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The Puzzle of Italian Religious Freedoms: Local Experiments and Complex Interactions

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Abstract: “Religious freedom” has many different meanings, and its social perceptions vary depending on different factors, including different understandings of the role of religion in society. In this paper, we contribute to the analysis of the intersections between the institutional definitions and the social perceptions by comparatively analyzing the practices and discourses on religious freedom in the fields of healthcare and school canteens through regional and municipal case studies in Italy. Results allow exploring the role of individual actors and local and sectoral cultures in enforcing specific practices in the broad area of “religious freedom”.

Keywords: religious rights; Italy; hospitals; school canteens; urban governance; religious diversity



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1. Introduction

Religious rights are granted and protected as human rights: in Europe, article 10 of the Charter of Fundamental Rights of the European Union, which has the same legal value as the European Treaties, protects freedom of thought, conscience and religion. Moreover, the Lisbon Treaty includes, in Article 6, the participation of the European Union in the European Convention on Human Rights (ECHR). The Convention is an emanation of the Council of Europe, to which all the states that are part of the European Union adhere, as well as some states outside the EU (such as Turkey) and the Vatican (as an observer). The principles enshrined in the ECHR (including freedom of thought, conscience and religion, Article 9) are guaranteed by the European Court of Human Rights (ECtHR).¹

Nonetheless, research has demonstrated that the enforcement of internationally recognized religious rights is filtered by national governments. The Lisbon Treaty, for example, in Article 17, recognizes the competence of the nation states in religious matters. Furthermore, the European Court of Human Rights tends to remit to the states many decisions related to religious freedom (Fokas 2015; Koenig 2015; Breskaya and Giordan 2019; Breskaya et al. 2021). This “filtering effect” is connected to specific differences in laws and regulations and, at the same time, to cultural variations in how states conceive of the public role of religion—whether or not, for example, one specific religion is considered as intertwined with their national history and identity, or whether or not religious pluralism is considered as a value. In addition to a national filtering effect, there is a local filtering effect in the implementation of religious rights, whose enforcement can be severely limited by local governments and specific contingencies, and this is especially true when considering religious freedoms and rights in relation to religious diversity (Martínez-Ariño 2018, 2019, 2020, 2021). Hence, the analysis of religious rights needs to take into account the complex network of local, regional and national regulations, as well as the (sometimes) diverging aims of actors involved.

In this paper, we focus on the implementation of religious rights with the aim of shedding light not only on the complexity of actors and regulations but also on the fact that the

exercise of different rights may require paying attention to different actors and administrative levels. By analyzing the case studies of religious rights and diversity in school canteens and hospitals in the urban space of Turin, we explore the complex intersections of laws and regulations issued at different government levels (national, regional and municipal) and the role played by different actors (individuals, governments, religious groups and civil society). The analysis points to two main results: first, in line with the literature on urban governance of religious diversity, we show the relevance of taking into account different sets of regulations, government levels and actors in the analysis of the enforcement of religious rights; second, we illustrate how different actors are differently important in the regulation of religious rights in different fields (i.e., school canteens and hospitals).

In the next section, we review the recent literature on the relevance of the local level (particularly, urban contexts) and the diversity of actors involved in the implementation of religious rights. In Section 3, we present the context of Italy, while Section 4 is devoted to the methodology. Sections 5 and 6 present the results of the analysis at schools and in the hospitals, and we discuss the outcomes in Section 7.

2. Religious Rights between the Nation and the City

As explored by recent research, while national laws and institutions set the general framework for the regulation of religious rights, local governments are indeed extremely relevant in dealing with religious diversity (Giorgi and Itçaina 2016; Griera 2016; Astor et al. 2019; Martínez-Ariño 2018, 2019, 2020, 2021; Bradamat et al. 2021).

Scholars list at least four reasons for this relevance: first, diversity—including religious diversity—is an essentially urban phenomenon (Caponio et al. 2019); second, many religious rights can only be implemented at the local level, even when they depend on regional or national entities—as in the case of the localization of places of worship and, more broadly, national and urban levels constantly interact (Martínez-Ariño 2019); third, regulations and policy ideas often travel across cities, through imitative and experimental practices, rather than through vertical processes of transfer (Martínez-Ariño 2018); fourth, “the regulation of religion increasingly takes place through rather loose governance structures, such as networks and projects, instead of through legal patterns of church–state relations exclusively” (Martínez-Ariño 2018, p. 813), which are mainly developed in cities (see also Giorgi 2018). In relation to this latter point, the literature on religious diversity uses the concept of “governance” to point out: (1) that stakeholders, including religious groups, are included in the regulatory design of diversity management, which means (2) that the regulation of religious diversity cannot be interpreted in a “top-down” perspective, as it implies complex negotiations among actors variously positioned in terms of socio-political power, which also means (3) that diversity management includes informal and loose types of regulation (Bader 2007; Martikainen 2013, 2016; Giorgi 2018; Martínez-Ariño 2021; Pace 2021).

