

Dealing with neo religious pluralism: Regulating Islam in Italy

Francesco Alicino

LUM University, Casamassima, Bari, Italy

Abstract

This article analyses the religious changes within Italian society. These changes are not only caused by the presence of Islamic groups. Yet, given the specificity of the Islam (especially when compared to Italy's "traditional religions") and its problematic interconnected issues (which implies the emergences of immigration and/or religion-inspired terrorism), Islam highlights the most striking facets of Italy's new plural religious landscape. This implies other legal matters, like those related to the bilateralism principle, as traditionally stated in Articles 7.2 and 8.3 of the Italian Constitutions, as well as the 1929 law (no. 1159) on admitted religions (*culti ammessi*). Both the practice of state-church bilateral relations and the 1159/1929 law, combined with the highly discretionary powers granted to the Government in this matter, can lead to unreasonable and discriminatory distinctions between religions that benefit from bilateralism and Islamic organizations. This is even more evident in light of the fact that Islamic communities are not only are excluded from the benefits of bilateralism but also are legally recognized as nonreligious association.

Introduction

The religious changes witnessed within Italian society are not only caused by the presence of Islamic groups. However, given the specificity of these groups, especially when referring to traditional religions, Muslim communities highlight the most striking facets of the Italian neo pluralism. As a relatively new religion, Islam indicates and signals the speed tendency to foster plurality within the

country, which implies more or less interconnected issues: gender roles, clothing codes, family models, religion-inspired terrorism, the relationship between religion and politics.

In this chapter I will focus on Italy's State-confessions relationship system, under which the Catholic Church and few other denominations have traditionally played a vital role. In particular, I will analyse how the bilateralism principle (Articles 7.2 and 8.3 of the Italian Constitution) performs in the current religious pluralism, with the rising presence of 'other' communities, which not by accident are considered as new *nomoi* groups (Shachar, 2000, p. 394). Indeed, this is the case of Muslim communities, whose presence has a greater impact on the bilateralism principle that, while used for traditional religions, especially Judeo-Christian ones, can hardly be considered for other minority groups.

In this way, Islam is testing Italy's State-confessions relationship system within a society that, due to immigration and globalization, is no longer monocultural.

1. Regulating religions

Article 7.2 declares that the 1929 Lateran Pacts governs the relationships between the State and the Catholic Church. However, Article 7.2 also claims that any change to the Lateran Pacts, when accepted by both parties, does not require the procedure of Article 138 in regulating constitutional amendments. This entails that when there is a bilateral agreement, a legislative (not constitutional) act is sufficient in order to amend the 1929 Pacts that, together with the procedure of Article 7.2, are thus seen as legal prototypes of the bilateralism principle, which is also incorporated into Article 8.3 of the Constitution. Accordingly, only legislative acts can regulate the relationships between minority religions and the State (Bouchard, 2004; Varnier, 1995). However, these acts must be based on *intese*, meaning an understanding between the State and religions other than Catholicism (Casascelli, 2008, p. 304). In other terms, once the Italian Government and the representatives of a given religion have signed an agreement (Article 7.2 related to Catholic Church) or an *intesa* (Article 8.3 referring to denominations other than Catholicism), these two documents need to be ratified (for the agreement) or approved (for the *intese*-understandings) by specific legislative acts of the Parliament.

On the 18th of February 1984, under Article 7.2 of the Constitution the Holy See signed its agreement with the State, also known as Villa Madama agreement. This agreement nearly changed the entire content of the 1929 Lateran Pacts, except for the first part called Treaty. In 1985, the Villa Madama agreement was ratified by the Parliament with the 1985 law (no. 121), which is an atypical legislation, meaning it can be amended only on the basis of a new state-church agreement. Italian

Government also signed the first *intese* with the Waldensian Church in 1985. Since then, the State authorities have engaged other understandings following Article 8.3, thirteen of which have been approved by the Parliament to date.

