

***40 Years after the First Agreement.  
Assessments, Perspectives, Critical Issues,  
Rome, Sala della Regina, Montecitorio Palace, 19 February 2025***

*40 lat po pierwszym porozumieniu. Oceny, perspektywy, kluczowe kwestie,  
Rzym, Sala Królowej, Pałac Montecitorio, 19 lutego 2025 r.*

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What is the current state of religious freedom in Italy? What are the prospects for overcoming the fascist-era legislation on “permitted cults” and approving a new general law on religious freedom? What are the strengths and weaknesses of the system of agreements outlined in Article 8 § 3 of the Italian Constitution in 1948 but not implemented until 1984? An opportunity to explore these and other questions was provided by the conference *40 Years After the First Agreement: Assessments, Perspectives, and Critical Issues*,<sup>1</sup> organised by the Federation of Evangelical Churches in Italy (FCEI) and held on 19 February 2025. The event marked the 40th anniversary of the first agreement signed with a non-Catholic religious body – the Waldensian Table – on 21 February 1984. The conference took place in the prestigious Sala della Regina at Palazzo Montecitorio, home to the Chamber of Deputies, one of the two houses of the Italian Parliament. The event gathered distinguished scholars, representatives of Evangelical Churches, and members of Parliament, who engaged in discussions across multiple working sessions.

Following institutional greetings from Hon. Anna Ascani, Vice President of the Chamber of Deputies, and introductory remarks by Dr. Ilaria Valenzi and Prof. Daniele Garrone, President of the FCEI, the first session commenced with contributions from Deacon Alessandra Trotta, Moderator of the Waldensian Table, and Prof. Roberto Mazzola from the University of Eastern Piedmont.

Deacon Trotta provided a historical overview, emphasising that the Waldensian Church has always championed the separation of church and state and opposed state privileges that compromise religious autonomy. However, given that Article 8 § 3 of the Constitution sets the rules for religious agreements, the Waldensians ultimately chose to negotiate an agreement that would safeguard their identity while promoting equal freedom for all religious denominations.

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<sup>1</sup> The conference programme is available at: <https://chiesavaldese.org/40-anni-dopo-la-prima-intesa-bilanci-prospettive-criticita/>, while the full video of the event is available on the website of the Italian Chamber of Deputies: <https://webtv.camera.it/evento/27377> [accessed: 27 March 2025].

Prof. Mazzola then outlined the different perspectives within Italian legal scholarship regarding the contractual and collaborative system between the State and religious groups, based on concordats and agreements. This system needs both a recognised and identifiable representation of religious denominations and a political will to engage in negotiations and enact agreements into law. However, increasing religious pluralism and the rise of new spiritual movements that do not fit within the traditional framework of the Catholic Church have raised significant challenges. These include difficulties in identifying legitimate representatives for negotiations and the reluctance of political parties to engage in the process, fearing electoral repercussions. Additionally, the absence of a clear legal procedure for reaching agreements, coupled with Constitutional Court ruling No. 52/2016, which placed such agreements within the realm of political discretion beyond judicial review, has further complicated the issue.

The second panel, chaired by Prof. Maria d'Arienzo (University of Naples Federico II and President of the Association of Scholars in Law and Religion in Italy – ADEC), featured a keynote address by Prof. Francesco Margiotta Broglio (Emeritus, University of Florence), a protagonist in Italy's "season of agreements," following the signing of the Villa Madama agreement with the Catholic Church on 11 February 1984. His historical analysis highlighted that the Fascist regime, as a totalitarianism, incorporated also religions within its policies and that, paradoxically, some colonial laws were more liberal than domestic legislation, allowing freedom of conscience and providing for specific laws and agreements with religious groups.