Hence, urban governance of religious diversity can be conceptualized as:

complex assemblages where (1) the political interests and claims of various unequally socially positioned actors over (2) a number of domains and objects of the public expression of religiosity are (3) subjected to a variety of municipal interventions, which are (4) shaped by the interplay of supranational legal frameworks, national legislation, policies, institutional arrangements and local contextual factors. The result of these processes of regulation are particular (and often contested) normative definitions of “accepted” or “legitimate” public expressions of religiosity, subsequently enacted by various local actors through both formal procedures and informal practices. (Martínez-Ariño 2018, p. 814)

Research on religion in the urban governance of religions and religious diversity has been flourishing in recent years, cities being a privileged context for observing the local dimension of religious practices, more vivid than rural areas. Martínez-Ariño (2018), for example, has explored the different approaches to the governance of religious diversity—that are in fact expressions of different approaches to urban secularism (Martínez-Ariño 2021)—in some French municipalities. Astor et al. (2019) have explored how the different

approaches of Madrid and Barcelona in the governance of religious diversity can be traced back to their political and territorial positioning within the Spanish state. [Fabretti et al. \(2019\)](#) have discussed the variations in urban religious governance and the hiatus between an increasing religious plurality and the urban policies that often do not recognize this plurality, or deal with it, especially in the outskirts of cities, such as Rome.

[Burchardt and Grieria \(2020\)](#) adopt the concept of “spatial governmentality” to indicate the norms and administrative practices that inscribe religious expression in urban life. Spatial governmentality is bounded by a series of factors, including religions’ different legal status and the fact that some religions are more accepted than others. Hence, institutions, officials and religious communities interact in shaping the governance of religious practices and policies in urban space.

In the regulation of religious diversity in urban contexts, regional governments, often neglected by research, are also particularly relevant, as they add yet another layer of norms and regulations insisting on urban spaces. In between the national and the municipal governments, regions may have stakes in this complex political interplay. [Grieria \(2016\)](#), for example, explored the role of Catalonian policies addressing religious diversity in light of the ongoing nation-building project. The proactive and innovative approach of Catalonia and the relative openness of its policies can be interpreted as:

a tool of political self-determination in a region (and a nation) that claims far-reaching political independence [...] the creation of a distinctive Catalan policy on religious affairs, based on the idea of plurality and laicity, also helps to foster the idea of Catalan distinctiveness and to reinforce the “self-representation” of Catalonia as a secular, cosmopolitan and modern country. ([Grieria 2016](#), p. 29)

Hence, the policies of religious diversity can also be interpreted as boundary work, an instrument to create a Catalonian national identity separate and distinct from Spanish national identity. In the same direction, [Giorgi \(2018\)](#) has explored how the long struggle between the municipality of Milan and the Lombardy region over how to regulate the localization of Muslim worship places could be interpreted in light of the political conflict between governments of different political colors at the municipal and regional levels.

The respect of religious diversity is often framed in terms of “multiculturalism”, and it runs in parallel to (and intertwines with) the regulation of migration. Scholars researching migration and the governance of ethno-cultural diversity point out aspects similar to those we just mentioned: the negotiation between local and national governments over migration policies, which cannot be interpreted only in a “top-down” perspective; the role of local culture and the local understanding of “multiculturalism” in shaping local politics for migrants; and the increasing relevance of local actors (particularly, civil society associations) in the governance of diversity ([Ambrosini and Boccagni 2015](#)). In this sense, to analyze the regulation of religious freedom and diversity, then, it is relevant to take into account: (1) the complex interplay of different levels of government whose jurisdiction insists on the same territory (municipalities, regions and the state), as well as (2) the variety of actors involved—their legal status, legitimacy, power and agency and objectives. This is particularly relevant in the case of Italy.

3. Italy as a Case Study

The focus on local governments and their actors and networks is even more relevant in the absence of a national framework law, such as in the case of Italy, in which the relationship between state and religion is regulated by a complex system—defined as four-tier ([Ferrari and Ferrari 2015](#)), pyramid ([Martino 2014](#)) and puzzle ([Giorgi and Annicchino 2017](#)). Religious freedom is a right guaranteed by the Constitution, both directly and indirectly. Unlike other Constitutions, the Italian one does not establish the principle of secularism, which is recognized, however, by a sentence of the Constitutional Court (203/1989), which states: “The principle of secularism, as it emerges from articles 2, 3, 7, 8, 19 and 20 of the Constitution, implies not the indifference of the State towards religions but the guarantee of the State for the safeguarding of freedom of religion, in a regime of

confessional and cultural pluralism". The Italian state is therefore configured as a neutral state in its attitude towards religions, and freedom of religious worship and beliefs is granted; however, there is no specific religious freedom framework law (Zaccaria et al. 2020), probably because Italy is increasingly religiously diverse, but its self-representation is that of a Catholic-majority country (Pace 2013; Garelli 2020).