In theory, the bilateralism principle protects religious groups from being overpowered by the State's unilateral laws. Due to their highly general nature, the unilateral legislations are reluctant to meet the requirements for specific religions. In contrast, bilateral legislations have a more consistent implementation of the constitutional principle of equality, which implies the rights to be different and equally free before the law. Bilateral legislation promotes new rules that aim to combine respect for general constitutional obligations and attention to specific religious claims (Barry, 2001; Bedi, 2007; Festenstein, 2005; Minow, 2007). Moreover, bilateralism is even more relevant in the light of the principle of *laicità* (secularism), which is not expressly enshrined in the 1948 Constitution. Yet, this has not prevented the Constitutional Court to specify that, on the basis of a series of constitutional provisions¹, secularism is one of the supreme principles (*principi supremi*) (Finocchiaro, 1992, p. 67) of the Italian legal order². *Laicità* does not imply indifference towards religions, rather, it acknowledges the special status of denominational religions while also affirming the equidistance and impartiality of the State (Oddi, 2005, p. 241; Lariccia, 2004, p. 1251; Sicardi, 2004). In other words, Italian secularism has a positive attitude towards confessions, whose importance is precisely delineated through the principle and the method of bilateralism. It is also important to note that the Italian bilateralism principle related to Article 8.3 of the Constitution has been characterised by the so-called “copy & paste” phenomenon (*intese fotocopia*). Meaning, in this case the bilateralism principle is by the substantial similarity of all *intese* which have been signed by minority religions until now³. This has led to the creation of a ‘common legislation’ that, as such, is

¹ Namely Articles 2 (under which “[t]he Italian Republic recognizes and guarantees the inviolable rights of the person, both as an individual and in the social groups where human personality is expressed. The Republic expects that the fundamental duties of political, economic and social solidarity be fulfilled”), 3 (regulating the principle of equality); 7 (concerning the relation between the State and the Catholic Church), 8 (1st para.: “[a]ll religious denominations are equally free before the law”; 2nd para.: “[d]enominations other than Catholicism have the right to self-organization according to their own statutes, provided these do not conflict with Italian law), 19 (“[a]nyone is entitled to freely profess their religious belief in any form, individually or with others, and to promote them and celebrate rites in public or in private, provided they are not offensive to public morality), and 20 (“[n]o special limitation or tax burden may be imposed on the establishment, legal capacity or activities of any organization on the ground of its religious nature or its religious or confessional aims”) of the 1948 Constitution.

² See *Corte costituzionale*, especially the following decisions: no. 203/1989; no. 259/1990; no. 13/1991; no. 195/1993; no. 421/1993; no. 334/1996; no. 329/1997; no. 508/2000; no. 327/2002.

³ See: http://presidenza.governo.it/USRI/confessioni/intese_indice.html (accessed 30 May 2022).

far from being considered general law: it is common to all religious denominations that have signed an understanding, but it cannot be applied to other minority confessions (Crisafulli, 1968; Carnelutti, 1951; Ricca, 1996; Randazzo, 2008).

In practice, the coexistence between the supreme principle of secularism and the method-principle of bilateral legislations is complicated by at least five problems. First, the system of bilateral state-churches relationship presupposes a clear distinction between the Catholic Church and other confessions, which risks undermining the status of the latter ones. Second, the bilateralism principle concerning minority religions presupposes a relatively comprehensive religious institution capable of representing a denomination at the national level. Third, the system of the bilateral legislations seems attractive to some confessional organisations while creating unfavourable distinctions for others. Fourth, religions without *intese* are subject to the 1929 law (no. 1159) that, having been approved during the Fascist regime, is not always congruent with constitutional provisions.⁴ Fifth, there is no formal procedure of using *intese* under Article 8.3 of the 1948 Constitution: this can turn the discretionary power of the Government into unreasonable and discriminatory distinctions between denominations with *intese* and those without *intese*⁵.

All of these factors are proved to be challenging for a number of minority religions. That is even more evident when referring to Islam(s)⁶.

⁴ According to this law, the Minister of Interior will take into consideration the characteristics of the denomination or religious entity that claims recognition. For example, the Minister of Interior will take into account: 1) the number of the claimants' members and how widespread they are in the Country; 2) the compatibility between the claimants' statute and the main principles of the Italian legal system; 3) the aim of the denomination that claims to be recognised by the State, an aim that has to be 'prevalently' of religion and worship. In contrast, religious groups possessing an understanding with the State are no longer subject to the 1929 law whose rules are entirely replaced by those, more favourable, of legislative acts approving *intese*. On this aspect see Zaccaria R., Domianello S., Ferrari A., Floris P. & Mazzola R. (Eds.). (2019). *La legge che non c'è. Proposta per una legge sulla libertà religiosa*. Il Mulino.

