the values of religious freedom and integration

With the Renzi government (2014), we owe the reopening of the Islam dossier to Interior Minister Angelino Alfano. It was he, in fact, who set up a Council for Italian Islam that included all the main national associations and, a year later, complemented it with a Council composed of academics and experts. After working in parallel, the two bodies, gave themselves a common agenda and, at the request of Minister Marco Minniti who in the meantime (2016) had arrived at the Viminale to replace Alfano in the Cabinet chaired by Paolo Gentiloni, they accelerated the comparison for the drafting of a "National Pact for an Italian Islam that is an expression of an open, integrated community and adherent to the values and principles of the state order" finally signed on 1 February 2017²⁶. The text is divided into three parts: the first recalls constitutional principles and norms regarding religious freedom while the second and third contain two 'decalogues' that commit the representatives of Italian Islam on the one hand and the Ministry of the Interior on the other. Two specular 'tables' that respond to the same logic: to encourage the constitution of an 'Italian' Islam, recognized by the State as a religious and cultural component of the national community, ready to contribute to the processes of integration and to expose itself in the fight against radicalization and extremism of Islamic matrix²⁷.

Within this framework are the commitments to a more organic and capillary dialogue between the institutions and the Italian Muslims, favoured by tables set up at the Prefectures; the start of a process of juridical organization of the Islamic associations "in harmony with the regulations in force on the subject of religious freedom and with the principles of the juridical order of the State", also to "favour the prodromal conditions for the start of negotiations aimed at reaching Agreements

²⁶ Ministry of the Interior - Department for Civil Liberties and Integration (2017), *Patto nazionale per un islam italiano, espressione di una Comunità aperta, integrata e aderente ai valori e principi dell'ordinamento statale*. online (24/09/2021). The text of the Covenant is also available in various publications including *Il Regno - Documenti*, no. 5/2017.

²⁷ Morucci Claudia (2018), *I rapporti con l'Islam italiano: dalle proposte d'intesa al Patto nazionale*, *www.statoechiase* n. 38, Naso Paolo (2019), "Ugualemente libere di fronte alla legge". *L'eccezione islamica?*, in Bombardieri Maria, Giorda Maria Chiara, Hejazi Sara, *Capire l'islam. Mito o realtà*, Brescia: Scholé, p. 91; Consorti Pierluigi (2018), *Il modello italiano del dialogo istituzionale con le comunità religiose. Dalla Carta dei valori al "Piano dell'integrazione"*, in Consorti Pierluigi (editor), *Religione, immigrazione e integrazione. Il modello italiano per la formazione civica dei ministri di culto*, Pisa University Press. Other contributions on the "Pact" in a special issue of *Libertà civili*, n. 5/2017.

under Art. 8 paragraph 3 of the Constitution; the training of "imams and religious guides who [...] can also take on the role of effective mediators to ensure the implementation of the civil principles of coexistence, secularity of the State, legality, equal rights between men and women". There is also the commitment to ensure that the Friday sermon is also held in Italian and that the administration of mosques and Islamic centers is based on criteria of maximum financial transparency.

Similarly, the Ministry of the Interior undertakes to support these good practices, in many cases already adopted by Islamic associations; to offer adequate training opportunities for ministers of Islamic worship on legal and constitutional issues; to accompany Islamic associations that intend to proceed to legal recognition according to current regulations; to promote inter-religious discussions at a territorial level; to promote a conference with ANCI (The association of Italian municipalities) to address the delicate issue of places of worship "in compliance with the regulations on urban planning, safety, hygiene and health" as well as in compliance "with the constitutional principles and European guidelines on religious freedom".

The juridical weight of a Pact of this nature is modest: more consistent, instead, was the political signal that it launched from the moment that, for the first time in relations with Italian Islam, the Institutions did not limit themselves to taking note of requests and commitments but, in correspondence with them, outlined a road map inspired by practices of dialogue and confrontation. Furthermore, the "Pact" was formally imagined as functional and not alternative to the start of negotiations for an Agreement: in fact, at point 6, it is stated that among the objectives of the Pact there was "to favour the prodromal conditions for the start of negotiations aimed at reaching Agreements according to art. 8, paragraph 3, of the Constitution".