Institutional relations with religions are governed by Articles 7 and 8 of the Constitution: the first concerns the Catholic Church; the latter concerns all other religions and introduces the concept of agreement—*Intesa*.² The agreements regulate the rights and duties of individual religions and, in general, include rules governing spiritual support, the teaching of religion in public schools, the relationship between religious marriage and civil recognition, taxes and tax relief, places of worship, ministers of worship and religious holidays (see Nardini and Mucciconi 2013). In order to be allowed to sign an agreement, religions should be first recognized as "cults" (according to Law 1159/29). This recognition guarantees some specifically religious rights (such as the right to ritual practices and the possibility of offering spiritual support) and the freedom of organization (provided that the organizational statutes do not conflict with the Italian legal system) but also implies a certain degree of state control over the group's activities. In addition, ministers of worship must be approved one by one by the authorities. To obtain legal capacity (in order, for example, to be able to receive donations), religious groups can also simply form associations, without requiring recognition as a body with a religious purpose. In this case, they have three options (Ferrari and Ferrari 2015). The simplest option is to organize an unrecognized association, acquiring limited legal capacity without the need to subject the statute of faith to scrutiny by the state. A second option is to obtain legal personality as an association by registering with the local prefecture. Finally, the third option is to obtain legal rights as a foreign organization under the auspices of reciprocity agreements—to date, around 40 religious organizations have chosen this option (Ferrari and Ferrari 2015). Within this category, considered the lowest step of the pyramid of recognition, there are all those religions that have not initiated any process of recognition of the religious nature and purpose of worship of their own tradition.

Overall, signing an agreement guarantees the political and symbolic recognition of a religion; however, it does not guarantee an equivalent treatment of different groups. In fact, relations between the state and religions vary in relation to individual bilateral agreements (Barsotti et al. 2016). Moreover, the agreement does not guarantee the effective enjoyment of religious rights, which are often subject to competing jurisdictions, both sectorial (for example educational policies, in the case of teaching religion at school) and of different geographical areas; in this sense, the municipal level plays an extremely important role. For example, building places of worship, which is a religious right granted by the Constitution, by specific laws and, for many religions, by the agreement, is subjected to urban and regional regulations which may hinder the implementation of this right (Fuccillo 2017; Marchei 2018). As in other European countries, as well as in Italy, the governance of religious diversity has included the development of experiences, both formal and informal, of forums, dialogues, initiatives and committees (Canta 2013). In many cases, the Catholic Church is the main organizer, even though there are indeed secular experiences, such as in Turin (Fabretti et al. 2018), and many municipalities sponsor the initiatives (for an overview, see Giorgi 2018). Moreover, as already mentioned, political tensions between different levels of government add to this complex interplay (Giorgi 2018).

4. Research Design

To explore the hiatus between the frame of social reality and the juridical one (Giordan and Pace 2014), and to analyze the complex interplay between different levels of government, we focus on two public spaces in particular, schools and hospitals, in the regulation of which there is a constant shifting and slippage between the managing agents, in a picture that is more chaotic than dynamic. In particular, we analyze how religious diversity and freedom are dealt with: these case studies illustrate the heuristic fruitfulness of taking into

account the complex intersections of actors and administration/government levels in the analysis of religious rights.

If the primary school is a typically national public space, organized by a Ministry that deals with infrastructure, teaching staff, programs and examinations, one of the fundamental moments and spaces in the school day of Italian students, that of the canteen, is managed at the local municipal level. Therefore, any changes, proposals or innovations regarding, for example, ethical–religious food has an impact at the urban level, the city and its hinterland.

The second public space, Italy’s public hospitals, responds to the regulation and directives of the national Ministry but are organized and managed on a regional level: in the case of canteens, the contracts establishing the in-patients’ menus therefore have an impact on a regional basis and regulate the diet of patients in macroareas.

The following analysis focuses on the interplay between different agents: institutions and religions. As the Introduction outlines, public institutions which can manage the call for the recognition and management of religions in these public spaces—for the moment—can be either the nation state, regions, or municipalities. In terms of religions, we consider individual people, informal and formal groups. As stated in the Introduction, different religious stakeholders participate in the regulation and implementation of religious rights: formal or informal religious groups as well as individuals connected to religions.

We assume the distinction between the concepts of “pluralism” and “diversity” (Giordan and Pace 2014; Pace 2021). Religious diversity relates to experiences, to the spontaneous manifestation and actions in both public and private spaces of the plural identities that characterize nowadays societies: the processes of secularization, in a continuous tension with the resistance and resilience of religious, have led to the phenomenon that has been identified as “multiple secularities” (Burchardt et al. 2015). This perspective is helpful to express the complex and multilayered meaning of contemporary diversity. As Giordan explained in his introduction: “We must not confuse the normative-regulatory level, namely that of pluralism, with the descriptive level of empirical diversity” (Giordan 2014, p. 1). The concept of religious pluralism relates indeed to the level of the political, to the regulation and “legitimization” of diversity (Giordan 2014, pp. 1–12).