⁵ See *Corte costituzionale*, no. 52/2016.

⁶ When one compared Islam to religions that have long been present in Italy and considering its problematic history (which currently implies the emergence of transnational fundamentalism and terrorism), this religious minority highlights the most striking aspects of the Country's neo cultural-religious pluralism: it indicates and signals the pluralisation of Italian society. Islam has in other words become the discursive substitute for religious and cultural pluralism, which implies other sensitive matters that, in a way or another, are correlated to this religion: gender roles, clothing codes, family models, the relationship between religion and politics, the role of religions within a democratic system, the rights and duties of the major religion, the rights and duties of religious minorities. So, in the light of these issues, Islam has become the most extreme example of 'other' religions, other than traditional ones. See Allievi S. (2013). Immigration, Religious Diversity and Recognition of Differences: The Italian way to Multiculturalism. *Identities*, 24-737; Decaro Bonella C. (2013). Le questioni aperte: contesti e metodo. In Decaro Bonella C. (Ed.), *Tradizioni religiose e tradizioni costituzionali. L'Islam e l'Occidente* (pp. 34-34), Carocci. The most relevant Muslim organizations existing in Italy are: the Italian

2. Regulating Islam

From a legal point of view, it is important to remember other provisions of the 1948 Constitution, which state that community with religious aims can operate within the Italian legal system. Religious communities can do so without authorization or prior registration. From this point of view, the only limit is based on the protection of public order and common decency. In theory, this gives Muslim groups the opportunity to choose among various types of legal capacity, including those referring to confessional organizations (paladin, 1967). Yet in practice, they have been regulated by the general legislation concerning association in its double version, recognised and non-recognised associations.

More specifically, many Muslim organizations constitute themselves as 'non-recognised associations',⁷ which is the simplest model of association. It is true that this kind of associations does not provide control from the State's authorities; but it is also true that their legal capacity within the public space is reduced to basic, limited services. Muslim organizations can also choose the form of 'recognised associations,' which provides legal personality through registration at the local Prefecture. However, this legal capacity is not comparable to other confessions⁸.

In sum, not only the legal capacities of recognised and non-recognised associations are incomparable with those related to confessions with *intese*. These kinds of associations also prevent Muslim organizations to be legally recognised by reasons of their religious under the 1159/1929 law (Ferrari, 2001; Allievi, 2003).

Some Muslim organizations have tried to engage forms of cooperation with the Government in order to sign an *Intesa*. In 1990, two years after its establishment, the Union of Islamic Communities and Organizations in Italy (UCOII) publicly stated their intentions by issuing a draft agreement and sending it to the Italian government. Similar attempts have been made by other Islamic

Islamic Confederation (CI); the Islamic Cultural Centre of Italy (CICI); the Union of Islamic Communities and Organizations of Italy (UCOII); the Italian Islamic Religious Community (COREIS); the Union of Muslim Albanians in Italy (UAMI); the Association of Muslim Women in Italy (ADMI); the Cheikh Ahmadou Bamba Association; the Association of Somali Mothers and Children; the Islamic Association of Imams and Religious Leaders; the Pakistani Islamic Association 'Muhammadiyah'. All these organizations in 2017 signed the *National Pact for an Italian Islam, expression of an open and integrated community, adhering to the values and principles of the Italian legal system*. It is interesting to note that, in accordance with the 1929 Law, no. 1159, only the the Islamic Cultural Centre of Italy has been recognised as a religious legal entity (see *Decreto del Presidente della Repubblica 21 dicembre 1974, n. 712, Riconoscimento della personalita' giuridica dell'ente "Centro islamico culturale d'Italia"* (<https://www.gazzettaufficiale.it/eli/id/1975/01/11/074U0712/sg>) (accessed 30 May 2022) .