The 'pact' process played an important role in the various territories because, on the input of the Ministry itself, it encouraged the opening of tables similar to the national one and launched a civic training course for ministers of religion of foreign origin planned and managed in collaboration with a number of Italian universities. The added value of this unprecedented experience is that the training aspect on legal and social issues has been intertwined with the mutual knowledge of ministers from different faith communities who, along the way, have initiated a true interreligious dialogue²⁸.

Covid 19: the beginning of a change?

We can therefore conclude that in recent years, Islamic associations and Italian institutions have started a path that has produced some fruits, empirically loosened some knots, outlined a preliminary strategy to the agreement. In the years following 2017, governments of different political colours have continued along this line of 'informal recognition' which, if it has its merit in constituting a best practice useful to fluidify the relations between the institutions and the various Islamic associations, meets its limit in the absence of norms that recognise and protect what, also in Italy, is the second largest faith community in terms of number of adherents. The risk of

²⁸ Consorti Pierluigi (2018). *Religione, Immigrazione e Integrazione*, Pisa: University Press.

this gap, in conclusion, is that the 'Islamic question', understood as respect for the right to full religious freedom for almost two million people residing in Italy, is channelled into a 'secondary' and therefore extra-constitutional path. On the contrary, growing reasons related to the new religious pluralism that affects Italy suggest to the political decision-maker a convinced commitment to an agreement with Italian Islam that sanctions the framework of rights and duties in the exercise of religious freedom by such a significant community of faith.

Beyond the rhetoric, however, the pandemic changed many things and brought about some processes that also had important consequences in terms of relations between institutions and the various religious communities, including the Islamic one. In order to guarantee the opening of places of worship and full religious freedom, even with the necessary measures to combat the pandemic, the Italian government has signed protocols with various religious associations, including the four largest Islamic aggregations in Italy, in effect bypassing the barriers of the various legal reconciliations²⁹. This is an important precedent that confirms that, in the face of urgencies and emergencies, the State adopts inclusive measures that affirm a logic of recognition. We will see if and to what extent this precedent will determine an acceleration of the processes that could lead Italian Islam to full formal recognition within the framework of Italian norms regarding relations between the State and the various religious confessions.

From Europe where, according to the Pew Forum, there are by now about 25 million Muslims, at least a million and a half Buddhists, an analogous quota of Hindus, a million Sikhs and a few million Pentecostals of African or Latin American origin, the wind of a new religious pluralism has arrived in Italy also, imposing a revision of the label - too generic and superficial - of 'Catholic' country even if highly secularized. The 'Islamic question' is part of this general framework which, in the Italian case, presents the juridical and social anomaly of the exclusion of Muslims from the mechanisms of recognition that the Italian legal system provides for religious denominations. In the last 15 years, the State has tried to make up for this lack of legislation, evidently not by chance but dictated by a political prejudice, by giving life to institutional experiences insofar as directly managed by its apparatus (Ministry of the Interior and others), but informal in the juridical substance because they have never had significant legal repercussions. These processes, although "extra-constitutional", have had an important function in defining the critical points of the relationship between the Islamic community and the Italian system and in opening local discussion tables that in some cases have allowed a joint action - institutions and Islamic communities - for the realization of educational programs, the promotion of coexistence and social cohesion.

This 'informal' path has defined a platform of contents which, at this point, has political and juridical sense only if in a reasonable time it will be legally codified in a finally and properly constitutional framework.