Prof. Valdo Spini (Emeritus, University of Florence and former Member of Parliament) then redirected the discussion to the Waldensians' role in promoting religious freedom within Italian society, particularly in the actual context of migration. The "stone guest" is, *ça va sans dire*, Islam, which has still to reach an agreement with the State, despite numerous dialogue commissions and the presence of multiple entities claiming representative legitimacy. On this issue, Prof. Paolo Naso (Sapienza University of Rome) stressed the need for a more flexible approach to religious agreements. While 2.5 million Italians practice a minority religion, only 12% of the approximately 6.5 million foreigners living in Italy – more than 10% of the total population – benefit from an agreement guaranteeing their religious freedom.

Before the final roundtable discussion, five representatives from different political parties engaged in a debate. Their statements underscored the political challenges of introducing a comprehensive law on religious freedom, despite repeated proposals from legal scholars advocating for such a reform.<sup>2</sup>

The concluding panel, chaired by Prof. Davide Romano (Adventist University Institute, CCERS), brought together distinguished academics, including Hon. Giuliano Amato (former Prime Minister and President Emeritus of the Italian Constitutional Court), Prof. Alessandro Ferrari (University of Insubria), Prof. Cristiana Cianitto (State University of Milan), and Prof. Carmine Napolitano (Pentecostal Faculty of Religious Sciences,

<sup>2</sup> For one of the most recent proposals, see Roberto Zaccaria, Sara Domianello, Alessandro Ferrari, Pierangela Floris, Roberto Mazzola (eds.). 2019. *La legge che non c'è. Proposta per una legge sulla libertà religiosa in Italia*. Bologna: il Mulino.

CCERS). The discussion emphasised the evolving nature of religious agreements: originally intended to enhance religious diversity, they have instead become standardised templates, limiting their effectiveness in guaranteeing true religious freedom in the absence of a general law. The speakers called for a shift away from a securitarian approach in favour of a more inclusive stance on religious diversity.

In conclusion, while Italy's legal framework on religious freedom remains largely static due to the constitutional nature of its provisions, which are difficult to amend without strong political will, some changes are emerging. New forms of informal bilateral or multilateral agreements are developing at the local and administrative levels to address concrete issues involving religious communities in the public space, as the creation of multi-faith chapels in public hospitals<sup>3</sup> or the resumption of celebrations with the people during the Covid-19 pandemic.<sup>4</sup> One critical issue is the construction of buildings of worship: some faiths (e.g., the Catholic Church) have too many places of worship for their decreasing communities and are looking for new strategies for management and reuse, while others (e.g., the Orthodox Church and Islam) do not have enough spaces for their growing membership. Not to mention the difficulties that religions without an agreement are experiencing in this process, given that several regional planning laws have already been declared unconstitutional for their discriminatory nature.<sup>5</sup> In this context, could the State facilitate dialogue and mutual understanding in an open and pluralistic debate? Could this be the key to fostering a more tolerant and peaceful multicultural society? Or will all this remain just a dream? The final verdict remains in the hands of policymakers and religious authorities, who, with the support of legal scholars, can contribute to transform dreams into reality.

<sup>3</sup> This is the case of the former chapel of the San Lazzaro hospital in Turin, repurposed into a 'room of silence' for personal meditation by everyone, following a deformed dialogue between 14 religious denominations present in the city.

<sup>4</sup> On 15 May 2020, following a collective telematic meeting, six "health protocols for the definition of the measures necessary for the safe conduct of religious services" were signed between the government and representatives of individual religious denominations or groups of related religious denominations, not all of which have an agreement with the State within the meaning of Article 8 § 3 of the Constitution.

<sup>5</sup> For example, on the urban planning law of the Lombardy Region, Regional Law No. 12 of 11 March 2005, see Italian Constitutional Court, Judgment No. 63 of 24 March 2016, § 4.1 and § 5.2 of the Conclusions on points of law, English translation available at: [https://cortecostituzionale.it/documenti/download/doc/recent\\_judgments/S63\\_2016\\_en.pdf](https://cortecostituzionale.it/documenti/download/doc/recent_judgments/S63_2016_en.pdf) [accessed: 27 March 2025].

