



D+ReSoM

Diritto Religione Società Multiculturali
Law Religion Multicultural Societies

Право Религия Мультикультурные Общества

انون والدين في المجتمعات متعددة الثقافات
多元化社会中的法与宗教

LAW, RELIGION AND COVID-19 EMERGENCY

EDITED BY
PIERLUIGI CONSORTI

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DiReSoM Papers

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Pierluigi Consorti

DiReSoM (Diritto e Religione nelle Società Multiculturali – Law and Religion in Multicultural Societies) is a research group created in 2017 by Italian Scholars in Law and Religion.

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I HAVE A DREAM: RESTARTING, BUT GOING WHERE?*

Antonino Mantineo

These tough quarantine days have driven us in a mood where the dominant feelings are sorrow, grief, and loneliness; they are giving us several occasions to find ourselves and to ponder over the effects of the pandemic on both our lives and our communities.

Everything is changing, in our everyday life's pace and in our relationships without hugs, warmth, handshakes, contacts. Even the language adjusts itself: if earlier we talked about the need of "infecting" each other with empathy, concrete acts of solidarity, generosity, to live as real human being, nowadays we perceive the word «infection» ontologically negative. We have witnessed the humanitarian acts of many women and men who, even sacrificing their own lives, spent themselves, wearing themselves out, to cope with the illness and the loneliness of the suffering people. Generosity actions made by many volunteers, who once again compensate for the public service deficiencies and delays; in fact, the efforts made by the institutions to corporatize the public health and to balance the budget have made the service unable to assure the basic level of safety and the health no longer an universal good.

* Submitted: April 20^h 2020. Published: April 27th 2020. For ITA version [click here](#).

On the other hand, there have been crazy fears and mass phobias as well: people hunting for the “plague spreaders”, real or presumed, fingered as the source of our uncertainties and the main threat to the public health. They searched for them among those who knocked at our doors: young people who often have lost their job, coming from Northern Italy or from abroad to reach their families.

Those who often felt themselves as strangers in the countries that welcomed them, have known the humiliation of being rejected in their own cities.

How much sorrow we have seen with our own eyes! At last they appear more open to another people pain. Even to the sorrow of the women who are victims of domestic assault. During this isolation days, they are paying the highest price within their houses’ walls to men who feel themselves as the owner of their partners’ lives and emotions.

Pope Francesco told us how this storm has showed our forgotten weakness, that everyone owns, and how it reminds us we are not omnipotent. So, we should learn again to feel ourselves as part of the humankind, all on the same ship of life.

We have to guard Pope Francesco’s words and actions. As usual since his call to lead the Catholic Church, few days ago he talked to Christians, Catholics, even to the wider circle of women and men of good will, actually to everyone who are willing to feel again the pleasure and the joy of a fulfilling life, within and beyond these days of abandonment.

We would like to start our thinking from these positive and hopeful feelings.

Let’s start from this statement and draw your and my attention to a basic “existential” question: we have heard something about,

within the speeches of many (maybe too many) political communication experts, who tell us “everything will change and nothing will be as it was before”.

I wonder to myself and I ask you to find all together the answers: who will have to develop the “plan” for our coming back to normality? And what kind of normality? What kind of change do we need and which one we wish for?

Today I would like, first of all, to share a wish with you, it is a dream as well, and maybe a utopia.

Today, after more than seventy years from the founding of our Constitution, I believe that the good “laical” feelings, that belong to the human community -without distinctions of sex, culture, social status, religion- are the ones, of our underlying principles, within the article 1 («Italy is a democratic Republic based on work»), and article 11 («Italy repudiates war»). Our rulers have forgotten and circumvented these principles, actually closing all the factories, but keeping weapons production, and therefore the sources of destruction and death, operative. It is necessary to close, permanently, these factories, and build granaries; we need bread to share within the human family, hospitals and a local health able to prevent epidemics, and cure not only pandemics, but also social ills. But hopefully we’ll come back to this.

This is the point: we have to start from our Constitutional Charter.

The Bishop Martini, first, as the emeritus President of the Constitutional Court, Gaetano Silvestri, after, have reminded and highlighted it several times: generally speaking, we are all sure that the basic constitutional principles are a sort of update of the Gospel Beatitudes and they can represent an answer to the hunger

of justice, equality, peace, love in each man's heart. A man with or without faith, but who believes in life.