⁷ Article 36-38 of the Italian Civil Code.

⁸ Articles 14-35 of the Civil Code and the 2000 decree of the President of Italian Republic (no. 361).

organizations, such as the Association of Italian Muslims (1994) and the Islamic Italian Community (1996) (Musselli, 1997, p. 295; Tedeschi, 1996, p. 1574; Cilaro, 2009, p. 94). Yet their efforts have not been taken into consideration by public authorities who, instead of using Article 8.3 of the Constitution or the 1159/1929 law, have chosen other solutions.

3. Administrative way of regulating Islam

In 2005, the Italian Minister of the Interior (IMI) established the Consultative Council for Islam in Italy (*Consulta per l'Islam italiano*) (Ferrari, 2007). This council issued documents that aimed at reaffirming the values of a secular State and religious freedom as well as encouraging the creation of a federation of Islamic groups. In this context Charter of values for the integration and citizenship (*Carta dei valori per l'integrazione e la cittadinanza*) was approved. The Charter was conceived as the basis for a future understanding between the State and Islam(s) (Cardia, 2008, p. 8; Colaianni, 2009). The Italian Committee for Islam suggested that if imams should subscribe to the Charter, they had to do so in accordance with the 1159/1929 law which had to be accompanied by a circular of IMI.⁹ Likewise, IMI established in 2010 a Committee for Islam in Italy (*Comitato per l'Islam Italiano*) which was made up of 19 members, including not only Muslim representatives but also non-Muslim academic experts on Islam and even anti-Muslim prominent figures in journalism. This choice was clearly intended to soften the vague attempt of representativeness of the 2005 Consultative Council.

A few years later (March 2012) the Minister for Cooperation and Integration created a "Permanent Conference on Religions, Culture and Integration (CRCI)," where representatives of Muslim organisations and experts on Islam and on other religions were properly represented. However, the CRCI was essentially conceived as a space for meetings and seminars rather than a consultative body. In 2015, it was the turn of another Council for an Italian Islam, consisting of university professors and experts, who set up a common agenda with representatives of the major national Muslim associations in Italy¹⁰. In 2016, the Council elaborated a document, which was delivered on the 1st of February, 2017

⁹ See *Parere del Comitato per l'Islam Italiano, Parere su Imam e formazione*, 31 May 2011, p. 6, http://www.coreis.it/documenti_13/6.pdf (accessed 30 May 2022).

¹⁰ Namely: the Islamic Cultural Centre of Italy (CICI); the Union of Islamic Communities and Organizations of Italy (UCOII); the Italian Islamic Religious Community (COREIS); the Union of Muslim Albanians in Italy (UAMI); the Association of Muslim Women in Italy (ADMI); the Cheikh Ahmadou Bamba Association; the Association of Somali Mothers and Children; the Islamic Association of Imams and Religious Leaders; the Pakistani Islamic Association 'Muhammadiyah'.

(Naso, 2017) called the “National Pact for an Italian Islam expression of an open community, integrated and adhering to the values and principles of State laws”¹¹.

By reviewing all these documents helps us to gain a better appreciation of how public authorities are trying to promote collaborations between the State and Muslim groups. A similar approach has been followed at the local level, where consultative forums with representatives of Muslim communities and experts in religion have been established.¹² This is the case of the so-called mini-understandings (*mini intese*) between branches of the public administration and minority religions that do not have an *intesa* yet.¹³ For example, following the example of the agreement between the Department of Penitentiary Administration (DAP), the Jehovah’s Witnesses and some Protestant Churches, the DAP and UCOfI signed a Protocol on 5 November 2015, which was replied on 8 January 2020 and extended to the Italian Islamic Conference (IIC) on October of the same year. These new protocols allowed Muslim ‘religious ministers’ to enter prisons¹⁴.