The formal and juridical recognition based on the social mechanisms is a responsibility of institutions: it composes the framework of religious pluralism (Berger 2014), which implies legitimation in terms of rights, but also of duties and responsibilities. Such a definition is fruitful for defining the actors moving in the contemporary context and it must be transversal to the dynamics and management strategies that emerge and advance their demands at the local/urban, regional and even national levels. In particular, we focus on the urban context of a regional area—Piedmont—since in a city such as Turin, more than in villages or smaller cities, we can find an innovative and creative dimension of religious diversity and experimental practices of religious pluralism managed by institutional authorities.

Our analytical framework combines attention to the intersection of the three institutional levels (municipalities, regions and the state), from which proposals and good practices of diversity management arrive in a top-down manner, with the requests promoted from the bottom, by individuals and religious groups, whether formally recognized or not. We apply this analytical network to the empirical cases of school canteens and hospitals in order to observe the imbricated dynamics between religious actors and political institutions. More specifically, we analyze pioneering projects and specific practices dealing with religious diversity and religious rights.

Data consist of interviews with key witnesses and document analysis. The case studies made use of the triangulation of three different qualitative-research techniques: documentary analysis, in-depth interviews to different stakeholders (20 actors, including institutional representatives, parents of children attending Turin schools and patients at local hospitals), data from other interviews collected by the authors for other projects and, to a lesser extent, participant observation. In the case of hospitals, participant observation of

life in the wards was greatly limited by COVID-19 restrictions—as a consequence, Section 6 mainly draws on the findings of interviews and documentary evidence. Documentary analysis has allowed reconstructing the “policy context”, including the national policy framework regulating canteen and spiritual care, as well as the legislative requirements in these fields.

In view of the density of practices and experiments, we have chosen the Piedmont Region as the meso area unit for our research and the city of Turin as the local area. We focus on two public institutions which behave differently in the management of religions as a result of different interactions between institutional and political layers.

We therefore propose to position ourselves doubly “in between”: first between the national (Italy) and the municipal level (Turin) and the regional level (Piedmont), relating to a complex intersection of different levels; second, between individuals and the formally recognized groups, considering both top-down policies and bottom-up needs: individual people, collective agents, informal and formal groups demand for their rights; not always is it possible to distinguish the intricate relation between civil and sacred ones, or the priority between different kinds of rights: children rights, rights to health and religious freedom’s rights. We consider these different layers and the possible intersections in the conclusion.

5. School Canteens

In this section, we analyze the case study of school canteens, dealing with pupils’ need to have meals respecting their religious beliefs, in a complex intersection of children’s rights, dietary rights and freedom of religion, for which two educational agencies, the family and the school, intervene in the management of religious diversity.

Religious rights in schools and, in particular, religious dietary rights, are set at the national level: they are granted by the Constitution (as religious rights) and, for some religions, detailed by the agreements. In terms of school administration, dietary requirements are included in the broader management of meal provisions.

The history of meals in Italian schools in the period following World War II is marked by their social and family support function (Damenò and Verga 2018). Already at the beginning of the 1950s, child food assistance ceased to be tied to a plan of urgency and became a permanent and educational service; in the seventies school canteens that reproduced the eating habits of families became widespread in all the Italian regions. An important milestone in the legislative history of school meals in Italy was Regional Law No. 1 of 2 January 1979, which in the field of school assistance, in Article 6, transferred to the municipalities some competences: “In the field of school care, competences relating to the organization and operation of holiday camps, school meals and free transport for nursery, compulsory and secondary school pupils, as well as competences relating to the maintenance and repair of classrooms, toilets, sanitary facilities and school furniture in compulsory school buildings are transferred to the municipalities”³. A decentralization process that attributed fundamental powers to the local level.

Hence, while, as a religious right, the respect of dietary requirements is set at the national level, thus by the national government, the municipality is indeed responsible for the implementation of this right; in this sense, these two levels of government need to interact and negotiate. The canteen service in Italy is based on the “Linee di Indirizzo Nazionale per la Ristorazione Scolastica” (National Guidelines for School Catering); the last version was issued by the Ministry of Health on 29 April 2010.⁴ The guidelines establish uniform rules and state that “service standards must be maintained and defined in each management model and declared to users, committees and control bodies” (p. 18). These standards also include the right of access for users with special health and ethical-religious needs (p. 18). In addition, it is stated that “On religious festivals and/or special occasions, where tradition requires the use of particular foods and preparations, it is possible to provide for the possibility of modifying the menu of the day with the foods traditionally used on the occasion” (p. 21).

Although the guidelines are national, municipalities have a strong impact in the concrete realization of the service, in terms of whether and how religious rights are implemented at the local level. External services providers, selected by tenders, are contracted by the municipality to provide the meals of local schools, in the respect of these national guidelines. As we read in the National Guidelines: “The municipality as service manager is responsible for:

- Choosing the type of service it intends to offer;
- Planning investments and resources;
- Drawing up the technical specifications for direct management, in the case of external outsourcing, and in any case for each type of management envisaged;
- Overall control over the service, especially in the case of contracting out the service to third parties;
- Monitoring the smooth running of catering, both in the case of direct management and indirect management, with various controls” (Guidelines, pp. 9–10).