Moreover, Pope Francesco, meeting the popular movements of the continents, wanted to share the fight (yes it is) for the fundamental rights affirmation, necessary to make the world more human and, therefore, a place where it is possible to nurture the desire of goodness and happiness: land, house and job.

The Constitution itself reports these rights: the right to the land, to guard and love as the mother (art. 9 Const); the right of building a family, having a safe and respectable house (art. 2 and 31); the right to work (art. 1, 4 Const.), that allows the achievement of personal and domestic independence, and, above all, as a means and not an end, that contributes to the "material and spiritual progress" of the community (art. 4 Const.). All these three rights are solemnly enumerated in our Constitutional Charter.

So, let's wonder: what is necessary to give full and complete effect to the unaccomplished principles and values?

We'll consider all together whether, besides the "twin" values, supposed to mark out the participatory, pluralistic, personalistic and laical (as we say in Italy to identify the secular principle) democracy of our *Res publica*, of freedom and equality, can be placed the fraternity principle, that the French revolution had already hiked as a banner to depose the regime.

Nowadays the word fraternity gains a full meaning; we are living in a context of destruction of boundaries, sectionarism, individualism and sovereignism, caused by a microscopic, but lethal virus. We need a border-free world to feel again ourselves as citizens, guests and keepers of this wonderful world.

The *Fraternité*, not explicitly mentioned in our Constitution, can be put in contact with that yearning to feel ourselves all the

same, because we share the same destiny and condition, and to re-found the dimension of fraternity and sorority. In fact, our principle of substantial equality, introduced by art. 3 Const., according to which “it’s task of the Republic, that is of each of us, to remove the economical and social obstacles that, ... hinder the full growth of the human being and the actual participation of all the workers to the political, economical and social organization of the country”, leads us towards this dimension and perspective.

To be equal in the diversity and also in the uniqueness of each person it’s necessary to take off the reasons behind the inequality; that inequality that refuses the access to and the fruition of the main services (health, education, dwelling, leisure, food, etcetera..) and that restricts the opportunities to start, denied to some but favourable to others. These opportunities actually entail that some individuals, or groups, struggle because of the few privileged ones ahead of them.

I would like to add something else.

When we wonder about what kind of change we have to expect, we have to assume some responsibility. This means a common commitment to find fair, friendly, peaceful, sympathetic solutions for the new world coming. This commitment does not contemplate any power of attorney.

All together, we have to ask ourselves what is the change necessary to reverse the route and to stop the trend of death, violence, escape, emigration, inequality, prejudice, war, backwardness, consumerism and individualism, lethal diseases, such as Covid-19, on which we have just opened our eyes. They are rotten fruits of a wild globalization and of “indifference”, as Pope Francesco claimed.

And here it is the first utopia: I would like to muster all those who can appear crucial for a change of attitude and perspective, close or far.

I do not think anyone has got the magic wand. Politics professionals are not necessary either. I imagine and hope for a convivium of poets, artists, literatus, farmers, artisans, non-narcisistic intellectuals serving the community, doctors, co-workers and volunteers; and, among them, a great majority of women. Each of them engaged to ponder, dialogue, search for the solutions to put into effect the denied Constitution principles; those about job, health, environment, education, peace and non-violence, religious freedom, local and eco-friendly development.

We are approaching to the end of a tunnel, but we should be found ready to recognize sources of ideal beauty, justice, freedom, on which build politics, economics, civil relationships. This is all possible.

After the second mondial conflict, women and man of various cultures, religions and political beliefs wrote the most beautiful pages about the constitutional rights and Spinelli, Colorni and Rossi wrote the Manifesto of a federation of European States in a condition of exile in Ventotene. So why cannot we find, here and now, the enthusiasm and the passion to enhance this utopia and give it effect, especially in this phase of reconstruction and changing? Changing. If not now, when?

As scholars engaged in the study of the legal regulation of the religious phenomenon, we decided to create a web space to collect documents, comments and other useful materials related to the Covid-19 emergency, in order to assess the outcomes of the normative decisions made by state and religious authorities. So, on March 8th we have created www.diresom.net. By the end of April, we had already published more than 500 documents and comments related to this issue, and more than 20.000 unique visitors had surfed our website. Therefore, we decide to edit an open source book to share in a more orderly way the comments that we have already published online, thus giving the possibility to consult these first guidelines to all those who want to study or analyze the legal reaction, both state and religious, to this pandemic.

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