²⁹ Consorti Pierluigi, ed., (2021). *Law, religion and the spread of covid-19 pandemic* – ebook, Diresom Papers 2, online (26/09/2021); Alicino Francesco (editor) (2021), Special issue on Religions and Covid 19, *Quaderni di diritto e politica ecclesiastica*, Anno XXIV, August

References

- Alicino Francesco (2021) La disciplina giuridica delle minoranze religiose (escluse). Le diseconomie esterne del favor religionis, in www.statoechiese.it, (Accessed 18/12/2021).
- Alicino Francesco (editor) (2021), Special issue on Religions and Covid 19, Quaderni di diritto e politica ecclesiastica, Anno XXIV, August.
- Allievi Stefano, Dassetto Felice (1992). *Il ritorno dell'islam Musulmani in Italia*. Roma: Edizioni lavoro, p. 22.
- Bombardieri Maria (2011). *Moschee in Italia. Il diritto al luogo di culto, il dibattito sociale e politico*. Bologna: EMI, p. 38.
- Bouchard Giorgio (2003). *Chiese e movimenti evangelici del nostro tempo*. Torino: Claudiana.
- Caponio Tiziana (2006), *Città italiane e immigrazione. Discorso pubblico e politica a Milano, Bologna e Napoli*, Bologna: Il Mulino.
- Cardia Carlo, Della Torre Giuseppe (2015). *Comunità Islamiche in Italia. Identità e forme giuridiche*. Torino: Giappichelli.
- Carobene Germana (2020). "La cosiddetta normativa "anti moschee" tra politiche di governance e tutela della libertà di culto", in *Chiese Stato e Pluralismo religioso*, fasc. 4/2020 (Accessed 26/09/2021).
- Cianitto Cristiana (2021), Le minoranze religiose in Italia. Nuovi problemi? <https://doi.org/10.13130/1971-8543/16019>
- Consorti Pierluigi, ed., (2021). *Law, religion and the spread of covid-19 pandemic* – ebook, Diresom Papers 2, online (Accessed 26/09/2021).
- Consorti Pierluigi (2018), "Il modello italiano del dialogo istituzionale con le comunità religiose. Dalla Carta dei valori al 'Piano dell'integrazione'", in Consorti Pierluigi (editor), *Religione, immigrazione e integrazione. Il modello italiano per la formazione civica dei ministri di culto*, Pisa: Pisa University.
- Consorti Pierluigi (2018). *Religione, Immigrazione e Integrazione*, Pisa: University Press.
- Domianello Sara, Ferrari Alessandro, Floris Pierangela, Mazzola Roberto, Zaccaria Roberto (editor), (2019). *La legge che non c'è. Proposta per una legge sulla libertà religiosa in Italia*. Bologna: Il Mulino.
- El Ayoubi Mostofa and Paravati Claudio (eds) (2018). *Dall'islam in Europa all'islam europeo*. Roma: Carocci.
- Ferrari Alessandro (2013). *La libertà religiosa in Italia. Un percorso incompiuto*. Roma: Carocci.
- Long Gianni (1991). *Le confessioni "diverse dalla cattolica". Ordinamenti interni e rapporti con lo Stato*. Bologna: Il Mulino.
- Mazzola Roberto (2018), "Il velo islamico nel contesto giuridico europeo. Le ragioni di un conflitto", in *Diritti, Immigrazione e cittadinanza*, n 1.
- Morucci Claudia (2018), "I rapporti con l'Islam italiano: dalle proposte d'intesa al Patto nazionale", www.statoechiese.it n. 38.
- Naso Paolo (2018). "Per un islam italiano. Tra stop and go", in El Ayoubi Mostofa and Paravati Claudio (eds). *Dall'islam in Europa all'islam europeo*. Roma: Carocci.
- Id. (2019), "Uguualmente libere di fronte alla legge. L'eccezione islamica?", in Bombardieri Maria, Giorda Maria Chiara, Hejazi Sara, *Capire l'islam. Mito o realtà*, Brescia: Scholé, p. 91.

Pace Enzo (2013). *Religioni nell'Italia che cambia. Mappe e bussole*. Roma: Carocci.

Pepicelli Renata (2012). *Il velo nell'Islam. Storia, politica, estetica*. Roma: Carocci.

Varnier Giovan Battista (2016). "Origini e sviluppo delle garanzie di libertà per le minoranze religiose: dall'omogeneità al pluralism", in: Ferrari Daniele (editor). *Le minoranze religiose tra passato e futuro*. Torino: Claudiana, p. 22.