The technical specifications, and the tender that establishes who manages the service, are fundamental documents for the application and possible implementation of the principles of the guidelines, including that of inclusiveness (Fuccillo et al. 2016).

In addition, municipalities can practice control functions through a “carta del servizio”, which describes and presents the characteristics of the catering and they also can refer to the work of Canteen Commissions (Guidelines, p. 10), which include representatives of parents, teachers, the Local Health Authority and the municipality (Fuccillo et al. 2016, p. 14). Even though the framework legislation is set at the national level, then, primary school canteens are organized and managed in a local urban dimension.

Despite some (rare) exceptions, most Italian school canteens today provide alternative menus on an ethical–religious basis (Bossi and Giorda 2016). Basically, school canteens offer a menu standard and different possible alternative menus, based on the elimination of food and substitution with food allowed by religious dietary requirements.

In Italy, the city of Turin is a pioneering laboratory of the inclusion of religions at the local level and the first city to be explored by a comparative European project aiming at study the accommodation of religious diversity in school canteens.⁵ For the first time in Italy, the research project brought to light the issue of food-related diversity through a questionnaire submitted to families in three primary schools in Turin. The project aimed to observe and describe eating habits and restrictions, perceptions of cultural and religious diversity in reference to school canteens. It also collected the families’ willingness to radically rethink school menus with meatless or meat and fish-free menus for all those attending the canteen (Bossi et al. 2015).

Research shed light on the complexity of the actors involved in the respect of religious dietary requirements, as well as on their respective power of negotiation. In addition to the state, the municipalities and the services providers, families have an important role as well: in order to request a diet based on ethical–religious reasons, in fact, a self-certification signed by both parents must be presented at the beginning of the school year (Bossi and Giorda 2016, p. 8). This is a bottom-up request, linked to individual families, who may take different decisions even if they belong to the same religion. The case of the options chosen by Muslim children, for example, illustrates this fragmentation: while some Muslim student “simply” do not eat pork, others, in the absence of a halal meat substitution, prefer a vegetarian diet, without any kind of meat. Only in few cases is halal meat provided, such as in Rome, where thanks to the recently approved new norms (2022), a child’s family may request and obtain halal meat.⁶ Depending on the case and the city, parents must indicate foods that the child cannot eat and/or possible food alternatives.

Research also showed that, in some cases, schools and teachers may become relevant actors too: for example, in some cases in which Muslim parents protested against the absence of halal options, the schools and teachers involved, tried to minimize grievances, pointing out that the priority is to provide food that is fair in terms of nutritional needs, as well as sustainable. In this sense, the struggles over the respect of religious dietary

requirements illustrate the different perceptions of rights that the educational actors may have: while schools and teachers prioritize healthy diets and the inclusiveness and educational role of school canteens, families and parents in some cases prioritize the respect of religious rights.

The analysis of the respect of dietary requirements in schools illuminates the complex intersection between administrative levels—national and municipal—and between actors—including school management, parents and pupils and service providers. Among the administrative actors, the municipal level appears to be crucial: in fact, municipalities are in charge of organizing the call for tenders for the schools' canteens and may or may not issue a specific document asking the service providers for the respect of tighter requirements. On the basis of this autonomy, the respect of religious dietary requirements can only be observed in a local dimension because it is at this level that the national guidelines are concretely respected, interpreted and managed.

Hence, the case also illustrates how religious rights (in this case, dietary requirements) intersect with other rights (in this case, children's and parents' rights, schools' right to autonomy, teachers' rights and the right to health).

Furthermore, the case illustrates that, among the religious actors, the role of individuals is pivotal: the right to the respect of religious dietary requirements is implemented only and insofar as there is a specific request by the family.

6. Healthcare

In this section, we analyze the case study of hospitals by focusing upon some aspects related to religious rights and spiritual care in healthcare. This includes spiritual/religious support and guidance by means of trained personnel; multireligious spaces (meditation halls, rooms of silence, availability of books and sacred furnishings for in-patients); the accompaniment of women during childbirth and the treatment of the female body; medicines and surgical prostheses; the treatment of the corpse and the rules of the mortuary police and the food administered—since hospital in-patients, like children at school, bring with them habits and obligations related to their religion and diet (Giorda and Mastromarino 2020, pp. 111–12). Research shows that the service is changing slowly—slower than in schools—as the cultural, linguistic and religious nature of patients changes. Moreover, it is clear that hospital institutions in Italy are rarely equipped to respond to the needs of religiously diverse people (Palmisano 2020; Giorda and Mastromarino 2020).