These protocols reaffirm that instead of relying on bilateral legislation related to Article 8.3 of the Constitution and the relative instruments of *intese*, public actors and Muslim leaders can explore other solutions, like those performed during the pandemic outbreak of Covid-19. The attention focuses on the “Protocol concerning the resumption of public Masses”, which was signed on 7 May 2020

¹¹ This Pact is divided into three parts: the first one refers to the constitutional principles and regulations concerning religious freedom; the second and third contain two ‘decalogues’ engaging representatives of Muslim communities and the Interior Ministry to support the establishment of Italian Islam that, among other things, should contribute in the prevention and the contrast against religion-inspired radicalization. See [athttps://www.interno.gov.it/sites/default/files/patto_nazionale_per_un_islam_italiano_en_1.2.2017.pdf](https://www.interno.gov.it/sites/default/files/patto_nazionale_per_un_islam_italiano_en_1.2.2017.pdf) (accessed 30 May 2022).

¹² On February 2016 the City of Florence and a local Muslim community also signed a Pact for integration and citizenship. In the same period the City of Turin and twenty local Islamic organizations signed the Pact of shared values (*il patto di condivisione*) approved in the context of Turin Islamic Forum.

¹³ Alicino F. (2013), La legislazione sulla base di *intese*. I test delle religioni “altre” e degli ateismi. Cacucci.

¹⁴ These Protocols allow imams to offer spiritual assistance to Muslim inmates detained in Italian prisons. UCOfI and IIC will provide prison administration with a list of people who “perform the functions of imam in Italy” and who are “interested in guiding prayers and worship within prisons nationwide.” The list will also specify at which mosque or prayer room each imam normally performs his worship. Imams will have to indicate their preference for three provinces where they would be willing to lead prayers for inmates. See Belli M. (2020), Religione in carcere: *intesa* tra Dap e Comunità Islamiche. *gNews*, <https://www.gnewsonline.it/religione-in-carcere-intesa-tra-dap-e-comunita-islamiche/> (accessed 30 May 2022). See also at <https://it.italiatelegraph.com/news-40724> (accessed 30 May 2022); Angeletti S. (2018), L’accesso dei ministri di culto islamici negli istituti di detenzione, tra antichi problemi e prospettive di riforma. L’esperienza del Protocollo tra Dipartimento dell’Amministrazione penitenziaria e UCOfI. In *Stato, Chiese e pluralismo confessionale*, <https://riviste.unimi.it/index.php/statoechiese/article/view/10331> (accessed 30 May 2022).

by the President of the Council of Ministers Giuseppe Conte, the Ministry of the Interior Luciana Lamorgese and the CEI's President Cardinal Gualtiero Bassetti.¹⁵ Few days later very similar (copy&paste) documents were signed by other representatives of religions, including those referring to groups without *intese* or even not formally recognized as religious denominations, such as the case of many Muslims communities¹⁶. It is worth remarking that these Protocols fall into neither Articles 7.1 (related to the relations between the Catholic Church and the State) nor Article 8.3 (referring to the relations between the state and religions other than Catholicism) of the Constitution, which means that these protocols have nothing to do with the bilateralism principle. On the contrary, they are part of the unilateral law regulating public administrative procedure according to which associations or committees (that have concrete interest for the defence of legally important situations and that could be prejudiced by the measure taken by public authorities) have the right to intervene during rulemaking proceedings¹⁷. The administrative nature of the 2020 Protocols is also confirmed by the fact that they were approved by the Technical Scientific Committee¹⁸ before going to the State's authorities and the religious representatives for their signature¹⁹.

Apart from the confusion over their possible or perceived legal effects, all those documents stress the ability of the bilateralism principle to govern the Italian existing pluralism. They could in fact be interpreted as its failure or as a signal for its lack of ability, perseverance and goal commitment.

¹⁵ *Protocollo circa la ripresa delle celebrazioni con il popolo*, available at http://www.governo.it/sites/new.governo.it/files/Protocollo_CEI_GOVERNO_20200507.PDF (accessed 30 May 2022).

¹⁶ See the Italian Government, *Protocollo con le Comunità Islamiche*, available at https://www.interno.gov.it/sites/default/files/2020.05.14_protocollo_comunita_islamiche.pdf (accessed 30 May 2022).

¹⁷ Law 7 August 1990 no. 241, *Nuove norme sul procedimento amministrativo*. See Cimbalo G. (2020). *Il papa e la sfida della pandemia: Stato, Chiese e pluralismo confessionale* <https://riviste.unimi.it/index.php/statoechiese/article/view/13416> (accessed 30 May 2022).