Religious rights in hospitals are granted by the Constitution (as religious rights) and, for some religions, detailed by the agreements. The Italian national health service has never taken an interest in spiritual assistance except to regulate religious assistance explicitly by means of concordats with the Catholic Church and other denominations. After 1984, the possibility of providing religious assistance was extended to include non-Catholic denominations which had come to an agreement with the state in accordance with Article 8 of the Constitution. The literature—including Italian—about nursing by now recognizes that the identity of the modern profession of Western nursing has essentially spiritual-type roots. At present, the importance of spiritual needs in nursing sciences is not recognized by law but is expressed by the international literature (Timmins et al. 2022), by professional nursing institutions and by the World Health Organization.

In the absence of specific guidelines, some hospitals have launched local experiments for the respect of religious rights—which we analyze in the following. From the organizational point of view, it should be noted that all Italian hospitals, because of administrative decentralization, are managed at the regional level. The state, more specifically the Ministry of Health, determines its health standards, but every region is autonomous, depending on its local health policies. As we shall see when we observe what is happening in the Piedmont hospitals, experiments come from below, which is to say from individual hospital complexes, and are more or less regionwide. There is no automatic extension to the national level, but this could come about by mimesis as we can see from the network of rooms of silence, which spread through imitation rather than as result of a national coordination.

The choice of Piedmont as a unit of analysis for this study is justified by the fact that it is a pioneering region in the respect of governance of religious diversity in hospitals. Apart from a few isolated and short-lived experiments in hospital canteens in Rome and Florence (Giorda and Mastromarino 2020, p. 113), the experience based in the urban area of Turin of the Città della Salute university hospital stands out for its experiments in relation to the respect of the right to religious assistance, prayer and religious dietary requirements.

In 2008, the Spiritual Assistance “Care of the Spirit” project was launched in Turin, at the City of Health, by Mario Caserta and the hospital’s public relations office (Palmisano 2020; Timmins et al. 2022). Supported by the Piedmont Region’s Department of Health, this project aims to provide non-Catholic religious assistance to patients and their families and to hospital staff.⁷ The main confessions recognized by the Italian State, and having at least thirty thousand adherents, joined the project by signing a memorandum of understanding. Religions include Orthodox Christianity, Protestantism, Judaism, Islam, Buddhism and Hinduism. In addition, an agreement has been made with the UAAR (Union of Atheists, Agnostics and Rationalists). As Mario Caserta notes (Giorda and Mastromarino 2020, p. 114), “Religious representatives are also at the disposal of healthcare personnel to provide religious information concerning the healthcare-assistance context (dietary prescriptions, customs and traditions typical of their religion, rites for the preparation and management of the corpse), carrying out religious mediation activities. The project has been extended to all the regional AOASLs (Health authorities) pursuant to Regional Decree of 14 July 2008, No. 89172” (C. 12/09/21).⁸

Surprisingly, initiating in and for a specific hospital, it quickly spread to a regional dimension. In addition to spiritual assistance, the right to prayer has also been the object of specific attention. In the context of this Project, in fact, the first multifaith space within an Italian hospital, called a “room of silence”, was created in the San Giovanni Battista–Molinette hospital complex, an innovation that has enabled the hospital to qualify as a center of excellence in the relationship between spirituality and care. This is a space for everyone—believers and nonbelievers—to pray, meditate, gather, or grieve. Inaugurated in 2010, this room was created from the low-cost renovation of the old Catholic chapel of one of the hospitals in the complex. Its construction is the result of the collaboration between the public relations office, representatives of the main non-Catholic religious denominations in Italy and the hospital’s Catholic chaplaincy. By means of an individual questionnaire, religious representatives furnished suggestions as to architectural and functional practices which would support fruitful cohabitation among the various religions involved. From the point of view of organization culture, an analysis of artifacts demonstrates that this silent room is of a multireligious type: it meets the needs of every religious group but without dividing spaces in a rigid manner or indicated by specific symbols. The premises have a ceiling reminiscent of a starry sky, sky-blue walls, benches, a sofa, a carpeted area and a bookshop with sacred books from different traditions. Subsequently, another room of silence was inaugurated in 2013 in the Mauriziano Hospital in Turin, opening the door to many other Italian hospitals and making this healthcare setting the context where the greatest number of multifaith spaces have sprung up and where greater attention is paid to religious–spiritual assistance. Today, rooms of silence have been provided in hospitals in about twenty cities: in Piedmont, Turin (in 2009, in 2013, in 2016, in 2017), Alessandria (in 2011), Biella (in 2017), Cuneo (in 2017) and Asti (in 2019); in the rest of Italy, Milan (in 2009), Legnano (in 2011), Ferrara (in 2013), Prato (in 2015), Rome (in 2015 and in 2019), Florence (in 2016), Siena (in 2016), Livorno (in 2019) and Naples (in 2022).⁹ This is a list in the making, which needs to be constantly updated due to the closure of some existing rooms and the “discovery” of others not previously mapped. The analysis reveals a process that, starting from one hospital, spread first to neighboring and sister hospitals, then spread outside the city and throughout the region and country in an unplanned manner. The right to prayer, then, is promoted by a single hospital in between the municipal and regional level, as a top-down initiative negotiated with the representatives of some religions at the local level (those already involved in the Care of the Spirit project).