¹⁸ This is an advisory board of experts supporting the Head of the Civil Protection Department. See *the Ordinance of the Head of the Civil Protection Department n.663 of April 18, 2020*, http://www.protezionecivile.gov.it/amministrazione-trasparente/provvedimenti/dettaglio/-/asset_publisher/default/content/ocdpc-n-663-del-18-aprile-2020-ulteriori-interventi-urgenti-di-protezione-civile-in-relazione-all-emergenza-relativa-al-rischio-sanitario-connesso-all (accessed 30 May 2022).

¹⁹ See The above mentioned *Protocollo circa la ripresa delle celebrazioni con il popolo*, where it is stated that "during the meeting of 6 May 2020 the Technical-Scientific Committee has analysed and approved this 'Protocol concerning the resumption of public Masses'" (*il Comitato Tecnico-Scientifico, nella seduta del 6 maggio 2020, ha esaminato e approvato il presente 'Protocollo circa la ripresa delle celebrazioni con il popolo'*) (translation mine).

Conclusion

The historical roots of the Italian system of State-Churches relationship and the presence of some different conspicuous forms of religious affiliation complicate the role of the bilateral legislations, especially in light of the requirements of the supreme principle of secularism. While these legislations ensure a potentially greater diversity in the public sphere, they do not necessarily promote the interests of all religious communities, including those that are part of neo-religious landscape such as Islam. This attitude is even more evident in view of the fact that in the past two decades, the debate on Islam has been marked by violence, politically exploited, and covered extensively by the media (Saint-Blancat, 2014; Coglievina, 2013) even though the presence of Muslims and Islamic groups in Italy is not as significant as it is in other European states²⁰.

In other words, Islam and its related groups are often suspected of being potentially undemocratic religions that, for instance, do not accept the separation of church and state and, further, drive believers to illicit practices and conducts. As such, these communities are constantly subject to at least two kinds of tests: the test of being a religion under Article 8 of the Constitution, and the test of being a religious organization that is compatible with Italy's constitutional democracy. It should not be forgotten that this happens at the same time that Italian political rhetoric increasingly suggests combining security policies, economic strategies, and immigration concerns with religion-orientated values of democracy and popular sovereignty reinforcing the idea that Muslims are "the others". Evidence of this phenomenon can be seen when considering other problematic issues, like those related to religion-inspired extremism, upon which Islam and the related groups are often judged as a potential war-like religion that pushes believers into the spiral of violent radicalization, if not terrorism.

It is important to underscore that this situation is also a result of Italy's unique historical process, which has left significant traces in the country's religious identity. As such, this process has strongly influenced the way the State governs religious issues, including those related to pluralism. From this point of view, Italy seems to be more and more trapped in its own past and, consequently, in a limited secularism that, as such, is no longer able to manage a new plural religious landscape.

²⁰ It is not by chance that in Italy the population overestimates the presence of Muslims by a staggering amount. That is even more evident in the IPSOS-MORI survey, *Perceptions are not reality: what the world gets wrong* (2016), <https://www.ipsos.com/ipsos-mori/en-uk/perceptions-are-not-reality-what-world-gets-wrong> (accessed 30 May 2022).