Most recently (in 2019), the “Care of the Spirit” project has promoted a new activity called “Nutrire l’Anima” (Feeding the Soul), addressing the respect of religious dietary requirements in hospitals. The project designed a series of cards for the health personnel of Turin’s City of Health, listing the foods permitted and forbidden by the religious laws. In addition, it defined a proposal for an innovative multireligious menu, to be added to the standard diet, which can be consumed by all in-patients in respect of their religion (Giorda and Mastromarino 2020, p. 115). National guidelines¹⁰ set the standard for meals provisions in the hospitals; at the regional level, canteen service is regulated by the technical specifications included in the SCR (Single Contracting Station of the Piedmont Region) 2018 (Giorda and Mastromarino 2020, p. 116).

The SCR specifies that the food supply must be structured with a 2-week cyclicity, responding to the demands and needs of the in-patients; the offer can change in the presence of ethnic, ethical–religious or cultural requests and particular attention is paid to vegetarians (Giorda and Mastromarino 2020, p. 116). The information material contained in the menus for in-patients must be provided in Italian and English, and in the languages most widely spoken in the local area, updated by the contracting company and formally displayed in agreement with the contracting authorities (Giorda and Mastromarino 2020, p. 116).

In the case of hospitals’ canteens, then, the regional level appears to have a filtering effect with respect to religious dietary requirements. However, different providers are contracted by different hospitals, the canteen contract was won by different companies and therefore the services vary depending on the hospital, even at the local level—for example, different services providers operate within the city of Turin. Hence, even though guidelines are issued at the regional level, municipalities have a role in the implementation of the respect of religious dietary requirements in bringing the food options back to the local level. As in the case of the respect of the rights to spiritual assistance and prayer, as well as in the case of the respect of religious dietary requirements, the main actors involved are the hospital management (in between the regional and the municipal level) and religious representatives.

Interviews collected during the Project with religious and secular stakeholders in the public and the private sector show that the stakeholders prefer the possibility of multireligious food in the hospital catering, rather than providing alternative menu options. The religious groups interviewed during the project also emphasized the need to combine the respect of religious dietary requirements with the respect of the right to health, pointing out the necessity for both religious and secular actors to be flexible.¹¹ Hospitals don’t offer halal meat or halal products (available only in one ASL in Turin) officially because is not available for logistics’ reasons or for lack of supply of raw materials. According to the interviews, the main reason is that no patient has so far requested a halal menu; in general, there is neither particular request from individual patients, nor from religious groups (Giorda and Mastromarino 2020, p. 117).

The experimentation proposed by the project (which could therefore be proposed at a regional level) aims to provide a universal menu, able to accommodate everyone’s needs. To date, the menus have been submitted to a focus group of fifty operators in different departments of the *Città della Salute* hospital complex in order to test reactions and receive suggestions.

The “Care of the Spirit” Project provides an opportunity to reflect on the absence of a national perspective: every single project related to religion in hospitals comes from below and is carried out, in a hospital or hospital network, by experimenting at the regional level.

The case illustrates the intersection of different levels of government in dealing with religious diversity—in particular, national and regional governments. Moreover, it shows how in this case it was the willingness of specific institutions that led to the promotion of religious diversity, rather than a bottom-up request of religious groups, or the national legal framework. Furthermore, it illustrates the intersections of religious rights (in this case, the right to spiritual assistance and spaces for worship and prayers, dietary requirements,

trained personnel, the treatment of death and the corpse) with other rights (in this case, the right to health) and regulations (in this case, health standards).

7. Conclusions

In this article, we have explored the respect of religious rights in relation to two public institutions, schools and hospitals, focusing on one Italian city. In this section, we discuss the results and the contribution to the literature on religious rights.

The first contribution is related to the complex intersection of different levels of government in the management and implementation of religious rights and religious diversity.

As the case of hospitals and schools illustrate, national, municipal and regional governments are all involved in issuing regulations related to religious rights, and both municipal and regional governments play a role in their implementation. In the case of schools, municipalities can either promote or hinder the respect of religious dietary requirements, while in the case of hospitals, regions' and municipalities' actions intersect in shaping the implementation of various religious rights. Broadly speaking, hospitals are more experimental than schools; the only area where schools are ahead of hospitals is canteens, which are managed at the municipal rather than national level. Therefore, we suggest paying attention to the different aims and perspectives that different levels of government may have because this impacts the respect of religious rights (Griera 2016; Giorgi 2018). In the absence of a national legislative framework, we can therefore observe the reification of asymmetries which appear at both local and regional levels, as in the case of the governance of ethno-cultural diversity more in general (Ambrosini and Boccagni 2015).

The second contribution is related to the actors promoting the respect of religious rights. In the case of schools, the effective respect of religious rights is the effect of the bottom-up activity of families, bound by the specific options they have. In the case of the hospitals, it is both a top-down (from the hospital institution to the patient) and a bottom-up (from one hospital to other hospitals to the national level) activity. In addition, while in the case of schools, individuals and families play a crucial role, in the case of hospitals are secular actors who have promoted the implementation of religious rights and the respect of religious diversity. In any case, experimentation comes from below, the local level, such as the first room of silence in a hospital or the first canteen adopting an ethical-religious-based menu which takes root and spreads to a wider territory. The needs and demands of individuals have often been the starting point for reflections on the creation and practices for the management of (including religious) diversity. This is the case of the request for a religiously compliant menu in prisons raised by a Buddhist prisoner; it constituted a trailblazer not only in the management of food practices in prison but also in legal speculation about the subject of (prisoners') rights to diet on the basis of ethical-religious choices (ECtHR, Jakóbski vs. Poland, appeal n. 18429/06, sentence from 7 December 2010: see Bottoni 2013, p. 119). Collective agents, groups and communities that are more or less formally organized, socially recognizable and objects of social esteem or stigma can also demand their rights for groups. The interweaving of civil and sacred rights is even more intricate and is dealt with when questions or problems arise. Thinking of the multiform, fragmented world of Italian Islam is also related to food in public spaces: as we explained supra, in recent years, in various Italian cities, some families of children attending primary school, sometimes supported by local groups, have forwarded a request for halal meat to be served in canteens with different local results. Finally, the official representatives of religious groups who are recognized as points of reference can develop practices and build a public discourse, take care of the transitions between social and juridical recognition, negotiate interests and guarantee religious coexistence between forms of tolerance and full recognition.

The third contribution is related to the paramount importance of differently analyzing different public institutions (Becci and Roy 2015; Cadge 2012; Griera et al. 2015). As the cases illustrate, public institutions have a filtering effect on the implementation and enforcement of different religious rights for many reasons: the different territorial level of

the regulations they must abide by, the different actors involved, the different stakeholders and the different rights that intersect with religious rights. In the case of school canteens, children's rights intersect with religious rights. In the case of hospitals, patients' rights and rights to health may intersect with the respect of religious rights.

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Notes

¹ Alberta Giorgi wrote Sections 1–3; Mariachiara Giorda Sections 4 and 5; Stefania Palmisano Sections 6 and 7.

² At the moment, the Italian state has established agreements with the Union of Waldensian and Methodist Churches, the Assemblies of God in Italy, the Union of Seventh-Day Adventist Christian Churches, the Union of Jewish Communities in Italy (UCEI), the Baptist Evangelical Christian Union of Italy (UCEBI), the Evangelical Lutheran Church in Italy (CELI), the Sacred Orthodox Archdiocese of Italy and the Exarchate for Southern Europe, the Church of Jesus Christ of Latter-Day Saints, the Apostolic Church in Italy, the Italian Buddhist Union (UBI) and the Italian Hindu Union—and, more recently, with the Italian Buddhist Institute Soka Gakkai (IBISG). Jehovah's Witnesses signed an agreement with the Italian state in 2007 but are still awaiting parliamentary approval.

³ http://www.edizionieuropee.it/law/html/138/si1_06_052.html (accessed on 4 June 2022).

⁴ https://www.salute.gov.it/imgs/C_17_pubblicazioni_1248_allegato.pdf (accessed on 4 June 2022).

⁵ Data stems from a comparative research project carried out by the Benvenuti foundation in Italia in collaboration with Risteco consortium and the Swiss foundation Fondation Charles Léopold Mayer pour le Progrès de l'Homme. Cities included in the project: Turin, Zaragoza, Tirana, Rome, Lausanne, Milan, Bucharest, Paris and Birmingham.

⁶ Technical specifics (Capitolato Servizio Ristorazione. Allegato 4 "Indicazioni Diete Speciali"). Available at the url: https://www.comune.roma.it/web-resources/cms/documents/Allegato_4-Indicazioni_Diete_Speciali.pdf (accessed on 4 June 2022). I am grateful to Lamberto Rinaldi for having shared this information.

⁷ For the project see: <https://www.cittadellasalute.to.it/index.php?option=comcontent&view=article&id=3888:progetto-qla-cura-dello-spiritoq&catid=309:assistenza-spirituale&Itemid=199> (accessed on 4 June 2022).

⁸ Report of Mario Caserta, March 2017.

⁹ We are grateful to Alessandro Bonardi for the map: interview 25 May 2022; see also the project <https://www.stanzadelsilenzio.it/> (accessed on 4 June 2022).

¹⁰ LARN 2014: <https://sinu.it/tabelle-larn-2014> (accessed on 4 June 2022).

¹¹ The project was promoted by the Interpresidium Project Area of the AOU Città della Salute e della Scienza, and involved the Benvenuti in Italia Foundation, the Piedmontese Clinical Nutrition Network, the University of Turin, Department of Internal Medicine: Bachelor of Science in Dietetics; Unito-DISAFA: Bachelor of Science in Food Science and Technology.

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