References

- Allievi, S. (2003). *Islam italiano. Viaggio nella seconda religione del Paese*. Einaudi.
- Barry, B. (2001). *Culture and equality*. Polity Press.
- Bedi, S. (2007). What is so special about religion? The dilemma of the religious exemption. *The Journal of Political Philosophy*, 15, 235-249.
- Bouchard, G. (2004). Concordato e intese, ovvero un pluralismo imperfetto. *Quaderni di diritto e politica ecclesiastica*, 70-71.
- Cardia, C. (2008). Introduzione alla Carta dei valori della cittadinanza e dell'integrazione. In Ministero dell'Interno (Ed.), *Carta dei valori della cittadinanza e dell'integrazione (s.i.d.)*.
- Carnelutti, F. (1951), *Teoria generale del diritto*. Soc. ed. del Foro italiano.
- Casuscelli, G. (2008). La rappresentanza e l'intesa. In A. Ferrari (Ed.), *Islam in Europa/Islam in Italia tra diritto e società*. Il Mulino.
- Cilardo, A. (2009). Diritto islamico, diritto occidentale: ambiguità semantica. In V. Tozzi & G. Macri (Eds.), *Europa e Islam. Ridiscutere i fondamenti della disciplina delle libertà religiose*. Rubbettino.
- Coglievina, S. (2013). Italy. In J.S. Nielsen, S. Akgönül, A. Alibašić, & E. Raciuc, *The Yearbook of Muslims in Europe* (pp. 351-367). Brill.
- Colaiani, N. (2009). Alla ricerca di una politica del diritto sui rapporti con l'Islam (Carta dei valori e Dichiarazione di intenti). *Stato, Chiese e pluralismo confessionale*, <https://doi.org/10.13130/1971-8543/2856>.
- Crisafulli, V. (1968). 'voce Fonti del diritto (dir. cost.). *Enciclopedia del diritto*, XII, 948.
- Ferrari, A. (2011). Libertà religiosa e nuove presenze confessionali (ortodossi e islamici): tra cieca deregulation e super-specialità, ovvero del difficile spazio per la differenza religiosa', in *Stato, Chiese e pluralismo confessionale*. <https://doi.org/10.13130/1971-8543/1213>.
- Ferrari, S. (2007). La consulta islamica. *ISMU, Dodicesimo rapporto sulle migrazioni 2006*, 249-263.
- Festenstein, M. (2005). *Negotiating diversity: Culture, deliberation, trust*. Polity Press.
- Finocchiaro, F. (1992). Principi supremi, ordine pubblico italiano e (auspicata) parità tra divorzio e nullità canonica del matrimonio. In F. Cipriani (Ed.) *Matrimonio concordatario e tutela giurisdizionale*. ESI.
- Lariccia, S. (2004). Problemi in temi dello Stato e delle istituzioni civili. In *Scritti in memoria di Livio Paladin*. Jovene.
- Minow, M. (2007). Should religious groups be exempt from civil rights laws? *Boston College Law Review*, 48, 781-849.
- Musselli, L. (1997). A proposito di una recente proposta di bozza d'intesa con l'Islam. *Il Diritto ecclesiastico*, I, 295.
- Naso P. (2017). For Italian Islam. *Intercultural dialogue*, 1-4.
- Oddi, A. (2005). Il principio di "laicità" nella giurisprudenza costituzionale. In R. Bin, G. Brunelli, A. Pugiotto, & P. Veronesi (Eds.), *Laicità crocefissa?* Giappichelli.
- Paladin, L. (1965). voce Ordine pubblico. *Noviss. Digesto it.*, XII.
- Randazzo, B. (2008). *Diversi ed eguali. Le confessioni religiose davanti alla legge*. Giuffrè.
- Ricca, M. (1996). *Legge e Intesa con le confessioni religiose: sul dualismo tipicità-atipicità nella dinamica delle fonti*. Giappichelli.

Saint-Blancat, C. (2014). Italy. In J. Cesari (Ed.), *The Oxford Handbook of European Islam* (pp. 265-310). Oxford University Press.

Shachar, A. (2000). The puzzle of Interlocking Power Hierarchies: Sharing the Pieces of Jurisdictional Authority. *Harvard Civil Rights – Civil Liberties Law Review*, 35, 394.

Sicardi, S. (2007). Il principio di laicità nella giurisprudenza della Corte costituzionale (e rispetto alle posizioni dei giudici comuni). *associazionedeicostituzionalisti.it*, https://www.associazionedeicostituzionalisti.it/old_sites/sito_AIC_2003-2010/materiali/convegni/200611foggia/sicardi1.html (accessed 30 May 2022).

Tedeschi, M. (1996). Verso un'intesa tra la Repubblica italiana e la Comunità islamica in Italia? *Il diritto di famiglia*, 1574.

Varnier, G.B. (1995). La prospettiva pattizia. In V. Parlato & G.B. Varnier (Eds.), *Principio pattizio e realtà religiose minoritarie* (pp. 8-13). Giappichelli.

